



King County
Meeting Proceedings

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Metropolitan King County Council

*Councilmembers: Dow Constantine, Chair;
Bob Ferguson, Vice Chair of Policy;
Jane Hague, Vice Chair of Administration and Finance;
Reagan Dunn, Larry Gossett, Kathy Lambert, Julia Patterson, Larry Phillips,
Pete von Reichbauer*

Room 1001

July 27, 2009

11:00 AM

REVISED - Added Item #36

1. **Call to Order**

The meeting was called to order at 11:19 a.m.

2. **Roll Call**

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Present: Mr. Constantine, Mr. Ferguson, Ms. Hague, Mr. von Reichbauer, Mr. Phillips, Mr. Gossett
and Mr. Dunn

Excused: Ms. Lambert and Ms. Patterson

3. **Flag Salute and Pledge of Allegiance**

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Mr. Dunn led the flag salute and Pledge of Allegiance.

4. **Approval of Minutes of July 20, 2009**

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*Ms. Hague moved to approve the minutes of the July 20, 2009 meeting as presented. Seeing no
objection, the Chair so ordered.*

5. **Additions to the Council Agenda**

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Item 36 was added to the agenda.

6. **Reports on Special and Outside Committees**

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*Mr. Constantine reported on Sound Transit, indicating that over 92,000 people rode light rail over
the opening weekend. Sound Transit continues to troubleshoot and improve operations. There was
discussion regarding putting light rail on the I-90 corridor. Mr. Constantine also commented on the
use of light rail over the weekend for the Mariners' game, the torchlight parade and the Sounders
game.*

Motions, from Standing Committees and Regional Committees, for Council Action

Budget and Fiscal Management

7. [Proposed Substitute Motion No. 2008-0233.2](#) Mr. Phillips

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A MOTION of the county council approving a bond purchase agreement for the county's Sewer Revenue Bonds, 2009, in the aggregate principal amount of \$250,000,000 and establishing certain terms of such bonds, all in accordance with Ordinance 16133.

The enacted number is 13040.

Ken Guy, Office of Finance, answered questions of the Council.

Rob Shelley, Seattle Northwest Securities, answered questions of the Council.

David Thompson, Bond Counsel, K&L Preston Gates and Ellis LLP, answered questions of the Council.

A motion was made by Mr. Gossett that this matter be Passed. The motion carried by the following vote:

Votes: Yes: 7 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips and Mr. Dunn

No: 0

Excused: 2 - Ms. Lambert and Ms. Patterson

Committee of the Whole

8. [Proposed Motion No. 2009-0398](#) Mr. Ferguson

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A MOTION appointing _____ as King County assessor, in accordance with Section 680.10 of the King County Charter and RCW 36.16.110.

The enacted number is 13033.

Mr. Ferguson moved to amend Proposed Motion 2009-0398, on line 1, insert the name "Lynn Gering" and on line 12, insert the name "Lynn Gering".

Ms. Gering was sworn in by Anne Noris, Clerk.

Ms. Gering thanked the Council.

A motion was made by Mr. Ferguson that this matter be Passed as Amended. The motion carried by the following vote:

Votes: Yes: 7 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips and Mr. Dunn

No: 0

Excused: 2 - Ms. Lambert and Ms. Patterson

9. [Proposed Motion No. 2009-0420](#)

Mr. Ferguson

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A MOTION appointing committees to write the voters' pamphlet statements for and against the charter amendment placed on the ballot by Ordinance _____ for the November 3, 2009, election.

The enacted number is 13034.

Mr. Ferguson moved Amendment 1. The motion carried by the following vote:

Votes: Yes: 7 - Mr. Constantine, Mr. Gossett, Mr. Dunn, Mr. Ferguson, Mr. Phillips, Ms. Hague and Mr. von Reichbauer

No: 0

Excused: 2 - Ms. Lambert and Ms. Patterson

Mr. Ferguson moved Title Amendment T1. The motion carried by the following vote:

Votes: Yes: 7 - Mr. Constantine, Mr. Gossett, Mr. Dunn, Mr. Ferguson, Mr. Phillips, Ms. Hague and Mr. von Reichbauer

No: 0

Excused: 2 - Ms. Lambert and Ms. Patterson

A motion was made by Mr. Ferguson that this matter be Passed as Amended. The motion carried by the following vote:

Votes: Yes: 7 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips and Mr. Dunn

No: 0

Excused: 2 - Ms. Lambert and Ms. Patterson

10. [Proposed Motion No. 2009-0421](#)

Mr. Ferguson

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A MOTION appointing committees to write the voters' pamphlet statements for and against the charter amendment placed on the ballot by Ordinance 16547 for the November 3, 2009, election.

The enacted number is 13035.

Mr. Ferguson moved Amendment 1. The motion carried by the following vote:

Votes: Yes: 7 - Mr. Constantine, Mr. Gossett, Mr. Dunn, Mr. Ferguson, Mr. Phillips, Ms. Hague and Mr. von Reichbauer

No: 0

Excused: 2 - Ms. Lambert and Ms. Patterson

A motion was made by Mr. Ferguson that this matter be Passed as Amended. The motion carried by the following vote:

Votes: Yes: 7 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips and Mr. Dunn

No: 0

Excused: 2 - Ms. Lambert and Ms. Patterson

11. [Proposed Motion No. 2009-0422](#)

Mr. Ferguson

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A MOTION appointing committees to write the voters' pamphlet statements for and against the charter amendment placed on the ballot by Ordinance 16484 for the November 3, 2009, election.

The enacted number is 13036.

Mr. Ferguson moved Amendment 1. The motion carried by the following vote:

Votes: Yes: 7 - Mr. Constantine, Mr. Gossett, Mr. Dunn, Mr. Ferguson, Mr. Phillips, Ms. Hague and Mr. von Reichbauer

No: 0

Excused: 2 - Ms. Lambert and Ms. Patterson

A motion was made by Mr. Ferguson that this matter be Passed as Amended. The motion carried by the following vote:

Votes: Yes: 7 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips and Mr. Dunn

No: 0

Excused: 2 - Ms. Lambert and Ms. Patterson

12. **Proposed Motion No. 2009-0423**

Mr. Ferguson

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A MOTION appointing committees to write the voters' pamphlet statements for and against the charter amendment placed on the ballot by Ordinance 16546 for the November 3, 2009, election.

The enacted number is 13037.

Mr. Ferguson moved Amendment 1. The motion carried by the following vote:

Votes: Yes: 7 - Mr. Constantine, Mr. Gossett, Mr. Dunn, Mr. Ferguson, Mr. Phillips, Ms. Hague and Mr. von Reichbauer

No: 0

Excused: 2 - Ms. Lambert and Ms. Patterson

A motion was made by Mr. Ferguson that this matter be Passed as Amended. The motion carried by the following vote:

Votes: Yes: 7 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips and Mr. Dunn

No: 0

Excused: 2 - Ms. Lambert and Ms. Patterson

Law, Justice, Health and Human Services Committee

13. **Proposed Motion No. 2009-0404**

Mr. Gossett, Ms. Patterson, Ms. Lambert and Mr. Phillips

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A MOTION supporting Bank on Seattle - King County and naming King County government as a non-financial community sponsor.

The enacted number is 13038.

Kelli Carroll, Council staff, answered questions of the Council.

A motion was made by Mr. Gossett that this matter be Passed. The motion carried by the following vote:

Votes: Yes: 7 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips and Mr. Dunn

No: 0

Excused: 2 - Ms. Lambert and Ms. Patterson

14. [Proposed Motion No. 2009-0438](#) Ms. Patterson and Mr. Phillips

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A MOTION urging the 111th Congress of the United States to enact comprehensive health reform in 2009.

The enacted number is 13039.

A motion was made by Mr. Gossett that this matter be Passed. The motion carried by the following vote:

Votes: Yes: 5 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Mr. von Reichbauer and Mr. Gossett
No: 0
Excused: 4 - Ms. Lambert, Mr. Phillips, Ms. Patterson and Mr. Dunn

Hearing Examiner Consent Agenda Item 15

15. [Proposed Substitute Ordinance No. 2009-0215.2](#) Mr. Constantine

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AN ORDINANCE authorizing the vacation of a portion of the 68th Avenue NE right-of-way, File V-2607; Petitioner: John Postma.

The enacted number is 16591.

This Matter was Passed on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Ms. Hague that the Consent Agenda be passed. The motion carried by the following vote:

Votes: Yes: 6 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Mr. von Reichbauer, Mr. Gossett and Mr. Phillips
No: 0
Excused: 3 - Ms. Lambert, Ms. Patterson and Mr. Dunn

First Reading and Referral of Ordinances

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16. [Proposed Ordinance No. 2009-0433](#) Ms. Hague

AN ORDINANCE authorizing the King County executive to execute an interlocal agreement with the city of Kent for the transfer of drainage parcels adjacent to Southeast 240th Street in the city of Kent.

Introduced and Referred to Physical Environment Committee

17. [Proposed Ordinance No. 2009-0453](#) Ms. Lambert

AN ORDINANCE implementing the district court redistricting committee's amendment to the districting plan implementing provisions of RCW 3.34.010 to increase the number of judges from twenty-one to twenty-three; and amending Ordinance 8935, Section 4, as amended, and K.C.C. 2.68.070 and Ordinance 9427, Section 7, as amended, and K.C.C. 2.68.078.

Introduced and Referred to Law, Justice, Health and Human Services Committee

18.

[Proposed Ordinance No. 2009-0455](#)

Mr. Constantine

AN ORDINANCE clarifying provisions regarding strategic planning and performance management; and amending Ordinance 16202, Section 8, and K.C.C. 2.10.060.

Introduced and Referred to Government Accountability and Oversight Committee

19. [Proposed Ordinance No. 2009-0456](#) **Mr. Constantine**
AN ORDINANCE relating to road names; changing the name of 136th Place Southwest to Tabor Avenue Southwest.
Introduced and Referred to Physical Environment Committee

First Reading and Referral of Motions

20. [Proposed Motion No. 2009-0452](#) **Mr. Dunn**
A MOTION requesting the governor of the state of Washington to authorize the director of the Washington state Emergency Management Division to assume the overall coordination of local emergency response efforts, in the event of catastrophic flooding in the Green River valley.
Introduced and Referred to Law, Justice, Health and Human Services Committee
21. [Proposed Motion No. 2009-0454](#) **Mr. Phillips**
A MOTION requesting the executive to identify revenue-neutral alternatives for creating and managing community gardens on King County owned property to grow organic fruits and vegetables, build community and address hunger.
Introduced and Referred to Physical Environment Committee

22. Recess

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*The meeting was recessed at 11:43 a.m.
The meeting was reconvened at 1:51 p.m.*

Hearings and Second Reading of Ordinances from Standing Committees and Regional Committees

Budget and Fiscal Management

23. [Proposed Ordinance No. 2009-0372](#) **Mr. von Reichbauer**

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AN ORDINANCE declaring as surplus King County's interest in King County assessor's tax parcel numbers 192105-9008-02, 192105-9082-01 and 192105-9010-08, located on the east side of M Street SE Near 12th Street SE, in Auburn, Washington; and authorizing the county executive to execute a quit claim deed for such interest.

On 7/27/2009, a public hearing was held and closed.

The enacted number is 16606.

A motion was made by Mr. Gossett that this matter be Passed. The motion carried by the following vote:

Votes: Yes: 7 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips and Mr. Dunn
No: 0
Excused: 2 - Ms. Lambert and Ms. Patterson

24. [Proposed Ordinance No. 2009-0380](#) Mr. Ferguson

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AN ORDINANCE authorizing the King County executive to enter into a temporary, nonexclusive, surface use easement with the city of Shoreline to use land adjacent to the Shoreline district court facility as a park.

On 7/27/2009, a public hearing was held and closed.

The enacted number is 16607.

A motion was made by Mr. Gossett that this matter be Passed. The motion carried by the following vote:

Votes: Yes: 7 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips and Mr. Dunn
No: 0
Excused: 2 - Ms. Lambert and Ms. Patterson

25. [Proposed Substitute Ordinance No. 2009-0384.2](#) Mr. Gossett, Mr. Constantine, Ms. Patterson and Mr. Phillips

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AN ORDINANCE making a supplemental appropriation of \$1,186,710 to the public health fund; and amending the 2009 Budget Ordinance, Ordinance 16312, Section 92, as amended.

On 7/27/2009, a public hearing was held and closed.

The enacted number is 16608.

Carrie Cihak, Council staff, answered questions of the Council.

A motion was made by Mr. Gossett that this matter be Passed. The motion carried by the following vote:

Votes: Yes: 7 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips and Mr. Dunn
No: 0
Excused: 2 - Ms. Lambert and Ms. Patterson

26. [Proposed Substitute Ordinance No. 2009-0424.2](#) Mr. Dunn, Mr. Ferguson and Mr. Phillips

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AN ORDINANCE relating to public works bid requirements; and amending Ordinance 12138, Section 9, as amended, and K.C.C. 4.16.040.

On 7/27/2009, a public hearing was held and closed.

The enacted number is 16609.

A motion was made by Mr. Gossett that this matter be Passed. The motion carried by the following vote:

Votes: Yes: 7 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips and Mr. Dunn
No: 0
Excused: 2 - Ms. Lambert and Ms. Patterson

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27. **Proposed Substitute Ordinance No. 2009-0430.2** **Ms. Patterson**
AN ORDINANCE limiting King County's participation in the Federal Way Village Community Revitalization Area; and declaring an emergency.
On 7/27/2009, a public hearing was held and closed.
The enacted number is 16610.
This Matter was Passed on the Consent Agenda.
28. **Proposed Substitute Ordinance No. 2009-0431.2** **Ms. Patterson**
AN ORDINANCE limiting King County's participation in the Auburn Revitalization Area; and declaring an emergency.
On 7/27/2009, a public hearing was held and closed.
The enacted number is 16611.
This Matter was Passed on the Consent Agenda.
29. **Proposed Substitute Ordinance No. 2009-0432.2** **Ms. Patterson**
AN ORDINANCE limiting King County's participation in the Bellevue Revitalization Area Number One; and declaring an emergency.
On 7/27/2009, a public hearing was held and closed.
The enacted number is 16612.
This Matter was Passed on the Consent Agenda.
30. **Proposed Substitute Ordinance No. 2009-0448.2** **Mr. Constantine**
AN ORDINANCE limiting King County's participation in the South Lake Washington Revitalization Area; and declaring an emergency.
On 7/27/2009, a public hearing was held and closed.
The enacted number is 16613.
This Matter was Passed on the Consent Agenda.
31. **Proposed Ordinance No. 2009-0449** **Mr. Constantine**
AN ORDINANCE limiting King County's participation in the Port Quendall Revitalization Area; and declaring an emergency.
On 7/27/2009, a public hearing was held and closed.
The enacted number is 16614.
This Matter was Passed on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Mr. Gossett that the Consent Agenda be passed. The motion carried by the following vote:

Votes: Yes: 7 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips and Mr. Dunn
No: 0
Excused: 2 - Ms. Lambert and Ms. Patterson

Committee of the Whole

32. Proposed Ordinance No. 2009-0416

Mr. Dunn

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AN ORDINANCE establishing November 3, 2009, as the date for an election to determine whether an area known as Fairwood shall be incorporated as a non-charter code city; and appointing a committee to write a voters' pamphlet statement for the election.

On 7/27/2009, a public hearing was held and closed.

The following people appeared to speak on 7/27/2009 :

Tom Edwards

The enacted number is 16616.

Mr. Ferguson moved to relieve the Committee of the Whole of further consideration of Proposed Ordinance 2009-0416 in order to take action. The motion carried.

A motion was made by Mr. Ferguson that this matter be Passed. The motion carried by the following vote:

Votes: Yes: 7 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips and Mr. Dunn
No: 0
Excused: 2 - Ms. Lambert and Ms. Patterson

33. Proposed Ordinance No. 2009-0417

Ms. Hague

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AN ORDINANCE establishing November 3, 2009, as the date of a special election on the question of annexation to the city of Kirkland of an unincorporated area known as the Finn Hill, Kingsgate and North Juanita annexation area; the proposition shall be placed on the November 3, 2009, ballot by the King County elections director only if there is no appeal filed from the July 9, 2009, decision of the boundary review board approving this annexation; and declaring an emergency.

On 7/27/2009, a public hearing was held and closed.

The enacted number is 16617.

Ms. Hague moved to relieve the Committee of the Whole of further consideration of Proposed Ordinance 2009-0417 in order to take action. The motion carried.

Ms. Hague moved Amendment 1. The motion carried by the following vote:

*Votes: Yes: 7 - Mr. Constantine, Mr. Gossett, Mr. Dunn, Mr. Ferguson, Mr. Phillips, Ms. Hague and Mr. von Reichbauer
No: 0*

Excused: 2 - Ms. Lambert and Ms. Patterson

A motion was made by Mr. Ferguson that this matter be Passed as Amended. The motion carried by the following vote:

Votes: Yes: 7 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips and Mr. Dunn

No: 0

Excused: 2 - Ms. Lambert and Ms. Patterson

Government Accountability and Oversight

34. Proposed Ordinance No. 2009-0394

Ms. Patterson

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AN ORDINANCE establishing November 3, 2009, as the date of a special election on the question of annexation to the city of Kent of an unincorporated area known as the Panther Lake annexation area; and declaring an emergency.

On 7/27/2009, a public hearing was held and closed.

The enacted number is 16618.

Mr. Dunn moved to relieve the Government Accountability and Oversight Committee of further consideration of Proposed Ordinance 2009-0394 in order to take action. The motion carried.

A motion was made by Mr. Dunn that this matter be Passed. The motion carried by the following vote:

Votes: Yes: 7 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips and Mr. Dunn

No: 0

Excused: 2 - Ms. Lambert and Ms. Patterson

Physical Environment

35. Proposed Ordinance No. 2009-0403

Ms. Hague

AN ORDINANCE relating to the annexation of approximately 20 acres of land into the Covington water district, known as the Kent School District No. 415 Property Annexation, for the purpose of extending water service.

On 7/27/2009, a public hearing was held and remained open.

Ms. Hague moved to suspend the rules in order to hold an advertised public hearing on Proposed Ordinance 2009-0403. The motion carried.

The Chair indicated that Proposed Ordinance 2009-0403 remains in the Physical Environment Committee.

Deferred

Other Business

Mr. Gossett made remarks about a .1% sales tax ordinance and the possible effects that failure to adopt the ordinance might have on the 2010 county budget.

Extra Item

First Reading of and action on Emergency Ordinance without Referral to Committee

36. [Proposed Ordinance No. 2009-0457](#)

Mr. Gossett

AN ORDINANCE limiting King County's participation in the Newcastle Revitalization Area known as "Newcastle Downtown Project"; and declaring an emergency.

On 7/27/2009, a public hearing was held and closed.

The enacted number is 16615.

Mr. Gossett moved to suspend the rules in order to take action without referral to committee and to hold a public hearing less than seven days after first reading pursuant to K.C.C. 1.24.095 on Proposed Ordinance 2009-0457. The motion carried.

A motion was made by Mr. Gossett that this matter be Passed. The motion carried by the following vote:

Votes: Yes: 7 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips and Mr. Dunn

No: 0

Excused: 2 - Ms. Lambert and Ms. Patterson

Adjournment

The meeting was adjourned at 2:36 p.m.

Approved this _____ day of _____.

Clerk's Signature