



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*

*Reagan Dunn, Larry Gossett, Kathy Lambert, Joe McDermott,
Julia Patterson, Larry Phillips,
Pete von Reichbauer*

1:30 PM

Monday, December 6, 2010

Room 1001

REVISED AGENDA - Added Items 37-40

1. **Call to Order**

*The meeting was called to order at 1:41 p.m.
The meeting was recessed at 2:43 p.m.
The meeting reconvened at 2:50 p.m.*

2. **Roll Call**

[play video](#)

Present: 9 - Ms. Lambert, Mr. von Reichbauer, Mr. Gossett, Ms. Patterson, Mr. Phillips,
Mr. Dunn, Mr. McDermott, Mr. Ferguson and Ms. Hague

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

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Mr. McDermott led the flag salute and Pledge of Allegiance.

4. **Approval of Minutes of November 22, 2010 and November 30, 2010**

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*Ms. Hague moved to approve the minutes of the November 22, 2010 and November
30, 2010 meetings as presented. Seeing no objection, the Chair so ordered.*

5. **Additions to the Council Agenda**

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Items 37-40 were added to the agenda.

6. **Special Items**

Swearing In - Joe McDermott - Council District 8

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Mr. McDermott was sworn in by Judge Gregory Canova. He made remarks. He gave special thanks to Seattle City Councilmembers in attendance: Tim Burgess, Richard Conlin, Bruce Harrell and Nick Lacata.

Executive Constantine extended congratulations to Councilmember McDermott and presented him with a special plaque.

County Service Awards

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Executive Constantine presented county service awards.

DEPARTMENT OF EXECUTIVE SERVICES

Cecilio Bacarro, 25 years

Colby Bookter, 20 years

Mari Conrad, 20 years

Carl Knight, 20 years

Harold McNelly, 20 years

Tina Shields, 25 years

DEPARTMENT OF PUBLIC HEALTH

Linda Culley, 35 years

Lauri Kraemer Serafin, 25 years

Eric Shirey, 20 years

Amelia O. VinceCruz, 20 years

DEPARTMENT OF NATURAL RESOURCES AND PARKS

Pam Bowers, 20 years

Alvertis Brooks, Sr., 30 years

Nigel L. Keiffer, 20 years

Karen May, 20 years

DEPARTMENT OF TRANSPORTATION

Carol Alexander, 25 years

Donald Brewer, 30 years

Joseph Haigh, 25 years

Kelly Lindsey, 20 years

Larry Moss, 20 years

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

Consent Items 7-9

[play video](#)

7. [Proposed Motion No. 2010-0418](#)

A MOTION confirming the executive's appointment of Julie Friedman, who works in council district six, to the King County emergency management advisory committee, representing the financial community.

Sponsors: Ms. Hague

The enacted number is 13379.

This matter passed on the Consent Agenda.

8. [Proposed Motion No. 2010-0497](#)

A MOTION confirming the executive's appointment of Douglas Barnes, who resides in council district one, to the King County housing authority board of commissioners.

Sponsors: Mr. Ferguson

The enacted number is 13380.

This matter passed on the Consent Agenda.

9. [Proposed Motion No. 2010-0600](#)

A MOTION supporting clarification of federal jurisdiction under the Clean Water Act for streams and wetlands.

Sponsors: Mr. Phillips

The enacted number is 13381.

This matter 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, Mr. Gossett, Ms. Patterson, Mr. Phillips, Mr. Dunn, Mr. McDermott, Mr. Ferguson, and Ms. Hague

Environment and Transportation

10. [Proposed Motion No. 2010-0479](#)

A MOTION approving the Project Program Plan - Cedar Hills Regional Landfill 2010 Site Development Plan, in accordance with K.C.C. 4.04.200.C.3.

[play video](#)

Sponsors: Mr. Phillips

The enacted number is 13382.

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

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

11. [Proposed Motion No. 2010-0574](#)

A MOTION concerning the recommendations of the regional task force on King County's transit system.

[play video](#)

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

The enacted number is 13383.

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

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

First Reading of and Action on Motions Without Referral to Committee

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12. [Proposed Motion No. 2010-0606](#)

A MOTION confirming the executive's appointment of the Honorable Joe McDermott, King County councilmember, who resides in council district eight, to the Sound Transit board of directors.

[play video](#)

Sponsors: Mr. Ferguson and Mr. Phillips

The enacted number is 13384.

Ms. Hague moved to suspend the rules in order to take action on Proposed Motion 2010-0606 without referral to committee. The motion carried.

A motion was made by Vice Chair Hague that this Motion be Passed. The motion carried by the following vote:

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

Hearing Examiner Consent Agenda Item 13

13. [Proposed Substitute Ordinance No. 2010-0549.2](#)

AN ORDINANCE authorizing the vacation of portions of Jos W. Wilkinson Road, County Road No. 259, also known as Frank Stossel Road, County Road No. 1023, File V-2650; Petitioner: King County department of natural resources and parks.

[play video](#)

Sponsors: Mr. Ferguson

The enacted number is 16986.

A motion was made by Councilmember Phillips that this Ordinance be passed on the Consent Agenda. The motion carried by the following vote:

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

First Reading and Referral of Ordinances

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14. [Proposed Ordinance No. 2010-0460](#)

AN ORDINANCE making an appropriation of \$1,500,670 to fund security improvement measures at the King County Youth Services Center, and amending the 2010 Adopted Budget Ordinance, Ordinance 16717, Sections 45 and 120 as amended, and Attachment B as amended.

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

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

15. [Proposed Ordinance No. 2010-0602](#)

AN ORDINANCE relating to zoning; and amending Ordinance 11567, Section 1, as amended, and K.C.C. 21A.38.100.

Sponsors: Ms. Drago

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

16. [Proposed Ordinance No. 2010-0603](#)

AN ORDINANCE making an appropriation of an additional \$18,585,050 to the office of information resource management capital project fund for the Internet Protocol Telephony (IPT) telephone system replacement projects; and amending the 2010 Budget Ordinance, Ordinance 16717, Section 120, as amended, and Attachment A, as amended.

Sponsors: Ms. Patterson

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

17. [Proposed Ordinance No. 2010-0604](#)

AN ORDINANCE making a general fund supplemental appropriation of \$3,000,000 and a major maintenance reserve fund supplemental appropriation of \$150,300 to provide the 2010 share of the revenue backing for the \$3,564,709 capital project supplemental appropriation to remove hazardous materials in the Alder Tower and implement security improvements at the King County youth service center; and amending the 2010 Budget Ordinance, Ordinance 16717, Sections 120 and 123, as amended, and Attachments B and E, as amended.

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

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

18. [Proposed Ordinance No. 2010-0607](#)

AN ORDINANCE authorizing the King County executive to execute an amendment to the interlocal agreement with the King County flood control zone district extending the deadline for notice of renewal of the interlocal agreement; and declaring an emergency.

Sponsors: Ms. Patterson

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

19. [Proposed Ordinance No. 2010-0608](#)

AN ORDINANCE relating to jail services; authorizing the execution of an amended interlocal agreement between King County and Washington state Department of Corrections.

Sponsors: Mr. Ferguson

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

20. [Proposed Ordinance No. 2010-0610](#)

AN ORDINANCE authorizing the King County executive to execute an interlocal agreement with the city of Issaquah for the transfer of a drainage parcel located between Southeast Issaquah Fall City Road and Southeast Black Nugget Road.

Sponsors: Mr. Phillips

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

21. [Proposed Ordinance No. 2010-0612](#)

AN ORDINANCE relating to public records; specifying procedures for ensuring compliance by members of county boards, commissions and committees with state public records laws including chapters 40.14 and 42.56 RCW; and adding a new section to K.C.C. chapter 2.28.

Sponsors: Ms. Lambert

This matter had its first reading and was referred to the Government Accountability and Oversight Committee.

22. [Proposed Ordinance No. 2010-0615](#)

AN ORDINANCE authorizing the King County executive to execute a purchase and sale agreement in order to complete the county's purchase of the five lots owned by Northwest Aggregates Company located on Maury Island in district 8.

Sponsors: Mr. Phillips and Ms. Hague

The Chair indicated that Proposed Ordinance 2010-0615 was introduced as a title only ordinance. No text of the legislation has been filed with the Clerk. Therefore, under Council Rule 9, the ordinance is removed from the agenda. Once the text of the legislation has been filed, the ordinance will be placed on a council agenda for referral to committee.

23. [Proposed Ordinance No. 2010-0622](#)

AN ORDINANCE approving and adopting the collective bargaining agreement negotiated by and between King County and Puget Sound Police Managers Association (Captains and Lieutenants) representing employees in the King County sheriff's office; and establishing the effective date of said agreement.

Sponsors: Ms. Hague and Mr. Phillips

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

24. [Proposed Ordinance No. 2010-0623](#)

AN ORDINANCE authorizing the King County executive to execute a purchase and sale agreement and all necessary conveyance documents to complete the county's purchase of the four parcels owned by Northwest Aggregates Company located on Maury Island in council district 8; and declaring an emergency.

Sponsors: Mr. McDermott

The Chair indicated that Proposed Ordinance 2010-0623 was introduced as a title only ordinance. No text of the legislation has been filed with the Clerk. Therefore, under Council Rule 9, the ordinance is removed from the agenda. Once the text of the legislation has been filed, the ordinance will be placed on a council agenda for referral to committee.

First Reading and Referral of Motions

25. [Proposed Motion No. 2010-0575](#)

A MOTION approving written identity theft prevention programs for the department of natural resources and parks and the Seattle-King County department of public health in compliance with sections 114 and 315 of the Fair and Accurate Credit Transactions Act of 2003, an amendment to the Fair Credit Reporting Act, and the Red Flags Rule adopted by the Federal Trade Commission; and the enterprise, employee and third party information security, and information privacy policies promulgated by the office of information resource management.

Sponsors: Ms. Lambert

This matter had its first reading and was referred to the Government Accountability and Oversight Committee.

26. [Proposed Motion No. 2010-0597](#)

A MOTION accepting the facility management division's Capital Project Third Quarter 2010 Report required by a proviso included in the capital program section of the 2010 Budget Ordinance, Ordinance 16717, Section 112, Proviso P2, as it pertains to all capital projects managed by the facility management division.

Sponsors: Ms. Patterson

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

27. [Proposed Motion No. 2010-0605](#)

A MOTION extending a waiver from certain procurement requirements for certain work needed for the timely and cost-effective completion of the Brightwater treatment system, consistent with Motion 13188.

Sponsors: Ms. Hague

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

28. [Proposed Motion No. 2010-0611](#)

A MOTION relating to creation of the priority commission to advise on funding King County's criminal justice system.

Sponsors: Mr. Dunn

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

29. [Proposed Motion No. 2010-0616](#)

A MOTION accepting a report on the pretrial defendants charged with violent or sex crimes who were participants in community corrections alternatives to detention programs in 2009 and the first half of 2010, as required in Ordinance 16953, Section 4.

Sponsors: Mr. Ferguson

This matter had its first reading and was referred to the Law, Justice, Health and Human Services Committee.

30. [Proposed Motion No. 2010-0620](#)

A MOTION requesting the executive to identify and develop a plan for implementing the five most important services King County could offer the public through electronic means.

Sponsors: Ms. Lambert

This matter had its first reading and was referred to the Government Accountability and Oversight Committee.

31. [Proposed Motion No. 2010-0621](#)

A MOTION directing the road services division to establish an implementation plan in 2011 to carry out the findings and recommendations contained in the Strategic Plan for Road Services.

Sponsors: Ms. Patterson

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

32. Reports on Special and Outside Committees

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Ms. Patterson reported on the Sound Transit Executive Committee meeting. The committee voted to recommend a proposed 2011 state legislative agenda. Ms. Patterson indicated it was fairly modest compared to years past. The committee also took action relating to the agency budget and voted to forward the proposed 2011 budget to the Board.

Ms. Patterson briefed the Council on Executive Finance Committee. The committee approved a number of interfund loans including Wastewater and Conservation Futures Fund.

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

Consent Item 33

33. [Proposed Ordinance No. 2010-0551](#)

AN ORDINANCE authorizing the King County executive to execute a ten-year concession agreement with Subway Real Estate, LLC, for a food and beverage concession at Marymoor park.

[play video](#)

Sponsors: Ms. Lambert and Mr. Phillips

On 12/06/2010, a public hearing was held and closed.

The enacted number is 16987.

A motion was made by Vice Chair Hague that this Ordinance be passed on the Consent Agenda. The motion carried by the following vote:

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

Committee of the Whole

[play video](#)

34. [Proposed Ordinance No. 2010-0558](#)

AN ORDINANCE approving and adopting the collective bargaining agreement negotiated by and between King County and International Association of Fire Fighters, Local 2595 (Paramedics, Emergency Medical Services) representing employees in the department of public health; and establishing the effective date of said agreement.

[play video](#)

Sponsors: Ms. Hague and Mr. Phillips

On 12/06/2010, a public hearing was held and closed.

The enacted number is 16988.

Ms. Hague moved to relieve the Committee of the Whole of further consideration of Proposed Ordinance 2010-0558 in order to take action. The motion carried.

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, Mr. Gossett, Ms. Patterson, Mr. Phillips, Mr. Dunn, Mr. McDermott, Mr. Ferguson, and Ms. Hague

First Reading and Action on Emergency Ordinances Without Referral to Committee

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35. [Proposed Ordinance No. 2010-0613](#)

AN ORDINANCE authorizing the King County executive to execute a purchase and sale agreement, all necessary conveyance documents, and an amendment to a gravel purchase and extraction agreement to complete the acquisition of the four parcels lots owned by Northwest Aggregates Company located on Maury Island in council district 8; and declaring an emergency.

[play video](#)

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

On 12/06/2010, a public hearing was held and closed.

The enacted number is 16989.

Mr. McDermott moved to suspend the rules in order to hold a public hearing less than seven days after first reading of Proposed Ordinance 2010-0613, pursuant to K.C.C. 1.24.095, and to take action without referral to committee, pursuant to K.C.C. 1.24.085 and amendment of the ordinance to declare an emergency. The motion carried.

On 12/6/2010, the following person appeared to speak:

Thomas O'Keefe

Kendall Moore, council staff, briefed the Council on Striking Amendment S1. Sung Yang, Government Affairs Director, Executive Office, answered questions of the Council.

Mr. McDermott moved Striking Amendment S1.

Mr. McDermott moved Amendment 1 to the Striking Amendment. The motion carried by the following vote:

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

No: 0

Excused: 0

Mr. McDermott's motion to adopt Striking Amendment S1, as amended, carried by the following vote:

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

No: 1 - Ms. Lambert

Excused: 0

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

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

No: 0

Excused: 0

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

Yes: 8 - Mr. von Reichbauer, Mr. Gossett, Ms. Patterson, Mr. Phillips, Mr. Dunn, Mr. McDermott, Mr. Ferguson, and Ms. Hague

No: 1 - Ms. Lambert

36. [Proposed Ordinance No. 2010-0614](#)

AN ORDINANCE making supplemental appropriations of \$14,400,000 to the open space non-bond capital fund and a \$19,100,000 appropriation to the conservation futures capital fund; and amending the 2010 Budget Ordinance, Ordinance 16717, Sections 120 and 122, as amended, and Attachments B and D, as amended; and declaring an emergency.

[play video](#)

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

On 12/06/2010, a public hearing was held and closed.

The enacted number is 16990.

Mr. McDermott moved to suspend the rules in order to hold a public hearing less than seven days after first reading pursuant to K.C.C. 1.24.095, and to take action without referral to committee pursuant to K.C.C. 1.24.085 and amendment of the ordinance to declare an emergency. The motion carried.

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

Votes: Yes: 9 - Mr. McDermott, Mr. Dunn, Mr. Ferguson, Mr. Gossett, Ms. Hague, Ms. Lambert, Ms. Patterson, Mr. Phillips and Mr. von Reichbauer
No: 0
Excused: 0

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

Votes: Yes: 9 - Mr. McDermott, Mr. Dunn, Mr. Ferguson, Mr. Gossett, Ms. Hague, Ms. Lambert, Ms. Patterson, Mr. Phillips and Mr. von Reichbauer
No: 0
Excused: 0

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

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

Other Business

Extra Items

First Reading and Referral of Motions

37. [Proposed Motion No. 2010-0624](#)

A MOTION establishing the King County 2011 State Legislative Agenda.

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

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

38. [Proposed Motion No. 2010-0625](#)

A MOTION authorizing the chair of the council to enter into a contract for services to represent the county with the Washington state legislature.

Sponsors: Ms. Hague

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

Committee of the Whole

39. [Proposed Ordinance No. 2010-0165](#)

AN ORDINANCE changing the emergency rule for council meetings; and amending Ordinance 11683, Section 15, as amended, and K.C.C. 1.24.145.

Sponsors: Ms. Lambert

The enacted number is 16991.

Ms. Lambert moved to relieve the Committee of the Whole of further consideration of Proposed Ordinance 2010-0165 in order to take action. The motion carried.

Ms. Lambert moved Striking Amendment S1. The motion carried by the following vote:

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

No: 0

Excused: 1 - Mr. Dunn

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

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

First Reading of and Action on Motions Without Referral to Committee

40. [Proposed Motion No. 2010-0626](#)

A MOTION requesting the executive to identify and develop a plan to pay for the ecological repair work that will be required for the use of the of the four parcels lots owned by Northwest Aggregates Company located on Maury Island in council district 8 that the county intends to purchase.

Sponsors: Ms. Hague, Ms. Lambert, Mr. von Reichbauer and Ms. Patterson

The enacted number is 13385.

Ms. Hague moved to suspend the rules in order to take action on Proposed Motion 2010-0626 without referral to committee. The motion carried.

Sung Yang, Government Affairs Director, Executive Office, answered questions of the Council.

A motion was made by Vice Chair Hague that this Motion be Passed. The motion carried by the following vote:

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

Adjournment

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The meeting was adjourned at 3:31 p.m.

Approved this _____ day of _____.

Clerk's Signature