



# King County

1200 King County  
Courthouse  
516 Third Avenue  
Seattle, WA 98104

## Meeting Minutes

### Metropolitan King County Council

*Councilmembers: Larry Gossett, Chair; Jane Hague, Vice Chair  
Reagan Dunn, Bob Ferguson, Kathy Lambert, Joe McDermott,  
Julia Patterson, Larry Phillips,  
Pete von Reichbauer*

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1:30 PM

Tuesday, September 6, 2011

Room 1001

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**REVISED - Added Item 19**

1. **Call to Order**

*The meeting was called to order at 1:47 p.m.*

2. **Roll Call**

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

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

*Mr. von Reichbauer led the flag salute and Pledge of Allegiance.*

4. **Approval of Minutes of August 29, 2011**

*Ms. Hague moved to approve the minutes of the August 29, 2011 meeting as presented. Seeing no objection, the Chair so ordered.*

5. **Additions to the Council Agenda**

*Item 19 was added to the agenda.*

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

### Consent Items 6 & 7

6. [Proposed Substitute Ordinance No. 2011-0344.2](#)

AN ORDINANCE authorizing the county executive to execute a contract between King County Housing Authority and King County sheriff's office for community policing services.

Sponsors: Mr. Ferguson

**On 9/6/2011, a public hearing was held and closed.**

*The enacted number is 17179.*

**This matter passed on the Consent Agenda.**

7. [Proposed Substitute Ordinance No. 2011-0348.2](#)

AN ORDINANCE approving and adopting the collective bargaining agreement and memorandum of agreement negotiated by and between King County and Public Safety Employees Union (Department of Adult and Juvenile Detention Management) representing employees in the department of adult and juvenile detention; and establishing the effective date of said agreements.

Sponsors: Mr. Ferguson and Mr. Phillips

**On 9/6/2011, a public hearing was held and closed.**

*The enacted number is 17180.*

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

### **Budget and Fiscal Management**

8. [\*\*Proposed Substitute Ordinance No. 2011-0340.2\*\*](#)

AN ORDINANCE making a net supplemental appropriation of \$1,250,757 to various general fund agencies and \$48,514,559 to various non-general fund agencies; and making proviso changes in several agencies; and amending the 2011 Budget Ordinance, Ordinance 16984, Sections 8, 17, 21, 27, 28, 29, 31, 32, 42, 44, 69, 72, 75, 82, 85, 93, 96, 98, 99, 101, 109, 112, 114, 120, 122, 123, 124 and 127, as amended, and Attachments B, C, D and E, as amended, and Ordinance 17073, Attachment D, as amended.

**Sponsors:** Ms. Patterson

**On 9/6/2011, a public hearing was held and closed.**

*The enacted number is 17181.*

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

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

### **Transportation, Economy and Environment**

9. [\*\*Proposed Substitute Ordinance No. 2011-0312.2\*\*](#)

AN ORDINANCE relating to road fees; amending Ordinance 11617, Section 43, and Attachment B, as amended, and K.C.C. 14.65.020, Ordinance 11617, Section 43, and Attachment B, as amended, and K.C.C. 14.75.040, Ordinance 11617, Section 49, as amended, and K.C.C. 14.75.100, Ordinance 11617, Section 46, and K.C.C. 14.75.070, Ordinance 11617, Section 47, and K.C.C. 14.75.080 and Ordinance 11617, Section 48, and K.C.C. 14.75.090 and adding a new section to K.C.C. chapter 14.75.

**Sponsors:** Mr. Phillips and Ms. Hague

**On 09/06/2011, a public hearing was held and closed.**

*On request of Mr. Phillips, the Chair deferred Proposed Substitute Ordinance 2011-0312 until the September 19, 2011 council meeting.*

**This matter was Deferred.**

10. [\*\*Proposed Substitute Ordinance No. 2011-0328.2\*\*](#)

AN ORDINANCE relating to development regulations; amending Ordinance 14111, Section 4, as amended, and K.C.C. 16.02.110, Ordinance 10608, Section 314111, as amended, and K.C.C. 16.02.130, Ordinance 12560, Section 10, as amended, and K.C.C. 16.02.240, Ordinance 14111, Section 118, as amended, and K.C.C. 16.12.010, Ordinance 14111, Section 129, as amended, and K.C.C. 16.14.010, Ordinance 6746, Section 5, as amended, and K.C.C. 16.32.030, Ordinance 15053, Section 3, as amended, and K.C.C. 16.82.051, Ordinance 13964, Section 4, and K.C.C. 19A.04.020, Ordinance 13694, Section, and K.C.C. 19A.04.210, Ordinance 13694, Section 28, and K.C.C. 19A.04.270, Ordinance 13694, Section 42, as amended, and K.C.C. 19A.08.070, Ordinance 13694, Section 56, as amended, and K.C.C. 19A.12.020, Ordinance 13694, Section 57, and K.C.C. 19A.12.030, Ordinance 13694, Section 58, as amended, and K.C.C. 19A.12.040, Ordinance 13694, Section 80, and K.C.C. 19A.28.020, Ordinance 12196, Section 13, as amended, and K.C.C. 20.20.060, Ordinance 12196,

Section 15, and K.C.C. 20.20.080, Ordinance 15051, Section 7, and K.C.C. 21A.06.072C, Ordinance 10870, Section 130, and K.C.C. 21A.06.450, Ordinance 10870, Section 82, and K.C.C. 21A.06.210, Ordinance 10870, Section 83, and K.C.C. 21A.06.215, Ordinance 10870, Section 247, and K.C.C. 21A.06.1035, Ordinance 10870, Section 248, and K.C.C. 21A.06.1040, Ordinance 16950, Section 13, and K.C.C. 21A.06.1263, Ordinance 10870, Section 294, as amended, and K.C.C. 21A.06.1270, Ordinance 10870, Section 330, as amended, and K.C.C. 21A.08.030, Ordinance 10870, Section 331, as amended, and K.C.C. 21A.08.040, Ordinance 10870, Section 332, as amended, and K.C.C. 21A.08.050, Ordinance 10870, Section 334, as amended, and K.C.C. 21A.08.070, Ordinance 10870, Section 336, as amended, and K.C.C. 21A.08.090, Ordinance 10870, Section 337, as amended, and K.C.C. 21A.08.100, Ordinance 10870, Section 351, as amended, and K.C.C. 21A.12.140, Ordinance 10870, Section 354, as amended, and K.C.C. 21A.12.170, Ordinance 11210, Section 17, and K.C.C. 21A.16.330, Ordinance 10870, Section 415, as amended, and K.C.C. 21A.18.110, Ordinance 15051, Section 137, as amended, and K.C.C. 21A.24.045, Ordinance 10870, Section 454, as amended, and K.C.C. 21A.24.070, Ordinance 10870, Section 491, and K.C.C. 21A.26.020, Ordinance 10870, Section 492, as amended, and K.C.C. 21A.26.030, Ordinance 10870, Section 494, as amended, and K.C.C. 21A.26.050, Ordinance 10870, Section 503, as amended, and K.C.C. 21A.26.140, Ordinance 10870, Section 505, as amended, and K.C.C. 21A.26.160, Ordinance 10870, Section 536, as amended, and K.C.C. 21A.30.080, Ordinance 15606, Section 20, as amended, and K.C.C. 21A.30.085, Ordinance 10870, Section 537, as amended, and K.C.C. 21A.30.090, Ordinance 10870, Section 549, as amended, and K.C.C. 21A.32.120, Ordinance 11567, Section 1, as amended, and K.C.C. 21A.38.100, Ordinance 11621, Section 130, and K.C.C. 21A.41.110, Ordinance 13130, Section 10, and K.C.C. 21A.42.180, Ordinance 13130, Section 11, as amended, and K.C.C. 21A.42.190, Ordinance 12020, Section 14, and K.C.C. 27A.30.030 and Ordinance 12020, Section 27, and K.C.C. 27A.40.070, adding a new section to K.C.C. chapter 21A.04, adding new sections to K.C.C. chapter 21A.06, adding new sections to K.C.C. chapter 23.32, adding a new chapter to K.C.C. Title 21A, recodifying K.C.C. 21A.26.300, K.C.C. 21A.26.310, K.C.C. 21A.26.320, K.C.C. 21A.26.330, K.C.C. 21A.26.340, K.C.C. 21A.26.350, K.C.C. 21A.26.360, K.C.C. 21A.26.370, K.C.C. 21A.26.380, K.C.C. 21A.26.390, K.C.C. 21A.26.400, K.C.C. 21A.26.410, K.C.C. 21A.26.420, K.C.C. 21A.26.430, K.C.C. 21A.26.440, K.C.C. 21A.26.450 and K.C.C. 21A.26.451 and repealing Ordinance 13694, Section 60, and K.C.C. 19A.12.060, Ordinance 11210, Section 14, and K.C.C. 21A.16.300, Ordinance 11210, Section 15, and K.C.C. 21A.16.310, Ordinance 11210, Section 16, and K.C.C. 21A.16.320 and Ordinance 11210, Section 20, and K.C.C. 21A.16.360.

**Sponsors:** Mr. Phillips

**On 09/06/2011, a public hearing was held and closed.**

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

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

*No: 0*

*Excused: 0*

*Ms. Lambert moved Amendment 2.*

*Joe Woods, Executive Office and Harry Reinert, Director's Office, Department of Development and Environmental Services, were available for questions.*

*Ms. Lambert moved Amendment 3. The motion carried by the following vote:*

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

*No: 0*

*Excused: 0*

*Mr. Reinert responded to questions regarding Amendment 2.*

*On request of Mr. Phillips, the Chair deferred Proposed Substitute Ordinance 2011-0328 until the September 19, 2011 council meeting.*

**This matter was Deferred.**

## Reappointment Consent Agenda 11-14

### 11. [Proposed Motion No. 2011-0002](#)

A MOTION confirming the executive's reappointment of Nancy Dow-Witherbee, who resides in council district six, to the King County mental health advisory board.

**Sponsors:** Ms. Hague

*The enacted number is 13544.*

**This matter passed on the Consent Agenda.**

### 12. [Proposed Motion No. 2011-0240](#)

A MOTION confirming the executive's reappointment of Tom Hitzroth, who resides in council district six, to the King County landmarks commission, filling the historian position.

**Sponsors:** Ms. Hague

*The enacted number is 13545.*

**This matter passed on the Consent Agenda.**

### 13. [Proposed Motion No. 2011-0242](#)

A MOTION confirming the executive's reappointment of Lynette Weber, who resides in council district six, to the King County landmarks commission, filling the realtor/preservationist position.

**Sponsors:** Ms. Hague

*The enacted number is 13546.*

**This matter passed on the Consent Agenda.**

### 14. [Proposed Motion No. 2011-0256](#)

A MOTION confirming the executive's reappointment of Roger Goodman, who resides in council district six, to the King County alcoholism and substance abuse administrative board.

**Sponsors:** Ms. Hague

*The enacted number is 13547.*

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

## First Reading and Referral of Ordinances

15. [Proposed Ordinance No. 2011-0367](#)

AN ORDINANCE authorizing the King County executive to execute amendments to three interlocal agreements with the Washington state Department of Transportation relating to the Alaskan Way Viaduct project.

**Sponsors:** Mr. McDermott and Mr. Phillips

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

16. [Proposed Ordinance No. 2011-0368](#)

AN ORDINANCE authorizing the King County executive to execute an interlocal agreement with the King County ferry district relating to West Seattle water taxi service as a mitigation measure for the Alaskan Way Viaduct project.

**Sponsors:** Mr. McDermott and Mr. Phillips

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

## First Reading and Referral of Motions

17. [Proposed Motion No. 2011-0370](#)

A MOTION confirming the appointment of Paul Berry, as the representative of the Washington State Democratic Party to the King County citizens' elections oversight committee.

**Sponsors:** Mr. Gossett

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

## Other Business

*The Chair reminded the members of the upcoming anniversary of the September 11, 2001 tragedy, remembering all the lives that were lost and those who were involved in the rescue. He requested a moment of silence.*

*Ms. Lambert informed the members regarding a new program that was recently launched county wide. The "Safe Place" program includes a triangle sign located on all Metro busses. It will designate to a child that feels he/she is in trouble to let the driver know. The driver will get the help the child would need. Ms. Lambert indicated the County has partnered with three existing child services for this program: Youth Care, Auburn Youth Resources and Friends of Youth.*

**Land Use Appeal****18. [Proposed Substitute Ordinance No. 2010-0457.2](#)**

AN ORDINANCE revising on appeal the decision of the hearing examiner to approve, subject to conditions, the preliminary plat of Paula's Place, department of development and environmental services file no. L05P0021.

**Sponsors:** Mr. Ferguson and Mr. Gossett

*The enacted number is 17182.*

*Peter Donahue, Hearing Examiner, briefed the members regarding his supplemental report.*

*David Johnston, Attorney, representing Burnstead Construction, applicant, made comments and answered questions.*

*Tiffany Brown, Burnstead Construction, made comments and answered questions.*

*The Chair took the meeting into Executive Session at 2:50 pm, describing the Open Public Meetings Act when the council is sitting in a quasi-judicial capacity. The grounds were to discuss with legal counsel potential litigation and legal risks when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the county. The meeting was reconvened at 3:07 p.m.*

*Ms. Hague moved to overturn the Hearing Examiner's decision. The motion carried by the following vote:*

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

*No: 0*

*Excused: 0*

*Kendall Moore, council staff, made comments regarding reversing the imposition of Condition 24.*

**A motion was made by Vice Chair Hague that this Ordinance be Passed as Amended. The motion carried by the following vote:**

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

**Extra Item**

**Employment and Administrative Committee Consent Agenda - Item 19**

- 19. Approval of a Position Description for the Director of the Office of Law Enforcement Oversight

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

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

*No: 0*

*Excused: 1 - Mr. Dunn*

**Executive Session**

*The chair took the meeting into Executive Session at 3:13 p.m. The grounds for session were to discuss with legal counsel litigation or potential litigation to which the county is or is likely to become a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the county. The meeting was reconvened at 3:35 p.m.*

**Adjournment**

*The meeting was adjourned at 3:35 p.m.*

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

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