



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 for Administration and Finance;
Reagan Dunn, Larry Gossett, , Kathy Lambert, Julia Patterson, Larry
Phillips,
Pete von Reichbauer*

Room 1001

February 2, 2009

11:00 AM

Extra Item 48

1. **Call to Order**

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*The meeting was called to order at 11:14 a.m.
The meeting was recessed at 11:32 a.m.
The Chair reconvened the meeting at 1:34 p.m.
The meeting went into Executive Session at 1:44 p.m.
The Chair reconvened the meeting at 2:14 p.m.
The meeting was recessed at 2:14 p.m.
The Chair reconvened the meeting at 2:25 p.m.*

2. **Roll Call**

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

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 January 26, 2009**

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*Mr. Ferguson moved to approve the minutes of the January 26, 2009 meeting as presented. Seeing
no objection, the Chair so ordered.*

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

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*Ms. Lambert reported on her attendance at the conference of the National Association of Counties.
The participants shared their best practices and Ms. Lambert indicated that King County was far
ahead, especially with jail entry and with people that are dealing with mental illness and drug abuse.
The participants had a briefing on homeland security and Ms. Lambert expressed that the resources
were very valuable.*

Mr. Constantine reported on the Sound Transit Operations Task Force. The members discussed Sound Transit's future regarding bus fleet and the mix of vehicles that will be required to provide for future transit needs. There was discussion regarding articulated buses in the fleet. The Operations Task Force will be making recommendations to the Executive Director of Sound Transit by May. The Executive Director will present the recommendations to the Board by June.

Mr. Phillips briefed the Council on the Sound Transit's Central Link Oversight Committee. He stated that the initial segment from downtown Seattle to Tukwila will be open in July, and that 31 of the 35 light rail cars have been conditionally accepted to run on the tracks. Mr. Phillips gave a progress report on the construction of light rail. The next meeting will be on February 19.

Mr. Constantine reported on the Sound Transit Board. He indicated that at the meeting, the Somali Youth and Community Services Group was presented with a certificate recognizing its outstanding efforts last September with the Rainier Valley Safety Street Fair. The Board approved the purchase of its first installment on expanding its bus fleet to provide additional bus service. The Board also received a report from the Citizens Oversight Committee regarding the cost environment in which Sound Transit is operating.

Hearing and Second Reading of Ordinances

Consent Item 6

6. [Proposed Ordinance No. 2009-0018](#)

Mr. Gossett and Mr. Phillips

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AN ORDINANCE approving and adopting the collective bargaining agreement negotiated by and between King County and Washington State Council of County and City Employees, Council 2, Local 21AD representing employees in the department of adult and juvenile detention; and establishing the effective date of said agreement.

On 2/2/2009, a public hearing was held and closed.

The enacted number is 16356.

This Matter was Passed on the Consent Agenda.

Passed The Consent Agenda

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

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

No: 0

Excused: 0

Committee of the Whole

7. [Proposed Ordinance No. 2008-0516](#)

Mr. Gossett

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AN ORDINANCE authorizing the King County executive to execute a purchase and sale agreement and all necessary conveyance documents to complete the sale of the county-owned property known as the Summit Pit regional roads maintenance facility, located in council district 9, to Summit Place 156 LLC.

On 1/26/2009, a public hearing was held and remained open.

On 2/2/2009, a public hearing was held and closed.

The following people appeared to speak on 2/2/2009 :

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The enacted number is 16359.

Mr. Ferguson moved to relieve the Committee of the Whole of further consideration of Proposed Ordinance 2008-0516 in order to take action. The motion carried.

Kendall Moore, Council staff, answered questions of the Council.

Jim Brewer, Legal counsel, answered questions of the Council.

Mr. Ferguson moved Amendment 1.

Kathy Brown, Director, Facilities Management Division, answered questions of the Council.

Cynthia Berne, LongBay Enterprises, Inc. answered questions of the Council.

Rod Brandon, Executive Office, answered questions of the Council.

Mr. Dunn moved Amendment 2.

Mr. Dunn offered a friendly amendment to Amendment 2, as clarified by Kendall Moore, council staff, on line 6, after '200', to insert "King County - certified".

Jim Brewer, legal counsel, answered questions regarding a friendly amendment being considered as part of the original amendment.

Mr. Dunn called for the question.

Mr. Dunn's motion to adopt Amendment 2, as amended, carried by the following vote:

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

No: 0

Excused: 0

Mr. Ferguson's motion to adopt Amendment 1, as amended, carried by the following vote:

Votes: Yes: 9 - Mr. Constantine, Ms. Patterson, 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. Ferguson that this matter be Passed as Amended. The motion carried by the following vote:

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

No: 0

Excused: 0

The Chair recessed the meeting into Executive Session at 1:44 p.m. stating it was necessary to consider acquisition of real estate and also to discuss with legal counsel legal risks of a proposed action. The grounds for the executive session under RCW 42.30.110 are: 1) to consider the acquisition of real estate when public knowledge regarding such consideration would cause a likelihood of increased price; and 2) to discuss with legal counsel legal risks of a proposed action when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the county.

The Chair reconvened the meeting at 2:14 p.m.

Motions for Council Action

Budget and Fiscal Management

8. [Proposed Substitute Motion No. 2008-0411.2](#) Mr. Ferguson

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A MOTION accepting a bid for the purchase of the county's Limited Tax General Obligation (Public Transportation Sales Tax) Refunding Bonds, 2009, in the aggregate principal amount of \$48,535,000, and establishing certain terms of such bonds, and providing for the call, payment and redemption of the outstanding 1998A Bonds to be refunded, all in accordance with Ordinance 16231.

The enacted number is 12919.

Wendy SooHoo, Council staff, answered questions of the Council.

Ken Guy, Director, Finance and Business Operations, answered questions of the Council.

Hugh Spitzer, Foster Pepper, answered questions of the Council.

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

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

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

No: 0

Excused: 0

First Reading of and Action on Motions Without Referral to Committee

9. [Proposed Motion No. 2009-0084](#) Mr. Constantine

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A MOTION relating to organization of the council.

The enacted number is 12920.

Mr. Ferguson moved to suspend the rules in order to take action on Proposed Motion 2009-0084 without referral to committee. The motion carried.

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

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

No: 0

Excused: 0

Tom Bristow, Chief of Staff, answered questions of the Council.

Saroja Reddy, Policy Staff Director, answered questions of 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: 9 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Ms. Lambert, Mr. von Reichbauer, Mr. Gossett,
Mr. Phillips, Ms. Patterson and Mr. Dunn
No: 0
Excused: 0

Reappointment Consent Agenda Items 10-12

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Item 10 was removed the from the consent agenda.

10. [Proposed Motion No. 2008-0553](#)

Ms. Lambert

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A MOTION confirming the executive's reappointment of Max Pope, who resides in council district three, to the King County solid waste advisory committee, filling the interested citizen number 11 position.

The enacted number is 12918.

Proposed Motion 2008-0553 was removed from the consent agenda for the purpose of an amendment.

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

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

No: 0

Excused: 1 - Mr. Phillips

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

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

No: 0

Excused: 1 - Mr. Phillips

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

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

No: 0

Excused: 1 - Mr. Phillips

11. [Proposed Motion No. 2008-0601](#)

Mr. Constantine

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A MOTION confirming the executive's reappointment of Robert Dixon, who resides in council district eight, to the King County solid waste advisory committee, filling the interested citizen number 6 position.

The enacted number is 12916.

This Matter was Passed on the Consent Agenda.

12. [Proposed Motion No. 2008-0603](#)

Mr. Constantine

A MOTION confirming the executive's reappointment of the Honorable Joan McGilton, Mayor, city of Burien, who resides in council district eight, to the King County solid waste advisory committee, as the elected official representative.

The enacted number is 12917.

This Matter was Passed on the Consent Agenda.

Passed The Consent Agenda

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

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

13. Hearing Examiner Consent Agenda Items 14 and 15

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14. **[Proposed Substitute Ordinance No. 2008-0466.2](#)** **Ms. Patterson and Mr. Constantine**

AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by Mark Laville for property located at 23202 SE 416th Street, Enumclaw, WA 98022, designated department of natural resources and parks, water and land resources division file no. E08CT012.

The enacted number is 16357.

This Matter was Passed on the Consent Agenda.

15. **[Proposed Substitute Ordinance No. 2008-0470.2](#)** **Ms. Patterson and Mr. Constantine**

AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by Gerald W. and Melinda Koethe for property located at 30607 SE 40th Street, Fall City, WA 98024, designated department of natural resources and parks, water and land resources division file no. E08CT016.

The enacted number is 16358.

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

First Reading and Referral of Ordinances

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16. **[Proposed Ordinance No. 2009-0054](#)** **Ms. Hague**

AN ORDINANCE relating to solid waste management; and amending Ordinance 7737, Section 2, as amended, and K.C.C. 10.24.020.

Introduced and Referred to Physical Environment Committee

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17. **[Proposed Ordinance No. 2009-0065](#)** **Mr. Constantine**
AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by Donald and Darcy Newman for property located at 6602 and 6701 Tolt River Road NE, Carnation, WA 98014, designated department of natural resources and parks, water and land resources division file no. E08CT094.
Introduced and Referred to Hearing Examiner
18. **[Proposed Ordinance No. 2009-0066](#)** **Mr. Constantine**
AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by Sabrina Mix for property located 8700 and 8708 196th Avenue NE, Redmond, WA 98053, designated department of natural resources and parks, water and land resources division file no. E08CT100.
Introduced and Referred to Hearing Examiner
19. **[Proposed Ordinance No. 2009-0067](#)** **Mr. Constantine**
AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by Robert A. and Carol E. Norton for property located at 6122 SW 244th Street, Vashon, WA 98070, designated department of natural resources and parks, water and land resources division file no. E08CT109.
Introduced and Referred to Hearing Examiner
20. **[Proposed Ordinance No. 2009-0068](#)** **Mr. Constantine**
AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by Thomas and Jerri Rotter for property located at 5615 298th Avenue NE, Carnation, WA 98014, designated department of natural resources and parks, water and land resources division file no. E08CT114.
Introduced and Referred to Hearing Examiner
21. **[Proposed Ordinance No. 2009-0069](#)** **Mr. Constantine**
AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by Lisa Fite for property located at 11406 196th Avenue NE, Redmond, WA 98053, designated department of natural resources and parks, water and land resources division file no. E08CT119.
Introduced and Referred to Hearing Examiner
22. **[Proposed Ordinance No. 2009-0070](#)** **Mr. Constantine**
AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by Kathryn Hodges for property located at approximately 122xx SW 280th Street, Vashon, WA 98070, designated department of natural resources and parks, water and land resources division file no. E08CT121.
Introduced and Referred to Hearing Examiner

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23. **Proposed Ordinance No. 2009-0071** **Mr. Constantine**
AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by Sara Manetti and Jed Gorden for property located at 129 SW 266th Lane, Vashon, WA 98070, designated department of natural resources and parks, water and land resources division file no. E08CT122.
Introduced and Referred to Hearing Examiner
24. **Proposed Ordinance No. 2009-0072** **Mr. Constantine**
AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by Carol Eggen for property located at 14025 SW Reddings Beach Road, Vashon, WA 98070, designated department of natural resources and parks, water and land resources division file no. E08CT123.
Introduced and Referred to Hearing Examiner
25. **Proposed Ordinance No. 2009-0073** **Mr. Constantine**
AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by James Dulfer for property located at approximately 155xx 103rd Avenue SW, Vashon, WA 98070, designated department of natural resources and parks, water and land resources division file no. E08CT126.
Introduced and Referred to Hearing Examiner
26. **Proposed Ordinance No. 2009-0074** **Mr. Constantine**
AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by Elizabeth Eby for property located at 26510 Vashon Highway SW, Vashon, WA 98070, designated department of natural resources and parks, water and land resources division file no. E08CT127.
Introduced and Referred to Hearing Examiner
27. **Proposed Ordinance No. 2009-0075** **Mr. Constantine**
AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by Keith and Karen Solberg for property located at 6911 West Snoqualmie Valley Road NE, Carnation, WA 98014, designated department of natural resources and parks, water and land resources division file no. E08CT128.
Introduced and Referred to Hearing Examiner
28. **Proposed Ordinance No. 2009-0076** **Mr. Constantine**
AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by Katherine Pearl and Donald Kadyk for property located at 29901 NE 52nd Street, Carnation, WA 98014, designated department of natural resources and parks, water and land resources division file no. E08CT135.
Introduced and Referred to Hearing Examiner

29. [Proposed Ordinance No. 2009-0077](#) **Mr. Dunn**
AN ORDINANCE regarding the King County fair; authorizing the King County executive to execute an interlocal agreement with the city of Enumclaw regarding the King County fair; and amending Ordinance 11955, Section 9, as amended, and K.C.C. 2.16.045 and repealing Ordinance 12075, Section 5, as amended, and K.C.C. 2.32.040 and Ordinance 1128 (part), as amended, and K.C.C. 2.32.050.
Introduced and Referred to Government Accountability and Oversight Committee
30. [Proposed Ordinance No. 2009-0078](#) **Ms. Hague**
AN ORDINANCE relating to extending due dates for provisos for the Transit amending the 2008/2009 Mid-Biennium Supplemental Budget Ordinance for the fiscal period of January 1, 2008, through December 31, 2009; and amending the 2008/2009 Biennium Budget Ordinance, Ordinance 15975, Section 109, as amended.
Introduced and Referred to Budget and Fiscal Management Committee
31. [Proposed Ordinance No. 2009-0079](#) **Ms. Hague**
AN ORDINANCE authorizing the King County executive to execute an interlocal agreement with the city of Renton for the King County road services division to provide road-related services on an "as requested" basis.
Introduced and Referred to Physical Environment Committee
32. [Proposed Ordinance No. 2009-0081](#) **Ms. Hague**
AN ORDINANCE approving the Fall City Water District 2006 Water System Plan.
Introduced and Referred to Physical Environment Committee
33. [Proposed Ordinance No. 2009-0085](#) **Mr. Constantine**
AN ORDINANCE relating to council rules.
Introduced and Referred to Committee of the Whole

First Reading and Referral of Motions

34. [Proposed Motion No. 2009-0064](#) **Ms. Lambert and Ms. Patterson**
A MOTION adopting the 2009 work program for the law, justice, health and human services committee.
Introduced and Referred to Law, Justice, Health and Human Services Committee
35. [Proposed Motion No. 2009-0082](#) **Mr. Constantine and Ms. Patterson**
A MOTION establishing an regional coordinating committee of the council in 2009 to provide a forum for consultation and early identification of impacts to cities caused by potential county service reductions, especially in the areas of public safety and public health.
Introduced and Referred to Committee of the Whole

Reintroductions of Ordinances

36. [Proposed Substitute Ordinance No. 2007-0629.2](#) **Mr. Dunn and Mr. Phillips**
AN ORDINANCE authorizing King County's sale of improved property, located at 22629 SE 206th Street, Maple Valley, within council district 9.
Reintroduced and Referred to Budget and Fiscal Management Committee
37. [Proposed Ordinance No. 2008-0346](#) **Mr. Phillips, Mr. Dunn and Ms. Patterson**
AN ORDINANCE authorizing King County's sale of a portion of the Renton Consolidated Office and Repair Facility, located within council district 9.
Reintroduced and Referred to Budget and Fiscal Management Committee
38. [Proposed Ordinance No. 2008-0383](#) **Mr. Dunn, Ms. Lambert, Mr. von Reichbauer and Ms. Hague**
AN ORDINANCE related to Rural Area clearing limits; and repealing Ordinance 15053, Section 14.
Reintroduced and Referred to Physical Environment Committee
39. [Proposed Ordinance No. 2008-0538](#) **Mr. Dunn**
AN ORDINANCE relating to facilitating the cleanup of illegal dumping on private property.
Reintroduced and Referred to Physical Environment Committee

Reintroductions of Motions

40. [Proposed Motion No. 2008-0176](#) **Mr. Ferguson and Mr. Phillips**
A MOTION confirming the executive's appointment of Andrew Schmid, who resides in council district one, to the King County conservation futures citizen oversight committee, serving in a "council at-large" position.
Reintroduced and Referred to Physical Environment Committee
41. [Proposed Motion No. 2008-0194](#) **Mr. Dunn**
A MOTION confirming the executive's appointment of Bob Johns to the King County permit technical advisory committee created by Ordinance 15946.
Reintroduced and Referred to Physical Environment Committee
42. [Proposed Motion No. 2008-0277](#) **Mr. Ferguson**
A MOTION approving specifications for the provision of financial services, and authorizing the executive to seek bids for provision of those services.
Reintroduced and Referred to Budget and Fiscal Management Committee
43. [Proposed Motion No. 2008-0416](#) **Mr. Dunn**
A MOTION confirming the executive's appointment of The Honorable Lisa Jensen, Councilmember, city of Newcastle, who resides in council district nine, to the King County Harborview Medical Center board of trustees, as the council district nine representative.
Reintroduced and Referred to Law, Justice, Health and Human Services Committee

44. [Proposed Motion No. 2008-0417](#) **Mr. Dunn**

A MOTION confirming the executive's appointment of Cheryl Haskins, who resides in council district nine, to the King County women's advisory board.

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

45. [Proposed Motion No. 2008-0559](#) **Mr. Dunn**

A MOTION confirming the executive's appointment of Sandra Haydock, who resides in council district nine, to the King County fire code advisory and appeals board.

Reintroduced and Referred to Physical Environment Committee

46. [Proposed Motion No. 2008-0567](#) **Mr. Ferguson**

A MOTION confirming the executive's appointment of Robin Reed, who resides in council district one, to the King County alcoholism and substance abuse administrative board.

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

47. Other Business

Extra Item

Employment Committee Consent Agenda Item 48

48. Approval of the Revised Committee Staffing Plan (Revised version 5A)

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

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

No: 0

Excused: 1 - Mr. Phillips

49. Adjournment

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The meeting was adjourned at 2:56 p.m.

Approved this _____ day of _____.

Clerk's Signature