



King County
Meeting Proceedings

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Metropolitan King County Council

**Councilmembers: Larry Phillips, Chair; Pete von Reichbauer, Vice Chair;
Dow Constantine, Reagan Dunn, Carolyn Edmonds, Bob Ferguson,
Larry Gossett, Jane Hague, Steve Hammond, David W. Irons,
Kathy Lambert, Julia Patterson, Dwight Pelz**

Room 1001

December 5, 2005

1:30 PM

Call to Order

The meeting was called to order at 1:52 p.m.

The meeting was recessed at 2:53 p.m.

The meeting was called to order at 3:30 p.m.

Roll Call

Present: Mr. Phillips, Ms. Lambert, Mr. Dunn, Mr. Ferguson, Mr. Hammond, Mr. Gossett, Ms. Hague, Mr. Irons and Mr. Constantine

Excused: Ms. Edmonds, Mr. von Reichbauer, Mr. Pelz and Ms. Patterson

Flag Salute and Pledge of Allegiance

Ms. Hague led the flag salute and the Pledge of Allegiance.

1. Approval of Minutes of November 21, 2005

Mr. Gossett moved to approve the minutes of November 21, 2005 meeting as presented. Seeing no objection, the Chair so ordered.

2. Special Items

Presentation of a Recognition to Peter Donnelly, Outgoing President and CEO of ArtsFund, for His Valuable Contribution to Arts Funding in King and Pierce Counties

Ms. Hague introduced vocalist Erin McGaughan and Chris Jeffries on keyboards to honor Peter Donnelly with a special performance.

Ms. Hague and Mr. Phillips read the recognition to Peter Donnelly, Outgoing President and CEO of ArtsFund, for his valuable contribution to arts funding in King and Pierce counties.

Mr. Donnelly spoke and thanked the Council.

Presentation of a Proclamation Declaring December 5, 2005, as King County Board and Commission Members Day, for Their Volunteer Service on Over Fifty County Boards and Commissions

Mr. Phillips and Executive Sims read the proclamation declaring December 5, 2005, as King County Board and Commission Members Day, for their volunteer service on over fifty county boards and commissions. Mr. Phillips noted that a special reception acknowledging all the work of the volunteers would take place later that evening.

Presentation of County Service Awards

County Service Awards were presented by Executive Sims.

Department of Adult and Juvenile Detention

Pam Jones 25 years

Department of Executive Services

Tina Shields 20 years

Tutti Compton 25 years

Stephen Swinburne 20 years

Birney Mellor 35 years

Department of Public Health

Heather Barr 20 years

Linda Culley 30 years

Ruth Roberson 30 years

Department of Transportation

Jake Jacobovitch

3. Reports on Special and Outside Committees

Mr. Phillips reported on the Cedar River Council. The Council received a briefing on the city of Kent municipal watershed, Rock Creek and what is being done to protect those flows and tributaries to the Cedar. The council received an update on the tremendous effort and progress to restore a portion of Taylor Creek in terms of flood control and habitat. The council also received an update on the Cedar River Legacy and the funds made available annually for purchase of the best habitat along the Cedar. Lastly, the Council acknowledged the hard work and contributions of David Irons as Co-Chair and as a member. The members enthusiastically thanked him for his leadership. Mr. Irons' dedication to salmon recovery, WRIA 8 watershed and his work in the steering committee finalizing the salmon recovery plan were some of his accomplishments. Mr. Phillips noted the well-deserved recognition and thanked him for his service.

Hearing and Second Reading of Ordinances

Budget and Fiscal Management

4. Proposed Substitute Ordinance No. 2005-0493.2

Mr. Gossett

AN ORDINANCE making a net supplemental appropriation of \$6,946,574 to various general fund agencies and \$8,907,135 various non-general fund agencies; and amending the 2005 Budget Ordinance, Ordinance 15083, Sections 6, 8, 16, 34, 36, 38, 40, 41, 43, 44, 47, 55, 65, 67, 79, 94, 96, 99, 108, 109 and 112, as amended and Ordinance 15290, Section 2.

On 12/5/2005, a public hearing was held and closed.

The enacted number is 15334.

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

Votes: Yes: 9 - Mr. Phillips, Ms. Lambert, Mr. Dunn, Mr. Ferguson, Mr. Hammond, Mr. Gossett, Ms. Hague, Mr. Irons and Mr. Constantine
No: 0
Excused: 4 - Ms. Edmonds, Mr. von Reichbauer, Mr. Pelz and Ms. Patterson

5. Proposed Substitute Ordinance No. 2005-0494.2 Mr. Gossett

AN ORDINANCE making a supplemental appropriation of \$20,414,090 to various operating and capital funds to adjust appropriation authority and provide for the correction of errors; and amending the 2005 Budget Ordinance, Ordinance 15083, Sections 42, 114 and 117, as amended, and Attachment B and E, as amended, and adding a new section to Ordinance 15083.

On 12/5/2005, a public hearing was held and closed.

The enacted number is 15335.

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

Votes: Yes: 9 - Mr. Phillips, Ms. Lambert, Mr. Dunn, Mr. Ferguson, Mr. Hammond, Mr. Gossett, Ms. Hague, Mr. Irons and Mr. Constantine
No: 0
Excused: 4 - Ms. Edmonds, Mr. von Reichbauer, Mr. Pelz and Ms. Patterson

Natural Resources and Utilities

6. Proposed Ordinance No. 2005-0322 Ms. Edmonds

AN ORDINANCE authorizing King County, through the wastewater treatment division of the department of natural resources and parks, to adopt the design-build procedure of public works contracting for construction of the Brightwater marine outfall project.

On 12/5/2005, a public hearing was held and closed.

The enacted number is 15336.

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

Votes: Yes: 9 - Mr. Phillips, Ms. Lambert, Mr. Dunn, Mr. Ferguson, Mr. Hammond, Mr. Gossett, Ms. Hague, Mr. Irons and Mr. Constantine
No: 0
Excused: 4 - Ms. Edmonds, Mr. von Reichbauer, Mr. Pelz and Ms. Patterson

7. Proposed Ordinance No. 2005-0474 Ms. Edmonds

AN ORDINANCE authorizing the executive to enter into an interlocal agreement for the Snoqualmie and South Fork Skykomish Watersheds within Water Resource Inventory Area 7, and authorizing the executive to enter into extensions of the Interlocal Agreements for the Watershed Basins within Water Resource Inventory Area 8 and Water Resource Inventory Area 9.

On 12/5/2005, a public hearing was held and closed.

The enacted number is 15337.

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

Votes: Yes: 9 - Mr. Phillips, Ms. Lambert, Mr. Dunn, Mr. Ferguson, Mr. Hammond, Mr. Gossett, Ms. Hague, Mr. Irons and Mr. Constantine
No: 0
Excused: 4 - Ms. Edmonds, Mr. von Reichbauer, Mr. Pelz and Ms. Patterson

Introduction of and Action on Emergency Ordinances

8. [Proposed Ordinance No. 2005-0514](#)

Mr. Phillips

AN ORDINANCE authorizing a process that provides a one-time opportunity to allow eligible employees to convert accrued vacation or accumulated compensatory time, or both, to cash to benefit the King County employee charitable campaign; and declaring an emergency.

On 12/5/2005, a public hearing was held and closed.

The enacted number is 15338.

Mr. Gossett 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. Seeing no objection, the Chair so ordered.

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

Votes: Yes: 9 - Mr. Phillips, Ms. Lambert, Mr. Dunn, Mr. Ferguson, Mr. Hammond, Mr. Gossett, Ms. Hague, Mr. Irons and Mr. Constantine
No: 0
Excused: 4 - Ms. Edmonds, Mr. von Reichbauer, Mr. Pelz and Ms. Patterson

Reappointment Consent Agenda

9. [Proposed Motion No. 2005-0451](#)

Ms. Patterson

A MOTION confirming the executive's reappointment of Hans Brandal, who resides in council district thirteen, to the King County transit advisory committee.

The enacted number is 12222.

This Matter was Passed on the Consent Agenda.

Passed The Consent Agenda

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

Votes: Yes: 9 - Mr. Phillips, Ms. Lambert, Mr. Dunn, Mr. Ferguson, Mr. Hammond, Mr. Gossett, Ms. Hague, Mr. Irons and Mr. Constantine
No: 0
Excused: 4 - Ms. Edmonds, Mr. von Reichbauer, Mr. Pelz and Ms. Patterson

Hearing Examiner Consent Agenda

10. [Proposed Substitute Ordinance No. 2005-0326.2](#) Mr. Phillips

AN ORDINANCE authorizing the vacation of a portion of Southeast 40th Street, File V-2494, Petitioners: Stephen and Claudia Handley.

The enacted number is 15339.

This Matter was Passed on the Consent Agenda.

Passed The Consent Agenda

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

Votes: Yes: 9 - Mr. Phillips, Ms. Lambert, Mr. Dunn, Mr. Ferguson, Mr. Hammond, Mr. Gossett, Ms. Hague, Mr. Irons and Mr. Constantine

No: 0

Excused: 4 - Ms. Edmonds, Mr. von Reichbauer, Mr. Pelz and Ms. Patterson

Introduction of Ordinances for First Reading and Referral

11. [Proposed Ordinance No. 2005-0511](#) Mr. Phillips

AN ORDINANCE authorizing a subdivision on certain property located at 10311 SE 216th Street, at the request of Nigel Southey, department of development and environmental services file no. L04P0006.

Introduced and Referred to Hearing Examiner

12. [Proposed Ordinance No. 2005-0513](#) Mr. Irons and Ms. Lambert

AN ORDINANCE establishing February 7, 2006, as the date of a special election on the question of annexation to the city of Issaquah, and assumption of indebtedness, of an unincorporated area known as the Klahanie annexation area and appointing a committee to write the voters' pamphlet statement for the February 7, 2006, special election; and declaring an emergency.

Introduced and Referred to Committee of the Whole

13. [Proposed Ordinance No. 2005-0515](#) Ms. Hague and Mr. Phillips

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 1652 (Medical Examiner) representing employees in the department of public health; and establishing the effective date of said agreement.

Introduced and Referred to Labor, Operations and Technology Committee

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14. **Proposed Ordinance No. 2005-0516** **Ms. Hague and Mr. Phillips**
AN ORDINANCE approving and adopting the collective bargaining agreement negotiated by and between King County and Service Employees International Union, Local 925, representing employees in the department of executive services (facilities management division); and establishing the effective date of said agreement.
Introduced and Referred to Labor, Operations and Technology Committee
15. **Proposed Ordinance No. 2005-0517** **Ms. Hague and Mr. Phillips**
AN ORDINANCE approving and adopting the memorandum of agreement negotiated by and between King County and International Federation of Professional & Technical Engineers, Local 17 (Transit Chiefs - Department of Transportation, Metro Transit Division) representing employees in the department of transportation; and establishing the effective date of said agreement.
Introduced and Referred to Labor, Operations and Technology Committee
16. **Proposed Ordinance No. 2005-0518** **Ms. Hague and Mr. Phillips**
AN ORDINANCE approving and adopting the memorandum of agreement negotiated by and between King County and International Federation of Professional & Technical Engineers, Local 17 (Transit Supervisors - Department of Transportation, Metro Transit Division) representing employees in the department of transportation; and establishing the effective date of said agreement.
Introduced and Referred to Labor, Operations and Technology Committee
17. **Proposed Ordinance No. 2005-0519** **Ms. Hague and Mr. Phillips**
AN ORDINANCE approving and adopting the collective bargaining agreement negotiated by and between King County and the International Federation of Professional & Technical Engineers, Local 17 (Department of Public Health) representing employees in the department of public health and the department of community and human services; and establishing the effective date of said agreement.
Introduced and Referred to Labor, Operations and Technology Committee
18. **Proposed Ordinance No. 2005-0520** **Ms. Hague and Mr. Phillips**
AN ORDINANCE approving and adopting the memorandum of agreement regarding wage reopener negotiated by and between King County and Technical Employees Association (Wastewater Treatment Division, Staff and Supervisor Units) representing employees in the department of natural resources and parks; and establishing the effective date of said agreement.
Introduced and Referred to Labor, Operations and Technology Committee
19. **Proposed Ordinance No. 2005-0521** **Ms. Edmonds and Mr. Phillips**
AN ORDINANCE approving the city of Renton Comprehensive Water System Plan.
Introduced and Referred to Committee of the Whole

20. [Proposed Ordinance No. 2005-0523](#) **Mr. Hammond**
- AN ORDINANCE relating to the Regional Wastewater Services Plan; and amending Ordinance 13680, Section 5, as amended, and K.C.C. 28.86.050, Ordinance 13680, Section 6, and K.C.C. 28.86.060, Ordinance 13680, Section 7, and K.C.C. 28.86.070, Ordinance 13680, Section 8, and K.C.C. 28.86.080, Ordinance 13680, Section 11, and K.C.C. 28.86.110, and Ordinance 13680, Section 18, as amended, and K.C.C. 28.86.180.
- This is a dual referral first to the Regional Water Quality Committee and then to the Natural Resources and Utilities Committees.*
- This is a mandatory referral to the Regional Water Quality Committee as set forth in King County Charter Section 270.30 and KCC 1.24.065.*
- Introduced and Referred to Regional Water Quality Committee**

Introduction of Motions and Referrals

21. [Proposed Motion No. 2005-0288](#) **Ms. Hague**
- A MOTION confirming the executive's appointment of Mark Nunes, who works in council district one, to the King County emergency management advisory committee, representing hospitals.
- Introduced and Referred to Labor, Operations and Technology Committee**
22. [Proposed Motion No. 2005-0360](#) **Ms. Patterson**
- A MOTION confirming the executive's appointment of city of Burien Councilmember Joan McGilton, who resides in council district thirteen, to the King County solid waste advisory committee, serving as the local elected official representative.
- Introduced and Referred to Natural Resources and Utilities Committee**
23. [Proposed Motion No. 2005-0446](#) **Ms. Patterson**
- A MOTION confirming the executive's appointment of Dan Foley, who resides in Council district thirteen, to the King County alcoholism and substance abuse administrative board.
- Introduced and Referred to Law, Justice and Human Services Committee**
24. [Proposed Motion No. 2005-0450](#) **Ms. Patterson**
- A MOTION confirming the executive's appointment of Delores Brown, who resides in council district thirteen, to the King County housing authority board of commissioners, as the resident commissioner.
- Introduced and Referred to Growth Management and Unincorporated Areas Committee**
25. [Proposed Motion No. 2005-0455](#) **Ms. Patterson**
- A MOTION confirming the executive's appointment of Gene White, who resides in council district thirteen, to the King County landmarks commission.
- Introduced and Referred to Natural Resources and Utilities Committee**
26. [Proposed Motion No. 2005-0456](#) **Ms. Hague**
- A MOTION confirming the executive's appointment of Scott Somers, who works in council district ten, to the King County emergency management advisory committee, representing the King County sheriff's office.
- Introduced and Referred to Labor, Operations and Technology Committee**
27. [Proposed Motion No. 2005-0483](#) **Ms. Edmonds**

A MOTION approving the Addendum to Milestone Report #2, Application of Criterion 17 to Five Urban Transfer Stations.

This is a dual referral first to the Regional Policy Committee and then to the Natural Resources and Utilities Committee.

This is a nonmandatory referral to the Regional Policy 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.

Introduced and Referred to Regional Policy Committee

28. **[Proposed Motion No. 2005-0490](#)** **Ms. Patterson**
A MOTION confirming the executive's appointment of Jerome Pipitone, who resides in council district thirteen, to the King County accessible services advisory committee.
Introduced and Referred to Transportation Committee
29. **[Proposed Motion No. 2005-0507](#)** **Mr. Irons**
A MOTION confirming the executive's appointment of Jane Kimble, who resides in council district twelve, to the King County accessible services advisory committee.
Introduced and Referred to Transportation Committee
30. **[Proposed Motion No. 2005-0508](#)** **Ms. Edmonds**
A MOTION confirming the executive's appointment of Kay Burrows, who resides in council district one, to the King County accessible services advisory committee.
Introduced and Referred to Transportation Committee
31. **[Proposed Motion No. 2005-0512](#)** **Mr. Constantine**
A MOTION making an appointment to fill a commissioner vacancy in the Vashon sewer district.
Introduced and Referred to Natural Resources and Utilities Committee

Other Business

Extra Item

Hearing and Second Reading of Ordinances

Committee of the Whole

32.

Proposed Ordinance No. 2005-0396**Mr. Phillips**

AN ORDINANCE relating to council rules and order of business; and amending Ordinance 11683, Section 1, as amended, and K.C.C. 1.24.005, Ordinance 11683, Section 2, as amended, and K.C.C. 1.24.015, Ordinance 11683, Section 4, as amended, and K.C.C. 1.24.035, Ordinance 11683, Section 5, as amended, and K.C.C. 1.24.045, Ordinance 11683, Section 6, as amended, and K.C.C. 1.24.055, Ordinance 11683, Section 7, as amended, and K.C.C. 1.24.065, Ordinance 11683, Section 8, as amended, and K.C.C. 1.24.075, Ordinance 11683, Section 9, as amended, and K.C.C. 1.24.085, Ordinance 11683, Section 10, as amended, and K.C.C. 1.24.095, Ordinance 11683, Section 11, as amended, and K.C.C. 1.24.105, Ordinance 11583, Section 12, as amended, and K.C.C. 1.24.115, Ordinance 11683, Section 13, as amended, and K.C.C. 1.24.125, Ordinance 11683, Section 14, as amended, and K.C.C. 1.24.135, Ordinance 11683, Section 16, as amended, and K.C.C. 1.24.155, Ordinance 11683, Section 20, as amended, and K.C.C. 1.24.195, Ordinance 11683, Section 21, as amended, and K.C.C. 1.24.205, Ordinance 11683, Section 23, as amended, and K.C.C. 1.24.225, Ordinance 11683, Section 24, as amended, and K.C.C. 1.24.235, Ordinance 11683, Section 27, as amended, and K.C.C. 1.24.265 and Ordinance 11683, Section 31, as amended, and K.C.C. 1.24.305.

On 12/5/2005, a public hearing was held and closed.

The enacted number is 15340.

Mr. Gossett moved to relieve the Committee of the Whole of further consideration and to take action on Proposed Ordinance 2005-0396. Seeing no objection, the Chair so ordered.

Ms. Lambert moved Amendment 1. The motion carried by the following vote:

*Votes: Yes: 9 - Mr. Phillips, Ms. Lambert, Mr. Ferguson, Mr. Dunn,
Mr. Constantine, Mr. Hammond, Mr. Gossett, Ms. Hague
and Mr. Irons*

No: 0

*Excused: 4 - Ms. Edmonds, Mr. von Reichbauer, Mr. Pelz
and Ms. Patterson*

Ms. Lambert moved Amendment 2. The motion carried by the following vote:

*Votes: Yes: 9 - Mr. Phillips, Ms. Lambert, Mr. Ferguson, Mr. Dunn,
Mr. Constantine, Mr. Hammond, Mr. Gossett, Ms. Hague
and Mr. Irons*

No: 0

*Excused: 4 - Ms. Edmonds, Mr. von Reichbauer, Mr. Pelz
and Ms. Patterson*

Ms. Lambert withdrew Amendment 3.

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

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

Votes: Yes: 9 - Mr. Phillips, Ms. Lambert, Mr. Dunn, Mr. Ferguson, Mr. Hammond, Mr. Gossett, Ms. Hague, Mr. Irons and Mr. Constantine
No: 0
Excused: 4 - Ms. Edmonds, Mr. von Reichbauer, Mr. Pelz and Ms. Patterson

Adjournment

The meeting was adjourned at 3:40 p.m.

Approved this _____ day of _____.

Clerk's Signature