



Legislation Text

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AN ORDINANCE concerning the governance model for the King County fairgrounds and board member compensation; and amending Ordinance 12075, Section 5, as amended, and K.C.C. 2.32.040, Ordinance 1128 (part), as amended, and K.C.C. 2.32.050 and Ordinance 11955, Section 9, as amended, and K.C.C. 2.16.045.

STATEMENT OF FACTS:

1. The county's current expense fund faces significant challenges as revenue growth has slowed dramatically at the same time as the cost to deliver mandated county services continue to escalate.
2. The county, as a result of current and on-going fiscal crisis, has taken action to ensure both short-term and long-term viability of its parks and recreation services.
3. The metropolitan parks task force was established in the spring of 2002 to find ways to keep the county parks and recreation system open in 2003 and thereafter and to restore stability to the park system by removing it from dependence on the current expense fund.
4. The metropolitan parks task force issued its recommendations in June 2002.
5. One of the recommendations of the task force was that the park and recreation division carries out its refocused mission by aggressively implementing a broad variety of new entrepreneurial strategies throughout the park system, including the fairgrounds, that will help raise revenues to support park operations.

6. The King County fairgrounds is an 81.5-acre site with the ability to generate year-round revenues at the fairground beyond the operations of the King County fair event.
7. The King County fair board has historically provided direction regarding the operation of the King County fair.
8. To more-effectively implement the recommendations of the metropolitan parks task force, the King County fairgrounds needs a citizen board that provides input into the fairgrounds operations year-round and to provide direction and actions to enhance the revenue capabilities of the fairgrounds and fair operations.
9. In November 2002, the King County council asked for a comprehensive review of potential alternative organizational and governance models for the King County.
10. Ordinance 14509, Section 45, reads as follows:

"The director of natural resources and parks shall file with the clerk of the council by April 30, 2003, fifteen copies of a comprehensive review of potential alternative organizational and governance models for the King County fairgrounds, including, but not limited to, structural alternatives such as formation of a 501(c)(3) organization, a public development authority and contracting out management and operation of the facility to a third party, through a competitive bid process. In developing a recommendation for a model, the director shall consider the following:

- A. The ability of the alternative to support effective accounting and fiscal tracking procedures for revenues and expenditures associated with fairground operations;
- B. The ability of the alternative to effectively market the features and facilities of the fairgrounds;

C. The ability of the alternative to extend the revenue-producing activities of the fairgrounds over the entire year; and

D. The ability of the alternative to support services that achieve full cost recovery."

11. In March 2003, the parks and recreation division requested that the fairgrounds report be transmitted in June 2003 pending the outcome of the May 20 levy election.

12. The maintenance and operation levy for regional and rural parks passed on May 20, 2003.

13. The parks and recreation division completed a comprehensive analysis of the various governance models identified in Ordinance 14509, Section 45.

14. In June 2003, the county executive transmitted the King County Fairgrounds Study to the King County council.

15. This proposed reconfiguration and establishment of a fairgrounds board will assist in instilling the entrepreneurial spirit in the fairgrounds and the fair with the hope of additional revenue generation along with a continued focus on the core values of the fairgrounds.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 12075, Section 5, as amended, and K.C.C. 2.32.040 are each hereby amended to read as follows:

~~((Fair))~~ **Fairgrounds board.**

A. It is the intent of the council to ~~((reduce the administrative workload of the King County fair board and to))~~ clarify the relationships between, and responsibilities of, the county and the ~~((fair))~~ fairgrounds board.

The ~~((fair))~~ fairgrounds board is hereby designated the following responsibilities:

1. To provide recommendations, advise and assist in the planning and conduct of the King County fair and fairgrounds;

2. To function as a vital point of interface between King County, the citizenry of the county and key

groups upon whose participation a successful ~~((fair))~~ fairgrounds operation depends;

3. To actively participate in the activities of the fair and fairgrounds, particularly with respect to ~~((the~~) revenue generation and agricultural and youth-oriented events ~~((and activities at the fair))~~;

4. To serve in a liaison capacity with participating groups and officials ~~((in))~~ at the fair and fairgrounds;

5. To make recommendations on the proposed fair and fairgrounds budget; and

6. To communicate directly with the ~~((county executive, the county council, and the director of the department of natural resources and parks at its discretion. Such action is particularly encouraged in those instances where the fair board considers that its policies or recommendations are not being followed))~~ fairgrounds manager and the manager of the parks and recreation division.

B. ~~((The fair board shall consist of the following members, all of whom shall vote except as noted:~~

1. ~~Thirteen members each representing a specific council district shall be selected by the county executive from a list of one or more nominees presented to him or her by the councilmember representing that district, provided as follows:~~

a. ~~if no nominees are submitted for the district within thirty days from the effective date of the vacancy, the executive may make his or her own selection; and~~

b. ~~the terms of office for the member from each council district shall be for a three-year period commencing October 1.~~

2. ~~The director of the King County extension service or his or her designee;~~

3. ~~One member selected by the King County vocational agriculture instructors' organization, the Future Farmers of America;~~

4. ~~Two members selected by the members of the King County 4-H leader's council;~~

5. ~~Two nonvoting youth members; one appointed by the agriculture teachers from the membership of the Future Farmers of America and one appointed by the King County extension agent from the membership of~~

4-H; and

6. ~~One representative from the city of Enumclaw to be appointed by the mayor of the city of Enumclaw and confirmed by the Enumclaw city council))~~

1. It is the further intent of the council that the fairgrounds board and the parks and recreation division give particular attention to the following elements of fairground operations:

a. the development and enhancement of revenue-generating events and activities at the fairgrounds over the entire year;

b. the generation of revenue from the activities and events of the fair and the fairgrounds, such that the goal is to have a fair and fairgrounds that are self-supporting by 2006;

c. the utilization of transparent, accurate and effective accounting and fiscal tracking mechanisms, that are consistent with generally accepted accounting principals, in the operation of the fair and fairgrounds;
and

d. the energetic and effective marketing of the fair and fairgrounds, as a means of maximizing the awareness and participation of the regional community in the events and activities of the fair and fairgrounds.

2. The parks and recreation division shall report to the council by September 15 of each year on progress on each of the elements in subsection B.1. of this section. This report shall include a copy of all recommendations and reports forwarded by the fairgrounds board to the fairgrounds manager and the manager of the parks and recreation division, including any policies or recommendations that have not been incorporated into fairground operations.

C.1. Nominations to the fairgrounds board may be proposed individually by members of the county council or by the county executive, or both, with final selection by the county executive and confirmation by the county council, except for the city of Enumclaw representative, who shall be nominated and confirmed by the city of Enumclaw. For the first term of service established in accordance with this section after the effective date of this section, one-third of the terms shall end September 30, 2005, one-third of the terms shall

end September 30, 2006, and one-third of the terms shall end September 30, 2007, designated at the discretion of the executive; thereafter, the terms of service shall each be three years. Terms shall commence October 1 except that, for the first term of service established in accordance with this section after the effective date of this section, the respective term shall begin upon confirmation of each member by the council.

2. The fairgrounds board shall consist of eleven members representing the following:

- a. fundraising;
- b. marketing and advertising;
- c. accounting principles and standards;
- d. event production and promotion;
- e. fair events and activities;
- f. livestock and agriculture;
- g. youth and youth oriented activities;
- h. the downtown Enumclaw business community;
- i. the city of Enumclaw; and
- j. the general public, represented by two at-large members.

~~((C.))~~ D. The ~~((fair))~~ King County fairgrounds is designated the ~~((line of))~~ responsibility of the department of natural resources and parks.

~~((D.))~~ E The ~~((fair))~~ fairgrounds board shall recommend at least three candidates for the position of ~~((fair))~~ fairground manager to the ~~((director))~~ manager of the ~~((department of natural resources and))~~ parks and recreation division. The ~~((director))~~ manager of the parks and recreation division shall appoint the ~~((fair))~~ fairground manager after considering the ~~((fair))~~ fairgrounds board's recommendation. The ~~((fair))~~ fairground manager ~~((will))~~ shall report to the ~~((director or his or her))~~ manager of the parks and recreation division or the manager of the parks and recreation division's designee. ~~((The position will be exempt from career service.))~~

The ~~((fair))~~ fairgrounds manager shall attend all regular meetings of the ~~((fair))~~ fairgrounds board and keep the

~~((fair))~~ board informed of all developments concerning the ~~((fair))~~ fairgrounds.

~~((E. The fair manager shall consult with the fair board in connection with the submittal of a budget for the operation of the fair and fairgrounds. The proposed budget will be submitted to the fair board whose comments and recommended modifications, if any, will be included in or appended to the budget documentation forwarded to the executive and the county council. No budget shall be presented for adoption which cannot be shown to have reasonable expectation of operating the fair, its maintenance and proposed improvements from funds accruing from fair revenues.))~~

F. All moneys received by or on behalf of the ~~((fair))~~ fairgrounds shall be deposited in the appropriate county ~~((treasury))~~ fund. All expenditures incurred in operation of the ~~((fair))~~ fairgrounds and ~~((fair))~~ board shall be in accordance with procedures, ordinances and general laws governing the financial administration of King County.

~~((G. Capital improvements to the fairgrounds at Enumclaw, Washington, shall be paid for from revenues generated by the fair, its revenues and grants, gifts and other moneys accruing to the fair from other than the county current expense fund, unless otherwise provided by ordinance. The use of bonds for purposes of capital improvements may be proposed, subject to approval of the executive and thereafter upon review and approval of the council. No substantial change in land use at the fairgrounds or adjacent property will be made without the express approval of the council.))~~

~~H.)~~ G. The ~~((fair))~~ fairgrounds board shall establish rules governing its operation including provision for removal of members for cause.

SECTION 2. Ordinance 11287 (part), as amended, and K.C.C. 2.32.050 are each hereby amended to read as follows:

~~((Fair))~~ **Fairgrounds board - ((C))compensation.** ~~((For time devoted to the official work of the fair board, each))~~ The members ~~((thereof shall receive a per diem of fifty dollars to be paid out of the current expense fund; provided, that a per diem of twenty five dollars shall be paid for official board work of three~~

~~hours or less~~) of the fairgrounds board shall serve without compensation, but the members shall be reimbursed for all travel expenses incidental to such services as to the amount authorized by law.

SECTION 3. Ordinance 11955, Section 9, as amended, and K.C.C. 2.16.045 are each hereby amended to read as follows:

Department of natural resources and parks - duties - divisions.

A. The department of natural resources and parks is responsible to manage and be fiscally accountable for the wastewater treatment division, water and land resources division, solid waste division and parks and recreation division. The department shall manage, design, develop, operate maintain and enhance the geographic information systems for the county and other contracting agencies. The department shall administer and implement the requirements of the federal Clean Water Act, federal Endangered Species Act and other federal and state laws and regulations related to those requirements. The department shall perform the metropolitan water pollution abatement function referred to in this section as "the water quality program," as set forth in chapter 35.58 RCW, K.C.C. Title 28 and other federal and state laws and regulations applicable to that function, although financial planning for and administration of the water quality program shall be conducted consistent with financial policies approved by the council. The department shall coordinate the county's National Pollutant Discharge Elimination System ("NPDES") municipal stormwater permit program. The department shall provide the support to the county's participation in the regional water supply planning process including the development of reclaimed water and the review of local utility district plans for conformance with county plans and policies and shall participate in the process of preparing coordinated water system plans to ensure conformance with county plans and policies. The department shall provide for the active and passive recreational needs of the region, consistent with the mission of the parks and recreation division described in subsection E.1 of this section. The department shall designate as natural resource lands those county-owned lands that serve important natural resource functions, including, but not limited to, benefiting and protecting natural drainage systems, drainage basins, flood control systems, ecosystems, water quality, ground water,

fisheries and wildlife habitat and other natural resource purposes. The department shall act to ensure integration of environmental programs across utility and resource functions and to balance stewardship with economic development issues. To ensure integration and balanced stewardship through the director's office the department shall oversee strategic planning using staff resources budgeted in the department's divisions. Strategic planning may include, but not be limited to: integration of land and water resource protection; coordination of groundwater, water reuse and water supply plan approval; development of new funding approaches for resource protection; establishment of new partnerships with businesses, community organizations and citizens; and better coordination of sewerage and flood control facilities to prevent water quality degradation.

B.1. The duties of the waste water treatment division shall include the following:

- a. administering the functions and programs related to the operation, maintenance, construction, repair, replacement and improvement of the metropolitan sewerage system and its financing;
- b. administering the county's sewage disposal agreements with cities and special districts;
- c. providing planning for the water quality capital program;
- d. providing design, engineering and construction management services related to the water quality capital programs including new facilities development and maintenance of the existing infrastructure;
- e. providing support services such as project management, environmental review, permit and right-of-way acquisitions, scheduling and project control; and
- f. regulating industrial discharges into the metropolitan sewerage system.

2. The council may assign responsibility for services ancillary to and in support of the operation and maintenance of the metropolitan water pollution abatement system under chapter 35.58 RCW, including, but not limited to, human resources, accounting, budgeting, finance, engineering, fleet administration, maintenance, laboratory, monitoring, inspection and planning, as it determines appropriate.

C. The duties of the water and land resources division shall include the following:

1. Proposing or updating, or both, and implementing adopted policies, plans and programs relating to water and land resources, open space and other natural resources that protect fisheries, natural resources, water quality and ground water and that solve and prevent drainage problems;

2. Responding to major river floods and addressing drainage problems in unincorporated portions of the county as provided in K.C.C. Title 9, the Surface Water Management Program, in K.C.C. chapter 20.12, the King County Flood Hazard Reduction Plan Policies and other policies established by the council;

3. Within available resources, maintaining major river channels, and surface and storm drainage systems and lands to minimize flood hazards and protect fisheries resources, drainage systems and lands, and water quality;

4. Providing coordination and technical assistance within the county and other governments to assist in setting and implementing priorities for water and land resources, including sample collection, laboratory services, monitoring, analysis and other activities to protect, enhance and evaluate the quality of land, habitat and water resources in the county;

5. Planning the surface water management capital program, providing design, engineering and construction management services related to the surface water management capital program including new facilities development and maintenance of the existing infrastructure and providing support services such as project management, environmental review, permit and right-of-way acquisitions, scheduling and project control;

6. Preparing standards for storm water management facilities that are constructed as part of land development;

7. Providing technical assistance and education to businesses and the general public to encourage environmental stewardship;

8. Implementing the county park, open space, trails, agriculture, forestry, and other natural resources acquisition programs, including planning, site selection, financing, acquisition, project budget management and

purchasing fee and less than fee interests;

9. Monitoring and protecting the county's real property and development rights interests acquired through the conservation futures and other open space and natural resource programs ensuring to the greatest extent practicable that subsequent county land use policies remain compatible with the acquired interests;

10. Preparing and implementing the management plans for protection and use of the natural resource values of county owned lands, including natural resource lands, dedicated and deeded open space lands and lands acquired by the county as a condition of land development approval, and determining appropriate means to execute such management plans;

11. Administering, operating and maintaining those lands designated as natural resource lands, using any work forces as appropriate;

12. The office of rural and resource lands shall be a distinct functional unit of the division reporting directly to the water and land resources division manager. The office shall plan, manage and be responsible for administering the county's rural and resource lands programs including, but not limited to, agriculture, farmlands preservation, current use taxation programs, forestry, noxious weeds, terrestrial wildlife and habitat, rural economic development, and encouraging environmental stewardship.

D. The duties of the solid waste division shall include the following:

1. Managing and operating the county's comprehensive solid waste program on a self-supporting basis;
2. Administering the county's solid waste interlocal agreements with cities and towns;
3. Diverting as much material as possible from disposal in a manner that reduces the overall costs of solid waste management to county residents and businesses, conserves resources, protects the environment and strengthens the county's economy;
4. Managing and being accountable for all transfer station operations and landfills, as well as the transportation of waste between county facilities;

5. Procuring and maintaining all capital and operating equipment specific to the solid waste function;
6. Providing planning, design, engineering and construction management services related to the solid waste capital program including new facilities development and maintenance of existing infrastructure;
7. Providing support services such as project management, environmental review, permit acquisitions, scheduling and project control; and
8. Actively pursuing all revenue sources in an effort to maintain the lowest possible rate structure for the benefit of county residents.

E. The duties of the parks and recreation division shall include the following:

1. Carrying out the county's parks and recreation division mission, which is to provide regional trails, regional passive parks, regional resource and ecological lands and regional active recreation facilities, rural parks and local unincorporated area parks within the urban growth boundary until annexed, by employing entrepreneurial strategies that raise revenues to support park operations and facilitating agreements with other jurisdictions and entities to provide for recreational services and other activities;
2. Proposing and implementing adopted polities, plans and programs related to the provision of regional and rural parks and recreation facilities and programs in King County and local parks in the unincorporated portion of King County within the urban growth boundary until those areas are annexed;
3. Within available resources, managing, operating and maintaining or facilitating the management, operation and maintenance of the county parks and recreation facilities;
4. Within available resources, maintaining or facilitating the maintenance of regional resource and ecological lands at the direction of the water and land resources division,;
5. Developing and maintaining an operational master plan and develop and monitoring a capital improvement plan as defined in K.C.C. chapter 4.04;
6. Within available resources, developing and facilitating agreements for the development of specific active park and recreation facilities;

7. Coordinating with other departments and divisions as appropriate in the preparation of grant applications for park and open space acquisition, development and operations;
8. Developing, managing, or facilitating agreements for the provision of recreational programs;
9. Facilitating programs that promote the safe enjoyment of county-owned swimming pools and guarded swim beaches; and
10. Planning, organizing, scheduling and administering the annual King County ((F))fair, off-season programs and use of the county fairgrounds with guidance from the King County ((fair)) fairgrounds board.