

King County

1200 King County Courthouse 516 Third Avenue Seattle, WA 98104

Meeting Minutes Metropolitan King County Council

Councilmembers: Larry Gossett, Chair; Jane Hague, Vice Chair Reagan Dunn, Bob Ferguson, Kathy Lambert, Joe McDermott, Julia Patterson, Larry Phillips, Pete von Reichbauer

1:30 PM Monday, July 9, 2012 Room 1001

1. Call to Order

The meeting was called to order at 2:23 p.m.

2. Roll Call

Present: 9 - Ms. Lambert, Mr. von Reichbauer, Ms. Patterson, Mr. Phillips, Mr. Dunn, Mr. Ferguson, Mr. McDermott, Ms. Hague and Mr. Gossett

3. Flag Salute and Pledge of Allegiance

Ms. Hague led the flag salute and Pledge of Allegiance.

4. Approval of Minutes of June 25, 2012

Ms. Hague moved to approve the minutes of the June 25, 2012 meeting as presented. Seeing no objection, the Chair so ordered.

5. Additions to the Council Agenda

There were no additions.

6. Special Item

Proclamation declaring July 9, 2012, as Washington State National Parks Day in King County

Ms. Patterson made remarks about Washington State National Parks and their benefit to King County and its residents. She invited Mr. Sean Smith, Policy Director, Northwest Regional Office of the National Parks Conservation Association, to the podium. Mr. Smith thanked the Council. Ms. Patterson read the proclamation.

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

Consent Items 7-11

7. Proposed Ordinance No. 2012-0187

AN ORDINANCE revising the corporate boundary of the city of Kirkland to include portions of Northeast 155th Street and 116th Avenue Northeast rights-of-way as provided for in RCW 35.21.790.

Sponsors: Ms. Hague and Mr. Ferguson

On 07/09/2012, a public hearing was held and closed.

The enacted number is 17366.

On 07/09/2012, the following people appeared to speak:

- 1. Alex Zimerman
- 2. Sam Bellomio
- 3. Mia Jacobson

This matter passed on the Consent Agenda.

8. Proposed Ordinance No. 2012-0196

AN ORDINANCE authorizing the King County executive to enter into an agreed order with the Washington state Department of Ecology for the remedial investigation and feasibility study for the King County's Maury Island Site, the former Glacier/Northwest Aggregates Sand and Gravel Mine.

Sponsors: Mr. McDermott

On 07/9/2012, a public hearing was held and closed.

The enacted number is 17367.

The speaker list for Item #7 was considered for Item 8.

This matter passed on the Consent Agenda.

9. Proposed Ordinance No. 2012-0201

AN ORDINANCE revising the corporate boundary of the city of Tukwila to include a half street right-of-way of 53rd Avenue South as provided for in RCW 35.21.790.

Sponsors: Mr. Phillips

On 07/9/2012, a public hearing was held and closed.

The enacted number is 17368.

The speaker list for Item 7 was considered for Item 9.

This matter passed on the Consent Agenda.

10. Proposed Ordinance No. 2012-0212

AN ORDINANCE approving and adopting the collective bargaining agreement and memorandum of agreement negotiated by and between King County and International Brotherhood of Electrical Workers, Local 77 representing employees in the departments of transportation (road services), King County information technology, natural resources and parks, and public health; and establishing the effective date of said agreements.

Sponsors: Mr. Phillips and Mr. Ferguson

On 07/9/2012, a public hearing was held and closed.

The enacted number is 17369.

The speaker list for Item 7 was considered for Item 10.

This matter passed on the Consent Agenda.

11. Proposed Ordinance No. 2012-0231

AN ORDINANCE authorizing the county executive to execute a Project Partnership Agreement between the Department of the Army and King County for construction of the Duwamish/Green Big Spring Creek restoration project.

Sponsors: Mr. Phillips

On 07/9/2012, a public hearing was held and closed.

The enacted number is 17370.

The speaker list for Item 7 was considered for Item 11.

This matter passed on the Consent Agenda.

Passed On The Consent Agenda

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

Yes: 9 - Ms. Lambert, Mr. von Reichbauer, Ms. Patterson, Mr. Phillips, Mr. Dunn, Mr. Ferguson, Mr. McDermott, Ms. Hague, and Mr. Gossett

Budget and Fiscal Management

Items 12-13 were considered as consent, with one vote.

12. Proposed Substitute Ordinance No. 2012-0214.2

AN ORDINANCE relating to transit oriented development of a portion of the county-owned park-and-ride lot located partially in Kirkland and partially in Bellevue, approving two ground leases of the site to Kirkland Park & Ride, LLC, and two project leases from Kirkland Park & Ride, LLC, back to the county of a new transit facility and a commuter parking garage to be constructed on the site; conveying a surplus portion of the site to Kirkland Park & Ride, LLC, and authorizing the county executive to execute final forms of the ground leases and project leases, and approving certain other provisions of the lease, lease-back transaction; and declaring an emergency.

Sponsors: Ms. Hague and Mr. Ferguson

On 07/9/2012, a public hearing was held and closed.

The enacted number is 17371.

Item 12 was considered with Item 13.

On 07//09/2012, the following people appeared to speak:

- 1. Major Joan McBride, Kirkland
- 2. Sam Bellomio
- 3. Alex Zimerman
- 4. Mia Jacobson
- 5. Gary Young

This matter passed on the Consent Agenda.

13. Proposed Ordinance No. 2012-0215

AN ORDINANCE relating to the South Kirkland Park-and-Ride transit oriented development project; making an appropriation of \$1,199,582; and amending the 2012 Budget Ordinance, Ordinance 17232, Section 136, as amended, and Attachment H, as amended.

Sponsors: Ms. Hague and Mr. Ferguson

On 07/9/2012, a public hearing was held and closed.

The enacted number is 17372. Item 13 was considered with Item 12.

The speaker list for Item 12 was considered for Item 13.

This matter passed on the Consent Agenda.

Passed On The Consent Agenda

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

Yes: 9 - Ms. Lambert, Mr. von Reichbauer, Ms. Patterson, Mr. Phillips, Mr. Dunn, Mr. Ferguson, Mr. McDermott, Ms. Hague, and Mr. Gossett

Committee of the Whole

14. Proposed Ordinance No. 2012-0232

AN ORDINANCE establishing November 6, 2012, as the date of a special election on the question of annexation of the North Highline Area "Y" annexation area to the city of Burien; and declaring an emergency.

Sponsors: Mr. Gossett

On 07/9/2012, a public hearing was held and closed.

The enacted number is 17373.

Ms. Hague moved to relieve the Committee of the Whole of further consideration of Proposed Ordinance 2012-0232 in order to take action. The motion carried.

On 07/09/2012, the following people appeared to speak:

- 1. Barbara Dobkin
- 2. Joey Martinez

A motion was made by Vice Chair Hague that this Ordinance be Passed. The motion carried by the following vote:

Yes: 9 - Ms. Lambert, Mr. von Reichbauer, Ms. Patterson, Mr. Phillips, Mr. Dunn, Mr. Ferguson, Mr. McDermott, Ms. Hague, and Mr. Gossett

Government Accountability, Oversight and Financial Performance

15. Proposed Ordinance No. 2012-0198

AN ORDINANCE relating to the provision of regional animal services, authorizing the executive to enter into an interlocal agreement, Enhanced Control Services Contract and Licensing Support Contract with cities and towns in King County for the provision of regional animal services.

Sponsors: Ms. Hague and Ms. Patterson

On 07/9/2012, a public hearing was held and closed.

The enacted number is 17374.

On 07/09/2012, the following people appeared to speak:

1. Claire Wilkinson

Mr. Ferguson moved Amendment 2.

Mike Alvine, council staff, answered questions of the Council.

Mr. Ferguson's motion carried by the following vote:

Votes: Yes: 8 - Mr. Dunn, Mr. Ferguson, Mr. Gossett, Ms. Hague, Ms. Lambert, Mr.

McDermott, Ms. Patterson and Mr. von Reichbauer

No: 0

Excused: 1 - Mr. Phillips

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

Yes: 8 - Ms. Lambert, Mr. von Reichbauer, Ms. Patterson, Mr. Dunn, Mr. Ferguson,

Mr. McDermott, Ms. Hague, and Mr. Gossett

Excused: 1 - Mr. Phillips

Transportation, Economy and Environment

16. Proposed Substitute Ordinance No. 2012-0142.3

AN ORDINANCE relating to prohibiting the use of tobacco products in high-use areas in King County parks and recreation facilities; amending Ordinance 14509, Section 4, and K.C.C. 7.01.010, adding a new section to K.C.C. chapter 7.12 and prescribing penalties.

Sponsors: Mr. McDermott

On 07/09/2012, a public hearing was held and closed.

The enacted number is 17375.

On 07/09/2012, the following person appeared to speak:

1) Carrie Nyssen

A motion was made by Councilmember Phillips that this Ordinance be Passed. The motion carried by the following vote:

Yes: 6 - Ms. Lambert, Mr. von Reichbauer, Ms. Patterson, Mr. Phillips, Mr.

Ferguson, and Mr. Gossett

No: 1 - Mr. Dunn

Excused: 2 - Mr. McDermott, and Ms. Hague

17. Proposed Substitute Ordinance No. 2012-0213.2

AN ORDINANCE authorizing the King County executive to execute an amendment to an interlocal agreement by and between King County and the King Conservation District regarding use of special assessment funds; declaring retroactive application; and repealing Ordinance 16743, Section 7.

Sponsors: Mr. Phillips

On 07/09/2012, a public hearing was held and closed.

The enacted number is 17376.

A motion was made by Councilmember Phillips that this Ordinance be Passed. The motion carried by the following vote:

Yes: 7 - Ms. Lambert, Mr. von Reichbauer, Ms. Patterson, Mr. Phillips, Mr. Dunn, Mr. Ferguson, and Mr. Gossett

Excused: 2 - Mr. McDermott, and Ms. Hague

18. Proposed Substitute Ordinance No. 2012-0221.2

AN ORDINANCE authorizing the King County executive to enter into an interlocal agreement with the city of Sammamish to allow the King County department of development and environmental services to administer development permits and activities associated with two land development projects within the jurisdiction of the city of Sammamish.

Sponsors: Ms. Lambert

On 07/09/2012, a public hearing was held and closed.

The enacted number is 17377.

A motion was made by Councilmember Phillips that this Ordinance be Passed. The motion carried by the following vote:

Yes: 7 - Ms. Lambert, Mr. von Reichbauer, Ms. Patterson, Mr. Phillips, Mr. Dunn, Mr. Ferguson, and Mr. Gossett

Excused: 2 - Mr. McDermott, and Ms. Hague

Hearing Examiner Consent Agenda Item 19

19. Proposed Substitute Ordinance No. 2012-0111.2

AN ORDINANCE concurring with the recommendation of the hearing examiner to approve, subject to conditions, reclassification of certain property located at the SW and SE corners of the intersection of Avondale Road NE and NE Woodinville-Duvall Road, east of Woodinville, as described in department of development and environmental services file no. L 11TY402 from Neighborhood Business to Neighborhood Business with revised P-suffix conditions, at the request of AnMarCo, and amending King County Title 21A, as amended, by modifying the zoning map to reflect this reclassification.

Sponsors: Mr. Gossett

The enacted number is 17378.

A motion was made by Councilmember Phillips that this Ordinance be Passed on the Consent Agenda. The motion carried by the following vote:

Yes: 7 - Ms. Lambert, Mr. von Reichbauer, Ms. Patterson, Mr. Phillips, Mr. Dunn,

Mr. Ferguson, and Mr. Gossett

Excused: 2 - Mr. McDermott, and Ms. Hague

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

Consent Items 20-22

20. Proposed Motion No. 2012-0155

A MOTION confirming the executive's appointment of James Fossos, who resides in council district five, to the King County emergency management advisory committee, representing the King County Fire Commissioners.

Sponsors: Ms. Patterson

The enacted number is 13689.

This matter passed on the Consent Agenda.

21. <u>Proposed Motion No. 2012-0159</u>

A MOTION confirming the executive's appointment of Sean Green, who resides in council district two, to the King County solid waste advisory committee, as the public interest group representative, position 13.

Sponsors: Mr. Gossett

The enacted number is 13690.

This matter passed on the Consent Agenda.

22. Proposed Motion No. 2012-0197

A MOTION acknowledging receipt of a report and work plans regarding to the use of video technology in the criminal justice system in compliance with the 2012 Budget Ordinance, Ordinance 17232, Section 20, Proviso P1.

Sponsors: Ms. Lambert

The enacted number is 13691.

This matter passed on the Consent Agenda.

Passed On The Consent Agenda

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

Yes: 7 - Ms. Lambert, Mr. von Reichbauer, Ms. Patterson, Mr. Phillips, Mr. Dunn, Mr. Ferguson, and Mr. Gossett

Excused: 2 - Mr. McDermott, and Ms. Hague

Committee of the Whole

23. Proposed Motion No. 2012-0223

A MOTION making an appointment to fill the vacancy in the 5th legislative district of the Washington state Senate.

Sponsors: Ms. Lambert

The enacted number is 13688.

Ms. Lambert moved Amendment 1.

Appointee Dino Rossi made comments.

Ms. Lambert's motion carried by the following vote:

Votes: Yes: 9 - Mr. Dunn, Mr. Ferguson, Mr. Gossett, Ms. Hague, Ms. Lambert, Mr.

McDermott, Ms. Patterson, Mr. Phillips and Mr. von Reichbauer

No: 0 Excused: 0

A motion was made by Councilmember Lambert that this Motion be Passed as Amended. The motion carried by the following vote:

Yes: 9 - Ms. Lambert, Mr. von Reichbauer, Ms. Patterson, Mr. Phillips, Mr. Dunn, Mr. Ferguson, Mr. McDermott, Ms. Hague, and Mr. Gossett

Government Accountability, Oversight and Financial Performance

24. **Proposed Motion No. 2012-0174**

A MOTION accepting a report on the feasibility of establishing a veterans justice outreach coordinator position in the mental health, chemical abuse and dependency services division of the department of community and human services, in compliance with Ordinance 17232.

Sponsors: Mr. Ferguson

The enacted number is 13692.

Kelli Carrol, council staff, answered questions of the Council.

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

Yes: 7 - Ms. Lambert, Mr. von Reichbauer, Ms. Patterson, Mr. Phillips, Mr. Dunn, Mr. Ferguson, and Mr. Gossett

Excused: 2 - Mr. McDermott, and Ms. Hague

Regional Transit

25. Proposed Substitute Motion No. 2012-0129.2

A MOTION relating to the King County Metro Strategic Plan for Public Transportation 2011-2021 and King County Metro Service Guidelines and accepting the King County Metro Transit 2011 Service Guidelines Report.

Sponsors: Mr. Dunn

The enacted number is 13693.

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

Yes: 7 - Ms. Lambert, Mr. von Reichbauer, Ms. Patterson, Mr. Phillips, Mr. Dunn, Mr. Ferguson, and Mr. Gossett

Excused: 2 - Mr. McDermott, and Ms. Hague

Transportation, Economy and Environment

26. Proposed Substitute Motion No. 2012-0185.2

A MOTION calling on the King County transit division and the executive to support efforts to combat human trafficking and the commercial sexual exploitation of children through the use of King County transit division public service advertising resources.

Sponsors: Mr. Dunn, Ms. Lambert, Mr. Phillips, Mr. Gossett, Ms. Patterson and

Mr. von Reichbauer

The enacted number is 13694.

A motion was made by Councilmember Phillips that this Motion be Passed. The motion carried by the following vote:

Yes: 7 - Ms. Lambert, Mr. von Reichbauer, Ms. Patterson, Mr. Phillips, Mr. Dunn,

Mr. Ferguson, and Mr. Gossett

Excused: 2 - Mr. McDermott, and Ms. Hague

First Reading and Referral of Ordinances

27. Proposed Ordinance No. 2012-0222

AN ORDINANCE relating to taxis, for-hire vehicles and drivers; amending Ordinance 10498, Section 1, as amended, and K.C.C. 6.64.015, Ordinance 10498, Section 6, as amended, and K.C.C. 6.64.025, Ordinance 10498, Section 11, and K.C.C. 6.64.310, Ordinance 10498, Section 13, and K.C.C. 6.64.330, Ordinance 10498, Section 16, and K.C.C. 6.64.360, Ordinance 10498, Section 17, and K.C.C. 6.64.370, Ordinance 10498, Section 17, and K.C.C. 6.64.400, Ordinance 10498, Section 21, and K.C.C. 6.64.410, Ordinance 10498, Section 22, as amended, and K.C.C. 6.64.420, Ordinance 10498, Section 23, and K.C.C. 6.64.430, Ordinance 10498, Section 24, as amended, and K.C.C. 6.64.440, Ordinance 10498, Section 27, and K.C.C. 6.64.500, Ordinance 10498, Section 28, and K.C.C. 6.64.510, Ordinance 10498, Section 29, as amended, and K.C.C. 6.64.520, Ordinance 10498, Section 30, and K.C.C. 6.64.530, Ordinance 10498, Section 37, as amended, and K.C.C. 6.64.600, Ordinance 10498, Section 38, and K.C.C. 6.64.610, Ordinance 10498, Section 48, as amended, and K.C.C. 6.64.660, Ordinance 10498, Sections 80-85, and K.C.C. 6.64.690, Ordinance 10498, Section 91, and K.C.C. 6.64.720, Ordinance 10498, Section 93, and K.C.C. 6.64.740 and Ordinance 10498, Section 95, as amended, and K.C.C. 6.64.760 and adding a new section to K.C.C. chapter 6.64.

Sponsors: Mr. Gossett

This matter had its first reading and was referred to the Government Accountability, Oversight and Financial Performance Committee.

28. Proposed Ordinance No. 2012-0228

AN ORDINANCE relating to the construction of the Technology Access Foundation's Community Center for 21st Century Skills at Lakewood Park in accordance with the use agreement authorized by Ordinance 15450 and amended by Ordinance 17093, authorizing the King County executive to further amend the use agreement in order to meet the requirements of the federal New Market Tax Credit program.

Sponsors: Mr. McDermott

This matter had its first reading and was referred to the Transportation, Economy and Environment Committee.

29. Proposed Ordinance No. 2012-0235

AN ORDINANCE approving an amendment to the county's long-term combined sewer overflow control plan and authorizing the King County executive to prepare a water quality assessment and environmental benefit study to provide information for the next combined sewer overflow control program review in 2018.

Sponsors: Mr. Phillips

This is a dual referral first to the Regional Water Quality Committee and then to the Transportation, Economy and Environment Committee.

This is mandatory referral to the Regional Water Quality Committee as set forth in King County Charter Section 270.30 and KCC 1.24.065.

This matter was Introduced and Referred to the Regional Water Quality Committee

30. Proposed Ordinance No. 2012-0237

AN ORDINANCE making a net supplemental appropriation of \$3,630,303 to various general fund agencies and \$4,319,490 to various non-general fund agencies and amending the 2012/2013 Biennial Budget Ordinance, Ordinance 17232, Sections 22, 32, 33, 34, 39, 43, 45, 46, 49, 58, 73, 74, 77, 95, 96, 108, 115, 120, 121, and 136, as amended, and Attachments B, and H, as amended.

Sponsors: Mr. McDermott

This matter had its first reading and was referred to the Budget and Fiscal Management Committee.

31. Proposed Ordinance No. 2012-0239

AN ORDINANCE relating to the regional animal services of King County (RASKC) laundry facility project; making a General Fund appropriation to transfer \$ 195,622 to fund a net proposed \$195,622 project appropriation request; also making General Fund appropriation to transfer \$58,333 to fund a proposed \$58,333 the Regional Animal Services Fund appropriation request, and amending the 2012 Adopted Budget Ordinance, Ordinance 17232, Sections 43, 46, 83 and 115 as amended, and Attachment B as amended.

Sponsors: Mr. McDermott

This matter had its first reading and was referred to the Budget and Fiscal Management Committee.

32. Proposed Ordinance No. 2012-0241

AN ORDINANCE establishing November 6, 2012, as the date of a special election on the question of annexation of the West Hill annexation area to the city of Renton; and declaring an emergency.

Sponsors: Mr. Gossett

This matter had its first reading and was referred to the Committee of the Whole.

33. Proposed Ordinance No. 2012-0242

AN ORDINANCE authorizing the King County executive to enter into an interlocal transfer agreement between King County and the city of Auburn for a 7.7-acre parcel located in North Green River Park at 102nd Avenue S.E.

Sponsors: Mr. McDermott

This matter had its first reading and was referred to the Budget and Fiscal Management Committee.

34. Proposed Ordinance No. 2012-0246

AN ORDINANCE relating to the King County correctional facility heating, ventilation and air conditioning system project; making a \$1,500,000 appropriation to transfer general fund balance to the major maintenance repair and replacement fund; disappropriating \$1,902,055 from several projects in the major maintenance reserve fund; and appropriating \$7,152,055 to the major maintenance reserve fund; and amending the 2012 Adopted Budget Ordinance, Ordinance 17232, Sections 46 and 118 as amended, and Attachment E as amended.

Sponsors: Mr. McDermott

This matter had its first reading and was referred to the Budget and Fiscal Management Committee.

35. Proposed Ordinance No. 2012-0255

AN ORDINANCE authorizing and approving the July 1, 2012 to June 30, 2013 office of public defense contracts for legal services.

Sponsors: Mr. McDermott

This matter had its first reading and was referred to the Law, Justice, Health and Human Services Committee.

36. Proposed Ordinance No. 2012-0256

AN ORDINANCE related to the county's use of digital communication technology; amending Ordinance 12550, Section 1, as amended, and K.C.C. 2.14.010, and Ordinance 12550, Section 2, as amended, and K.C.C. 2.14.020.

<u>Sponsors:</u> Mr. Ferguson

This matter had its first reading and was referred to the Government Accountability, Oversight and Financial Performance Committee.

First Reading and Referral of Motions

37. Proposed Motion No. 2012-0020

A MOTION confirming the executive's appointment of James McBay, who resides in council district nine, to the King County board for developmental disabilities.

Sponsors: Mr. Dunn

This matter had its first reading and was referred to the Law, Justice, Health and Human Services Committee.

38. <u>Proposed Motion No. 2012-0113</u>

A MOTION accepting response to the 2012 Budget Ordinance, Ordinance 17232, Section 118, Proviso P1, related to the major maintenance reserve sub-fund; and authorizing the release of \$100,000 currently held in reserve.

Sponsors: Mr. McDermott

This matter had its first reading and was referred to the Budget and Fiscal Management Committee.

39. <u>Proposed Motion No. 2012-0168</u>

A MOTION confirming the executive's appointment of John Holecek, who resides in council district nine, to the King County mental health advisory board.

Sponsors: Mr. Dunn

This matter had its first reading and was referred to the Law, Justice, Health and Human Services Committee.

40. Proposed Motion No. 2012-0249

A MOTION acknowledging receipt of the sheriff's office strategic plan, as required by Ordinance 17232, Section 22, Proviso P1.

Sponsors: Ms. Lambert

This matter had its first reading and was referred to the Law, Justice, Health and Human Services Committee.

41. Reports on Special and Outside Committees

Ms. Patterson reported on the recent meeting of the Sound Transit Board. The Board heard public testimony from the NAACP regarding the violation of Sound Transit's project labor agreement. The Board was informed that the CEO of Sound Transit is taking these claims very seriously. The Board adopted the baseline budget for the Northgate link extension and also endorsed the cost saving work plan for east link.

Ms. Patterson reported on Sound Transit's Executive Committee. The committee received a briefing on parking and system improvement project developments, and is continuing to look at ways to increase station access and ridership through parking strategies.

Other Business

Mr. von Reichbauer acknowledged a special guest, Isaac Wani, a Federal Way High School graduate, who was visiting. Mr. von Reichbauer gave special recognition to Isaac's acceptance to the U.S. Air Force Academy in Colorado Springs, Colorado.

Adjournment

Approved this	_day of	

The meeting was adjourned at 4:11 p.m.

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