



King County  
Meeting Proceedings

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 of Administration and Finance;  
Reagan Dunn, Larry Gossett, Kathy Lambert, Julia Patterson, Larry Phillips,  
Pete von Reichbauer*

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Room 1001

May 4, 2009

11:00 AM

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REVISED - Added Item 40

1. **Call to Order**

*The meeting was called to order at 11:09 a.m.*

2. **Roll Call**

Present: Mr. Constantine, Mr. Ferguson, Ms. Lambert, Mr. von Reichbauer, Mr. Phillips, Mr. Gossett, Ms. Patterson and Mr. Dunn  
Excused: Ms. Hague

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

*Ms. Patterson led the flag salute and Pledge of Allegiance.*

4. **Approval of Minutes of April 27, 2009 and April 29, 2009**

*Mr. Ferguson moved to approve the minutes of the April 27 and 29, 2009 meetings as presented. Seeing no objection, the Chair so ordered.*

5. **Additions to the Council Agenda**

*Item 40 was added to the Council agenda.*

6. **Special Items**

Presentation of a Recognition to King County Executive Ron Sims for his extraordinary service to the county and its residents

*Mr. Ferguson made remarks about Executive Sims and presented the proclamation. Executive Sims thanked the Council and made remarks. Councilmembers gave special thanks to Executive Sims for his leadership.*

Presentation of a Proclamation declaring May as Arts Education Month in King County

*Mr. Phillips made remarks about arts education. He invited AnnRene Joseph, Program Supervisor for Arts in the Washington State Office of Superintendent of Public Instruction, and Una McAlinden, Executive Director of Arts Education in Washington to the podium. Ms. Joseph and Ms. McAlinden thanked the Council. Mr. Phillips acknowledged Charlie Rathbun and Jim Kelly from 4Culture who were in attendance. Mr. Phillips read and presented the proclamation.*

## 7. Reports on Special and Outside Committees

*Ms. Patterson reported on the Sound Transit Light Rail test ride. She experienced the ride from downtown Seattle to Tukwila. She indicated the drivers of light rail are King County employees, contracted by Sound Transit, and receive special training. The train will open on Saturday, July 18, and will be free over the weekend. In December the light rail will open all the way to the airport. Mr. Phillips briefed the Council on his attendance at the unveiling of Rapid Ride, which was approved by the voters. He also experienced a test ride on the light rail.*

*Ms. Patterson reported on her attendance at the annual General Assembly of the Puget Sound Regional Council. She indicated the Assembly elected new officers. Everett Mayor Ray Stephanson was elected President and Kitsap County Commissioner Josh Brown was elected Vice President. Ms. Patterson indicated the Assembly also presented Vision 2040 awards.*

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

### Consent Item 8

#### 8. Proposed Motion No. 2009-0211

Mr. Ferguson

A MOTION confirming the executive's appointment of Kevin Orme, who resides in council district one, to the King County civil rights commission.

*The enacted number is 12967.*

**This Matter was Passed on the Consent Agenda.**

### Passed The Consent Agenda

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

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

No: 0

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

### Budget and Fiscal Management

#### 9. Proposed Motion No. 2009-0265

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

A MOTION setting the council's 2010 budget priorities and providing direction to the executive on specific areas of council interest.

*Mark Melroy, Council staff, answered questions of the Council.*

*Mr. Gossett moved Striking Amendment S1. The motion carried by the following vote:*

*Votes: Yes: 7 - Mr. Constantine, Ms. Patterson, Mr. Gossett, Ms. Lambert, Mr. Ferguson, Mr. Phillips and Mr. von Reichbauer*

*No: 0*

*Excused: 2 - Mr. Dunn and Ms. Hague*

*The Chair indicated that Proposed Motion 2009-0265, as amended, is deferred until the May 11, 2009 Council meeting.*

**Deferred**

**Physical Environment****10. Proposed Motion No. 2009-0258**

**Mr. Phillips, Ms. Hague, Mr. Constantine, Mr. Ferguson, Mr. von Reichbauer, Ms. Patterson, Ms. Lambert and Mr. Gossett**

A MOTION recognizing May 2009 as Arts Education Month.

*The enacted number is 12968.*

*Mr. Phillips moved to relieve the Physical Environment Committee of further consideration of Proposed Motion 2009-0258 in order to take action. The motion carried.*

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

**Votes:** Yes: 7 - Mr. Ferguson, Ms. Lambert, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips, Ms. Patterson and Mr. Dunn

No: 0

Excused: 2 - Mr. Constantine and Ms. Hague

**Hearing Examiner Consent Agenda Items 11-20****11. Proposed Substitute Ordinance No. 2009-0070.2**

**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 Kathryn Hodges for property located at approximately 122xx SW 280th Street, Vashon, WA, designated department of natural resources and parks, water and land resources division file no. E08CT121.

*The enacted number is 16485.*

**This Matter was Passed on the Consent Agenda.**

**12. Proposed Substitute Ordinance No. 2009-0120.2**

**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 Jeff and JoAnn Parrish for property located at 14120 West Snoqualmie Valley Road NE, Duvall, WA, designated department of natural resources and parks, water and land resources division file no. E08CT076.

*The enacted number is 16486.*

**This Matter was Passed on the Consent Agenda.**

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13. **Proposed Substitute Ordinance No. 2009-0121.2** **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 Joanne Robertson, Ray Gauthier, Erik and Austina Debonte and Tatsuki and Lenore Kobayashi for property located at 18422, 18528 and 18620 - 244th Avenue NE, Woodinville, WA, designated department of natural resources and parks, water and land resources division file no. E08CT084.  
*The enacted number is 16487.*  
**This Matter was Passed on the Consent Agenda.**
14. **Proposed Substitute Ordinance No. 2009-0122.2** **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 Jay J. Friedman for property located at 42217 - 276th Pl. SE, Enumclaw, WA, designated department of natural resources and parks, water and land resources division file no. E08CT090.  
*The enacted number is 16488.*  
**This Matter was Passed on the Consent Agenda.**
15. **Proposed Substitute Ordinance No. 2009-0123.2** **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 William and Anna Carlson for property located at 10431 - 428th Avenue SE, North Bend, WA, designated department of natural resources and parks, water and land resources division file no. E08CT108.  
*The enacted number is 16489.*  
**This Matter was Passed on the Consent Agenda.**
16. **Proposed Substitute Ordinance No. 2009-0124.2** **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 and Lynda Jones for property located at 16700 Saybrook Drive NE, Woodinville, WA, designated department of natural resources and parks, water and land resources division file no. E08CT110.  
*The enacted number is 16490.*  
**This Matter was Passed on the Consent Agenda.**

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17. **Proposed Substitute Ordinance No. 2009-0125.2** **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 Liz and Tom Sroufe for property located at 8306 - 428th Avenue SE, Snoqualmie, WA, designated department of natural resources and parks, water and land resources division file no. E08CT111.  
*The enacted number is 16491.*  
**This Matter was Passed on the Consent Agenda.**
18. **Proposed Substitute Ordinance No. 2009-0126.2** **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 Sandra Butler for property located at 17817 SE 408th St., Auburn, WA, designated department of natural resources and parks, water and land resources division file no. E08CT129.  
*The enacted number is 16492.*  
**This Matter was Passed on the Consent Agenda.**
19. **Proposed Substitute Ordinance No. 2009-0127.2** **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 Jean-Paul Michel Bonhomme for property located at 20811 SE 384th St., Auburn, WA, designated department of natural resources and parks, water and land resources division file no. E08CT134.  
*The enacted number is 16493.*  
**This Matter was Passed on the Consent Agenda.**
20. **Proposed Substitute Ordinance No. 2009-0129.2** **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 Josh and Shauna Bailey for property located at 30529 - 290th Avenue SE, Black Diamond, WA, designated department of natural resources and parks, water and land resources division file no. E08CT142.  
*The enacted number is 16494.*  
**This Matter was Passed on the Consent Agenda.**

## **Passed The Consent Agenda**

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

Votes: Yes: 7 - Mr. Ferguson, Ms. Lambert, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips, Ms. Patterson and Mr. Dunn  
 No: 0  
 Excused: 2 - Mr. Constantine and Ms. Hague

## **First Reading and Referral of Ordinances**

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|-----|---|------------------------|
| 21. | <p><b><u>Proposed Ordinance No. 2009-0285</u></b></p> <p>AN ORDINANCE approving the Shoreline Water District 2007 Water System Plan.</p> <p><b>Introduced and Referred to Physical Environment Committee</b></p>  | <b>Ms. Hague</b>       |
| 22. | <p><b><u>Proposed Ordinance No. 2009-0286</u></b></p> <p>AN ORDINANCE approving the Highline Water District 2008 Comprehensive Water System Plan.</p> <p><b>Introduced and Referred to Physical Environment Committee</b></p>   | <b>Ms. Hague</b>       |
| 23. | <p><b><u>Proposed Ordinance No. 2009-0287</u></b></p> <p>AN ORDINANCE approving the Lakehaven Utility District 2006 Water System Plan.</p> <p><b>Introduced and Referred to Physical Environment Committee</b></p>  | <b>Ms. Hague</b>       |
| 24. | <p><b><u>Proposed Ordinance No. 2009-0288</u></b></p> <p>AN ORDINANCE approving the City of Pacific 2008 Water System Plan.</p> <p><b>Introduced and Referred to Physical Environment Committee</b></p>   | <b>Ms. Hague</b>       |
| 25. | <p><b><u>Proposed Ordinance No. 2009-0289</u></b></p> <p>AN ORDINANCE approving the City of Carnation 2008 Comprehensive Water System Plan.</p> <p><b>Introduced and Referred to Physical Environment Committee</b></p>   | <b>Ms. Hague</b>       |
| 26. | <p><b><u>Proposed Ordinance No. 2009-0299</u></b></p> <p>AN ORDINANCE establishing August 18, 2009, as the date of a special election on the question of annexation to the city of Burien of an unincorporated area known as the North Highline South annexation area; and declaring an emergency.</p> <p><b>Introduced and Referred to Government Accountability and Oversight Committee</b></p>   | <b>Mr. Constantine</b> |
| 27. | <p><b><u>Proposed Ordinance No. 2009-0307</u></b></p> <p>AN ORDINANCE relating to the operation of kennels and catteries, kennel-free boarding, and general signage requirements for nonresidential uses; amending Ordinance 15404 Section 3, Ordinance 14429 Section 5, and amending K.C.C. 21A.20.060C, K.C.C. 21A.20.080A, K.C.C. 21A.08.050.9A, K.C.C. 21A.30.020, and K.C.C. 21A.08.050B.36.</p> <p><b>Introduced and Referred to Physical Environment Committee</b></p> | <b>Mr. Dunn</b>        |

28. **Proposed Ordinance No. 2009-0308** **Mr. Constantine**  
AN ORDINANCE authorizing the King County executive to execute an amendment to the interlocal agreement with the King County Ferry District related to the county providing ferry planning and implementation services to the district and to allow advance payment for services.  
**Introduced and Referred to Physical Environment Committee**

### First Reading and Referral of Motions

29. **Proposed Ordinance No. 2009-0310** **Ms. Hague and Mr. Gossett**  
AN ORDINANCE relating to voter education; directing the director of elections to collaborate in the production of video voters' guides; and adding a new section to K.C.C. chapter 1.10.  
**Introduced and Referred to Government Accountability and Oversight Committee**

30. **Proposed Motion No. 2009-0279** **Mr. Dunn**  
A MOTION approving a report on the efforts of the wastewater treatment division in the department of natural resources to analyze available alternative uses of biosolids, and to identify the work program and schedule for implementation of any alternatives for managing and marketing King County's biosolids as required in the 2009 Budget Ordinance, Ordinance 16312, Proviso P2.  
*This is a dual referral first to the Regional Water Quality Committee and then to the Government Accountability and Oversight 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.*

**Introduced and Referred to Regional Water Quality Committee**

31. **Proposed Motion No. 2009-0292** **Ms. Hague**  
A MOTION approving the King County department of transportation director's office business case.  
**Introduced and Referred to Physical Environment Committee**

32. **Proposed Motion No. 2009-0305** **Mr. Constantine**  
A MOTION confirming the executive's appointment of Joseph Henke, who resides in Council district eight, to the King County conservation futures citizen oversight committee.  
**Introduced and Referred to Physical Environment Committee**

### 33. Recess

*The meeting was recessed at 12:35 p.m.  
The meeting was reconvened at 2:43 p.m.*

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

### Consent Items 34 and 35

34. [Proposed Ordinance No. 2009-0277](#) **Mr. Ferguson and Mr. Phillips**

AN ORDINANCE approving and adopting the collective bargaining agreement negotiated by and between King County and King County Juvenile Detention Guild representing employees in the department of adult and juvenile detention; and establishing the effective date of said agreement.

**On 5/4/2009, a public hearing was held and closed.**

*The enacted number is 16496.*

**This Matter was Passed on the Consent Agenda.**

35. [Proposed Ordinance No. 2009-0278](#) **Mr. Ferguson and Mr. Phillips**

AN ORDINANCE approving and adopting the collective bargaining agreement negotiated by and between King County and Public Safety Employees Union (Superior Court Clerks) representing employees in the department of judicial administration; and establishing the effective date of said agreement.

**On 5/4/2009, a public hearing was held and closed.**

*The enacted number is 16497.*

**This Matter was Passed on the Consent Agenda.**

### Passed The Consent Agenda

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

**Votes:** Yes: 8 - Mr. Constantine, Mr. Ferguson, Ms. Lambert, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips, Ms. Patterson and Mr. Dunn  
No: 0  
Excused: 1 - Ms. Hague



**Budget and Fiscal Management****36. Proposed Ordinance No. 2009-0155 Mr. Constantine and Mr. Phillips**

AN ORDINANCE making a disappropriation and a net supplemental appropriation of \$1,222,434 to the office of information resources management capital fund in support of the replacement of the county's IRIS, for criminal activity, and TESS, for evidence management, data applications with an integrated records management system; and amending the 2009 Budget Ordinance, Ordinance 16312, Section 125, as amended, and Attachment B, as amended.

**On 5/4/2009, a public hearing was held and closed.**

*The enacted number is 16498.*

*Mark Melroy, Council staff, answered questions of the Council.*

*Kelly Furner, Sheriff's Office, answered questions of the Council.*

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

**Votes:** Yes: 8 - Mr. Constantine, Mr. Ferguson, Ms. Lambert, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips, Ms. Patterson and Mr. Dunn

No: 0

Excused: 1 - Ms. Hague

**Committee of the Whole****37. Proposed Ordinance No. 2009-0260 Mr. Ferguson and Ms. Patterson**

AN ORDINANCE relating to oversight of the sheriff's office; conforming with the collective bargaining agreement and memorandum of agreement negotiated by and between King County and King County Police Officers Guild representing employees in the King County sheriff's office approved and adopted in Ordinance 16327; amending Ordinance 15611, Section 2, and K.C.C. 2.75.010, Ordinance 15611, Section 3, and K.C.C. 2.75.020, Ordinance 15611, Section 4, and K.C.C. 2.75.030, Ordinance 15611, Section 5, and K.C.C. 2.75.040, Ordinance 15611, Section 6, and K.C.C. 2.75.050, Ordinance 15611, Section 7, and K.C.C. 2.75.060, Ordinance 15611, Section 8, and K.C.C. 2.75.070, Ordinance 15611, Section 9, and K.C.C. 2.36.050, Ordinance 15611, Section 10, and K.C.C. 2.20.037 and Ordinance 15611, Section 11.

*On request of Mr. Ferguson, the Chair deferred Proposed Ordinance 2009-0260 until the May 11, 2009 Council meeting.*

**Deferred**

## Government Accountability and Oversight

38. [Proposed Ordinance No. 2008-0548](#) Mr. Constantine

AN ORDINANCE authorizing the King County executive to enter into an interlocal cooperation agreement with the state Department of Printing for the provision of printing goods and services and to recognize the facilities management division print shop as the exclusive provider of printing goods and services to county agencies and the state Department of Printing as the preferred provider of printing goods and services to county agencies in accordance with the terms of the interlocal cooperation agreement.

*On request of Mr. Gossett, the Chair deferred Proposed Ordinance 2008-0548 until the May 11, 2009 Council meeting.*

**Deferred**

## Physical Environment

39. [Proposed Substitute Ordinance No. 2009-0171.2](#) Mr. Dunn, Ms. Lambert, Ms. Hague, Ms. Patterson, Mr. Phillips and Mr. Constantine

AN ORDINANCE relating to extending the period for permits or approvals; amending Ordinance 12560, Section 18, as amended, and K.C.C. 16.02.290, Ordinance 13694, Section 56, as amended, and K.C.C. 19A.12.020 and Ordinance 13694, Section 58, as amended, and K.C.C. 19A.12.040, adding a new section to K.C.C. chapter 20.20 and adding a new section to K.C.C. chapter 27A.30.

**On 5/4/2009, a public hearing was held and remained open.**

The following people appeared to speak on 5/4/2009 :

Rita Jackson  
Jim Muir  
Michael Romano  
David Hoffman  
Randy Bannecker  
Sam Pace

*The Chair indicated that Proposed Substitute Ordinance 2009-0171 is deferred until the May 11, 2009 Council meeting.*

**Deferred**

## Other Business

*Mr. Constantine gave an update on King County's Health Department's response to the swine flu.*

## Extra Item

### Committee of the Whole

40. [Proposed Ordinance No. 2009-0283](#) Mr. Dunn, Mr. Phillips, Mr. Constantine, Mr. Gossett, Mr. Ferguson, Ms. Patterson, Ms. Lambert and Mr. von Reichbauer

AN ORDINANCE making a combination of disappropriations and an appropriation resulting in a net \$271,000 increase of appropriations to the Conservation Futures capital

fund and a \$2,787,446 supplemental appropriation for the Raging River acquisition project acquisition; amending the 2009 Adopted Budget Ordinance, Ordinance 16312, Section 125, as amended, and Attachment B, as amended.

**On 5/4/2009, a public hearing was held and closed.**

The following people appeared to speak on 5/4/2009 :

- Doug McClalland
- Doug Schindler
- Gene Duvernoy

*The enacted number is 16495.*

*Mr. Ferguson moved to relieve the Committee of the Whole of further consideration of Proposed Ordinance 2009-0283 in order to take action. The motion carried.*

*Mr. Ferguson moved Striking Amendment S1. The motion carried by the following vote:*  
*Votes: Yes: 8 - Mr. Constantine, Ms. Patterson, Mr. Gossett, Ms. Lambert, Mr. Dunn, Mr. Ferguson, Mr. Phillips and Mr. von Reichbauer*  
*No: 0*  
*Excused: 1 - Jane Hague*

*Mr. Ferguson moved Title Amendment T1. The motion carried by the following vote:*  
*Votes: Yes: 8 - Mr. Constantine, Ms. Patterson, Mr. Gossett, Ms. Lambert, Mr. Dunn, Mr. Ferguson, Mr. Phillips and Mr. von Reichbauer*  
*No: 0*  
*Excused: 1 - Jane Hague*

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

**Votes:** Yes: 8 - Mr. Constantine, Mr. Ferguson, Ms. Lambert, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips, Ms. Patterson and Mr. Dunn  
 No: 0  
 Excused: 1 - Ms. Hague

**Adjournment**

*The meeting was adjourned at 3:43 p.m.*

Approved this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Clerk's Signature