



King County
Meeting Proceedings
Metropolitan King County Council

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Councilmembers: Larry Phillips, Chair;
Larry Gossett, Vice Chair of Policy and Administration;
Jane Hague, Vice Chair of Council Affairs;
Pete von Reichbauer, Vice Chair of Regional Affairs
Dow Constantine, Reagan Dunn, Bob Ferguson, Kathy Lambert, Julia
Patterson

Room 1001

July 10, 2006

1:30 PM

Call to Order

The meeting was called to order at 1:48 p.m.

Roll Call

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

Flag Salute and Pledge of Allegiance

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

1. Approval of Minutes of June 26, 2006

Mr. Gossett moved to approve the minutes of the June 26, 2006 meeting as presented. Seeing no objection, the Chair so ordered.

2. Special Item

Presentation of a Recognition to John Fabre as 2005 Metro Transit Operator of the Year

Ms. Patterson joined Mr. Phillips to present the Recognition to John Fabre. Mr. Phillips invited Mr. Fabre to the podium while he and Ms. Patterson read the Proclamation. Mr. Fabre thanked the Council.

3. Reports on Special and Outside Committees

Mr. Constantine reported on the Sound Transit Finance Committee meeting of July 6. The committee adopted a motion to authorize a contract to provide project management services for the regional special needs transportation coordination plan project, and a motion authorizing an agreement with the Washington State Department of Transportation regarding construction management services for the South Everett freeway station project.

Ms. Patterson reported on the Public Health Operational Master Plan Steering Committee. The Committee reviewed the draft policy framework which is to help the Department of Health to determine what the priorities are. The Steering Committee was formed to ensure the final product is very understandable to the public at large. Ms. Patterson indicated it has been a collaborative process. Staff will assist in revising the framework document for review at the July 25 meeting.

Ms. Hague reported on the Puget Sound Regional Council Operations Committee meeting of June 29. The Committee authorized twelve contracts including a contract for additional funds for

consultant services for the Destination 2030 update. The Committee also authorized a contract for a passenger-only ferry study.

Ms. Hague reported on the Puget Sound Regional Council Executive Board. The Committee heard various reports and had a briefing on the SR520 bridge replacement and HOV project, as well as a presentation on the SeaTac airport community impact survey results.

Ms. Lambert reported on the City of Carnation's special project of putting in a sewer system. She read the Proclamation from the City.

Hearing and Second Reading of Ordinances

Consent Items - 4-6

4. [Proposed Ordinance No. 2006-0238](#) **Mr. Constantine and Mr. Phillips**

AN ORDINANCE making a supplemental appropriation of \$1,078,914 to the solid waste operating fund to implement the International Union of Operating Engineers, Local 302 collective bargaining agreement for the fiscal year ending December 31, 2006; and amending the 2006 Budget Ordinance, Ordinance 15333, Section 87, as amended.

On 7/10/2006, a public hearing was held and closed.

The enacted number is 15538.

This Matter was Passed on the Consent Agenda.

5. [Proposed Ordinance No. 2006-0258](#) **Ms. Patterson**

AN ORDINANCE relating to the South King County Area Transportation Board authorizing the executive to enter into an agreement for its continuation and committing to King County staff support through 2008.

On 7/10/2006, a public hearing was held and closed.

The enacted number is 15539.

This Matter was Passed on the Consent Agenda.

6. [Proposed Ordinance No. 2006-0259](#) **Ms. Patterson**

AN ORDINANCE relating to the Eastside Transportation Partnership authorizing the executive to enter into an agreement for its continuation and committing to King County staff support through 2008.

On 7/10/2006, a public hearing was held and closed.

The enacted number is 15540.

This Matter was Passed on the Consent Agenda.

Passed The Consent Agenda

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

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

No: 0

Excused: 0

Capital Budget**7. Proposed Ordinance No. 2006-0249 Mr. Ferguson**

AN ORDINANCE making a supplemental appropriation of \$11,925,000 to the building repair and replacement fund to provide the appropriate level of appropriation authority in support of the King County Correctional Facility security electronics project and the King County Correctional Facility medical administration remodel project; and amending the 2006 Budget Ordinance, Ordinance 15333, Section 114, as amended, and Attachment B as amended.

On 7/10/2006, a public hearing was held and closed.

The enacted number is 15541.

Polly St. John, Council staff, answered questions of the Council.

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

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

8. Proposed Ordinance No. 2006-0251 Mr. Ferguson

AN ORDINANCE making a supplemental appropriation of \$696,428 to the building modernization construction fund to provide expenditure authority for a planned early release requirement related to implementing the county's new county office building project; and amending the 2006 Budget Ordinance, Ordinance 15333, Section 114 as amended, and Attachment B as amended.

On 7/10/2006, a public hearing was held and closed.

The enacted number is 15542.

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

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

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

Growth Management and Natural Resources

9. **Proposed Substitute Ordinance No. 2006-0263.3** **Mr. von Reichbauer**

AN ORDINANCE amending deadlines for the waste export system plan, the metropolitan solid waste management advisory committee, solid waste interlocal forum and the interjurisdictional technical staff group; and amending Ordinance 14971, Section 2, as amended, and K.C.C. 10.25.110 and Ordinance 14971, Section 6, as amended.

On 7/10/2006, a public hearing was held and closed.

The enacted number is 15543.

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

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

Labor, Operations and Technology

10. **Proposed Ordinance No. 2006-0239** **Mr. Gossett and Mr. Phillips**

AN ORDINANCE approving and adopting the collective bargaining agreement negotiated by and between King County and International Union of Operating Engineers, Local 302 representing employees in the departments of natural resources and parks and transportation; and establishing the effective date of said agreement.

On 7/10/2006, a public hearing was held and closed.

The enacted number is 15544.

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

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

Operating Budget

11. [Proposed Substitute Ordinance No. 2004-0513.2](#) **Mr. Gossett, Ms. Hague, Mr. Constantine, Mr. Irons, Ms. Edmonds and Mr. Phillips**

AN ORDINANCE authorizing biennial budgeting; amending Ordinance 12076, Section 2, as amended, and K.C.C. 4.04.020 and Ordinance 12045, Section 23, as amended, and K.C.C. 4.04.040 and adding a new section to K.C.C. chapter 4.04.

On 7/10/2006, a public hearing was held and closed.

The enacted number is 15545.

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

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

12. [Proposed Substitute Ordinance No. 2006-0264.3](#) **Mr. Ferguson, Ms. Hague and Mr. Phillips**

AN ORDINANCE providing for the submission to the qualified electors of King County at a special election to be held in King County on September 19, 2006, of a proposition authorizing a property tax levy in excess of the levy limitation contained in chapter 84.55 RCW, for a six-year period, at a rate of not more than \$0.0533 per one thousand dollars of assessed valuation for collection in 2007, and set the limit factor at one hundred three percent for each of the five succeeding years, for the purpose of funding the continued operation of the automated fingerprint identification system.

On 7/10/2006, a public hearing was held and closed.

The enacted number is 15537.

A list of speakers may be found under Item 16.

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

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

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

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

Mr. Constantine directed the Clerk to show Mr. Ferguson as a sponsor on Striking Amendment S1 and Title Amendment T1, for the record.

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

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

Transportation

13. [Proposed Substitute Ordinance No. 2006-0278.2](#) **Ms. Patterson**

AN ORDINANCE relating to providing retired passenger vans for exclusive use by nonprofit organizations or local governments; and amending Ordinance 12045, Section 10, as amended, and K.C.C. 4.56.100.

On 7/10/2006, a public hearing was held and closed.

The enacted number is 15546.

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

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

Motions for Council Action

Consent Item 14

14. [Proposed Motion No. 2006-0291](#) **Mr. Dunn, Mr. Constantine and Mr. Phillips**

A MOTION expressing support for the reauthorization of the Secure Rural Schools and Community Self-Determination Act of 2000, P.L. 106-393.

The enacted number is 12313.

This Matter was Passed on the Consent Agenda.

Passed The Consent Agenda

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

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

Growth Management and Natural Resources

15. Proposed Motion No. 2006-0217

Ms. Patterson

A MOTION confirming the appointment of _____, who resides in council district five, to the King County parks citizen oversight board.

The enacted number is 12314.

Ms. Hague moved to relieve the Growth Management and Natural Resources Committee of further consideration of Proposed Motion 2006-0217 in order to take action. Seeing no objection, the Chair so ordered.

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

Votes: Yes: 9 - Mr. Phillips, Mr. von Reichbauer, Mr. Ferguson, Ms. Lambert,

Mr. Constantine, Mr. Dunn, Mr. Gossett, Ms. Hague and Ms. Patterson

No: 0

Excused: 0

Ms. Hague moved Title Amendment T1. The motion carried by the following vote:

Votes: Yes: 9 - Mr. Phillips, Mr. von Reichbauer, Mr. Ferguson, Ms. Lambert,

Mr. Constantine, Mr. Dunn, Mr. Gossett, Ms. Hague and Ms. Patterson

No: 0

Excused: 0

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

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

No: 0

Excused: 0

Law, Justice and Human Services

16. Proposed Motion No. 2006-0265

Mr. Ferguson

A MOTION approving the report, King County Regional Automated Fingerprint Identification System, The Future of AFIS including AFIS Initiatives 2007-2012, dated May 15, 2006.

The following people appeared to speak on 7/10/2006 :

Norm Maleng

Sheriff Sue Rahr

Mayor John Wise

Chief Gil Kerlikowske

Chief Rick Kieffer

The enacted number is 12312.

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

Votes: Yes: 8 - Mr. Phillips, Mr. von Reichbauer, Mr. Ferguson, Mr. Constantine, Mr. Dunn, Mr.

Gossett, Ms. Hague and Ms. Patterson

No: 0

Excused: 1 - Ms. Lambert

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

Votes: Yes: 8 - Mr. Phillips, Mr. von Reichbauer, Mr. Ferguson, Mr. Constantine, Mr. Dunn, Mr.

Gossett, Ms. Hague and Ms. Patterson

No: 0

Excused: 1 - Ms. Lambert

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

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

Employment Committee Consent Agenda - Items 17-19

17. Hire a Part-Time Legislative Secretary in the Auditor's Office

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

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

18. Operating Budget Committee Lead Staff

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

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

19. Committee Assistant Assignments

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

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

First Reading and Referral of Ordinances

20. **Proposed Ordinance No. 2006-0280**

Mr. Ferguson

AN ORDINANCE authorizing the issuance and sale of junior lien multi-modal sewer revenue bonds in the principal amount of \$50,000,000 to provide funds for constructing improvements to the sewer system of the county; providing the date, form, terms, maturity, and method of determining interest rates of such bonds; providing the covenants and conditions under which such bonds will be issued; appointing a remarketing agent; authorizing certain agreements to provide bond insurance and liquidity support for the bonds; and providing for the sale of the bonds to Citigroup Global Markets Inc.

Introduced and Referred to Capital Budget Committee

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21. **Proposed Ordinance No. 2006-0281** **Mr. Ferguson**
AN ORDINANCE authorizing the issuance and sale of junior lien multi-modal sewer revenue bonds in the principal amount of \$50,000,000 to provide funds for constructing improvements to the sewer system of the county; providing the date, form, terms, maturity, and method of determining interest rates of such bonds; providing the covenants and conditions under which such bonds will be issued; appointing a remarketing agent; authorizing certain agreements to provide bond insurance and liquidity support for the bonds; and providing for the sale of the bonds to Goldman, Sachs & Co.
Introduced and Referred to Capital Budget Committee
22. **Proposed Ordinance No. 2006-0287** **Ms. Hague**
AN ORDINANCE authorizing the executive to enter into an agreement with the Cross Valley Water District regarding mitigation for the Brightwater project.
Introduced and Referred to Growth Management and Natural Resources Committee
23. **Proposed Ordinance No. 2006-0292** **Mr. Gossett and Mr. Phillips**
AN ORDINANCE authorizing a process that provides the opportunity for eligible employees to convert accrued vacation or accumulated compensatory hours, or both, to cash to benefit nonprofit organizations participating in the King County employee charitable campaign; and adding a new section to K.C.C. chapter 3.12.
Introduced and Referred to Labor, Operations and Technology Committee
24. **Proposed Ordinance No. 2006-0293** **Mr. Constantine and Ms. Hague**
AN ORDINANCE relating to river and floodplain management, adopting the 2006 King County Flood Hazard Management Plan as a functional plan of the King County Comprehensive Plan; and amending Ordinance 11112, Section 1, and K.C.C. 20.12.480.
Introduced and Referred to Growth Management and Natural Resources Committee
25. **Proposed Ordinance No. 2006-0294** **Mr. Phillips**
AN ORDINANCE authorizing a subdivision on certain property located south of South 288th Street, between 43rd Place South and 51st Avenue South, at the request of Paul Houvener, department of development and environmental services file no. L04P0019.
Introduced and Referred to Hearing Examiner
26. **Proposed Ordinance No. 2006-0295** **Mr. Phillips**
AN ORDINANCE authorizing a subdivision on certain property located south of SE 188th Street, west of 124th Avenue South, at the request of Marvin Wehrman, department of development and environmental services file no. L04P0027.
Introduced and Referred to Hearing Examiner

27. **Proposed Ordinance No. 2006-0296** **Mr. Phillips**
AN ORDINANCE authorizing a subdivision on certain property located north of SE 165th Way, between SE 166th Terrace, the gas pipeline and BPA easements at the request of Sierra Homes Inc., department of development and environmental services file no. L04ALT04
Introduced and Referred to Hearing Examiner
28. **Proposed Ordinance No. 2006-0297** **Ms. Lambert**
AN ORDINANCE relating to the annexation of approximately 106.58 acres of land into Fire District 38, known as Snoqualmie Hills, for the purpose of providing fire suppression and emergency medical services.
Introduced and Referred to Growth Management and Natural Resources Committee
29. **Proposed Ordinance No. 2006-0298** **Mr. Dunn**
AN ORDINANCE relating to on-line access to electronic information containing unique personal data, prohibiting on-line access to deeds of trust filed for record with the King County records, elections and licensing services division, or its predecessor, before January 1, 1995; making technical corrections; amending Ordinance 12550, Section 1, and K.C.C. 2.14.010 and adding a new section to K.C.C. chapter 2.14.
Introduced and Referred to Labor, Operations and Technology Committee
30. **Proposed Ordinance No. 2006-0299** **Mr. Ferguson**
AN ORDINANCE authorizing the county executive to enter into an interlocal agreement with the cities of Bellevue, Kirkland, Issaquah, Mercer Island and Redmond allowing the sheriff's office to participate in the joint Eastside Narcotics Task Force.
Introduced and Referred to Law, Justice and Human Services Committee
31. **Proposed Ordinance No. 2006-0304** **Mr. Dunn**
AN ORDINANCE establishing the date for an election to determine whether an area known as Fairwood shall be incorporated as a non-charter code city.
Introduced and Referred to Growth Management and Natural Resources Committee
32. **Proposed Ordinance No. 2006-0305** **Mr. Constantine, Ms. Hague and Mr. Phillips**
AN ORDINANCE relating to protecting lives and property by controlling flooding in King County; declaring the intention of the King County council to create a countywide flood control zone district and to dissolve existing flood control zone districts within the county as required by state law.
Introduced and Referred to Growth Management and Natural Resources Committee
33. **Proposed Ordinance No. 2006-0309** **Mr. Constantine and Mr. Phillips**
AN ORDINANCE relating to extending the waiver for public benefit rating system and timberlands application fees; and amending Ordinance 1076, Section 4, as amended, and K.C.C. 20.36.040.
Introduced and Referred to Growth Management and Natural Resources Committee

