



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

Room 1001

February 9, 2009

11:00 AM

Items 6, 7 and 8 will be considered at 1:30 p.m.
The public hearing for Items 9 and 10 will be at 11:00 a.m.

1. **Call to Order**

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*The meeting was called to order at 11:10 a.m.
The meeting was recessed at 11:26 a.m.
The Chair reconvened the meeting at 1:39 p.m.
The meeting was recessed at 3:02 p.m.
The Chair reconvened the meeting at 3:27 p.m.*

2. **Roll Call**

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

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

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

4. **Approval of Minutes of February 2, 2009**

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*Mr. Ferguson moved to approve the minutes of the February 2, 2009 meeting as presented. Seeing
no objection, the Chair so ordered.*

5. **Reports on Special and Outside Committees**

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*Ms. Patterson reported on the Washington, DC Council lobbying trip. It was very productive. The
group visited seven different offices of the congressional delegation. The group also spent time with
senators discussing infrastructure funding and the need for the federal government to help us with
some of the most crucial infrastructure projects in King County. Ms. Patterson stated it is very
effective to visit and meet our delegation in Washington, DC. She mentioned one important subject
was explaining what's going on with the South Park bridge. She believes the delegation received the*

group very favorably.

Mr. von Reichbauer added comments about meeting with staff as well.

Mr. Constantine also made comments about the South Park bridge.

Mr. Constantine reported on the Climate Communities Group meeting which included many jurisdictions from around the country having the opportunity to meet with members of congress from Washington State. He stated very important work is being done.

Hearing and Second Reading of Ordinances

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Budget and Fiscal Management

Item 6 will be considered at 1:30 p.m.

6. [Proposed Substitute Ordinance No. 2008-0644.2](#)

Mr. Gossett

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AN ORDINANCE relating to county automotive parking facilities; and amending Ordinance 8753, Section 6, as amended, and K.C.C. 3.32.045 and Ordinance 12077, Section 18, as amended, and K.C.C. 3.32.055.

On 2/9/2009, a public hearing was held and closed.

The following people appeared to speak on 2/9/2009 :

Chris Vance
Jared Karstetter
Randy Weaver

Amy Tsai, council staff, answered questions of the Council.

Troy Harris, Standard Parking, spoke.

Ms. Hague moved Amendment A1.

Susan Slonecker, Senior Deputy, Office of the Prosecuting Attorney, answered questions of the Council.

Ms. Hague moved to hold action on Proposed Substitute Ordinance 2008-0644 until the February 23, 2009 council meeting.

Ms. Patterson requested that Ms. Hague yield to a question regarding offering the same benefit to all members of a bargaining unit, and asked if it would be considered as a friendly amendment.

Kathy Brown, Director, Facilities Management Division answered questions of the Council.

Bob Cowan, Director, Office of Management and Budget, answered questions of the Council.

The Chair indicated that Proposed Substitute Ordinance 2008-0644 is deferred until the February 23, 2009 council meeting.

Deferred

7. [Proposed Ordinance No. 2009-0055](#)

Mr. Gossett

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AN ORDINANCE relating to the limited tax general obligation bonds of the county previously authorized to be issued in one or more series in an outstanding aggregate principal amount not to exceed \$170,000,000 to provide long-term financing for the Courthouse Seismic Project, the Courthouse Earthquake Repairs, the North Rehabilitation Facility Project, the Kent Pullen Regional Communications and Emergency Control Center Project, the Integrated Security and Jail Health Remodel Project, the Courthouse Lobby Project, the Jail ITR Remodel Project, the Orcas Building Acquisition and Tenant Improvement Project, the PAO 4th Floor Courthouse Move Project, the Pedestrian Tunnel

Project, the Sky Bridge Feasibility Study Project and the NCOB Equipping Project and the limited tax general obligation bond anticipation notes of the county previously authorized to be issued in one or more series in an outstanding aggregate principal amount not to exceed \$170,000,000, pending the sale of such bonds, to provide interim financing for such projects; adding the Administration Building Replacement Project, the Chinook Building Technology Infrastructure Project, the Courthouse South Entry Analysis Project, the Elections Consolidated Facility Project, the Passage Point Project, the Issaquah Courthouse Leasehold Acquisition Project, the NCOB LEED Certification Project and the Work Source Relocation Project to the list of projects that are authorized to be financed and increasing the maximum outstanding aggregate principal amount of such bonds and bond anticipation notes to \$210,000,000 as a result; and amending Ordinance 14167, Sections 1, 2, 3, 4, 5, 7 and 12, as previously amended by Ordinance 14463, Sections 1, 2, 3, 4, 5, 6 and 7, Ordinance 14745, Sections 1, 2, 3, 4, 5, 6 and 7, Ordinance 14992, Sections 1, 2, 3, 4, 5, 6 and 7 and Ordinance 15285, Sections 1, 2, 3, 4, 5, 6 and 7 and Ordinance 15604, Sections 1, 2, 3, 4, 5, 6 and 7; and amending Ordinance 14167, Section 18, as previously amended by Ordinance 14745, Section 10, Ordinance 14992, Section 8, Ordinance 15285, Section 8 and Ordinance 15604, Section 8.

On 2/9/2009, a public hearing was held and closed.

The enacted number is 16361.

Mr. Gossett moved Striking Amendment S1.

Pat Hamacher, Council staff, answered questions of the Council.

Dan Gottlieb, Gottlieb Fisher, answered questions of the Council.

Ken Guy, Director, Finance and Business Operations Division, answered questions of the Council.

Rob Shelley, Seattle Northwest Securities, answered questions of the Council.

Mr. Ferguson moved Amendment A1. The motion carried by the following vote:

Votes: Yes: 6 - Mr. Constantine, Mr. Gossett, Ms. Lambert, Mr. Ferguson, Mr. Dunn and Ms. Hague

No: 0

Excused: 3 - Mr. Phillips, Mr. von Reichbauer and Ms. Patterson

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

Votes: Yes: 6 - Mr. Constantine, Mr. Gossett, Ms. Lambert, Mr. Ferguson, Mr. Dunn and Ms. Hague

No: 0

Excused: 3 - Mr. Phillips, Mr. von Reichbauer and Ms. Patterson

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

Votes: Yes: 7 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Ms. Lambert, Mr. Gossett, Ms. Patterson and Mr. Dunn

No: 0

Excused: 2 - Mr. von Reichbauer and Mr. Phillips

Committee of the Whole

8. [Proposed Ordinance No. 2009-0085](#)

Mr. Constantine

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AN ORDINANCE relating to council rules.

On 2/9/2009, a public hearing was held and closed.

The enacted number is 16362.

Mr. Ferguson moved to suspend the rules to relieve the Committee of the Whole of further consideration of Proposed Ordinance 2009-0085 in order to take action. The motion carried.

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

Mr. Ferguson moved Amendment 1.

Ms. Lambert moved Amendment 0.5. The motion carried by the following vote:

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

No: 2 - Mr. Gossett and Mr. Dunn

Excused: 0

Mr. Ferguson's motion to adopt Amendment 1 carried by the following vote:

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

No: 0

Excused: 0

Ms. Lambert offered a verbal amendment to the ordinance, on page 3, lines 61-66, strike the whole sentence.

Ms. Lambert moved Amendment 0.7. The motion carried by the following vote:

Votes: Yes: 7 - Mr. Constantine, Ms. Patterson, Mr. Gossett, Ms. Lambert,

Mr. Ferguson, Mr. Phillips and Ms. Hague

No: 0

Excused: 2 - Mr. von Reichbauer and Mr. Dunn

Ms. Lambert moved Title Amendment T0.5. The motion carried by the following vote:

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

No: 0

Excused: 1 - Mr. Dunn

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

No: 0

Excused: 1 - Mr. Dunn

Physical Environment

9. Proposed Ordinance No. 2009-0040

Ms. Hague

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AN ORDINANCE relating to the annexation of approximately 45 acres of land into the Sammamish Plateau water and sewer district, known as the Mystic Lake Annexation, for the purpose of providing water and sewer service.

On 2/9/2009, a public hearing was held and remained open.

Mr. Ferguson moved to suspend the rules in order to hold an advertised public hearing. Seeing no objection, the Chair so ordered.

Deferred

10. [Proposed Ordinance No. 2009-0041](#)**Ms. Hague****[Play Video](#)**

AN ORDINANCE relating to the annexation of approximately 75 acres of land into the Sammamish Plateau water and sewer district, known as the Camden Park Annexation, for the purpose of providing water and sewer service.

On 2/9/2009, a public hearing was held and remained open.

Mr. Ferguson moved to suspend the rules in order to hold an advertised public hearing. Seeing no objection, the Chair so ordered.

Deferred

Motions for Council Action**Consent Item 11****11. [Proposed Motion No. 2008-0527](#)****Mr. Phillips and Ms. Hague****[Play Video](#)**

A MOTION endorsing the King County Electric Vehicle Report as the guiding document for implementing actions to accommodate the use of plug-in hybrid electric vehicles and battery electric vehicles, and to promote energy efficiency and clean vehicle technology in King County's fleet.

The enacted number is 12921.

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. Hague, Ms. Lambert, Mr. von Reichbauer, Mr. Phillips, Ms. Patterson and Mr. Dunn

No: 0

Excused: 1 - Mr. Gossett

Reappointment Consent Agenda Item 12**12. [Proposed Motion No. 2009-0101](#)****Mr. Ferguson****[Play Video](#)**

A MOTION confirming the executive's reappointment of Lynn Guttman, who resides in council district one, to the Washington state Boundary Review Board for King County.

The enacted number is 12922.

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. Hague, Ms. Lambert, Mr. von Reichbauer, Mr. Phillips,
Ms. Patterson and Mr. Dunn
No: 0
Excused: 1 - Mr. Gossett

Hearing Examiner Consent Agenda Item 13

13. [Proposed Substitute Ordinance No. 2008-0468.2](#) Ms. Patterson and Mr. Constantine

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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 Helgaland, LLC for property located at 152xx SE 344th Street, Auburn, WA 98092, designated department of natural resources and parks, water and land resources division file no. E08CT014.

The enacted number is 16360.

This Matter was Passed on the Consent Agenda.

Passed The Consent Agenda

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

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

First Reading and Referral of Ordinances

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14. [Proposed Ordinance No. 2009-0083](#) Mr. Constantine

AN ORDINANCE authorizing a subdivision on certain property located at 12010 26th Avenue South, Postal City of Seattle, at the request of CanhTan Ta department of development and environmental services file no. L06P0019.

Introduced and Referred to Hearing Examiner

15. [Proposed Ordinance No. 2009-0086](#) Mr. Constantine

AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by Dick and Elaine Clarke for property located at 37628 265th Place SE, Enumclaw, WA 98022, designated department of natural resources and parks, water and land resources division file no. E08CT068.

Introduced and Referred to Hearing Examiner

16. [Proposed Ordinance No. 2009-0087](#) Mr. Constantine

AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by Roy and Patricia Ballestrasse for property located at 34518 SE David Powell Road, Fall City, WA 98024, designated department of natural resources and parks, water and land resources division file no. E08CT072.

Introduced and Referred to Hearing Examiner

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17. **Proposed Ordinance No. 2009-0088** **Mr. Constantine**
AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by Janice Goodman for property located at 39823 224th Avenue SE, Enumclaw, WA 98022, designated department of natural resources and parks, water and land resources division file no. E08CT077.
Introduced and Referred to Hearing Examiner
18. **Proposed Ordinance No. 2009-0089** **Mr. Constantine**
AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by Murray and Jana Hocker for property located at 32006 SE 62nd Way, Fall City, WA 98024, designated department of natural resources and parks, water and land resources division file no. E08CT080.
Introduced and Referred to Hearing Examiner
19. **Proposed Ordinance No. 2009-0090** **Mr. Constantine**
AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by Suzanne Pederson for property located at 30308 SE 64th Street, Preston, WA 98050, designated department of natural resources and parks, water and land resources division file no. E08CT086.
Introduced and Referred to Hearing Examiner
20. **Proposed Ordinance No. 2009-0091** **Mr. Constantine**
AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by James S and Rebecca B.R. Peet for property located adjacent to and east of property located at 46507 303rd Avenue SE, Enumclaw, WA 98022, designated department of natural resources and parks, water and land resources division file no. E08CT087.
Introduced and Referred to Hearing Examiner
21. **Proposed Ordinance No. 2009-0092** **Mr. Constantine**
AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by Anne E. Butz for property located at 40706 212th Avenue SE, Enumclaw, WA 98022, designated department of natural resources and parks, water and land resources division file no. E08CT095.
Introduced and Referred to Hearing Examiner

22. **Proposed Ordinance No. 2009-0093** **Mr. Constantine**

AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by William and Coralee Green for property located at 3135, 3229 and 3311 364th Avenue SE, Fall City, WA 98024, designated department of natural resources and parks, water and land resources division file no. E08CT105.

Introduced and Referred to Hearing Examiner

23. **Proposed Ordinance No. 2009-0094** **Mr. Constantine**

AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by Russ Baker for property located at approximately 34xx 364th Avenue SE, Fall City, WA 98024, designated department of natural resources and parks, water and land resources division file no. E08CT113.

Introduced and Referred to Hearing Examiner

24. **Proposed Ordinance No. 2009-0095** **Mr. Constantine**

AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by Jody and Dawn Jackson for property located at 7817 Preston-Fall City Road SE, Preston, WA 98050, designated department of natural resources and parks, water and land resources division file no. E08CT116.

Introduced and Referred to Hearing Examiner

25. **Proposed Ordinance No. 2009-0096** **Mr. Constantine**

AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by Gary F. King for property located at 19985 SE 416th Street, Enumclaw, WA 98022, designated department of natural resources and parks, water and land resources division file no. E08CT125.

Introduced and Referred to Hearing Examiner

26. **Proposed Ordinance No. 2009-0097** **Mr. Constantine**

AN ORDINANCE approving an application for current use assessment for either public benefit rating system or timber land, or both, submitted by Jayson D Munson and Amber R. Munson for property located at 46507 303rd Avenue SE, Enumclaw, WA 98022, designated department of natural resources and parks, water and land resources division file no. E08CT140.

Introduced and Referred to Hearing Examiner

27. **Proposed Ordinance No. 2009-0100** **Mr. Gossett**
AN ORDINANCE relating to the challenges to completion of a report related to the county contracts for indigent defense services; and amending Ordinance 16312, Sections 16 and 49, as amended.
Introduced and Referred to Budget and Fiscal Management Committee
28. **Proposed Ordinance No. 2009-0103** **Ms. Hague**
AN ORDINANCE authorizing the King County executive to execute an interlocal agreement with King County fire district 50 for commercial fire inspections within the boundary of Skykomish city limits.
Introduced and Referred to Physical Environment Committee
29. **Proposed Ordinance No. 2009-0105** **Mr. Ferguson and Mr. Phillips**
AN ORDINANCE approving and adopting the collective bargaining agreement negotiated by and between King County and International Brotherhood of Teamsters Local 117 (Professional & Technical and Administrative Employees) representing employees in the departments of adult and juvenile detention, development and environmental services, executive services, natural resources and parks, public health, transportation, and the office of information resources management; and establishing the effective date of said agreement.
Introduced and Referred to Committee of the Whole
30. **Proposed Ordinance No. 2009-0108** **Mr. Constantine and Mr. Gossett**
AN ORDINANCE relating to the King County Norm Maleng Regional Justice Center Hot Water Piping System Replacement Project; making a disappropriation and re-appropriation of \$3,056,114, to the major maintenance reserve fund; extending a waiver from competitive bidding and solicitation requirements; amending the 2009 Budget Ordinance, Ordinance 16312, Section 129, as amended, and Attachment F, as amended; and declaring an emergency.
Introduced and Referred to Budget and Fiscal Management Committee

First Reading and Referral of Motions

31. **Proposed Motion No. 2009-0080** **Mr. Gossett**
A MOTION concerning untimely filed petitions for tax refunds in the amount of \$41,483.00; authorizing treasury operations to make the refunds.
Introduced and Referred to Budget and Fiscal Management Committee

32. **Proposed Motion No. 2009-0106** **Mr. Dunn**

A MOTION authorizing the chair of the council to enter into Amendment No. 7 of Contract No. P43024P, Agreement for Professional Services for Brightwater Project Oversight Services.

Introduced and Referred to Government Accountability and Oversight Committee

33. **Proposed Motion No. 2009-0107** **Mr. Constantine**

A MOTION approving the memorandum of understanding and attachments developed and agreed upon by King County, the cities of Burien and Seattle and King County Fire Districts 2 and 11 regarding the potential annexation of portions of the North Highline Potential Annexation Area to the cities of Seattle and Burien.

Introduced and Referred to Physical Environment Committee

34. **Proposed Motion No. 2009-0109** **Mr. Ferguson**

A MOTION making an appointment to fill a vacant judicial position in the Seattle division of King County district court.

Introduced and Referred to Committee of the Whole

35. Other Business

36. Adjournment

The meeting was adjourned at 3:30 p.m.

Approved this _____ day of _____.

Clerk's Signature