



King County

1200 King County
Courthouse
516 Third Avenue
Seattle, WA 98104

Meeting Minutes

Metropolitan King County Council

*Councilmembers: Bob Ferguson, Chair; Jane Hague, Vice
Chair*

*Jan Drago, Reagan Dunn, Larry Gossett, Kathy Lambert, Julia
Patterson, Larry Phillips, Pete von Reichbauer*

11:00 AM

Tuesday, February 16, 2010

Room 1001

REVISED - Added Items 30 and 31

1. **Call to Order**

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The meeting was called to order at 11:08 a.m.

2. **Roll Call**

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Present: 6 - Ms. Lambert, Mr. von Reichbauer, Mr. Gossett, Mr. Dunn, Ms. Drago and
Mr. Ferguson

Excused: 3 - Ms. Patterson, Mr. Phillips and Ms. Hague

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

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Councilmember von Reichbauer led the flag salute and Pledge of Allegiance.

4. **Approval of Minutes of February 8, 2010**

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*Councilmember von Reichbauer moved to approve the minutes of the February 8,
2010 meeting as presented. Seeing no objection, the Chair so ordered.*

5. **Additions to the Council Agenda**

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Items 30 and 31 were added to the Council agenda.

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

Consent Items 6-8

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6. [2009-0340](#) A MOTION confirming the executive's appointment of Nathan Korpela, who resides in council district eight, to the King County international airport roundtable, as the Georgetown representative.

Sponsors: Mr. Constantine and Ms. Drago

The enacted number is 13146.

This matter passed on the consent agenda.

7. [2009-0370](#) A MOTION accepting a report by the wastewater treatment division in the department of natural resources and parks on the status of the work program related to reclaimed water, as required in the 2009 Budget Ordinance, Ordinance 16312, Section 105, Proviso 1.

Sponsors: Mr. Constantine and Mr. Phillips

The enacted number is 13147.

Kelli Carroll, Council Staff, answered questions of the Council.

This matter passed on the consent agenda.

8. [2009-0647](#) A MOTION confirming the executive's appointment of Robert Bismuth, to the King County international airport roundtable, representing Magnolia/North Seattle.

Sponsors: Mr. Phillips

The enacted number is 13148.

This matter passed on the consent agenda.

Passed On The Consent Agenda

A motion was made by Councilmember von Reichbauer that the Consent Agenda be passed. The motion carried by the following vote:

Yes: 6 - Ms. Lambert, Mr. von Reichbauer, Mr. Gossett, Mr. Dunn, Ms. Drago, and Mr. Ferguson

Excused: 3 - Ms. Patterson, Mr. Phillips, and Ms. Hague

Law, Justice, Health and Human Services

9. [2010-0048](#) A MOTION urging the Washington state Legislature to place before voters at the next general election a proposed amendment to Article I Section 20 of the state Constitution to exempt certain persons charged with offenses for which the maximum sentence is the possibility of life in prison from being bailable if proof is evident or the presumption great.

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Sponsors: Mr. Dunn and Mr. Ferguson

The enacted number is 13149.

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

Yes: 5 - Ms. Lambert, Mr. von Reichbauer, Mr. Dunn, Ms. Drago, and Mr. Ferguson

No: 1 - Mr. Gossett

Excused: 3 - Ms. Patterson, Mr. Phillips, and Ms. Hague

Employment and Administration Committee Consent Agenda Item

10

- 10. Extension of a Temporary Assignment

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

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

Votes: Yes: 6 - Ms. Drago, Mr. Dunn, Mr. Ferguson, Mr. Gossett, Ms. Lambert and Mr. von Reichbauer

No: 0

Excused: 3 - Ms. Hague, Ms. Patterson and Mr. Phillips

First Reading and Referral of Ordinances

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- 11. [2010-0069](#) AN ORDINANCE authorizing the King County executive to execute an interlocal agreement with the city of Seattle for the purpose of acquiring property and easements in support of the design of a new South Park Bridge.

Sponsors: Ms. Drago and Mr. Phillips

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

- 12. [2010-0080](#) AN ORDINANCE authorizing the issuance and public sale of one or more series of limited tax general obligation bonds of the county in an outstanding aggregate principal amount not to exceed \$85,000,000 to provide long-term financing for the capital costs of the Accountable Business Transformation Program; authorizing the issuance and public sale of one or more series of limited tax general obligation bond anticipation notes of the county in an outstanding aggregate principal amount not to exceed \$85,000,000 to provide interim financing for such capital costs pending the sale of such bonds; providing for the disposition of the proceeds of sale of the notes; establishing funds for the receipt and expenditure of note proceeds and for the payment of the notes; and providing for the annual levy of taxes to pay the principal thereof and interest thereon.

Sponsors: Ms. Patterson

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

13. [2010-0086](#) AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by David Andrews and Claire Foster for property located at 10721 296th Avenue NE, Carnation, WA 98014, designated department of natural resources and parks, water and land resources division file no. E09CT062.

Sponsors: Mr. Ferguson

This matter had its first reading and was referred to the Hearing Examiner.

14. [2010-0087](#) AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted David Andrews and Claire Foster for property located at approximately 296xx Carnation - Duvall Road NE, Carnation, WA 98014, designated department of natural resources and parks, water and land resources division file no. E09CT062a.
- Sponsors:** Mr. Ferguson
- This matter had its first reading and was referred to the Hearing Examiner.*
15. [2010-0088](#) AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by Jaki Beshur for property located at 3424 East Ames Lake Drive NE, Redmond, WA 98053, designated department of natural resources and parks, water and land resources division file no. E09CT063.
- Sponsors:** Mr. Ferguson
- This matter had its first reading and was referred to the Hearing Examiner.*
16. [2010-0089](#) AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by Hal Huskinson Residence Trust for property located at 6710 289th Avenue SE, Issaquah, WA 98027, designated department of natural resources and parks, water and land resources division file no. E09CT066.
- Sponsors:** Mr. Ferguson
- This matter had its first reading and was referred to the Hearing Examiner.*
17. [2010-0090](#) 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 6701 Tolt River Road NE, Carnation, WA 98014, designated department of natural resources and parks, water and land resources division file no. E09CT067.
- Sponsors:** Mr. Ferguson
- This matter had its first reading and was referred to the Hearing Examiner.*
18. [2010-0091](#) 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 Tolt River Road NE, Carnation, WA 98014, designated department of natural resources and parks, water and land resources division file no. E09CT067a.
- Sponsors:** Mr. Ferguson
- This matter had its first reading and was referred to the Hearing Examiner.*

19. [2010-0101](#) AN ORDINANCE relating to code revisions and additions necessary to provide furlough replacement time to King County employees who are not represented by labor organizations and who observed furlough days; and amending Ordinance 16339, Section 17, as amended, and K.C.C. 3.12F.010 and Ordinance 16339, Section 20, as amended, and K.C.C. 3.12F.040.
- Sponsors:** Mr. Gossett, Ms. Hague and Ms. Lambert
- This matter had its first reading and was referred to the Committee of the Whole.*
20. [2010-0102](#) AN ORDINANCE establishing April 27, 2010, as the date of a special election on the question of annexation to fire district 28 of the city of Enumclaw; and declaring an emergency.
- Sponsors:** Mr. Dunn
- This matter had its first reading and was referred to the Committee of the Whole.*
21. [2010-0103](#) AN ORDINANCE authorizing the King County executive to execute an interlocal agreement with the city of Normandy Park regarding improvements to the Sylvester Road Bridge.
- Sponsors:** Ms. Drago and Mr. Phillips
- This matter had its first reading and was referred to the Environment and Transportation Committee.*

First Reading and Referral of Motions

22. [2010-0081](#) A MOTION of the county council accepting a bid for the purchase of the county's Limited Tax General Obligation Bond Anticipation Notes, 20__, Series __, in the aggregate principal amount of \$_____ and establishing certain terms of such notes in accordance with Ordinance _____.
- Sponsors:** Ms. Patterson
- This matter had its first reading and was referred to the Budget and Fiscal Management Committee.*
23. [2010-0082](#) A MOTION of the county council approving a bond purchase contract for the purchase of the county's Limited Tax General Obligation Bond Anticipation Notes, 20__, Series __, in the aggregate principal amount of \$_____, and establishing certain terms of such notes in accordance with Ordinance _____.
- Sponsors:** Ms. Patterson
- This matter had its first reading and was referred to the Budget and Fiscal Management Committee.*
24. [2010-0104](#) A MOTION requesting the United State Congress appropriate sufficient funds to provide for permanent repair to the Howard Hanson dam, and direct the Army Corps of Engineers to make the Howard Hanson dam permanent repair a priority project.
- Sponsors:** Ms. Patterson
- This matter had its first reading and was referred to the Budget and Fiscal Management Committee.*

Recess

The meeting was recessed at 11:08 a.m.

The meeting was reconvened at 1:49 p.m.

The meeting was recessed at 2:10 p.m.

The meeting was reconvened at 2:12 p.m.

The Chair recessed the meeting into Executive Session to consider sale of real estate and also to discuss with legal counsel legal risks of a proposed action at 2:25 p.m.

The Chair reconvened the meeting at 2:57 p.m.

The meeting was recessed at 2:58 p.m.

The meeting was reconvened at 3:33 p.m.

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

Consent Items 25 and 26

[play video](#)

25. [2009-0492](#) AN ORDINANCE authorizing the King County executive to execute a sale to the Port of Seattle of one unimproved parcel of county-owned real property in council district 5.

Sponsors: Mr. Gossett

The enacted number is 16757.

On 2/16/2010, a public hearing was held and closed.

This matter passed on the consent agenda.

26. [2009-0598](#) AN ORDINANCE relating to technical corrections to employee code of ethics provisions; and amending Ordinance 12014, Section 2, as amended, and K.C.C. 3.04.017, Ordinance 1308, Section 5, as amended, and K.C.C. 3.04.040, Ordinance 9704, Section 9, as amended, and K.C.C. 3.04.055 and Ordinance 12138, Section 4, as amended, and K.C.C. 3.04.120.

Sponsors: Ms. Lambert

The enacted number is 16758.

On 2/16/2010, a public hearing was held and closed.

This matter passed on the consent agenda.

Passed On The Consent Agenda

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

Yes: 6 - Ms. Lambert, Mr. von Reichbauer, Mr. Gossett, Mr. Dunn, Ms. Drago, and Mr. Ferguson

Excused: 3 - Ms. Patterson, Mr. Phillips, and Ms. Hague

Budget and Fiscal Management

Items 27 and 29 were considered together as a consent agenda.

- 27. [2009-0546](#) AN ORDINANCE relating to transit-oriented development of a portion of the county-owned park-and-ride lot in the city of Burien; approving a ground lease of the site from the county to Alliance Wasatch I, LLC, and a lease by Alliance Wasatch I, LLC, back to the county of a parking garage to be constructed on the site; authorizing the county executive to execute final forms of the ground lease and project lease; and approving certain other provisions of the lease-leaseback transaction.

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Sponsors: Mr. Constantine, Ms. Patterson, Mr. Gossett, Ms. Drago and Mr. Phillips

The enacted number is 16759.

On 2/16/2010, a public hearing was held and closed.

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

Yes: 6 - Ms. Lambert, Mr. von Reichbauer, Mr. Gossett, Mr. Dunn, Ms. Drago, and Mr. Ferguson

Excused: 3 - Ms. Patterson, Mr. Phillips, and Ms. Hague

- 28. [2010-0056](#) AN ORDINANCE amending the 2010 Budget Ordinance relating to the department of development and environmental services; and amending the 2010 Budget Ordinance, Ordinance 16717, Section 84, as amended and declaring an emergency.

[play video](#)

Sponsors: Ms. Hague, Mr. Ferguson and Mr. Phillips

The enacted number is 16761.

On 2/16/2010, a public hearing was held and closed.

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

Yes: 6 - Ms. Lambert, Mr. von Reichbauer, Mr. Gossett, Mr. Dunn, Ms. Drago, and Mr. Ferguson

Excused: 3 - Ms. Patterson, Mr. Phillips, and Ms. Hague

- 29. [2010-0079](#) AN ORDINANCE making supplemental appropriations of \$21,982,455 to the public transportation construction fund; and amending the 2010/2011 Biennium Budget Ordinance, Ordinance 16717, Section 138, as amended, and Attachment H, as amended.

Sponsors: Ms. Drago

The enacted number is 16760.

On 2/16/2010, a public hearing was held and closed.

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

Yes: 6 - Ms. Lambert, Mr. von Reichbauer, Mr. Gossett, Mr. Dunn, Ms. Drago, and Mr. Ferguson

Excused: 3 - Ms. Patterson, Mr. Phillips, and Ms. Hague

Other Business

Extra Items

First Reading of and Action on Motions Without Referral to Committee

30. [2010-0108](#) A MOTION ratifying the First Amendment to Memorandum of Agreement Regarding Joint Planning, Interim Zoning, Preannexation Zoning, and Future Annexation of the Summit Pit Property.

Sponsors: Mr. Dunn

Mr. Dunn moved to suspend the rules to take action without referral to committee pursuant to K.C.C. 1.24.085.

The Chair called for a voice vote on the motion. The motion carried.

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

Votes: Yes: 6 - Ms. Drago, Mr. Dunn, Mr. Ferguson, Mr. Gossett, Ms. Lambert and Mr. von Reichbauer

No: 0

Excused: 3 - Ms. Hague, Ms. Patterson and Mr. Phillips

The enacted number is 13150.

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

Yes: 6 - Ms. Lambert, Mr. von Reichbauer, Mr. Gossett, Mr. Dunn, Ms. Drago, and Mr. Ferguson

Excused: 3 - Ms. Patterson, Mr. Phillips, and Ms. Hague

First Reading of and Action on Emergency Ordinances Without Referral to Committee

31. [2010-0109](#) AN ORDINANCE authorizing the King County executive to execute an amendment to a purchase and sale agreement regarding 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; and declaring an emergency.
- Sponsors:** Mr. Dunn
- Mr. Dunn moved to suspend the rules to hold a public hearing less than seven days after first reading pursuant to K.C.C. 1.24.095 and to suspend the rules to take action without referral to committee pursuant to K.C.C. 1.24.085. The motion carried.*
- On 2/16/2010 a public hearing was held and closed.
The following person appeared to speak:
Jami Balint
Kendall Moore, Council Staff, answered questions of the Council.*
- Mr. Dunn moved Striking Amendment S1.
The motion carried by the following vote:
Votes: Yes: 6 - Ms. Drago, Mr. Dunn, Mr. Ferguson, Mr. Gossett, Ms. Lambert and Mr. von Reichbauer
No: 0
Excused: 3 - Ms. Hague, Ms. Patterson and Mr. Phillips*
- Mr. Dunn moved Title Amendment T1.
The motion carried by the following vote:
Votes: Yes: 6 - Ms. Drago, Mr. Dunn, Mr. Ferguson, Mr. Gossett, Ms. Lambert and Mr. von Reichbauer
No: 0
Excused: 3 - Ms. Hague, Ms. Patterson and Mr. Phillips
The enacted number is 16762.*
- A motion was made by Councilmember Dunn that this Ordinance be Passed as Amended. The motion carried by the following vote:**
- Yes:** 6 - Ms. Lambert, Mr. von Reichbauer, Mr. Gossett, Mr. Dunn, Ms. Drago, and Mr. Ferguson
- Excused:** 3 - Ms. Patterson, Mr. Phillips, and Ms. Hague

Adjournment

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

Approved this _____ day of _____.

Clerk's Signature