



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**December 11, 2012**

**Ordinance 17504**

**Proposed No. 2012-0455.2**

**Sponsors Gossett**

1 AN ORDINANCE relating to ethics; amending Ordinance  
2 12014, Section 2, as amended, and K.C.C. 3.04.017,  
3 Ordinance 1308, Section 3, as amended, and K.C.C.  
4 3.04.020, Ordinance 12014, Section 3, as amended, and  
5 K.C.C. 3.04.030, Ordinance 6144, Section 2, as amended,  
6 and K.C.C. 3.04.035, Ordinance 9704, Section 8, as  
7 amended, and K.C.C. 3.04.037, Ordinance 1308, Section 5,  
8 as amended, and K.C.C. 3.04.040, Ordinance 1308, Section  
9 6, as amended, and K.C.C. 3.04.050, Ordinance 9704,  
10 Section 9, as amended, and K.C.C. 3.04.055, Ordinance  
11 9704, Section 10, as amended, and K.C.C. 3.04.057,  
12 Ordinance 1308, Section 7, as amended, and K.C.C.  
13 3.04.060, Ordinance 1321, Section 2, as amended, and  
14 K.C.C. 3.04.080, Ordinance 1321, Section 3, and K.C.C.  
15 3.04.090, Ordinance 1321, Section 4, and K.C.C. 3.04.100,  
16 Ordinance 12138, Section 4, as amended, and K.C.C.  
17 3.04.120 and Ordinance 9704, Section 13, as amended, and  
18 K.C.C. 3.04.130 and repealing Ordinance 1321, Section 5,  
19 as amended, and K.C.C. 3.04.110.

20 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

21 SECTION 1. Ordinance 12014, Section 2, as amended, and K.C.C. 3.04.017 are  
22 each hereby amended to read as follows:

23 ~~((For the purposes of this chapter, all words shall have their ordinary and usual~~  
24 ~~meanings except those defined in this section which shall have, in addition, the following~~  
25 ~~meanings. In the event of conflict, the specific definitions set forth in this section shall~~  
26 ~~presumptively, but not conclusively, prevail.)) The definitions in this section apply  
27 throughout this chapter unless the context clearly requires otherwise.~~

28 A. "Accomplice" means ~~((a person))~~ an individual who with knowledge that an  
29 action will promote or facilitate the commission of a crime or violation of an ordinance:

30 1. Solicits, commands, encourages or requests another ~~((person))~~ individual to  
31 commit the crime or violation; or

32 2. Aids or agrees to aid another ~~((person))~~ individual in planning or committing  
33 the crime or violation.

34 B. "Close relative" means spouse, domestic partner, parent, child, child of  
35 domestic partner, sibling, aunt, uncle, niece, nephew, grandparent, grandchild, father-in-  
36 law, mother-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law or relatives  
37 of a domestic partner who would be included in this subsection if the employee and the  
38 domestic partner were married.

39 C. "Compensation" means anything of economic value~~((, however designated,~~  
40 ~~which))~~ that is paid, granted or transferred, or is to be paid, granted or transferred for, or  
41 in consideration of, personal services to any person.

42           ~~((C:))~~ D. "County action" means any action on the part of the county, including,  
43 but not limited to:

44           1. Any decision, determination, finding, ruling or order; and

45           2. Any grant, payment, award, license, contract, transaction, sanction or

46 approval, or the denial thereof or the failure to act with respect thereto. "County action"

47 shall not include actions of the county's judicial branch but shall include employees of the

48 department of judicial administration.

49           ~~((D:))~~ E. "County employee" or "employee" means any individual who is

50 appointed as an employee by the appointing authority of a county agency, office,

51 department, council, board, commission or other separate unit or division of county

52 government, however designated, but does not include employees of the county's judicial

53 branch. "County employee" also includes county elected officials and members of

54 county boards, commissions, committees or other multimember bodies, but does not

55 include officials or employees of the county's judicial branch but does include employees

56 of the department of judicial administration.

57           ~~((E:))~~ F. "De minimis personal use" means: personal use that is brief and

58 infrequent, incurs negligible or no additional cost to the county and does not interfere

59 with the conduct of county business.

60           G. "Department" means:

61           1. In the executive branch, an executive department or administrative office that  
62 reports to the executive or the county administrative officer, as applicable;

63           2. The department of assessments;

64           3. The ~~((office of the))~~ prosecuting attorney's office;

65 4. In the legislative branch, the council together with any subordinate legislative  
66 branch agency;

67 5. The department of judicial administration;

68 6. The department of public safety; ~~((and))~~

69 7. The office of economic and financial analysis; and

70 8. The department of elections.

71 ~~((F-))~~ H. "Doing business with the county" or "transactions with the county"  
72 means to participate in any proceeding, application, submission, request for ruling or  
73 other determination, contract, claim, case or other such a particular matter that the county  
74 employee or former county employee in question believes, or has reason to believe:

75 1. Is, or will be, the subject of county action;

76 2. Is one to which the county is or will be a party; or

77 3. Is one in which the county has a direct and substantial proprietary interest.

78 ~~((G-))~~ I. "Gift or thing of value" or "gift or other thing of value" means anything  
79 of economic value or tangible worth that is not compensation. ~~((-but))~~ It shall not  
80 include: campaign contributions regulated by chapter 42.17A RCW~~((;))~~or the charter and  
81 ordinances implementing ~~((them;))~~it; informational materials exclusively for official or  
82 office use~~((;))~~; memorials, trophies and plaques of no commercial value~~((;))~~; gifts of  
83 ~~((twenty))~~ fifty dollars or less for bona fide, nonrecurring, ceremonial occasions; ~~((or))~~  
84 any gifts ~~((which))~~ that are not used and ~~((which))~~ that, within thirty days after receipt,  
85 are returned to the donor, or donated to a charitable organization without seeking a tax  
86 deduction; or promotional benefits that an employee receives from a travel service

---

87 provider in connection with official travel if obtained under the same conditions as those  
88 offered to the general public at no additional cost to the county.

89 ~~((H.))~~ J. "Immediate family" means a county employee's spouse, domestic  
90 partner, employee's child or the child of an employee's spouse or domestic partner, and  
91 other dependent relatives if living in his or her household.

92 ~~((I.))~~ K. "Ombudsman" means the director of the office of citizen complaints  
93 established under Section 260 of the King County Charter and K.C.C. chapter 2.52, or his  
94 or her designee.

95 ~~((J.))~~ L. "Participate" means, in connection with a transaction involving the  
96 county, to be involved in a county action personally and substantially as a county  
97 employee either directly, or through others through approval, disapproval, decision,  
98 recommendation, the rendering of advice, investigation or otherwise. However, for the  
99 purposes of K.C.C. 3.04.035, "participate" does not include the provision of legal advice  
100 or other activities involving the practice of law and does not include, as an elected  
101 official, preparation, consideration or enactment of legislation or the performance of  
102 legislative duties.

103 ~~((K.))~~ M. "Person" means any individual, partnership, association, corporation,  
104 firm, institution or other entity, whether or not operated for profit. The term does not  
105 include governmental units of ~~((the state of Washington))~~ or within the United States  
106 ~~((unless so specified)).~~

107 ~~((L.))~~ N. "Respondent" means the ~~((person))~~ individual against whom a  
108 complaint is filed or an investigation is conducted.

109           ~~((M.))~~ O. "Retaliatory action" means any action by a supervisor or other  
110 employee that is intended to embarrass or to harass any ~~((person))~~ individual as a result  
111 of the ~~((person))~~ individual having filed a written complaint with the office of citizen  
112 complaints or having raised privately or publicly any concern or question regarding an  
113 actual or apparent violation of this chapter.

114           ~~((N. "Thing of value" means anything of tangible worth which is not  
115 compensation or a gift.))~~

116           P. "Substantial financial interest" means a financial interest in a person that  
117 exceeds one-tenth of one percent of the outstanding securities of the person, or, if the  
118 interest is in an unincorporated business concern, exceeds one percent of the net worth of  
119 the concern; or a financial interest that exceeds five percent of the net worth of the  
120 employee and the employee's immediate family.

121           SECTION 2. Ordinance 1308, Section 3, as amended, and K.C.C. 3.04.020 are  
122 each hereby amended to read as follows:

123           A. No county employee shall request, use or permit the use of county-owned  
124 vehicles, equipment, materials or other property or the expenditure of county funds for  
125 personal convenience or profit. Use or expenditure is to be restricted to such services as  
126 are available to the public generally or for such employee in the conduct of official  
127 business. However, de minimis personal use of county-owned property by county  
128 employees may be authorized by policies of the executive, council or other elected  
129 county officials.

130           B. No county employee shall grant any special consideration, treatment or  
131 advantage beyond that which is available to every other citizen.

132 C. Except as authorized by law and in the course of his or her official duties, no  
133 county employee shall use the power or authority of his or her office or position with the  
134 county in a manner intended to induce or coerce any other person, directly or indirectly,  
135 to provide ~~((such))~~ the county employee or any other person with any compensation,  
136 gift~~((;))~~ or ~~((other))~~ thing of value ~~((directly or indirectly))~~.

137 D. No county employee ~~((may ask for))~~ shall seek or receive, directly or  
138 indirectly, any compensation, gift~~((;))~~ or thing of value, or promise thereof, for  
139 performing or for omitting or deferring the performance of any official duty, or action by  
140 the county other than the compensation, costs or fees provided by law.

141 E. County employees are encouraged to participate in the political process on  
142 their own time and outside of the workplace by ~~((working on))~~ assisting a campaign~~((s))~~  
143 for the election of any ~~((person))~~ individual to any office or for the promotion of or  
144 opposition to any ballot proposition, but shall not use or authorize the use of the facilities  
145 of King County for such purposes except as authorized by ~~((the provisions of))~~ RCW  
146 ~~((42.17.130))~~ 42.17A.555.

147 F. No county employee shall disclose or use for the personal benefit of the  
148 employee or his or her immediate family any information acquired in the course of  
149 official duties that is not available as a matter of public knowledge or public record.

150 G. No county employee shall engage in retaliatory action.

151 SECTION 3. Ordinance 12014, Section 3, as amended, and K.C.C. 3.04.030 are  
152 each hereby amended to read as follows:

153 A. No county employee shall engage in any act ~~((which))~~ that is in conflict with  
154 the performance of official duties.

---

155           B. A county employee shall be deemed to have a conflict of interest if the  
156 employee directly or indirectly:

157           1. Receives or has any financial interest in any purchase, sale or lease to or by  
158 the county of any service or property when ~~((such))~~ the financial interest was received or  
159 obtained with the prior knowledge that the county intended to purchase, sell or lease such  
160 property or service;

161           2. Is beneficially interested or has a substantial financial interest in, ~~((directly or~~  
162 ~~indirectly,))~~ or accepts any compensation, gift or thing of value from any other person  
163 beneficially interested in, any contract, sale, lease, option or purchase that may be made  
164 by, through~~((;))~~ or under the supervision of the employee, in whole or in part~~((, or~~  
165 ~~accepts, directly or indirectly, any compensation, gift or thing of value from any other~~  
166 ~~person beneficially interested therein))~~);

167           3. Accepts or seeks for others, ~~((directly or indirectly,))~~ any employment, travel  
168 expense, service, information, compensation, gift or thing of value on more favorable  
169 terms than those granted to other county employees or the public generally, from any  
170 person~~((;))~~ doing business, or seeking to do business, with the county for which the  
171 employee has responsibility or with regard to which he or she may participate, provided  
172 that this subsection shall not apply to the receipt by elected officials, or by employees  
173 who are supervised directly by an elected official, of meals, refreshments or  
174 transportation within the boundaries of the county when given in connection with  
175 meetings with constituents or meetings ~~((which))~~ that are informational or ceremonial in  
176 nature;



177           4. Accepts~~((, directly or indirectly,))~~ any ~~((gift,))~~ favor, loan, retainer,  
178 entertainment, travel expense, compensation, gift or other thing of value from any person  
179 doing business or seeking to do business with the county when such an acceptance may  
180 conflict with the performance of the employee's official duties. A conflict shall be  
181 deemed to exist where a reasonable and prudent ~~((person))~~ individual would believe that  
182 ~~((the gift, compensation, thing of value, or more favorable terms,))~~ it was given for the  
183 purpose of obtaining special consideration or to influence county action. The financing  
184 of ~~((the conduct of))~~ county election campaigns shall continue to be governed by chapter  
185 42.17A RCW and the provisions of the charter and ordinances implementing it;

186           5. Participates in, influences or attempts to influence, ~~((directly or indirectly,))~~  
187 the selection of, or the conduct of business or a transaction with a person doing or  
188 seeking to do business with the county if the employee has a substantial financial interest  
189 in or with said person;

190           6. Discusses or accepts an offer of future employment with any person doing or  
191 seeking to do business with the county if either:

192           a. the employee knows or has reason to believe that the offer of employment  
193 was or is intended, in whole or in part, ~~((directly or indirectly,))~~ as compensation or  
194 reward for the performance or nonperformance of a duty by the employee during the  
195 course of county employment or to influence county action pertaining to the business; or

196           b. the employee has responsibility for a matter upon which the person is doing  
197 or seeking to do business with the county, unless the employee has ~~((first disclosed in~~  
198 ~~writing to his or her appointing authority that the employee intends to discuss future~~  
199 ~~employment with a specific person and the appointing authority has designated, in a~~

200 ~~memorandum filed with the board of ethics and a copy of which is maintained by the~~  
201 ~~appointing authority, a method of providing for an alternative decision maker with regard~~  
202 ~~to matters involving such person for which the employee otherwise would have~~  
203 ~~responsibility)) given notice in accordance with K.C.C. 3.04.037 and a method of~~  
204 ~~providing for an alternative decision maker for the matter has been designated by the~~  
205 ~~employee's appointing authority in a memorandum filed with the board of ethics, a copy~~  
206 ~~of which is maintained by the appointing authority;~~

207         7. Within one year of entering county employment (~~awards a county contract~~  
208 ~~or~~);

209             a. participates in a county action benefiting a person that formerly employed  
210 ~~((him or her, provided)) the employee, except that participation ((other than contract~~  
211 ~~award)) may be authorized in a memorandum by the appointing authority following~~  
212 ~~written disclosure by the affected employee and ((that such)) the authorization shall be~~  
213 ~~filed with the board of ethics and a copy maintained by the appointing authority; or~~

214             b. awards a county contract benefitting a person that formerly employed the  
215 employee;

216         8. Is an employee, agent, officer, partner, director or consultant, of any person  
217 doing or seeking to do business with the county, unless such relationship has been  
218 disclosed as provided by this chapter;

219         9.~~(a-)~~ Engages in or accepts compensation, employment or renders services for  
220 any person or a governmental entity other than the county when such employment or  
221 service is incompatible with the proper discharge of official duties or would impair  
222 independence of judgment or action in the performance of official duties. ~~((In addition,~~

---

223 ~~the following employees must obtain the prior written consent of their highest ranking~~  
224 ~~supervisor authorizing either new or continued employment, or the acceptance of any~~  
225 ~~compensation or any thing of value for services performed outside King County~~  
226 ~~government:~~

227 ~~(1) the county administrative officer, the chief officer of each executive~~  
228 ~~department or administrative office as defined by the provisions of the charter, the~~  
229 ~~manager of each division of such department or office, and all ((persons))individuals who~~  
230 ~~report directly to ((such individuals))them;~~

231 ~~(2) all nonelected council employees, provided that the personal staff of each~~  
232 ~~individual councilmember shall obtain such consent from such councilmember;~~

233 ~~(3) all nonelected employees of the prosecuting attorney;~~

234 ~~(4) all nonelected employees of the department of judicial administration;~~

235 ~~(5) all nonelected employees of the department of assessments; and~~

236 ~~(6) the chief economist of the office of economic and financial analysis.~~

237 ~~b. If such employment or service is deemed by the highest ranking supervisor~~  
238 ~~to pose a conflict of interest, the employee immediately shall divest such employment~~  
239 ~~and failure to do so shall be grounds for dismissal));~~

240 10. Enters into a business relationship outside county government;

241 a. with any other employee for whom he or she has any supervisory  
242 responsibility, or

243 ~~((11. Enters into a business relationship outside county government))~~

244 b. with any person with regard to a matter for which the employee has  
245 responsibility as a county employee;

246           ~~((12. Appears on behalf of a person before any regulatory governmental agency,~~  
247 ~~or represents a person in any action or proceeding against the interest of the county in any~~  
248 ~~litigation to which the county is a party, unless the employee has a personal interest in the~~  
249 ~~litigation and this personal interest has been disclosed to the regulatory governmental~~  
250 ~~agency or adjudicating individual or body. A county council member may appear before~~  
251 ~~regulatory governmental agencies on behalf of constituents in the course of his or her~~  
252 ~~duties as a representative of the electorate or in the performance of public or civic~~  
253 ~~obligations; however, no official or employee shall accept a retainer or compensation, or~~  
254 ~~any gift or thing of value that is contingent upon a specific action by a county agency;~~

255           ~~13. Directly or indirectly))~~ 11. ((~~p~~)) Possesses a substantial ((~~or controlling~~))  
256 financial interest in any person which does or seeks to do business with the county,  
257 without disclosing such interest as provided by this chapter((~~—A substantial interest is an~~  
258 ~~interest that exceeds one-tenth of one percent of the outstanding securities of the person;~~  
259 ~~or, if the interest is in an unincorporated business concern, exceeds one percent of the net~~  
260 ~~worth of such concern; or the financial interest of a person exceeds five percent of the net~~  
261 ~~worth of the employee and his or her immediate family));~~

262           ~~((14. As a county council member has a financial or other private interest in any~~  
263 ~~legislation or other matter coming before the council, and fails to disclose such an interest~~  
264 ~~on the records of the county council. This provision shall not apply if the county council~~  
265 ~~member disqualifies himself or herself from voting by stating the nature and extent of~~  
266 ~~such interest. Any other employee who has a financial or other private interest, and~~  
267 ~~who participates in an action or proposed action of the county council and fails to~~

268 ~~disclose on the records of the county council the nature and extent of such interest, shall~~  
269 ~~be deemed in violation of this chapter;~~

270 ~~15.a. Has an interest in any property being considered for revaluation by the~~  
271 ~~county board of appeals and equalization or has a personal interest or connection with~~  
272 ~~another person's petition for revaluation while:~~

273 ~~(1) an elected county official;~~

274 ~~(2) the executive's administrative assistants and office manager;~~

275 ~~(3) county councilmembers' executive secretaries;~~

276 ~~(4) county administrative officer, the county administrative officer's~~  
277 ~~administrative assistants and the county administrative officer's confidential secretary;~~

278 ~~(5) chief officer of each executive department, the chief officer's~~  
279 ~~administrative assistants and confidential secretary;~~

280 ~~(6) chief officer of each administrative office, the chief officer's~~  
281 ~~administrative assistants and the chief officer's confidential secretary;~~

282 ~~(7) council administrator, the council administrator's administrative assistants~~  
283 ~~and the council administrator's secretary;~~

284 ~~(8) the ombudsman and the ombudsman's staff;~~

285 ~~(9) an employee of the department of assessments;~~

286 ~~(10) an employee assigned to either the board of equalization or the board of~~  
287 ~~appeals, or both; and~~

288 ~~(11) any other county employee who has direct contact with the board of~~  
289 ~~appeals and equalization in the carrying out of his or her duties;~~

290           ~~(12) a member of either the county board of appeals or the board of~~  
291 ~~equalization, or both; and~~

292           ~~(13) clerk of the council and his or her secretaries.~~

293           ~~b. All persons listed in subsection A.15.a.(1). through (13). of this section, who~~  
294 ~~wish to appeal to the county board of equalization on a matter of property revaluation~~  
295 ~~shall be governed by the procedure in K.C.C. 3.04.040;~~

296           ~~16.))~~ 12. As an appointive member of a board or commission, has a close  
297 relative serving on the same board or commission(~~(. For the purposes of this subsection,~~  
298 ~~close relative is defined as:~~

299 ~~Husband~~ \_\_\_\_\_ ~~Wife~~

300 ~~Father~~ \_\_\_\_\_ ~~Father in law~~

301 ~~Mother~~ \_\_\_\_\_ ~~Mother in law~~

302 ~~Brother~~ \_\_\_\_\_ ~~Brother in law~~

303 ~~Sister~~ \_\_\_\_\_ ~~Sister in law~~

304 ~~Son in law~~ \_\_\_\_\_ ~~Daughter in law~~

305 ~~Niece~~ \_\_\_\_\_ ~~Nephew~~

306 ~~Grandparent~~ \_\_\_\_\_ ~~Grandchild~~

307 ~~Uncle~~ \_\_\_\_\_ ~~Aunt~~

308 ~~Child~~ \_\_\_\_\_ ~~Child of domestic partner~~

309 ~~Domestic partner~~ \_\_\_\_\_

310 ~~In addition, the relatives of a domestic partner shall be considered close relatives to the~~  
311 ~~same extent such relatives would be included in this subsection if the employee and the~~  
312 ~~domestic partner were married;~~

313           ~~17. Discloses or uses for the personal benefit of the employee or his or her~~  
314 ~~immediate family any information acquired in the course of official duties which is not~~  
315 ~~available as a matter of public knowledge or public record)); or~~

316           ~~((18.))~~ 13. Acts as an accomplice in any act by an immediate family member  
317 which, if ~~((such))~~ the act were performed by the employee, would be prohibited by ~~((1,~~  
318 ~~2., 3., 4., 5., 6., 7., 8., 10., 11., 13., 14., 15. or 17. of))~~ this subsection. However, it shall  
319 not be a conflict of interest for ~~((such))~~ the family member to enter into a bona fide  
320 contract of employment ~~((which))~~ that is not intended to influence the action of the  
321 county employee.

322           ~~((B. Subsection of A.2., 5., and 14. of this section is not violated by the~~  
323 ~~possession by an employee of a financial interest in a person or other entity which is not a~~  
324 ~~substantial interest as defined by subsection A.13. of this section.))~~

325           C.1. The following employees must obtain the prior written consent of their  
326 highest ranking supervisor authorizing new or continued employment outside King  
327 County government, or authorizing the acceptance of any compensation or any thing of  
328 value for services performed outside King County government:

329           a. the county administrative officer, the chief officer of each executive  
330 department or administrative office as defined by the charter, the manager of each  
331 division of the department or office and all individuals who report directly to them;

332           b. all nonelected council employees, except that the personal staff of each  
333 individual councilmember shall obtain the consent from the councilmember;

334           c. all nonelected employees of the prosecuting attorney;

335           d. all nonelected employees of the department of judicial administration;

336 e. all nonelected employees of the department of assessments; and

337 f. the chief economist of the office of economic and financial analysis.

338 2. If the employment or service is deemed by the highest-ranking supervisor to  
339 pose a conflict of interest, the employee immediately shall divest the employment and  
340 failure to do so shall be grounds for dismissal.

341 D. A county employee shall be deemed to have a conflict of interest if the  
342 employee appears on behalf of a person before any regulatory governmental agency, or  
343 represents a person in any action or proceeding against the interest of the county in any  
344 litigation to which the county is a party, unless the employee has a personal interest in the  
345 litigation and this personal interest has been disclosed to the regulatory governmental  
346 agency or adjudicating individual or body. A county councilmember may appear before  
347 regulatory governmental agencies on behalf of constituents in the course of the  
348 councilmember's duties as a representative of the electorate or in the performance of  
349 public or civic obligations; however, no official or employee shall accept a retainer or  
350 compensation, or any gift or thing of value that is contingent upon a specific action by a  
351 county agency.

352 E.1. A county councilmember shall be deemed to have a conflict of interest if the  
353 councilmember, directly or indirectly, has a substantial financial or other private interest  
354 in any legislation or other matter coming before the council, and fails to disclose the  
355 interest on the records of the county council. This subsection shall not apply if the  
356 county councilmember disqualifies himself or herself from voting by stating the nature  
357 and extent of such an interest.



358           2. Any other employee who is not a county councilmember, who, directly or  
359 indirectly, has a substantial financial or other private interest in, and who participates in,  
360 an action or proposed action of the county council and fails to disclose on the records of  
361 the county council the nature and extent of the interest, shall be deemed in violation of  
362 this chapter.

363           F.1. A county employee shall be deemed to have a conflict of interest if the  
364 employee, directly or indirectly, has an interest in any property being considered for  
365 reevaluation by the county board of appeals and equalization or has a personal interest or  
366 connection with another person's petition for reevaluation while the employee is:

367           a. an elected county official;

368           b. the executive's administrative assistant or office manager;

369           c. a county councilmember's executive secretary;

370           d. the county administrative officer, the county administrative officer's  
371 administrative assistants or the county administrative officer's confidential secretary;

372           e. the chief officer of an executive department, the chief officer's  
373 administrative assistant or the chief officer's confidential secretary;

374           f. the chief officer of an administrative office, the chief officer's administrative  
375 assistants or the chief officer's confidential secretary;

376           g. the council administrator, the council administrator's administrative assistant  
377 or the council administrator's secretary;

378           h. the ombudsman or the ombudsman's staff;

379           i. an employee of the department of assessments;

380 j. an employee assigned to either the board of equalization or the board of  
381 appeals, or both;

382 k. any other county employee who has direct contact with the board of appeals  
383 and equalization in the carrying out of his or her duties;

384 l. a member of either the county board of appeals or the board of equalization,  
385 or both; or

386 m. The clerk of the council or the clerk's secretary.

387 2. All individuals listed in this subsection who wish to appeal to the county  
388 board of equalization on a matter of property revaluation shall be governed by the  
389 procedure in K.C.C. 3.04.040.

390 SECTION 4. Ordinance 6144, Section 2, as amended, and K.C.C. 3.04.035 are  
391 each hereby amended to read as follows:

392 A. For one year after terminating service to the county, a former member of a  
393 county board, commission, committee or other multimember body may not appear before  
394 that board, commission, committee or other multimember body, or receive compensation  
395 for any services rendered on behalf of or for assistance to any person, in relation to any  
396 county action in which the former member participated during the period of his or her  
397 service. This prohibition also applies during the same period of time to any person (~~who~~  
398 ~~is a partner, associate or member of a partnership, association, corporation, firm,~~  
399 ~~institution or other entity, whether or not operated for profit, in)) with which the former  
400 member has a financial or beneficial interest. However, this prohibition does not apply if  
401 the former member's financial or beneficial interest in any entity listed in this subsection~~

402 is limited to investments and does not include managerial or other influential authority,  
403 including holding controlling interest in any class((es)) of stock.

404 B. For one year after leaving county employment, a former county employee may  
405 not have a financial or beneficial interest in a contract or grant that was planned,  
406 authorized or funded by a county action in which the former county employee  
407 participated during county employment.

408 C. For one year after leaving county employment, a former county employee may  
409 not assist a person, whether or not for compensation, in any county action in which the  
410 former county employee participated during county employment. This subsection does  
411 not prohibit a former county employee from rendering assistance to county employees in  
412 the course of ((~~employee organization~~)) union or guild business.

413 D. For one year after leaving county employment, a former employee must  
414 disclose his or her past county employment before participation in any county action.  
415 The disclosure shall be made in writing to the department considering or taking the  
416 county action on which the former employee is or would be participating.

417 E. A former county employee may not, for the personal benefit of the former  
418 employee or a member of the former employee's immediate family, disclose or use any  
419 privileged or proprietary information gained by reason of the former employee's county  
420 employment unless the information is a matter of public knowledge or is available to the  
421 public on request.

422 F. A former county employee may not assist any person for compensation on  
423 matters in which the former employee is personally prohibited from participating.

424 G. It is not a violation of this chapter for a former county employee to render  
425 assistance to a person if the assistance is provided without compensation in any form and  
426 is limited to one or more of the following:

427 1. Providing names, work addresses and work telephone numbers of county  
428 agencies or county employees, to the extent the information is available as a matter of  
429 public record under state law;

430 2. Providing free transportation to another for the purpose of conducting  
431 business with a county agency;

432 3. Assisting oneself or another person in obtaining or completing forms required  
433 by a county agency for the conduct of a county business;

434 4. Providing assistance to the poor or infirm; or

435 5. Engaging in conduct that is authorized or protected by the constitutions or  
436 laws of Washington state or the United States.

437 H.1. This section does not prohibit a former county employee from accepting  
438 future employment with the county at any time, including employment with his or her  
439 former department.

440 2. Except as otherwise provided in this section, a former county employee is not  
441 prohibited from appearing before the county or seeking a county action on his or her own  
442 behalf to the same extent other persons may appear before or seek actions by the county.

443 I. Except as otherwise limited by this chapter, a former county employee may  
444 contract with the county, or participate in a contract with the county, to provide materials,  
445 equipment, supplies or services. However, any such a contract must comply with  
446 applicable requirements and procedures related to procurement.

447            SECTION 5. Ordinance 9704, Section 8, as amended, and K.C.C. 3.04.037 are  
448 each hereby amended to read as follows:

449            Any employee who becomes aware that he or she ~~((may))~~ might have a potential  
450 conflict of interest ~~((which))~~ that arises in the course of his or her official duties shall  
451 notify in writing his or her supervisor or appointing authority of ~~((such))~~ the potential  
452 conflict.

453            Upon receipt of such a notification, the supervisor or appointing authority shall  
454 take action to resolve the potential conflict of interest~~((including))~~ within a reasonable  
455 time, which may include, but is not limited to, designating ~~((within a reasonable time))~~ an  
456 alternative employee to perform the duty ~~((which))~~ that is involved in the potential  
457 conflict. The supervisor or appointing authority shall document the disposition of the  
458 potential conflict ~~((shall be stated))~~ in writing in files maintained by the ~~((supervisor or~~  
459 ~~official))~~ appointing authority. The supervisor or ~~((official))~~ appointing authority may  
460 request an advisory opinion from the board of ethics before disposing of ~~((such))~~ the  
461 potential conflict.

462            SECTION 6. Ordinance 1308, Section 5, as amended, and K.C.C. 3.04.040 are  
463 each hereby amended to read as follows:

464            All persons deemed to have a conflict of interest, in accordance with K.C.C.  
465 3.04.030.~~((A.))~~F., and wishing to appeal to the county board of equalization shall be  
466 governed by the following procedure;

467            The appeal shall be automatically denied by the county board of equalization  
468 without hearing and a minute entry shall be made. The petitioner may then take action to

469 appeal the decision of the county board of equalization to the ~~((S))~~state Board of Appeals  
470 in accordance with RCW 84.08.130.

471 However, the ~~((B))~~board of ~~((E))~~equalization may grant a change of venue to a  
472 ~~((B))~~board of ~~((E))~~equalization of another county, as provided in K.C.C. Title 2, in lieu of  
473 automatic denial, when:

474 A. A quorum cannot be achieved due to members of the board disqualifying  
475 themselves because of conflicts of interest or the appearance of fairness doctrine; or

476 B. When equalization is the basis for an appeal by a member of the board,  
477 assistants to the board, or any member of the county governmental authority or his or her  
478 own property or on property in which that person has an interest.

479 SECTION 7. Ordinance 1308, Section 6, as amended, and K.C.C. 3.04.050 are  
480 each hereby amended to read as follows:

481 A. All ~~((candidates for county elective office, and))~~ nominees for appointment to  
482 any county elective office except for judicial candidates, within two weeks of becoming a  
483 ~~((candidate or))~~ nominee, and all elected officials who are defined as county employees  
484 under K.C.C. 3.04.017, paid in whole or in part by county funds, shall file with the board  
485 of ethics a statement of financial and other interests as ~~((defined))~~ prescribed in  
486 subsection D. of this section. ~~((These))~~ This requirement~~((s))~~ may be satisfied by filing  
487 with the board of ethics a signed copy of the report required to be filed by RCW  
488 ~~((42.17.240, if this report contains an original signature of the person filing the report.~~  
489 ~~The board of ethics shall forward a copy of such statements, reports and forms to the~~  
490 ~~elections division, or its successor agency, within ten days of their receipt))~~ 42.17A.700.

491           B.1. Within ~~((ten days))~~ two weeks of employment or appointment and on or  
492 before April 15 of each year thereafter, the following employees shall file a ~~((written))~~  
493 statement of financial and other interests, as ~~((defined))~~ prescribed in subsection D. of  
494 this section, with the board of ethics: all elected county officials; all employees  
495 appointed by the county executive; all employees appointed by the county administrative  
496 officer or department directors and who are subject to the approval of the county  
497 executive; all employees of the council; all employees of the office of economic and  
498 financial analysis; and such additional employees as may be determined by the board of  
499 ethics in accordance with criteria adopted by the board of ethics under subsection C. of  
500 this section. Statements of financial and other interests that are to be filed within two  
501 weeks of employment or appointment shall report on information for the preceding  
502 twelve calendar months. Annual statements of financial and other interests shall report  
503 on information for the preceding calendar year.

504           2. Within two weeks of becoming a nominee for appointment to county boards  
505 and commissions, the nominee shall file with the board of ethics a ~~((written))~~ statement  
506 of financial and other interests, as ~~((defined))~~ prescribed in subsection D. of this section,  
507 ~~((with the board of ethics))~~ reporting on information for the preceding twelve calendar  
508 months.

509           C. The board of ethics shall adopt by rule criteria for determining which  
510 employees, in addition to those designated in subsection B. of this section, are required to  
511 complete and file statements of financial and other interests. The criteria must consider  
512 the association between the duties and responsibilities of employees and the conflict of  
513 interest provisions in K.C.C. 3.04.030.

514 D.~~((1.))~~ The statement of financial and other interests required to be filed under  
515 this section must include the following information of which the employee has, or  
516 reasonably should have, knowledge for the reporting ~~((year))~~ period:

517 1.a. ~~((compensation, gifts and things of value:~~  
518 ~~((1)))~~ the name of each person engaged in a transaction~~((, as defined by K.C.C.~~  
519 ~~3.04.017.F,))~~ with ~~((King County in which the employee may participate or has~~  
520 ~~responsibility for, from whom the employee or a member of the employee's immediate~~  
521 ~~family received any compensation, gift or thing of value))~~ the county in which the  
522 employee may participate or has responsibility for, where the employee or a member of  
523 the employee's immediate family received any compensation, gift or thing of value,  
524 possessed a financial interest or held a position with the person; ~~((and))~~

525 ~~((2)))~~ b. the name of the individual who received the compensation, gift or  
526 thing of value from, possessed the financial interest in, or held a position with the person  
527 engaged in the transaction with the county, and the individual's relationship to the  
528 employee; and

529 ~~((b. financial interests:~~  
530 ~~(1) the name of each person engaged in a transaction, as defined by K.C.C.~~  
531 ~~3.04.017.F, with King County in which the employee may participate or has~~  
532 ~~responsibility for, in whom the employee or a member of the employee's immediate~~  
533 ~~family possessed a financial interest; and~~

534 ~~(2) the name of the individual who possessed the financial interest and the~~  
535 ~~individual's relationship to the employee;~~

536 ~~e. positions:~~



537 ~~(1) the name of each person engaged in a transaction, as defined by K.C.C.~~  
538 ~~3.04.017.F, with King County in which the employee may participate or has~~  
539 ~~responsibility for, with whom the employee or a member of the employee's immediate~~  
540 ~~family held a position;~~

541 ~~(2) the name of the individual who held the position and the individual's~~  
542 ~~relationship to the employee; and~~

543 ~~(3)) c. the title of the position; and~~

544 ~~d. real property:~~

545 ~~(4)) 2.a. real property, listed by street address, assessor parcel number or~~  
546 ~~legal description that was ((either)) involved in or the subject of an action by ((King)) the~~  
547 ~~((C))ounty)), in which the employee or a member of the employee's immediate family~~  
548 ~~possessed a financial interest, except that property for which the only county action was~~  
549 ~~valuation for tax purposes does not have to be reported except by those employees of the~~  
550 ~~department of assessments and the board of appeals who are required to file a report~~  
551 ~~related to the valuation;~~

552 ~~((2)) b. the name of the individual who possessed the financial interest and~~  
553 ~~the individual's relationship to the employee; and~~

554 ~~((3)) c. the name of the King County department involved in the transaction.~~

555 ~~((2. Property for which the only county action was valuation for tax purposes~~  
556 ~~does not have to be reported except by those employees of the department of assessments~~  
557 ~~and the board of appeals who are required to file a report.)) d. The use the individual~~  
558 ~~made of the real property, such as recreation, personal residence or income, does not have~~  
559 ~~to be reported.~~

560 E. ~~((For purposes of the statements of financial and other interests required to be~~  
561 ~~filed annually, the "reporting year" means the preceding calendar year. For purposes of~~  
562 ~~the statements of financial and other interests to be filed within ((ten days))two weeks of~~  
563 ~~employment or appointment, the "reporting year" means the preceding twelve calendar~~  
564 ~~months.~~

565 F. ~~An individual filing a statement of financial affairs in accordance with~~  
566 ~~subsections A. and B. of this section shall execute a written declaration that:~~

567 1. ~~Recites that the statement is declared by the person to be true, complete and~~  
568 ~~correct under penalty of perjury;~~

569 2. ~~Is signed by the person;~~

570 3. ~~States the date and place of the declaration's execution; and~~

571 4. ~~States that the declaration is so declared under the laws of the state of~~  
572 ~~Washington.~~

573 G.) The statement of financial and other interests must be signed with location of  
574 signing, dated and declared to be complete, true and correct under penalty of perjury of  
575 the laws of the state of Washington.

576 F. The financing of election campaigns shall continue to be governed by other  
577 applicable local, state and federal laws, and not by the provisions of this chapter.

578 ((H.)) G. Filing of the ((written)) statement of financial and other interests((, as  
579 defined in this section,)) does not relieve the employee of the duty to notify his or her  
580 supervisor of a potential conflict of interest as required by K.C.C. 3.04.037.

581 ((I.)) H. The board may adopt rules and regulations by which affected employees  
582 may request suspension or modification of the requirements to disclose financial and

583 other interests set forth in this section if the literal application of the requirements would  
584 cause a manifestly unreasonable hardship and the suspension or modification would not  
585 frustrate the purposes of this chapter.

586 ~~((I-))~~ I. The board of ethics may adopt necessary and appropriate rules,  
587 regulations and forms related to completing, filing, maintaining and disclosing statements  
588 of financial and other interests under this section. The board~~((, if adopting the rules,~~  
589 ~~regulations and forms,)) shall ~~((adopt them as provided in))~~ follow the requirements of  
590 K.C.C. chapter 2.98 for rule making.~~

591 SECTION 8. Ordinance 9704, Section 9, as amended, and K.C.C. 3.04.055 are  
592 each hereby amended to read as follows:

593 A. It shall be the responsibility of the ombudsman to investigate and report  
594 apparent criminal violations of this chapter to the appropriate law enforcement authorities  
595 and to enforce this ordinance according to the powers granted herein. The ombudsman is  
596 expressly authorized to serve as an enforcement officer for this chapter and to impose the  
597 civil penalties authorized in K.C.C. 3.04.060.

598 B.1. Complaints alleging a violation of this chapter shall be filed with the  
599 ombudsman.

600 2. The complaint shall describe the basis for the complainant's belief that this  
601 chapter has been violated. Any such a complaint shall be in writing, ~~((verified and))~~  
602 signed by the complainant with location of signing, dated and declared to be true and  
603 correct to the best of the complainant's knowledge under penalty of perjury of the laws of  
604 the state of Washington. The complainant may state in writing whether the complainant  
605 wishes his or her name not to be disclosed in accordance with RCW 42.56.240(2). ~~((The~~

606 complaint shall describe the basis for the complainant's belief that this chapter has been  
607 violated.))

608 3. Any complaint filed under this chapter must be filed within five years from  
609 the date of the violation. However, if it is shown that the violation was not discovered  
610 because of concealment by the person charged, then the complaint must be filed within  
611 two years from the date the violation was discovered or reasonably should have been  
612 discovered.

613 C. Upon receipt of a complaint meeting the requirements of subsection B. of this  
614 section, and upon a determination that the alleged conduct could constitute a violation of  
615 this chapter, the ombudsman shall cause to be served or mailed, by certified mail, return  
616 receipt requested, a copy of the complaint to the person alleged to have violated this  
617 chapter within twenty days after the filing of said complaint, and shall promptly make an  
618 investigation thereof. If the ombudsman determines that the complaint does not meet the  
619 requirements of subsection B. or C. of this section, the ombudsman shall inform the  
620 complainant in writing of that determination and the reason.

621 D. ~~((The))~~ An investigation by the ombudsman under this chapter shall be  
622 directed to ascertain the facts concerning the alleged violation or violations of this  
623 chapter ~~((alleged in the complaint))~~ and shall be conducted in an objective and impartial  
624 manner~~((and in))~~. In furtherance of the investigation the ombudsman is authorized to  
625 use the subpoena power to compel sworn testimony from any person, and to require the  
626 production of any records relevant or material to the investigation except information  
627 ~~((which))~~ that is legally privileged or otherwise required by law not to be disclosed.

628 E. During the investigation, the ombudsman shall consider any statement of  
629 position or evidence with respect to the allegations of the complaint (~~(which)~~) that the  
630 complainant or respondent(~~(s)~~) wishes to submit.

631 F. The results of the investigation shall be reduced to written findings of fact and  
632 the finding shall be made that there either is or is not reasonable cause for believing that  
633 the respondent has violated this chapter.

634 G. If a finding is made that there is no reasonable cause, said finding shall be  
635 served or mailed, by certified mail, return receipt requested, to the complainant and the  
636 respondent, and a copy shall be provided to the board of ethics.

637 H.1. If the finding is made that reasonable cause exists to believe that the  
638 respondent has violated this chapter, the ombudsman shall prepare an order to that effect,  
639 a copy of which shall be served or mailed, by certified mail, return receipt requested, to  
640 the respondent, and the original thereof filed with the board of ethics. The ombudsman  
641 shall provide a copy of the order to the (~~(office of the)~~) prosecuting attorney's office.

642 Such a reasonable cause order shall include:

- 643 a. a finding that one or more violations of the chapter has occurred;
- 644 b. the factual basis for the finding; (~~(and)~~)
- 645 c. any civil penalties; and
- 646 d. a notice informing the respondent that the respondent has the right to request  
647 a hearing before the board of ethics as set forth in K.C.C. 3.04.057.

648 2. In determining civil penalties, the ombudsman may consider any notification  
649 made by the employee under K.C.C. 3.04.037 as a mitigating factor.

650           3. If the respondent does not request an appeal hearing in a timely manner under  
651 K.C.C. 3.04.057, the ombudsman shall provide a copy of the reasonable cause order to  
652 the complainant and the respondent's appointing authority.

653           1.1. At any stage in the investigation, the respondent may agree to an early  
654 resolution agreement in lieu of a finding of reasonable cause by the ombudsman.

655           2. An early resolution agreement may not be appealed.

656           3. The agreement shall be in writing and signed by the ombudsman and the  
657 respondent.

658           4. The respondent shall acknowledge in the agreement that an ethical violation  
659 has occurred and that the agreement may not be appealed. The respondent may include a  
660 statement explaining circumstances surrounding the ethical violation.

661           5. The agreement shall identify the violations of the chapter that occurred, the  
662 factual basis for the violation and any civil penalties.

663           6.a. The early resolution agreement is not effective unless approved by the  
664 board of ethics. If approved by the board of ethics, the board shall send a copy of the  
665 approved early resolution agreement to the ombudsman, who shall forward a copy to the  
666 respondent, the respondent's appointing authority, to the prosecuting attorney's office and  
667 to the complainant.

668           b. If the early resolution agreement is not approved by the board of ethics, the  
669 board shall notify the ombudsman.

670           SECTION 9. Ordinance 9704, Section 10, as amended, and K.C.C. 3.04.057 are  
671 each hereby amended to read as follows:

672 A. Any respondent (~~((aggrieved by))~~) who disagrees with an order of reasonable  
673 cause of the ombudsman may file a written request(~~((in writing))~~), within twenty days of  
674 the service of the order upon the respondent or delivery of the order by certified mail, for  
675 an appeal hearing before the board of ethics. The request shall be filed with the board of  
676 ethics, with a copy provided to the ombudsman. The request shall cite the order appealed  
677 from and specify with particularity the findings being contested(~~((The request shall be~~  
678 ~~filed with the board of ethics, with a copy provided to the ombudsman))~~);

679 B. Any order of reasonable cause issued by the ombudsman pursuant to K.C.C.  
680 3.04.055 shall become final twenty days after service of the order or delivery of the order  
681 by certified mail, unless a timely written request for an appeal hearing is filed as set forth  
682 above(~~((is received by the board of ethics within the twenty-day period))~~);

683 C. If an order of (~~((the ombudsman))~~) reasonable cause has been timely appealed, a  
684 hearing shall be conducted by the board of ethics for the purpose of affirming,  
685 (~~((denying))~~) reversing or modifying the order. The parties to the hearing shall be the  
686 respondent and the ombudsman or his or her designee. There shall be a verbatim record  
687 kept of the hearing and the board of ethics shall have the power to administer oaths and  
688 affirmations, issue subpoenas and compel attendance, take evidence and require the  
689 production of any books, papers, correspondence, memoranda or other records relevant or  
690 material to the hearing. The burden of proving that a violation occurred shall at all times  
691 be upon the ombudsman. The board of ethics's decision shall be based upon a  
692 preponderance of the evidence. Such a hearing shall be conducted within a reasonable  
693 time after receipt of the request for appeal. Written notice of the time and place of the

694 hearing shall be given to the parties at least ten days prior to the hearing date (~~of the~~  
695 ~~hearing to the parties~~));

696 D. At the hearing, each party shall have the following rights:

697 1. To call and examine witnesses on any matter relevant to the issues raised by  
698 the order of the ombudsman or his or her designee;

699 2. To introduce documentary and physical evidence;

700 3. To cross-examine opposing witnesses on any relevant matter;

701 4. To impeach any witness regardless of which party first called the witness to  
702 testify;

703 5. To rebut evidence against him or her; and

704 6. To represent himself or herself or to be represented by anyone of his or her  
705 choice who is lawfully permitted to do so;

706 E. Following review of the evidence submitted, the board shall within a  
707 reasonable time enter written findings and conclusions and shall affirm or modify the  
708 order previously issued if the board finds that one or more violations of this chapter has  
709 occurred. The board shall reverse the order if it finds no violations of this chapter have  
710 occurred. A copy of the board's decision shall be served or mailed, by certified mail,  
711 return receipt requested, to the respondent, and the original thereof retained by the board.  
712 The board shall provide a copy of its decision to the ombudsman, the respondent's  
713 appointing authority, the (~~office of the~~) prosecuting attorney's office and the  
714 complainant.

715 SECTION 10. Ordinance 1308, Section 7, as amended, and K.C.C. 3.04.060 are  
716 each hereby amended to read as follows:



717 A. (~~Criminal Penalties.~~) Any negligent or willful violation of the provisions of  
718 this chapter shall constitute a misdemeanor and upon conviction be punishable by a fine  
719 not to exceed \$1,000 or imprisonment in the county jail not to exceed ninety days; or  
720 both;

721 B. (~~Civil Penalties and Disciplinary Action.~~) 1. Any elected official who  
722 commits a violation of this chapter (~~shall~~) may be subjected to penalties as provided by  
723 RCW 42.12.010 and the King County Charter, and (~~shall~~) may also be subjected to a  
724 civil penalty of an amount not to exceed the lesser of one month of the respondent's  
725 county pay or the amount authorized by law. (~~Any person having an existing contract  
726 with King County or seeking to obtain a contract who willfully attempts to secure  
727 preferential treatment in his/her dealings with the county by offering any valuable  
728 consideration, thing of value or gift, whether in the form of services, loan, thing or  
729 promise, in any form to any county official or employee, shall have his/her current  
730 contracts with the county canceled and shall not be able to bid on any other county  
731 contract for a period of two years.~~)

732 2. An employee of the county who commits a violation of this chapter (~~shall~~)  
733 may be subjected to disciplinary action, up to and including termination from  
734 employment; provided that such disciplinary action is consistent with Career Service  
735 Guidelines and collective bargaining agreements. An employee of the county who  
736 commits a violation of this chapter (~~shall~~)may also be subjected to a civil penalty;  
737 provided that such penalty shall not exceed the lesser of one month of the respondent's  
738 county pay or the amount authorized by law.

739           3. Members of boards and commissions who commit a violation of this chapter  
740 ~~((shall))~~ may be subjected to immediate removal from such appointment.

741           C. Civil and criminal liability under the provisions of this section shall be  
742 imposed on any person who either directly or as an accomplice commits a violation of  
743 this chapter.

744           D. ~~((A county employee who engages in retaliatory action as defined herein shall  
745 be subject to civil and criminal penalties as set forth in this section))~~ Any person having  
746 an existing contract with King County or seeking to obtain a contract who willfully  
747 attempts to secure preferential treatment in his/her dealings with the county by offering  
748 any valuable consideration, gift or thing of value, whether in the form of services, loan,  
749 thing or promise, in any form to any county official or employee, shall have his/her  
750 current contracts with the county canceled and shall not be able to bid on any other  
751 county contract for a period of two years.

752           SECTION 11. Ordinance 1321, Section 2, as amended, and K.C.C. 3.04.080 are  
753 each hereby amended to read as follows:

754           There is created a board of ethics, composed of five members, two to be  
755 appointed by the county executive, two to be appointed by the county executive from a  
756 list of nominees submitted by the county council, and the fifth, who shall be chair(~~man~~),  
757 to be appointed by the county executive from a list of nominees submitted by the other  
758 four members. All appointments are to be confirmed by the county council. The terms  
759 of the board members shall be three years. The first three members shall be appointed for  
760 one, two and three-year terms respectively. The chair(~~man~~) shall have a three-year  
761 term; the other terms are to be determined by lot. A member of the board of ethics may

762 be removed for just cause by a two-thirds vote of the county council, after written charges  
763 have been served on the member and a public hearing has been held by the county  
764 council. The board shall be advisory and shall meet as frequently as it deems necessary.  
765 A majority of the board shall constitute a quorum.

766 SECTION 12. Ordinance 1321, Section 3 and K.C.C. 3.04.090 are each hereby  
767 amended to read as follows:

768 The purpose of the board of ethics shall be to insure proper implementation and  
769 interpretation of the code of ethics ~~((and to investigate and report on conflicts of interest))~~  
770 under this chapter.

771 SECTION 13. Ordinance 1321, Section 4, as amended, and K.C.C. 3.04.100 are  
772 each hereby amended to read as follows:

773 ~~((A.))~~ Whenever requested by a county officer or employee, or whenever it deems  
774 it in the public interest, the board of ethics shall render advisory opinions, in writing,  
775 concerning questions of ethics, conflicts of interest, and the applicability of the code of  
776 ethics. Copies of the opinion shall be delivered to any officer or employee requesting the  
777 opinion, the ombudsman, the county executive and all members of the King County  
778 council. ~~((Such opinion may also be released to the public at the discretion of the board~~  
779 ~~with such omissions as may be necessary to protect the confidence and privacy of county~~  
780 ~~officers or employees. A written copy of the board's opinion shall be delivered to the~~  
781 ~~officer or employee requesting the opinion.~~

782 ~~B. The board shall hear appeals from orders of the ombudsman as provided in~~  
783 ~~this chapter.))~~

784           SECTION 14. Ordinance 1321, Section 5, as amended, and K.C.C. 3.04.110 are  
785 each hereby repealed.

786           SECTION 15. Ordinance 12138, Section 4, as amended, and K.C.C. 3.04.120 are  
787 each hereby amended to read as follows:

788           A.1. Each consultant entering into a contract to provide professional or technical  
789 services to the county costing in excess of the amount specified in K.C.C. 4.16.095 shall  
790 file both with the King County board of ethics and the executive a signed, sworn written  
791 statement disclosing the following information:

792           a. any office or directorship in the consultant held by any county employee or  
793 any member of his or her immediate family;

794           b. any financial interest in the consultant held or received by any county  
795 employee or any member of his or her immediate family as follows:

796           (1) ownership of over five percent of the stock or other form of interest in the  
797 consultant; and

798           (2) receipt of any compensation, gift or thing of value from the consultant;

799           c. a list of all contracts between the consultant and the county in the five years  
800 immediately preceding the presently contemplated contract including the amount of  
801 money paid by the county to the consultant in accordance with to each contract;

802           d. any position or positions on any county board or commission, whether  
803 salaried or unsalaried, held by any officer or director of the consultant in the five years  
804 immediately preceding the presently contemplated contract; and

805           e. any other information known to the consultant about any interest or  
806 relationship whatsoever between any county employee, including any member of his or

807 her immediate family, and the consultant, other than that disclosed in accordance with  
808 subsection A.1.a. through d. of this section.

809 2. Unless otherwise specified in this section, the information disclosed shall  
810 cover the period twenty-four months before and including the date of filing the sworn  
811 statement.

812 3. A consultant filing a King County consultant disclosure form in accordance  
813 with this section shall execute a signed, dated with location of signing, written

814 declaration that((:

815 ~~a. recites that)) the information in the disclosure form is ((~~declared by the~~  
816 ~~consultant to be~~) complete, true((, ~~complete~~)) and correct under penalty of perjury of((:~~

817 ~~b. is signed by the consultant;~~

818 ~~c. states the date and place of the declaration's execution; and~~

819 ~~d. states that the declaration is so declared under)) the laws of the state of~~

820 Washington.

821 B. No payment shall be made on any contract with any consultant until five days  
822 after receipt by the board of ethics and the executive of the information required to be  
823 disclosed by this section.

824 C. For purposes of this section, "consultant" means a person who by experience,  
825 training and education has established a reputation or ability to provide professional or  
826 technical services, as defined in K.C.C. 4.16.010, on a discrete, nonrecurring basis over a  
827 limited and preestablished term as an independent contractor to the county.

828 SECTION 16. Ordinance 9704, Section 13, as amended, and K.C.C. 3.04.130 are  
829 each hereby amended to read as follows:

830           The ombudsman and the board of ethics are each authorized to implement such  
831 forms, administrative processes, and operational procedures as are necessary to comply  
832 with the provisions of this chapter(~~(; provided that a)~~). Any rules governing the conduct  
833 of contested hearings shall be promulgated in compliance with K.C.C. chapter 2.98,  
834 Rules of County Agencies.

835           The executive is directed to prepare, with the assistance of council staff, the office  
836 of the prosecuting attorney, the ombudsman and the board of ethics, information  
837 regarding the provisions of this chapter to be made available to employees and members  
838 of boards and commissions. ~~((†))~~The availability of these materials and of copies of this  
839 chapter shall be described in a summary form, which shall be distributed to all new  
840 county employees ((on or before April 20, 1994 and an acknowledgment of receipt of  
841 such form shall be signed and returned by each employee to the office of human resource  
842 management on or before May 20, 1994. Each new employee)), who shall sign and  
843 return ((such)) the form ((prior to)) within two weeks of commencing work for King  
844 County or at the new employee orientation, whichever is sooner. A summary of the

845 ethics code shall also be distributed to all county employees at least once every two years,

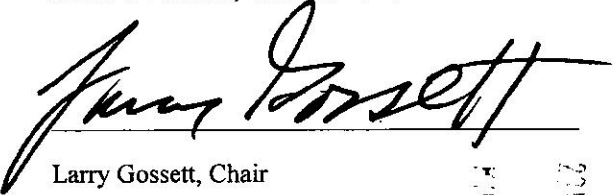
846 and any time there are material changes to this chapter.

847

Ordinance 17504 was introduced on 11/26/2012 and passed by the Metropolitan King County Council on 12/10/2012, by the following vote:

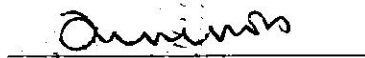
Yes: 8 - Mr. Phillips, Mr. von Reichbauer, Mr. Gossett, Ms. Hague,  
Ms. Patterson, Ms. Lambert, Mr. Dunn and Mr. McDermott  
No: 0  
Excused: 1 - Mr. Ferguson

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON




Larry Gossett, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 14<sup>th</sup> day of December, 2012



Dow Constantine, County Executive

Attachments: None

RECEIVED  
2012 DEC 17 PM 2:43  
CLERK  
KING COUNTY COUNCIL