



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, September 19, 2011

Room 1001

REVISED - Added Item 29

1. **Call to Order**

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*The meeting was called to order at 1:57 p.m.
The Chair recessed the meeting at 2:57 p.m.
The meeting was reconvened at 3:03 p.m.*

2. **Roll Call**

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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**

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

4. **Approval of Minutes of September 12, 2011**

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*Ms. Hague moved to approve the minutes of the September 12, 2011 meeting as
presented. Seeing no objection, the Chair so ordered.*

5. **Additions to the Council Agenda**

Item 29 was added to the agenda.

6. **Special Item**

**Presentation of a recognition of the King County Bar Association upon its
125th anniversary**

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Councilmembers Ferguson, Phillips and Dunn made remarks. Mr. Ferguson introduced Joe Bringman, President, King County Bar Association. Mr. Bringman introduced the following individuals: Jim Austin, President, King County Bar Foundation; Andy Prazuch, Executive Director, King County Bar Association and Foundation; Kathleen Jensen, Assistant Executive Director; Anne Daly, Second Vice President, King County Bar Association; John Rule, former President, King County Bar Association and Karen Murray, Co-Chair of Martin Luther King Luncheon Committee and former Trustee of King County Bar Association. Mr. Bringman thanked the Council.

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

Consent Items 7 and 8

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7. [Proposed Substitute Ordinance No. 2011-0232.2](#)

AN ORDINANCE relating to agreements between King County and the cities of Covington, Kenmore, Maple Valley and Newcastle and the Muckleshoot Tribe, for occupancy of certain facilities and improvements thereto in city police departments to accommodate sheriff's personnel in providing service to the unincorporated area.

Sponsors: Ms. Patterson

On 9/19/2011, a public hearing was held and closed.

The enacted number is 17186.

This matter passed on the Consent Agenda.

8. [Proposed Ordinance No. 2011-0345](#)

AN ORDINANCE authorizing the King County executive to enter into identical interlocal agreements with the city of Bellevue Fire Department and Woodinville Fire and Rescue to implement a pilot program delegating administrative duties to perform annual fire inspections of existing occupancies in fire protection districts 14 and 36, respectively.

Sponsors: Mr. Ferguson and Ms. Lambert

On 9/19/2011, a public hearing was held and closed.

The enacted number is 17187.

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

9. [Proposed Ordinance No. 2011-0314](#)

AN ORDINANCE approving and adopting the memorandum of agreement negotiated by and between King County and a coalition of six unions representing employees in administrative support classifications in multiple departments throughout King County; and establishing the effective date of said agreement.

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Sponsors: Mr. Phillips

On 9/19/2011, a public hearing was held and closed.

The enacted number is 17188.

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

Yes: 8 - Ms. Lambert, Ms. Patterson, Mr. Phillips, Mr. Dunn, Mr. Ferguson, Mr. McDermott, Ms. Hague, and Mr. Gossett

Excused: 1 - Mr. von Reichbauer

Law, Justice, Health and Human Services

10. [Proposed Substitute Ordinance No. 2010-0580.2](#)

AN ORDINANCE relating to the office of the public defender; making technical corrections; amending Ordinance 11955, Section 12, as amended, and K.C.C. 12.16.100, Ordinance 11955, Section 13, as amended, and K.C.C. 2.16.110, Ordinance 11955, Section 6, as amended, and K.C.C. 2.16.130, Ordinance 383, Section 2, as amended, and K.C.C. 2.60.020 and Ordinance 14412, Section 3, and K.C.C. 2.60.027 and repealing Ordinance 14412, Section 2, and K.C.C. 2.60.025.

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Sponsors: Mr. Ferguson and Mr. Gossett

On 9/19/2011, a public hearing was held and closed.

The enacted number is 17189.

Kellie Carroll, council staff, answered questions of the Council.

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

Yes: 8 - Ms. Lambert, Ms. Patterson, Mr. Phillips, Mr. Dunn, Mr. Ferguson, Mr. McDermott, Ms. Hague, and Mr. Gossett

Excused: 1 - Mr. von Reichbauer

Transportation, Economy and Environment

11. [Proposed Substitute Ordinance No. 2011-0312.2](#)

AN ORDINANCE relating to road fees; amending Ordinance 11617, Section 43, and Attachment B, as amended, and K.C.C. 14.65.020, Ordinance 11617, Section 43, and Attachment B, as amended, and K.C.C. 14.75.040, Ordinance 11617, Section 49, as amended, and K.C.C. 14.75.100, Ordinance 11617, Section 46, and K.C.C. 14.75.070, Ordinance 11617, Section 47, and K.C.C. 14.75.080 and Ordinance 11617, Section 48, and K.C.C. 14.75.090 and adding a new section to K.C.C. chapter 14.75.

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Sponsors: Mr. Phillips and Ms. Hague

The enacted number is 17190.

Mr. McDermott moved Striking Amendment S1.

Mr. Phillips moved Amendment 1 to Striking Amendment S1. The 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. Phillips

No: 0

Excused: 1 - Mr. von Reichbauer

Paul Carlson, council staff, answered questions of the Council.

Mr. McDermott's motion to adopt Striking Amendment S1, as amended, carried by the following vote:

Votes: Yes: 8 - Mr. Dunn, Mr. Ferguson, Mr. Gossett, Ms. Hague, Ms. Lambert, Mr. McDermott, Ms. Patterson and Mr. Phillips

No: 0

Excused: 1 - Mr. von Reichbauer

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

Yes: 8 - Ms. Lambert, Ms. Patterson, Mr. Phillips, Mr. Dunn, Mr. Ferguson, Mr. McDermott, Ms. Hague, and Mr. Gossett

Excused: 1 - Mr. von Reichbauer

12. [Proposed Substitute Ordinance No. 2011-0328.2](#)

AN ORDINANCE relating to development regulations; amending Ordinance 14111, Section 4, as amended, and K.C.C. 16.02.110, Ordinance 10608, Section 314111, as amended, and K.C.C. 16.02.130, Ordinance 12560, Section 10, as amended, and K.C.C. 16.02.240, Ordinance 14111, Section 118, as amended, and K.C.C. 16.12.010, Ordinance 14111, Section 129, as amended, and K.C.C. 16.14.010, Ordinance 6746, Section 5, as amended, and K.C.C. 16.32.030, Ordinance 15053, Section 3, as amended, and K.C.C. 16.82.051, Ordinance 13964, Section 4, and K.C.C. 19A.04.020, Ordinance 13694, Section, and K.C.C. 19A.04.210, Ordinance 13694, Section 28, and K.C.C. 19A.04.270, Ordinance 13694, Section 42, as amended, and K.C.C. 19A.08.070, Ordinance 13694, Section 56, as amended, and K.C.C. 19A.12.020, Ordinance 13694, Section 57, and K.C.C. 19A.12.030, Ordinance 13694, Section 58, as amended, and K.C.C. 19A.12.040, Ordinance 13694, Section 80, and K.C.C. 19A.28.020, Ordinance 12196, Section 13, as amended, and K.C.C. 20.20.060, Ordinance 12196, Section 15, and K.C.C. 20.20.080, Ordinance 15051, Section 7, and K.C.C. 21A.06.072C, Ordinance 10870, Section 130, and K.C.C. 21A.06.450, Ordinance 10870, Section 82, and K.C.C. 21A.06.210, Ordinance 10870, Section 83, and K.C.C. 21A.06.215, Ordinance 10870, Section 247, and K.C.C. 21A.06.1035, Ordinance 10870, Section 248, and K.C.C. 21A.06.1040, Ordinance 16950, Section 13, and K.C.C. 21A.06.1263, Ordinance 10870, Section 294, as amended, and K.C.C. 21A.06.1270, Ordinance 10870, Section 330, as amended, and K.C.C. 21A.08.030, Ordinance 10870, Section 331, as amended, and K.C.C. 21A.08.040, Ordinance 10870, Section 332, as amended, and K.C.C. 21A.08.050, Ordinance 10870, Section 334, as amended, and K.C.C. 21A.08.070, Ordinance 10870, Section 336, as amended, and K.C.C. 21A.08.090, Ordinance 10870, Section 337, as amended, and K.C.C. 21A.08.100, Ordinance 10870, Section 351, as amended, and K.C.C. 21A.12.140, Ordinance 10870, Section 354, as amended, and K.C.C. 21A.12.170, Ordinance 11210, Section 17, and K.C.C. 21A.16.330, Ordinance 10870, Section 415, as amended, and K.C.C. 21A.18.110, Ordinance 15051, Section 137, as amended, and K.C.C. 21A.24.045, Ordinance 10870, Section 454, as amended, and K.C.C. 21A.24.070, Ordinance 10870, Section 491, and K.C.C. 21A.26.020, Ordinance 10870, Section 492, as amended, and K.C.C. 21A.26.030, Ordinance 10870, Section 494, as amended, and K.C.C. 21A.26.050, Ordinance 10870, Section 503, as amended, and K.C.C. 21A.26.140, Ordinance 10870, Section 505, as amended, and K.C.C. 21A.26.160, Ordinance 10870, Section 536, as amended, and K.C.C. 21A.30.080, Ordinance 15606, Section 20, as amended, and K.C.C. 21A.30.085, Ordinance 10870, Section 537, as amended, and K.C.C. 21A.30.090, Ordinance 10870, Section 549, as amended, and K.C.C. 21A.32.120, Ordinance 11567, Section 1, as amended, and K.C.C. 21A.38.100, Ordinance 11621, Section 130, and K.C.C. 21A.41.110, Ordinance 13130, Section 10, and K.C.C. 21A.42.180, Ordinance 13130, Section 11, as amended, and K.C.C. 21A.42.190, Ordinance 12020, Section 14, and K.C.C. 27A.30.030 and Ordinance 12020, Section 27, and K.C.C. 27A.40.070, adding a new section to K.C.C. chapter 21A.04, adding new sections to K.C.C. chapter 21A.06, adding new sections to K.C.C. chapter 23.32, adding a new chapter to K.C.C. Title 21A, recodifying K.C.C. 21A.26.300, K.C.C. 21A.26.310, K.C.C. 21A.26.320, K.C.C. 21A.26.330, K.C.C. 21A.26.340, K.C.C. 21A.26.350, K.C.C. 21A.26.360, K.C.C. 21A.26.370, K.C.C. 21A.26.380, K.C.C. 21A.26.390, K.C.C. 21A.26.400, K.C.C. 21A.26.410, K.C.C. 21A.26.420, K.C.C. 21A.26.430, K.C.C. 21A.26.440, K.C.C. 21A.26.450 and K.C.C. 21A.26.451 and repealing Ordinance 13694, Section 60, and K.C.C. 19A.12.060, Ordinance 11210, Section 14, and K.C.C. 21A.16.300, Ordinance 11210, Section 15, and K.C.C. 21A.16.310, Ordinance 11210, Section 16, and K.C.C. 21A.16.320 and Ordinance 11210, Section 20, and K.C.C. 21A.16.360.

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Sponsors: Mr. Phillips

The enacted number is 17191.

Ms. Lambert moved Amendment 2. The 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. Phillips

No: 0

Excused: 1 - Mr. von Reichbauer

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

Yes: 8 - Ms. Lambert, Ms. Patterson, Mr. Phillips, Mr. Dunn, Mr. Ferguson, Mr. McDermott, Ms. Hague, and Mr. Gossett

Excused: 1 - Mr. von Reichbauer

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

Consent Items 13 and 14

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Item 14 was removed from the Consent Agenda.

13. [Proposed Motion No. 2011-0303](#)

A MOTION confirming the executive's appointment of Richard Lentz, who resides in council district eight, to the King County international airport roundtable, as the pilots' association representative.

Sponsors: Mr. McDermott

The enacted number is 13562.

A motion was made by Vice Chair Hague that this Motion be Passed on the Consent Agenda. The motion carried by the following vote:

Yes: 8 - Ms. Lambert, Ms. Patterson, Mr. Phillips, Mr. Dunn, Mr. Ferguson, Mr. McDermott, Ms. Hague, and Mr. Gossett

Excused: 1 - Mr. von Reichbauer

14. [Proposed Motion No. 2011-0378](#)

A MOTION requesting the executive to include an ecological assessment for a portion of the Soos Creek basin in the executive-proposed 2012 budget.

Sponsors: Mr. Phillips and Mr. von Reichbauer

On request of Mr. Phillips, the Chair rereferred Proposed Motion 2011-0378 to the Transportation, Economy and Environment Committee.

This matter was Re-referred to the Transportation, Economy and Environment Committee

Committee of the Whole

15. Proposed Motion No. 2011-0310

A MOTION confirming the executive's appointment of Charles E. Gaither as King County office of law enforcement oversight director.

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Sponsors: Mr. Ferguson, Mr. Gossett and Ms. Patterson

The enacted number is 13563.

Charles E. Gaither, appointee made remarks.

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

Yes: 8 - Ms. Lambert, Ms. Patterson, Mr. Phillips, Mr. Dunn, Mr. Ferguson, Mr. McDermott, Ms. Hague, and Mr. Gossett

Excused: 1 - Mr. von Reichbauer

Reappointment Consent Agenda Items 16 and 17

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Items 16-17 were deferred for one week.

16. Proposed Motion No. 2011-0381

A MOTION confirming the reappointment of James Rigby, as a representative of the Washington State Republican Party to the King County citizens' elections oversight committee.

Sponsors: Ms. Hague

On request of Mr. McDermott, the Chair deferred Proposed Motion 2011-0381 until the September 26, 2011 council meeting.

This matter was Deferred.

17. Proposed Motion No. 2011-0382

A MOTION confirming the reappointment of Monica Tracey, as a representative of the King County Republican Party, to the King County citizens' elections oversight committee.

Sponsors: Ms. Hague

On request of Mr. McDermott, the Chair deferred Proposed Motion 2011-0382 until the September 26, 2011 council meeting.

This matter was Deferred.

Employment and Administration Committee Consent Agenda - Items 18 and 19

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18. Approval of a new position titled Director of Government Relations, Communications and External Affairs

A motion was made by Ms. Hague that Item 18 be rereferred to the Employment and Administration Committee. The motion carried.

19. Approval of a revised Position Description for the Chief of Staff

A motion was made by Ms. Hague that Item 19 be rereferred to the Employment and Administration Committee. The motion carried.

First Reading and Referral of Ordinances

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20. [Proposed Ordinance No. 2011-0315](#)

AN ORDINANCE approving a new lease for the family support division of the office of the King County prosecuting attorney.

Sponsors: Ms. Patterson

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

21. [Proposed Ordinance No. 2011-0373](#)

AN ORDINANCE approving and adopting the collective bargaining agreement negotiated by and between King County and Public Safety Employees Union (Fire Marshal) representing employees in the department of development and environmental services and establishing the effective date of said agreement.

Sponsors: Mr. Phillips

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

22. [Proposed Ordinance No. 2011-0374](#)

AN ORDINANCE approving and adopting the collective bargaining agreement negotiated by and between King County and Public Safety Employees Union (Fire Investigator) representing employees in the King County Sheriff's Office; and establishing the effective date of said agreement.

Sponsors: Mr. Phillips

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

23. [Proposed Ordinance No. 2011-0377](#)

AN ORDINANCE approving and adopting the collective bargaining agreement negotiated by and between King County and Professional and Technical Employees, Local 17 (Information Technology) representing employees in the departments of adult and juvenile detention; community and human services; development and environmental services; executive services; judicial administration; natural resources and parks; King County elections; and King County information technology; and establishing the effective date of said agreement.

Sponsors: Mr. Phillips

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

24. [Proposed Ordinance No. 2011-0380](#)

AN ORDINANCE creating a small business accelerator for small contractors and suppliers seeking contracting opportunities with King County as prime contractors, and amending Ordinance 13983, Section 3, as amended, and K.C.C. 4.19.030, Ordinance 13983, Section 7, as amended, and K.C.C. 4.19.070, Ordinance 12138, Section 11, as amended, and K.C.C. 4.16.080 and Ordinance 12138, Section 22, as amended, and K.C.C. 4.16.155.

Sponsors: Mr. Phillips and Mr. Gossett

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

25. [Proposed Ordinance No. 2011-0384](#)

AN ORDINANCE readopting the findings contained in Ordinance 17178, Section 1.

Sponsors: Mr. McDermott

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

26. [Proposed Ordinance No. 2011-0385](#)

AN ORDINANCE relating to the annual reporting of information on elections to the council; and adding a new section to K.C.C. chapter 2.18.

Sponsors: Ms. Lambert

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

First Reading and Referral of Motions

27. [Proposed Motion No. 2011-0386](#)

A MOTION relating to quarterly reports on elections and establishing county policy on certain elections issues; and rescinding Motion 12299.

Sponsors: Ms. Lambert

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

28. [Reports on Special and Outside Committees](#)

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Ms. Patterson reported on her trip to Washington DC to attend the Congressional Levee Vegetation Management meeting. The primary purpose of the meeting was to discuss the Army Corps of Engineers' upcoming decision on how vegetation will be managed on levees throughout King County. She indicated she asked the Congressional delegation for help to ensure that the Corps adopts a workable solution to this issue, and that the members have signed a letter supporting a workable solution that will save taxpayers money. She also spoke with the delegation about funding for Rapid Ride E (Shoreline to Seattle) and Rapid Ride F (Burien to Renton). Both the US House and US Senate Appropriations Committees will consider the Rapid Ride funding soon.

Other Business

Ms. Patterson congratulated the Chair for his involvement and his work with the homeless. A video was shown on Gossett Place, a 62 unit apartment complex in the University District that will house homeless veterans. Mr. Gossett made remarks.

Added Item

First Reading of and Action on Motion Without Referral to Committee

29. Proposed Motion No. 2011-0387

A MOTION calling on the Commodity Futures Trading Commission to aggressively implement its new market manipulation authority and prosecute oil market manipulators, and to immediately implement past-due required rules to prevent excessive speculation in oil futures and swaps markets that are contributing to artificially high oil prices.

Sponsors: Mr. Gossett and Ms. Patterson

The enacted number is 13564.

Ms. Patterson moved to suspend the rules in order to take action on Proposed Motion 2011-0387 without referral to committee. The motion carried.

Ms. Lambert moved Striking Amendment S1. The 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. Phillips

No: 0

Excused: 1 - Mr. von Reichbauer

Ms. Lambert moved Title Amendment T1. The 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. Phillips

No: 0

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

Yes: 8 - Ms. Lambert, Ms. Patterson, Mr. Phillips, Mr. Dunn, Mr. Ferguson, Mr. McDermott, Ms. Hague, and Mr. Gossett

Excused: 1 - Mr. von Reichbauer

Adjournment

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The meeting was adjourned at 3:28 p.m.

Approved this _____ day of _____.

Clerk's Signature