

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

Monday, October 1, 2012

Room 1001

DRAFT MINUTES

1. Call to Order

The meeting was called to order at 1:39 p.m.

2. <u>Roll Call</u>

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

Councilmember Patterson led the flag salute and Pledge of Allegiance.

4. <u>Approval of Minutes of the Special and Regular Meetings of</u> <u>September 24, 2012</u>

Ms. Hague moved to approve the minutes of the special and regular meetings as presented. Seeing no objection, the Chair so ordered.

5. Additions to the Council Agenda

There were no additions.

6. Special Item

Presentation of a recognition to Bill Block, Director of King County's Committee to End Homelessness, upon his retirement, for outstanding community service

Councilmember Lambert and Councilmember Hague read the recognition and presented it to Bill Block. Mr. Block thanked the Council and accepted the recognition.

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

Consent Item 7

7. Proposed Ordinance No. 2012-0275

AN ORDINANCE authorizing the King County executive to enter into five agreements with the Washington state Department of Ecology for loan financing for five wastewater capital projects.

Sponsors: Mr. McDermott

At the request of Mr. Phillips, the Chair deferred Proposed Ordinance 2012-0275 to the October 15, 2012 Council meeting.

This matter was Deferred

Budget and Fiscal Management

8. 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 and Mr. von Reichbauer

The Chair recessed the meeting at 1:55 p.m. The Chair reconvened the meeting at 2:02 p.m.

The enacted number is 17426.

On 10/1/2012, the following people appeared to speak:

1) Sam Bellomio

- 2) Alex Zimmerman
- 3) Carolyn Robertson
- 4) Judy Denny
- 5) Mia Jacobson

On 10/01/2012, a public hearing was held and closed.

A motion was made by Councilmember McDermott 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

9. Proposed Substitute Ordinance No. 2012-0247.2

AN ORDINANCE authorizing the solid waste division of the department of natural resources and parks, to use the competitive negotiation procedures set forth in RCW 36.58.090 to procure vendors for construction of the new Factoria Recycling and Transfer Station.

Sponsors: Ms. Hague

At the request of Ms. Hague, the Chair deferred Proposed Ordinance 2012-0247 to the October 8, 2012 Council meeting.

On 10/01/2012, a public hearing was held and closed.

This matter was Deferred

10. Proposed Ordinance No. 2012-0271

AN ORDINANCE approving a new public health clinic lease for the department of public health to be located in the King County Housing Authority Greenbridge community in White Center.

Sponsors: Mr. McDermott

The enacted number is 17427.

On 10/01/2012, a public hearing was held and closed.

A motion was made by Councilmember McDermott 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

11. Proposed Ordinance No. 2012-0345

AN ORDINANCE authorizing the King County executive to execute a lease agreement with Backbone Community Solar, in order to construct and operate a community solar project on land at the Vashon transfer station pursuant to RCW 82.16.110 through 82.16.140.

Sponsors: Mr. McDermott and Mr. Phillips

At the request of Mr. McDermott, the Chair deferred Proposed Ordinance 2012-0345 to the October 8, 2012 Council meeting.

This matter was Deferred

Committee of the Whole

12. Proposed Ordinance No. 2012-0350

AN ORDINANCE authorizing the King County executive to execute an interlocal agreement with the city of Auburn for the King County road services division to provide road-related maintenance services such as striping, pavement markings, bridge inspections and emergency-related maintenance and repair services.

Sponsors: Mr. von Reichbauer

The enacted number is 17428.

On 10/01/2012, a public hearing was held and closed.

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

Transportation, Economy and Environment Committee

13. Proposed Substitute Ordinance No. 2012-0244.2

AN ORDINANCE authorizing the King County executive to execute a thirty-year use agreement with Hollywood Hills Saddle Club, a Washington nonprofit organization, for the operation, maintenance, programming and use of the equestrian facility located at the Woodinville Pit Park Site in King County, Washington.

<u>Sponsors:</u> Ms. Lambert

The enacted number is 17429.

The following person appeared to speak: 1) Tom Short

Ms. Lambert moved amendment 1. The motion passed 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

On 10/01/2012, a public hearing was held and closed.

A motion was made by Councilmember Phillips that this Ordinance 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

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

Consent Items 14 and 15

14. Proposed Motion No. 2012-0113

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

The enacted number is 13743.

This matter was passed on the Consent Agenda.

15. Proposed Motion No. 2012-0339

A MOTION acknowledging receipt of a report regarding the department of community and human services's request for proposals process in compliance with the 2012 Budget Ordinance, Ordinance 17232, Section 20, Proviso P5.

Sponsors: Mr. McDermott and Ms. Lambert

The enacted number is 13744.

This matter was 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

Committee of the Whole

16. Proposed Motion No. 2012-0381

A MOTION regarding access to public transportation mobility for low income populations; and the establishment of an advisory committee for mobility as an element of the health and human services safety net to assist in the development of new regional public transportation fare programs.

<u>Sponsors:</u> Mr. Gossett, Ms. Patterson, Mr. Phillips, Mr. McDermott and Mr. Ferguson

At the request of Ms. Hague, the Chair deferred Proposed Motion 2012-0381 to the October 8, 2012 Council meeting.

This matter was Deferred

Law, Justice, Health and Human Services

17. Proposed Substitute Motion No. 2012-0216.2

A MOTION calling on the Washington state Legislature to adopt legislation relating to juvenile firearms and weapons crimes and that those penalties allow juveniles adjudicated for offenses in which a firearm is used to be committed to the Juvenile Rehabilitation Authority.

Sponsors: Mr. Dunn

At the request of Mr. Dunn, the Chair rereferred Proposed Substitute Motion 2012-0216 to the Law, Justice, Health and Human Services Committee.

This matter was Re-referred to the Law, Justice, Health and Human Services Committee

First Reading of and Action on Motions Without Referral to Committee

18. Proposed Motion No. 2012-0407

A MOTION relating to the organization of the council; amending policy as it relates to confidential assignments; and amending Motion 10651, Section VIII, as amended, and OR 3-040.

Sponsors: Ms. Patterson, Ms. Hague, Mr. Gossett and Ms. Lambert

Ms. Patterson moved to suspend the rules in order to take action on Proposed Motion 2012-0407 without referral to committee, pursuant to K.C.C. 1.24.085. The motion carried.

At the request of Ms. Patterson, the Chair deferred Proposed Motion 2012-0407 to the October 8, 2012 Council meeting.

This matter was Deferred

First Reading and Referral of Ordinances

19. Proposed Ordinance No. 2012-0390

AN ORDINANCE approving the sale of a surplus portion of the Auburn Park-and-Ride parking lot to the city of Auburn.

Sponsors: Mr. von Reichbauer

Joe Woods, Executice Office, answered questions of the Council.

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

20. Proposed Ordinance No. 2012-0391

AN ORDINANCE that proposes the 2013 Annual Budget and makes appropriations for the operation of county agencies and departments and capital improvements for the fiscal year beginning January 1, 2013, and ending December 31, 2013; and an ordinance that proposes the 2013/2014 Biennial Budget and makes appropriations for the operations of various county agencies and departments and capital improvements for the fiscal biennium beginning January 1, 2013, and ending December 31, 2014.

Sponsors: Mr. McDermott

AN ORDINANCE relating to fees; amending Ordinance 10662, Section 49, as amended, and K.C.C. 27.02.080, Ordinance 11141, Section 40, and K.C.C. 27.02.100, Ordinance 11141, Section 41, and K.C.C. 27.02.110, Ordinance 13332, Section 13, as amended, and K.C.C. 27.02.160, Ordinance 16959, Section 10, as amended, and K.C.C. 27.02.170, Ordinance 13332, Section 9, as amended, and K.C.C. 27.02.190, Ordinance 13332, Section 3, as amended, and K.C.C. 27.06.005, Ordinance 13332, Section 4, as amended, and K.C.C. 27.06.010, Ordinance 13332, Section 5, as amended, and K.C.C. 27.06.020, Ordinance 13332, Section 17, as amended, and K.C.C. 27.10.020, Ordinance 13332, Section 18, as amended, and K.C.C. 27.10.030, Ordinance 17224, Section 20, and K.C.C. 27.10.045, Ordinance 13332, Section 20, as amended, and K.C.C. 27.10.050, Ordinance 13332, Section 21, as amended, and K.C.C. 27.10.060, Ordinance 13332, Section 22, as amended, and K.C.C. 27.10.070, Ordinance 13332, Section 23, as amended, and K.C.C. 27.10.080, Ordinance 17224, Section 26, and K.C.C. 27.10.085. Ordinance 13332, Section 24, as amended, and K.C.C. 27.10.090, Ordinance 13332, Section 27, as amended, and K.C.C. 27.10.120, Ordinance 13332, Section 28, as amended, and K.C.C. 27.10.130, Ordinance 13332, Section 30, as amended, and K.C.C. 27.10.150, Ordinance 13332, Section 31, as amended, and K.C.C. 27.10.160, Ordinance 13332, Section 32, as amended, and K.C.C. 27.10.170, Ordinance 13332, Section 33, and K.C.C. 27.10.180, Ordinance 13332, Section 35, as amended, and K.C.C. 27.10.200, Ordinance 13332, Section 36, as amended, and K.C.C. 27.10.210, Ordinance 13332, Section 37, as amended, and K.C.C. 27.10.220, Ordinance 13332, Section 40, as amended, and K.C.C. 27.10.320, Ordinance 13332, Section 41, as amended, and K.C.C. 27.10.330, Ordinance 13332, Section 42, as amended, and K.C.C. 27.10.350, Ordinance 13332, Section 46, as amended, and K.C.C. 27.10.380, Ordinance 17224, Section 39, and K.C.C. 27.10.385, Ordinance 13332, Section 47, as amended, and K.C.C. 27.10.410, Ordinance 13332, Section 48, as amended, and K.C.C. 27.10.420, Ordinance 17224, Section 43, and K.C.C. 27.10.425, Ordinance 13332, Section 49, as amended, and K.C.C. 27.10.430, Ordinance 13332, Section 50, as amended, and K.C.C. 27.10.450, Ordinance 13332, Section 51, as amended, and K.C.C. 27.10.460, Ordinance 13332, Section 53, as amended, and K.C.C. 27.10.510 and Ordinance 13332, Section 54, as amended, and K.C.C. 27.10.550, adding new sections to K.C.C. chapter 27.10 and repealing Ordinance 17224, Section 18, and K.C.C. 27.06.040 and Ordinance 13332, Section 52, as amended, and K.C.C. 27.10.500.

Sponsors: Mr. McDermott

AN ORDINANCE increasing the monthly rental rates for aircraft tie-downs at the King County International Airport, also known as Boeing Field International; and amending Ordinance 10500, Section 1, as amended, and K.C.C. 15.52.060 and Ordinance 10500, Section 1, as amended, and K.C.C. 15.52.060.

Sponsors: Mr. McDermott

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

23. Proposed Ordinance No. 2012-0394

AN ORDINANCE relating to the county property tax levies for collection in 2013, and implementing RCW 84.55.120.

Sponsors: Mr. McDermott

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

24. Proposed Ordinance No. 2012-0395

AN ORDINANCE relating to the 2012 levy of property taxes in King County for collection in the year 2013.

Sponsors: Mr. McDermott

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

25. Proposed Ordinance No. 2012-0396

AN ORDINANCE establishing inattentive driving as a traffic infraction; adding a new chapter to K.C.C. Title 46 and prescribing penalties.

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

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

26. Proposed Ordinance No. 2012-0397

AN ORDINANCE relating to the use of work crew for misdemeanant arrestees in the prosecuting attorney's office prefiling diversion program; amending Ordinance 12432 Section 2, as amended, and K.C.C. 2.16.120, and Ordinance 14561, Section 9, as amended, and K.C.C. 2.16.122.

Sponsors: Mr. McDermott

AN ORDINANCE related to establishing a pilot program for 2012 and 2013 to incent the voluntary separation of retirement-eligible career or civil service employees as necessary to minimize the number of employees subject to a reduction in force.

Sponsors: Mr. McDermott

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

28. Proposed Ordinance No. 2012-0399

AN ORDINANCE relating to the 2013 King County 10 Step Hourly Squared Schedule, 2013 King County 10 Step Annual/FLSA Exempt Squared Schedule, 2013 King County Standardized Hourly Salary Schedule, and the 2013 King County Standardized Annual/FLSA Exempt Salary Schedule, and the annual cost-of-living increase for non-represented King County employees as stipulated in K.C.C. 3.12.130 and K.C.C. 3.12.140.

Sponsors: Mr. McDermott

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

29. Proposed Ordinance No. 2012-0400

AN ORDINANCE making a supplemental disappropriation from the departments of transportation and development and environmental services for the second half of the biennial budget; and amending the 2012/2013 Biennial Budget Ordinance, Ordinance 17232, Sections 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135 and 136, as amended, and Attachments G and H, as amended.

Sponsors: Mr. McDermott

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

30. Proposed Ordinance No. 2012-0401

AN ORDINANCE related to the housing opportunity acquisition fund; converting the fund from a first tier capital improvement fund to a first tier operating fund with no change to its purpose or operation; and amending Ordinance 9368, Sections 1 and 2, as amended, and K.C.C. 4.08.235 and Ordinance 12076, Section 9, as amended, and K.C.C. 4.08.015.

Sponsors: Mr. McDermott

AN ORDINANCE relating to the cultural development authority reflecting changes made to RCW 67.28.180 by the state Legislature in 2011; making technical corrections; amending Ordinance 8300, Section 2, as amended, and K.C.C. 2.48.020, Ordinance 14440, Section 3, as amended, and K.C.C. 2.49.200, Ordinance 12807, Sections 6 and 7, as amended, and K.C.C. 4A.520.020 and Ordinance 12076, Section 9, as amended, and K.C.C. 4.08.015 and repealing Ordinance 14433, Section 2, as amended, and K.C.C. 4.08.195.

Sponsors: Mr. McDermott

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

32. Proposed Ordinance No. 2012-0404

AN ORDINANCE revising the transportation benefit district boundaries and purposes in accordance with chapter 36.73 RCW; amending Ordinance 16742, Section 3, and K.C.C. 2.121.010 and Ordinance 16742, Section 6, and 2.121.020 and adding a new section to K.C.C. chapter 2.121.

Sponsors: Mr. McDermott

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

33. Proposed Ordinance No. 2012-0405

AN ORDINANCE relating to school impact fees; adopting the capital facilities plans of the Tahoma, Federal Way, Riverview, Issaquah, Snoqualmie Valley, Highline, Lake Washington, Kent, Northshore, Enumclaw, Fife, Auburn and Renton 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; 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 10722, Section 3, as amended, and K.C.C. 20.12.465, 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.

Sponsors: Mr. McDermott

First Reading and Referral of Motions

34. Proposed Motion No. 2012-0306

A MOTION confirming the executive's appointment of Garmon Newsom, who resides in council district six, to the King County board of ethics effective August 1, 2012.

<u>Sponsors:</u> Ms. Hague

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

35. Proposed Motion No. 2012-0403

A MOTION stating King County's election for the distribution of funds for federal fiscal year 2012 under the reauthorization of P.L. 106-393, the Secure Rural Schools and Self-Determination Act of 2000, as amended, and identifying a project to be funded in 2013 under Title III of the act.

Sponsors: Mr. McDermott

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

36. Proposed Motion No. 2012-0406

A MOTION approving the proposed work plan for review and update of the Regional Wastewater Services Plan, in response to 2012 Budget Ordinance, Ordinance 17232, Section 100, Proviso P1.

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 a nonmandatory referral to the Regional Water Quality Committee under King County Charter 270.30 and KCC 1.24.0651 as an issue that is not a countywide policy or plan but would benefit from interjurisdictional discussion.

This matter had its first reading and was referred to the Regional Water Quality Committee.

37. <u>Reports on Special and Outside Committees</u>

Councilmember Phillips reported on the Sound Transit Board meeting. He indicated that CEO Joni Earl presented the 2013 proposed budget. Highlights of the budget included continued construction of the ST2 expansion, University Link Light Rail, design and construction of the South 200 extension, the final design of Northgate link and eastlink light rail and work on Mukilteo and Tukwila Sounder stations. Sound Transit expects to deliver 28.4 million passenger trips in 2013. The Board also heard an update from the Citizen's Oversight Panel with suggestions for growing. The Board authorized a contract to design and construct the South 200 Link Light Rail extention.

Councilmember von Reichbauer reported on a successful community fundraiser for homelessness programs in South King County.

Councilmember Dunn reported on the press conference held by the King County Flood Control District Board of Supervisors. October is Flood Awareness Month and the District is making efforts to educate the public on emergency preparedness and the upcoming flood season.

Rereferral

38. Proposed Substitute Ordinance No. 2012-0103.2

AN ORDINANCE relating to comprehensive planning and permitting; and amending Ordinance 15556, Section 3, and K.C.C. 4.08.057, Ordinance 11616, Section 11, as amended, and K.C.C. 13.24.134, Ordinance 12824, Section 3, as amended, and K.C.C. 20.12.050, Ordinance 14047, Section 9, as amended, and K.C.C. 20.18.170, Ordinance 14047, Section 10, as amended, and K.C.C. 20.18.180, Ordinance 12196, Section 11, as amended, and K.C.C. 20.20.040, Ordinance 10870, Section 36, as amended, and K.C.C. 21A.04.150, Ordinance10870, Section 37, as amended, and K.C.C. 21A.04.160, Ordinance 10870, Section 332, as amended, and K.C.C. 21A.08.050, Ordinance 11481, Section 2, as amended, and K.C.C. 21A.24.311, Ordinance 16267, Section 59, and K.C.C. 21A.24.381, Ordinance 15051, Section 198, and K.C.C. 21A.24.382, Ordinance 15051, Section 199, and K.C.C. 21A.24.383, Ordinance 13274, Section 5, as amended, and K.C.C. 21A.37.030, Ordinance 13274, Section 6, as amended, and K.C.C. 21A.37.040, Ordinance 14190, Section 7, as amended, and K.C.C. 21A.37.050, Ordinance 16267, Section 68, and K.C.C. 21A.37.055, Ordinance 14190, Section 8, as amended, and K.C.C. 21A.37.060, Ordinance 13274, Section 7, as amended, and K.C.C. 21A.37.070, Ordinance 13274, Section 8, as amended, and K.C.C. 21A.37.080, Ordinance 13733, Section 8, as amended, and K.C.C. 21A.37.100, Ordinance 13733, Section 10, as amended, and K.C.C. 21A.37.110, Ordinance 13733, Section 12, as amended, and K.C.C. 21A.37.130, Ordinance 13733, Section 13, as amended, and K.C.C. 21A.37.140, Ordinance 13733, Section 14, as amended, and K.C.C. 21A.37.150, decodifying Ordinance 263, Article 2, Section 1, as amended, and K.C.C. 20.12.010, adding a new section to K.C.C. chapter 21A.38, adding a new section to K.C.C. chapter 21A.42 and repealing Ordinance 11621, Section 28, and K.C.C. 21A.06.1177.

Sponsors: Mr. Phillips

This matter was Re-referred to the Committee of the Whole

Other Business

Labor Policy Committee

On 10/1/2012, the following people appeared to speak: Jared Karstetter Scott Somers

Adjournment

The meeting was adjourned at 3:00 p.m.

Approved this ______ day of ______.

Clerk's Signature