



King County

**Metropolitan King County Council
Budget and Fiscal Management Committee**

Agenda Item No.: 14
Proposed No.: 2011-0399

Date: November 1, 2011
Prepared By: Nick Wagner

STAFF REPORT

SUBJECT

Amendment of the county code to permit county officials and staff to solicit and accept gifts, bequests, and donations in support of the King County Healthcare Coalition, which is a network of health care organizations committed to emergency preparedness and response.

SUMMARY

Proposed Ordinance 2011-0399 (pp. 5-16 of these materials) would authorize county officials and staff to solicit and accept gifts, bequests, and donations in support of the King County Healthcare Coalition and would create a first tier fund—the Public Health Healthcare Coalition fund—to receive those amounts, with all interest earnings to be credited back to the subfund. The fund would be a subfund of the Public Health Fund, and the fund manager would be the Department of Public Health.

BACKGROUND

The King County Healthcare Coalition (Healthcare Coalition) is a network of health care organizations committed to emergency preparedness and response. Administered by Public Health – Seattle & King County and led by an Executive Council made up of health care executive representatives, the Healthcare Coalition and its more than 300 participating organizations prepare for emergencies through a unified network that is committed to serving the community during any kind of natural or man-made disaster. (Transmittal letter, p. 31 of these materials)

The Healthcare Coalition was originally funded with seed money from the King County Council through a one-time 2005 appropriation related to medical surge preparedness for pandemic flu planning. Since that time, the Healthcare Coalition has been funded solely with federal preparedness grant dollars, which are steadily declining. The Healthcare Coalition's Executive Council and Public Health anticipated this decline in grant dollars and conducted an evaluation of the Healthcare Coalition with key stakeholders and participants. There was tremendous support for the work of the

Coalition and a desire to ensure that the Coalition be a more sustainable organization and not be solely reliant on federal grant dollars. (Transmittal letter, pp. 31-32 of these materials)

To support this goal, the proposed ordinance would authorize key Public Health and King County personnel to solicit and accept gifts, bequests, and donations for the King County Healthcare Coalition. To help support this effort, and because some healthcare organizations and local businesses will only give money to an IRS-designated non-profit organization (commonly referred to as a 501(c)(3)), Public Health, with support from the Healthcare Coalition Executive Council, intends to partner with the Foundation for Health Care Quality, a 501(c)(3), as an additional means to receive money with Public Health providing administration of the program. This foundation will grant the donations to Public Health to administer the Healthcare Coalition. (Transmittal letter, p. 32 of these materials)

ANALYSIS

Proposed Ordinance 2011-0399 (pp. 5-16 of these materials) would:

1. Authorize the following to solicit and accept gifts, bequests, and donations in support of the King County Healthcare Coalition (subject to any applicable limitations in the county ethics code):
 - a. County Executive;
 - b. Director of Public Health;
 - c. Preparedness Manager;
 - d. Healthcare Coalition Program Manager;
 - e. Communications Manager;
 - f. Councilmembers; and
 - g. Staff “who report directly to those officers or officials and who do so at those officers’ or officials’ direction”;
2. Require the Director of Public Health to “ensure that expenditures from the gift, bequest or donation are consistent with the terms, if any, requested by the grantor”;
3. Create an exemption in KCC Chapter 2.80 (“Gift, Bequests and Donations to County”) for gifts, bequests, and donations made “for healthcare coalition purposes.”¹
4. Create a first-tier fund with the title “Public Health Healthcare Coalition,” with the Department of Public Health designated as the fund manager, as a subfund in the Public Health Fund, “with all interest earnings to be credited back to the subfund.”

¹ Currently, there are exemptions from Chapter 2.80 for (1) “animal care and control purposes” (KCC 2.80.53), (2) the “citizen councilor network” (KCC 2.80.55), and (3) “parks and recreation purposes” (KCC 2.80.60).”

AMENDMENT

Striking Amendment S1 (pp. 17-27 of these materials) would:

1. Clarify the reference to the Employee Code of Ethics (KCC Chapter 3.04)²;
2. Re-structure the code provision that would be amended by Section 4 of the proposed ordinance, to conform to a new template for such provisions, without changing the substance; and
3. Make several other technical, non-substantive changes, such as correction of typographical errors.

FISCAL IMPACT

There is no fiscal impact. See Fiscal Note (p. 29 of these materials).

ATTACHMENTS

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4. Transmittal Letter.....	31

² The striking amendment would change “Consistent with” to “Subject to” in line 29 of the proposed ordinance (see p. 6 of these materials), to make clear that KCC Chapter 3.04 (the Employee of Code of Ethics) may contain applicable requirements in addition to those contained in Section 1 of the proposed ordinance. As noted in the Effect statement, no change in the substantive meaning is intended by this change. Further, the term "consistent with" as used in KCC 7.08.070(A) and 11.02.060 and the term "subject to" in this ordinance are intended to have the same meaning.

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KING COUNTY
Signature Report

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

October 21, 2011

Ordinance

Proposed No. 2011-0399.1

Sponsors Patterson

1 AN ORDINANCE relating to soliciting and accepting gifts,
2 bequests and donations for the King County healthcare
3 coalition; amending Ordinance 12076, Section 9, as
4 amended, and K.C.C. 4.08.015, Ordinance 12525, Section
5 7, and K.C.C. 4.08.300, adding a new section to chapter
6 K.C.C. 2.16 and adding a new section to K.C.C. chapter
7 2.80.

8 **STATEMENT OF FACTS:**

- 9 1. The King County healthcare coalition is a network of healthcare
10 organizations committed to emergency preparedness and response. It has
11 more than three hundred participating organizations which prepare for
12 emergencies through collaborative planning, training and exercises. The
13 department of public health administers the healthcare coalition.
- 14 2. The healthcare coalition was originally funded with seed money
15 through a one-time appropriation in 2005 related to medical surge
16 preparedness for pandemic flu planning. Since then, the healthcare
17 coalition has been funded solely with federal preparedness grant funds,
18 which are steadily declining.

19 3. Healthcare organizations that participate in the healthcare coalition and
20 the department of public health have developed options for sustaining
21 funding for the healthcare coalition, including donations by organizations
22 that participate in the healthcare coalition and other local businesses.

23 4. Options for a donations program include a partnership with a 501(c)(3)
24 organization that would accept donations and provide a grant to King
25 County in support of the work of the healthcare coalition.

26 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

27 NEW SECTION. SECTION 1. There is hereby added to the K.C.C. chapter 2.16
28 a new section to read as follows:

29 A. Consistent with K.C.C. chapter 3.04, the executive, the director of the
30 department of executive services, the director of the department of public health, the
31 preparedness manager, the healthcare coalition program manager, the communications
32 manager, councilmembers, and staff who report directly to those officers or officials and
33 who do so at those officers' or officials' direction, may solicit from the general public
34 and business communities and all other persons, gifts, bequests and donations in support
35 of the healthcare coalition. These persons also may accept from the general public and
36 business communities and all other persons, gifts, bequests and donations to the county in
37 support of the work of the healthcare coalition.

38 B. Once the gift, bequest or donation is accepted, the director of the department
39 of public health shall ensure that expenditures from the gift, bequest or donation are
40 consistent with the terms, if any, requested by the grantor.

41 NEW SECTION. SECTION 2. There is hereby added to K.C.C. chapter 2.80 a
42 new section to read as follows:

43 This chapter does not apply to gifts, bequests or donations received for healthcare
44 coalition purposes.

45 SECTION 3. Ordinance 12076, Section 9, as amended, and K.C.C. 4.08.015 are
46 hereby amended to read as follows:

47 A. First tier funds and fund managers are as follows:

Fund No.	Fund Title	Fund Manager
103	County Road	Dept. of Transportation
104	Solid Waste Landfill Post Closure Maintenance	Dept. of Natural Resources and Parks
106	Veterans' Relief	Dept. of Community and Human Services
109	Recorder's O & M	Dept. of Executive Services
111	Enhanced-911 Emergency Tel System	Dept. of Executive Services
112	Mental Health	Dept. of Community and Human Services
113-5	Mental Illness and Drug Dependency	Dept. of Community and Human Services
114-1	Veterans' Services Levy	Dept. of Community and Human Services
114-2	Health and Human Services Levy	Dept. of Community and

		Human Services
115	Road Improvement Guaranty	Dept. of Transportation
117	Arts and Cultural Development	Dept. of Executive Services
119	Emergency Medical Services	Dept. of Public Health
121	Surface Water Management	Dept. of Natural Resources and Parks
122	Automated Fingerprint Identification System	Dept. of Public Safety
124	Citizen Councilor Revolving	Auditor
128	Local Hazardous Waste	Dept. of Public Health
129	Youth Sports Facilities Grant	Dept. of Natural Resources and Parks
131	Noxious weed control fund	Dept. of Natural Resources and Parks
134	Development and Environmental Services	Dept. of Development and Environmental Services
137	Clark Contract Administration	Office of Performance, Strategy and Budget
138	Parks Trust and Contribution	Dept. of Natural Resources and Parks
139	Risk Abatement	Office of Performance, Strategy and Budget

145	Parks and Recreation	Dept. of Natural Resources and Parks
156-1	KC Flood Control Operating Contract	Dept. of Natural Resources and Parks
164	Two-Tenths Sales Tax Revenue Receiving	Dept. of Transportation
165	Public Transit Self Insurance	Dept. of Transportation
<u>180-1</u>	<u>Public Health Healthcare Coalition</u>	<u>Dept. of Public Health</u>
215	Grants tier 1 fund	Dept. of Executive Services
216	Cultural Resource Mitigation Fund	Office of Performance, Strategy and Budget
309	Neighborhood Parks and Open Space	Dept. of Executive Services
312	HMC Long Range CIP	Dept. of Executive Services
315	Conservation Futures	Dept. of Natural Resources and Parks
316	Parks, Rec. and Open Space	Dept. of Executive Services
320	Public Art Fund	Dept. of Executive Services
322	Housing Opportunity Acquisition	Dept. of Community and Human Services
327	Equipment and Building Acquisition	Dept. of Executive Services
329	SWM CIP Construction 1992-1997	Dept. of Natural Resources and Parks
331	Long-Term Leases	Dept. of Executive Services

334	Capital Acqn and County Fac Renovation	Office of Performance, Strategy and Budget
335	Youth Services Facilities Construction	Dept. of Executive Services
338	Airport Construction	Dept. of Transportation
339	Working Forest 1995 B	Dept. of Natural Resources and Parks
340	Park Lands Acquisition 1993	Dept. of Natural Resources and Parks
340-3	Urban Reforestation and Habitat Restoration	Dept. of Natural Resources and Parks
341	Arts and Historic Preservation Capital	Dept. of Executive Services
342	Major Maintenance Reserve	Dept. of Executive Services
343	Core GIS Capital Project	Dept. of Information Technology
346	Regional Justice Center Construction	Dept. of Executive Services
347	Emergency Communications System	Dept. of Executive Services
349	Parks Facilities Rehabilitation	Dept. of Executive Services
350	Open Space Acquisition	Dept. of Natural Resources and Parks
357-1	KC Flood Control Capital Contract	Dept. of Natural Resources and Parks
358	Parks Capital Fund	Dept. of Natural Resources

		and Parks
364-3	Transit Cross-Border Lease Financing Fund	Dept. of Executive Services
368	Real Estate Excise Tax Capital Summary Fund	Dept. of Executive Services
369	Transfer of Development Credits Program (TDC) Fund	Dept. of Natural Resources Parks
377-1	KCIT Capital Fund	Dept. of Information Technology
378	KCIT Enterprise Services Capital Improvement Fund	Dept. of Information Technology
381	Solid Waste Cap Equip Recovery	Dept. of Natural Resources and Parks
383	Solid Waste Environmental Reserve	Dept. of Natural Resources and Parks
384	Farmland and Open Space Acquisition	Dept. of Natural Resources and Parks
385	Renton Maintenance Fac. Const	Dept. of Transportation
386	County Road Construction	Dept. of Transportation
390	Solid Waste Construction	Dept. of Natural Resources and Parks
391	Landfill Reserve	Dept. of Natural Resources and Parks

394	Kingdome CIP	Dept. of Executive Services
395	Building Capital Improvement	Dept. of Executive Services
396	HMC Building Repair and Replacement	Dept. of Executive Services
404	Solid Waste Operating	Dept. of Natural Resources and Parks
429	Airport Operating	Dept. of Transportation
453-1	Institutional Network Operating Fund	Dept. of Information Technology
461	Water Quality	Dept. of Natural Resources and Parks
464	Public Transportation	Dept. of Transportation
542	Safety and Workers' Compensation	Dept. of Executive Services
544	Wastewater Equipment Rental and Revolving Fund	Dept. of Transportation
546	Department of Executive Service Equipment Replacement	Dept. of Information Technology
547	KCIT Strategy and Performance Operating Fund	Dept. of Information Technology
550	Employee Benefits Program	Dept. of Executive Services
551	Facilities Management	Dept. of Executive Services
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557	Public Works Equipment Rental	Dept. of Transportation

558	Motor Pool Equipment Rental	Dept. of Transportation
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694	Employee Charitable Campaign Contributions	Dept. of Executive Services
696	Mitigation Payment System	Dept. of Transportation
840	Limited GO Bond Redemption	Dept. of Executive Services
843	DMS Limited GO Bonds	Dept. of Executive Services
851	Stadium GO Bond Redemption	Dept. of Executive Services
890	ULID Assessment - 1981	Dept. of Transportation
1010	Climate Exchange Fund	Office of Performance, Strategy and Budget
1411	Rainy Day Reserve	Office of Performance, Strategy and Budget
1421	Children and Families Services	Dept. of Community and

		Human Services
1432	Animal Bequest Fund	Dept. of Executive Services
1471	Historical Preservation and Historical Programs Fund	Dept. of Executive Services
1590	Marine Division Operating Fund	Dept. of Transportation
3590	Marine Division Capital Fund	Dept. of Transportation
5490	Business Resource Center Fund	Dept. of Executive Services

48 B. The following shall also be first tier funds:

49 1. All funds now or hereafter established by ordinance for capital construction
50 through specific road improvement districts, utility local improvement districts or local
51 improvement districts. The director of the department of transportation shall be the fund
52 manager for transportation-related funds. The director of the department of natural
53 resources and parks shall be the fund manager for utility-related funds.

54 2. All county funds that receive original proceeds of borrowings made under
55 Chapter 216, Washington Laws of 1982, as now existing or hereafter amended, to the
56 extent of the amounts then outstanding for the borrowings for that fund. For purposes of
57 this subsection, the director of the county department or office primarily responsible for
58 expenditures from that fund shall be the fund manager.

59 3. Any other fund as the council may hereinafter prescribe by ordinance to be
60 invested for its own benefit. County funds shall be treated as provided in K.C.C.
61 4.10.110 unless a designation is made by the council.

62 SECTION 4. Ordinance 12525, Section 7, and K.C.C. 4.08.300 are hereby
63 amended to read as follows:

64 There is hereby created a ((P))public ((H))health ((F))fund into which shall be
65 deposited revenues from all sources budgeted for the department of public health and
66 from which shall be paid all expenditures and disbursements for the department, except to
67 the extent revenues, expenditures and disbursements for the department are otherwise
68 provided for by ordinance. Gifts, bequests or donations for healthcare coalition purposes
69 shall be deposited in a subfund in the public health fund with all interest earnings to be
70 credited back to the subfund.

71

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Larry Gossett, Chair

ATTEST:

Anne Noris, Clerk of the Council

APPROVED this ____ day of _____, _____.

Dow Constantine, County Executive

Attachments: None



Oct. 21, 2011

PAO/br/nw

Sponsor: Patterson

Proposed No.: 2011-0399

1 **STRIKING AMENDMENT TO PROPOSED ORDINANCE 2011-0399, VERSION**

2 **1**

3 On page 1, beginning on line 8, strike everything through page 11, line 70, and insert:

4 "STATEMENT OF FACTS:

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6 organizations committed to emergency preparedness and response. It has
7 more than three hundred participating organizations which prepare for
8 emergencies through collaborative planning, training and exercises. The
9 department of public health administers the healthcare coalition.

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11 through a one-time appropriation in 2005 related to medical surge
12 preparedness for pandemic flu planning. Since then, the healthcare
13 coalition has been funded solely with federal preparedness grant funds,
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16 the department of public health have developed options for sustaining

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21 County in support of the work of the healthcare coalition.

22 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

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26 of executive services, the director of the department of public health, the preparedness
27 manager, the healthcare coalition program manager, the communications manager,
28 councilmembers and staff who report directly to those officers or officials and who do so
29 at those officers' or officials' direction, may solicit from the general public and business
30 communities and all other persons, gifts, bequests and donations in support of the
31 healthcare coalition. Those persons also may accept from the general public and business
32 communities and all other persons, gifts, bequests and donations to the county in support
33 of the work of the healthcare coalition.

34 B. Once the gift, bequest or donation is accepted, the director of the department
35 of public health shall ensure that expenditures from the gift, bequest or donation are
36 consistent with the terms, if any, requested by the grantor.

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44 B. The following shall also be first tier funds:

45 1. All funds now or hereafter established by ordinance for capital construction
46 through specific road improvement districts, utility local improvement districts or local
47 improvement districts. The director of the department of transportation shall be the fund
48 manager for transportation-related funds. The director of the department of natural
49 resources and parks shall be the fund manager for utility-related funds.

50 2. All county funds that receive original proceeds of borrowings made under
51 Chapter 216, Washington Laws of 1982, as now existing or hereafter amended, to the
52 extent of the amounts then outstanding for the borrowings for that fund. For purposes of
53 this subsection, the director of the county department or office primarily responsible for
54 expenditures from that fund shall be the fund manager.

55 3. Any other fund as the council may hereinafter prescribe by ordinance to be
56 invested for its own benefit. County funds shall be treated as provided in K.C.C.
57 4.10.110 unless a designation is made by the council.

58 SECTION 4. Ordinance 12525, Section 7, and K.C.C. 4.08.300 are hereby
59 amended to read as follows:

60 A. There is hereby created ~~((a)) the ((P))public ((H))health ((F))fund ((into which~~
61 ~~shall be deposited revenues from all sources budgeted for the department of public health~~
62 ~~and from which shall be paid all expenditures and disbursements for the department,~~
63 ~~except to the extent revenues, expenditures and disbursements for the department are~~
64 ~~otherwise provided for by ordinance)).~~

65 B. The fund shall be a second tier fund as described in this chapter, except that
66 gifts, bequests or donations for healthcare coalition purposes shall be deposited in a

67 subfund in the public health fund, which shall be a first tier fund as described in this
68 chapter.

69 C. The department of public health shall be the manager of the fund.

70 D. All revenues from all sources budgeted for the department of public health
71 shall be deposited in the fund.

72 E. All expenditures and disbursements for the department of public health, except
73 to the extent revenues, expenditures and disbursements for the department of public
74 health are otherwise provided for by ordinance, shall be paid from the fund."

75 **EFFECT: The amendment would:**

76 **1. Change "Consistent with" to "Subject to" in line 29 of the proposed**
77 **ordinance, to make clear that KCC Chapter 3.04 (the Employee of Code of**
78 **Ethics) may contain applicable requirements in addition to those contained**
79 **in Section 1 of the proposed ordinance. No change in the substantive meaning**
80 **is intended by this change. Further, the term "consistent with" as used in**
81 **KCC 7.08.070(A) and 11.02.060 and the term "subject to" in this ordinance**
82 **are intended to have the same meaning.**

83 **2. Re-structure the code provision that would be amended by Section 4 of the**
84 **proposed ordinance, to conform to a new template for such provisions,**
85 **without changing the substance.**

86 **3. Make several other technical, non-substantive changes, such as correction of**
87 **typographical errors.**

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FISCAL NOTE

Ordinance/Motion No. 2011_XXX
 Title: Donation Ordinance_HealthCare Coalition
 Affected Agency and/or Agencies: DPH
 Note Prepared By: Cindy West
 Note Reviewed By: Michael Mar

Impact of the above legislation on the fiscal affairs of King County is estimated to be: \$0

Revenue to:

Fund/Agency	Fund Code	Revenue Source	Current Year	1st Year	2nd Year	3rd Year
DPH	1800	Grant Income	\$0	\$0	\$0	\$0
		TOTAL	\$0	\$0	\$0	\$0

Expenditures from:

Fund/Agency	Fund Code	Department Source	Current Year	1st Year	2nd Year	3rd Year
			\$0	\$0	\$0	\$0
		TOTAL	\$0	\$0	\$0	\$0

Expenditures by Categories

Fund Code	Department Source	Current Year	1st Year	2nd Year	3rd Year
		\$0	\$0	\$0	\$0
	TOTAL	\$0	\$0	\$0	\$0

Assumptions:

(1) It is assumed that the majority, if not all, revenue received in support of the HealthCare Coalition via this ordinance will be transmitted to DPH via the 501(C) (3) referenced in the legislation. Since revenue received by way of the 501 (C)(3) will be in the form of grant(s), the projected revenue will have been already considered in the annual DPH budget. Accordingly, the net fiscal impact to the budget is zero.

[blank page]

September 26, 2011

The Honorable Larry Gossett
Chair, King County Council
Room 1200
C O U R T H O U S E

Dear Councilmember Gossett:

I am pleased to transmit an ordinance that would authorize key Public Health and King County staff to solicit and accept gifts, bequests, and donations for the King County Healthcare Coalition.

The King County Healthcare Coalition (Healthcare Coalition) is a network of healthcare organizations committed to emergency preparedness and response. Administered by Public Health – Seattle & King County and led by an Executive Council made up of healthcare executive representatives, the Healthcare Coalition and its more than 300 participating organizations prepare for emergencies through a unified network that is committed to serving the community during any kind of natural or man-made disaster.

Since 2005, the Healthcare Coalition has developed regional evacuation plans for hospitals and nursing homes, memoranda of agreement among in-home services, palliative care, and opioid treatment providers - the first of its kind in the United States. They deliver and facilitate over 20 trainings and exercises each year on topics such as business resiliency, evacuation, mass fatalities, antiviral dispensing, communications, resource exchange, and pediatrics. They host over 50 meetings and workshops each year to build the relationships and plans needed to coordinate an effective healthcare response. The Healthcare Coalition is where our healthcare community comes together to make sure that a regional system is in place to respond when disaster strikes.

The Healthcare Coalition was originally funded with seed money from the King County Council through a one-time 2005 appropriation related to medical surge preparedness for pandemic flu planning. Since that time, the Healthcare Coalition has been funded solely with federal preparedness grant dollars, which are steadily declining. The Healthcare Coalition's

Executive Council and Public Health anticipated this decline in grant dollars and conducted an evaluation of the Healthcare Coalition with key stakeholders and participants. There was tremendous support for the work of the Coalition and a desire to ensure that the Coalition be a more sustainable organization and not be solely reliant on federal grant dollars.

To support this goal, the enclosed ordinance would authorize key Public Health and King County personnel to solicit and accept gifts, bequests and donations for the King County Healthcare Coalition. To help support this effort, and because some healthcare organizations and local businesses will only give money to an IRS-designated non-profit organization (commonly referred to as a 501(c)(3)), Public Health, with support from the Healthcare Coalition Executive Council, will partner with the Foundation for Health Care Quality, a 501(c)(3), as an additional means to receive money with Public Health providing administration of the program. This foundation will grant the donations to Public Health to administer the Healthcare Coalition.

I am very excited about the healthcare community's willingness to financially support the Healthcare Coalition, thereby ensuring that our region is better positioned to respond and recover from a disaster. If you have any questions, please contact Dr. David Fleming, Director of Public Health-Seattle and King County, at 206-263-8695.

I recommend that the Council approve this ordinance.

Sincerely,

Dow Constantine
King County Executive

Enclosures

cc: King County Councilmembers
ATTN: Cindy Domingo, Acting Chief of Staff
Mark Melroy, Senior Principal Legislative Analyst, BFM Committee
Anne Noris, Clerk of the Council
Dwight Dively, Director, Office of Performance, Strategy and Budget
Carrie Cihak, Director of Policy and Strategic Initiatives, King County Executive Office
Caroline Whalen, County Administrative Officer, Department of Executive Services
David Fleming, MD, Director and Health Officer, Public Health—Seattle & King County