



King County
Meeting Agenda

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

March 16, 2009

11:00 AM

1. **Call to Order**

2. **Roll Call**

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

Councilmember Patterson will lead the flag salute and Pledge of Allegiance.

4. **Approval of Minutes of March 9, 2009**

Councilmember Ferguson

5. **Additions to the Council Agenda**

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

Puget Sound Regional Council Transportation Policy Board - Councilmember Patterson

Puget Sound Regional Council Executive Board - Councilmember Patterson

Sound Transit - Councilmember Patterson

Eastside Transportation Partnership - Councilmember Hague



Sign language and communication material in alternate formats can be arranged given sufficient notice (296-1000).

TDD Number 296-1024.

ASSISTIVE LISTENING DEVICES AVAILABLE IN THE COUNCIL CHAMBERS.



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

Budget and Fiscal Management

Councilmember Gossett

Item 7 will be considered at 2:30 pm

7. [Proposed Motion No. 2008-0232](#)

Mr. Phillips

AMOTION of the county council approving a [bid/bond purchase agreement] for the county's Sewer Revenue Bonds, Series 20___, in the aggregate principal amount of \$_____ and establishing certain terms of such bonds [and a plan of refunding], all in accordance with Ordinance _____.

On 4/28/2008, the Metropolitan King County Council Introduced and Referred to Capital Budget Committee.

On 5/21/2008, the Capital Budget Committee Deferred.

On 6/4/2008, the Capital Budget Committee Passed Out of Committee Without a Recommendation.

On 1/26/2009, the Metropolitan King County Council Reintroduced and Referred to Budget and Fiscal Management Committee .

8. [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.

On 5/27/2008, the Metropolitan King County Council Introduced and Referred to Operating Budget, Fiscal Management and Select Issues Committee.

On 2/2/2009, the Metropolitan King County Council Reintroduced and Referred to Budget and Fiscal Management Committee .

On 3/3/2009, the Budget and Fiscal Management Committee Recommended Do Pass.

9. [Proposed Motion No. 2009-0150](#)

Mr. Gossett

A MOTION adopting the 2009 work program for the budget and fiscal management committee.

On 3/2/2009, the Metropolitan King County Council Introduced and Referred to Budget and Fiscal Management Committee .

On 3/3/2009, the Budget and Fiscal Management Committee Recommended Do Pass.

10. [Proposed Motion No. 2009-0152](#) **Mr. Gossett and Mr. Phillips**

A MOTION identifying the department of transportation as the agency selected for biennial budgeting for the 2010-2011 biennium.

On 3/2/2009, the Metropolitan King County Council Introduced and Referred to Budget and Fiscal Management Committee .

On 3/3/2009, the Budget and Fiscal Management Committee Recommended Do Pass.

Physical Environment

Councilmember Hague

11. [Proposed Motion No. 2009-0107](#) **Mr. Constantine**

A MOTION approving the memorandum of understanding and attachments developed and agreed upon by King County, the cities of Burien and Seattle and King County Fire Districts 2 and 11 regarding the potential annexation of portions of the North Highline Potential Annexation Area to the cities of Seattle and Burien.

On 2/9/2009, the Metropolitan King County Council Introduced and Referred to Physical Environment Committee.

On 3/10/2009, the Physical Environment Committee Deferred.

SUBJECT TO A MOTION TO RELIEVE THE COMMITTEE OF FURTHER CONSIDERATION PURSUANT TO K.C.C. 1.24.125

Reappointment Consent Agenda Item 12

Councilmember Ferguson

12. [Proposed Motion No. 2009-0197](#) **Mr. Ferguson**

A MOTION confirming the executive's reappointment of the Honorable David Baker, councilmember, city of Kenmore, who resides in council district one, to the King County solid waste advisory committee, representing local elected officials.

Hearing Examiner Consent Agenda Items 13-21

Councilmember Hague

13. [Proposed Substitute Ordinance No. 2008-0529.2](#) **Ms. Patterson and Mr. Constantine**

AN ORDINANCE concurring with the recommendation of the hearing examiner to approve, subject to conditions, the application for public benefit rating system assessed valuation for open space submitted by David Brooks for property located at 29626 SE 82nd Street, Issaquah, WA 98027, designated department of natural resources and parks, water and land resources division file no. E08CT025.

On 10/6/2008, the Metropolitan King County Council Introduced and Referred to Hearing Examiner.

On 1/26/2009, the Metropolitan King County Council Reintroduced and Referred to Hearing Examiner.

14. [Proposed Substitute Ordinance No. 2008-0531.2](#) **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 James and Lisa Nicol for property located at 29814 SE 392nd Street, Enumclaw, WA 98022, designated department of natural resources and parks, water and land resources division file no. E08CT027.
- On 10/6/2008, the Metropolitan King County Council Introduced and Referred to Hearing Examiner.
On 1/26/2009, the Metropolitan King County Council Reintroduced and Referred to Hearing Examiner.*
15. [Proposed Substitute Ordinance No. 2008-0532.2](#) **Ms. Patterson and Mr. Constantine**
- AN ORDINANCE concurring with the recommendation of the hearing examiner to approve, subject to conditions, the application for public benefit rating system assessed valuation for open space submitted by LaDele and Brian Kilcup for property located at 21818 SE 424th Street, Enumclaw, WA 98022, designated department of natural resources and parks, water and land resources division file no. E08CT029.
- On 10/6/2008, the Metropolitan King County Council Introduced and Referred to Hearing Examiner.
On 1/26/2009, the Metropolitan King County Council Reintroduced and Referred to Hearing Examiner.*
16. [Proposed Substitute Ordinance No. 2008-0533.2](#) **Ms. Patterson and Mr. Constantine**
- AN ORDINANCE concurring with the recommendation of the hearing examiner to approve, subject to conditions, the application for public benefit rating system assessed valuation for open space submitted by James D. Hallum and Mary L. Laird for property located at 29318 and 29530 NE Cherry Valley Road, Duvall, WA 98019, designated department of natural resources and parks, water and land resources division file no. E08CT030.
- On 10/6/2008, the Metropolitan King County Council Introduced and Referred to Hearing Examiner.
On 1/26/2009, the Metropolitan King County Council Reintroduced and Referred to Hearing Examiner.*

17. [Proposed Substitute Ordinance No. 2008-0647.2](#) **Ms. Patterson and Mr. Constantine**
- AN ORDINANCE concurring with the recommendation of the hearing examiner to approve, subject to conditions, the application for public benefit rating system assessed valuation for open space submitted by Thomas Howatt for property located at 19828 SE 456th Way, Enumclaw, WA 98022, designated department of natural resources and parks, water and land resources division file no. E08CT032.
- On 12/15/2008, the Metropolitan King County Council Introduced and Referred to Hearing Examiner.*
- On 1/26/2009, the Metropolitan King County Council Reintroduced and Referred to Hearing Examiner.*
18. [Proposed Substitute Ordinance No. 2008-0648.2](#) **Ms. Patterson and Mr. Constantine**
- AN ORDINANCE concurring with the recommendation of the hearing examiner to approve, subject to conditions, the application for public benefit rating system assessed valuation for open space submitted by Richard and Alexis Kaplan for property located at 43012 SE 108th Street, North Bend, WA 98045, designated department of natural resources and parks, water and land resources division file no. E08CT033.
- On 12/15/2008, the Metropolitan King County Council Introduced and Referred to Hearing Examiner.*
- On 1/26/2009, the Metropolitan King County Council Reintroduced and Referred to Hearing Examiner.*
19. [Proposed Substitute Ordinance No. 2008-0650.2](#) **Ms. Patterson and Mr. Constantine**
- AN ORDINANCE concurring with the recommendation of the hearing examiner to approve, subject to conditions, the application for public benefit rating system assessed valuation for open space submitted by Nadija Lebed for property located at 1213 - 324th Way NE, Carnation, WA 98014, designated department of natural resources and parks, water and land resources division file no. E08CT036.
- On 12/15/2008, the Metropolitan King County Council Introduced and Referred to Hearing Examiner.*
- On 1/26/2009, the Metropolitan King County Council Reintroduced and Referred to Hearing Examiner.*
20. [Proposed Substitute Ordinance No. 2008-0651.2](#) **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 Kay Cogan for property located at 20420 NE 85th Street, Redmond, WA 98053, designated department of natural resources and parks, water and land resources division file no. E08CT037.
- On 12/15/2008, the Metropolitan King County Council Introduced and Referred to Hearing Examiner.*
- On 1/26/2009, the Metropolitan King County Council Reintroduced and Referred to Hearing Examiner.*

21. [Proposed Substitute Ordinance No. 2008-0652.2](#) Ms. Patterson and Mr. Constantine

AN ORDINANCE concurring with the recommendation of the hearing examiner to approve, subject to conditions, the application for public benefit rating system assessed valuation for open space submitted by Tammy Ruther for property located at 40605 - 212th Avenue SE, Enumclaw, WA 98022, designated department of natural resources and parks, water and land resources division file no. E08CT038.

On 12/15/2008, the Metropolitan King County Council Introduced and Referred to Hearing Examiner.

On 1/26/2009, the Metropolitan King County Council Reintroduced and Referred to Hearing Examiner.

First Reading and Referral of Ordinances

22. [Proposed Ordinance No. 2009-0116](#) Mr. Constantine

AN ORDINANCE relating to reducing the greenhouse gas emissions from project and non-project actions subject to the state Environmental Policy Act; and adding new sections to K.C.C. chapter 20.44.

Refer to Physical Environment Committee

23. [Proposed Ordinance No. 2009-0193](#) Mr. Constantine

AN ORDINANCE relating to the Community Development Block Grant program, and to economic development and revitalization in unincorporated South King County, authorizing the King County executive to execute contracts, promissory notes and related documents for a \$5,250,000 and a \$1,000,000 Section 108 Loan Guarantee with the United States Department of Housing and Urban Development (HUD); authorizing the executive to execute an indenture of trust and custodial agreement with Bank of New York to manage and account for payments and repayment of the Section 108 Loan Guarantee with HUD; authorizing the executive to execute any assignments of collateral required by the HUD contracts; and pledging future Community Development Block Grant funds for the repayment of the principal and interest due the Department of Housing and Urban Development Fiscal Agent or Trustee, authorizing the executive to execute a collateral agency agreement with White Center Investment Fund, LLC, as required by HUD, to enforce security rights and assure completion of the project and compliance with federal requirements; authorizing the executive to execute a loan agreement and related documents with the White Center Square Investment Fund, LLC to provide equity financing for the construction of a multi-tenant retail/office plaza; and authorizing the executive to execute a Standstill and Subordination Agreement with equity investor Vong Brothers, LLC, to increase the security of King County's Loan to the White Center Investment Fund, LLC.

Refer to Budget and Fiscal Management Committee

30. [Proposed Motion No. 2009-0202](#)**Mr. Constantine**

A MOTION affirming King County's commitment to fair, open and competitive procurement practices.

Refer to Government Accountability and Oversight Committee

31. [Proposed Motion No. 2009-0203](#)**Mr. Dunn**

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

Refer to Government Accountability and Oversight Committee

32. Recess

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

Budget and Fiscal Management

Councilmember Gossett

33. [Proposed Ordinance No. 2008-0593](#)

Ms. Hague

AN ORDINANCE making a supplemental appropriation of \$6,289,049 to the building repair and replacement fund for the purpose of implementing a contract with McKinstry Essention for a series of facility energy improvements, the most significant of which is to provide local boilers in the courthouse and King County Correctional Facility, and providing for the costs of overseeing the delivery of the improvements and department of adult and juvenile detention escort; and amending the 2008 Budget Ordinance, Ordinance 15975, Section 130, as amended, and Attachment B, as amended.

On 10/20/2008, the Metropolitan King County Council Introduced and Referred to Capital Budget Committee.

On 1/12/2009, the Metropolitan King County Council Reintroduced and Referred to Budget and Fiscal Management Committee .

On 2/17/2009, the Budget and Fiscal Management Committee Deferred.

On 3/3/2009, the Budget and Fiscal Management Committee Recommended Do Pass.

Public Hearing Required

34. [Proposed Substitute Ordinance No. 2009-0130.2](#)

Mr. Ferguson, Mr. Dunn and Ms. Lambert

AN ORDINANCE increasing transparency and oversight in public policy making as it relates to budget appropriation ordinances and the annual budget; making technical corrections; and amending Ordinance 12076, Section 3, as amended, and K.C.C. 4.04.030 and Ordinance 12045, Section 23, as amended, and K.C.C. 4.04.040 and adding a new section to K.C.C. chapter 4.04.

On 2/23/2009, the Metropolitan King County Council Introduced and Referred to Budget and Fiscal Management.

On 3/3/2009, the Budget and Fiscal Management Committee Recommended Do Pass Substitute.

Public Hearing Required

35. [Proposed Substitute Ordinance No. 2009-0157.2](#)

Mr. Gossett

AN ORDINANCE relating to the forecast council; amending Ordinance 12014, Section 5, as amended, and K.C.C. 3.12.010, Ordinance 12076, Section 3, as amended, and K.C.C. 4.04.030 and Ordinance 12045, Section 23, as amended, and K.C.C. 4.04.040 and adding a new chapter to K.C.C. Title 2.

On 3/2/2009, the Metropolitan King County Council Introduced and Referred to Budget and Fiscal Management Committee .

On 3/3/2009, the Budget and Fiscal Management Committee Recommended Do Pass Substitute.

Public Hearing Required

Physical Environment

Councilmember Hague

36. Proposed Ordinance No. 2009-0153 **Ms. Patterson and Mr. Phillips**

AN ORDINANCE related to fertilizers containing phosphorus; and adding a new chapter to K.C.C. Title 9.

On 3/2/2009, the Metropolitan King County Council Introduced and Referred to Physical Environment Committee.

On 3/10/2009, the Physical Environment Committee Deferred.

Public Hearing Required

SUBJECT TO A MOTION TO RELIEVE THE COMMITTEE OF FURTHER CONSIDERATION PURSUANT TO K.C.C. 1.24.125

Other Business

Land Use Appeal

Item 37 will be considered at 2:30 pm

37. Proposed Substitute Ordinance No. 2008-0390.2 **Ms. Patterson and Mr. Constantine**

AN ORDINANCE concurring with the recommendation of the hearing examiner to deny reclassification of certain property located at 23612 Military Road South, Postal City Kent, as described in department of development and environmental services file no. L08TY401, from I, Industrial (with P-suffix condition limiting use of the property) to I, Industrial, at the request of Kent West LLC (Kirk Hiller).

On 7/21/2008, the Metropolitan King County Council Introduced and Referred to Hearing Examiner.

On 1/26/2009, the Metropolitan King County Council Reintroduced and Referred to Hearing Examiner.

Adjournment