



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

July 11, 2011

Ordinance 17142

Proposed No. 2011-0154.2

Sponsors Lambert

1 AN ORDINANCE relating to the organization of
2 information technology within the executive branch and
3 responding to a 2011 budget proviso in Ordinance 16984,
4 Section 18, 24, 56, 93 and 108 to consolidate information
5 technology functions and responsibility for information
6 technology services; and amending Ordinance 16202,
7 Section 6, as amended, and K.C.C. 2.10.045, Ordinance
8 12550, Section 2, as amended, and K.C.C. 2.14.020,
9 Ordinance 11955, Section 2, as amended, and K.C.C.
10 2.16.020, Ordinance 11955, Section 9, as amended, and
11 K.C.C. 2.16.045, Ordinance 14005, Section 3, as amended,
12 and K.C.C. 2.16.0755, Ordinance 14005, Section 4, as
13 amended, and K.C.C.2.16.0757, Ordinance 14005, Section
14 6, as amended, and K.C.C. 2.16.0758, Ordinance 15559,
15 Section 7, as amended, and K.C.C. 2.16.075805, Ordinance
16 12076, Section 9, as amended, and K.C.C. 4.08.015,
17 Ordinance 12076, Section 10, as amended, and K.C.C.
18 4.08.025, Ordinance 14270, Section 2, and K.C.C.
19 4.08.275, Ordinance 12144, Sections 1, 2, as amended, and

20 K.C.C. 4.08.295, Ordinance 15078, Section 1 and K.C.C.
21 4.08.296, Ordinance 14008, Section 1, as amended, and
22 K.C.C. 4.08.297, Ordinance 14005, Section 7 and K.C.C.
23 4.08.298, Ordinance 14306, Section 1 and K.C.C. 4.08.299,
24 Ordinance 14227, Section 2 and K.C.C. 4.08.340 and
25 Ordinance 10159, Section 3, as amended, and K.C.C.
26 6.27A.010.

27 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

28 SECTION 1. Ordinance 16202, Section 6, as amended, and K.C.C. 2.10.045 are
29 each hereby amended to read as follows:

30 A. The performance management workgroup is hereby created. The workgroup
31 shall provide a forum for managers and others responsible for performance management
32 across county government to coordinate implementation of the goals of the countywide
33 performance management and accountability system, including the countywide strategic
34 plan. The workgroup shall advise the county council and shall be chaired by the county
35 auditor. The workgroup shall meet at least quarterly.

36 B. Members of the workgroup shall include personnel from the following
37 agencies, department and offices:

- 38 1. The council;
- 39 2. The sheriff;
- 40 3. The prosecuting attorney;
- 41 4. The assessor;
- 42 5. The superior court;

- 43 6. The district court;
- 44 7. The auditor;
- 45 8. Each executive branch department;
- 46 ~~((9. The office of information resources management;))~~ and
- 47 ~~((10.))~~ 9. The office of performance, strategy and budget.

48 C. The performance management workgroup shall:

- 49 1. Advise on implementation of a countywide performance management and
- 50 accountability system;
- 51 2. Provide a collaborative forum among county peers on performance
- 52 management and measurement and coordinate with potential partners outside of King
- 53 County government;
- 54 3. Advise on the county's training curriculum on performance management and
- 55 measurement; and
- 56 4. Advise on new developments in the field and potential opportunities to
- 57 improve the county's performance management and accountability system.

58 SECTION 2. Ordinance 12550, Section 2, as amended, and K.C.C. 2.14.020 are

59 each hereby amended to read as follows:

60 A. King County is committed to managing its public records as a countywide

61 resource and in a manner that:

- 62 1. Is efficient and economical;
- 63 2. Promotes open government and an informed citizenry;
- 64 3. Protects individual privacy; and
- 65 4. Meets county record retention and disposition standards.

66 B. A public records committee is hereby established. The public records
67 committee shall advise the council and the executive on county public records policies,
68 including both paper and electronic records. These policies must include policies for
69 posting records on county web sites. The public records committee shall also provide
70 guidance on the planning and implementation of a countywide records storage
71 management plan and a countywide electronic records management system.

72 C. The manager of the records and licensing services division shall be the chair
73 of the public records committee. The public records committee shall involve a broad
74 membership of county departments and elected agencies, including at a minimum the
75 following:

- 76 1. The council;
- 77 2. The prosecuting attorney's office;
- 78 3. The sheriff's office;
- 79 4. The assessor's office;
- 80 5. The department of elections;
- 81 6. The office of performance, strategy and budget;
- 82 7. The ~~((office of information resource management~~
83 ~~8. The))~~ department of executive services's public disclosure officer;
- 84 ~~((9.))~~ 8. The department of ~~((executive services's))~~ information technology's
85 chief ~~((of))~~ information security and privacy officer; and
- 86 ~~((10. The department of executive services and other departments))~~ 9. Each
87 executive department.

88 SECTION 3. Ordinance 11955, Section 2, as amended, and K.C.C. 2.16.020 are
89 each hereby amended to read as follows:

90 A. The organization of the executive branch, as described in this section of the
91 code, is intended to comply with Article 3 of the King County Charter. Accordingly, the
92 executive branch shall consist of:

93 1. The county executive;

94 2. The county administrative officer;

95 3. Specific organizational units, classified "administrative offices" assigned to
96 the county administrative officer, having a specified function by which it will assist that
97 officer in performing assigned responsibilities;

98 4. Specific organizational units, classified "executive departments" determined
99 by major assigned function or process; and

100 5. Specific organizational units within departments and administrative offices,
101 where created by ordinance, classified "divisions" to which will be delegated the
102 responsibility of efficiently and effectively carrying out assigned departmental or office
103 functions and duties.

104 B. County agencies referenced in this chapter, and county boards, commissions,
105 committees and other multimember bodies except the board of appeals and the personnel
106 board, shall individually and collectively constitute the organizational structure of the
107 executive branch of King County government.

108 C. Titles of agencies of the executive branch of county government as used in
109 this section shall be the official organizational unit titles. Where necessary or
110 appropriate, the clerk of the council is authorized to change the titles of executive branch

111 agencies where appearing in other ordinances or sections of the code to conform with the
112 unit titles used in this chapter.

113 D. The director of each executive department, chief officer of each administrative
114 office, and manager of each division may exercise the powers vested in that department,
115 administrative office, or division. None of these positions may exercise authority over
116 another organizational unit for more than sixty days without council approval by
117 ordinance, though this shall not be construed to limit the authority of a department
118 director or chief officer of an administrative office over divisions within his or her
119 department or office.

120 E.1. To ensure accountability, efficiency, internal control and consistency, each
121 executive department, administrative office and division may provide administrative and
122 technical support to functions and duties for which other executive departments,
123 administrative offices or divisions have primary responsibility. The support shall be
124 provided in conjunction with the departments, offices or divisions that have primary
125 responsibility for the functions and duties. The support may include, but is not limited to,
126 the following:

- 127 a. human resources and payroll;
- 128 b. budget preparation and submittal, and financial and fiscal management;
- 129 c. information, communication, media and community relations, printing,
130 graphics, mail, records management and public disclosure;
- 131 d. facilities and leased space maintenance and management;
- 132 e. program analysis, and contract and performance evaluation and review;

133 ~~((f. information systems and technology development, managed by the chief~~
134 ~~information officer through department level information technology service delivery~~
135 ~~managers and service delivery plans approved by the chief information officer and~~
136 ~~department directors;~~

137 ~~g.))~~ f. grants management; and

138 ~~((h.))~~ g. liaison with county and external auditors.

139 2. To assist executive agencies to properly perform their assigned functions and
140 duties, executive agencies may establish and maintain contacts with state and federal
141 agencies that regulate or provide financial assistance to the programs for which the
142 agencies are responsible, monitor state and federal legislative initiatives, and provide
143 input to and on the county's legislative agenda through processes prescribed by the
144 council.

145 3. To ensure the county complies with applicable state and federal laws,
146 regulations and requirements, executive agencies may undertake duties and functions as
147 may be assigned by the executive and not assigned to another agency by the council.

148 F. Except as otherwise assigned by the council, all executive agencies shall
149 provide support services to citizen advisory committees that are established by the
150 council.

151 SECTION 4. Ordinance 11955, Section 9, as amended, and K.C.C. 2.16.045 are
152 each hereby amended to read as follows:

153 A. The department of natural resources and parks is responsible to manage and
154 be fiscally accountable for the wastewater treatment division, water and land resources
155 division, solid waste division and parks and recreation division. ~~((The department shall~~

156 ~~manage, design, develop, operate, maintain and enhance the geographic information~~
157 ~~systems for the county and other contracting agencies.))~~ The department shall administer
158 and implement the requirements of the federal Clean Water Act, federal Endangered
159 Species Act and other federal and state laws and regulations related to those
160 requirements. The department shall perform the metropolitan water pollution abatement
161 function referred to in this section as "the water quality program," as set forth in chapter
162 35.58 RCW, K.C.C. Title 28 and other federal and state laws and regulations applicable
163 to that function, although financial planning for and administration of the water quality
164 program shall be conducted consistent with financial policies approved by the council.
165 The department shall coordinate the county's National Pollutant Discharge Elimination
166 System ("NPDES") municipal stormwater permit program. The department shall provide
167 the support to the county's participation in the regional water supply planning process
168 including the development of reclaimed water and the review of local utility district plans
169 for conformance with county plans and policies and shall participate in the process of
170 preparing coordinated water system plans to ensure conformance with county plans and
171 policies. The department shall provide for the active and passive recreational needs of
172 the region, consistent with the mission of the parks and recreation division described in
173 subsection E.1 of this section. The department shall designate as natural resource lands
174 those county-owned lands that serve important natural resource functions, including, but
175 not limited to, benefiting and protecting natural drainage systems, drainage basins, flood
176 control systems, ecosystems, water quality, ground water, fisheries and wildlife habitat
177 and other natural resource purposes. The department shall act to ensure integration of
178 environmental programs across utility and resource functions and to balance stewardship

179 with economic development issues. To ensure integration and balanced stewardship
180 through the director's office the department shall oversee strategic planning using staff
181 resources budgeted in the department's divisions. Strategic planning may include, but not
182 be limited to: integration of land and water resource protection; coordination of
183 groundwater, water reuse and water supply plan approval; development of new funding
184 approaches for resource protection; establishment of new partnerships with businesses,
185 community organizations and citizens; and better coordination of sewerage and flood
186 control facilities to prevent water quality degradation. The director's office shall manage
187 the county's historic preservation program including landmark designation, protection
188 and enhancement to support tourism development, downtown revitalization and
189 environmental and cultural sustainability.

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

191 a. administering the functions and programs related to the operation,
192 maintenance, construction, repair, replacement and improvement of the metropolitan
193 sewerage system and its financing;

194 b. administering the county's sewage disposal agreements with cities and
195 special districts;

196 c. providing planning for the water quality capital program;

197 d. providing design, engineering and construction management services related
198 to the water quality capital programs including new facilities development and
199 maintenance of the existing infrastructure;

200 e. providing support services such as project management, environmental
201 review, permit and right-of-way acquisitions, scheduling and project control; and

202 f. regulating industrial discharges into the metropolitan sewerage system.

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

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

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

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

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

221 4. Providing coordination and technical assistance within the county and other
222 governments to assist in setting and implementing priorities for water and land resources,
223 including sample collection, laboratory services, monitoring, analysis and other activities

224 to protect, enhance and evaluate the quality of land, habitat and water resources in the
225 county;

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

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

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

236 8. Implementing the county park, open space, trails, agriculture, forestry, and
237 other natural resources acquisition programs, including planning, site selection,
238 financing, acquisition, project budget management and purchasing fee and less than fee
239 interests;

240 9. Monitoring and protecting the county's development rights interests related to
241 agricultural lands;

242 10. Consulting in the preparation of management plans for protection and use of
243 the natural resource values of county owned lands, including natural resource lands,
244 dedicated and deeded open space lands and lands acquired by the county as a condition of
245 land development approval, and consulting with the parks and recreation division the
246 appropriate means to execute such management plans;

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

253 12. Planning, prioritizing, seeking funding for, designing and implementing
254 restoration projects on natural resource lands, dedicated and deeded open space lands and
255 lands acquired by the county as a condition of land development approval in coordination
256 with the parks and recreation division.

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

258 1. Managing and operating the county's comprehensive solid waste program on
259 a self-supporting basis;

260 2. Administering the county's solid waste interlocal agreements with cities and
261 towns;

262 3. Diverting as much material as possible from disposal in a manner that
263 reduces the overall costs of solid waste management to county residents and businesses,
264 conserves resources, protects the environment and strengthens the county's economy;

265 4. Managing and being accountable for all transfer station operations and
266 landfills, as well as the transportation of waste between county facilities;

267 5. Procuring and maintaining all capital and operating equipment specific to the
268 solid waste function;

269 6. Providing planning, design, engineering and construction management
270 services related to the solid waste capital program including new facilities development
271 and maintenance of existing infrastructure;

272 7. Providing support services such as project management, environmental
273 review, permit acquisitions, scheduling and project control; and

274 8. Actively pursuing all revenue sources in an effort to maintain the lowest
275 possible rate structure for the benefit of county residents.

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

277 1. Carrying out the county's parks and recreation division mission, which is to
278 provide regional trails, regional passive parks, regional resource and ecological lands and
279 regional active recreation facilities, rural parks and local unincorporated area parks within
280 the urban growth boundary until annexed, by employing entrepreneurial strategies that
281 raise revenues to support park operations and facilitating agreements with other
282 jurisdictions and entities to provide for recreational services and other activities;

283 2. Proposing and implementing adopted policies, plans and programs related to
284 the provision of regional and rural parks and recreation facilities and programs and
285 natural resource lands in King County and local parks in the unincorporated portion of
286 King County within the urban growth boundary until those areas are annexed;

287 3. Within available resources, managing, operating and maintaining or
288 facilitating the management, operation and maintenance of the county parks and
289 recreation facilities;

290 4. Within available resources, maintaining, restoring or facilitating the
291 maintenance of regional resource and ecological lands in consultation with the water and
292 land resources division;

293 5. Monitoring and protecting the county's real property and development rights
294 interests acquired through the conservation futures and other open space and natural
295 resource programs, with the exception of development rights on agricultural lands,
296 ensuring to the greatest extent practicable that subsequent county land use policies remain
297 compatible with the acquired interests;

298 6. Preparing and implementing in consultation with the water and land resources
299 division the management plans for protection and use of the natural resource values of
300 county owned lands, including natural resource lands, dedicated and deeded open space
301 lands and lands acquired by the county as a condition of land development approval, and
302 determining appropriate means to execute those management plans;

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

305 8. Developing and maintaining an operational master plan and develop and
306 monitoring a capital improvement plan as defined in K.C.C. chapter 4.04;

307 9. Within available resources, developing and facilitating agreements for the
308 development of specific active park and recreation facilities;

309 10. Coordinating with other departments and divisions as appropriate in the
310 preparation of grant applications for park and open space acquisition, development and
311 operations;

312 11. Developing, managing, or facilitating agreements for the provision of
313 recreational programs; and

314 12. Facilitating programs that promote the safe enjoyment of county-owned
315 swimming pools and guarded swim beaches.

316 SECTION 5. Ordinance 14005, Section 3, as amended, and K.C.C. 2.16.0755 are
317 each hereby amended to read as follows:

318 A. The department of information technology, which is also known as KCIT, is
319 responsible to manage and be fiscally accountable for the information technology
320 operating resources and budget within the executive branch with the exception of the
321 business resource center. The department of information technology shall provide
322 support to the business resource center as agreed by the department of information
323 technology and the department of executive services. The department shall be comprised
324 of the information technology operations and business solutions division and the
325 information technology customer service division.

326 B.1. ~~The ((office of information resource management))~~ department of
327 information technology shall be directed by a chief information officer ~~((("CIO")))~~. The
328 ~~((CIO))~~ chief information officer shall be appointed by the executive and confirmed by
329 the council. The ~~((CIO))~~ chief information officer shall report to the county executive
330 and advise all branches of county government on technology issues. The ~~((CIO))~~ chief
331 information officer shall provide vision and coordination in technology management and
332 investment across the county. ~~((The CIO shall attend regular executive cabinet meetings~~
333 ~~as a nonvoting member and advisor on technology implications of policy decisions.))~~
334 The ~~((CIO))~~ chief information officer shall meet regularly with business managers for the

335 assessor, council, prosecutor, superior court, district court, elections and sheriff to advise
336 on technology implications of policy decisions. The ~~((CIO))~~ chief information officer
337 shall advise all county elected officials, departments and divisions on technology
338 planning and project implementation.

339 ~~((B.))~~ 2. The duties of the ~~((CIO))~~ chief information officer also shall include
340 the following:

341 ~~((1.))~~ a. Overseeing the information technology strategic planning office and
342 production of a county information technology strategic plan and updates to the plan;

343 ~~((2.))~~ b. Overseeing the central information technology office of project
344 oversight and monitoring of approved technology projects;

345 ~~((3.))~~ c. Recommending business and technical information technology projects
346 for funding as part of the county's strategic planning process;

347 ~~((4.))~~ d. Recommending technical standards for the purchase, implementation
348 and operation of computer hardware, software and networks as part of the county's
349 strategic planning process;

350 ~~((5.))~~ e. Recommending countywide policies and standards for privacy, security
351 and protection of data integrity in technology infrastructure, electronic commerce and
352 technology vendor relationships as part of the county's strategic planning process;

353 ~~((6.))~~ f. Recommending strategic information technology service delivery
354 models to be implemented by county departments;

355 ~~((7.))~~ g. Identifying and establishing short-range, mid-range and long-range
356 objectives for information technology investments in the county;

357 ~~((8.))~~ h. Establishing a standard methodology for information technology project
358 management, including requirements for project initiation and review, parameters for
359 agency contracts with information technology vendors, and reporting requirements to
360 facilitate monitoring of project implementation;

361 ~~((9.))~~ i. Establishing criteria for determining which information technology
362 projects will be monitored centrally;

363 ~~((10.))~~ j. Monitoring project implementation when projects meet the established
364 criteria;

365 ~~((11.))~~ k. Releasing the funding for each phase of those projects subject to
366 central oversight based on successful reporting and completion of milestones;

367 ~~((12.))~~ l. Recommending budgetary changes in the funding of information
368 technology projects to the executive and council, as appropriate;

369 ~~((13.))~~ m. Directing the suspension or general shutdown of projects having
370 difficulties in resolving issues related to scope, schedule or budget;

371 ~~((14.))~~ n. Conducting post-implementation information technology project
372 review;

373 ~~((15.))~~ o. Managing the internal service fund and capital project fund of the
374 ~~((office of information resource management))~~ department of information technology;

375 ~~((16.))~~ p. Providing annual performance review to the executive and council;

376 ~~((17.))~~ q. Managing the information and telecommunications services office;
377 and

378 ~~((18.))~~ r. Planning, oversight and management of information technology
379 functions within the executive branch, including the following:

380 ((a.)) 1. approving the department information technology service delivery
381 plan in conjunction with the executive branch department directors;

382 ((b.)) 2. ensuring that executive branch department information technology
383 service delivery needs are met according to the agreed-upon information technology
384 service delivery plan for the department;

385 ((c.)) 3. hiring or designating, or both, the department information technology
386 service delivery manager in consultation with the department director to manage the day-
387 to-day information technology operations within each executive branch department; and

388 ((d.)) 4. ensuring that executive department information technology needs are
389 aligned with the countywide three year strategic technology plan and the annual
390 technology business plan.

391 C. To support the ((CIO)) chief information officer in carrying out the duties of
392 the office, all county departments shall develop and maintain information technology
393 plans that align to the countywide strategic technology plan and meet their departments'
394 business goals and objectives and shall procure information technology with due
395 diligence demonstrated to meet policies and standards established through the technology
396 governance.

397 SECTION 6. Ordinance 14005, Section 4, as amended, and K.C.C.2.16.0757 are
398 each hereby amended to read as follows:

399 The ((office of information resource management)) department of information
400 technology shall include an information technology strategic planning office. The
401 information technology strategic planning office shall report directly to the chief
402 information officer. The information technology strategic planning office shall:

403 A. Produce an information technology strategic plan with annual updates for
404 council approval. The strategic technology plan shall be transmitted to council no later
405 than June 30 of the reporting period, with annual updates provided by April 30. The plan
406 should include:

407 1. A section that includes:

408 a. text describing, for individual planning issue areas, the current environment,
409 strengths, weaknesses, opportunities and challenges;

410 b. a list of recommended objectives, with description; and

411 c. the approach to achieve the desired outcomes for each strategic objective;

412 2. The annual update should provide accomplishments towards meeting

413 objectives from previous approved strategic plans, when objectives have not been met

414 and a discussion of the obstacles towards meeting those objectives; and

415 3. Appendices supporting the recommendations with empirical data;

416 B. Support the work of countywide planning committees that coordinate business
417 and technical needs for information technology investments;

418 C. Produce an annual technology report. The annual technology report shall be

419 transmitted to council no later than June 30 of each year; and

420 D. Produce an annual proposed technology business plan. The annual proposed

421 technology business plan shall be transmitted to the council at the time of transmittal of

422 the executive's proposed budget. ~~((Beginning with the 2010 budget transmittal, the~~

423 ~~annual proposed technology business plan shall include the items listed in subsection D.1.~~

424 ~~through 5. of this section. For the 2009 budget transmittal, if it is not feasible to include~~

425 ~~the information in subsection D.1. through 5. of this section in the proposed technology~~

426 ~~business plan, it is the intent of the council that the information outlined in subsection~~
427 ~~D.1. through 5. of this section be provided separate from the proposed technology~~
428 ~~business plan at the time of the budget transmittal.))~~ The annual technology business
429 plan shall include:

430 1. A summary of each technology project seeking funding in the proposed
431 budget.

432 2. For each project seeking funding in the budget, the following information
433 shall be reported:

434 a. the total budget request for the proposed project;

435 b. the total of past appropriations;

436 c. an estimate of any future budget requests to complete the project;

437 d. project milestones with specific dates, of which at least two shall be
438 projected to occur during the proposed budget year; and

439 e. a cash flow plan identifying the dates when funds proposed in the budget are
440 anticipated to be encumbered or expended.

441 f. the expected useful life of the technology.

442 g. preliminary outcome measures to assess whether the project is successful
443 upon completion.

444 3. For all existing projects seeking funding in the proposed budget, the
445 technology business plan shall include a status report on whether the project's major
446 milestones identified at the time of the first and subsequent budget appropriations have
447 been achieved shall be provided.

448 4. A list of all projects with active appropriation authority, including projects
449 not seeking funding in the proposed budget and the unexpended appropriation for each
450 project.

451 5. The technology business plan shall include a table identifying the projected
452 cost savings from information technology projects. The table shall be updated annually
453 at the time of the transmittal to the council to document achieved savings versus the
454 projected savings at the time the project was approved.

455 SECTION 7. Ordinance 14005, Section 6, as amended, and K.C.C. 2.16.0758 are
456 each hereby amended to read as follows:

457 The (~~office of information resource management~~) department of information
458 technology shall include a central information technology office of project oversight.
459 The office of project oversight shall report directly to the chief information officer. The
460 office of project oversight shall:

461 A. Develop criteria for determining which information technology projects
462 should be subject to central monitoring by the office of project oversight;

463 B. Develop a process for information technology project initiation, including
464 submittal of a business case analysis;

465 C. Develop requirements for the components of the business case, such as, but
466 not limited to, the linkage to program mission or business plan or cost-benefit analysis;

467 D. Set parameters for acceptable conditions and terms of information technology
468 vendor contracts with county agencies;

469 E. Establish project implementation reporting requirements to facilitate central
470 monitoring of projects;

471 F. Review the information technology project initiation request, including
472 business case analysis, to ensure that materials contain all required components, have
473 substance and are backed by documentation;

474 G. Monitor projects during implementation relying on documentation that has
475 been approved by the project's steering committee or other governing body;

476 H. Approve the disbursement of funding for projects that meet the criteria for
477 project management as established in K.C.C. 2.16.0758.A;

478 I. Recommend budgetary changes to the executive and council as appropriate
479 during each phase of project implementation;

480 J. Directing the suspension or general shutdown of project having difficulties in
481 resolving issues related to scope, schedule or budget; and

482 K. Conduct project post implementation reviews, documenting strengths and
483 weaknesses of the implementation process and the delivery, or lack thereof, of either cost
484 savings or increased functionality, or both.

485 SECTION 8. Ordinance 15559, Section 7, as amended, and K.C.C. 2.16.075805
486 are each hereby amended to read as follows:

487 The (~~information and telecommunications services office~~) department of
488 information technology shall include the following duties:

489 A. Designing, developing, operating, maintaining and enhancing computer
490 information systems for the county and other contracting agencies(~~, except for~~
491 ~~geographic information systems, which shall be administered by the department of~~
492 ~~natural resources and parks~~));

493 B. Managing the cable communications provisions in K.C.C. chapter 6.27A;

- 494 C. Negotiating and administering cable television and telecommunication
495 franchises under K.C.C. chapter 6.27;
- 496 D. Providing telephone system design, installation, maintenance and repair;
- 497 E. ~~((Managing and operating the centralized printing and graphic arts services;~~
498 F.)) Providing internal communications and public information services including
499 setting standards for and preparing informational publications, except to the extent to
500 which the council decides, as part of the annual appropriation ordinance, to fund selected
501 departmental level internal communications and public information services in certain
502 departments or divisions; and
- 503 ~~((G.))~~ F. Administering the emergency radio communication system under
504 K.C.C. chapter 2.58, but not including the radio communication and data system operated
505 and maintained by the department of transportation.

506 SECTION 9. Ordinance 12076, Section 9, as amended, and K.C.C. 4.08.015 are
507 each hereby amended to read as follows:

508 A. First tier funds and fund managers are as follows:

Fund No.	Fund Title	Fund Manager
103	County Road	Dept. of Transportation
104	Solid Waste Landfill Post Closure Maintenance	Dept. of Natural Resources and Parks
106	Veterans' Relief	Dept. of Community and Human Services
109	Recorder's O & M	Dept. of Executive Services
111	Enhanced-911 Emergency Tel System	Dept. of Executive Services

112	Mental Health	Dept. of Community and Human Services
113-5	Mental Illness and Drug Dependency	Dept. of Community and Human Services
114-1	Veterans' Services Levy	Dept. of Community and Human Services
114-2	Health and Human Services Levy	Dept. of Community and Human Services
115	Road Improvement Guaranty	Dept. of Transportation
117	Arts and Cultural Development	Dept. of Executive Services
119	Emergency Medical Services	Dept. of Public Health
121	Surface Water Management	Dept. of Natural Resources and Parks
122	Automated Fingerprint Identification System	Dept. of Public Safety
124	Citizen Councilor Revolving	Auditor
128	Local Hazardous Waste	Dept. of Public Health
129	Youth Sports Facilities Grant	Dept. of Natural Resources and Parks
131	Noxious weed control fund	Dept. of Natural Resources and Parks
134	Development and Environmental Services	Dept. of Development and Environmental Services
137	Clark Contract Administration	Office of Performance, Strategy and Budget
138	Parks Trust and Contribution	Dept. of Natural Resources and Parks
139	Risk Abatement	Office of Performance, Strategy and Budget
145	Parks and Recreation	Dept. of Natural Resources and Parks

156-1	KC Flood Control Operating Contract	Dept. of Natural Resources and Parks
164	Two-Tenths Sales Tax Revenue Receiving	Dept. of Transportation
165	Public Transit Self Insurance	Dept. of Transportation
215	Grants tier 1 fund	Dept. of Executive Services
216	Cultural Resource Mitigation Fund	Office of Performance, Strategy and Budget
309	Neighborhood Parks and Open Space	Dept. of Executive Services
312	HMC Long Range CIP	Dept. of Executive Services
315	Conservation Futures	Dept. of Natural Resources and Parks
316	Parks, Rec. and Open Space	Dept. of Executive Services
320	Public Art Fund	Dept. of Executive Services
322	Housing Opportunity Acquisition	Dept. of Community and Human Services
327	Equipment and Building Acquisition	Dept. of Executive Services
329	SWM CIP Construction 1992-1997	Dept. of Natural Resources and Parks
331	Long-Term Leases	Dept. of Executive Services
334	Capital Acqn and County Fac Renovation	Office of Performance, Strategy and Budget
335	Youth Services Facilities Construction	Dept. of Executive Services
338	Airport Construction	Dept. of Transportation
339	Working Forest 1995 B	Dept. of Natural Resources and Parks
340	Park Lands Acquisition 1993	Dept. of Natural Resources and Parks

340-3	Urban Reforestation and Habitat Restoration	Dept. of Natural Resources and Parks
341	Arts and Historic Preservation Capital	Dept. of Executive Services
342	Major Maintenance Reserve	Dept. of Executive Services
343	Core GIS Capital Project	Dept. of ((Natural Resources and Parks)) <u>Information Technology</u>
346	Regional Justice Center Construction	Dept. of Executive Services
347	Emergency Communications System	Dept. of Executive Services
349	Parks Facilities Rehabilitation	Dept. of Executive Services
350	Open Space Acquisition	Dept. of Natural Resources and Parks
357-1	KC Flood Control Capital Contract	Dept. of Natural Resources and Parks
358	Parks Capital Fund	Dept. of Natural Resources and Parks
364-3	Transit Cross-Border Lease Financing Fund	Dept. of Executive Services
368	Real Estate Excise Tax Capital Summary Fund	Dept. of Executive Services
369	Transfer of Development Credits Program (TDC) Fund	Dept. of Natural Resources Parks
377-1	((OIRM)) <u>KCIT</u> Capital Fund	((Office of Information Resource Management)) <u>Dept. of Information Technology</u>
378	((Information and	Dept. of ((Executive Services))

	Telecommunications) <u>KCIT</u>	<u>Information Technology</u>
	<u>Enterprise Services Capital</u>	
	Improvement Fund	
381	Solid Waste Cap Equip Recovery	Dept. of Natural Resources and Parks
383	Solid Waste Environmental Reserve	Dept. of Natural Resources and Parks
384	Farmland and Open Space Acquisition	Dept. of Natural Resources and Parks
385	Renton Maintenance Fac. Const	Dept. of Transportation
386	County Road Construction	Dept. of Transportation
390	Solid Waste Construction	Dept. of Natural Resources and Parks
391	Landfill Reserve	Dept. of Natural Resources and Parks
394	Kingdome CIP	Dept. of Executive Services
395	Building Capital Improvement	Dept. of Executive Services
396	HMC Building Repair and Replacement	Dept. of Executive Services
404	Solid Waste Operating	Dept. of Natural Resources and Parks
429	Airport Operating	Dept. of Transportation
453-1	Institutional Network Operating Fund	Dept. of (Executive Services)
		<u>Information Technology</u>
461	Water Quality	Dept. of Natural Resources and Parks
464	Public Transportation	Dept. of Transportation
542	Safety and Workers' Compensation	Dept. of Executive Services
544	Wastewater Equipment Rental and	Dept. of Transportation
	Revolving Fund	

546	Department of Executive Service Equipment Replacement	Dept. of (Executive Services) <u>Information Technology</u>
547	(Office of Information Resource Management) <u>KCIT Strategy and Performance Operating Fund</u>	Dept. of (Executive Services) Information Technology
550	Employee Benefits Program	Dept. of Executive Services
551	Facilities Management	Dept. of Executive Services
552	Insurance	Dept. of Executive Services
557	Public Works Equipment Rental	Dept. of Transportation
558	Motor Pool Equipment Rental	Dept. of Transportation
603	Cultural Resources Endowment	Dept. of Executive Services
622	Judicial Administration Trust and Agency	Dept. of Judicial Administration
624	School District Impact Fee	Office of Performance, Strategy and Budget
674	Refunded Ltd GO Bond Rdmp.	Dept. of Executive Services
675	Refunded Unltd GO Bond	Dept. of Executive Services
676	H&CD Escrow	Dept. of Executive Services
693	Deferred Compensation	Dept. of Executive Services
694	Employee Charitable Campaign Contributions	Dept. of Executive Services
696	Mitigation Payment System	Dept. of Transportation

840	Limited GO Bond Redemption	Dept. of Executive Services
843	DMS Limited GO Bonds	Dept. of Executive Services
851	Stadium GO Bond Redemption	Dept. of Executive Services
890	ULID Assessment - 1981	Dept. of Transportation
1010	Climate Exchange Fund	Office of Performance, Strategy and Budget
1411	Rainy Day Reserve	Office of Performance, Strategy and Budget
1421	Children and Families Services	Dept. of Community and Human Services
1432	Animal Bequest Fund	Dept. of Executive Services
1471	Historical Preservation and Historical Programs Fund	Dept. of Executive Services
1590	Marine Division Operating Fund	Dept. of Transportation
3590	Marine Division Capital Fund	Dept. of Transportation
5490	Business Resource Center Fund	Dept. of Executive Services

509 B. The following shall also be first tier funds:

510 1. All funds now or hereafter established by ordinance for capital construction
511 through specific road improvement districts, utility local improvement districts or local
512 improvement districts. The director of the department of transportation shall be the fund
513 manager for transportation-related funds. The director of the department of natural
514 resources and parks shall be the fund manager for utility-related funds.

515 2. All county funds that receive original proceeds of borrowings made under
516 Chapter 216, Washington Laws of 1982, as now existing or hereafter amended, to the

517 extent of the amounts then outstanding for the borrowings for that fund. For purposes of
518 this subsection, the director of the county department or office primarily responsible for
519 expenditures from that fund shall be the fund manager.

520 3. Any other fund as the council may hereinafter prescribe by ordinance to be
521 invested for its own benefit. County funds shall be treated as provided in K.C.C.
522 4.10.110 unless a designation is made by the council.

523 SECTION 10. Ordinance 12076, Section 10, as amended, and K.C.C. 4.08.025
524 are each hereby amended to read as follows:

525 Second tier funds and fund managers are as follows, except to the extent that all
526 or a portion of any listed fund is a first tier fund by virtue of any other provision of this
527 chapter or other ordinance:

Fund No.	Fund Title	Fund Manager
001	Current Expense	Budget Organization in Executive Office
105	River Improvement	Dept. of Natural Resources and Parks
107	Developmental Disabilities	Dept. of Community & Human Services
108	Civil Defense	Dept. of Public Safety
120	Treasurer's O & M	Dept. of Executive Services
126	Alcohol & Substance Abuse Services	Dept. of Community & Human Services
180	Public Health	Dept. of Public Health
182	Inter-County River Improvement	Dept. of Natural Resources and Parks
214	Miscellaneous Grants	Dept. of Executive Services
224	Youth Employment Programs	Dept. of Community & Human Services

246	Community Dev Block Grant	Dept. of Community & Human Services
548	Geographic Information Systems	Dept. of ((Natural Resources and Parks)) <u>Information Technology</u>
553	((Computer and Communication)) <u>KCIT Services</u>	Dept. of ((Executive Services)) <u>Information Technology</u>
661	Deceased Effects	Dept. of Executive Services
662	Real Prop Title Assurance	Dept. of Executive Services
663	Treasurer's Prop Tax Refund	Dept. of Executive Services
664	Prop Tax Foreclosure Sale Excess	Dept. of Executive Services
666	Real Prop Advance Tax Collection	Dept. of Executive Services
668	Ad Valorem Tax Refund	Dept. of Executive Services
669	Certificate of Redemption LID assmt.	Dept. of Executive Services
670	Undistributed Taxes	Dept. of Executive Services
672	Cert/redemption Real Prop	Dept. of Executive Services
673	Miscellaneous Tax Distribution	Dept. of Executive Services
677	Property Tax Suspense	Dept. of Executive Services
678	King County Fiscal Agent	Dept. of Executive Services
697	Mailroom Prop Tax Refund	Dept. of Executive Services
698	Miscellaneous Agency	Dept. of Executive Services
699	Assessment Distribution/Refund	Dept. of Executive Services
850	Unlimited GO Bond Redemption	Dept. of Executive Services

1431 Regional Animal Services Dept. of Executive Services

528 SECTION 11. Ordinance 14270, Section 2, and K.C.C. 4.08.275 are each hereby
529 amended to read as follows:

530 A. There is hereby created the geographic information systems fund, classified as
531 a internal service fund, for the purpose of accounting for financial resources for the full
532 costing of operating, maintaining and enhancing automated geographic information
533 systems that serve both county agencies and external customers. For the purpose of this
534 section, "full costing" means all costs associated with operation, maintenance, rental,
535 repair, replacement, central service cost and department overhead allocation.

536 ~~((B. Budget authority for staff and associated operating expenses incurred in~~
537 ~~managing the county's central geographic information systems shall be transferred from~~
538 ~~the information and telecommunications services fund data processing subfund to the~~
539 ~~new geographic information systems fund in the county's 2002 Annual Budget.~~

540 ~~Ownership of the equipment used to support the county's centralized geographic~~
541 ~~information systems is hereby transferred to the geographic information systems fund.~~

542 ~~C.)~~ B. The director of the department of ~~((natural resources and parks))~~
543 information technology or the director's designee shall be the fund manager and shall
544 establish charges to recover full costing for geographic information systems fund services
545 and operations.

546 ~~((D.))~~ C. Annual appropriations of revenues, beginning in 2002, shall be included
547 in the budgets of those agencies and funds either benefiting from the centralized
548 geographic information systems or receiving services from staff budgeted in geographic

549 information systems fund, or both, which revenues shall be transferred to geographic
550 information systems fund monthly.

551 SECTION 12. Ordinance 12144, Sections 1, 2, as amended, and K.C.C. 4.08.295
552 are each hereby amended to read as follows:

553 A. There is hereby created a ~~((R))radio~~ ~~((C))communications~~ ~~((S))services~~
554 ~~((O))operating~~ ~~((F))fund~~ and a ~~((R))radio~~ ~~((C))communications~~ ~~((S))services~~
555 ~~((C))construction~~ ~~((F))fund~~. The ~~((manager of the information and telecommunications~~
556 ~~services division))~~ director of information technology or the director's designee shall be
557 the fund manager.

558 B. The purpose of the ~~((R))radio~~ ~~((C))communications~~ ~~((S))services~~
559 ~~((O))operating~~ ~~((F))fund~~ is to provide for the revenues and operations of the radio
560 communications services enterprise and to provide for the receipt and disbursement of
561 revenue reserved for replacement of radios. The purpose of the ~~((R))radio~~
562 ~~((C))communications~~ ~~((S))services~~ ~~((C))construction~~ ~~((F))fund~~ is to provide for the
563 receipt and disbursement of revenue reserved for implementation of the ~~((C))capital~~
564 ~~((I))improvement~~ ~~((P))program~~ administered by the radio communications services
565 section.

566 SECTION 13. Ordinance 15078, Section 1 and K.C.C. 4.08.296 are each hereby
567 amended to read as follows:

568 A. There is hereby created a department of executive services information
569 technology equipment replacement fund. This fund shall be a first tier fund as described
570 in this chapter. The ~~((county administrative officer))~~ director of the department of

571 ~~((executive services))~~ information technology or ~~((his or her))~~ the director's designee
572 shall be the fund manager.

573 B. The purpose of the department of executive services equipment replacement
574 fund is to account for revenues and expenditures for the full costing of replacing
575 information technology hardware and software and other information technology
576 equipment used by department of executive services agencies.

577 SECTION 14. Ordinance 14008, Section 1, as amended, and K.C.C. 4.08.297 are
578 each hereby amended to read as follows:

579 A. There is hereby created ~~((an information and telecommunications))~~ an
580 information technology enterprise services capital improvement fund~~((, designated as~~
581 ~~fund number 378-1))~~. The fund shall be a ~~((first))~~ first tier fund as defined in K.C.C.
582 4.08.005. The ~~((manager of the information and telecommunications services division))~~
583 director of the department of information technology or his or her designee shall be the
584 fund manager.

585 B. The purpose of the information ~~((and telecommunications))~~ technology
586 enterprise services capital improvement fund is to account for ~~((the))~~ enterprise-wide
587 assets, liabilities, revenues, and expenditures of information technology capital projects
588 managed by the ~~((information and telecommunications division))~~ department of
589 information technology.

590 SECTION 15. Ordinance 14005, Section 7 and K.C.C. 4.08.298 are each hereby
591 amended to read as follows:

592 A. There is hereby created the ~~((office of information resource management))~~
593 information technology strategy and performance operating fund, which shall be a first

594 tier fund as defined in K.C.C. 4.08.005. The ~~((chief information officer))~~ director of the
595 department of information technology or his or her designee shall be the fund manager.

596 B. The purpose of the ~~((office of information resource management))~~ information
597 technology strategy and performance operating fund is to account for the assets,
598 liabilities, revenues and expenditures pertaining to the information technology strategy
599 and performance operations, ~~((of the office of information resource management,~~
600 ~~including the chief information officer, the strategic planning office and the project~~
601 ~~management office))~~ including the chief information officer, the strategic planning office
602 ~~((and the project management office)),~~ performance evaluation, information technology
603 governance and information technology security and privacy.

604 SECTION 16. Ordinance 14306, Section 1 and K.C.C. 4.08.299 are each hereby
605 amended to read as follows:

606 A. There is hereby created the ~~((office of information resource management))~~
607 information technology capital fund for the purpose of supporting the county's financial
608 management for capital technology projects identified by the project review board.

609 B. For investment purposes the ~~((office of information resource management))~~
610 information technology capital fund shall be considered a first-tier fund as described in
611 this chapter, with all interest earnings to be credited back to the fund.

612 C. The ~~((chief information officer))~~ director of the ~~((office of information~~
613 ~~resource management))~~ department of information technology or his or her designee shall
614 be responsible for the administration of the fund and shall act as fund manager.

615 D. Moneys expended from this fund shall be appropriated and used only for those
616 purposes specified with the project or projects appropriation.

617 SECTION 17. Ordinance 14227, Section 2 and K.C.C. 4.08.340 are each hereby
618 amended to read as follows:

619 A. There is hereby created an institutional network operating fund. This fund
620 shall be a first tier fund as described in this chapter with all interest earnings to be
621 credited back to the fund. The fund shall only exist as long as the King County council
622 has appropriated current operating expenditure authority for the institutional network
623 project. The director of the department of ~~((information and administrative services))~~
624 information technology or his or her designee shall be the fund manager.

625 B. The purpose of the institutional network operating fund is to provide for the
626 operating revenues, operating expenditures, operating assets and operating liabilities of
627 the institutional network ~~((project))~~ program.

628 C. As the institutional network project is self-supporting, a reserve amount equal
629 to thirty days of ~~((2005))~~ annual institutional network operating costs shall be maintained
630 in the institutional network operating fund. ~~((One half of the reserve amount shall be in
631 the fund by 2003 and the full reserve amount shall be in the fund by 2005.))~~

632 SECTION 18. Ordinance 10159, Section 3, as amended, and K.C.C. 6.27A.010
633 are each hereby amended to read as follows:

634 For the purpose of this chapter, the following terms, phrases, words and their
635 derivations shall have the meanings given herein. When not inconsistent with the
636 context, words used in the present tense include the future, words in the plural number
637 include the singular number, and words in the singular number include the plural number.
638 The words "shall" and "will" are mandatory, and "may" is permissive. Words not defined

639 herein shall be given the meaning set forth in the Cable Act. Words not defined in this
640 chapter or the Cable Act shall be given their common and ordinary meaning.

641 A. "Abandonment" means failure by the franchisee to operate the entire cable
642 system for ten ~~((10))~~ consecutive days without just cause. Just cause shall include
643 circumstances beyond the franchisee's control, such as natural disasters and material
644 breakdown of the system that is not the result of the franchisee's fault or negligence.

645 B. "Access channel" means any channel or bandwidth on a cable system set aside
646 for public, educational and/or governmental use.

647 C. "Basic cable service" means any service tiers which include the retransmission
648 of local television broadcast signals.

649 D. "Bulk rate" means a rate charged to an owner of a structure or parcel of land
650 containing multiple dwelling units in return for the provision of cable service to those
651 units.

652 E. "Cable Act" means the Cable Communications Policy Act of 1984, codified at
653 47 U.S.C. Secs. 521 et seq., and as hereafter may be amended.

654 F. "Cable manager" means the ~~((manager of the information and
655 telecommunications services division))~~ director of the department of information
656 technology or the director's designee.

657 G. "Cable office" means the ~~((King County information and telecommunications
658 services division))~~ cable section of the department of information technology.

659 H. "Cable rules" means rules promulgated by the ~~((King County information and
660 telecommunications services division))~~ director of the department of information

661 technology or the director's designee for the purpose of administering the terms and
662 requirements of this chapter.

663 I. "Cable service" means the transmission of video or other service over a cable
664 system to subscribers together with any subscriber interaction provided in connection
665 with such service.

666 J. "Cable system" means a facility, consisting of a set of closed transmission
667 paths and associated signal generation, reception and control equipment that is designed
668 to provide cable service that includes video programming and that is provided to
669 subscribers within King County. A cable system does not include:

670 1. a facility that serves only to retransmit the television signals of one or more
671 television broadcast stations;

672 2. a facility that serves only subscribers in one or more multiple unit dwellings
673 under common ownership, control, or management, unless such facility uses any public
674 right-of-way;

675 3. a facility of a common carrier that is subject, in whole or in part, to the
676 provisions of Title II of the Communications Act of 1934, codified at 47 U.S.C. Sec 201
677 et seq., except that such facility will be considered a cable system to the extent it is used
678 in the transmission of video programming directly to subscribers; or

679 4. any facilities of any electric utility used solely for operating its electric utility
680 systems.

681 K. "Channel" means a portion of the electromagnetic frequency spectrum which
682 is used in a cable system and which is capable of delivering a television channel, ((~~(f)~~)as
683 television channel is defined by the FCC by regulation))).

684 L. "Commercial rate" means a rate charged to a business in return for the
685 provision of cable service to that business.

686 M. ~~((Council means the King County council.~~

687 N. ~~County means the King County government or its officers, employees or
688 authorized agents while acting within the scope of their official duties.~~

689 ~~Θ.))~~ N. "Disabled subscriber" means a subscriber with a physical or mental
690 impairment that substantially limits one or more of the major life activities of such
691 individual.

692 ~~((P. Senior Citizen subscriber means a subscriber sixty-five years of age or over.~~

693 ~~Q.))~~ O. "Equitable price" means the price that a willing buyer would pay to a
694 willing seller for a going concern, less any value attributed to the franchise itself, less the
695 amount of harm to the community, and less any expenses incurred by the county as result
696 of the actions giving rise to the revocation.

697 ~~((R. Executive means the King County executive, as established by Article 3 of
698 the King County Charter, or his designee.~~

699 ~~S.))~~ P. "Fair market price" means the price that a willing buyer would pay to a
700 willing seller for a going concern, less any value attributed to the franchise itself.

701 ~~((T.))~~ Q. "FCC" means the Federal Communications Commission and any legally
702 appointed, designated or elected agent or successor.

703 ~~((U.))~~ R. "Franchise" means the right granted by the county to a franchisee to
704 construct, reconstruct, repair, maintain and operate a cable system over, on, along, or
705 under any public rights-of-way within all or specified areas within unincorporated areas
706 of the county. The term does not include any license or permit required by other laws,

707 ordinances or rules of the county for the privilege of transacting and carrying on a
708 business within the county, or for construction, reconstruction, repair or maintenance on,
709 over or under or use of any public rights-of-way.

710 ~~((V-))~~ S. "Franchise agreement" means a document entered into between the
711 county and a franchisee that sets forth the terms and conditions under which the franchise
712 will be exercised.

713 ~~((W-))~~ T. "Franchisee" means any person granted a franchise pursuant to this
714 chapter who has entered into a franchise agreement with King County.

715 ~~((X-))~~ U. "Gross revenues" means the annual gross revenue of the franchisee
716 from all sources in the operation of the cable communications system, excluding any bad
717 debt, sales tax, excise tax, or other taxes collected for direct pass-through to local, state or
718 federal government.

719 ~~((Y-))~~ V. "Installation" means the connection and/or activation of the system
720 from feeder cable to subscriber terminals.

721 ~~((Z-))~~ W. "Institutional network" means a voice, data and/or video
722 communications system, whether physically integrated with a cable system or not, that is
723 constructed, operated or maintained by a franchisee, whose transmissions are principally
724 available to persons other than cable television subscribers.

725 ~~((AA-))~~ X. "Interconnect" means the sharing of video, audio and/or data
726 transmissions between two or more cable systems, institutional networks and/or users.

727 ~~((BB-))~~ Y. "Minority persons" means African-Americans, Hispanics, Mexican-
728 Americans, Asian-Americans, Pacific Islanders, American Indians and Alaska Natives.

729 ~~((CC.))~~ Z. "Person" means any individual, corporation, partnership, limited
730 partnership, association, joint venture, organization, or any other legal entity of any kind,
731 and any lawful trustee, successor, assignee, transferee or personal representative thereof.

732 ~~((DD.))~~ AA. "Public rights-of-way" means the surface of and the space along,
733 above and below any street, road, highway, freeway, lane, sidewalk, alley, court,
734 boulevard, parkway, drive, utility easement and road right-of-way now or hereafter held
735 or administered by the county.

736 ~~((EE. State means the State of Washington.~~

737 ~~FF.))~~ BB. "Senior citizen subscriber" means a subscriber sixty-five years of age
738 or over.

739 CC. "Subscriber" means any person who legally receives cable service delivered
740 over the cable system.

741 ~~((GG.))~~ EE. "Transfer" means any transaction in which:

742 1. an ownership or other interest in a franchisee is transferred from one person
743 to another person so that control of the franchisee is transferred, or

744 2. the rights held by the franchisee under a franchise agreement are transferred
745 or assigned, in whole or in part, to another person.

746 Provided, the transfer of ownership or other interest in a franchisee between
747 members of the same immediate family shall not be a transfer for the purpose of this
748 chapter so long as the county is notified of the fact of the transfer of ownership or other
749 interest no later than fourteen (14) days prior to the transfer of ownership or other
750 interest, except where the transfer of ownership or other interest occurs due to death or
751 disability, in which case the county shall be notified within fourteen (14) days after the

752 transfer of ownership or other interest. The franchisee shall insure that its insurance
753 coverage and all other commitments continue in force without interruption and provide
754 evidence of the same to the county.

755 For the purposes of this provision, a transfer shall be deemed to be between
756 members of the same family if the transferee is the spouse, parent, sibling, adopted or
757 natural child or other lineal descendant of the transferor, or if the transferee is a trust
758 established for the benefit of such a person or for the benefit of the transferor. If the
759 ownership or other interest in the franchisee is held by the trustee of a trust, then a
760 transfer shall be deemed to be between members of the same family if the transferee is
761 the spouse, parent, sibling, adopted or natural child or other lineal descendant of any
762 other beneficiary of the trust, or any trust created for the benefit of such a person.

763 Provided further that, the transfer of ownership or other interest in a franchisee in
764 connection with an internal reorganization or internal merger to a direct or indirect
765 parent, subsidiary or affiliated entity under common control with the franchisee shall not
766 be a transfer for the purpose of this chapter so long as:

767 1. the county is notified of the proposed transfer no later than thirty (30) days
768 prior to the transfer of ownership or other interest;

769 2. the transferee shall insure that insurance coverage and all other commitments
770 under the franchise agreement continue in force and without interruption and provide
771 evidence to the same of the county no later than thirty (30) days prior to the proposed
772 transfer; and

773 3. there is no increased risk of liability to the county or nonperformance of the
774 terms of the franchise agreement.

775 ((HH.)) FF. "Two-way capability" means the capacity for two-way transmission,
776 over the cable system.

777 ((H.)) GG. "Video programming vendor" means a person engaged in the
778 production, creation, or wholesale distribution of video programming for sale.

779 SECTION 19. Ordinance 10159, Section 16, as amended, and K.C.C. 6.27A.140
780 are each hereby amended to read as follows:

781 A. A franchisee must charge uniform prices throughout the geographic area in
782 which cable service is provided over its cable system, except that different rates may be
783 offered to commercial rate subscribers, and provided further that reduced rates may be
784 offered to:

- 785 1. new subscribers,
786 2. subscribers adding a service that they have not previously received, or
787 3. disabled, senior citizen, low income or bulk rate subscribers.

788 To the extent provided by federal law, a franchisee may change its rates and
789 charges only if it has given a minimum of thirty (30) calendar days prior written notice to
790 subscribers and the cable office.

791 B. The county may regulate rates except to the extent it is prohibited from doing
792 so by state or federal law. Any regulated rate shall be adopted by ordinance and shall be
793 processed in accordance with the provisions of K.C.C. 20.24.070. The cable office shall
794 promptly notify the hearing examiner of any proposed rate changes. The director of the
795 department of (~~executive services~~) information technology is authorized to issue an
796 order to toll the effective date of proposed rates in accordance with the provisions of the
797 FCC rules and to take any other action necessary to implement rate regulation. The

798 director of the department of (~~executive services~~) information technology shall adopt

799 rules governing the regulation of rates that:

800 1. are consistent with the FCC's regulations,

801 2. provide a reasonable opportunity for consideration of the views of interested

802 parties, and

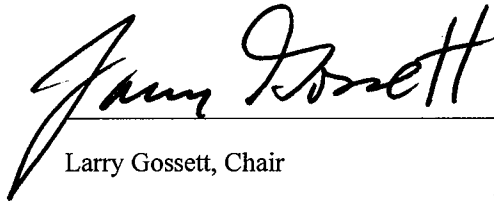
803 3. establish procedures analogous to those set forth by the FCC governing

804 requests that proprietary information produced in the course of a rate proceeding be
805 treated as confidential, to the extent permitted by law.
806


Ordinance 17142 was introduced on 4/11/2011 and passed by the Metropolitan King County Council on 7/11/2011, by the following vote:

Yes: 9 - Mr. Phillips, Mr. von Reichbauer, Mr. Gossett, Ms. Hague,
Ms. Patterson, Ms. Lambert, Mr. Ferguson, Mr. Dunn and Mr.
McDermott
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Larry Gossett, Chair

ATTEST:


Anne Noris, Clerk of the Council

APPROVED this 15 day of JULY, 2011.


Dow Constantine, County Executive

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Attachments: None