



King County  
Meeting Proceedings

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

Metropolitan King County Council

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

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Room 1001

November 17, 2008

1:30 PM

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REVISED

1. **Call to Order**

*The meeting was called to order at 1:57 p.m.  
The Chair called the meeting into Executive Session at 3:11 p.m.  
The Chair reconvened the meeting at 4:03 p.m.*

2. **Roll Call**

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

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

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*Ms. Lambert led the flag salute and Pledge of Allegiance.*

4. **Approval of Minutes of November 10, 2008**

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*Mr. Constantine moved to approve the minutes of the November 10, 2008 meeting as presented.  
Seeing no objection, the Chair so ordered.*

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

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*Mr. von Reichbauer reported on Sound Transit, indicating the budget amendment was adopted, which supplements funding to acquire the Roosevelt QFC property for the north link Roosevelt station. There was a good discussion regarding the results of the recent election. Mr. von Reichbauer also indicated Aubrey Davis was reappointed to the Citizens Oversight Panel to serve a second term, expiring in 2012.*

*Mr. Phillips added that Proposition No. 1 did pass with 57% of the vote in the three county district. He also noted that the Federal Transportation Administration has approved the full funding grant agreement for the University link.*

*Mr. Constantine reported on the Sound Transit Operations Task Force, and indicated this Task Force is working on commuter rail, light rail and express bus issues. At the meeting, members continued discussion about the utilization of park and rides. The members adopted a short term*

*strategy to study immediate issues and a longer term strategy to enter into discussions with regional transit partners.*

*Mr. Dunn reported on his attendance at the Washington State Association of Counties Annual Conference in Yakima. He stated that all counties are experiencing the same kind of financial problems, in various degrees, and the members discussed how to deal with these problems. Mr. Dunn noted there was also a discussion regarding a utility tax, which some members favored and others opposed.*

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## Hearing and Second Reading of Ordinances

### Budget Review and Adoption

Items 6-15 and 23 may be considered as a Consent Agenda

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6. [Proposed Substitute Ordinance No. 2008-0572.2](#) **Mr. Phillips**  
AN ORDINANCE relating to domestic violence prevention proceedings; establishing an administrative court cost fee; and adding a new section to K.C.C. chapter 4.79.  
**On 11/10/2008, a public hearing was held and closed.**  
**On 11/17/2008, a public hearing was held and closed.**  
*The enacted number is 16288.*  
**This Matter was Passed on the Consent Agenda.**
7. [Proposed Ordinance No. 2008-0573](#) **Mr. Phillips**  
AN ORDINANCE increasing the fee from ten cents per page to fifteen cents per page for noncertified, self-service copies of court records made utilizing superior court's electronic court records online system; amending Ordinance 9774, Section 1, as amended, and K.C.C. 4.73.010 and repealing Ordinance 15271, Section 3, and K.C.C. 4.83.050.  
**On 11/10/2008, a public hearing was held and closed.**  
**On 11/17/2008, a public hearing was held and closed.**  
*The enacted number is 16289.*  
**This Matter was Passed on the Consent Agenda.**
8. [Proposed Ordinance No. 2008-0574](#) **Mr. Phillips**  
AN ORDINANCE related to department of judicial administration fees; and adding a new section to K.C.C. chapter 4.83.  
**On 11/10/2008, a public hearing was held and closed.**  
**On 11/17/2008, a public hearing was held and closed.**  
*The enacted number is 16290.*  
**This Matter was Passed on the Consent Agenda.**
9. [Proposed Ordinance No. 2008-0575](#) **Mr. Phillips**  
AN ORDINANCE related to department of judicial administration fees; including failure to follow court rules or statutes as a reason the department of judicial administration may charge the special handling fee; and amending Ordinance 8752, Sections 1-3, as amended, and K.C.C. 4.71.100.  
**On 11/10/2008, a public hearing was held and closed.**  
**On 11/17/2008, a public hearing was held and closed.**  
*The enacted number is 16291.*  
**This Matter was Passed on the Consent Agenda.**

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10. **Proposed Ordinance No. 2008-0577** **Mr. Phillips**  
AN ORDINANCE relating to sheriff's civil unit fees; and amending Ordinance 14792, Section 2, and K.C.C. 4.104.010.  
**On 11/10/2008, a public hearing was held and closed.**  
**On 11/17/2008, a public hearing was held and closed.**  
*The enacted number is 16292.*  
**This Matter was Passed on the Consent Agenda.**
11. **Proposed Ordinance No. 2008-0578** **Mr. Phillips**  
AN ORDINANCE related to department of judicial administration fees; and adding a new section K.C.C. chapter 4.83.  
**On 11/10/2008, a public hearing was held and closed.**  
**On 11/17/2008, a public hearing was held and closed.**  
*The enacted number is 16293.*  
**This Matter was Passed on the Consent Agenda.**
12. **Proposed Substitute Ordinance No. 2008-0579.2** **Mr. Phillips**  
AN ORDINANCE related to establishing a traffic infraction for parking violations and establishing a local monetary penalty for failure to respond to each notice of parking infraction established by King County ordinance; establishing an effective date; adding a new section to K.C.C. chapter 46.04; and prescribing penalties.  
**On 11/10/2008, a public hearing was held and closed.**  
**On 11/17/2008, a public hearing was held and closed.**  
*The enacted number is 16294.*  
**This Matter was Passed on the Consent Agenda.**
13. **Proposed Ordinance No. 2008-0581** **Mr. Phillips**  
AN ORDINANCE relating to fees and other charges assessed by the real estate services section for processing applications and authorizing use of King County property through easements, franchises, special use permits, right-of-way construction permits, wireless right of way use agreements, public and private utility permits and other uses of King County property; and amending Ordinance 12045, Section 11, as amended, and K.C.C. 4.56.115, Ordinance 10171, Section 1, as amended, and K.C.C. 6.27.054, Ordinance 6254, Section 6, as amended, and K.C.C. 14.30.060, Ordinance 1711, Section 4, as amended, and K.C.C. 14.44.040, Ordinance 13734, Section 10, and K.C.C. 14.45.080, Ordinance 4099, Section 7, and K.C.C. 14.46.070 and Ordinance 4099, Section 8, as amended, and K.C.C. 14.46.080.  
**On 11/10/2008, a public hearing was held and closed.**  
**On 11/17/2008, a public hearing was held and closed.**  
*The enacted number is 16295.*  
**This Matter was Passed on the Consent Agenda.**

14. [Proposed Ordinance No. 2008-0582](#) Mr. Phillips  
AN ORDINANCE revising roads maintenance utility inspection fees for right-of-way construction permits; and amending Ordinance 7025, Section 3, as amended, and K.C.C. 14.44.045  
**On 11/10/2008, a public hearing was held and closed.**  
**On 11/17/2008, a public hearing was held and closed.**  
*The enacted number is 16296.*  
**This Matter was Passed on the Consent Agenda.**
15. [Proposed Ordinance No. 2008-0583](#) Mr. Phillips  
AN ORDINANCE related to the department of judicial administration fees; and adding a new section to K.C.C. 4.83.  
**On 11/10/2008, a public hearing was held and closed.**  
**On 11/17/2008, a public hearing was held and closed.**  
*The enacted number is 16297.*  
**This Matter was Passed on the Consent Agenda.**

### **Passed The Consent Agenda**

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

**Votes:** Yes: 9 - Ms. Patterson, Mr. Dunn, Mr. Constantine, Ms. Lambert, Mr. von Reichbauer, Mr. Ferguson, Mr. Gossett, Mr. Phillips and Ms. Hague  
No: 0  
Excused: 0

16. [Proposed Substitute Ordinance No. 2008-0588.2](#) Mr. Phillips  
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AN ORDINANCE relating to the county property tax levies for collection in 2009, and implementing RCW 84.55.120.  
**On 11/17/2008, a public hearing was held and closed.**  
*The enacted number is 16298.*  
**A motion was made by Mr. Phillips that this matter be Passed. The motion carried by the following vote:**
- Votes:** Yes: 9 - Ms. Patterson, Mr. Dunn, Mr. Constantine, Ms. Lambert, Mr. von Reichbauer, Mr. Ferguson, Mr. Gossett, Mr. Phillips and Ms. Hague  
No: 0  
Excused: 0

17. [Proposed Substitute Ordinance No. 2008-0377.2](#) Mr. Constantine, Mr. Phillips and Mr. Ferguson

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AN ORDINANCE relating to public transportation; revising rates of fare; and amending Ordinance 13480, Section 2, as amended, and K.C.C. 28.94.015, Ordinance 13480, Section 2, as amended, and K.C.C. 28.94.015 and Ordinance 12643, Section 19, as amended, and K.C.C. 28.94.245.

**On 7/28/2008, a public hearing was held and remained open.**

**On 11/17/2008, a public hearing was held and closed.**

*The enacted number is 16299.*

*John Resha, Council staff, answered questions of the Council.*

*Arthur Thornbury, Council staff, answered questions of the Council.*

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

**Votes:** Yes: 9 - Ms. Patterson, Mr. Dunn, Mr. Constantine, Ms. Lambert, Mr. von Reichbauer, Mr. Ferguson, Mr. Gossett, Mr. Phillips and Ms. Hague  
No: 0  
Excused: 0

18. [Proposed Ordinance No. 2008-0586](#) Mr. Phillips

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AN ORDINANCE related to notification concerning real estate taxes to all taxpayers whose lender has requested and received the tax information for the taxpayer's property; amending Ordinance 15865, Section 2, and K.C.C. 4.63.010, Ordinance 15865, Section 3, and K.C.C. 4.63.020, Ordinance 15865, Section 4, and K.C.C. 4.63.030 and Ordinance 15865, Section 6, and K.C.C. 4.63.050 and repealing Ordinance 15865, Section 5, and K.C.C. 4.63.040 and Ordinance 15865, Section 7.

**On 11/17/2008, a public hearing was held and closed.**

*The enacted number is 16300.*

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

**Votes:** Yes: 9 - Ms. Patterson, Mr. Dunn, Mr. Constantine, Ms. Lambert, Mr. von Reichbauer, Mr. Ferguson, Mr. Gossett, Mr. Phillips and Ms. Hague  
No: 0  
Excused: 0

### Committee of the Whole

19. [Proposed Ordinance No. 2008-0608](#) Mr. Gossett

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AN ORDINANCE approving and adopting the collective bargaining agreement and memorandum of agreement negotiated by and between King County and International Federation of Professional and Technical Engineers, Local 17 (Transit Chiefs, Metro Transit Division) representing employees in the department of transportation; and establishing the effective date of said agreements.

Re-referred to General Government and Labor Relations Committee

20. [Proposed Ordinance No. 2008-0609](#) Mr. Phillips and Ms. Lambert

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AN ORDINANCE relating to council rules and order of business for regional committees; and amending Ordinance 11683, Section 7, as amended, and K.C.C. 1.24.065.

**On 11/17/2008, a public hearing was held and closed.**

*The enacted number is 16301.*

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

**Votes:** Yes: 9 - Ms. Patterson, Mr. Dunn, Mr. Constantine, Ms. Lambert, Mr. von Reichbauer, Mr. Ferguson, Mr. Gossett, Mr. Phillips and Ms. Hague  
 No: 0  
 Excused: 0

21. [Proposed Ordinance No. 2008-0615](#) Ms. Patterson

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AN ORDINANCE establishing qualifications for the elected office of King County director of elections; and adding a new chapter to K.C.C. Title 2.

**On 11/17/2008, a public hearing was held and closed.**

The following people appeared to speak on 11/17/2008 :

Toby Nixon

*The enacted number is 16302.*

*Mike Alvine, Council staff, summarized Amendment 4.*

*Mr. Constantine moved Amendment 4.*

*Ms. Hague offered an oral amendment, on line 21, after 'For', delete 'two years' and insert "one year". The motion carried.*

*Ms. Hague offered an oral amendment, on line 22 after 'performed', to insert "compensated". The motion carried.*

*Mr. Phillips moved an oral amendment, on line 19, after 'party,' delete 'except for the office of precinct committee officer,'. The motion carried.*

*Tom Kuffel, Deputy Prosecuting Attorney, Office of the Prosecuting Attorney, summarized text between lines 23 and 34.*

*Mr. Constantine's motion to adopt Amendment 4, as amended, carried by the following vote:*

*Votes: Yes: 9 - Ms. Patterson, Mr. Constantine, Mr. Gossett, Ms. Lambert, Mr. Dunn, Mr. Ferguson, Mr. Phillips, Ms. Hague and Mr. von Reichbauer  
 No: 0  
 Excused: 0*

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



**Votes:** Yes: 9 - Ms. Patterson, Mr. Dunn, Mr. Constantine, Ms. Lambert, Mr. von Reichbauer, Mr. Ferguson,  
Mr. Gossett, Mr. Phillips and Ms. Hague  
No: 0  
Excused: 0

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**Growth Management and Natural Resources**

22. [Proposed Ordinance No. 2008-0501](#) Mr. Gossett

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AN ORDINANCE relating to home occupations; and amending Ordinance 15606, Section 20, and K.C.C. 21A.30.085.

**On 11/17/2008, a public hearing was held and closed.**

*On request of Ms. Lambert and seeing no objection, the Chair deferred Proposed Ordinance 2008-0501 until the December 8, 2008 Council meeting.*

**Deferred**

23. [Proposed Ordinance No. 2008-0507](#) Mr. Phillips

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AN ORDINANCE relating to school impact fees; adopting the Capital Facilities Plans of the Tahoma, Federal Way, Riverview, Issaquah, Snoqualmie Valley, Lake Washington, Kent, Northshore, Enumclaw, Fife and Auburn school districts as subelements of the capital facilities element of the King County Comprehensive Plan for purposes of implementing the school impact fee program; establishing school impact fees to be collected by King County on behalf of the districts; and amending Ordinance 10122, Section 3, as amended, and K.C.C. 20.12.460, Ordinance 10470, Section 2, as amended, and K.C.C. 20.12.461, Ordinance 10472, Section 2, as amended, and K.C.C. 20.12.462, Ordinance 10633, Section 2, as amended, and K.C.C. 20.12.463, Ordinance 10722, Section 2, as amended, and K.C.C. 20.12.464, Ordinance 10790, Section 2, as amended, and K.C.C. 20.12.466, Ordinance 10982, Section 2, as amended, and K.C.C. 20.12.467, Ordinance 11148, Section 2, as amended, and K.C.C. 20.12.468, Ordinance 12063, Section 11, as amended, and K.C.C. 20.12.469, Ordinance 12532, Section 12, as amended, and K.C.C. 20.12.470, Ordinance 13338, Section 13, as amended and K.C.C. 20.12.471 and Ordinance 10122, Section 2, as amended, and K.C.C. 27.44.010.

**On 11/10/2008, a public hearing was held and closed.**

*On request of Ms. Lambert and seeing no objection, the Chair deferred Proposed Ordinance 2008-0507 until the November 24, 2008 Council meeting.*

**Deferred**

## **Motions for Council Action**

### **Budget Review and Adoption**

24. [Proposed Motion No. 2008-0585](#) Mr. Phillips

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A MOTION stating King County's elections under Public Law 106-393, the Secure Rural Schools and Self-Determination Act of 2000, as amended, for the federal fiscal year ending September 30, 2008.

*The enacted number is 12885.*

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

**Votes:** Yes: 8 - Ms. Patterson, Mr. Dunn, Mr. Constantine, Ms. Lambert, Mr. von Reichbauer, Mr. Ferguson,  
Mr. Gossett and Mr. Phillips  
No: 0  
Excused: 1 - Ms. Hague

## First Reading of and Action on Motion Without Referral to Committee

25. [Proposed Motion No. 2008-0616](#) Mr. Phillips and Mr. Ferguson

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A MOTION authorizing the chair of the council to enter into a contract for an independent consultant to provide key technical analysis as part of the King County auditor's office performance audit of King County Metro Transit.

*The enacted number is 12886.*

*Mr. Phillips moved to suspend the rules in order to take action on Proposed Motion 2008-0616 without referral to committee. Seeing no objection, the Chair so ordered.*

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

**Votes:** Yes: 8 - Ms. Patterson, Mr. Dunn, Mr. Constantine, Ms. Lambert, Mr. von Reichbauer, Mr. Ferguson, Mr. Gossett and Mr. Phillips  
No: 0  
Excused: 1 - Ms. Hague

26. [Proposed Motion No. 2008-0617](#) Ms. Patterson

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A MOTION waiving the requirements for competitive bidding or formal solicitation and minority and women's business enterprises requirements, for repairs to protect life and property threatened by the emergency conditions cited in the Local Proclamation of Emergency issued by the King County executive on November 12, 2008.

*The enacted number is 12887.*

*Mr. Constantine moved to suspend the rules in order to take action on Proposed Motion 2008-0617 without referral to committee. Seeing no objection, the Chair so ordered.*

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

**Votes:** Yes: 8 - Ms. Patterson, Mr. Dunn, Mr. Constantine, Ms. Lambert, Mr. von Reichbauer, Mr. Ferguson, Mr. Gossett and Mr. Phillips  
No: 0  
Excused: 1 - Ms. Hague

27. [Proposed Motion No. 2008-0619](#) Mr. Constantine

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A MOTION related to the organization of the council, designating the members of the regional committees; and amending Motion 11122, Section H, as amended, and OR 2-050.

*The enacted number is 12888.*

*Mr. Constantine moved to suspend the rules in order to take action on Proposed Motion 2008-0619 without referral to committee. Seeing no objection, the Chair so ordered.*

*Nick Wagner, Council staff, answered questions of the Council.*

*Mr. Constantine moved Striking Amendment S2. The motion carried by the following vote:*

*Votes: Yes: 8 - Ms. Patterson, Mr. Constantine, Mr. Gossett, Ms. Lambert, Mr. Dunn, Mr. Ferguson,*

*Mr. Phillips and Mr. von Reichbauer*

*No: 0*

*Excused: 1 - Ms. Hague*

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

*Votes: Yes: 8 - Ms. Patterson, Mr. Constantine, Mr. Gossett, Ms. Lambert, Mr. Dunn, Mr. Ferguson, Mr. Phillips and Mr. von Reichbauer*

*No: 0*

*Excused: 1 - Ms. Hague*

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

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

No: 0

Excused: 0

## First Reading and Referral of Ordinances

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28. [Proposed Ordinance No. 2008-0545](#) **Mr. Gossett and Mr. von Reichbauer**

AN ORDINANCE making a supplemental appropriation of \$986,000 to the long term lease fund; and amending the 2008 Budget Ordinance, Ordinance 15975, Section 130, as amended, and Attachment B, as amended.

**Introduced and Referred to Budget Review and Adoption Committee**

## First Reading and Referral of Motions

29. [Proposed Motion No. 2008-0618](#) **Mr. Dunn**

A MOTION supporting the county executive negotiating with the city of Maple Valley for an interlocal agreement to annex the Summit Pit property following successful completion of the joint planning process.

**Introduced and Referred to Committee of the Whole**

## 30. Other Business

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### Extra Items

## First Reading and Referral of Ordinances

31. [Proposed Ordinance No. 2008-0614](#) **Mr. Gossett**

AN ORDINANCE approving and adopting the memorandum of agreement negotiated by and between King County and unions representing King County employees addressing the 2009 budget crisis and establishing the effective date of said agreement.

**Introduced and Referred to Committee of the Whole**

32. [Proposed Ordinance No. 2008-0625](#) **Mr. Gossett, Mr. Phillips, Ms. Hague, Mr. Ferguson and Ms. Lambert**

AN ORDINANCE related to changing the contract dates for public defense contracts; and amending Ordinance 383, Section 4, as amended, and K.C.C. 2.60.040.

**Introduced and Referred to Budget Review and Adoption Committee**

33. [Proposed Ordinance No. 2008-0626](#) **Mr. Gossett**

AN ORDINANCE relating to code revisions and additions necessary to preserve certain county services and reduce the necessity for additional reductions in force, by placing non-essential county employees on an unpaid furlough adding new sections to and/or revising, K.C.C. Chapters 2.08, 2.56 3.12 and 12.52.

**Introduced and Referred to Committee of the Whole**

34. [Proposed Ordinance No. 2008-0627](#) **Mr. Gossett**

AN ORDINANCE approving and adopting the memorandum of agreement negotiated by and between King County and unions representing King County employees addressing the 2009 budget crisis and establishing the effective date of said agreement.

**Introduced and Referred to Committee of the Whole**

35. [Proposed Ordinance No. 2008-0629](#) **Mr. Phillips, Ms. Hague, Mr. Ferguson and Ms. Lambert**

AN ORDINANCE increasing the service fee for adoption studies and marriage reconciliation charged by the family court services division of superior court as authorized under RCW 26.12.220; and amending Ordinance 6241, Section 2, as amended, and K.C.C. 4.72.020.

**Introduced and Referred to Budget Review and Adoption Committee**

36. [Proposed Ordinance No. 2008-0630](#) **Mr. Phillips, Ms. Hague, Mr. Ferguson and Ms. Lambert**

AN ORDINANCE authorizing the superior court to charge a fee of twenty dollars for facilitator services to review documentation related to domestic cases before finalization; and adding a new section to K.C.C. chapter 4.72.

**Introduced and Referred to Budget Review and Adoption Committee**

37. [Proposed Ordinance No. 2008-0631](#) **Mr. Phillips, Ms. Hague, Ms. Lambert and Mr. Ferguson**

AN ORDINANCE authorizing the superior court to charge a user fee of twenty dollars per visit for facilitator services as authorized under RCW 26.12.240; and adding a new section to K.C.C. chapter 4.72.

**Introduced and Referred to Budget Review and Adoption Committee**

## First Reading and Referral of Motions

38. [Proposed Motion No. 2008-0628](#) **Mr. Dunn, Mr. von Reichbauer, Mr. Phillips, Ms. Hague, Mr. Ferguson and Ms. Lambert**

A MOTION requesting the executive to establish a King County fair task force to determine how King County might improve fair attractions, attendance, financial sustainability and report findings and recommendations to the King County council.

**Introduced and Referred to Budget Review and Adoption Committee**

## 39. Adjournment

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*The meeting was adjourned at 4:03 p.m.*

Approved this \_\_\_\_\_ day of \_\_\_\_\_.

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Clerk's Signature