



King County
Meeting Proceedings

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*

Room 1001

June 29, 2009

11:00 AM

1. **Call to Order**

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The meeting was called to order at 11:17 a.m.

2. **Roll Call**

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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**

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

4. **Approval of Minutes of June 22, 2009**

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Mr. Gossett moved to approve the minutes of the June 22, 2009 meeting as presented. Seeing no objection, the Chair so ordered.

5. **Additions to the Council Agenda**

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There were no additions to the Council agenda.

6. **Special Items**

Presentation of a Recognition of the 2008-2009 University of Washington Women's Softball Team upon their winning the NCAA Softball Championship

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Mr. Phillips made remarks about the Washington Women's Softball Team's championship. Mr. von Reichbauer also made remarks.

Mr. Constantine made comments and invited the softball team to the podium while he and Councilmembers Patterson and Gossett and Executive Triplett read and presented the recognition. Mr. Phillips introduced Heather Tarr, team coach. She made comments and thanked the Council.

Presentation of a Recognition of the 2008-2009 University of Washington Men's Varsity Eight and Crew Team for winning the Intercollegiate Rowing Association Championship as well as this year's Team Title

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Mr. Phillips made remarks about the Men's Varsity Eight and Crew Team. Executive Triplett made remarks. Mr. Phillips was joined by Councilmembers Lambert, Dunn and von Reichbauer in reading the recognition. Coach Michael Callahan thanked the Council and introduced Matt Zapel, crew member, who also made comments.

Presentation of a Recognition of King County Employees who participated in Bike to Work Month during May 2009

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Ms. Patterson spoke about the Bike to Work program, an ongoing effort to improve the health of King County employees and reduce the impact on our environment. She recognized the contributions of team captains Greg King, Linda Grob, Erika Kinno, Chris Arkills and Erika Nuerenberg, King County employees, who assisted with reading the recognition.

7. Reports on Special and Outside Committees

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Mr. Constantine reported on the Sound Transit Board meeting. Executive Director, Joni Earl announced the details for the opening weekend of light rail, July 18-19. All stations will be open and rides will be free on Saturday, 10:00AM-8:00PM and 10:00AM-6:00PM on Sunday. Because large crowds are expected, Mr. Constantine suggested that people take the bus or walk to the stations. Mr. Constantine also stated that Joni Earl announced that Executive Kurt Triplett is a member of the Board.

8. Plat Tracing

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Redmond Ridge East Division 4 - Council District No. 3

Mr. Gossett moved to adopt the DDES finding of fact that the final plat of Redmond Ridge East Division 4 complies with the conditions of preliminary plat approval and other applicable laws, and that the Chair is authorized to signify Council approval by signing the final plat at the end of the meeting. Seeing no objection, the Chair so ordered.

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

Consent Item 9

Item 9 was removed from the consent agenda.

9. Proposed Motion No. 2009-0242

Mr. Constantine, Ms. Patterson, Mr. Dunn and Mr. Phillips

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A MOTION accepting the executive's plan for implementing best standards and practices for the handling, dispensing, security and record keeping of controlled substances at King County's animal care and control shelters.

On request of Ms. Lambert, the Chair removed Proposed Motion 2009-0242 from the consent agenda.

Jenny Giambattista, Council staff, answered questions of the Council.

On request of Ms. Patterson, the Chair deferred Proposed Motion 2009-0242 until the July 13, 2009 Council meeting.

Deferred

Government Accountability and Oversight

10. [Proposed Motion No. 2009-0293](#)

Mr. Dunn

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A MOTION approving the business case for the law, safety and justice integration program, integrated document exchange project.

The enacted number is 13018.

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

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

Physical Environment

11. [Proposed Substitute Motion No. 2009-0375.2](#)

Ms. Hague, Mr. Phillips, Mr. Gossett, Mr. Constantine and Mr. Ferguson

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A MOTION in support of the conservation efforts for the Lake Sammamish Kokanee.

The enacted number is 13019.

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

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

No: 0

Excused: 2 - Mr. Ferguson and Ms. Hague

A motion was made by Mr. Phillips 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

Hearing Examiner Consent Agenda Items 12-19

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12. [Proposed Substitute Ordinance No. 2009-0248.2](#)

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 Gordon Hoenig for Union Shares, LLC, for property located at 8733 - 196th Avenue Southeast, Redmond, WA 98034, designated department of natural resources and parks, water and land resources division file no. E09CT002.

The enacted number is 16565.

This Matter was Passed on the Consent Agenda.

13. [Proposed Substitute Ordinance No. 2009-0249.2](#) **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 Paul Wilson for property located at North of and adjacent to 5316 - 404th Avenue Southeast, Snoqualmie, WA 98065, designated department of natural resources and parks, water and land resources division file no. E09CT004.
- The enacted number is 16566.*
- This Matter was Passed on the Consent Agenda.**
14. [Proposed Substitute Ordinance No. 2009-0250.2](#) **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 John and Monica Schuster for property located at 38707 - 191st Avenue Southeast, Auburn, WA 98092, designated department of natural resources and parks, water and land resources division file no. E09CT005.
- The enacted number is 16567.*
- This Matter was Passed on the Consent Agenda.**
15. [Proposed Substitute Ordinance No. 2009-0253.2](#) **Mr. Constantine**
- AN ORDINANCE concurring with the recommendation of the hearing examiner to approve, subject to conditions, the application for current use assessment for timberland submitted by Erik and Meri Clark for property located at 6723 Tolt Highlands Road Northeast, Carnation, WA 98014, designated department of natural resources and parks, water and land resources division, file no. E09CT008.
- The enacted number is 16568.*
- This Matter was Passed on the Consent Agenda.**
16. [Proposed Substitute Ordinance No. 2009-0254.2](#) **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 Rick E. Snider for property located at Adjacent to and west of 17601 Southeast Green Valley Road, Auburn, WA 98092, designated department of natural resources and parks, water and land resources division file no. E09CT009.
- The enacted number is 16569.*
- This Matter was Passed on the Consent Agenda.**

17. **Proposed Substitute Ordinance No. 2009-0255.2** **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 Donald D. Jacobs for the Jacobs Family Trust for property located at 41002 - 292nd Avenue Southeast, Enumclaw, WA 98022, designated department of natural resources and parks, water and land resources division file no. E09CT010.
The enacted number is 16570.
This Matter was Passed on the Consent Agenda.
18. **Proposed Substitute Ordinance No. 2009-0256.2** **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 Lorraine Mills for property located at 24315 and 24325 Northeast Redmond-Fall City Road, Redmond, WA 98053, designated department of natural resources and parks, water and land resources division file no. E09CT012.
The enacted number is 16571.
This Matter was Passed on the Consent Agenda.
19. **Proposed Substitute Ordinance No. 2009-0257.2** **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 Lennette Jones for property located at 13455 Woodinville-Redmond Road Northeast, Redmond, WA 98052, designated department of natural resources and parks, water and land resources division file no. E09CT013.
The enacted number is 16572.
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

First Reading and Referral of Ordinances

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20. [Proposed Ordinance No. 2009-0391](#) **Mr. Dunn**
- AN ORDINANCE authorizing the executive to enter into an interlocal agreement with the Valley Communications Center for the establishment of joint projects regarding the replacement, upgrade, maintenance, and repair of equipment in that portion of the Valley Communications Center that is part of the regional emergency communication system and is owned by both King County and Valley Communications Center, as well as Valley Communications Center separately owned and operated equipment not within the regional emergency communication system.
- Introduced and Referred to Government Accountability and Oversight Committee**
21. [Proposed Ordinance No. 2009-0393](#) **Mr. Gossett, Mr. Ferguson, Mr. Phillips and Mr. Constantine**
- AN ORDINANCE relating to ascertaining immigration status as it relates to the public health and safety of the residents of King County.
- Introduced and Referred to Committee of the Whole**
22. [Proposed Ordinance No. 2009-0394](#) **Ms. Patterson**
- AN ORDINANCE establishing November 3, 2009, as the date of a special election on the question of annexation to the city of Kent of an unincorporated area known as the Panther Lake annexation area; and declaring an emergency.
- Introduced and Referred to Government Accountability and Oversight Committee**
23. [Proposed Ordinance No. 2009-0396](#) **Ms. Lambert**
- AN ORDINANCE proposing to amend Section 890 of the King County Charter and to add a new Section 897 of the King County Charter, to designate the county sheriff as the county's bargaining agent on all department of public safety issues except for compensation and benefits; and submitting the same to the voters of the county for their ratification or rejection at the November 2009 general election.
- Introduced and Referred to Committee of the Whole**
24. [Proposed Ordinance No. 2009-0397](#) **Mr. Dunn**
- AN ORDINANCE authorizing the King County executive to execute an amendment to the purchase and sale agreement dated _____, in order to complete the sale of the county-owned property known as the Summit Pit Property, located in Council District 9, to Summit Place 156, L.L.C.
- Proposed Ordinance 2009-0397 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.*
- Deferred**

25. [Proposed Ordinance No. 2009-0399](#) **Ms. Hague**

AN ORDINANCE relating to the Urban Reserve zone.

Proposed Ordinance 2009-0399 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.

Deferred

26. [Proposed Ordinance No. 2009-0401](#) **Mr. Dunn**

AN ORDINANCE authorizing the county executive to enter into an interlocal agreement with the city of Maple Valley for the adoption of the joint plan for Summit Place.

Introduced and Referred to Committee of the Whole

First Reading and Referral of Motions

27. [Proposed Motion No. 2009-0395](#) **Ms. Patterson, Ms. Hague, Mr. Constantine and Ms. Lambert**

A MOTION directing the executive to identify county-owned properties suitable for growing community gardens.

Introduced and Referred to Physical Environment Committee

28. [Proposed Motion No. 2009-0398](#) **Mr. Ferguson**

A MOTION appointing _____ as King County assessor, in accordance with Section 680.10 of the King County Charter and RCW 36.16.110.

Introduced and Referred to Committee of the Whole

29. [Proposed Motion No. 2009-0400](#) **Mr. Gossett**

A MOTION concerning untimely filed petitions for tax refunds in the amount of \$160,169.67; authorizing treasury operations to make the refunds.

Introduced and Referred to Budget and Fiscal Management Committee

30. Recess

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The meeting was recessed at 12:16 p.m.

The meeting was reconvened at 1:45 p.m.

The meeting was recessed at 2:31 p.m.

The meeting was reconvened at 2:50 p.m.

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

Consent Items 31-36

31. [Proposed Ordinance No. 2009-0350](#)

Mr. Ferguson, Mr. Phillips, Mr.
Constantine and Mr. von Reichbauer

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AN ORDINANCE approving and adopting the collective bargaining agreement negotiated by and between King County and International Federation of Professional and Technical Engineers, Local 17 representing employees in the departments of development and environmental services, natural resources and parks and transportation; and establishing the effective date of said agreement.

On 6/29/2009, a public hearing was held and closed.

The enacted number is 16573.

This Matter was Passed on the Consent Agenda.

32. [Proposed Ordinance No. 2009-0352](#)

Mr. Ferguson, Mr. Phillips, Mr.
Constantine and Mr. von Reichbauer

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 1652R (Industrial and Hazardous Waste) representing employees in the department of natural resources and parks; and establishing the effective date of said agreement.

On 6/29/2009, a public hearing was held and closed.

The enacted number is 16574.

This Matter was Passed on the Consent Agenda.

33. [Proposed Ordinance No. 2009-0354](#)

Mr. Ferguson, Mr. Phillips, Mr.
Constantine and Mr. von Reichbauer

AN ORDINANCE approving and adopting the collective bargaining agreement and memorandum of agreement negotiated by and between King County and International Federation of Professional and Technical Engineers, Local 17 representing employees in the departments of public health, and community and human services; and establishing the effective date of said agreements.

On 6/29/2009, a public hearing was held and closed.

The enacted number is 16575.

This Matter was Passed on the Consent Agenda.

34. [Proposed Ordinance No. 2009-0361](#)

Ms. Lambert and Mr. Gossett

AN ORDINANCE reflecting revised due dates for submission to council of the implementation plan of the revised human services policy framework recommendations outlined in the 2007 Human Services Recommendations Report and the veterans and human services levy quarterly progress report; and amending the 2009 Budget Ordinance, Ordinance 16312, Sections 69, 70 and 87, as amended.

On 6/29/2009, a public hearing was held and closed.

The enacted number is 16576.

This Matter was Passed on the Consent Agenda.

35. [Proposed Ordinance No. 2009-0362](#) **Mr. Constantine**

AN ORDINANCE reflecting the revised due date for submission to council of the veterans and human services levy annual report to July 1, 2009; and amending Ordinance 15632, Section 5.

On 6/29/2009, a public hearing was held and closed.

The enacted number is 16577.

This Matter was Passed on the Consent Agenda.

36. [Proposed Ordinance No. 2009-0387](#) **Ms. Hague**

AN ORDINANCE approving the city of Redmond Amendment to the General Sewer Plan, March 2009.

On 6/29/2009, a public hearing was held and closed.

The enacted number is 16578.

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

Government Accountability and Oversight

**37. [Proposed Substitute Ordinance No. 2009-0346.2](#) **Mr. Constantine, Mr. Phillips, Mr. Dunn,
Mr. von Reichbauer, Mr. Gossett, Mr.
Ferguson, Ms. Patterson and Ms.
Lambert****

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AN ORDINANCE relating to whistleblower protection; amending Ordinance 11687, Section 3, and K.C.C. 3.42.010, Ordinance 11687, Section 2, and K.C.C. 3.42.020, Ordinance 11687, Section 4, as amended, and K.C.C. 3.42.030, Ordinance 11687, Section 5, and K.C.C. 3.42.040, Ordinance 11687, Section 6, and K.C.C. 3.42.050, Ordinance 11687, Section 7, and K.C.C. 3.42.060 and adding new sections to K.C.C. chapter 3.42.

On 6/29/2009, a public hearing was held and closed.

The enacted number is 16580.

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

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

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

and Mr. Phillips

No: 0

Excused: 2 - Ms. Hague and Mr. von Reichbauer

A motion was made by Mr. Dunn 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

Physical Environment

38. [Proposed Substitute Ordinance No. 2009-0118.2](#) **Mr. Ferguson**

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AN ORDINANCE establishing the King County historic preservation and historical programs advisory task force.

On 6/29/2009, a public hearing was held and closed.

The enacted number is 16579.

A motion was made by Mr. Ferguson 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

39. [Proposed Substitute Ordinance No. 2009-0367.2](#) **Mr. Phillips, Mr. Dunn, Mr. Ferguson and Ms. Lambert**

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AN ORDINANCE requiring the adoption of rules addressing procedures for establishing large wood emplacements in rivers or streams.

On 6/29/2009, a public hearing was held and closed.

The following people appeared to speak on 6/29/2009 :

Douglas Hennick
Alan Barrie
Martha Parker
Judith Fillips

The enacted number is 16581.

Mike Reed, Council staff, answered questions of the Council.

Mr. Phillips moved Amendment 1.

Ms. Lambert moved to amend Amendment 1 by offering additional language to include in Amendment 1. Mr. Phillips accepted as friendly.

Mr. Phillips motion to adopt Amendment 1, as amended, carried by the following vote:

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

No: 0

Excused: 2 - Ms. Hague and Mr. von Reichbauer

Mr. Ferguson moved Amendment 2.

Mr. Ferguson's motion failed by the following vote:

Votes: Yes: 1 - Mr. Constantine,

No: 7 - Ms. Patterson, Mr. Gossett, Ms. Lambert, Mr. Dunn, Mr. Ferguson, and Mr. Phillips and Mr. von Reichbauer

Excused: 1 - Ms. Hague

A motion was made by Mr. Gossett 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

Other Business

There was no further business to come before the Council.

Adjournment

The meeting was adjourned at 3:21 p.m.

Approved this _____ day of _____.

Clerk's Signature