



Legislation Text

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Clerk 02/13/2024

AN ORDINANCE relating to the executive branch; amending Ordinance 11348, Section 1, as amended, and K.C.C. 1.05.010, Ordinance 11348, Section 3, as amended, and K.C.C. 1.05.030, Ordinance 11348, Section 4, as amended, and K.C.C. 1.05.040, Ordinance 8627, Section 1, as amended, and K.C.C. 1.06.010, Ordinance 10698, Section 3, as amended, and K.C.C. 2.12.005, Ordinance 18777, Section 5, and K.C.C. 2.16.038, Ordinance 1438, Section 3(c), as amended, and K.C.C. 2.16.060, Ordinance 11955, Section 6, as amended, and K.C.C. 2.16.130, Ordinance 11319, Section 1, and K.C.C. 2.28.001, Ordinance 15548, Section 1, as amended, and K.C.C. 2.28.0015, Ordinance 11319, Section 2, and K.C.C. 2.28.002, Ordinance 11319, Section 4, and K.C.C. 2.28.004, Ordinance 11319, Section 5, and K.C.C. 2.28.005, Ordinance 11319, Section 6, and K.C.C. 2.28.006, Ordinance 138, Section 1, and K.C.C. 2.28.010, Ordinance 11319, Section 7, and K.C.C. 2.28.020, Ordinance 15314, Section 1, and K.C.C. 2.28.030, Ordinance 16997, Section 1, and K.C.C. 2.28.050, Ordinance 1872, Section 3, as amended, and K.C.C. 2.32.120, Ordinance 12529, Section 2, as amended, and K.C.C. 2.35A.010, Ordinance 17733, Section 4, and K.C.C. 2.35A.020, Ordinance 17733, Section 7, and K.C.C. 2.35A.050, Ordinance 12075, Section 20, as amended, and K.C.C. 2.92.030, Ordinance 13623, Section 1, as amended, and K.C.C. 2A.310.050, Ordinance 18757, Section 2, and K.C.C.

3.12D.010, Ordinance 18757, Section 4, as amended, and K.C.C. 3.12D.020, Ordinance 16339, Section 17, as amended, and K.C.C. 3.12F.010, Ordinance 197, Section 1, as amended, and K.C.C. 3.16.010, Ordinance 15393, Section 3, as amended, and K.C.C. 3.16.100, Ordinance 9206, Section 1, as amended, and K.C.C. 3.24.010, Ordinance 12014, Section 56, as amended, and K.C.C. 3.24.170, Ordinance 8891, Section 3, as amended, and K.C.C. 10.04.020, Resolution 28232, Section 13, as amended, and K.C.C. 12.44.160, Resolution 28232, Section 14, as amended, and K.C.C. 12.44.170, Ordinance 2041, Section 7, and K.C.C. 12.54.070, Ordinance 12808, Section 3, as amended, and K.C.C. 24.28.020, and Ordinance 18591, Section 6, as amended, and K.C.C. 24.28.050, adding a new section to K.C.C. chapter 2.35A, and repealing Ordinance 8577, Section 1, as amended, and K.C.C. 2.35A.110, Ordinance 8577, Section 2, as amended, and K.C.C. 2.35A.120, Ordinance 10217, Section 3, as amended, and K.C.C. 2.35A.130, Ordinance 8577, Section 3, as amended, and K.C.C. 2.35A.140, and Ordinance 12075, Section 13, as amended, and K.C.C. 2.35A.150.

STATEMENT OF FACTS:

1. As established by Section 350 of the King County Charter, the executive branch shall be divided by the county council by ordinance into administrative offices and executive departments.
2. As established in K.C.C. chapter 2.16, the Metro transit department, the department of public safety, and the department of community and human services are executive departments.
3. As established in K.C.C. chapter 2.35A, the department of public health is an executive department.

4. In accordance with K.C.C. 2.16.020, executive department divisions are to be created by ordinance.

5. These departments are reorganizing and establishing new divisions.

6. Codification of these new divisions is desirable.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 11348, Section 1, as amended, and K.C.C. 1.05.010 are hereby amended to read as follows:

A. The county finds that, in the interest of the public health, safety, and welfare, it is necessary to safeguard the integrity of the political process. Therefore, the county election process and county government should be protected from undue influence by individuals and groups making large contributions to the election campaigns of candidates for executive, county council, ((~~sheriff~~)) and assessor.

B. The county finds that, in the interest of the public health, safety and welfare, it is necessary to safeguard the confidence in the political process. Therefore, the county election process and county government should be protected from even the appearance of undue influence by individuals or groups contributing to candidates for executive, county council, ((~~sheriff~~)) and assessor. The confidence of the public in a fair and democratic election process is vital. In the high cost of election campaigning, there can be the problem of improper influence, real or perceived, exercised by campaign contributors over elected officials. It is the policy of this county to foster broad-based citizen involvement in financing election campaigns. The county further finds that public confidence can also be enhanced by broadening public disclosure requirements with respect to the transfer and use of surplus campaign funds.

C. The county therefore finds that limitations on contributions of money, services, and materials by individuals or groups to county election campaigns should be imposed by law to protect the public health, safety, welfare, and the integrity of the political process. These limitations, however, should be reasonable, so as not to discourage personal expression.

D. The county, therefore, finds it is in the public interest to encourage the widest participation of the public in the electoral process, to reduce the dependence of candidates on large contributions, and to increase public knowledge of the candidates and of election issues. The county finds that campaign expenditure limitations are in the best interest of the public. Recognizing that public matching funds for campaign purposes are necessary for voluntary expenditure limitations to be successful and voluntary programs are the only limitations constitutionally permissible, the council finds a program of public matching funds should be established. The council recognizes, however, that effective December 3, 1992, Washington Initiative 134 passed by the voters at the November 3, 1992, general election prohibits the use of public funds to finance political campaigns for state or local office.

SECTION 2. Ordinance 11348, Section 3, as amended, and K.C.C. 1.05.030 are hereby amended to read as follows:

These limits shall apply only to candidates in any primary, general, or special election for the offices of King County executive, council, ((~~sheriff~~)) and assessor.

SECTION 3. Ordinance 11348, Section 4, as amended, and K.C.C. 1.05.040 are hereby amended to read as follows:

A. No person other than a political committee shall make contributions during the election cycle totaling more than one thousand two hundred dollars in the aggregate to any candidate for executive, county council, ((~~sheriff~~)) or assessor, nor shall any political committee make contributions during the election cycle totaling more than one thousand two hundred dollars in the aggregate to any candidate for executive, county council, ((~~sheriff~~)) or assessor.

B. No candidate for executive, county council, ((~~sheriff~~)) or assessor shall accept or receive during the election cycle campaign contributions totaling more than one thousand two hundred dollars in the aggregate from any person other than a political committee, nor shall any such a candidate accept or receive during the election cycle campaign contributions totaling more than one thousand two hundred dollars in the aggregate

from any political committee.

SECTION 4. Ordinance 8627, Section 1, as amended, and K.C.C. 1.06.010 are hereby amended to read as follows:

A. "Charitable organization" means any entity required to register as a charitable organization under RCW 19.09.065 except those specifically excluded by this section. For the purposes of this section "charitable organization" shall exclude any entity (~~(which)~~) that meets all of the following requirements:

1. The organization has formed a political committee subject to (~~(RCW)~~) chapter 42.17 RCW;
2. The political committee has met all filing requirements of (~~(RCW)~~) chapter 42.17 RCW; and
3. The charitable organization uses a clearly identified political committee as the exclusive sponsor for any solicitation for funds for campaign contributions.

B. "Contribution" means the loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds between political committees, or transfer of anything of value for less than full consideration, excluding unpaid and voluntary personal and professional services. For the purposes of this chapter, contributions other than money or its equivalents shall be deemed to have a money value equivalent to the fair market value of the contribution. Sums paid for tickets to fund-raising events such as dinners and parties are contributions; however, the amount of any such contribution may be reduced for the purpose of complying with the reporting requirements of this chapter, by the actual cost of consumables furnished in connection with the purchase of the tickets, and only the excess over the actual cost of the consumables shall be deemed a contribution.

C. "Entity" means an individual, organization, group, association, partnership, corporation, or agency, or any combination thereof.

D. "General public" or "public" means any individual residing in Washington state without a membership or other official relationship with a charitable organization (~~(prior to)~~) before solicitation by the charitable organization.

E. "King County elected office and ballot measures" means the offices of King County executive, King County council, King County assessor, ~~((King County sheriff,))~~ King County prosecuting attorney, King County superior court or King County district court judge, and any proposition or question submitted to voters of King County.

F. "Solicitation" shall be as defined in K.C.C. 6.76.010.H.

SECTION 5. Ordinance 10698, Section 3, as amended, and K.C.C. 2.12.005 are hereby amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

A.1. "Agency" means:

- a. the executive branch;
- b. the legislative branch;
- c. ~~((the department of public safety;))~~
- ~~d.))~~ the department of assessments;
- ~~((e.))~~ d. the office of the prosecuting attorney;
- ~~((f.))~~ e. the department of elections;
- ~~((g.))~~ f. the forecast council and office of economic and financial analysis;
- ~~((h.))~~ g. the board of appeals; and
- ~~((i.))~~ h. the personnel board.

2. "Agency" does not include the superior court or the district court.

B. "Archival records" means those designated as having continuing historical value by the Washington State Archives or the King County archivist.

C. "County records" means any document, including any paper, correspondence, completed form, bound records book, photograph, film, sound or video recording, map, drawing, machine-readable material, or

other document, regardless of physical form or characteristics, and including copies thereof, that has been made by or received by any agency of King County in connection with the transaction of public business.

D. "Executive branch" means the executive branch as defined in the county charter, but excluding ~~((the department of public safety,))~~ the department of assessments and the department of elections.

E. "Legislative branch" means the legislative branch as defined in the county charter and as provided by ordinance, including, but not limited to, the county council and the ~~((offices of the))~~ county auditor's office, ~~((citizen))~~ the office of public complaints/tax advisor, the office of the hearing examiner, and the office of law enforcement oversight.

F. "Official record" means a public record that an agency is required by law to accept or maintain, including, but not limited to, recorded documents, judgments, licenses, vital statistics, and property records.

G. "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

H. "Public records officer" means the person appointed by the agency in accordance with K.C.C.

2.12.230.A.

SECTION 6. Ordinance 18777, Section 5, and K.C.C. 2.16.038 are hereby amended to read as follows:

A. The Metro transit department is responsible and fiscally accountable for developing, delivering, integrating, and maintaining ~~((, and reducing historic disparities through,))~~ the county's public transportation and passenger ferry services for, and in partnership with, the people and communities of King County. The Metro transit department is also responsible for reducing historic disparities in the county's public transportation and passenger ferry services.

B. The department shall perform the metropolitan public transportation function as authorized in Title 35 and the King County Code, as well as perform public transportation functions as set forth in Title 47 RCW and other applicable laws, regulations, and ordinances. The department shall also administer the passenger

ferry service function as authorized in chapter 36.54 RCW and the King County Code, as well as other applicable laws, regulations, and ordinances. The department's functions shall also include the administration of grants and the coordination of transportation planning activities with other county agencies and outside entities to integrate transportation and land use planning.

C. The Metro transit department shall be comprised of the following divisions and functions:

1. The bus operations division, the functions of which include delivering fixed route bus services;
2. The capital division, the functions of which include planning and delivering the Metro transit fleet, information technology, and fixed assets capital program portfolios;
3. The employee services division, the functions of which include delivering, supporting, and developing the department's workforce;
4. The finance and administration division, the functions of which include supporting the delivery of the Metro transit system through financial, transit technology, accountability, and administrative services;
5. The marine division, the functions of which include delivering passenger-only ferry services;
6. The mobility division, the functions of which include planning and delivering the department's mobility programs and services such as planning for fixed-route transit services; planning and organizing supplemental, paratransit, vanpool, dial-a-ride transit (DART), and other types of transit services; partnering with regional transportation providers; and providing outreach to and support for transit customers;
7. The rail division, the functions of which include delivering light rail and ~~((street car))~~ streetcar services;
8. The transit facilities division, the functions of which include managing and maintaining Metro transit facilities; ~~((and))~~
9. The vehicle maintenance division, the functions of which include managing and maintaining the department's fleets; and
10. The safety, security, and quality assurance division, the functions of which include managing

safety and security administration and emergency management activities for the traveling public and Metro transit department employees, and maintaining regulatory compliance activities.

D. The director of the Metro transit department may also be referred to as the department's general manager and the public transit agency's accountable executive.

E. The manager of the safety, security, and quality assurance division may also be referred to as the public transit agency's chief safety officer.

SECTION 7. Ordinance 1438, Section 3(c), as amended, and K.C.C. 2.16.060 are hereby amended to read as follows:

A. The department of public safety, as identified in the Section 350.20.40 of the King County Charter(~~(~~) and managed by the (~~(King County)~~) county sheriff, may also be known and cited in the King County Code and in other usage or usages as the (~~(office of the sheriff)~~) sheriff's office. Employees managed by the (~~(King County)~~) county sheriff may be referred to in the King County Code or otherwise, as King County police, King County officers, or deputy sheriffs.

B. The department of public safety is responsible to keep and preserve the public peace and safety including the discharge of all duties of the (~~(office of sheriff)~~) sheriff's office under state law, except those duties relating to jails and inmates which are performed by other departments of county government. The functions of the department include:

1. Oversee a crime prevention program, investigate crimes against persons and property and arrest alleged offenders;
2. Execute the processes and orders of the courts of justice and all other mandated functions required by law;
3. In coordination with the office of emergency management, plan and coordinate resources for the public safety and welfare in the event of a major emergency or disaster;
4. Provide service and administrative functions (~~(which)~~) that support but do not duplicate other

governmental activities, and ~~((which))~~ that have the potential to be fiscally self-supportive;

5. Investigate the origin, cause, circumstances, and extent of loss of all fires, in accordance with RCW 43.44.050. Fire investigations shall be conducted under the direction of the fire investigation supervisor, who shall also be considered an assistant fire marshal for the purposes of chapter 43.44 RCW. The functions of the fire and arson investigation unit include, but are not limited to: investigation and determination of the origin and cause of fires; preparation of detailed informational, investigative, and statistical reports; conducting criminal follow-up investigations, including detection, apprehension, and prosecution of arson suspects; providing expert testimony in court for criminal and civil cases; maintenance of records of fires; and preparation and submission of annual reports to the county sheriff and other entities as required by chapters 43.44 and 48.50 RCW; and

6. Consistent with the office of law enforcement oversight carrying out its authorities as identified in Section ~~((365))~~ 265 King County Charter and K.C.C. chapter 2.75:

a. provide the office of law enforcement oversight all relevant information in a timely manner, including:

(1) access to all relevant employees, facilities, systems, documents, files, records, data, interviews, hearings, boards, trainings, and meetings;

(2) access to crime scenes and related follow-up administrative investigations, in a manner so as to protect the integrity of the scene; and

(3) notifications regarding the current status of all complaints consistent with K.C.C. 2.75.050.C.;

b. provide the oversight office with a reasonable opportunity to comment on all administrative investigations before notifying the subject employee of the findings;

c. provide the oversight office with a reasonable opportunity to comment on all sheriff's office policies, rules, procedures, or general orders; and

d. annually, in collaboration with the office of law enforcement oversight, establish or update, as

needed, pilot projects and sheriff's office policies and procedures related to implementation of the authorities of K.C.C. chapter 2.75, including such things as timelines and processes for achieving K.C.C. 2.16.060.B.6.a., b., c., and d., and records management and controls.

C. The county sheriff, to carry out the duties under subsection B. of this section, may establish the functions for the following divisions:

1. ~~((Office of the sheriff;~~

2.)) Patrol operations division;

~~((3.))~~ 2. Support services division;

~~((4.))~~ 3. Criminal investigations division;

~~((5. Professional standards))~~ 4. Community programs and services division; and

~~((6. Sound Transit))~~ 5. Special operations division, which provides services to the Central Puget Sound Regional Transit Authority~~((;))~~ and

~~((7. Metro transit division, which provides services to))~~ the Metro transit department.

SECTION 8. Ordinance 11955, Section 6, as amended, and K.C.C. 2.16.130 are hereby amended to read as follows:

A. The department of community and human services is responsible to manage and be fiscally accountable for the children, youth, and young adults division, the behavioral health and recovery division, the developmental disabilities and early childhood supports division, the adult services division, and the housing~~((; homelessness))~~ and community development division.

B. The duties of the children, youth, and young adults division shall include the following:

1. Working in partnership with communities and other funders to develop, support, and provide human services that emphasize prevention, early intervention, and community education, and that strengthen children, youth ~~((and))~~, young adults, families, and communities in King County; and

2. Managing programs that promote healthy childhood development, enhance youth resiliency, reduce

justice system involvement, strengthen families and communities, and ensure all children, youth, and young adults have the opportunity to achieve their full potentials. The division shall also provide staff to support the King County children and youth advisory board.

C. The duties of the behavioral health and recovery division shall, subject to available resources and to its exercise of discretionary prioritization, include the following:

1. Managing and operating a comprehensive continuum of behavioral health services including prevention, mental health, substance use disorder, and co-occurring disorder treatment services for children, youth, and adults who meet eligibility criteria;
2. Managing and operating a twenty-four-hour crisis response system, including civil commitment as a last resort;
3. Selecting appropriate agencies for the provision of behavioral health services and developing, implementing, and monitoring the provision and outcomes of contracted services;
4. Being responsible for resource management of a comprehensive behavioral health system including provision of staff support to appropriate advisory boards, and serving as liaison to federal, state, and other governments and relevant organizations in carrying out planning and allocation processes;
5. Facilitating the continuing availability of appropriate treatment services for eligible individuals with a diagnosis of a mental illness, substance use, or co-occurring disorder; and
6. Developing and maintaining a continuum of appropriate treatment services for eligible individuals.

D. The duties of the developmental disabilities and early childhood supports division shall include the following:

1. Managing and operating a system of services for infant mental health, early childhood development screening, and a system of services for persons with developmental disabilities in accordance with relevant state statutes and county policies and to provide staff support to the King County board for developmental disabilities; and

2. Negotiating, implementing, and monitoring contracts with community agencies for the provision of developmental disabilities and early childhood support services.

E. The duties of the adult services division shall include the following:

1. Working in partnership with communities to develop, support, and provide human services and programs that emphasize health and safety, self-sufficiency, and healthy aging. The programs are to include, but not be limited to, providing employment and training for adults to achieve self-sufficiency, providing supports to survivors of abuse and trauma, and providing health, socialization, and wellness services to promote healthy aging in place;

2. Providing assistance to indigent veterans and their families as authorized by chapter 73.08 RCW; and

3. Providing staff support for the women's advisory board as specified in K.C.C. 2.30.040 and for the veterans, seniors, and human services levy advisory board and its committees consistent with state and county requirements.

F. The duties of the housing(~~(, homelessness)~~) and community development division shall include the following:

1. Managing programs that address housing(~~(, homelessness)~~) and community development needs, and helping implement improvements identified in subarea and neighborhood plans for low- and moderate income communities;

2. Administering the county's federal housing, homelessness, and community development (~~(funds)~~) moneys and other housing, homelessness, and community development (~~(programs)~~) moneys;

3. Developing housing, homelessness, and community development policies and programs to implement the growth management policies throughout King County to provide affordable housing to low- and moderate-income residents; and

4. Providing staff support for the renter's commission as specified in K.C.C. chapter 2.150.

SECTION 9. Ordinance 11319, Section 1, and K.C.C. 2.28.001 are hereby amended as follows:

All members of county boards, ~~((and))~~ commissions, and council-created committees shall be appointed, hold office, or be confirmed or rejected according to ~~((the provisions of))~~ this chapter; ~~((provided,))~~ however, ~~((that))~~ this chapter shall not affect boards, ~~((and))~~ commissions, and council-created committees to the extent that they are expressly dealt with under state law, the county charter, or an ordinance, in a manner different than that set forth ~~((herein))~~ in this chapter.

SECTION 10. Ordinance 15548, Section 1, as amended, and K.C.C. 2.28.0015 are hereby amended as follows:

A. Each councilmember must provide the executive with a nomination to represent the councilmember's council district. If the executive does not appoint the person nominated by the councilmember, the executive shall request that the councilmember nominate another person.

B. At-large positions designated for the council shall be appointed by the executive after receiving nominations from the council. When notified of a vacancy in one of these four at-large positions, the council chair shall inform the council at an open public meeting of the vacancy and seek nominations from councilmembers. At a subsequent council meeting, the chair shall inform the council of the names of all nominees received from councilmembers and that all nominations have been forwarded to the executive. If the executive does not appoint a person who has been nominated by the council, the executive must request that the council nominate other candidates for appointment.

C. When appointing and confirming members to boards, commissions, and committees, it shall be the goal to have geographical diversity and balance. The women's advisory board created under K.C.C. 2.30.010, the conservation futures advisory committee established under K.C.C. 2.36.070, the Harborview Medical Center board of trustees established under K.C.C. 2.42.030, and the civil rights commission created under K.C.C. 3.10.010, should not have more than two members from a single council district. This subsection does not apply to a board, commission, or committee until the board, commission, or committee attains the council

district and at-large membership as specified in Ordinance 15548, Section 7.

SECTION 11. Ordinance 11319, Section 2, and K.C.C. 2.28.002 are hereby amended as follows:

The executive shall appoint members of boards, ~~((and))~~ commissions, and committees by executing a letter of appointment when a vacancy exists. The letter shall be filed with the clerk of the council and the board of ethics. The executive shall transmit with the letter of appointment a draft motion confirming the appointment together with such supporting and background information regarding the appointee as the executive deems would assist the council in considering confirmation. The letter shall specify the position to which the member is being appointed and the length of the term being filled. Confirmation or rejection shall be by council motion.

SECTION 12. Ordinance 11319, Section 4, and K.C.C. 2.28.004 are hereby amended as follows:

A. ~~((Grounds for vacancy.))~~ A position shall be deemed vacant upon the occurrence of any of the events specified in RCW 42.12.010 or the following events:

1. Withdrawal by an appointee who has not yet been confirmed;
2. Failure to continue to meet qualifications for appointment during the term of office ~~((;))~~ ; or
3. Voluntary resignation prior to the expiration of an appointed term.

B. ~~((Notice of vacancy.))~~ Any board, ~~((or))~~ commission, or committee receiving notice of events constituting a vacancy shall immediately give written notice of such vacancy to the executive and the clerk of the council.

C. ~~((Effect of vacancy.))~~ Until a successor is appointed and either confirmed or is authorized to exercise official power under ~~((the provisions of section))~~ K.C.C. 2.28.003.B., the board, ~~((or))~~ commission, or committee shall be deemed temporarily reduced in number for all official purposes except as otherwise provided by law; ~~((provided.))~~ however, ~~((that no))~~ a board, (or) commission, or committee shall not be temporarily reduced ((hereby)) under this subsection to less than two members.

D. ~~((Appointment to fill vacancy, an unexpired term.))~~ A person appointed to fill an unexpired term ((

shall) may be appointed to serve ((only to the completion of the original term of office)) for the remainder of the unexpired term, as well as one additional full term for that position.

SECTION 13. Ordinance 11319, Section 5, and K.C.C. 2.28.005 are hereby amended to read as follows:

The council by ordinance may specify qualifications for appointment to any or all boards, ~~((and)) commissions, and committees; ((provided,))~~ however ~~((that such)),~~ the qualifications shall not reduce or eliminate qualifications otherwise required by law.

SECTION 14. Ordinance 11319, Section 6, and K.C.C. 2.28.006 are hereby amended to read as follows:

The council by ordinance may provide for per diem compensation for members of specific boards ~~((and))~~, commissions, and committees.

SECTION 15. Ordinance 138, Section 1, and K.C.C. 2.28.010 are hereby amended to read as follows:

Whenever the county council creates or recreates boards, commissions, and committees, original terms of members will be as follows except where otherwise stated in ~~((this))~~ the King County ((e))Code:

- A. Boards, commissions, or committees of three to nine members: one-third to one-year terms, one-third to two-year terms, one-third to full terms as defined by ~~((this))~~ the King County ((e))Code;
- B. Boards, commissions, or committees with terms of two years or less: one-half for half of a full term, one-half for a full term;
- C. Boards, commissions, or committees of more than nine members: one-fourth for one year, one-fourth for two years, one-fourth for three years or the full term if the full term is three years, and one-fourth for full terms.

SECTION 16. Ordinance 11319, Section 7, and K.C.C. 2.28.020 are hereby amended to read as follows:

The executive shall prepare and transmit to the council an annual status report ~~((to the council))~~

regarding boards ~~((and))~~, commissions, and council-created committees, for which the members are appointed by the executive and confirmed by the council. ~~((Such))~~ Each report shall contain, at a minimum, an inventory of such boards ~~((and))~~, commissions, and committees; a description of activities; a list of members; a list showing the terms of office, including the terms to expire during the following year; and the department or agency providing staff support, including a contact address and phone number.

SECTION 17. Ordinance 15314, Section 1, and K.C.C. 2.28.030 are hereby amended to read as follows:

A. The chair of the King County council may annually convene a gathering and reception between King County's elected officials and members of county boards, ~~((and))~~ commissions, and council-created committees, for which the members are appointed by the executive and confirmed by the council. The intent of convening the gathering and reception shall be to:

1. Increase communication between King County elected officials and county board ~~((and))~~, commission, and committee members;
2. Provide for informal discussion between King County elected officials, county board ~~((and))~~, commission, and committee members and staff; and
3. Foster a spirit of cooperation in serving the public.

B. Costs of meals or refreshments for King County elected officials, county board ~~((and))~~, commission, and committee members and staff attending the meeting and reception are hereby authorized, subject to availability of funds in the council's budget and to the dollar limits specified in K.C.C. 3.24.080.

SECTION 18. Ordinance 16997, Section 1, and K.C.C. 2.28.050 are hereby amended to read as follows:

The public records officer of each agency staffing a county board, commission, or committee shall provide training, in consultation with the office of the prosecuting attorney, either in person or by video ~~((for existing members of county boards, commissions, and committees by May 1, 2011, and thereafter))~~, to all new

members of county boards, commissions, and committees at the commencement of service regarding their public records legal responsibilities and obligations under chapters 40.14 and 42.56 RCW. All members of boards, commissions, and committees shall certify in writing, on a form provided by the executive and approved by the office of the prosecuting attorney, their acknowledgment of their completion of training and their commitment to comply with ~~((these laws))~~ chapters 40.14 and 42.56 RCW. To facilitate the greatest degree of compliance with ~~((these laws))~~ chapters 40.14 and 42.56 RCW, the executive shall provide all members of county boards, commissions, and committees with county-managed email accounts for use by members in the performance of their duties on behalf of the county.

SECTION 19. Ordinance 1872, Section 3, as amended, and K.C.C. 2.32.120 are hereby amended to read as follows:

A. There is established a board of corrections, hereinafter~~((s))~~ referred to as "the board," consisting of fourteen members. The members shall consist of the ~~((following: the chairman))~~ chair of the King County magistrate's association, the presiding judge of the Seattle Municipal Court, the presiding judge of the King County ~~((S))~~superior ~~((C))~~court, the ~~((chairman))~~ chair of the juvenile court management committee, the ~~((director of King County department of public safety))~~ county sheriff, the King County public defender, the King County prosecuting attorney, the mayor of the city of Seattle, the president of the King County Suburban Mayors' Association, the chief of the Seattle Police Department, the dean of the University of Washington School of Law, the dean of the University of Washington School of Social Work, and the director of the King County ~~((health))~~ department of public health. In addition, the King County executive shall appoint one member who has been incarcerated in a King County detention facility within three years ~~((prior to))~~ before the appointment. The director of the department of adult and juvenile detention shall serve as a nonvoting ex officio member.

B. The board shall serve as an advisory body to the manager of the department of adult and juvenile detention to review and make recommendations at least annually for the department of adult detention on its

policies, operations, and matters of budget.

C. The advisory board shall meet at least once during each calendar quarter of each year.

SECTION 20. Ordinance 12529, Section 2, as amended, and K.C.C. 2.35A.010 are hereby amended to read as follows:

A.~~((1-))~~ The department of public health, which is also known as public health - Seattle & King County, is responsible to manage and be fiscally accountable for providing a functionally integrated set of services and programs that are fully responsive to urban, suburban city, and unincorporated communities. The department shall ~~((include:))~~ provide regional services ((;)) and include: a health sciences division; an emergency medical services division; an environmental health division; a prevention division; a community health services division; a jail health services division; and an administrative services division. ((The department shall also provide administrative support to the children and family commission.))

~~((2-))~~ B. As of January 1, 1981, the city of Seattle and the county established a combined city-county health department under chapters 70.05 and 70.08 RCW and certain city ordinances and county ordinances. The director of the department shall be jointly appointed by the mayor of the city and the county executive, subject to confirmation by the city and county councils, and may be removed by the county executive, after consultation with the mayor, upon filing a statement of the reasons therefor with the city and county councils as authorized by RCW 70.08.040. The director shall be responsible for the management of the department.

~~((3-))~~ C. The department shall achieve and sustain healthy people and healthy communities throughout King County by providing public health services that promote health, prevent disease, and reduce health inequities, including, but not limited to: providing needed or mandated prevention or intervention services to address individual and community health concerns; assessing and monitoring the health status of communities; preventing disease, injury, disability, and premature death; promoting healthy living conditions and healthy behaviors; and controlling and reducing the exposure of individuals and communities to environmental or personal hazards. The department shall assess the health of King County residents and communities facilitate

planning to develop responses to issue ~~((which))~~ that affected the public's health and evaluate the effectiveness of programs and initiatives ~~((which))~~ that address ~~((these))~~ those issues.

SECTION 21. Ordinance 17733, Section 4, and K.C.C. 2.35A.020 are hereby amended to read as follows:

The duties of the department's regional services shall include the following:

A.1. Convening and leading programs to improve health access and ~~((quality))~~ well-being;

2. Forming partnerships with ~~((organizations and))~~ community partners, health care providers, human services providers, and others to increase the number of healthy years lived by people in the county and to eliminate health inequities through policy and systems change, access to affordable, appropriate, and quality health care services; and

3. Increasing efficiency and effectiveness of public health services;

B. Planning and developing local and regional capacity for responding to public health emergencies and providing for the direction and mobilization of health and medical resources, information, and personnel during emergencies and disasters in the county;

C. ~~((Providing the functions of assessment, epidemiology and program evaluation; and~~

~~))~~ Developing and disseminating information, tools, and strategies that support the public health functions described in this chapter; and

D. Developing and advancing policies that advance the public health functions described in this chapter.

NEW SECTION. SECTION 22. There is hereby added to K.C.C. chapter 2.35A a new section to read as follows:

The duties of the health sciences division shall include the following:

A. Working with community partners to address the root cause of health disparities and improve population health outcomes;

B. Providing the functions of assessment, epidemiology, and program evaluation; and

C. Advancing health equity in the community through strategies at the individual and environmental levels that promote protective factors and reduce risk for chronic disease, injury, and violence.

SECTION 23. Ordinance 17733, Section 7, and K.C.C. 2.35A.050 are hereby amended to read as follows:

The duties of the prevention division shall include the following:

- A. Reducing the public's exposure to communicable diseases through surveillance and outbreak investigation and disease prevention and control measures;
- B. ~~((Lowering the occurrence of chronic diseases, injury and violence in the community through strategies that reduce the frequency of risk factors for these conditions;~~
- C. ~~Promoting and providing public education and research in the development of prevention models;~~
- ~~D.))~~ Performing specific public health services including vital statistics and laboratory functions; and
- ~~((E.))~~ C. Performing medical examiner and statutory coroner duties as described in K.C.C. 2.35A.090.

SECTION 24. The following are hereby repealed:

- A. Ordinance 8577, Section 1, as amended, and K.C.C. 2.35A.110;
- B. Ordinance 8577, Section 2, as amended, and K.C.C. 2.35A.120;
- C. Ordinance 10217, Section 3, as amended, and K.C.C. 2.35A.130;
- D. Ordinance 8577, Section 3, as amended, and K.C.C. 2.35A.140; and
- E. Ordinance 12075, Section 13, as amended, and K.C.C. 2.35A.150.

SECTION 25. Ordinance 12075, Section 20, as amended, and K.C.C. 2.92.030 are hereby amended as follows:

The director of the department of human resources or designee shall at a minimum:

- A. Investigate or supervise the investigation of all accidents involving either county employees ~~((and/~~
~~))~~ or property, or both, resulting from department operations;
- B. Establish and supervise procedures designed to discover and control hazardous conditions and

unsafe work practices;

C. Inspect all properties and work areas and require reasonable correction to safety deficiencies;

D. Select and approve purchase of all safety equipment and establish safety specifications prior to purchase of other equipment of machines;

E. Establish safety requirements in addition to minimum state and local rules and regulations where deemed necessary;

F. Review all employee suggestions relating to safety to ensure compatibility with federal, state, and local codes, rules, and regulations;

G. Review the safety criteria on all proposed construction projects to be accomplished by private contractors;

H. Coordinate or provide training to employees in first aid, driving, and other safety related specialty fields;

I. Demand immediate cessation of work around any operation or piece of equipment in which the director believes a hazard exists creating imminent danger to the employees involved;

J. Act as liaison between the county, the state Department of Labor and Industries, and the Washington Traffic Safety Commission and coordinate activities toward compliance under the Washington State Industrial Safety and Health Act and the Highway Safety Act of 1966;

K. Coordinate the requirements of the Washington State Traffic Safety Commission within the county((-)); and

L. Coordinate the county preemployment physical examination program.

SECTION 26. Ordinance 13623, Section 1, as amended, and K.C.C. 2A.310.050 are hereby amended to read as follows:

A. The King County emergency management advisory committee is hereby established. The committee shall act in an advisory capacity to the executive, council, and the office of emergency management

on emergency management matters and facilitate the coordination of regional emergency planning in King County.

B. The committee shall be composed of members who represent the following emergency management interests, with each interest having one member except for the Sound Cities Association, which may have three members:

1. The Central Region Emergency Medical Services and Trauma Care Council;
2. Each city with a population of over one hundred thousand;
3. Electric and gas utilities;
4. The financial community;
5. The King County Fire Chiefs Association;
6. The King County Fire Commissioners Association;
7. The King County Police Chiefs & Sheriffs Association;
8. Local emergency planning committees;
9. The Port of Seattle;
10. Private business and industry;
11. The Puget Sound Educational Service District;
12. The American Red Cross serving King County;
13. Water and sewer districts;
14. The Sound Cities Association;
15. The Washington Association of Building Officials;
16. The King County executive or designee;
17. The King County department of natural resources and parks;
18. The King County department of local services;
19. The King County Metro transit department;

20. The King County department of executive services;
21. The ((~~Seattle-King County department of~~)) public health - Seattle & King County;
22. The Muckleshoot Tribe;
23. The Snoqualmie Tribe;
24. The ((~~King County~~)) sheriff's office;
25. The Northwest Healthcare Response Network; and
26. A faith-based organization prepared to provide emergency relief services to the public.

C. The scope and charge of the committee is to:

1. Advise King County on emergency management issues and facilitate coordination of regional emergency planning in King County;
2. Assist King County in the development of programs and policies concerning emergency management; and
3. Review and comment on proposed emergency management rules, policies, or ordinances before the adoption of the rules, policies, or ordinances.

D.1. The executive shall appoint regular members and one alternate member for each regular member of the committee, subject to confirmation by the council.

2. Individuals serving as regular members of the committee shall be the chair of the association or designee if an association or agency is named as a member. Individuals serving as alternate members of the committee shall be designated by the association if an association or agency is named as a member. This includes the Sound Cities Association, which shall designate the individuals to serve as its regular members and alternates.

3. Individuals serving the committee from industry groups or a faith-based organization shall be recruited with the assistance of those entities.

4. A regular or alternate member of the committee shall serve a term of three years or until the regular

or alternate member's successor is appointed and confirmed as provided in this section. The terms of office shall be staggered consistent with K.C.C. chapter 2.28.

5. Memberships are not limited as to numbers of terms, but regular and alternate members shall participate in a reappointment process every three years. Reappointment is subject to confirmation by the county council.

6. A vacancy shall be filled for the remainder of the term of the vacant position in the manner described in the initial appointment.

E.1. The committee shall elect a regular committee member as chair by a majority vote of committee members. The term of the chair is one year.

2. The committee shall adopt appropriate bylaws, including quorum requirements.

F. The office of emergency management shall provide ongoing administrative support to the committee.

G. Members of the committee shall serve without compensation.

SECTION 27. Ordinance 18757, Section 2, and K.C.C. 3.12D.010 are hereby amended to read as follows:

A. It is the policy of King County to promote a respectful, nondiscriminatory work environment, free of behavior that is illegal or contributes to interpersonal conflicts, poor performance, or poor morale. Therefore, King County prohibits discrimination and harassment, including sexual harassment, and inappropriate conduct, toward any employee on the basis of the employee's race, color, gender, age, creed, disability, marital status, national origin, religion, pregnancy, gender identity or expression, domestic violence victimization, sexual orientation, honorably discharged veteran or military status, use of a service or assistive animal by a person with a disability, or any other status protected by federal, state or local law. Additionally, King County prohibits retaliation of any kind against anyone who in good faith reports incidents of harassment, discrimination, or inappropriate conduct.

B. The executive, assessor, director of elections, ((~~sheriff~~)) council, and prosecuting attorney, shall

revise their current policies or develop new policies, procedures, and training to prevent and respond to discrimination and harassment, including sexual harassment, and inappropriate conduct. The policies, procedures, and training shall be developed in consultation with subject matter experts and employees and are intended to promote respectful, nondiscriminatory work environments throughout the King County government. The policies, procedures, and training should reflect the recommendations included in the Report of the Co-Chairs of the EEOC Select Task Force on the Study of Harassment in the Workplace. The policies and procedures shall include:

1. Definitions of discrimination and harassment, including sexual harassment, and inappropriate conduct;
2. A clear and easy-to-understand nondiscrimination, antiharassment, and inappropriate conduct policy that includes:
 - a. a description of prohibited conduct, including examples;
 - b. a statement that the reporting system will provide a prompt, thorough, and impartial investigation;
 - c. a statement that the identity of an individual who submits a report, a witness who provides information regarding a report, and the subject of the complaint, will be kept confidential to the extent possible;
 - d. an assurance that King County will take prompt and proportionate corrective action if it determines that harassment or discrimination has occurred;
 - e. an assurance that an individual who submits a report or a witness who provides information regarding a report will be protected from retaliation; and
 - f. a statement that any employee who retaliates against any individual who submits a report or provides information regarding a report will be disciplined appropriately;
3. A description of a reporting system for employees that encourages those who experience workplace discrimination and harassment, including sexual harassment, and inappropriate conduct as well as those who observe such behavior to report it. The reporting system shall provide multiple options for reporting such

behavior, including county, state, and federal reporting options, as well as an informal mechanism, such as the county's employee assistance program, that allows employees to make inquiries and to resolve issues informally when appropriate;

4. Guidelines for how to handle a complaint. The guidelines should cover: how to handle a complaint promptly, effectively, and in way that respects the vulnerability and privacy of the individual reporting the incident; the application and limitations of confidentiality; the legal duties required as an employer; and how to determine the appropriate scope of the investigation process; and

5. A plan to require managers and supervisors to promote an inclusive and respectful workplace culture that is free of discrimination and harassment, including sexual harassment, and inappropriate conduct. The executive, assessor, director of elections, ~~((sheriff,))~~ council, and prosecuting attorney, shall assist each manager and supervisor within their ~~((department))~~ agencies with compliance with this subsection B.5. and evaluate ~~((their))~~ each manager and supervisor's progress and performance either independently or as part of ~~((the agency's))~~ their agencies' performance evaluation process.

C.1. The executive, assessor, director of elections, ~~((sheriff,))~~ council, and prosecuting attorney shall develop options, including cost information, to deliver training and communications on the county's policies and procedures and on recognizing and preventing discrimination and harassment, including sexual harassment, and inappropriate conduct, and educating employees on the resources and procedures available if such behavior is experienced or observed. Each option may be phased in over time and shall:

a. address how the policies and procedures will be regularly communicated to all employees, as well as to all new employees. Resources for employees to understand the policy and procedures shall be easily locatable on-line;

b. include training to foster an equitable, respectful, and inclusive workplace; and

c. include training for those handling complaints.

2. At least one of the training options must be a plan for a regular, interactive training program that

includes all of the following:

- a. in-person or interactive on-line training;
- b. a plan to address the specific needs of the county's workplaces, considering risk factors of harassment and discrimination, including those identified in the Report of the Co-Chairs of the EEOC Select Task Force on the Study of Harassment in the Workplace, such as those with a disproportionate number of males among its employees and youth employed in a workplace;
- c. supervisor and manager training that specifically addresses power dynamics and building a healthy workplace culture; and
- d. a plan to partner with unions representing county employees in order for unions to become aware of county policies and procedures and be encouraged to foster an environment that is free from discrimination and harassment, including sexual harassment, and inappropriate conduct.

D. The policies, procedures, and training developed by the executive, assessor, director of elections, ((sheriff,)) council, and prosecuting attorney shall specifically address the power dynamics involving staff and elected officials and how to respond to and prevent discrimination, harassment, sexual harassment, and inappropriate conduct by their elected officials.

SECTION 28. Ordinance 18757, Section 4, as amended, and K.C.C. 3.12D.020 are hereby amended to read as follows:

The executive, assessor, director of elections, ((sheriff,)) council, and prosecuting attorney shall report biennially on the number of workplace discrimination and harassment complaints, including sexual harassment, and inappropriate conduct complaints and, when possible, informal inquiries, received by each department each year. The report shall indicate the basis or bases of the complaint, which may be race, color, gender, age, creed, disability, marital status, national origin, religion, pregnancy, gender identity or expression, domestic violence victimization, sexual orientation, honorably discharged veteran or military status, use of service or assistive animal by a person with a disability, or any other status protected by federal, state, or local law. The office of

equity and racial and social justice shall report on the number of unfair employment practice complaints filed, the basis or bases of the complaint, the number of investigations of unfair employment practices in the reporting year, and the number of findings that reasonable cause exists to believe that an unfair employment practice occurred. The first report shall be transmitted to the council by December 31, 2019. All reports under this section shall be electronically filed with the clerk of the council who shall retain an electronic copy and provide an electronic copy to all councilmembers, the council chief of staff, and the council chief policy officer.

SECTION 29. Ordinance 16339, Section 17, as amended, and K.C.C. 3.12F.010 are hereby amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

A. "Budgetary furlough" has the same meaning as found in K.C.C. 3.12.010.

B. "Emergency budget crisis" or "financial emergency" means a circumstance in which projected county revenues are determined to be insufficient to fully fund county agency operations and significant cost savings must be achieved through reductions in services and pay.

C. "Furlough day" has the same meaning as found in K.C.C. 3.12.010.

D. "Furloughed employee" has the same meaning as found in K.C.C. 3.12.010.

E. "Furlough administrator" means: the county executive for the executive departments; the chair of the council for the legislative branch; the prosecutor for the office of the prosecuting attorney; the presiding judges of the district and superior courts; ~~((the sheriff for the sheriff's office;))~~ the assessor for the department of assessments; the director of elections for the department of elections; the chair of the forecast council for the office of economic and financial analysis; or the official or officials designated by that branch or unit of county government.

F. "Salaried employee" means an employee whose position is normally exempt from wage and hours regulations.

SECTION 30. Ordinance 197, Section 1, as amended, and K.C.C. 3.16.010 are hereby amended to read as follows:

~~((A.))~~ In accordance with Sections 890 and 898 of the King County Charter, the King County executive is designated bargaining agent for King County~~((, except as provided in subsection B. of this section))~~.

~~((B.1. The sheriff is the designated bargaining agent of the county on all department of public safety matters except for compensation and benefits for employees of the department of public safety. The county executive is the designated bargaining agent on compensation and benefits for employees of the department of public safety.~~

~~2. The sheriff and the executive shall consult and collaborate with each other in advance of collective bargaining negotiations with representatives of the employees of the department of public safety. The sheriff and the executive shall identify respective areas of bargaining authority, the positions to be taken on issues expected to arise during collective bargaining and other matters that have the potential to affect collective bargaining. The sheriff and the executive shall make a good faith effort, including meeting if necessary, to resolve any disagreements between them concerning such matters.~~

~~3. If the sheriff and the executive are unable to resolve any such disagreements, the sheriff and the executive shall promptly submit to each councilmember a confidential, detailed, joint written report describing the disagreement.~~

~~4. Neither the executive nor the sheriff may propose or agree to the inclusion of language in any collective bargaining agreement, memorandum of agreement or memorandum of understanding concerning employees of the department of public safety without conferring with each other, except regarding compensation and benefits.)~~

SECTION 31. Ordinance 15393, Section 3, as amended, and K.C.C. 3.16.100 are hereby amended to read as follows:

A. ~~((By the power conferred upon the county legislative authority in RCW 41.14.070, the council~~

~~authorizes the following number of positions as unclassified and exempt from the state civil service system for county sheriff's employees:~~

- ~~1. Office of the sheriff: five positions;~~
- ~~2. Patrol operations division: six positions;~~
- ~~3. Support services division: two positions;~~
- ~~4. Criminal investigation division: one position;~~
- ~~5. Professional standards division: two positions;~~
- ~~6. Sound Transit division: one position; and~~

~~7. Metro Transit division: one position.))~~ The county sheriff may designate as unclassified the number of positions as allowed by and in accordance with RCW 41.14.070(1) through (3).

~~B. ((RCW 41.14.070 grants the sheriff the ability to designate ten unclassified positions that are exempt from the state civil service system for sheriff's employees. By the power conferred upon the county legislative authority in RCW 41.14.070(4), the sheriff's office is authorized two additional unclassified positions for a total of twenty unclassified positions.))~~ By the power conferred upon the county legislative authority in RCW 41.14.070(4), the council authorizes the county sheriff to designate as unclassified up to the maximum number of positions of administrative responsibility allowed.

C. Positions in the sheriff's office designated as unclassified under subsections A. and B. of this section shall be exempt from the state civil service system under Chapter RCW 41.14.

SECTION 32. Ordinance 9206, Section 1, as amended, and K.C.C. 3.24.010 are hereby amended to read as follows:

All words in this chapter shall have their ordinary and usual meanings except those defined in this section which shall have the meaning set forth below:

A. "Day travel" means travel outside of the county that exceeds six hours but does not include an overnight stay. Travel outside of the county for six hours or less or travel within the county is not considered

day travel.

B. "Emergency" means the occurrence of unforeseen or exigent circumstances which may result in harm to the public good.

C. "Employee" means any person who is employed in a career service position, an exempt position, or a temporary position as defined in K.C.C. chapter 3.12, except persons serving the county without compensation and members of boards and commissions. "Employee" includes all county elected officials.

D. "Essential employee" means an employee designated by their department leadership who provides for and maintains the functions of county essential services.

E. "Essential services" means those services stated or implied that are required to be.

1. Performed by statute or executive order for the exercise of civil authority, to maintain the safety, health and well-being of the county population, and to sustain the county's industrial and economic base; or

2. Other functions as deemed essential by the heads of county agencies.

F. "Federal lodging limit" means the maximum amount a federal employee may be reimbursed per day for lodging expenses, excluding applicable taxes, in the respective host city for travel within the continental United States as published in the Code of Federal Regulations, 41 CFR Sec. 301, App. A, and as hereafter amended.

G. "First responder" means an employee who protects lives, property, and evidence and who provides for the restoration of order.

H. "Government rates" means the discounted rates offered to government employees, in the course of conducting official business, by lodging establishments, rental car agencies, and other providers of services to government employees.

I. "Moving expenses" means expenses incurred for transportation of family and common household possessions, including meals and incidentals per diem, automobiles, and lodging expenses.

J. "Official county business" means business that relates directly to a person's work function and

benefits the county.

K. "Overnight travel" means travel outside of the county that exceeds twelve hours and includes an overnight stay.

L. "Presiding elected official" means the county executive for the executive branch departments, agencies, and offices except assessments(~~(,)~~) and elections(~~(and public safety)~~); the county assessor for the department of assessments; the director of elections for the department of elections, the prosecuting attorney for the office of the prosecuting attorney; (~~the county sheriff for the department of public safety;~~) the chair of the county council for the legislative branch; and the presiding judges of the superior and district courts, or the official or officials designated by that branch or unit of county government.

M. "Unanticipated event" means an event necessitating a response due to a regulator requirement or public safety and health situation that does not rise to the level of a proclaimed emergency.

SECTION 33. Ordinance 12014, Section 56, as amended, and K.C.C. 3.24.170 are hereby amended to read as follows:

A. Within the executive branch, including the department of judicial administration, the director of the department of human resources may authorize in writing at the written request of the appointing authority reimbursement of reasonable and necessary moving expenses for the following categories of county employees:

1. Persons whose appointments require council confirmation and who have been so confirmed;
2. Persons appointed by the county administrative officer to exempt positions;
3. Persons appointed by the directors of executive departments to exempt positions; and
4. Persons hired for positions requiring specialized knowledge, skill, or abilities that the director of the

department of human resources has confirmed in writing are not found in the local labor market. However, this subsection A.4. may be used no more than four times each calendar year.

B. Within the legislative branch, the department of assessments, (~~the department of public safety;~~) the department of elections, the office of the prosecuting attorney, district court, and superior court, the presiding

elected official may authorize, in writing, the reasonable and necessary moving expenses of employees appointed within their agencies.

C. The forecast council may authorize, in writing, reimbursement of the reasonable and necessary moving expenses of the chief economist.

D. Moving expenses may not be reimbursed unless the following conditions are met:

1. The reimbursement is permitted under subsection A., B., or C. of this section;
2. The reimbursement is necessary to obtain the services of the individual whose moving expenses are being reimbursed;
3. The reimbursement is limited to reasonable and necessary moving expenses, which may include the cost of travel directly to the place of new residence following appointment;
4. The reimbursement to a particular employee does not exceed a total of fifteen thousand dollars;
5. The reimbursement will not create a need for a supplemental appropriation to the department, agency, or office in which the individual is employed;
6. Before the appointment the appointing authority and the appointee agreed to the reimbursement in writing;
7. The written reimbursement agreement provides that if the appointee leaves county employment, either voluntarily or involuntarily, less than two years after the appointment, the appointee shall repay to the county, within thirty days after leaving county employment, the entire amount of the reimbursement; and
8. Reimbursement of specific expenses complies with the other limitations contained in this chapter.

E. Moving expenses may not be reimbursed for confidential secretaries or other exempt clerical positions.

F. To the extent that reimbursement of moving expenses is permitted under this section, the appointing authority may pay the third party provider of moving services directly, rather than by reimbursing the employee, subject to any applicable requirements concerning the county's purchase of goods and services from

third parties.

SECTION 34. Ordinance 8891, Section 3, as amended, and K.C.C. 10.04.020 are hereby amended as follows:

The definitions in this section apply throughout this title unless the context clearly requires otherwise:

A. "Adjunct transfer station" means a privately owned and operated transfer facility authorized by the county to receive, consolidate, and deposit municipal solid waste into larger transfer vehicles for transport to and disposal at county-authorized solid waste facilities.

B. "Asbestos-containing waste material" means any waste that contains or is contaminated with asbestos-containing material. "Asbestos-containing waste material" includes asbestos waste from control equipment, materials used to enclose the work area during an asbestos project, asbestos-containing material collected for disposal, asbestos-contaminated waste, waste, containers, bags, protective clothing, or HEPA filters. Asbestos-containing waste material does not include samples of asbestos-containing material taken for testing or enforcement purposes.

C. "Ashes" means the residue including any air pollution control equipment flue dusts from combustion or incineration of material including solid wastes.

D. "Billing entity" means either a city or a solid waste collection entity that bills its customers directly for the deposit of its customers' municipal solid waste at a county-operated solid waste facility.

E. "Biomedical waste" means and is limited to the following types of waste defined as "biomedical waste" in RCW 70.95K.010, as now or as hereafter amended: animal waste, biosafety level 4 disease waste, cultures and stocks, human blood and blood products, pathological waste, sharps waste, and any other waste determined to be infectious by the generator's infection control staff or committee.

F. "C&D" means construction and demolition.

G. "C&D receiving facility" means any properly licensed or permitted facility that is designated by the county through an executed agreement as a facility to which C&D waste is required to be delivered under this

title. A C&D receiving facility may be either a material recovery facility, a transfer facility, a combination of a material recovery facility and a transfer facility, intermodal facility, or landfill.

H. "C&D recycling facility" means any properly licensed or permitted facility at which recyclable C&D materials are accepted for reuse or remanufacture into a usable product.

I. "Certificated hauler" means any person engaged in the business of solid waste handling having a certificate of convenience and necessity granted by the Washington Utilities and Transportation Commission for that purpose.

J. "Charitable organization" means any organization that meets the following criteria: must be defined by the Internal Revenue Service as a 501(c)3 charitable organization; must be engaged as a primary form of business in the processing of abandoned goods for resale or reuse; and must have an account with the solid waste division.

K. "Clean mud and dirt" means mud and dirt that meet the definition of "natural background" in this title, as currently enacted and as hereafter amended.

L. "Clean wood" means stumps and branches over four inches in diameter and construction lumber free of paint, preservatives, metals, concrete, and other nonwood additives or attachments.

M. "Clean wood collection area" means an area used by county residents, businesses, and institutions to deposit source-separated clean wood.

N. "Closure" means those actions taken by the owner or operator of a solid waste facility to cease disposal operations or other solid waste handling activities, and to ensure that all such facilities are closed in conformance with applicable rules at the time of the closure and to prepare the site for the post-closure period.

O. "Commercial hauler" means any person, including, but not limited to, certificated haulers, contract haulers, and others collecting or transporting solid waste for hire or consideration.

P. "Compacted waste" means any solid waste whose volume is less than in the loose condition as a result of compression.

Q. "Composted material" means organic solid waste that has undergone biological degradation and transformation under controlled conditions designed to promote aerobic decomposition at a solid waste facility in compliance with ~~((the requirements of))~~ this title~~((;))~~. Natural decay of organic solid waste under uncontrolled conditions does not result in "composted material."

R. "Composting" means the biological degradation and transformation of organic solid waste under controlled conditions designed to promote aerobic decomposition. Natural decay of organic solid waste under uncontrolled conditions is not composting.

S. "Comprehensive solid waste management plan" means the King County plan prepared in accordance with chapter 70.95 RCW, as enacted or hereafter amended.

T.1. "Construction and demolition waste" or "C&D waste" means any nonputrescible recyclable materials or nonrecyclable waste that results from construction, remodeling, repair, or demolition of buildings, roads, or other structures and requires removal from the site of construction or demolition. Except where otherwise expressly provided, "C&D waste" means C&D waste generated in the county jurisdiction.

2. "C&D waste" does not include land clearing materials such as soil, rock, vegetation, or contaminated soil, friable asbestos-containing waste material as defined under Regulation III, Article 4 of the Puget Sound Clean Air Agency, unacceptable waste, garbage, sewerage, animal carcasses, or any other solid waste that does not meet the definition of C&D waste.

U. "Container" means a portable device used for the collection, storage, or transportation, or any combination thereof, of solid waste including, but not limited to, reusable containers, disposable containers, and detachable containers.

V. "Contaminated soil" means any soil that does not meet the definition of "natural background" in the soil cleanup standards of the chapter 173-340 WAC, as currently enacted and as hereafter amended.

W. "Contract hauler" means any person engaged in the business of solid waste handling having a contract with a city or town for that purpose.

X. "County jurisdiction" means the geographic area for which King County government has comprehensive planning authority for solid waste management either by law, such as unincorporated areas, or by interlocal agreement, or both.

Y. "County solid waste" means all solid waste generated, collected, or disposed within the county jurisdiction.

Z. "Curbside collection" means the pick-up of recyclable materials and solid waste from a household. This pick-up may be at a curb, end of driveway, or alleyway from either a single family or multifamily dwelling.

AA. "Dangerous wastes" means any solid waste designated as dangerous waste by the Washington state Department of Ecology under chapter 173-303 WAC, ~~((D))~~ dangerous waste regulations.

BB. "Department" means any executive department and administrative office as defined by King County ordinance or other applicable law and includes, but is not limited to, all county agencies not associated with a department, such as the prosecuting attorney, the assessor, ~~((the sheriff))~~ and the council.

CC. "Director" means the director of the department of natural resources and parks or designee.

DD. "Disposal" means the discharge, deposit, injection, dumping, leaking, or placing of any solid waste into or on any land or water.

EE. "Disposal facility" means a facility or facilities where any final treatment, utilization, processing, or disposal of solid waste occurs.

FF. "Disposal system" means the system of solid waste facilities, rules, and procedures established in accordance with this title.

GG. "Diversion rate" means a measure of the amount of waste materials being diverted for recycling compared with the total amount that would otherwise be thrown away.

HH. "Division" means the solid waste division of the King County department of natural resources and parks.

II. "Division director" means the manager of the solid waste division of the department of natural resources and parks of King County, or designee.

JJ. "Drop box facility" means a facility used for the placement of a detachable solid waste container, such as a drop box, including the area adjacent for necessary entrance and exit roads, unloading, and turnaround areas. A drop box facility normally serves self-haulers with loose loads and receives waste from off-site. A drop box facility may also include containers for separated recyclable materials.

KK. "Eligible C&D demolition project" means a project on one or more contiguous lots under common ownership or documented legal control and the aggregated square footage space of the buildings and structures to be demolished exceeds six thousand square feet.

LL. "Environmentally preferable products" means products that have fewer or reduced negative impacts on human health or the environment compared to competing products that serve the same purpose. This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, operation, maintenance, reuse, and disposal of the product.

MM. "Facility" means all contiguous land and structures, other appurtenances, and improvements on the land used for the management of solid waste.

NN. "Federal guidance" means guidelines provided by the United States Environmental Protection Agency, the Offices of the Federal Environmental Executive, federal executive orders, or other guidelines offered by federal agencies.

OO. "Fixed-annual charge" means the total dollar amount the division shall collect from billing entities each year to recover a portion of the costs of the division's nondisposal activities, including, but not limited to, regulatory compliance, regional planning, and zero waste of resources.

PP. "Fixed-rate vehicle" means an enclosed automobile having two or four doors such as a hatchback or sedan (all without trailers). The definition of Fixed-rate vehicles does not include minivans, vans, station wagons, sport utility vehicles, trucks, or pick-up trucks.

QQ. "Franchise area" means a certificated hauler's territorial collection area, which is delineated in the certificate of convenience and necessity issued by the Washington Utilities and Transportation Commission.

RR. "Garbage" means all putrescible wastes, except the following:

1. Organics that have been source separated for the purpose of recycling,
2. Sewage; and
3. Sewage sludge.

SS. "Hazardous waste" includes, but is not limited to, explosives, medical wastes, radioactive wastes, pesticides, and chemicals that are potentially harmful to the public health or the environment. Unless otherwise defined by the health department, "hazardous waste" has the same meaning as defined by the Washington state Department of Ecology in the Washington Administrative Code.

TT. "Hazardous waste management plan" means a plan for managing moderate risk wastes, under RCW 70.105.220.

UU. "Health department" means ~~((the Seattle-King County department of))~~ public health - Seattle & King County.

VV. "Health officer" means the health department director or designee.

WW. "Host city" means a city that has a county transfer facility within its incorporated boundaries.

XX. "Household hazardous waste" means any waste that exhibits any of the properties of dangerous wastes that is exempt from regulation under chapter 70.105 RCW, Hazardous waste management, solely because the waste is generated by households. Household hazardous waste can also include other solid waste identified in the local hazardous waste management plan.

YY. "Illegal dumping" means disposing of solid waste in any manner other than in a receptacle specifically provided for that purpose, in any public place, public road, public park, or private property or in the waters of King County, except as authorized by King County or at the official solid waste disposal facility provided by the county.

ZZ. "Industrial solid wastes" means solid waste generated from manufacturing operations, food processing, or other industrial processes.

AAA. "Interlocal forum" means representatives of the metropolitan King County council and representatives of incorporated cities and towns within King County designated by the Suburban Cities Associated and by interlocal agreement to discuss solid waste issues and facilitate regional cooperation in solid waste management. The regional policy committee of the council is designated by interlocal agreements between suburban cities and the county as the solid waste interlocal forum.

BBB. "Intermediate solid waste handling facility" means any intermediate use or processing site engaged in solid waste handling that is not the final site of disposal. This includes material recovery facilities, transfer stations, drop box, facilities, and baling and compaction sites.

CCC. "Intermodal facility" means any facility operated for the purpose of transporting closed containers of waste from one mode of transportation to another and the containers are not opened for further treatment, processing, or consolidation of the waste.

DDD. "King County solid waste advisory committee" means the committee formed in accordance with K.C.C. chapter 10.28 and chapter 70.95 RCW to advise the county on solid waste management planning, assist in the development of programs and policies concerning solid waste management, and review and comment on the comprehensive solid waste management plan and other proposed solid waste management rules, policies, or ordinances before adoption.

EEE. "Landfill" means a disposal facility or part of a facility at which solid waste is permanently placed in or on land including facilities that use solid waste as a component of fill.

FFF. "Landfill gas" means gas produced by the microbial decomposition of municipal solid waste in a landfill.

GGG. "Level of service" means the level and degree of service provided at facilities, including hours of operation, classes of customers served, and recyclable materials collection available.

HHH. "Liquid waste" means any solid waste that is deemed to contain free liquids as determined by the Paint Filter Liquids Test, Method 9095, in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication SW-846.31.

III. "Littering" means to accumulate, or to place, throw, deposit, put into or in any land or water or otherwise dispose of solid waste including rubbish, ashes, garbage, dead animals, industrial solid waste, and all other waste material of every kind and description in any manner except as authorized by this chapter.

JJJ. "Material recovery facility" or "MRF" means any facility that processes for transport mixed C&D waste or source separated solid waste for the purpose of recycling.

KKK. "Mattress" means any material or combination of materials that is enclosed by ticking, used along or in combination with other products, and that is intended for or promoted for sleeping upon, including futons and crib or child mattresses. "Mattress" also refers to the foundation, which means a ticking-covered structure used to support a mattress or sleep surface. The structure may include constructed wood or other frames, steel springs or other materials, used alone or in combination. "Mattress" does not include any unattached mattress pad or unattached mattress topper or products containing liquid-and gaseous-filled ticking, including a waterbed or air mattress that does not contain upholstery material between the ticking and the mattress core. For per-unit fee purposes, a foundation will be charged as a separate unit.

LLL. "Mixed C&D waste" means waste containing both recyclable C&D materials and nonrecyclable C&D waste that has not been separated.

MMM. "Mixed waste processing" means sorting of solid waste after collection from the point of generation to remove recyclable materials from the solid waste to be disposed.

NNN. "Moderate risk waste" means solid waste that is limited to conditionally exempt small quantity generator (CESQG) waste and household hazardous waste (HHW) as defined in chapter 173-350 WAC.

OOO. "Municipal solid waste" or "MSW" means a subset of solid waste that includes unsegregated garbage, rubbish, and similar solid waste material discarded from residential, commercial, institutional, and

industrial sources and community activities, including residue after recyclable materials have been separated. Solid waste that has been segregated by source and characteristic may qualify for management as a non-MSW solid waste, at a facility designed and operated to address the waste's characteristics and potential environmental impacts. MSW does not include:

1. Dangerous wastes other than wastes excluded from ~~((the requirements of))~~ chapter 173-303 WAC in WAC 173-303-071, such as household hazardous wastes;
2. Any solid waste, including contaminated soil and debris, resulting from response action taken under section 104 or 106 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. 9601), chapter 70.105D RCW, chapter 173-340 WAC or a remedial action taken under those rules;
3. Mixed or segregated recyclable material that has been source-separated from garbage, rubbish, and similar solid waste. The residual from source separated recyclable materials is MSW; or
4. C&D waste.

PPP. "Natural background" means the concentration of a hazardous substance consistently present in the environment that has not been influenced by localized human activities.

QQQ. "Noncommercial user" means any person who uses King County solid waste facilities but is not engaged in the business of solid waste handling.

RRR. "Nonrecyclable C&D waste" means any C&D waste that is not recyclable C&D materials. C&D waste used as alternative daily cover for landfills or as a waste stabilizer is considered nonrecyclable C&D waste.

SSS. "Oil" means engine lubricating, gear, hydraulic, fuel, and other types of oil.

TTT. "Operating hours" means those times during which solid waste facilities are normally open and available for the delivery of solid waste.

UUU. "Organics" means yard waste, food waste, and soiled paper products determined by the division

director to be acceptable for composting.

VVV. "Person" means any individual, association, business, firm, corporation, limited liability corporation, copartnership, marital community, political subdivision, municipality, government agency, industry, public or private corporation, or any other entity whatever.

WWW. "Per-ton-rate vehicle" means any vehicle that is not a fixed-rate vehicle. "Per-ton-rate vehicles" include, but are not limited to, minivans, vans, station wagons, sport utility vehicles, vehicles with trailers, trucks, pick-up trucks, motorhomes, buses, and commercial vehicles.

XXX. "Post-closure" means the requirements placed upon disposal facilities after closure to ensure their environmental safety for at least a thirty-year period or until the site becomes stabilized, which means there is little or no settlement, gas production, or leachate generation.

YYY. "Postconsumer material" means material has been previously used by consumers that is diverted from the solid waste stream.

ZZZ. "Practicable" means satisfactory in performance and available at a fair and reasonable price.

AAAA. "Primary recyclable materials" means recyclable materials that are commonly collected and are included under the minimum service levels for recycling collection programs. These include paper, cardboard, glass, tin, and aluminum beverage containers, high density polyethylene (HDPE) and polyethylene terephthalate (PET) bottles, and yard waste either less than four inches in diameter(,) or four feet long, or both.

BBBB. "Product stewardship" means taking measures to minimize the impacts of a product on the environment during its life cycle. The principle of product stewardship applies to designers, suppliers, manufacturers, distributors, retailers, consumers, recyclers, and disposers.

CCCC. "Putrescible waste" means solid waste that contains material capable of being readily decomposed by microorganisms and ((which)) that is likely to produce offensive odors.

DDDD. "Reclamation site" means a location used for the processing or the storage of recycled waste.

EEEE. "Recovered material" means waste material that has been recovered from the solid waste stream, but does not include material generated from and commonly reused on site in an original manufacturing process.

FFFF. "Recyclable C&D materials" means C&D materials that can be kept out of or recovered from C&D waste and reused or transformed into a usable product. Recyclable C&D materials may consist of a single type of recyclable material or a mixture of two or more types of recyclable materials. Material used to produce hog fuel is recyclable C&D material.

GGGG. "Recyclable materials" means those solid wastes that are separated for reuse, recycling, or composting, including, but not limited to, papers, cardboard, metals, glass, plastic bottles and containers, plastic bags, mattresses, yard waste, food waste, wood waste, chemicals, oil, textiles, white goods, and other materials that are identified as recyclable material under the King County comprehensive solid waste management plan.

HHHH. "Recycled paper" means paper meeting recycled content standards in federal guidance.

IIII. "Recycled product" means a product manufactured with the maximum practicable amount of recovered material, especially postconsumer material.

JJJJ. "Recycling" means transforming or remanufacturing waste materials into usable or marketable materials for use other than landfill disposal or incineration. "Recycling" does not include collection, compacting, repackaging, or sorting, or any combination thereof, for the purpose of transport. "Recycling" does not include combustion of solid waste or preparation of a fuel from solid waste.

KKKK. "Region" means the area encompassing those cities with solid waste signed interlocal agreements and unincorporated areas of King County that are included in the comprehensive solid waste management plan. "Region" includes all of King County except the cities of Seattle and Milton.

LLLL. "Regional direct" means any solid waste, except C&D waste, generated and collected in King County and transported to Cedar Hills regional landfill by conventional long haul transfer vehicles from privately owned solid waste transfer stations or intermediate handling facilities permitted by the health

department as provided for in King County board of health regulations.

MMMM. "Regulated refrigerant" means a class I or class II substance as listed in Title VI of the Federal Clean Air Act Amendments of 1990.

NNNN. "Residual C&D waste" means the nonrecyclable waste remaining after recycling processes have removed recyclable C&D materials.

OOOO. "Reuse" means the return of a commodity into the economic stream for use.

PPPP. "Rubbish" means all nonputrescible wastes, except C&D waste or materials that have been source separated for the purpose of recycling.

QQQQ. "Rural transfer facilities" means the Vashon and Enumclaw transfer stations, the Cedar Falls and Skykomish drop box facilities, and other facilities the division director designates as rural transfer facilities.

RRRR. "Salvaging" or "scavenging" means the removal of materials from a solid waste facility without the authorization of the division director and the health officer.

SSSS. "Secondary recyclable materials" means those recyclable materials that have not been designated as being included in the county's minimum service levels for recyclable materials collection. "Secondary recyclable" are those with generally limited markets, a lack of collection systems, or a limited number of generators of the material.

TTTT. "Secured load" means a load of solid waste that has been securely fastened, covered, or both in a manner that will prevent the covering or any part of the load from becoming loose, detached, or leaving the vehicle while the vehicle is moving except sand may be dropped for the purpose of securing traction.

UUUU. "Self-hauler" means county residents, business, and institutions who choose to bring their municipal solid waste and recyclable materials to the transfer facilities themselves.

VVVV. "Service Area" means each separate, geographical area of a city serviced by the city's own employees, a contract hauler, or a certificated hauler. For the unincorporated area, "service area" means each

separate, geographical area specified in a certificate issued by the Washington Utilities and Transportation Commission to a certificated hauler. A contract or certificated hauler may provide service to more than one service area. Each such service area remains distinct even if serviced by the same contract or certificated hauler.

WWWW. "Shall" and "will" in a policy mean that it is mandatory to carry out the policy. "Should" in a policy provides noncompulsory guidance and establishes some discretion in making decisions. "May" in a policy means that it is in the interest of the county or other named entity to carry out the policy but there is a total discretion in making decisions.

XXXX. "Solid waste" or "wastes" means all putrescible and nonputrescible solid and semisolid wastes, except wastes identified in WAC 173-350-020, including, but not limited to, garbage, rubbish, ashes, industrial wastes, commercial waste, sewage sludge, demolition and construction wastes, abandoned vehicles or parts thereof, contaminated soils and contaminated dredged material, discarded commodities, and recyclable materials.

YYYY. "Solid waste collection entity" means every person owning, controlling, operating, or managing vehicles used in the business of transporting solid waste for collection or disposal, or both, for compensation within the county jurisdiction, including all certificated haulers, any city using its own employees, or any person operating under a contract with or franchise from a city or town performing solid waste collection services within the jurisdiction city or town's. For the purposes of K.C.C. 10.12.021, "solid waste collection" entity is limited to certificated haulers, contract haulers, and any city using its own employees.

ZZZZ. "Solid waste facility" means a disposal facility or intermediate solid waste handling facility. "Solid waste facility" includes, but is not limited to, transfer stations, intermodal facilities, landfills, incinerators, composting plants, and facilities for the recycling or recovery of resources from solid waste or the conversion of the energy from solid waste to more useful forms or combinations thereof. "Solid waste facility" includes all contiguous land, including buffers and setbacks, and structures, other appurtenances, and

improvements on the land used for solid waste handling.

AAAAA. "Solid waste interlocal agreement" means an agreement between a city and the county for use of the King County solid waste system for disposal of solid waste generated or collected within the city.

BBBBB. "Solid waste management" means the systematic administration of activities that provide for the reduction in generated volume, source separation, collection, storage, transportation, transfer, recycling, processing, treatment, and disposal of solid waste. "Solid waste management" includes public education and marketing activities.

CCCCC. "Solid waste system" means King County's system of solid waste facilities as authorized under RCW 36.58.040 as here enacted or otherwise amended and as established in accordance with the approved King County comprehensive solid waste management plan.

DDDDD. "Source separation" means the separation of recyclable materials from other solid waste at the place where the waste originates.

EEEEE. "Special waste" means all nonhazardous wastes that have special handling needs or have specific waste properties that require waste clearance by either the division or the health department, or both. These wastes are specified in the waste acceptance rule (P.U.T. 7-1-5 (PR) or future amendments of that rule), and include contaminated soil, asbestos-containing materials, wastewater treatment plant grit, industrial wastes, and other wastes.

FFFFF. "Suspect waste" means any waste the division director suspects may be unauthorized waste.

GGGGG. "Sustainable building principles" means the use of energy- and resource-efficient site and building design, construction, operations, and management.

HHHHH. "Transfer facility" or "transfer station" means a permanent fixed, supplemental collection and transportation facility used by either persons or route collection vehicles, or both to deposit collected solid waste from off-site into a larger transfer vehicle for transport to a solid waste handling facility. "Transfer facility" or "transfer station" may also include recycling operations.

IIII. "Unacceptable waste" means any material for which the transportation or disposal would constitute a violation of any governmental requirement pertaining to health, safety, or the environment. The material may include, but is not limited to, hazardous, extremely hazardous, or dangerous waste as designated under Washington state or federal law, including, but not limited to, regulations contained in the Washington Administrative Code, now in effect or as may be hereafter amended, or in the Code of Federal regulations, now in effect or as may be hereafter amended.

JJJJ. "Unauthorized waste" means waste that is not acceptable for disposal at any or a specific solid waste facility according to applicable rules or a determination of the division director.

KKKK. "Uncompacted waste" means any solid waste in an uncompressed or loose condition.

LLLL. "Unincorporated service area" means the geographical area of unincorporated King County designated to receive the solid waste, recyclable material, and organics collection services defined in this chapter. The unincorporated service area does not include:

1. Vashon Island (served under Certificate No. G-87, Tariff No. 7);
2. Snoqualmie pass (served under Certificate No. G-237, Tariff No. 10); and
3. Areas where residential garbage collection service is not provided by a certificated hauler.

MMMM. "Unsecured load" means a load of solid waste that has not been securely fastened, covered, or both to prevent the covering or any part of the load from becoming loose, detached, or leaving the vehicle while the vehicle is moving.

NNNN. "Urban transfer facilities" means the county's Algona, Bow Lake, Factoria, Houghton, Shoreline, and Renton transfer facilities and other transfer facilities the division director designates as urban transfer facilities.

OOOO. "Washington Utilities and Transportation Commission" means the state commission created under chapter 80.01 RCW, as now enacted or hereafter amended.

PPPP. "Waste diversion plan" means a plan prepared in a format approved by the division and

submitted to the division by the generator, including but not limited to the property owner or demolition contractor, for an eligible C&D demolition project as required by K.C.C. 10.30.020.A.

QQQQQ. "Waste export" means the act of sending waste to a disposal facility out of the region.

RRRRR. "Waste reduction" means reducing the amount or type of waste generated.

SSSSS. "Waste stream" means the total flow of solid waste from homes, businesses, institutions, and manufacturing plants that must be recycled or disposed in landfills, or any segment thereof, such as the "residential waste stream" or the "recyclable waste stream."

TTTTT. "White goods" means major appliances, including refrigerators, freezers, heat pumps, air conditioners, stoves, ranges, dishwashers, washers, dryers, trash compactors, dehumidifiers, and other appliances specified by the division director.

UUUUU. "White goods collection area" means an area used by county residents to deposit source separated white goods.

VVVVV. "Wood waste" means solid waste consisting of wood pieces or particles generated as a byproduct resulting from the handling and processing of wood, including, but not limited to, hog fuel, sawdust, shavings, chips, bark, small pieces of wood, stumps, limbs, and any other material composed largely of wood that has no significant commercial value, but does not include slash developed from logging operations unless disposed of on a different site, and does not include wood pieces or particles containing chemical preservatives such as creosote, pentachlorophenol, or copper-chrome-arsenate.

WWWWW. "Woody debris" means natural vegetation greater than four inches in diameter, four feet in length, or both, such as stumps, fallen tree branches, or limbs, resulting from land clearing activity, storms, or natural disasters.

XXXXX. "Yard waste" means a compostable organic material generated in yards or gardens, including but not limited to, leaves, grass, branches, prunings, and clippings of woody and fleshy plants and unflocked holiday trees, but does not include rocks, dirt or sod, concrete, asphalt, bricks, land-clearing wastes, demolition

wastes, wood waste, or food waste.

YYYYY. "Yard waste collection area" means an area used by county residents, businesses, and institutions to deposit source-separated yard waste.

ZZZZZ. "Zero waste of resources" is a planning principle and framework designated to eliminate the disposal of materials with economic value through reuse, recycling, or both.

SECTION 35. Resolution 28232, Section 13, as amended, and K.C.C. 12.44.160 are hereby amended as follows:

The captain, owner, or operator of any watercraft shall file a written report within forty-eight hours with the sheriff's ((~~department~~)) office or Washington State Patrol of any accident involving death or personal injury requiring medical treatment or property damage in excess of two hundred dollars in which such watercraft shall have been involved on waters of King County.

SECTION 36. Resolution 28232, Section 14, as amended, and K.C.C. 12.44.170 are hereby amended as follows:

All required accident reports and supplemental reports and copies thereof shall be without prejudice to the individual so reporting and shall be for the confidential use of the sheriff's ((~~department~~)) office, prosecuting attorney, or other peace and enforcement officer as provided herein, except that any such officer may disclose the identity of a person reported as involved in an accident when such identity is not otherwise known or when such person denies the person's presence at such accident. No such accident report or copy thereof shall be used as evidence in any trial, civil or criminal, arising out of an accident, except that any officer above named for receiving accident reports shall furnish, upon demand of any person who has, or who claims to have, made such a report, or, upon demand of any court, a certificate showing that a specified accident report has or has not been made to the county sheriff, solely to prove a compliance or a failure to comply with the requirement that such a report be made in the manner required by law.

SECTION 37. Ordinance 2041, Section 7, and K.C.C. 12.54.070 are hereby amended as follows:

The (~~director of the department of public safety~~) county sheriff shall have the power to enter into contracts with municipalities for the enforcement of state laws, state rules and regulations, and city ordinances related to gambling activities.

SECTION 38. Ordinance 12808, Section 3, as amended, and K.C.C. 24.28.020 are hereby amended as follows:

A. The project-based credit enhancement program will add to the stock of workforce housing aiding the poor and infirm of King County. The program is intended to create an incentive to develop new types of housing, increased affordability for residents, and realization of multiple growth management goals. Extension of credit enhancements to housing developers to secure favorable financing terms for housing projects should result in tangible benefits to the direct beneficiaries, who are poor and infirm residents of the proposed housing, and other public benefits, as appropriate. Project-based credit enhancements may be utilized for one or more of the following:

1. Enabling the development of needed housing that would not otherwise have been built were the project-based credit enhancement unavailable;
2. Increasing the affordability of individual units that are targeted for lower income households within workforce housing projects; and
3. Providing a payment to King County in lieu of additional project affordability for the purpose of developing affordable housing at another location.

B. Eligible applicants may include public housing authorities, nonprofit organizations, for-profit organizations, local governments, public agencies, and public development authorities.

C. Eligible beneficiaries must be the poor and infirm of King County. These persons are commonly recognized as households earning eighty percent or less of the county median income and persons or households with special needs.

D. Project-based credit enhancements are to be used to assist the development of mixed-income

projects that add to the stock of workforce housing units in King County, including homeownership opportunities for eligible beneficiaries. Owned housing must remain affordable for subsequent buyers who are eligible beneficiaries or upon resale to an ineligible buyer the county shall recapture the subsidy provided by the credit enhancement. Rental projects must guarantee long term affordability to eligible beneficiaries. Eligible activities shall include ~~((new construction and))~~ acquisition ~~((and/or))~~, which may include rehabilitation of existing housing when the final product will yield additional workforce housing units, and new construction.

E. Projects assisted through the project-based credit enhancement program must be located in urban centers or within close proximity to transit hubs or corridors. Projects proposed to be sited elsewhere may be considered when there are unique opportunities to aid eligible beneficiaries. These projects shall nevertheless demonstrate access to employment, transportation, and ~~((s))~~ human services ~~((s))~~ and adequate infrastructure to support housing development.

F. Applications for project-based credit enhancements should be accepted year-round to accommodate timely approval of final financial arrangements for projects. Proposed projects must detail the financial benefit of the project-based credit enhancement over the life of the project and how that benefit will be realized by eligible beneficiaries residing in the project.

G. All projects shall undergo rigorous review for financial, legal, and policy compliance by staff from appropriate county agencies, including the housing ~~((homelessness))~~ and community development division, the finance and business operations division, and the office of the prosecuting attorney. When determined necessary by staff, review by the county's economic development consultant and bond counsel, as well as opinions from a bond rating service, shall be required. Project-based credit enhancements shall be used to improve the credit worthiness of the housing developer, but shall never be used as a sole source of credit worthiness of an applicant. Developers and developer teams shall be competent, experienced, and financially stable. Minimum standards for developers and projects shall be established by the executive.

H. Projects shall conform with applicable county requirements for contracting services.

I. All contingent loan agreements resulting in a project-based credit enhancement for a project shall be structured to minimize the county's financial risk and shall ensure the county's right to review all project records and direct corrective measures deemed necessary to prevent financial instability, material, or technical default. All agreements shall be reviewed and approved by appropriate county agencies, including the housing ((, homelessness)) and community development division, the finance and business operations division, the office of the prosecuting attorney, and the office of risk management services, and shall be reviewed by the county's economic development consultant and bond counsel, as appropriate.

SECTION 39. Ordinance 18591, Section 6, as amended, and K.C.C. 24.28.050 are hereby amended as follows:

A. The King County Housing Authority credit enhancement program is hereby created.

B. The King County Housing Authority shall be the only eligible user of the program.

C. All projects financed under the program shall satisfy the requirements of state housing authority law, chapter 35.82 RCW, which requires a minimum of fifty percent of the units in a project be made available to and affordable to eligible beneficiaries, which are households with income at or below eighty percent of the area median income.

D. Credit enhancement under the program will be utilized by the King County Housing Authority to assist in the acquisition, new construction, or rehabilitation, or any combination of acquisition, new construction, and rehabilitation, of housing that adds to the stock of workforce housing units in King County. The purpose of the King County Housing Authority credit enhancement program is to provide long term affordability to eligible beneficiaries consistent with the requirements of state housing authority law.

E. All properties developed or acquired under the program must be located in areas with access to high-capacity transit, schools, jobs, or other social amenities that support upward economic mobility.

F. The King County Housing Authority may submit requests to commit credit enhancement under the

program on a rolling basis until December 31, 2022, at which time no new credit enhancement commitments shall be made.

G. Credit enhancements under the program shall be provided and underwritten to the financial strength, legal, and policy compliance of the King County Housing Authority and not based on an individual project viability review. Credit enhancements shall be used to provide the King County Housing Authority with ready access to municipal credit markets at the lowest available interest rates.

H. All financial instruments utilized by the King County Housing Authority with credit enhancements under the program shall comply with all state and federal law.

I. All contingent loan agreements resulting in credit enhancement under the program shall be structured to minimize the county's financial risk, and the county shall have recourse to the King County Housing Authority's general revenues as security for its contingent loan agreements.

J. The King County Housing Authority shall provide to the housing(~~(, homelessness)~~) and community development division its annual audited financial statements within ten days of receipt and participate in an annual credit review by the appropriate county agencies, including the housing(~~(, homelessness)~~) and community development division, the finance and business operations division, and the office of the prosecuting attorney, with review by the county's economic development consultant and bond counsel, as appropriate.

K. The executive is authorized to collect an application fee up to 0.3 percent of the amount of credit enhancement committed under the program. The application fee shall be payable on the effective date of each commitment of county credit enhancement under the program. The proceeds of the application fee shall be deposited in the housing and community development fund and used for program administrative costs.

L. The executive is authorized to impose an annual monitoring fee of up to 0.1 percent of the amount committed under the program's credit enhancement. The proceeds of the monitoring fee shall be deposited in the housing and community development fund and

used for program administrative costs.