



KING COUNTY

ATTACHMENT 1

Signature Report

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

November 30, 2017

Ordinance

Proposed No. 2017-0501.1

Sponsors Balducci

1 AN ORDINANCE relating to county reports and making
2 technical corrections; amending Ordinance 13320, Section
3 13, as amended, and K.C.C. 1.07.130, Ordinance 13320,
4 Section 14, as amended, and K.C.C. 1.07.140, Ordinance
5 16679, Section 27, as amended, and K.C.C. 2.12.300,
6 Ordinance 12550, Section 2, as amended, and K.C.C.
7 2.14.020, Ordinance 17706, Section 2, as amended, and
8 K.C.C. 2.15.020, Ordinance 12075, Section 3, as amended,
9 and K.C.C. 2.16.025, Ordinance 14199, Section 11, as
10 amended, and K.C.C. 2.16.035, Ordinance 10563, Section
11 2, as amended, and K.C.C. 2.42.080, Ordinance 6818,
12 Section 10, as amended, and K.C.C. 2.42.090, Ordinance
13 144482, Section 17, and K.C.C. 2.49.160, Ordinance 473,
14 Section 15, as amended, and K.C.C. 2.52.150, Ordinance
15 12022, Section 4, as amended, and K.C.C. 2.59.110,
16 Ordinance 18217, Section 2, and K.C.C. 2A.300.510,
17 Ordinance 174 (part), as amended, and K.C.C. 3.08.110,
18 Ordinance 12014, Section 18, as amended, and K.C.C.
19 3.12.180, Ordinance 12014, Section 29, and K.C.C.

20 3.12.290, Ordinance 12014, Section 50, as amended, and
21 K.C.C. 3.15.020, Ordinance 14233, Section 5, as amended,
22 and K.C.C. 3.15.120, Ordinance 14233, Section 7, as
23 amended, and K.C.C. 3.15.140, Ordinance 12014, Section
24 55, as amended, and K.C.C. 3.16.050, Ordinance 14287,
25 Section 5, and K.C.C. 3.16.055, Ordinance 17909, Section
26 11, and K.C.C. 3.18.080, Ordinance 12045, Section 20, as
27 amended, and K.C.C. 4.56.035, Ordinance 620, Section 4
28 (part), as amended, and K.C.C. 4A.100.100, Ordinance
29 15949, Section 3, as amended, and K.C.C. 4A.500.309,
30 Ordinance 17422, Section 3, and K.C.C. 4A.700.750,
31 Ordinance 14214, Section 6, as amended, and K.C.C.
32 9.14.050, Ordinance 7786, Section 7, as amended, and
33 K.C.C. 10.14.080, Ordinance 7737, Section 2, as amended,
34 and K.C.C. 10.24.020, Ordinance 12809, Section 1, as
35 amended, and K.C.C. 20.14.070, Ordinance 11502, Section
36 19, as amended, and K.C.C. 20.22.310, Ordinance 15051,
37 Section 140, as amended, and K.C.C. 21A.24.061,
38 Ordinance 15051, Section 151, as amended, and K.C.C.
39 21A.24.133, Ordinance 11621, Section 90, as amended,
40 and K.C.C. 21A.28.154, Ordinance 11621, Section 91, and
41 K.C.C. 21A.28.156, Ordinance 11962, Section 11, and
42 K.C.C. 28.94.070, Ordinance 12643, Section 23, as

43 amended, and K.C.C. 28.94.265 and Ordinance 16770,
44 Section 4, and K.C.C. 28.96.220 and repealing Ordinance
45 12671, Section 2, and K.C.C. 2.29.010, Ordinance 15327,
46 Section 5, as amended, and K.C.C. 2.43.025, Ordinance
47 13720, Section 2, and K.C.C. 2.45.010, Ordinance 13720,
48 Section 3, and K.C.C. 2.45.020, Ordinance 13720, Section
49 4, as amended, and K.C.C. 2.45.030, Ordinance 13720,
50 Section 5, and K.C.C. 2.45.040, Ordinance 13720, Section
51 6, and K.C.C. 2.45.050, Ordinance 12468, Section 9, as
52 amended, and K.C.C. 2.84.190, Ordinance 12138, Section
53 23, as amended, and K.C.C. 2.93.200, Ordinance 12014,
54 Section 38, as amended, and K.C.C. 3.13.015, Ordinance
55 12014, Section 39, as amended, and K.C.C. 3.13.020,
56 Ordinance 12014, Section 40, and K.C.C. 3.13.030,
57 Ordinance 12014, Section 41, and K.C.C. 3.13.040,
58 Ordinance 12014, Section 42, and K.C.C. 3.13.045,
59 Ordinance 12014, Section 43, and K.C.C. 3.13.055,
60 Ordinance 12014, Section 44, and K.C.C. 3.13.060,
61 Ordinance 16580, Section 9, and K.C.C. 3.42.070,
62 Ordinance 13923, Section 6, and K.C.C. 4A.601.040,
63 Ordinance 14509, Section 11, and K.C.C. 7.08.090,
64 Ordinance 10187, Section 12, and K.C.C. 9.08.125,
65 Ordinance 14214, Section 7, and K.C.C. 9.14.060,

66 Ordinance 10423, Section 22, as amended, and K.C.C.
67 11.04.550, Ordinance 14259, Section 14, as amended, and
68 K.C.C. 21A.14.410 and Ordinance 10870, Section 509, and
69 K.C.C. 21A.26.200.

70 STATEMENT OF FACTS:

- 71 1. King County code contains extensive reporting requirements that
72 request information on a variety of topics on an ongoing basis, some of
73 which are to be transmitted to council for review.
- 74 2. The ongoing reports required by code are generated by staff at county
75 agencies, boards, or commissions, and can require significant staff hours
76 and resources to produce.
- 77 3. In some cases, the reporting requirements are more than a decade old
78 and the circumstances precipitating the request for information have since
79 changed.
- 80 4. It has been a long time, if ever, that the council has reviewed all of the
81 reports received in order to determine if they are still useful in conducting
82 council business or if changes to frequency or format could still yield
83 sufficient information while reducing county staff workloads.
- 84 5. In 2017, council central staff generated a list of ongoing reporting
85 requirements to council that are required by code and provided the list to
86 councilmembers for review. Central staff did not include ongoing reports
87 that are required by state law or interlocal agreements on the list.

88 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

89 SECTION 1. Ordinance 13320, Section 13, as amended, and K.C.C. 1.07.130 are
90 each hereby amended to read as follows:

91 The department shall:

92 A. Prepare, publish and update, as appropriate, documents written in plain
93 language explaining the provisions of this chapter and, further, develop and implement
94 other methods to educate the public, including, but not limited to, grassroots campaign
95 lobbying groups, employers and lobbyists concerning the requirements of this chapter;

96 B. Develop and provide forms for the reports and statements required to be made
97 under this chapter;

98 C. Prepare and publish a manual setting forth recommended uniform methods of
99 bookkeeping and reporting for use by persons required to make reports and statements
100 under this chapter;

101 D. Compile and maintain a current list of all filed reports and statements;

102 E. Annually publish and disseminate a directory of lobbyists which sets forth the
103 name, employer, if applicable, and telephone number of each lobbyist;

104 F. Determine whether properly completed statements and reports have been filed
105 within the times required by this chapter;

106 G. ~~((Prepare and publish an annual report to the council as to the effectiveness of~~
107 ~~this chapter and its enforcement, provided that with the first annual report the executive~~
108 ~~shall include recommendations on whether the preparation of legislation by the executive~~
109 ~~branch and/or promulgating rules should be activities within the definition of “lobbying.”~~
110 ~~These recommendations shall be based on a review of the questions by a task force~~
111 ~~established by the board of ethics;~~

112 ~~H.)~~ Review at least every five years the monetary reporting thresholds and
113 penalties of this chapter. The focus of this review shall include recognition of economic
114 changes and any related changes promulgated by rule. Upon completion of its review,
115 the department shall recommend to the council necessary changes, if any, to the monetary
116 reporting thresholds and penalties of this chapter;

117 ~~(H.)~~ H. Adopt rules to carry out the policies and purposes of this chapter in a
118 manner prescribed in K.C.C. chapter 2.98;

119 ~~(I.)~~ I. Prepare and publish such reports as in its judgment will address the
120 purposes of this chapter including reports and statistics concerning lobbying and
121 enforcement of this chapter;

122 ~~(K.)~~ J. Audit the registrations and reports of lobbyists, sponsors of professional
123 grass roots lobbying campaigns and lobbyists' employers;

124 ~~(L.)~~ K. Give a written warning for the first violation to any person registered
125 under this chapter who fails to file required statements and reports within the timelines
126 established herein by certified mail, return receipt requested. Each subsequent violation
127 after the initial warning has been given shall be assessed a late report filing fee of fifty
128 dollars and an additional late fee of ten dollars per day for up to thirty days. Late fees
129 shall be assessed by the department and may be appealed ~~((to the hearing examiner))~~ in
130 accordance with K.C.C. 20.22.080.

131 SECTION 2. Ordinance 13320, Section 14, as amended, and K.C.C. 1.07.140 are
132 each hereby amended to read as follows:

133 A. Except for allegations of untimely filing of statements and reports, which are
134 processed by the department under section K.C.C. ~~((1.07.130.L))~~ 1.07.130.K, complaints

135 alleging a violation of any of the provisions of this chapter shall be filed with the county
136 ombuds((~~man~~)). Any such a complaint shall be in writing, verified and signed by the
137 complainant. The complainant shall describe the basis for the complainant's belief that
138 this chapter has been violated. The complainant may state in the written complaint
139 whether the complainant desires that ((~~his or her~~)) the complainant's name be withheld
140 from disclosure under RCW 42.17.310(1)(e) if the complaint is the subject of a public
141 records disclosure request.

142 B. Within twenty days of receiving a complaint meeting the requirements of
143 subsection A. of this section, the ombuds((~~man~~)) shall serve or mail, by certified mail,
144 return receipt requested, a copy of the complaint to the person alleged to have violated
145 this chapter. Within forty days of receiving the complaint the ombuds((~~man~~)) shall
146 analyze the merits of the complaint to determine whether a full investigation is warranted.
147 The ombuds((~~man~~)) shall have the authority to issue an order dismissing the complaint,
148 or specific sections of the complaint, if the ombuds((~~man~~)) determines that the complaint
149 or specific sections of the complaint, as written, alleges a de minimis violation or does
150 not state facts that, even if true, would constitute a violation of this chapter.

151 C. If the ombuds((~~man~~)) determines that a full investigation of the complaint is
152 warranted, then the investigation shall be directed to ascertain the facts concerning the
153 violation or violations alleged in the complaint and shall be conducted in an objective and
154 impartial manner. The ombuds((~~man~~)) is authorized to contract for such investigative
155 services and other assistance as may be needed to conduct the investigation, subject to the
156 council's appropriation of adequate funds to pay for the costs of the contracts. In
157 furtherance of such an investigation, the ombuds((~~man~~)) is authorized to use the

158 subpoena power to compel sworn testimony from any person and require the production
159 of any records relevant or material to the investigation except information that is legally
160 privileged. Upon request of the ombuds(~~man~~), county employees shall provide sworn
161 testimony and produce any records relevant or material to the investigation, except
162 information that is legally privileged.

163 D. During the investigation, the ombuds(~~man~~) shall consider any statement of
164 position or evidence with respect to the allegations of the complaint that the complainant
165 or respondent wishes to submit.

166 E. The results of the investigation shall be reduced to written findings of fact and
167 a finding shall be made that there either is or is not reasonable cause for believing that the
168 respondent has violated one or more provisions of the chapter.

169 F. If a finding is made that there is no reasonable cause, then the finding shall be
170 served or mailed, by certified mail, return receipt requested, to the complainant and the
171 respondent and the finding shall be final. The original of the ombud'~~man~~'s finding
172 shall be filed with the clerk of the council.

173 G. If a finding is made that reasonable cause exists to believe that the respondent
174 has violated one or more of the provisions of this chapter, then the ombuds(~~man~~) shall
175 prepare an order to that effect, copies of which shall be served or mailed, by certified
176 mail, return receipt requested, to the complainant and the respondent. The original of the
177 ombuds'~~man~~'s order shall be filed with the clerk of the council. The reasonable cause
178 order shall include:

- 179 1. A finding that one or more violations of this chapter has occurred;
- 180 2. The factual basis for the finding;

181 3. The amount of the civil penalty or penalties imposed for remedial purposes to
182 be assessed for each violation. A person who is found to have violated this chapter shall
183 be given a written warning for the first violation by certified mail, return receipt
184 requested, and shall be subject to a civil penalty of up to one thousand dollars for each
185 subsequent violation after the warning has been given. Further, an individual penalty
186 may not exceed one thousand dollars per violation and in any case where multiple
187 violations are involved in a single complaint, the maximum aggregate civil penalty shall
188 not exceed two thousand five hundred dollars; and

189 4. A notice informing the respondent that the respondent has the right to a
190 hearing before the hearing examiner as set forth in K.C.C. 1.07.150.

191 SECTION 3. Ordinance 16679, Section 27, as amended, and K.C.C. 2.12.300 are
192 each hereby amended to read as follows:

193 A.1.a. No later than (~~April 1~~) February 15 of each year, the public records
194 officer of each county agency shall submit to the (~~county council~~) chair of the public
195 records committee a report on the agency's performance in responding to public records
196 requests during the preceding calendar year. The report shall include, at a minimum, a
197 listing of all requests that either were closed during the preceding calendar or remained
198 open at the end of the preceding calendar year, including, for each such request:

- 199 (1) the name of the requestor;
- 200 (2) a summary of the request;
- 201 (3) the date the request was received;
- 202 (4) whether the five-day response requirement in K.C.C. 2.12.250.C.1 was
203 met;

204 (5) the date the request was closed, if it has been closed; and

205 (6) for each closed request for which more than six months elapsed from the
206 date the request was received until the date the request was closed, and for each open
207 request that had been open for more than six months at the end of the preceding calendar
208 year, an explanation of why the request was not closed more promptly.

209 2. For the purpose of this section, a request is closed if the agency has provided
210 all responsive records, has indicated that there are no responsive records or that all of the
211 responsive records are exempt from disclosure or has provided records and indicated that
212 no additional records will be produced because the remaining records are exempt from
213 disclosure, or if the request is closed pursuant to K.C.C. 2.12.250.F., H. or I.

214 ~~((3. A paper original and an electronic copy of the report shall be filed with the
215 clerk of the council, who shall email the electronic copy to all councilmembers. In the
216 electronic copy of the report, the listing of public records requests shall be in the form of
217 an electronic spreadsheet.~~

218 ~~B. On January 15 and July 15 of each year, the county prosecuting attorney shall
219 submit to the county council a report listing all pending lawsuits alleging that the county
220 has violated chapter 42.56 RCW, including the name of the case, the court in which it
221 was filed, the date on which it was filed, the case number, a brief summary of the claims
222 made against the county and the current case status. A paper original and an electronic
223 copy of the report shall be filed with the clerk of the council, who shall email the
224 electronic copy to all councilmembers.))~~

225 SECTION 4. Ordinance 12550, Section 2, as amended, and K.C.C. 2.14.020 are
226 each hereby amended to read as follows:

227 A. King County is committed to managing its public records as a countywide
228 resource and in a manner that:

- 229 1. Is efficient and economical;
- 230 2. Promotes open government and an informed citizenry;
- 231 3. Protects individual privacy; and
- 232 4. Meets county record retention and disposition standards.

233 B. A public records committee is hereby established. The public records
234 committee shall

235 1. Advise the council and the executive on county public records policies,
236 including both paper and electronic records; these policies must include policies for
237 posting records on county web sites;

238 2. Provide guidance on the planning and implementation of a countywide
239 records storage management plan and a countywide electronic records management
240 system;

241 3. Advise county agencies on their use of digital communication technology and
242 serve as a forum for sharing and discussing information about the county's use of such
243 technology; and

244 4. Submit a report containing the following information by March 1 of each
245 year in the form of a paper original and an electronic copy to the clerk of the council,
246 who shall retain the original and provide an electronic copy of the report to all
247 councilmembers, the council chief of staff, and the lead staff for the council's government
248 accountability(,) and oversight(~~(, and financial planning)~~) committee or its successor.

249 The report shall include:

250 a. a description of the forms of digital communication that are in use by each
251 county agency;

252 b. for each form of digital communication that is in use by an agency, a
253 description of the methods used by the agency to retain records of digital communication
254 to meet applicable record retention requirements; (~~and~~)

255 c. for each form of digital communication that is in use by an agency, a
256 description of the methods used by the agency to search records of digital communication
257 to meet applicable public record disclosure requirements;

258 d. the report required by the public records committee charter adopted by
259 Motion 12511, which provides a summary of the activities of the public records
260 committee in relation to the charter goals, and programmatic and policy
261 recommendations as to how King County can best manage, preserve and provide access
262 to its public records; and

263 e. all agency reports submitted to the chair of the public records committee
264 required by K.C.C. 2.12.300 that describe each agency's performance in responding to
265 public records requests during the preceding calendar year.

266 C. The director of the records and licensing services division or the director's
267 designee shall be the chair of the public records committee. The public records
268 committee shall include representatives of a broad range of county departments and
269 elected agencies, including at a minimum the following:

- 270 1. The council;
- 271 2. The prosecuting attorney's office;
- 272 3. The sheriff's office;

- 273 4. The assessor's office;
- 274 5. The department of elections;
- 275 6. Office of performance, strategy and budget;
- 276 7. The executive branch's senior public records officer;
- 277 8. The department of information technology's director of web-based services
- 278 technology; and
- 279 9. Each executive department.

280 SECTION 5. Ordinance 17706, Section 2, as amended, and K.C.C. 2.15.020 are

281 each hereby amended to read as follows:

282 A. It is the policy of the county to only honor civil immigration hold requests

283 from United States Immigration and Customs Enforcement for individuals that are

284 accompanied by a criminal warrant issued by a U.S. District Court judge or magistrate.

285 B. The department of adult and juvenile detention shall compile a listing all

286 immigration detainees received by the department, showing detainees received and

287 detainees accompanied by federal judicial warrants. Beginning May 1, 2014, the

288 department shall prepare and transmit to the council (~~(a quarterly)~~) an annual report

289 showing the number of detainees received and the number of detainees that were

290 accompanied by a federal judicial warrant with descriptive data that includes but is not

291 limited to: the types of offenses that individuals with detainees accompanied by a federal

292 judicial warrant were being held, the reason for release from county custody, the length

293 of stay for each individual before the detainer accompanied by a federal judicial warrant

294 was executed, and the number of individuals that had detainees but were transferred to

295 federal or state department of corrections' custody. The reports called for in this section

296 shall be transmitted by March 1 in the form of a paper original and an electronic copy to
297 the clerk of the council, who shall distribute electronic copies to all councilmembers and
298 the lead staff for the committee of the whole, and the law, justice, health and human
299 services committee, or their successors.

300 SECTION 6. Ordinance 12075, Section 3, as amended, and K.C.C. 2.16.025 are
301 each hereby amended to read as follows:

302 A. The county executive shall manage and be fiscally accountable for the office
303 of performance, strategy and budget and the office of labor relations.

304 B. The office of performance, strategy and budget functions and responsibilities
305 shall include, but not be limited to:

306 1. Planning, preparing and managing, with emphasis on fiscal management and
307 control aspects, the annual operating and capital project budgets;

308 2. Preparing forecasts of and monitor revenues;

309 3. Monitoring expenditures and work programs in accordance with Section 475
310 of the King County Charter;

311 4. Developing and preparing expenditure plans and ordinances to manage the
312 implementation of the operating and capital project budgets throughout the fiscal period;

313 5. Formulating and implementing financial policies regarding revenues and
314 expenditures for the county and other applicable agencies;

315 6. Performing program analysis, and contract and performance evaluation
316 review;

317 7. Developing and transmitting to the council, concurrent with the biennial
318 proposed budget, supporting materials consistent with K.C.C. chapter 4A.100;

- 319 8. Performance management and accountability:
- 320 a. providing leadership and coordination of the performance management and
- 321 accountability system countywide;
- 322 b. overseeing the development of strategic plans and business plans for each
- 323 executive branch department and office;
- 324 c. providing technical assistance on the development of strategic plans and
- 325 business plans for agencies;
- 326 d. developing and using community-level indicators and agency performance
- 327 measures to monitor and evaluate the effectiveness and efficiency of county agencies;
- 328 e. overseeing the production of an annual performance report for the executive
- 329 branch;
- 330 f. coordinating performance review process of executive branch departments
- 331 and offices;
- 332 g. collecting and analyzing land development, population, housing, natural
- 333 resource enhancement, transportation and economic activity data to aid decision making
- 334 and to support implementation of county plans and programs, including benchmarks;
- 335 h. leading public engagement and working in support of county performance
- 336 management, budget and strategic planning; and
- 337 i. developing and transmitting to the council (~~(an annual)~~) a biennial report on
- 338 April 30 in odd-numbered years about the benefits achieved from technology projects.
- 339 The report shall include information about the benefits obtained from completed projects
- 340 and a comparison with benefits that were projected during different stages of the project.
- 341 The report shall also include a description of the expected benefits from those projects

342 not yet completed. The report shall be approved by the council by motion. The report
343 and motion shall be filed in the form of a paper original and an electronic copy with the
344 clerk of the council, who shall retain the original and provide an electronic copy to all
345 councilmembers;

346 9. Strategic planning and interagency coordination:

347 a. coordinating and staffing executive initiatives across departments and
348 agencies;

349 b. facilitating interdepartmental, interagency and interbranch teams on
350 multidisciplinary issues;

351 c. leading governance transition efforts for the urban area consistent with the
352 Growth Management Act;

353 d. providing technical assistance in the update of regional growth management
354 planning efforts including the Countywide Planning Policies and distribution of
355 jurisdictional population and employment growth targets;

356 e. providing assistance in the development of agency and system planning
357 efforts such as agency business plans;

358 f. negotiating interlocal agreements as designated by the executive; and

359 g. serving as the liaison to the boundary review board for King County;

360 10. Business relations and economic development:

361 a. developing proposed policies to address regional, unincorporated urban, and
362 rural economic development;

363 b. establishing, fostering and maintaining healthy relations with business and
364 industry;

365 c. implementing strategies and developing opportunities that include partnering
366 with, cities, the Port of Seattle and other economic entities on regional and subregional
367 economic development projects;

368 d. developing and implementing strategies to promote economic revitalization
369 and equitable development in urban unincorporated areas including the possible assembly
370 of property for the purpose of redevelopment;

371 e. refining and implementing strategies in the county's rural economic
372 strategies to preserve and enhance the rural economic base so that the rural area can be a
373 place to both live and work; and

374 f. assisting communities and businesses in creating economic opportunities,
375 promoting a diversified economy and promoting job creation with the emphasis on
376 family-wage jobs; and

377 11. Continuous improvement:

378 a. leading, coordinating and implementing a program of continuous
379 improvement, including the provision of leadership development, transformational
380 improvement and capacity building in Lean thinking; and

381 b. providing annual reports to the council on the implementation of the
382 continuous improvement program, including but not limited to a description of the
383 number of people and agencies that have received training, the processes changed as a
384 result of Lean implementation and the budget and other impacts of these changes.

385 ~~((11. Regional planning:~~

386 ~~a. coordinating the county's participation in multicounty planning at the Puget~~
387 ~~Sound Regional Council, including serving on the Puget Sound Regional Council's~~

388 regional staff committee;

389 ~~b. coordinating countywide planning at the Growth Management Planning~~
390 ~~Council consistent with the Washington state Growth Management Act, including~~
391 ~~leading the Growth Management Planning Council's interjurisdictional staff team in~~
392 ~~accordance with the interlocal agreement authorized by King County Motion 8495;~~

393 ~~c. managing updates to the county's Comprehensive Plan in coordination with~~
394 ~~the department of permitting and environmental review, in accordance with K.C.C. Title~~
395 ~~20;~~

396 ~~d. coordinating the development of demographic and growth forecasting data~~
397 ~~and information including census data, growth targets and buildable lands;~~

398 ~~e. facilitating annexations and joint planning with cities, including developing~~
399 ~~annexation proposals, drafting interlocal agreements, and serving as the liaison to the~~
400 ~~boundary review board for King County; and~~

401 ~~f. colleading with the department of permitting and environmental review an~~
402 ~~interbranch regional planning team that supports the council and executive through the~~
403 ~~provision of information and data, development of policy proposals and options for~~
404 ~~regional issues related to growth management, economic development and transportation.~~
405 ~~Participation in the interbranch regional planning team shall include executive,~~
406 ~~department and council staff as designated by the respective branches.))~~

407 C. The office of labor relations functions and responsibilities shall include, but
408 not be limited to:

409 1. Representing county agencies in the collective bargaining process as required
410 by chapter 41.56 RCW;

- 411 2. Developing and maintaining databases of information relevant to the
412 collective bargaining process;
- 413 3. Representing county agencies in labor arbitrations, appeals, and hearings
414 including those in chapter 41.56 RCW and required by K.C.C. Title 3, in collaboration
415 with the human resources management division;
- 416 4. Administering labor contracts and providing consultation to county agencies
417 regarding the terms and implementation of negotiated labor agreements, in collaboration
418 with the human resources management division;
- 419 5. Advising the executive and council on overall county labor policies; and
- 420 6. Providing resources for labor relations training for county agencies, the
421 executive, the council and others, in collaboration with the human resources management
422 division.

423 D.1. The county council hereby delegates to the executive or the executive's
424 designee authority to request a hearing before the Washington state Liquor (~~Control~~)
425 and Cannabis Board and make written recommendations and objections regarding
426 applications relating to:

- 427 a. liquor licenses under chapter 66.20 RCW; and
- 428 b. licenses for marijuana producers, processors or retailers under chapter 69.50
429 RCW.

430 2. Before making a recommendation under subsection D.1. of this section, the
431 executive or the executive's designee shall solicit comments from county departments and
432 agencies, including, but not limited to, the department of permitting and environmental
433 review, public health - Seattle & King County, the sheriff's office and the prosecuting

434 attorney's office.

435 3. For each application reviewed under subsection D.1.b. of this section, the
436 executive shall transmit to the county council a copy of the application received with the
437 applicant's name and proposed license application location, a copy of all comments
438 received under subsection D.2. of this section and the executive's recommendation to the
439 Washington state Liquor (~~Control~~) and Cannabis board.

440 E. The executive may assign or delegate budgeting, performance management
441 and accountability, economic development and strategic planning and interagency
442 coordination functions to employees in the office of the executive but shall not assign or
443 delegate those functions to any departments.

444 SECTION 7. Ordinance 14199, Section 11, as amended, and K.C.C. 2.16.035 are
445 each hereby amended to read as follows:

446 The county administrative officer shall be the director of the department of
447 executive services. The department shall include the records and licensing services
448 division, the finance and business operations division, the human resources management
449 division, the facilities management division, the administrative office of risk
450 management, the administrative office of emergency management, the administrative
451 office of the business resource center and the administrative office of civil rights. In
452 addition, the county administrative officer shall be responsible for providing staff support
453 for the board of ethics.

454 A. The duties of the records and licensing services division shall include the
455 following:

456 1. Issuing marriage, vehicle/vessel, taxicab and for-hire driver and vehicle and

457 pet licenses, collecting license fee revenues and providing licensing services for the
458 public;

459 2. Enforcing county and state laws relating to animal control;

460 3. Managing the recording, processing, filing, storing, retrieval and certification
461 of copies of all public documents filed with the division as required;

462 4. Processing all real estate tax affidavits; and

463 5. Acting as the official custodian of all county records, as required by general
464 law, except as otherwise provided by ordinance.

465 B. The duties of the finance and business operations division shall include the
466 following:

467 1. Monitoring revenue and expenditures for the county. The collection and
468 reporting of revenue and expenditure data shall provide sufficient information to the
469 executive and to the council. The division shall be ultimately responsible for maintaining
470 the county's official revenue and expenditure data;

471 2. Performing the functions of the county treasurer;

472 3. Billing and collecting real and personal property taxes, local improvement
473 district assessments and gambling taxes;

474 4. Processing transit revenue;

475 5. Receiving and investing all county and political subjurisdiction moneys;

476 6. Managing the issuance and payment of the county's debt instruments;

477 7. Managing the accounting systems and procedures;

478 8. Managing the fixed assets system and procedures;

479 9. Formulating and implementing financial policies for other than revenues and

480 expenditures for the county and other applicable agencies;

481 10. Administering the accounts payable and accounts receivable functions;

482 11. Collecting fines and monetary penalties imposed by district courts;

483 12. Developing and administering procedures for the procurement of and

484 awarding of contracts for tangible personal property, services, professional or technical

485 services and public work in accordance with K.C.C. chapter 2.93 and applicable federal

486 and state laws and regulations;

487 13. Establishing and administering procurement and contracting methods, and

488 bid and proposal processes, to obtain such procurements;

489 14. In consultation with the prosecuting attorney's office and office of risk

490 management, developing and overseeing the use of standard procurement and contract

491 documents for such procurements;

492 15. Administering contracts for goods and services that are provided to more

493 than one department;

494 16. Providing comment and assistance to departments on the development of

495 specifications and scopes of work, in negotiations for such procurements, and in the

496 administration of contracts;

497 17. Assisting departments to perform cost or price analyses for the procurement

498 of tangible personal property, services and professional or technical services, and price

499 analysis for public work procurements;

500 18. Developing, maintaining and revising as may be necessary from time to

501 time the county's general terms and conditions for contracts for the procurement of

502 tangible personal property, services, professional or technical services and public work;

503 19. Managing the payroll system and procedures, including processing benefits
504 transactions in the payroll system and administering the employer responsibilities for the
505 retirement and the deferred compensation plans;

506 20. Managing and developing financial policies for borrowing of funds,
507 financial systems and other financial operations for the county and other applicable
508 agencies.

509 21. Managing the contracting opportunities program to increase opportunities
510 for small contractors and suppliers to participate on county-funded contracts. Submit an
511 annual report as required by K.C.C. 2.97.090;

512 22. Managing the apprenticeship program to optimize the number of apprentices
513 working on county construction projects. Submit an annual report as required by K.C.C.
514 12.16.175; and

515 23. Serving as the disadvantaged business enterprise liaison officer for federal
516 Department of Transportation and other federal grant program purposes. The
517 disadvantaged business enterprise liaison officer shall have direct, independent access to
518 the executive on disadvantaged business enterprise program matters consistent with 49
519 C.F.R. Sec. 26.25. For other matters, the disadvantaged business enterprise liaison
520 officer shall report to the director of the finance and business operations division.

521 C. The duties of the human resources management division shall include the
522 following:

523 1. Developing and administering training and organizational development
524 programs, including centralized employee and supervisory training and other employee
525 development programs;

- 526 2. Developing proposed and administering adopted policies and procedures for:
- 527 a. employment, including recruitment, examination and selection;
- 528 b. classification and compensation; and
- 529 c. salary administration;
- 530 3. Developing proposed and administering adopted human resources policy;
- 531 4. Providing technical and human resources information services support;
- 532 5. Developing and managing insured and noninsured benefits programs,
- 533 including proposing policy recommendations, negotiating benefits plan designs with
- 534 unions, preparing legally mandated communications materials and providing employee
- 535 assistance and other work and family programs;
- 536 6. Developing and administering diversity management and employee relations
- 537 programs, including affirmative action plan development and administration,
- 538 management and supervisory diversity training and conflict resolution training;
- 539 7. Developing and administering workplace safety programs, including
- 540 inspection of work sites and dissemination of safety information to employees to promote
- 541 workplace safety;
- 542 8. Administering the county's self-funded industrial insurance/worker's
- 543 compensation program, as authorized by Title 51 RCW;
- 544 9. Advising the executive and council on overall county employee policies;
- 545 10. Providing labor relations training for county agencies, the executive, the
- 546 council and others, in collaboration with the office of labor relations;
- 547 11. Overseeing the county's unemployment compensation program; ~~((and))~~
- 548 12. Collecting and reporting to the office of management and budget on a

549 quarterly basis information on the numbers of filled and vacant full-time equivalent and
550 term-limited temporary positions and the number of emergency employees for each
551 appropriation unit; and

552 13. Providing a quarterly report to the council showing vacant positions by
553 department. The report must indicate whether a term-limited temporary employee is
554 backfilling the position, the salary and benefits associated with a position and how long
555 the position has been vacant. The report is due thirty days after the end of each calendar
556 quarter and shall be filed in the form of a paper original and an electronic copy with the
557 clerk of the council, who shall retain the original and provide an electronic copy to all
558 councilmembers, the council chief of staff and the lead staff to the budget and fiscal
559 management committee or its successor.

560 D. The duties of the facilities management division shall include the following:

- 561 1. Overseeing space planning for county agencies;
- 562 2. Administering and maintaining in good general condition the county's
563 buildings except for those managed and maintained by the departments of natural
564 resources and parks and transportation;
- 565 3. Operating security programs for county facilities except as otherwise
566 determined by the council;
- 567 4. Administering all county facility parking programs except for public
568 transportation facility parking;
- 569 5. Administering the supported employment program;
- 570 6. Managing all real property owned or leased by the county, except as provided
571 in K.C.C. chapter 4.56, ensuring, where applicable, that properties generate revenues

572 closely approximating fair market value;

573 7. Maintaining a current inventory of all county-owned or leased real property;

574 8. Functioning as the sole agent for the disposal of real properties deemed

575 surplus to the needs of the county;

576 9. In accordance with K.C.C. chapter 4A.100, providing support services to

577 county agencies in the acquisition of real properties, except as otherwise specified by

578 ordinance;

579 10. Issuing oversized vehicle permits, franchises and permits and easements for

580 the use of county property except franchises for cable television and telecommunications;

581 11. Overseeing the development of capital projects for all county agencies

582 except for specialized roads, solid waste, public transportation, airport, water pollution

583 abatement, surface water management projects and parks and recreation;

584 12. Being responsible for all general projects, such as office buildings or

585 warehouses, for any county department including, but not limited to, the following:

586 a. administering professional services and construction contracts;

587 b. acting as the county's representative during site master plan, design and

588 construction activities;

589 c. managing county funds and project budgets related to capital projects;

590 d. assisting county agencies in the acquisition of appropriate facility sites;

591 e. formulating guidelines for the development of operational and capital

592 project plans;

593 f. assisting user agencies in the development of capital projects and project

594 plans, as defined and provided for in K.C.C. chapter 4A.100;

- 595 g. formulating guidelines for the use of life cycle cost analysis and applying
596 these guidelines in all appropriate phases of the capital process;
- 597 h. ensuring the conformity of capital project plans with the adopted space plan
598 and agency business plans;
- 599 i. developing project cost estimates that are included in capital project plans,
600 site master plans, capital projects and biennial project budget requests;
- 601 j. providing advisory services, feasibility studies or both services and studies to
602 projects as required and for which there is budgetary authority;
- 603 k. coordinating with user agencies to assure user program requirements are
604 addressed through the capital development process as set forth in this chapter and in
605 K.C.C. chapter 4A.100;
- 606 l. providing engineering support on capital projects to user agencies as
607 requested and for which there is budgetary authority; and
- 608 m. providing assistance in developing the executive budget for capital projects;
609 and
- 610 13. Providing for the operation of a downtown winter shelter for homeless
611 persons between October 15 and April 30 each year.
- 612 E. The duties of the administrative office of risk management shall include the
613 management of the county's insurance and risk management programs consistent with
614 K.C.C. chapter 2.21.
- 615 F. The duties of the administrative office of emergency management shall
616 include the following:
- 617 1. Planning for and providing effective direction, control and coordinated

618 response to emergencies; and

619 2. Being responsible for the emergency management functions defined in
620 K.C.C. chapter 2.56.

621 G. The duties of the administrative office of civil rights shall include the
622 following:

623 1. Enforcing nondiscrimination ordinances as codified in K.C.C. chapters 12.17,
624 12.18, 12.20 and 12.22;

625 2. Assisting departments in complying with the federal Americans with
626 Disabilities Act of 1990, the federal Rehabilitation Act of 1973, Section 504, and other
627 legislation and rules regarding access to county programs, facilities and services for
628 people with disabilities;

629 3. Serving as the county Americans with Disabilities Act coordinator relating to
630 public access;

631 4. Providing staff support to the county civil rights commission;

632 5. Serving as the county federal Civil Rights Act Title VI coordinator; and

633 6. Coordinating county responses to federal Civil Rights Act Title VI issues and
634 investigating complaints filed under Title VI.

635 H. The duties of the administrative office of the business resource center shall
636 include the following:

637 1. The implementation and maintenance of those systems necessary to generate
638 a regular and predictable payroll through the finance and business operations division;

639 2. The implementation and maintenance of those systems necessary to provide
640 regular and predictable financial accounting and procedures through the finance and

641 business operations division;

642 3. The implementation and maintenance of those systems necessary to generate
643 regular and predictable county budgets, budget reports and budget management tools for
644 the county; and

645 4. The implementation and maintenance of the human resources systems of
646 record for all human resources data for county employment purposes.

647 SECTION 8. Ordinance 10563, Section 2, as amended, and K.C.C. 2.42.080 are
648 each hereby amended to read as follows:

649 A. The medical center shall prepare a long-range capital improvement program
650 plan, which shall be approved by the board and by the county governing authority by
651 ordinance. The long-range CIP plan shall identify the medical center's needs for ensuring
652 quality patient care consistent with the medical center's mission statement and county
653 policy describing the medical center's purpose, priority programs, priority patient groups
654 and other requirements in this chapter. The long-range CIP plan shall be updated at least
655 once every five years, or more frequently, if deemed necessary by the board. All changes
656 to the long-range CIP plan shall be treated as amendments to the plan previously
657 approved by ordinance. The county, the board and the university shall make a good faith
658 effort to adhere to the deadlines detailed in subsections B and C. of this section.

659 B. The medical center capital project oversight committee, or its successor in
660 function, shall review and advise the board regarding the university's annual six-year CIP
661 budget which shall be forwarded to the board no later [than] February 28 each year.

662 C. The board shall review the six-year capital improvement plan “CIP” budget,
663 which shall be approved by the board and submitted to the county executive no later than

664 April 15 each year. The medical center CIP budget shall contain the specific capital
665 improvements necessary to meet the needs, policies and priorities identified in the
666 approved long-range CIP plan.

667 D. The executive shall submit the medical center's six-year CIP budget to the
668 council which should adopt the medical center CIP budget by June 13 each year.

669 E. All capital improvement projects at the medical center that are funded in
670 whole or in part with the proceeds of county tax revenues, bonds or other debt issued by
671 the county, grants to the county, gifts or donations shall be subject to, planned and
672 administered consistent with this chapter and K.C.C. Title 4A.

673 F. Notwithstanding any provisions of this chapter or K.C.C. Title 4A to the
674 contrary, all capital improvement projects at the medical center that are funded
675 exclusively with medical center revenues and that are budgeted over the life of the project
676 for an amount not exceeding five million dollars shall be managed, designed, planned,
677 developed and overseen by medical center administration and the university, subject to
678 review and approval by the board. All capital project activities conducted under this
679 subsection shall comply with state law applicable to the university, this subsection and
680 medical center policies and procedures approved by the executive, following consultation
681 with the board and university. Those policies and procedures shall include, but not be
682 limited to, the following:

683 1. procedures for the open and competitive solicitation of contracts for capital
684 projects as may be required by state laws applicable to the university;

685 2. elements to be included within all CIP project budgets, which shall include, at
686 a minimum:

- 687 a. design consultant (architect and engineering services);
- 688 b. other consultant fees;
- 689 c. construction costs;
- 690 d. permit fees;
- 691 e. contingency budget; and
- 692 f. project management and administration costs.
- 693 3. Policies and procedures to provide opportunities for apprentices, minority
- 694 and women's businesses, disadvantaged business enterprises and small contractors and
- 695 suppliers to participate in capital project contracts. These policies and procedures shall
- 696 include, at a minimum: goals for the use of apprentices, minority and women's
- 697 businesses or small contractors and suppliers or disadvantaged business enterprises that
- 698 shall be reasonably achievable and identified in all appropriate solicitations; reporting
- 699 guidelines; and the identification of medical center staff necessary to implement this
- 700 subsection F.3.;
- 701 4. Procedures for review, evaluation and award of contracts for either
- 702 construction or architectural and engineering services; and
- 703 5. Procedures for reporting and control, which shall include, at a minimum:
- 704 a. quarterly reports from staff at the medical center to the board on the status of
- 705 the budget, scope and schedule for all CIP projects subject to this subsection;
- 706 b. when requested by the executive, quarterly reports from the board on the
- 707 status of the budget, scope and schedule for all CIP projects subject to this subsection;
- 708 c. immediate notification by staff at the medical center to the board, if a CIP
- 709 project subject to this subsection exceeds its authorized budget;

710 d. periodic reports from the board to the executive for transmittal to the council
711 on the status of the budget, scope and schedule for all CIP projects subject to this
712 subsection; and

713 e. annual reports from the board to the executive for transmittal to the council
714 evaluating the participation of apprentices, minority and women's businesses, small
715 contractors and suppliers or disadvantaged business enterprises in CIP projects subject to
716 this subsection.

717 G. All costs of CIP projects administered by the medical center under subsection
718 F. of this section shall be paid from medical center revenues. So long as management of
719 the medical center is delegated by contract to the University of Washington, exemption of
720 such capital improvement projects from K.C.C. Title 4A shall be effective but only if the
721 university agrees to indemnify the county in accordance with the hospital services
722 agreement.

723 H. Subsection F. of this section shall remain in effect until the expiration date of
724 the ((the)) hospital services agreement, as may be amended.

725 I.1. From the annual operating revenue of the medical center, the medical center
726 shall fund depreciation reserves to be allocated to the major movable equipment and
727 building repair and replacement funds and transfer the depreciation reserve funding into
728 the respective capital funds. The medical center shall designate a minimum of ten
729 million eight hundred thousand dollars annual depreciation reserve commitment and
730 allocate it as follows:

731 a. The building repair and replacement fund annual funding amount shall be in
732 accordance with the annual budget submitted to the county, but shall not be less than four

733 million dollars per year; and

734 b. The balance, or not less than six million eight hundred thousand dollars of
735 the minimum ten million eight hundred thousand dollar annual depreciation reserve
736 commitment shall be allocated for moveable equipment.

737 2. ~~((An annual report shall be provided to the executive and council detailing
738 major moveable equipment, expenditures and revenue sources in the major movable
739 equipment fund.~~

740 3. ~~The transfers to the major movable equipment fund and the building repair
741 and replacement fund shall occur no later than thirty days after the end of the medical
742 center's fiscal year.))~~

743 4.)) When planned expenditures exceed the funds available in the building
744 repair and replacement fund, the additional funding shall come from an extraordinary
745 funding source other than the county's general fund.

746 ~~((5.))~~ 3. The difference, between the six million eight hundred thousand dollars
747 available for moveable equipment and the ten million eight hundred thousand dollars
748 projected moveable equipment need, or four million dollars annually, shall be included as
749 part of an allotment through an extraordinary funding source, not including the county's
750 general fund.

751 J. King County shall continue to be responsible for major long-range
752 infrastructure capital repairs, replacements and improvements and major additions, using
753 voter approved bonds or other funding mechanisms approved by the county governing
754 authority.

755 K. There is created a medical center building repair and replacement fund, which

756 shall be a county capital project fund and shall be used to account for the regular
757 segregation of building repair and replacement capital reserves, including investment
758 income. From the building repair and replacement fund shall be drawn payments for the
759 acquisition of fixed equipment, building renovations and improvements as approved by
760 the board.

761 1. Moneys deposited in the building repair and replacement fund shall be
762 invested solely for the benefit of that fund. The board may make transfers to the fund on
763 a more frequent basis.

764 2. The moneys deposited in this fund shall be used solely for the renovation
765 and/or improvement of the medical center's buildings and equipment, subject to the
766 capital budgeting provisions of this chapter.

767 SECTION 9. Ordinance 6818, Section 10, as amended, and K.C.C. 2.42.090 are
768 each hereby amended to read as follows:

769 A. ~~((As))~~ At a minimum, the board shall provide the executive and the council
770 with ~~((the following reports))~~ an annual report including the following items:

771 1. ~~((An annual))~~ A financial report and statement for the medical center's
772 preceding fiscal year ~~((to be submitted within one hundred twenty days of the end of that
773 fiscal year.))~~;

774 2. A ~~((report covering))~~ summary of the proceedings of the board including the
775 attendance record of the trustees during the preceding fiscal year ~~((shall accompany the
776 financial report.))~~;

777 3. A summary of the medical center annual proposed operating budget including
778 anticipated plans and highlights for the coming year ~~((, not later than seventy-five days~~

779 preceding the medical center's fiscal year.);

780 4. ~~((An annual))~~ A report on medical center programs and services including the
781 quality of patient care~~((, to accompany the operating budget summary.))~~;

782 5. A ~~((quarterly))~~ report on the extent and type of care provided to priority
783 patients, and proposed changes for improvement~~((-))~~; and

784 6. An annual fixed assets inventory report for medical center property and
785 equipment.

786 ~~((7. A capital plant and equipment reserve report to accompany the annual
787 operating budget summary.))~~

788 B. The report required by subsection A. of this section shall be transmitted by
789 September 30 of each calendar year in the form of a paper original and an electronic copy
790 with the clerk of the council, who shall retain the original and provide an electronic copy
791 to all councilmembers, the council chief of staff and the lead staff to the budget and fiscal
792 management committee or its successor and the committee of the whole or its successor.

793 C. The county governing authority may prescribe the format and content of
794 reports required and set dates for submission to the county, as appropriate, consistent
795 with the requirements of state law and regulations.

796 SECTION 10. Ordinance 14482, Section 17, and K.C.C. 2.49.160 are each
797 hereby amended to read as follows:

798 A. By April 15 of each year, the authority shall submit an annual report to the
799 county executive and the county council containing:

800 1. A statement of assets and liabilities, income and expenditures and changes in
801 its financial position during the previous year;

- 802 2. A summary of significant accomplishments;
- 803 3. A list of depositories used;
- 804 4. A projected operating budget for the current fiscal year;
- 805 5. A summary of cultural programs, public art projects and all other projects and
- 806 activities to be undertaken during the current year; and
- 807 6. Other information as may be required in the charter of the authority.

808 B.1. The authority shall meet with the county council's committee of the whole

809 two times per year, once ~~((in the first half of the calendar year))~~ to discuss the authority's

810 annual report and once ~~((in the second half of the calendar year))~~ to discuss the

811 authority's plans and proposed expenditures for the following year.

- 812 2. The authority shall meet:
- 813 a. at least one time per year with the county executive; and
- 814 b. at least one time per year with directors and administrators of county
- 815 departments and agencies that interface with the authority.

816 C. The authority shall respond to requests for additional information from the

817 executive or from the council. The council shall make its request by motion.

818 SECTION 11. Ordinance 473, Section 15, as amended, and K.C.C. 2.52.150 are

819 each hereby amended to read as follows:

820 In addition to whatever reports ~~((he))~~ the director may make from time to time,

821 the director ~~((on the fifteenth day of January, May and September of each year))~~ shall

822 report to the county council ~~((concerning))~~ semiannually. The director shall file the

823 report by March 1 and September 1 of each year, in the form of a paper original and an

824 electronic copy with the clerk of the council, who shall retain the original and provide an

825 electronic copy to all councilmembers, the council chief of staff and the executive. The
826 report shall include, but not be limited to:

827 A. ((t))The exercise of ((his)) the director's functions during the preceding
828 ((calendar)) six-month period. In discussing matters with which ((he)) the director has
829 dealt, the director need not identify those immediately concerned if to do so would cause
830 unnecessary hardship. Insofar as the report may criticize named agencies or persons, it
831 must also include their replies to the criticism; and

832 B. The status of the whistleblower program described in K.C.C. chapter 3.42
833 from the preceding six-month period, including summarizing improper governmental
834 action and retaliation claims processed during the reporting period, case outcomes from
835 all claims investigated by King County officials, resource issues, any concerns raised by
836 whistleblowers about the process and any recommendations for program improvements.
837 The ombuds is encouraged to seek feedback from participants in the whistleblower
838 process when preparing the report.

839 SECTION 12. Ordinance 12022, Section 4, as amended, and K.C.C. 2.59.110 are
840 each hereby amended to read as follows:

841 A.1. There is hereby created the CTV citizens advisory committee. The CTV
842 citizens advisory committee shall advise the council and the executive regarding overall
843 programming strategy and content and how CTV can best serve the community. The
844 CTV citizens advisory committee shall consist of the following members:

845 a. a representative from a local television station or local network affiliate, or a
846 person with significant experience in or knowledge of the broadcast media;

847 b. a representative from a local public relations firm or a professional working

848 in the public relations field for a local corporation;

849 c. a representative:

850 (1) from a company that publishes a significant amount of news or other
851 content via the Internet;

852 (2) with significant experience in dissemination of information via the
853 Internet; or

854 (3) with expertise in delivering information via streaming video or other
855 emerging technologies; and

856 d. a representative from a local newspaper source or a person with significant
857 experience in or knowledge of newspapers.

858 2. Members of the CTV citizens advisory committee shall be appointed by the
859 executive and confirmed by the council, for terms not to exceed four years. Members
860 shall be compensated at fifty dollars per day for days on which advisory committee
861 meetings are held.

862 B. There is hereby created the CTV working group. The CTV working group
863 shall advise CTV management and the council regarding CTV programming and
864 operations and how CTV can best serve King County, including all branches of
865 government and all county departments. The CTV working group shall consist of seven
866 members, as follows: the council's director of communications, or equivalent position;
867 two other staff members from CTV staff or from council staff, designated by the chair of
868 the council; the executive's director of communications, or equivalent position; two other
869 executive branch employees to be designated by the executive; and one representative
870 from the judicial or law enforcement entities, including the superior and district courts,

871 the prosecuting attorney's office and the department of public safety, to be designated by
872 the executive. The CTV working group should consult regularly with CTV management
873 and representatives of county agencies and departments to help ensure that CTV is
874 effectively serving the county government and the county's citizens.

875 C. Final authority over all CTV policy and operational matters, including hiring
876 and other personnel matters, shall be governed by the council in accordance with K.C.C.
877 2.59.140.

878 ~~((D. On or before July 1, 2005, and annually thereafter, the CTV citizens
879 advisory committee shall report to the council on the effectiveness of the CTV
880 governance structure set forth in this section and K.C.C. 2.59.140. The committee's
881 report may include recommended changes to the governance structure, which shall be
882 given due consideration by the council.))~~

883 SECTION 13. Ordinance 18217, Section 2, and K.C.C. 2A.300.510 are each
884 hereby amended to read as follows:

885 A. For the purposes of this section:

886 1. "Best starts for kids children and youth strategies" means those strategies that
887 are eligible expenditures as defined in Ordinance 18088, Section 5.C.1., 2., and 4;

888 2. "Collective impact" means a process for achieving meaningful and
889 sustainable progress on complex social issues that involves convening stakeholders
890 across sectors and communities, who share a common vision and a shared agenda for
891 assuring accountability and measuring results; and

892 3. "Youth Action Plan" means the Youth Action Plan approved under Motion
893 14378.

894 B. As recommended in the Youth Action Plan and as required by Ordinance
895 18088, the King County children and youth advisory board is created to act in an
896 advisory capacity to the executive and council to:

897 1. Assist King County policy makers as they consider outcomes, policies and
898 investments for children and families and youth and young adults; and

899 2. Serve as the best starts for kids children and youth strategies oversight and
900 advisory body, including making recommendations on and monitoring the distributions
901 of levy proceeds described in Ordinance 18088, Section 5.C.1., 2. and 4.

902 C. The goal of the board is to improve the health and well-being of children and
903 youth by utilizing a collective impact model to implement strategies that focus on
904 prevention and early intervention.

905 D.1. The board shall make recommendations to the executive and county council
906 regarding children and youth services, consistent with the recommendations in the Youth
907 Action Plan.

908 2. The board shall receive and review King County outcomes and data,
909 recommending improvements and modifications to achieve outcomes and support strong
910 data collection and indicator protocols.

911 3. The board shall assist the executive and the council with the comprehensive
912 review and analysis of King County government's programs, services and outcomes for
913 children, families, youth and young adults for alignment with other initiatives and
914 coalitions that have outcomes identified for children, families, youth and young adults.

915 4. The board shall recommend policy, budget, and other findings to the
916 executive and the council, ensuring alignment with other initiatives and coalitions that

917 have outcomes identified for children, families, youth and young adults.

918 5. The board shall participate with, track and report on efforts of partnerships,
919 coalitions and networks throughout the region to inform the development of an aligned,
920 region wide response that leads to improved outcomes.

921 6. The board shall be a forum for discussion and exchange of ideas in response
922 to emergent needs, promising practices, and continuous improvement.

923 E. ~~((The board shall, to the maximum extent possible, collaborate with the
924 executive on development of an implementation plan relating to the best starts for kids
925 youth and family homelessness prevention initiative to be transmitted to the council by
926 March 1, 2016. The plan must be filed in the form of a paper original and an electronic
927 copy with the clerk of the council, who shall retain the original and provide an electronic
928 copy to all councilmembers.~~

929 F.)) The board shall work in collaboration with the executive to develop an
930 implementation plan for the portion of the levy proceeds pertaining to best starts for kids
931 children and youth strategies to be transmitted to the council by June 1, 2016. The board
932 shall:

- 933 1. Make recommendations for the plan consistent with Ordinance 18088;
- 934 2. Make recommendations for the plan so it is consistent with other adopted
935 county plans and policies such as the King County Strategic Plan, the Youth Action Plan
936 and Ordinance 16948, which transformed the county's work on equity and social justice
937 from an initiative to an integrated effort that applies the King County Strategic Plan
938 2010-2014's "fair and just" principle to all the county does in order to achieve equitable
939 opportunities for all people and communities;

- 940 3. Advise on development of indicators and targets for best starts for kids
941 children and youth strategies for inclusion in the plan;
- 942 4. Make recommendations that ensure the work of the county's steering
943 community to address juvenile justice disproportionality is taken into consideration in
944 development of the plan, to the maximum extent possible;
- 945 5. Make recommendations on and monitor the distribution of best starts for kids
946 levy proceeds; and
- 947 6. Make recommendations on an annual reporting process to the council and
948 community that demonstrates transparency regarding the expenditure of levy proceeds
949 and the effectiveness of the best starts for kids children and youth strategies in meeting
950 the goals and outcomes established in Ordinance 18088.
- 951 ~~((G.))~~ F. The board may establish standing and ad hoc work groups focusing on
952 specific components of children and youth services and best starts for kids strategies.
953 Individuals or representative from entities whose work is closely related to children and
954 youth prevention and early intervention strategies may be invited to participate in work
955 groups as nonvoting members.
- 956 ~~((H.))~~ G. Consistent with a collective impact model, the board shall:
- 957 1. Review and advise the executive and council on emerging and evolving best
958 and promising practices to improve the health and well-being of children and youth;
- 959 2. Coordinate with other county boards and groups including, but not limited to,
960 the steering committee to address juvenile justice disproportionality, the mental illness
961 and drug dependency oversight board, the regional human services levy citizen oversight
962 board and the veterans levy citizen oversight board, to maximize the impact of the

963 county's children and youth services;

964 3. Serve as a forum to promote coordination and collaboration between entities
965 involved in improving the health and well-being of children and youth; and

966 4. Coordinate and share information with other related external efforts and
967 groups.

968 ~~((F.))~~ H. The board shall adopt rules governing its operations at its first meeting,
969 which may be revised in subsequent meetings.

970 ~~((J.))~~ I.1. The board shall be composed of not more than forty members, at least
971 three of whom shall be youth age twenty-four or under.

972 2. As required by Ordinance 18088, the board shall be comprised of a wide
973 array of King County residents and stakeholders with geographically and culturally
974 diverse perspectives.

975 3. Members of the advisory board shall be appointed by the executive and
976 confirmed by the council.

977 ~~((K.))~~ J. The board shall establish terms of appointment by lot. Thirteen
978 positions shall have initial terms of two years, thirteen positions shall have initial terms of
979 three years and the remainder of the positions shall have initial terms of four years. After
980 the initial terms have expired, all terms shall be for three years.

981 SECTION 14. Ordinance 174 (part), as amended, and K.C.C. 3.08.110 are each
982 hereby amended to read as follows:

983 For time devoted to the official work of the personnel board, each member thereof
984 shall receive a per diem of one hundred dollars to be paid out of the current expense fund;
985 provided that a per diem of seventy-five dollars shall be paid for official board work of

986 three hours or less; provided further that an additional twenty-five dollars per day will be
987 paid to the chair of the board during any full day (six hours or more) or thirteen dollars
988 for work of three hours or less in which board business is conducted. The county is
989 further authorized to pay for reasonable parking expenses of personnel board members
990 while board business is conducted.

991 ~~((Further, the executive shall report back to the council no later than December
992 31, 1999 on the expenses incurred during the calendar year of 1999 at the new per diem
993 rate and shall make recommendations to the council on any further adjustments to the per
994 diem rate as may be needed at that time.))~~

995 SECTION 15. Ordinance 12014, Section 18, as amended, and K.C.C. 3.12.180
996 are each hereby amended to read as follows:

997 A. For purposes of this section:

998 1. "County work force" means persons employed by King County executive
999 departments;

1000 2. "Job group" means a grouping of jobs as defined by the United States
1001 Department of Labor;

1002 3. "Labor force availability rate" means the percentage of persons of color or
1003 women with requisite job skills in King County as reported by the United States Census
1004 Bureau;

1005 4. "Persons of color" means "persons in each of the following groups: Blacks;
1006 Hispanics; Asian/Pacific Islanders; and Native Americans; and

1007 5. "Placement goal" shall equal the labor force availability rate.

1008 B. The county is an equal opportunity employer and shall carry out federal, state

1009 and local laws and regulations prohibiting discrimination in employment on the basis of
1010 race, color, religion, religious affiliation, creed, national origin, ancestry, sex, sexual
1011 orientation, gender identity or expression, age (except by minimum age and retirement
1012 provisions), marital status, honorably discharged veteran or military status, or the
1013 presence of a sensory, mental or physical disability. Further, it is the intent of the county
1014 to ensure that employment is based on the principle of equal opportunity and that such a
1015 principle shall be implemented in all county personnel-related actions including, but not
1016 limited to, recruitment, hiring, testing, training, promotion, compensation, transfer and all
1017 other terms and conditions of employment in all job classifications.

1018 C. In order to comply with federal contracting requirements and to ensure equal
1019 opportunity for all persons, all county departments shall establish and maintain an
1020 effective affirmative action plan, as adopted by the council by ordinance. Such an
1021 affirmative action plan shall promote the objectives of public policy set forth in
1022 applicable federal and state laws relating to nondiscrimination, equal employment
1023 opportunity, affirmative action and civil rights. Specifically, the plan shall promote the
1024 objectives of the State Law Against Discrimination, chapter 49.60 RCW (applicable
1025 parts), and provisions of the Washington Administrative Code adopted thereunder. As
1026 part of the county's affirmative action plan, the executive shall submit by June 1 of every
1027 ~~((fifth))~~ fourth year, commencing with ~~((2014))~~ 2018, a proposed ordinance for the
1028 approval of an affirmative action plan pertaining to executive county departments and
1029 agencies to be approved, or modified, by the council by ordinance, or rejected by the
1030 council, by January 1 following the plan's submittal to council. The affirmative action
1031 plan shall include:

- 1032 1. Information related to county work force statistics, which shall include:
- 1033 a. a comparison of labor force availability for women and persons of color to
- 1034 the county's actual labor force for women and persons of color as a summary across all
- 1035 departments. The plan shall also compare labor force availability for women and persons
- 1036 of color to the county's actual labor force for women and persons of color by departments
- 1037 and job group. The plan shall also summarize the percentage of total goal setting areas
- 1038 which meet or exceed the labor force availability rate;
- 1039 b. a summary of the county work force by job group and by race and gender;
- 1040 c. a discussion of the methodology by which the labor force availability and
- 1041 county work force data is developed and a listing of the county job classifications that are
- 1042 included in each job group;
- 1043 d. the total number of persons with disabilities in each job group within the
- 1044 county work force and the total number of persons with disabilities by department
- 1045 voluntarily reported by individuals for equal employment opportunity affirmative action
- 1046 purposes. The plan shall include the number of positions for which an accommodation is
- 1047 currently in effect;
- 1048 e. the total number and percentage of employees by salary range and by race
- 1049 and gender. Salary ranges shall be reported in a manner consistent with the equal
- 1050 employment opportunity data reported by the United States Census Bureau. The plan
- 1051 shall include data reported by the United States Census bureau on the total number and
- 1052 percentage of the labor force working in King County by salary range and by race and
- 1053 gender;
- 1054 f. an analysis by race and gender of the positions filled by promotion during

1055 the prior plan period. For the purposes of this subsection, "promotions" means those
1056 instances in which an individual advances in salary level because the individual changed
1057 to a position with a higher pay range assignment;

1058 g. a summary by year for the prior plan period on executive branch
1059 discrimination complaints by basis of complaint and complaint status. The summary
1060 shall also include data by department on the number of complaints filed by complaint
1061 type and the number of people filing complaints; and

1062 h. historical data on the county work force by race and gender. Historical data
1063 before 2014 is required only to the extent it is readily available;

1064 2. Placement goals for the plan period. For those job groups within departments
1065 where the actual number of women and persons of color employed is less than projected
1066 by labor force availability, a placement goal by race and gender shall be established for
1067 the entire plan period. A placement goal shall equal the labor force availability rate.
1068 Placement goals are used to measure progress toward achieving equal employment
1069 opportunity. Placement goals may not be quotas, which must be met, nor do they create
1070 set-asides for specific groups. Placement goals may not be used to supersede merit
1071 selection principles. Further, existence of a placement goals does not constitute evidence
1072 of discrimination. If a placement goal has been established, the plan shall identify the
1073 labor force availability rate;

1074 3. Implementation plans for departments. Each implementation plan shall:

1075 a. identify the activities proposed each year during the plan period to meet the
1076 department's placement goals. The plan shall discuss how the proposed activities will
1077 help the department achieve its placement goals;

1078 b. identify the activities proposed during the plan period by year to recruit,
1079 retain and promote women and persons of color in the work force; and

1080 c. identify the specific activities during the plan period, by year, that each
1081 department will undertake to increase its hiring, retention and promotion of persons with
1082 disabilities; and

1083 4. A summary of the results of the prior affirmative action plan, which shall
1084 include:

1085 a. A description of the progress of each department in completing the activities
1086 listed in subsection C.3. a. through c. of this section proposed in the previous
1087 implementation plan. The outcomes of each activity shall be reported. The human
1088 resources management division shall provide an evaluation of the effectiveness of each
1089 department's implementation activities during the plan period;

1090 b. the status of each (~~five-year~~) placement goal established in the prior
1091 affirmative action plan. For each identified placement goal, the status report shall report
1092 the:

1093 (1) labor force availability rate;

1094 (2) total number of positions filled for the corresponding job group within a
1095 department;

1096 (3) of the total number reported under subsection C.4.b.(2) of this section, the
1097 number of positions that were filled by each race and gender category; and

1098 (4) an actual hiring rate for each race and gender category calculated by
1099 dividing the number of positions filled by the number of positions filled by each race and
1100 gender category; and

1101 c. a separate listing of those placement goals for the plan period that were not
1102 achieved. Placement goals are considered not achieved when the actual hiring rate is less
1103 than the availability rate for the overall plan period. For each placement goal not
1104 achieved, the plan shall provide an analysis of why the goals were not met including
1105 whether the planned implementation activities were completed. Placement goals shall
1106 only be considered not achieved in those instances in which the total number of hires is
1107 large enough such that it is statistically reasonable to expect under conditions of equal
1108 employment opportunity that the number of hires by race and gender will reflect work
1109 force availability.

1110 D. A progress report on each year's placement goals and implementation plans
1111 shall be delivered to the council annually on June 1. Eleven copies of the report shall be
1112 filed with the clerk of the council, for distribution to all councilmembers. For each
1113 category where a placement goal is established, the following shall be reported:

- 1114 1. Labor force availability rates as proposed in the affirmative action plan by
1115 department, job group, race and gender;
- 1116 2. Data by department and job group of the total number of positions filled;
- 1117 3. For each department and job group, the number of positions that were filled
1118 by each race and gender category;

- 1119 4. For each department and job group, the percentage of positions that were
1120 filled by each race and gender category;

1121 5. A separate listing of placement goals not achieved. Placement goals are
1122 considered not achieved when the availability rates are greater than the hiring rates.
1123 Placement goals shall only be considered not achieved in those instances in which the

1124 total number of hires is large enough such that it is statistically reasonable to expect
1125 under conditions of equal employment opportunity that the number of hires by race and
1126 gender will reflect work force availability;

1127 6. Beginning in the second year, cumulative data for the plan period for the
1128 information required under subsection D. 1. through 5. of this section; and

1129 7. The status of each activity proposed in each department's implementation
1130 plan as required by subsection C.3. a. through c. of this section. The progress report shall
1131 include updates to the implementation plans in order that the plans consist of more than
1132 repeating the same activities which have previously produced inadequate results.

1133 E. The executive shall submit a proposed ordinance approving a new ~~((five-~~
1134 ~~year))~~ four-year affirmative action plan to the council within twelve months of the
1135 publication of the appropriate data from the ten-year United States census.

1136 SECTION 16. Ordinance 12014, Section 29, and K.C.C. 3.12.290 are each
1137 hereby amended to read as follows:

1138 A. In the case of an appeal by a career service employee to the board, written
1139 notice of appeal shall be filed by the employee with the chair of the board and the
1140 director within thirty calendar days of the employee having been notified of the
1141 disciplinary action as provided for by this chapter or within ten calendar days of
1142 completion of the grievance or appeal process contained in this chapter or any applicable
1143 collective bargaining agreement. For appeals not involving disciplinary action, the
1144 applicable period shall be fourteen calendar days from the action from which the appeal
1145 is taken, or fourteen calendar days from the time the employee should reasonably have
1146 known of the action, whichever is longer. The written notice of appeal shall contain a

1147 statement of the following:

- 1148 1. The action or alleged action from which the appeal is taken;
1149 2. The grounds for appeal; and
1150 3. The relief requested.

1151 The board may only hear appeals which are within its jurisdiction, as set forth by
1152 Section 540 of the charter.

1153 B. All decisions of the personnel board shall be final unless appealed to a court of
1154 competent jurisdiction within fourteen calendar days.

1155 C. The personnel board or the court shall award a career service employee
1156 reasonable attorney's fees incurred in any appeal in which the employee is the prevailing
1157 party, provided, that the employee shall be considered the prevailing party only where the
1158 county has a written settlement offer in effect thirty calendar days prior to the hearing of
1159 the personnel board or court and the award obtained by the employee exceeds the
1160 terms of that settlement offer; provided further, that such reasonable attorney's fees shall
1161 not exceed the actual fees paid by the employee.

1162 D. ~~((Annually or u))~~ Upon request, the director shall provide the council with a
1163 status report of appeals filed with the personnel board.

1164 SECTION 17. Ordinance 12014, Section 50, as amended, and K.C.C. 3.15.020
1165 are each hereby amended to read as follows:

1166 This section applies to all positions in the executive branch, noncommissioned
1167 positions in the office of the sheriff and the department of assessments allocated to a
1168 classification approved by the council.

1169 A.1. Except as otherwise provided by ordinance, the schedule of pay ranges shall

1170 consist of ninety-nine pay ranges, each containing ten steps as approved by ordinance
1171 annually.

1172 2. On a continuing three-year cycle, the executive shall assess market conditions
1173 and determine whether to make adjustments, if any, to pay ranges assigned to existing
1174 classifications.

1175 B. Consistent with K.C.C. 3.12.350, the manager of the human resources
1176 management division shall establish guidelines for pay increases in accordance with the
1177 following:

1178 1. Employees may receive within-range increases from one step to the next
1179 higher step upon satisfactory completion of the probationary period. All probationary-
1180 period pay increases must be supported by documented performance appraisal.
1181 Probationary-period pay increases exceeding Step 5 must have prior written approvals by
1182 the department director and the manager of the human resources management division. In
1183 the event of the completion of the probationary period by a division of human resources
1184 employee, the county administrative officer must provide prior written approval for
1185 probationary-period pay increases exceeding Step 5. (~~A written report listing the~~
1186 ~~number of employees who have received probationary increases above Step 5 must be~~
1187 ~~filed with the clerk of the council for distribution to the chair of the labor, operations and~~
1188 ~~technology committee or its successor committee on February 15 and August 15 of each~~
1189 ~~year));~~

1190 2. Employees may be eligible to receive increases annually in accordance with
1191 the following principles:

1192 a. An incentive increase must be supported by an annual documented

1193 performance appraisal approved by the department director((;)) or ((his or her))
1194 designee((;)) and the documented performance appraisal must be maintained in the
1195 employee's personnel file. Incentive increases shall be prospective only and shall be
1196 effective on January 1 following the year on which the appraisal was based;

1197 b. For employees currently in Steps 1 through 4 in the pay range, the appointing
1198 authority may grant an increase of a single step for standard performance and may grant
1199 an increase exceeding a single step for above-standard or outstanding performance, as
1200 defined by the manager of the human resources management division;

1201 c. For employees currently in Steps 5 through 7 in the pay range, the
1202 appointing authority may grant an increase of one or more steps for above-standard
1203 performance; and

1204 d. For employees currently in Steps 8 through 9 in the pay range, the
1205 appointing authority may grant an increase of one step, not to exceed the top of the pay
1206 range, for outstanding performance;

1207 3. An appointing authority may grant an employee incentive pay up to five
1208 percent above the top step of the range for a period of twelve months, if all of the
1209 following conditions are met:

1210 a. the employee is not a department director;

1211 b. the employee has been at the top step of the prior or current range for two
1212 years before the award of the increase; and

1213 c. the employee has demonstrated continuous outstanding performance;

1214 4. All incentive increases are subject to the availability of funds. Within-range
1215 incentive increases are not automatic but shall be given only upon the written direction of

1216 the appointing authority, as defined in K.C.C. 3.12.010_B, within the guidelines
1217 established by the manager of the human resources management division;

1218 5.a. When the manager of the human resources management division
1219 reclassifies a position to a higher classification, the pay rate of the incumbent employee
1220 shall be increased to the first step of the pay range of the new classification or the nearest
1221 step that constitutes an increase of no more than five percent above the former rate of
1222 pay, whichever is greater.

1223 b. A pay increase as a result of reclassification may not exceed the top step of
1224 the new range, unless the employee's former pay includes an above-Step-10 amount as a
1225 result of an incentive increase. If the employee's former pay includes an above-Step-10
1226 amount as a result of an incentive increase, the employee's new pay is calculated upon the
1227 above-Step-10 amount. If the increase from reclassification results in pay that is above
1228 the top step of the new range, the pay shall be reduced to the top step of the new range at
1229 the end of the incentive period unless the employee requalifies for an above-Step-10
1230 incentive award.

1231 c. Implementation of a reclassification and any related pay change shall be
1232 prospective and is effective when the classification is approved by the manager of the
1233 human resources management division. The pay increase as a result of reclassification
1234 may not exceed five percent above the top step in any case; and

1235 6. When the manager of the human resources management division adjusts the
1236 pay range of a classification, the incumbent employee shall be placed at the same step in
1237 the new pay range as the employee was in the previous range. Implementation of any
1238 pay range adjustment shall be prospective and is effective when approved by the manager

1239 of the human resources management division or, if required by K.C.C. 3.15.040, by the
1240 labor, operations and technology committee or its successor committee.

1241 SECTION 18. Ordinance 14233, Section 5, as amended, and K.C.C. 3.15.120 are
1242 each hereby amended to read as follows:

1243 A.1. New county employees shall start at the first step of the pay range. If
1244 necessary for recruitment, however, a department director may authorize an offer of a
1245 higher pay step.

1246 2. At least one of the following criteria must be met to hire an employee above
1247 the first step:

1248 a. The candidate's education and experience are significantly above the
1249 minimum requirements for the position;

1250 b. The candidate has an especially desirable skill, talent, knowledge or ability;

1251 c. The candidate has a current salary that is above the first step of the of the
1252 salary range; or

1253 d. The candidate has a competing written, formal offer of employment that is
1254 above the first step of the salary range.

1255 3. If a department director determines it is necessary to hire an employee above
1256 the first step, a copy of the appointment letter, together with a statement of the reason for
1257 hiring the employee above the first step, must be provided to the manager of the human
1258 resources management division at the time of hire.

1259 B. The county administrative officer may approve the hiring of an employee
1260 above Step 5. In such cases, the county administrative officer must issue prior written
1261 approval to the department director and send a copy of the written notification to the

1262 executive.

1263 ~~((C. The executive shall report in writing filed with the clerk of the council for~~
1264 ~~distribution to the chair of the labor, operations and technology committee, or its~~
1265 ~~successor committee, on the number of instances when employees are hired above Step 5~~
1266 ~~on February 15 and August 15 of each year.))~~

1267 SECTION 19. Ordinance 14233, Section 7, as amended, and K.C.C. 3.15.140 are
1268 each hereby amended to read as follows:

1269 A. An appointing authority, with the prior written approval of the department
1270 director and, when required, the manager of the human resources management division
1271 and the county administrative officer may assign an employee in a regular position to an
1272 existing higher-level classification for a limited term when the higher-level duties and
1273 responsibilities comprise the majority of the work performed.

1274 B. Depending upon the type of special duty assignments needed for business
1275 operations, special duty assignments may be made for up to twelve months, up to three
1276 year, and up to five years, respectively.

1277 1. In cases where a special duty assignment is made to provide for additional
1278 staffing at a higher level, the assignment may be approved for up to a term of twelve
1279 months but only if:

1280 a. the assignment is authorized in advance in writing by the department
1281 director; and

1282 b. the assignment is needed for work that exceeds either the volume or
1283 complexity, or both, than what is routinely expected, but the work is of a limited duration
1284 and is not ongoing; the assignment is needed for work which is unanticipated due to

1285 unique circumstances which are not expected to reoccur; or the assignment is needed to
1286 either develop or implement, or both, a new function, system, or proposal within a
1287 division.

1288 2. In cases where a special duty assignment is made to backfill a regular
1289 position, the assignment may be approved for up to a term of three years, but only if:

1290 a. the backfill assignment is authorized in advance in writing by the
1291 department director and the county administrative officer based upon a specific
1292 determination that a special duty assignment continues to meet the requirements in this
1293 chapter and that a position reclassification is not appropriate;

1294 b. the assignment is made to backfill:

1295 (1) an incumbent employee who is absent because of an extended leave of
1296 absence for a medical reason, as required under applicable county, state or federal law;

1297 (2) an incumbent employee who is absent because of military service; or

1298 (3) an incumbent employee who is absent because of assignment to a special
1299 duty or another assignment; and

1300 3. in no cases, may the special duty backfill assignment exceed the term of the
1301 incumbent employee's absence.

1302 4. In cases where a special duty assignment is made for the performance of a
1303 project necessitating a higher level of work, the assignment may be approved for up to a
1304 term of three years, but only if:

1305 a. the project assignment is authorized in advance in writing by the department
1306 director, the manager of the human resources management division and the county
1307 administrative officer based upon a specific determination that a special duty assignment

1308 continues to meet the requirements in this chapter and that a position reclassification is
1309 not appropriate; and

1310 (1) the project is clearly defined, a project plan has been developed or the
1311 employee will develop a project plan;

1312 (2) the project has a beginning and end date of three years or less;

1313 (3) the employee will perform duties that are primarily related to a single
1314 specifically defined project; and

1315 (4) the employee is performing non-routine work for a project outside of the
1316 regular scope of the normal division functions.

1317 5. In cases where a special duty assignment is made to staff or to backfill staff
1318 on a grant-funded, capital improvement, or information systems technology project
1319 necessitating a higher level of work, the assignment may be approved for up to a term of
1320 three years and, upon justification, extended an additional two years up to a term of five
1321 total years, but only if:

1322 a. the project assignment is authorized in advance in writing by the department
1323 director, the manager of the human resources management division and the county
1324 administrative officer based upon a specific determination that a special duty assignment
1325 continues to meet the requirements in this chapter and that a position reclassification is
1326 not appropriate; and

1327 b. the assignment is made to a clearly defined project with a limited term and a
1328 definite termination date; or the assignment is made to backfill staff on the project.

1329 C. A special duty assignment must be made in writing to the employee before the
1330 beginning of the assignment. The written notice must provide the classification title and

1331 description and must list the specific duties that the employee is to perform and the
1332 duration of the assignment. The written notice must also include a statement that the
1333 assignment will not confer on the employee any new privilege, right of appeal, right of
1334 position, transfer, demotion, promotion or reinstatement. A special duty assignment may
1335 be revoked at any time at the discretion of the appointing authority. Special duty pay
1336 may not be assigned retroactively.

1337 D. The special duty increase shall be to the first step of the pay range of the
1338 existing higher-level job classification or to a pay step in the existing higher classification
1339 that provides an increase of approximately five percent above the former rate of pay,
1340 whichever is greater.

1341 E. Special duty compensation may not exceed the top step of the new range if the
1342 employee was receiving above-Step-10 incentive pay. In those instances, the pay may
1343 exceed the maximum of the new pay range by no more than five percent and shall
1344 continue only as long as the incentive pay would have remained in effect.

1345 F. When the special duty assignment is completed, the employee's pay shall
1346 revert to the pay rate the employee would have received if the employee had not been
1347 assigned to special duty.

1348 G. Special duty pay shall not be considered part of an employee's base pay rate
1349 for purposes of placement within a salary range as a result of promotion or
1350 reclassification.

1351 ~~((H. The executive shall notify the council each year in writing of the total
1352 number of county employees on special duty assignment by department. The executive
1353 shall file a paper original and electronic copy of each memorandum with the clerk of the~~

1354 council, who shall retain the original and provide an electronic copy to all
1355 councilmembers and the lead staff for the government accountability and oversight
1356 committee or its successor.))

1357 SECTION 20. Ordinance 12014, Section 55, as amended, and K.C.C. 3.16.050
1358 are each hereby amended to read as follows:

1359 A. The labor policy committee shall meet as it deems necessary to obtain the
1360 testimony of members of the public, the bargaining agent, bargaining representatives or
1361 their designees, county department management and others in order to consider such
1362 testimony in policy decisions before the committee. The labor policy committee shall not
1363 engage in bargaining with bargaining representatives or represented employees.

1364 B. The labor policy committee shall provide an opportunity for bargaining
1365 representatives or their designees to address the committee before the adoption of overall
1366 policy. Overall policy, and all amendments to adopted policies, shall be established only
1367 upon an affirmative vote by a majority of the members of the labor policy committee.

1368 C. The bargaining agent shall recommend to the labor policy committee overall
1369 changes to adopted policies that would be required to implement the changes proposed in
1370 K.C.C. (~~3.16.055.D~~) 3.16.055.C, and an overall estimate of the monetary value, if any,
1371 of these changes, including both costs and benefits.

1372 D. The bargaining agent may seek further clarification of adopted policies from
1373 the labor policy committee at any time during the negotiations.

1374 E. By June 30 of each year, the executive shall report to the labor policy
1375 committee regarding employment policies applicable to nonrepresented employees.

1376 F. (~~By June 30 of each year, the prosecuting attorney shall, in conjunction with~~

1377 ~~the executive, report to the labor policy committee on all pending litigation involving~~
1378 ~~nonrepresented employees.~~

1379 ~~G.))~~ For the purpose of maintaining an effective collective bargaining process,
1380 the strategies and related information presented by the bargaining agent shall be
1381 maintained as confidential. In addition, proposed or adopted policies designated as
1382 confidential shall be considered policy formulation documents and be maintained as
1383 confidential and exempt from public disclosure as provided in RCW 42.56.280. The
1384 labor policy committee shall develop guidelines to assist in accomplishing such
1385 confidentiality.

1386 ~~((H.))~~ G. Any councilmember may propose the adoption, amendment or repeal of
1387 any labor policy by filing with the clerk of the council a memorandum that includes the
1388 proposed policy. Any proposed amendment shall set for the existing policy and show
1389 proposed changes as in the form required for ordinances by K.C.C. 1.24.075. The clerk
1390 shall provide a copy of the proposal to the executive, each councilmember and the lead
1391 staff for the labor policy committee. The proposal shall be designated by the
1392 councilmember either as public or as confidential pending action by the committee on the
1393 policy. Adopted policies may be designated as confidential by an affirmative vote of a
1394 majority of the members of the policy committee.

1395 ~~((I.))~~ H. The clerk of the council shall maintain a compilation of adopted policies.
1396 The clerk shall make publicly available all public policies, and shall maintain as
1397 confidential all labor policies designated as confidential policy formulation documents.

1398 SECTION 21. Ordinance 14287, Section 5, and K.C.C. 3.16.055 are each hereby
1399 amended to read as follows:

1400 ~~((A. The bargaining agent shall report to the implementation committee no later~~
1401 ~~than June 30 of each year on the status and maintenance necessary to comply with the~~
1402 ~~requirement of maintaining a database of information within King County government on~~
1403 ~~wages, hours, employee benefits, vacation and other leave, job classifications and~~
1404 ~~substantial and factual information to provide knowledge of working conditions~~
1405 ~~necessary to conduct effective negotiations.~~

1406 ~~B.1.)~~ A.1. A bargaining representative may at any time during negotiations
1407 forward to the manager of the human resource management division, or its successor, a
1408 written complaint that the collective bargaining process is not being conducted in a
1409 timely manner or is not being conducted in a manner consistent with good faith
1410 bargaining. The manager shall, within fifteen calendar days, respond in writing to the
1411 complaint and propose such remedies as may address the complaint.

1412 2. If the bargaining representative is not satisfied with the written response of
1413 the manager, or if a written response to the complaint is not received within fifteen
1414 calendar days, the bargaining representative may forward the written complaint to the
1415 King County executive, as the bargaining agent, who shall, within fifteen calendar days,
1416 respond to it in writing and propose such remedies as may address the complaint.

1417 3. If the bargaining representative is not satisfied with the written response of
1418 the bargaining agent, or if a written response is not received from the bargaining agent
1419 within fifteen calendar days, the bargaining representative may request that the written
1420 complaint be forwarded to the implementation committee.

1421 4. If the bargaining agent receives a written request to have the complaint
1422 forwarded to the implementation committee, including an explanation of reasons for the

1423 request, the bargaining agent shall forward the request, together with the bargaining
1424 agent's written response, to the implementation committee within five calendar days from
1425 the receipt of the request. These materials or any discussion thereof shall remain
1426 confidential to the extent allowed by law.

1427 5. The implementation committee may request that the bargaining agent meet
1428 with the implementation committee for the purpose of reviewing the status of
1429 negotiations with regard to the principles contained in this chapter and the overall policy
1430 direction established by the policy committee, but the implementation committee shall
1431 take no action that would interfere with the lawful role of the bargaining agent.

1432 ~~((C.))~~ B. By June 30 of each year, the prosecuting attorney, in conjunction with
1433 bargaining agent, shall report to the implementation committee on all pending unfair
1434 labor practice charges and all pending ~~((litigation and))~~ arbitration involving represented
1435 employees.

1436 ~~((D.))~~ C. By June 30 of each year, or, in the case of agreements expiring other
1437 than December 31, at least ninety days before the commencement of negotiations, in
1438 preparation for collective bargaining the bargaining agent shall report to the
1439 implementation committee the agreements expiring that calendar year. The bargaining
1440 agent shall also generally explain existing policies that, if changed, would further the
1441 principles and intent established by this chapter. County department management
1442 concerned with the collective bargaining process, with the advice of other relevant county
1443 departments, shall assist the bargaining agent in reporting to the implementation
1444 committee.

1445 ~~((E.))~~ D. By June 30 of each year or, for agreements expiring other than

1446 December 31, at least ninety days before commencing negotiations, the implementation
1447 committee shall meet with the bargaining agent to review the schedule of collective
1448 bargaining agreements expiring in that calendar year and the key issues related to the
1449 collective bargaining process. Methods of consultation with unions, management rights
1450 and eliminating the causes of employee grievances shall also be considered.

1451 ~~((F.))~~ E. Following the establishment of overall policy, and before commencing
1452 negotiations, the implementation committee shall meet to hear the bargaining agent's
1453 recommended strategies for implementing adopted policies. The implementation
1454 committee shall confer with the bargaining agent as it deems necessary to ensure
1455 compliance with this chapter and good-faith collective bargaining. The bargaining
1456 agent's strategies shall be generally consistent with the principles contained in this
1457 chapter and the overall policy direction established by the policy committee.

1458 ~~((G.))~~ F. The implementation committee shall meet at least quarterly to review
1459 the progress of the negotiations but shall not interfere with good-faith collective
1460 bargaining.

1461 ~~((H.))~~ G. The implementation committee shall review all agreements negotiated
1462 between the bargaining agent and bargaining representatives to ensure compliance with
1463 the principles contained in this chapter and with the overall policy direction established
1464 by the policy committee. The implementation committee may recommend to the council
1465 adoption or rejection of agreements or it may forward agreements to the council for
1466 action without recommendation.

1467 ~~((I.))~~ H. For the purpose of maintaining an effective collective bargaining
1468 process, the strategies and related information presented by the bargaining agent shall be

1469 maintained as confidential. The implementation committee shall develop guidelines to
1470 assist in accomplishing such confidentiality.

1471 SECTION 22. Ordinance 17909, Section 11, and K.C.C. 3.18.080 are each
1472 hereby amended to read as follows:

1473 A. The executive may waive this chapter in whole or in part to the extent that any
1474 of the following applies:

1475 1. The award of a contract or amendment to a contract is necessary in an
1476 emergency, as defined in K.C.C. 12.52.010 or RCW 39.04.280;

1477 2. The contract is for a proprietary purchase under K.C.C. 2.93.070;

1478 3. There are no contractors capable of responding to the county's requirements
1479 that can comply with this chapter;

1480 4. The county is purchasing through a cooperative or joint purchasing
1481 agreement; or

1482 5. Application of this chapter would:

1483 a. result in an increased cost to the county that would make it necessary to
1484 reduce services to county residents; or

1485 b. otherwise have a material, adverse impact on the county.

1486 B. A request for a waiver of this chapter must be made to the executive by the
1487 contract-awarding authority in a manner prescribed by the executive by administrative
1488 rule.

1489 C. When any waivers are granted under this section, ~~((F))~~the executive shall
1490 provide ~~((an annual))~~ a written report to the council ~~((regarding any waivers granted~~
1491 ~~under this section, including))~~ that includes a description of the relevant facts and an

1492 explanation of the reason for each waiver. The executive must file the report covering
1493 the preceding calendar year by April 1 (~~of each calendar year, covering the preceding~~
1494 ~~calendar year~~) when a waiver was granted in the preceding year, in the form of a paper
1495 original and an electronic copy with the clerk of the council, who shall retain the original
1496 and provide an electronic copy to all councilmembers, the council chief of staff, and the
1497 lead staff to the budget and fiscal management committee or its successor. If no waivers
1498 are granted in a calendar year, no reporting is required in the following year.

1499 SECTION 23. Ordinance 12045, Section 20, as amended, and K.C.C. 4.56.035
1500 are each hereby amended to read as follows:

1501 County employees shall be held accountable and responsible for all of the various
1502 personal property assigned to them during the course of their employment with the
1503 county.

1504 A. Written documentation, by employee, of all changes in assigned capitalized
1505 items from the department or agency inventory reports will be recorded at the time of the
1506 occurrence and kept in each county department or agency.

1507 B. The fleet administration division shall provide a report of losses to the county
1508 council, county administrative officer and office of risk management. The report to the
1509 county council shall be transmitted with the biennial budget.

1510 C. The fleet administration division shall recommend to the department or
1511 agency director or manager corrective action for all capitalized items lost or misplaced
1512 due to employee negligence or misconduct.

1513 D. If the director or manager determines an employee to be negligent in (~~his or~~
1514 ~~her~~) the care of the property assigned to (~~him or her~~) the employee or if a terminated

1515 employee fails to return personal property assigned to (~~him or her~~) the employee, then
1516 the county may pursue any remedy available at law for recovery of loss of property. If a
1517 career service employee is disciplined, that employee has the right to the full protection
1518 of the county disciplinary-grievance process as established by applicable union
1519 bargaining agreements and the county code provisions and administrative guidelines for
1520 the career service.

1521 E. The fleet administration division shall be the sole agency responsible for
1522 inventorying and disposing of county personal property.

1523 SECTION 24. Ordinance 620, Section 4 (part), as amended, and K.C.C.

1524 4A.100.100 are each hereby amended to read as follows:

1525 A. The following reports shall be prepared:

1526 (~~(A-)~~) 1. A comprehensive annual financial report. The executive shall annually
1527 prepare and publish a comprehensive financial report covering all funds and financial
1528 transactions of the county during the preceding fiscal period;

1529 (~~(B-)~~) 2. Internal county audit reports. The county auditor shall periodically
1530 prepare and publish the results of examinations performed by the county auditor's office
1531 of the effectiveness and efficiency of the operation of county agencies. The examination
1532 report and any departmental response to the audit shall be made available by the county
1533 auditor, either electronically or in print formats, and by posting on the Internet;

1534 (~~(e)~~) 3. State audit report. The examination report of the county's financial
1535 affairs and transactions issued annually by the Office of the State Auditor and the county
1536 response to the audit shall be made available they the State Auditor annually, either
1537 electronically or in print formats, and by posting on the Internet; and

1538 ~~((D-))~~ 4. Quarterly budget management reports.

1539 ~~((1-))~~ a. The executive shall submit to the council a report detailing the results
1540 of actual revenue collections and expenditures for each fund. The report shall:

1541 ~~((a-))~~ (1) present current financial plans for operating and capital funds that
1542 have gone through the office of performance, strategy and budget's financial monitoring
1543 process, as described in the current comprehensive financial management policies
1544 adopted by motion by the council during the current quarter, including actual
1545 expenditures and revenues;

1546 ~~((b-))~~ (2) identify significant variances in revenue and expenditure estimates
1547 for the general fund;

1548 ~~((c-))~~ (3) list any transfer of emergent need contingency expenditure authority
1549 that would increase the total budget of a capital project by less than fifteen percent;

1550 ~~((d-))~~ (4) report scope, schedule and budget status for capital projects that has
1551 a baseline with total estimated cost greater than one million dollars;

1552 ~~((e-))~~ (5) summarize the risks included in the risk assessment register for
1553 mandatory phased appropriation projects in the construction phase, summarize change
1554 orders, explain change orders that have the cumulative potential to carry the project over
1555 project baseline and summarize the results of the latest earned value analysis;

1556 ~~((f-))~~ (6) list all new donations to the department of public health of two
1557 thousand dollars or more, as described in K.C.C. 2.35A.200, including the name of the
1558 person making the donation, the amount of the donation, and the public health purpose
1559 for which it is intended to be expended. In any case where the donation originates from
1560 social media activity such as crowdsourcing, the list shall include the name of the person

1561 sponsoring this activity; and

1562 ~~((g))~~ (7) report on all incremental changes to sections and attachments to the
1563 biennial budget appropriations ordinance made during the quarter, including the
1564 ordinance numbers making the changes.

1565 ~~((z))~~ b. The report shall be delivered to the clerk of the council in the form of
1566 a paper original and an electronic copy for distribution to all councilmembers and to the
1567 chair and lead staff of the budget and fiscal management committee, or its successor, no
1568 later than June 1 for the first quarterly report, September 1 for the second quarterly
1569 report, December 1 for the third quarterly report and March 1 for the fourth quarterly
1570 report. The director of performance, strategy and budget shall also be responsible for
1571 posting the report on the Internet.

1572 B. The King County project control officer is requested to submit four quarterly
1573 reports to the council per year summarizing all findings in regards to any changes in a
1574 project's scope, schedule, or budget. The reports are due to the council by no later than
1575 March 1, June 1, September 1 and December 1 of each year. Twelve copies of each
1576 report shall be filed with the clerk of the council, for distribution to all councilmembers
1577 and the capital project oversight office in the auditor's office.

1578 C. The King County project control officer is requested to report annually on the
1579 process used to ensure that all departments and divisions adhere to King County's
1580 construction management policies and procedures, the compliance rate for following the
1581 county's construction management policies and procedures and the steps being taken to
1582 increase compliance with King County's construction management policies and
1583 procedures. The King County project control officer shall file this report by June 1 of

1584 each calendar year in the form of a paper original and an electronic copy with the clerk of
1585 the council, who shall retain the original and provide an electronic copy to all
1586 councilmembers and the capital project oversight office in the auditor's office.

1587 SECTION 25. Ordinance 15949, Section 3, as amended, and K.C.C. 4A.500.309
1588 are each hereby amended to read as follows:

1589 A. It is the policy of the county that citizens and policy makers be able to
1590 measure the effectiveness of the investment of these public funds. The county requires
1591 appropriate oversight, accountability and reporting on the status and progress of the
1592 programs supported with the sales tax funds. The programs supported with these funds
1593 shall be designed to achieve the following policy goals:

- 1594 1. Divert individuals with behavioral health needs from costly interventions
1595 such as jail, emergency rooms and hospitals;
- 1596 2. Reduce the number, length and frequency of behavioral health crisis events;
- 1597 3. Increase culturally-appropriate, trauma-informed behavioral health services;
- 1598 4. Improve the health and wellness of individuals living with behavioral health
1599 conditions; and
- 1600 5. Explicit linkage with, and furthering the work of, King County and
1601 community initiatives.

1602 B. To ensure the oversight, implementation and evaluation of the Mental Illness
1603 and Drug Dependency Service Improvement Plan is consistent with the county's policy
1604 goals outlined in subsection A. of this section and to ensure fulfillment of the
1605 requirements of RCW 82.14.460 which enables the sales tax, the executive, in
1606 collaboration with the mental illness and drug dependency advisory committee and

1607 community stakeholders, shall develop and submit for council review and approval an
1608 implementation and evaluation plan for the Mental Illness and Drug Dependency Service
1609 Improvement Plan accepted by council by ~~((Proposed)) Ordinance ((2016-XXXX))~~
1610 18406.

1611 C. The implementation and evaluation plan shall have the following parts:

1612 1. Part One: Implementation Plan. Part one of the implementation and
1613 evaluation plan is an implementation plan. The implementation plan shall describe the
1614 implementation of the initiatives, programs and services outlined in the Mental Illness
1615 and Drug Dependency Service Improvement Plan. The description shall include: a
1616 schedule of the implementation of initiatives, programs, and services outlined in the
1617 Mental Illness and Drug Dependency Service Improvement Plan as approved by the
1618 council under Ordinance ~~((XXXXX (Proposed Ordinance 2016-XXXX)))~~ 18406; a
1619 discussion of needed resources, including staff, information and provider contracts;
1620 outcome and performance measures; procurement and contracting information;
1621 community engagement efforts; and how the initiative, program or service advances the
1622 county's mental health and chemical dependency policy goals. An updated 2017-2018
1623 biennial spending plan and financial plan for the mental illness and drug dependency
1624 fund shall be included in the implementation plan that is transmitted to the council. Part
1625 one shall be developed in collaboration with the mental illness and drug dependency
1626 advisory committee and community stakeholders. Part one of the implementation and
1627 evaluation plan shall be submitted to the council by August 3, 2017, for council review
1628 and approval by motion. Twelve copies of the part one implementation plan to the
1629 council shall be filed with the clerk of the council, for distribution to all councilmembers

1630 and to the lead staff of the health, housing and human services committee, or its
1631 successor; and

1632 2. Part Two: Evaluation Plan. Part two of the implementation and evaluation
1633 plan is an evaluation plan. The evaluation plan shall describe an evaluation and reporting
1634 plan for the mental illness and drug dependency sales tax-funded initiatives, programs,
1635 and services supported by revenue levied under K.C.C. 4A.500.300. Part two shall
1636 specify: process and outcome evaluation components; a proposed schedule for
1637 evaluations; performance measurements and performance measurement targets; and data
1638 elements that will be used for reporting and evaluations. Performance measures shall
1639 include, but not be limited to: the amount of funding contracted to date, the number and
1640 status of request for proposals to date, individual program status and statistics such as
1641 individuals served, data on utilization of the justice and emergency medical systems and
1642 resources needed to support the evaluation requirements identified in this subsection C.2.
1643 The evaluation plan shall describe overarching principles, evaluation framing questions
1644 and approaches that will guide mental illness and drug dependency evaluation and
1645 performance measurement for 2017 through 2025. Part two shall be developed in
1646 collaboration with the mental illness and drug dependency oversight committee and
1647 community stakeholders. Part two of the implementation and evaluation plan shall be
1648 submitted to the council by August 3, 2017, for council review and approval by motion.
1649 Twelve copies of the part two evaluation plan to the council shall be filed with the clerk
1650 of the council, for distribution to all councilmembers and to the lead staff the health,
1651 housing and human services committee or their successors.

1652 D.1. In addition to reviewing and approving the parts one and two of the

1653 implementation and evaluation plan outlined in subsection C. of this section, in
1654 coordination with the mental illness and drug dependency advisory committee, the
1655 executive shall submit an annual mental illness and drug dependency evaluation
1656 summary report each year for the initiatives, programs and services supported with the
1657 sales tax revenue. The annual summary evaluation report shall be submitted to the
1658 council by August 1 each year for council review and approval by Motion, starting in
1659 August 2018. The annual report shall include at a minimum:

- 1660 a. performance measurement statistics;
- 1661 b. program utilization statistics;
- 1662 c. request for proposal and expenditure status updates;
- 1663 d. progress reports on evaluation implementation;
- 1664 e. geographic distribution of the sales tax expenditures across the county,
1665 including collection of residential ZIP ((e))Code data for individuals served by the
1666 programs and strategies;
- 1667 f. updated performance measure targets for the following year of the mental
1668 illness and drug dependency initiatives, programs and services;
- 1669 g. recommendations on either program changes or process changes, or both, to
1670 the funded programs based on the measurement and evaluation data; and
- 1671 h. summary of cumulative calendar year data.

1672 2. Twelve copies of the ((quarterly reports and the)) annual report to the council
1673 shall be filed with the clerk of the council, for distribution to all councilmembers and to
1674 the lead staff of the health, housing and human services committee, or its successor.

1675 E. Concurrent with the executive's 2017/2018 biennial budget proposal and for

1676 each biennia that the mental illness and drug dependency sales and use tax is levied, the
1677 executive shall submit a report on program expenditures and revenue as part of the
1678 county's biennial budget review process. The information submitted with the executive's
1679 budget shall include an updated (~~and~~) financial plan and a detailed spending plan for the
1680 tax funding, as well as revenue information. The mental illness and drug dependency
1681 spending plan shall include a detailed list of mental illness and drug dependency sales
1682 tax-funded initiatives, programs and services supported by revenue levied under K.C.C
1683 4A.500.300 and a budget.

1684 SECTION 26. Ordinance 17422, Section 3, and K.C.C. 4A.700.750 are each
1685 hereby amended to read as follows:

1686 A. Fees are established for on-demand use of bicycle lockers installed at King
1687 County transit passenger facilities to partially offset the cost to establish and operate the
1688 on-demand locker program. All fees charged under authority of this section shall be used
1689 to support the on-demand locker program. Any revenue collected by the department of
1690 transportation under authority of this section shall be deposited into the public
1691 transportation operating account of the public transportation fund.

1692 B. The program's costs include, but are not limited to, contract administration,
1693 facility construction, operation and maintenance, vendor selection costs and customer
1694 support.

1695 C. The department of transportation shall set the fee or a range of fees for on-
1696 demand use of bicycle lockers in accordance with this section.

1697 D. The department of transportation shall calculate fees or a range of fees for on-
1698 demand bicycle lockers. The initial maximum fee rate for on-demand use of bicycle

1699 lockers shall not exceed ten cents per hour. Factors considered in setting the fee include
1700 a review of average rates for use of bicycle lockers at other transit agencies; the desire to
1701 establish a value for this service; the need to partially recoup operational costs; and
1702 recognition that rates should be set low enough to stimulate demand and encourage more
1703 people to participate in the on-demand locker program. The department may round up
1704 the actual fee charged to the next full hour.

1705 E. The department of transportation shall post fees and rules for on-demand use
1706 of bicycle lockers on signs on or near the lockers. The department shall also post the
1707 fees, rules and penalties on the department of transportation website.

1708 F. The department of transportation may suspend or revoke use privileges of a
1709 user who:

- 1710 1. Fails to pay the applicable fee;
- 1711 2. Uses an on-demand bicycle locker for long-term storage;
- 1712 3. Damages or abuses an on-demand bicycle locker; or
- 1713 4. Uses any bicycle locker for any purpose other than short-term storage of a
1714 bicycle and related bicycle equipment.

1715 G. In addition, the department of transportation may remove or impound property
1716 from a bicycle locker for documented failure to comply with posted rules. The
1717 department shall make a reasonable, good-faith effort to contact the owner of any
1718 property impounded for violation of posted rules, and to return the impounded property to
1719 the owner.

1720 H. Within a range of fees set as authorized under subsection C. of this section,
1721 the department of transportation may vary the fee for on-demand bicycle locker use

1722 where there is a reasonable basis to do so, including, but not limited to factors such as
1723 location, time, demand or usage patterns.

1724 I. The department of transportation shall review the fees for on-demand use of
1725 bicycle lockers at least once per year.

1726 J. Once the fee or range of fees for on-demand use of bicycle lockers is set, the
1727 department of transportation may not increase the hourly fee, or the upper end of the
1728 hourly fee range, more than one hundred percent of that which is in place for the hourly
1729 fee or range, unless the department is authorized to do so by the council by ordinance.
1730 The department may not increase the fees or the upper end of the range of fees for on-
1731 demand use of bicycle lockers, within one hundred twenty days of a previous increase to
1732 the fee or range, unless the department is authorized to do so by the council by ordinance.
1733 However, for the convenience of bicycle locker users, the department may round up an
1734 increase in the hourly fee or fee range to the next highest increment of five cents, even if
1735 such rounding up would cause the hourly fee or fee range increase to exceed one hundred
1736 percent.

1737 K. The department of transportation may contract with a vendor or other agent to
1738 operate the on-demand bicycle locker rental program.

1739 ~~((L. By March 31 of each year, the executive shall transmit an annual report for
1740 the previous calendar year in the form of a paper original and an electronic copy filed
1741 with the clerk of the council, who shall retain the original and provide an electronic copy
1742 to all councilmembers. The report shall include:~~

1743 ~~1. The average daily occupancy of on-demand bicycle lockers and monthly
1744 rental information for traditional keyed bicycle lockers at transit passenger facilities;~~

- 1745 ~~2. The total revenues, by category, associated with on-demand bicycle lockers;~~
1746 ~~3. All rate structures in effect;~~
1747 ~~4. All costs, by category, associated with bicycle lockers, including separate~~
1748 ~~detail on costs specified to on-demand bicycle lockers;~~
1749 ~~5. An analysis of the on-demand bicycle locker program's effectiveness; and~~
1750 ~~6. Recommendations, as appropriate, for rate and code changes to both~~
1751 ~~maximize use of the bicycle lockers and maximize cost recovery for the county.))~~

1752 SECTION 27. Ordinance 14214, Section 6, as amended, and K.C.C. 9.14.050 are
1753 each hereby amended to read as follows:

1754 A. The department of natural resources and parks shall be the lead agency for
1755 King County's groundwater protection program and shall be responsible for the following
1756 activities:

- 1757 1. Oversee implementation of King County's groundwater protection program;
1758 2. Provide staff support to any groundwater protection committee appointed by
1759 King County and respond to the committees in a timely manner regarding the adoption of
1760 committee recommendations;
1761 3. Identify sources and methods of funding regional groundwater protection
1762 services and seek funding for these services;
1763 4. Develop any combination of interlocal agreements, memorandums of
1764 understanding and operating agreements with cities, special purpose districts, sewer and
1765 water utilities and associations, and water purveyors for implementation of groundwater
1766 management plans and regional groundwater protection services in King County. These
1767 agreements shall include provisions addressing the scope, governance, structure, funding

1768 and transition to implementation of certified groundwater management plans and regional
1769 groundwater protection services in King County;

1770 5. Consult with the Washington state Department of Ecology about the
1771 feasibility of integrating the goals and implementation of certified groundwater
1772 management plans, where possible, with adopted watershed plans to avoid creating
1773 redundant work programs;

1774 6. Coordinate with the department of permitting and environmental review for
1775 any review required pursuant to K.C.C. Title 21A regarding land use, water use,
1776 environmentally sensitive areas and special district overlays, or the exercise of other
1777 authorities, that relate to groundwater protection;

1778 7. Coordinate with the Seattle-King County department of public health for
1779 work performed pursuant to the King County Board of Health Code Title 10, Solid Waste
1780 Handling, Title 11, Hazardous Chemicals, Title 12, Water, Title R12, Water and Title 13,
1781 On-site Sewage, or the exercise of other authorities, that relate to groundwater protection;

1782 8. Coordinate with the office of regional policy and planning for work
1783 performed pursuant to K.C.C. Title 20, Planning, or the exercise of other authorities, that
1784 relate to groundwater protection;

1785 9. Coordinate internally within the department of natural resources for work
1786 performed under K.C.C. Title 9, Surface Water Management, K.C.C. chapter 20.70,
1787 Critical Aquifer Recharge Areas and K.C.C. Title 28, Water Pollution Abatement and
1788 Wastewater Treatment, or the exercise of other authorities, that relate to groundwater
1789 protection;

1790 10. In consultation with the department of permitting and environmental review,

1791 the Seattle-King County department of public health, and divisions within the department
1792 of natural resources, develop an integrated annual work plan that incorporates each of
1793 these agencies work programs relative to groundwater protection and that delineates the
1794 groundwater protection services provided by King County. A draft annual work plan
1795 shall be submitted to any groundwater protection committee appointed by King County
1796 for their review and recommendations. The department of natural resources shall
1797 distribute the final annual work plan to the King County council, any groundwater
1798 protection committee appointed by King County, cities, special purpose districts, sewer
1799 and water utilities and associations, water purveyors and other entities that are
1800 implementing activities recommended in certified groundwater management plans;

1801 11. Develop a three-year work plan that identifies long-term needs for
1802 groundwater protection, in consultation with any groundwater protection committee
1803 appointed by King County, cities, special purpose districts, sewer and water utilities and
1804 associations, and water purveyors. The work plan should include an examination by the
1805 Seattle-King County department of public health of the effectiveness of the current
1806 compliance methodology for violations of regulations governing operation, maintenance
1807 and repair of groundwater facilities by public water systems or individuals, and an
1808 examination of alternative compliance methodologies that provide for a hierarchy of
1809 responses to such violations (e.g., education, site visit, notification, fines, civil penalty,
1810 operating restrictions). The work plan shall include an examination of existing county
1811 fees or charges for groundwater testing that could reduce any current testing disincentives
1812 caused by unaffordability of those fees or charges. The department of natural resources
1813 shall distribute the three-year work plan to the King County council, any groundwater

1814 protection committee appointed by King County, cities, special purpose districts, sewer
1815 and water utilities and associations, water purveyors and other entities that have a role in
1816 the three-year work plan; and

1817 12. Provide an annual written report on the groundwater protection program.
1818 This report shall include, but not be limited to, information from the prior calendar year
1819 on groundwater protection services provided by King County, expenditures for the
1820 groundwater protection program and recommendations from any groundwater protection
1821 committee appointed by King County. By March 31 of each year (~~this~~) the report shall
1822 be submitted to (~~the King County council and~~) any groundwater protection committee
1823 appointed by King County.

1824 B. The King County auditor shall review whether or not groundwater protection
1825 services are being provided by King County and provide to the King County council by
1826 July 2003 an inventory of groundwater protection services that are provided and are not
1827 provided by King County.

1828 C. The regional water quality committee is requested to make recommendations
1829 to the King County council between April and September 2003 on the efficacy of the
1830 groundwater protection program in King County, including but not limited to the
1831 following areas: public outreach, education and stewardship; data management;
1832 coordination of groundwater protection activities with all interested entities, users and
1833 individuals; regional involvement in the groundwater protection program; development
1834 of agreements and funding for regional groundwater protection services, and the role of
1835 the department of natural resources in providing groundwater protection services.

1836 SECTION 28. Ordinance 7786, Section 7, as amended, and K.C.C. 10.14.080 are

1837 each hereby amended to read as follows:

1838 The council will evaluate annually the effectiveness of the waste recycling and
1839 reduction program in a programmatic and quantitative manner, to ensure the program is
1840 responsive and is meeting the solid waste management needs of the people of King
1841 County. By April 1 of each year, the division shall file a report in the form of a paper
1842 original and an electronic copy with the clerk of the council, ~~((for distribution))~~ who shall
1843 retain the original and provide an electronic copy to all councilmembers(~~(-a)~~) and lead
1844 staff to the committee of the whole or its successor. The report shall describe:

1845 A. ~~((of its p))~~Progress toward the goal of zero waste of resources through
1846 maximum feasible, cost-effective reduction of waste going to the landfills and other
1847 processing facilities. The report shall include annual projections of the amounts diverted
1848 from landfills and shall describe progress toward the work program outlined in K.C.C.
1849 10.14.060;

1850 B. Progress toward objectives identified in the comprehensive solid waste
1851 management plan described in K.C.C. chapter 10.24; and

1852 C. Progress in implementing the provisions of the construction and demolition
1853 ("C&D") waste program as set forth in KC.C. chapter 10.30, including, but not limited to:
1854 participation by vendors who have signed designated facility agreements; the numbers of
1855 enforcement actions and types of enforcement actions; effectiveness of enforcement
1856 strategy; engagement with vendors on enforcement strategies, through mechanisms such
1857 as an enforcement advisory group or outreach efforts; regulatory fee collection;
1858 effectiveness of efforts to ensure that waste is delivered exclusively to designated
1859 facilities; volumes and nature of residual C&D waste being sent to landfills for disposal;

1860 and C&D recycling rate.

1861 SECTION 29. Ordinance 7737, Section 2, as amended, and K.C.C. 10.24.020 are
1862 each hereby amended to read as follows:

1863 A. The division shall maintain an updated comprehensive solid waste
1864 management plan and shall review and propose plan revisions, if necessary to the council
1865 at least once every five years in accordance with RCW 70.95.110, as now enacted or
1866 hereafter amended.

1867 B. The county solid waste advisory committee shall review and comment upon
1868 the proposed plan before its submittal to the council for adoption.

1869 C. The interlocal forum shall have the following responsibilities:

1870 1. Advise the county council and county executive and other jurisdictions as
1871 appropriate on all policy aspects of solid waste management and planning, and consult
1872 with and advise the division on technical issues;

1873 2. Review and comment on alternatives and recommendations for the county
1874 comprehensive solid waste management plan and facilitate approval of plan by each
1875 jurisdiction;

1876 3. Review proposed solid waste interlocal agreements between the county and
1877 cities for planning, recycling and waste stream control;

1878 4. Review disposal rate proposals;

1879 5. Review status reports on: waste stream reduction, recycling, energy and
1880 resource recovery; and solid waste operations with interjurisdictional impact;

1881 6. Promote information exchange and interaction between waste generators,
1882 local governments with collection authority, recyclers and county-planned and operated

1883 disposal system;

1884 7. Provide coordination opportunities between the division, local governments,
1885 private operators and recyclers; and

1886 8. Aid cities in recognizing municipal solid waste responsibilities, including
1887 collection and recycling, and effectively carrying out those responsibilities.

1888 D. The division shall seek public comment on the preliminary draft
1889 comprehensive solid waste management plan, in addition to conducting the public review
1890 and comment procedures required by the state Environmental Policy Act. Copies of the
1891 plan should be provided to county cities, community organizations and the county
1892 council, and shall be posted on the county's web site. The public comment period on the
1893 preliminary draft shall be at least thirty days and shall be completed before the division
1894 transmits the preliminary draft to the Washington state Department of Ecology. The
1895 division should provide community organizations, commissions, cities and individuals an
1896 opportunity to submit written statements. If necessary, the division should revise the
1897 preliminary draft to address comments received.

1898 E. The council's committee of the whole or another committee designated by the
1899 council may hold hearings on the preliminary draft plan and the council shall hold a
1900 public hearing on the final draft plan before adoption of the plan. Any city using county
1901 solid waste facilities shall be notified of these public hearings and shall be requested to
1902 comment on the plan.

1903 F. ~~((The division shall submit to the council by May 1 of each year an annual~~
1904 ~~report of its progress toward objectives identified in the plan. That report shall also~~
1905 ~~describe progress in implementing the provisions of the construction and demolition~~

1906 (~~"C&D"~~) waste program as set forth in K.C.C. chapter 10.30, including, but not limited to,
1907 ~~participation by vendors who have signed designated facility agreements; the numbers of~~
1908 ~~enforcement actions and types of enforcement actions; effectiveness of enforcement~~
1909 ~~strategy; engagement with vendors on enforcement strategies, through mechanisms such~~
1910 ~~as an enforcement advisory group or outreach efforts; regulatory fee collection;~~
1911 ~~effectiveness of efforts to ensure that waste is delivered exclusively to designated~~
1912 ~~facilities; volumes and nature of residual C&D waste being sent to landfills for disposal;~~
1913 ~~and C&D recycling rate. The division must file the report in the form of a paper original~~
1914 ~~and an electronic copy with the clerk of the council, who shall retain the original and~~
1915 ~~provide an electronic copy to all councilmembers.~~

1916 G.)) Solid waste interlocal agreements between the county and cities wishing to
1917 plan jointly with the county or to authorize the county to plan for them shall identify
1918 which party is responsible for city solid waste operational plans, tonnage forecasts and
1919 recycling goals.

1920 ((H.)) G. The division shall provide staff support to the metropolitan solid waste
1921 management advisory committee and the interjurisdictional technical staff group.

1922 SECTION 30. Ordinance 12809, Section 1, as amended, and K.C.C. 20.14.070
1923 are each hereby amended to read as follows:

1924 A. The Watershed Management Committee - Proposed Lower Cedar River Basin
1925 and Nonpoint Pollution Action Plan, as shown in Attachment A and as amended in
1926 Attachment B to Ordinance 12809 and Appendix G of Ordinance 13190, is adopted to
1927 implement the surface water management and environmental policies of the King County
1928 Comprehensive Plan, provided, however, the following conditions shall apply:

1929 1. The executive shall transmit within thirty days from the council's adoption of
1930 the Lower Cedar River Basin and Nonpoint Pollution Action Plan, legislation which
1931 establishes a detailed work plan and any necessary code changes to implement the forest
1932 incentive program elements described in Chapter 4; and

1933 2. The executive shall transmit to the council for review by the ~~((utilities and~~
1934 ~~natural resources))~~ transportation, economy and environment committee or its successor
1935 ~~((with))~~ within sixty days of the council's adoption of the Lower Cedar River Basin and
1936 Nonpoint Pollution Action Plan, the base line data and the methodology for monitoring
1937 and evaluating the progress of the forest incentive program in the Cedar River Basin
1938 consistent with the indicators outlined in Chapter 4 ~~((, and shall thereafter submit annual~~
1939 ~~progress reports to the council consistent with that established methodology))~~; and

1940 3. The executive shall transmit to the council for review by the ~~((utilities and~~
1941 ~~natural resources))~~ transportation, economy and environment committee or its successor
1942 within sixty days of the council's adoption of the Lower Cedar River Basin and Nonpoint
1943 Pollution Action Plan, criteria for prioritizing future surface water CIP and bond program
1944 projects, and the process for early review by the Cedar River Council of projects
1945 proposed for funding in the Cedar River ~~((B))~~basin.

1946 The Watershed Management Committee - Proposed Lower Cedar River Basin and
1947 Nonpoint Pollution Action Plan constitutes official county policy with regard to surface
1948 water management in the Cedar River basin and designates regionally significant
1949 resource areas and locally significant resource areas in the basin

1950 SECTION 31. Ordinance 11502, Section 19, as amended, and K.C.C. 20.22.310
1951 are each hereby amended to read as follows:

1952 The office of the hearing examiner shall prepare ((a semiannual)) an annual report
1953 to the council detailing the length of time required for hearings in the previous ((six
1954 months)) year, categorized both on average and by type of proceeding. The report shall
1955 provide commentary on office operations and identify any need for clarification of county
1956 policy or development regulations. The office shall file the report by March 1 ((and
1957 September 1)) of each year, in the form of a paper original and an electronic copy with
1958 the clerk of the council, who shall retain the original and provide an electronic copy to all
1959 councilmembers.

1960 SECTION 32. Ordinance 15051, Section 140, as amended, and K.C.C.

1961 21A.24.061 are each hereby amended to read as follows:

1962 A. The King County council recognizes that rural stewardship plans and farm
1963 management plans are key elements of this chapter that provide flexibility to rural area
1964 residents to establish and maintain a rural lifestyle that includes activities such as
1965 farming and forestry while maintaining and enhancing rural character and environmental
1966 quality.

1967 B. The department of natural resources and parks and department of permitting
1968 and environmental review shall adopt public rules to implement K.C.C. 21A.24.045 and
1969 21A.24.051 relating to rural stewardship plans and farm management plans, consistent
1970 with the provisions of this section. The rules shall not compromise the King
1971 Conservation District's mandate or standards for farm management planning.

1972 C. County departments or approved agencies shall provide technical assistance
1973 and resources to landowners to assist them in preparing the plans. The technical
1974 assistance shall include, but is not limited to, web-based information, instructional

1975 manuals and classroom workshops. When possible, the assistance shall be provided at
1976 little or no cost to landowners. In addition, the department of natural resources and parks
1977 shall develop, in consultation as necessary with the department of permitting and
1978 environmental review and the King Conservation District, and make available to the
1979 public, model farm management, forest management and rural stewardship plans
1980 illustrating examples of plan application content, drawings and site plans, to assist
1981 landowners in their development of site-specific plans for their property.

1982 D. The department of natural resources and parks is the primary county agency
1983 responsible for rural stewardship plans and farm management plans that are filed with the
1984 county under this chapter. The department of natural resources and parks shall consult
1985 with the department of permitting and environmental review in carrying out its
1986 responsibilities under this chapter relating to rural stewardship plans and farm
1987 management plans. The department of natural resources and parks, the department of
1988 permitting and environmental review and the King Conservation District may enter into
1989 agreements to carry out the provisions of this chapter relating to rural stewardship plans
1990 and farm management plans.

1991 E. Not later than March 1, 2005, the department of natural resources and parks
1992 and department of permitting and environmental review shall prepare and submit to the
1993 chair of the growth management and unincorporated areas committee, or its successor, a
1994 report summarizing the public rules adopted to implement the provisions of this chapter
1995 related to farm management plans and rural stewardship plans and how the rules
1996 implement the requirements of this section.

1997 F. The department of natural resources and parks and department of permitting

1998 and environmental review shall monitor and evaluate the effectiveness of rural
1999 stewardship and farm management plans in meeting the goals and objectives of those
2000 plans established in this chapter. (~~Beginning March 31, 2006, the departments shall~~
2001 ~~present an annual report to the chair of the metropolitan King County council, providing~~
2002 ~~an evaluation of the prior year's activity related to rural stewardship and farm~~
2003 ~~management plans.))~~

2004 SECTION 33. Ordinance 15051, Section 151, as amended, and K.C.C.
2005 21A.24.133 are each hereby amended to read as follows:

2006 A. To the maximum extent practical, an applicant shall mitigate adverse impacts
2007 to a wetland, aquatic area, wildlife habitat conservation area or wildlife habitat network
2008 on or contiguous to the development site. The department may approve mitigation that is
2009 off the development site if an applicant demonstrates that:

2010 1. It is not practical to mitigate on or contiguous to the development proposal
2011 site; and

2012 2. The off-site mitigation will achieve equivalent or greater hydrological, water
2013 quality and wetland or aquatic area habitat functions.

2014 B. When off-site mitigation is authorized, the department shall give priority to
2015 locations within the same drainage subbasin as the development proposal site that meet
2016 the following:

2017 1. Mitigation banking sites and resource mitigation reserves as authorized by
2018 this chapter;

2019 2. Private mitigation sites that are established in compliance with the
2020 requirements of this chapter and approved by the department; and

2021 3. Public mitigation sites that have been ranked in a process that has been
2022 supported by ecological assessments, including wetland and aquatic areas established as
2023 priorities for mitigation in King County basin plans or other watershed plans.

2024 C. The department may require documentation that the mitigation site has been
2025 permanently preserved from future development or alteration that would be inconsistent
2026 with the functions of the mitigation. The documentation may include, but is not limited
2027 to, a conservation easement or other agreement between the applicant and owner of the
2028 mitigation site. King County may enter into agreements or become a party to any
2029 easement or other agreement necessary to ensure that the site continues to exist in its
2030 mitigated condition.

2031 D. The department shall maintain a list of sites available for use for off-site
2032 mitigation projects.

2033 E.~~((1-))~~ The department and the department of natural resources and parks have
2034 develop a program to allow the payment of a fee in lieu of providing mitigation on a
2035 development site. The program addresses:

2036 ~~((a-))~~ 1. ~~((w))~~ When the payment of a fee is allowed considering the availability
2037 of a site in geographic proximity with comparable hydrologic and biological functions
2038 and potential for future habitat fragmentation and degradation; and

2039 ~~((b-))~~ 2. ~~((t))~~ The use of the fees for mitigation on public or private sites that
2040 have been ranked according to ecological criteria through one or more programs that
2041 have included a public process.

2042 ~~((2. The in lieu fee mitigation program shall submit a report by May 1 in the~~
2043 ~~first year of the biennial budget cycle, filed in the form of a paper original and an~~

2044 ~~electronic copy with the clerk of the council, who shall retain the original and provide an~~
2045 ~~electronic copy to all councilmembers, the council chief of staff and the lead staff for the~~
2046 ~~transportation economy and environment committee or its successor. The report should~~
2047 ~~address the following:~~

- 2048 ~~a. information on the amount and source of revenues received by the program;~~
- 2049 ~~b. a description and rationale for projects selected for funding;~~
- 2050 ~~c. an accounting of budgeted and actual expenditures made;~~
- 2051 ~~d. the status of all projects approved in the previous five years, and anticipated~~
2052 ~~completion date for those projects, if not yet complete.))~~

2053 SECTION 34. Ordinance 11621, Section 90, as amended, and K.C.C.

2054 21A.28.154 are each hereby amended to read as follows:

2055 A. There is hereby created a school technical review committee (~~((STRC))~~)
2056 within King County. The committee shall consist of three county staff persons, one each
2057 from the department of permitting and environmental review, the office of financial
2058 management and the county council.

2059 B. The committee shall be charged with reviewing each school district's capital
2060 facilities plan, enrollment projections, standard of service, the district's overall capacity
2061 for the next six years to ensure consistency with the Growth Management Act, King
2062 County Comprehensive Plan(~~(;)~~) and adopted community plans, and the district's
2063 calculation and rationale for proposed impact fees.

2064 C. Notice of the time and place of the committee meeting where the district's
2065 documents will be considered shall be provided to the district.

2066 D. At the meeting where the committee will review or act upon the district's

2067 documents, the district shall have the right to attend or to be represented, and shall be
2068 permitted to present testimony to the committee. Meetings shall also be open to the
2069 public.

2070 E. In its review, the committee shall consider the following factors:

2071 1. Whether the district's forecasting system for enrollment projections has been
2072 demonstrated to be reliable and reasonable.

2073 2. The historic levels of funding and voter support for bond issues in the district;

2074 3. The inability of the district to obtain the anticipated state funding or to
2075 receive voter approval for district bond issues;

2076 4. An emergency or emergencies in the district which required the closing of a
2077 school facility or facilities resulting in a sudden and unanticipated decline in districtwide
2078 capacity; and

2079 5. The standards of service set by school districts in similar types of
2080 communities. While community differences will be permitted, the standard established
2081 by the district should be reasonably consistent with the standards set by other school
2082 districts in communities of similar socioeconomic profile.

2083 6. The committee shall consider the standards identified by the state concerning
2084 the ratios of certificated instructional staff to students.

2085 F. In the event that the district's standard of service reveals a deficiency in its
2086 current facilities, the committee shall review the district's capital facilities plan to
2087 determine whether the district has identified all sources of funding necessary to achieve
2088 the standard of service.

2089 G. The district in developing the financing plan component of the capital

2090 facilities plan shall plan on a six-year horizon and shall demonstrate its best efforts by
2091 taking the following steps:

2092 1. Establish a six-year financing plan, and propose the necessary bond issues
2093 and levies required by and consistent with that plan and as approved by the school board
2094 and consistent with RCW 28A.53.020 and RCW 84.52.052 and 84.52.056 as amended;
2095 and

2096 2. Apply to the state for funding, and comply with the state requirement for
2097 eligibility to the best of the district's ability.

2098 H. The committee is authorized to request the school district to review and to
2099 resubmit its capital facilities plan, or to establish a different standard of service, or to
2100 review its capacity for accommodating new students, under the following circumstances:

2101 1. The standard of service established by the district is not reasonable in light of
2102 the factors set forth in subsection E. of this section.

2103 2. The committee finds that the district's standard of service cannot reasonably
2104 be achieved in light of the secured financial commitments and the historic levels of
2105 support in the district; or

2106 3. Any other basis which is consistent with the provisions of this section.

2107 I. ~~((The committee shall prepare and submit an annual report to the King County~~
2108 ~~council for each school district recommending a certification of concurrency in the~~
2109 ~~district, except as provided in Subsection L of this section using the school concurrency~~
2110 ~~standard as set forth in K.C.C. 21A.28.160.)) If a school district fails to submit its capital
2111 facilities plan for review by the ~~((STRC))~~ the committee, King County shall assume the
2112 district has adequate capacity to accommodate growth for the following six years.~~

2113 J. The committee shall submit copies of its recommendation of concurrency for
2114 each school district to the director of ~~((DDES))~~ the department of development and
2115 environmental review, to the hearing examiner~~((,))~~ and to the district.

2116 K. The committee shall recommend to the council a ~~((e))~~Comprehensive
2117 ~~((p))~~Plan amendment adopting the district's capital facilities plan as part of the
2118 ~~((e))~~Comprehensive ~~((p))~~Plan, for any plan which the committee concludes accurately
2119 reflects the district's facilities status.

2120 L. In the event that after reviewing the district's capital facilities plan and other
2121 documents, the committee is unable to recommend certifying concurrency in a school
2122 district, the committee shall submit a statement to the council, the director and the
2123 hearing examiner stating that the committee is unable to recommend certifying
2124 concurrency in a specific school district. The committee shall recommend to the
2125 executive that he propose to the council, amendments to the land use element of the King
2126 County Comprehensive Plan or amendments to the development regulations
2127 implementing the plan to more closely conform county land use plans and school
2128 facilities plans, including but not limited to requiring mandatory phasing of plats, UPDs
2129 or multifamily development located within the district's boundary. The necessary draft
2130 amendments shall accompany such recommendations.

2131 SECTION 35. Ordinance 11621, Section 91, and K.C.C. 21A.28.156 are each
2132 hereby amended to read as follows:

2133 A. On at least an annual basis, the King County council shall ~~((review the reports~~
2134 ~~prepared by the Committee and))~~ certify the district's plans. The review may occur in
2135 conjunction with any update of the Facilities and Services chapter of the King County

2136 Comprehensive Plan proposed by the school technical review ~~((€))~~committee.

2137 B. The council shall review and consider any proposal~~((s))~~ or proposals
2138 submitted by the ~~((€))~~committee for amending the land use policies of the King County
2139 Comprehensive Plan, or the development regulations implementing the plan, including
2140 but not limited to requiring mandatory phasing of plats, UPDs or multifamily
2141 development when the ~~((€))~~committee is unable to recommend a certification of
2142 concurrency in a specific school district. Any proposed amendments to the
2143 comprehensive plan or development regulations shall be subject to the public hearing and
2144 other procedural requirements set out in K.C.C. Title 20 or 21A, as applicable.

2145 C. The council may require the ~~((€))~~committee to submit proposed amendments
2146 or may itself initiate amendments to the land use policies of the King County
2147 Comprehensive Plan, or amendments to the development regulations implementing the
2148 plan.

2149 SECTION 36. Ordinance 11962, Section 11, and K.C.C. 28.94.070 are each
2150 hereby amended to read as follows:

2151 A. To assist in mitigating the adverse impacts of new or existing developments
2152 on public transportation and to meet requirements on new or existing developments
2153 established by local jurisdictions, the executive is authorized to enter into agreements
2154 with developers, employers, property owners and local jurisdictions under which such
2155 parties would donate property or cash to the department for public transportation
2156 purposes and/or compensate the department for services, including but not limited to
2157 certifying and administering carpool parking and monitoring private sector transportation
2158 management programs and actions; provided, that such agreements shall be approved by

2159 the council as required by the county charter, ordinance and/or applicable state law; and
2160 provided further, that such donations and agreements must be approved by the local
2161 jurisdiction imposing such requirements.

2162 B. Each agreement shall include a termination for convenience provision and a
2163 term of not greater than five years.

2164 C. The provisions of this section shall not supersede the terms of the Commuter
2165 Pool Transfer Agreement executed by the ((C))city of Seattle and ((M))municipality of
2166 Metropolitan Seattle on March 15, 1984.

2167 ~~((D. The director shall submit annual reports to the council on the number and
2168 nature of donations accepted and agreements entered into under this section.))~~

2169 SECTION 37. Ordinance 12643, Section 23, as amended, and K.C.C. 28.94.265
2170 are each hereby amended to read as follows:

2171 The director shall submit annually to the council, by ~~((no later than the date on
2172 which the executive transmits the executive proposed budget to the council))~~ September
2173 30, a report on the services and fares authorized by K.C.C. 28.94.035, 4A.700.230,
2174 4A.700.130, 4A.700.090, 4A.700.070, 4A.700.050, 4A.700.450, 4A.700.410,
2175 4A.700.110, 28.94.225, 4A.700.530, 4A.700.350, 4A.700.610 and 4A.700.210. The
2176 report shall also describe any commercial parking agreements permitted by K.C.C.
2177 28.96.220 that are in place, revenues generated and comments from users of the facilities
2178 where agreements are in place. The report shall be filed in the form of a paper original
2179 and an electronic copy with the clerk of the council, who shall retain the original and
2180 provide an electronic copy to all councilmembers.

2181 SECTION 38. Ordinance 16770, Section 4, and K.C.C. 28.96.220 are each

2182 hereby amended to read as follows:

2183 A. The county may permit the following types of commercial parking within park
2184 and ride lots:

2185 1. For overflow parking for nearby business, except that the parking shall not be
2186 used to satisfy parking requirements under any land use or development code or other law
2187 or regulation; or

2188 2. For customer parking for privately-operated passenger transportation
2189 services.

2190 B. Permission under subsection A. of this section shall be granted by the county
2191 entering into licenses, leases or other contractual use agreements. The agreements shall
2192 include terms requiring payment based on consideration of these factors:

2193 1. The fair market value of the use of transit property;

2194 2. The actual costs incurred by the county in processing the request for use, in
2195 providing additional operation and maintenance of the park and ride lot and in
2196 administering the agreement; and

2197 3. The existence of offsetting benefits that will directly support the county's
2198 transit program.

2199 C. Any such an agreement shall protect the primary purpose of the transit
2200 property through such means as time-of-day restrictions, and shall be terminable by the
2201 county in the event of increased demand by transit commuters for parking. The
2202 agreements shall provide that this determination shall be at the sole discretion of the
2203 county.

2204 D. For each park and ride location at which such a use is authorized, the transit

2205 division shall post a public notice advising transit commuters how to comment to the
2206 division management regarding the effect on availability of transit commuter parking.

2207 E. Any such an agreement shall be consistent with state, county and municipal
2208 law and applicable agreements with other agencies, including, but not limited to, the
2209 Federal Transit Administration, Sound Transit and the Washington state Department of
2210 Transportation.

2211 ~~((F. The transit division shall provide an annual report to the council on the
2212 agreements in place, revenues generated and comments from users of the facilities where
2213 agreements are in place. The report must be filed in the form of a paper original and an
2214 electronic copy with the clerk of the council, who shall retain the original and provide an
2215 electronic copy to all councilmembers.))~~

2216 SECTION 39. The following are each hereby repealed:

- 2217 A. Ordinance 12671, Section 2, and K.C.C. 2.29.010;
- 2218 B. Ordinance 15327, Section 5, as amended, and K.C.C. 2.43.025;
- 2219 C. Ordinance 13720, Section 2, and K.C.C. 2.45.010;
- 2220 D. Ordinance 13720, Section 3, and K.C.C. 2.45.020;
- 2221 E. Ordinance 13720, Section 4, as amended, and K.C.C. 2.45.030;
- 2222 F. Ordinance 13720, Section 5, and K.C.C. 2.45.040;
- 2223 G. Ordinance 13720, Section 6, and K.C.C. 2.45.050;
- 2224 H. Ordinance 12468, Section 9, as amended, and K.C.C. 2.84.190;
- 2225 I. Ordinance 12138, Section 23, as amended, and K.C.C. 2.93.200;
- 2226 J. Ordinance 12014, Section 38, as amended, and K.C.C. 3.13.015;
- 2227 K. Ordinance 12014, Section 39, as amended, and K.C.C. 3.13.020;

- 2228 L. Ordinance 12014, Section 40, and K.C.C. 3.13.030;
- 2229 M. Ordinance 12014, Section 41, and K.C.C. 3.13.040;
- 2230 N. Ordinance 12014, Section 42, and K.C.C. 3.13.045;
- 2231 O. Ordinance 12014, Section 43, and K.C.C. 3.13.055;
- 2232 P. Ordinance 12014, Section 44, and K.C.C. 3.13.060;
- 2233 Q. Ordinance 16580, Section 9, and K.C.C. 3.42.070;
- 2234 R. Ordinance 13923, Section 6, and K.C.C. 4A.601.040;
- 2235 S. Ordinance 14509, Section 11, and K.C.C. 7.08.090;
- 2236 T. Ordinance 10187, Section 12, and K.C.C. 9.08.125;
- 2237 U. Ordinance 14214, Section 7, and K.C.C. 9.14.060;
- 2238 V. Ordinance 10423, Section 22, as amended, and K.C.C. 11.04.550;

- 2239 W. Ordinance 14259, Section 14, as amended, and K.C.C. 21A.14.410; and
- 2240 X. Ordinance 10870, Section 509, and K.C.C. 21A.26.200.
- 2241

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

J. Joseph McDermott, Chair

ATTEST:

Melani Pedroza, Clerk of the Council

APPROVED this ____ day of _____, _____.

Dow Constantine, County Executive

Attachments: None