## REVISED STAFF REPORT

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| **Agenda Item:** | 9 | **Name:** | Mary Bourguignon |
| **Proposed No**.: | 2017-0333 | **Date:** | August 15, 2017 |

**COMMITTEE ACTION**

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| ***Proposed Substitute Motion 2017-0333.2, which would express the Council’s support for a transit function in the Office of the Ombudsman, passed out of committee on August 15, 2017, with a “Do Pass” recommendation. The motion was amended in committee with a friendly amendment to indicate that the Council intends to “explore” development of this function.*** |

**SUBJECT**

Proposed Motion 2017-0333 would express the Council’s support to develop a transit function in the Office of the Ombudsman. It would ask the County Ombudsman to prepare a proposal by September 15, 2017, for implementation by January 2018.

**SUMMARY**

Between January 2012 and July 2017, the King County Office of the Ombudsman received nearly 250 inquiries about Metro Transit,[[1]](#footnote-1) including approximately 20 regarding Access paratransit. Proposed Motion 2017-0333 would express the Council’s support to develop a dedicated transit function in the Office of the Ombusdman to receive and investigate complaints about transit and paratransit operations.

The Proposed Motion would ask the County Ombudsman to present a proposal to implement the transit function by September 15, 2017, for implementation beginning in January 2018. The requested proposal would include a request for any needed increased staff and budget, a timeline for implementation of the new function, and a description of how members of the public, including people with disabilities, would be alerted to the presence of the new function.

**BACKGROUND**

In 2014, the Council established a transit audit function in the King County Auditor’s Office.[[2]](#footnote-2) The implementing ordinance noted that previous performance audits of the Transit Division had identified findings to help increase the efficiency of Metro Transit, and also noted that Metro Transit is one of the largest and most operationally complex organizations within King County government.

Since then, the transit audit function has conducted a number of audits on transit-related issues, most recently issuing audit findings on Metro’s Access paratransit service, which conclude that action is needed to address cost, quality, and equity.[[3]](#footnote-3)

Proposed Motion 2017-0333 would express the Council’s support for developing a similar dedicated transit function in the Office of the Ombudsman. The Proposed Motion would ask the County Ombudsman to present a proposal to implement the transit function by September 15, 2017, for implementation beginning in January 2018. The requested proposal would include a request for any needed increased staff and budget, a timeline for implementation of the new function, and a description of how members of the public, including people with disabilities, would be alerted to the presence of the new function.

**ANALYSIS**

The King County Office of the Ombudsman manages citizen complaints about County government agencies and investigates allegations regarding violations of the Employee Code of Ethics, and reports of improper governmental action and retaliation filed under the Whistleblower Protection Act.[[4]](#footnote-4) The Council Ombudsman notes that the purpose of the King County Office of the Ombudsman is to promote public confidence in County government, and that the office responds to citizen complaints in an impartial and efficient manner, while making recommendations based on the findings of its investigations.

Complaints filed with the Office of the Ombudsman fall into three categories:

* **Information:** Requests for information or advice which may result in referral.
* **Assistance:** Complaints resolved through agency inquiry and fact-finding, facilitation, counseling, or coaching.
* **Investigation:** Complaints that cannot be resolved through assistance. Investigations involve independent evidence collection and analysis, including relevant records, witness testimony, laws, polices, and procedures. The Ombudsman notes that when conducting investigations, Office staff make findings, may develop recommendations, and follow up to ensure appropriate departmental responses.

The Ombudsman notes that, since January 2016, the Office has received more than 30 complaints against Metro Transit. These complaints have included allegations of inadequate or insufficient customer service; lack of rider access; concerns about security personnel; and government wrongdoing.

Table 1 below shows transit-related inquiries for the years 2012 through 2016 (not including employee complaints). The Ombudsman reports that the Office logged 239 inquiries to Metro Transit during 2012-2016, and averaged 2,000 total inquiries annually to the Ombudsman’s Office since 2012.

**Table 1. Ombuds Metro Transit Inquiries, 2012-2016**

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| --- | --- | --- | --- |
|  | **Access** | **Transit General** | **Total** |
| **2012** | 5 | 48 | **53** |
| **2013** | 7 | 29 | **36** |
| **2014** | 4 | 25 | **29** |
| **2015** | 0 | 20 | **20** |
| **2016** | 4 | 18 | **22** |

A detailed summary of transit-related investigations conducted between January 2016 and July 2017 is included as Attachment 2.

1. Approximately 160 inquiries not including employee complaints [↑](#footnote-ref-1)
2. Ordinance 17936 [↑](#footnote-ref-2)
3. http://www.kingcounty.gov/depts/auditor/auditor-reports/all-landing-pgs/2017/paratransit-2017.aspx [↑](#footnote-ref-3)
4. http://www.kingcounty.gov/independent/ombudsman.aspx [↑](#footnote-ref-4)