



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

December 10, 2007

Ordinance 15988

Proposed No. 2007-0543.1

Sponsors Phillips

1 AN ORDINANCE relating to the promotion of energy
2 efficiency and clean vehicle technology in King County's
3 fleet; and amending Ordinance 10930, Sections 3-4, as
4 amended, and K.C.C. 3.30.030.

5

6 PREAMBLE:

7 King County is a leader in clean vehicle technology with major
8 investments in electric trolleybuses, hybrid diesel-electric buses and
9 hybrid gasoline-electric automobiles and early conversion to ultra-low
10 sulfur diesel and biodiesel. By Motion 12362 the metropolitan King
11 County council initiated the development of the 2007 King County
12 Climate Plan, which calls for the county to further increase use of clean
13 transportation technologies in its fleets, including hybrid diesel-electric
14 trucks and plug-in hybrid-electric automobiles and to implement electric,
15 hybrid-electric and hydrogen fuel cell demonstration projects. By
16 Executive Order PUT 7-6 (AEO) the King County executive initiated
17 development of the 2007 King County Energy Plan and established targets

18 for increased energy efficiency and renewable energy use by 2012, 2015
19 and 2020. On September 19, 2007, the executive announced King
20 County's participation in the Puget Sound Regional Green Fleet Initiative.

21 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

22 SECTION 1. The executive shall report on the process for development and
23 adoption of regional green fleet standards and the possible establishment of a regional
24 clean vehicle certification program by King County and the other local governments
25 participating in the Green Fleets Initiative. Eleven copies of the report shall be filed with
26 the clerk of the council by December 1, 2007, for distribution to all councilmembers.

27 SECTION 2. Ordinance 10930, Sections 3-4, as amended, and K.C.C. 3.30.030
28 are each hereby amended to read as follows:

29 The ~~((C))~~council wishes to restrict the number of take-home vehicles provided to
30 county employees. To accomplish this objective, the following policies and criteria shall
31 be used as the basis for authorizing take-home vehicle assignments:

32 A. ~~((Take-home vehicle policies:))~~ 1. For county business before or after normal
33 working hours, providing motor pool dispatch vehicles or travel reimbursement is preferred
34 over the assignment of take-home vehicles.

35 2. The assignment of a take-home vehicle is neither a privilege, nor a right of any
36 county employee.

37 3. Take-home vehicle assignments shall not be made based on employee merit or
38 employee status.

39 4. Wherever possible, county vehicles shall be picked up and dropped off at
40 designated county parking areas, thereby avoiding the assignment of take-home vehicles.

41 B. Take-home vehicle assignment criteria:

42 1.a. ~~((Emergency response.))~~ Take-home vehicles may be assigned to county
43 employees who:

44 ~~((a.))~~ (1) ~~((H))~~ have primary responsibility to respond to emergency situations
45 ~~((which))~~ that require immediate response to protect life or property;

46 ~~((b.))~~ (2) ~~((R))~~ respond to emergencies at least twelve times per quarter;

47 ~~((c.))~~ (3) ~~((C))~~ cannot use alternative forms of transportation to respond to
48 emergencies; and

49 ~~((d.))~~ (4) ~~((C))~~ cannot pick up county-owned assigned vehicles at designated
50 sites.

51 b. Emergency response assignments shall be supported by data demonstrating
52 the actual number and nature of emergency responses in the prior year, and estimates of
53 future emergency responses. In addition, there must be an explanation why an employee
54 cannot use alternative forms of transportation to respond to the emergencies or pick up
55 county owned assigned vehicles at designated parking areas.

56 2. ~~((Economic benefit to the county.))~~ Take-home vehicles may be assigned if
57 employee travel reimbursement costs are greater than the commuting costs associated with
58 overnight vehicle usage. Lost productivity costs, the cost of the time it takes an employee
59 to travel from a designated county parking facility to ~~((their))~~ the employee's work station,
60 shall not be included in the calculation of economic benefit to the county. In addition, there
61 must be an explanation why an employee cannot use alternative forms of transportation or
62 pick up county owned vehicles at designated parking areas.

63 3. ~~((Special equipment vehicles.))~~ Take-home vehicles may be assigned if an
64 employee needs specialized equipment or a special vehicle to perform county work outside
65 an employee's normally scheduled work day. Employees taking a county vehicle home
66 must have primary responsibility to respond to emergencies. Special equipment vehicle
67 assignments shall be supported by information describing the special equipment needed to
68 perform the county work. The need for communication access ~~((car radio,
69 telephone~~((,-ete-)))~~) and similar devices, shall not be considered adequate justification for a
70 take-home vehicle assignment.~~

71 4. Special clean transportation technology demonstration vehicles may be
72 assigned to county employees for a limited duration in order to promote and demonstrate
73 the viability of low-emission, energy-efficient technologies and fossil fuel alternatives.
74 To encourage the maximum public visibility of clean technology demonstration vehicles,
75 employees authorized to use the vehicles may also use them both before or after normal
76 working hours, and may use them as a take home vehicle to encourage such visibility as

77 an official public use. Incidental personal benefit or convenience from such a public use
78 does not constitute personal use.

79

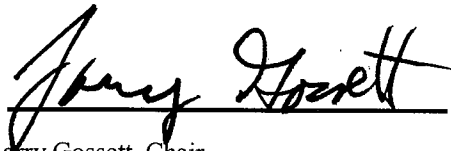
Ordinance 15988 was introduced on 10/15/2007 and passed by the Metropolitan King County Council on 12/10/2007, by the following vote:

Yes: 8 - Mr. Gossett, Ms. Patterson, Ms. Lambert, Mr. von Reichbauer, Mr. Dunn, Mr. Ferguson, Mr. Phillips and Mr. Constantine

No: 0

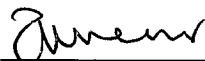
Excused: 1 - Ms. Hague

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



Larry Gossett, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this _____ day of _____, 2007.

ENACTED WITHOUT
COUNTY EXECUTIVE'S SIGNATURE
DATED: 12/21/07

Ron Sims, County Executive

Attachments None

RECEIVED
2007 DEC 21 PM 4:18
CLERK
KING COUNTY COUNCIL



King County

Ron Sims

King County Executive

701 Fifth Avenue, Suite 3210
Seattle, WA 98104

206-296-4040 Fax 206-296-0194

TTY Relay: 711

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KING COUNTY COUNCIL

December 21, 2007

The Honorable Larry Gossett
Chair, King County Council
Room 1200
COURTHOUSE

Dear Councilmember Gossett:

The purpose of this letter is to signal my intent not to sign Ordinance 15988. As I let this pass without signature, I want to convey some additional background information about our efforts in clean transportation technologies, as well as my concerns with a portion of this legislation.

I am pleased to see that the County Council has taken the initiative to draft legislation that further solidifies this county's commitment to the environment, particularly in the area of clean transportation. This ordinance calls out King County's leadership in vehicle technology, the development of King County's Climate Plan, and increased use of clean transportation technologies within our fleet.

At my direction, the Department of Transportation's (DOT) Fleet Administration Division, and the Department of Natural Resources and Parks (DNRP) have been actively investigating ways to establish a viable hydrogen demonstration project within King County. We have established communications with several other stakeholder agencies, and have joined the University of Washington in successfully making amendments to the Washington State Green Highway Bill. The DOT and DNRP will work together on hydrogen fueling station demonstration project.

The DNRP and Fleet Administration are now actively engaged in the process of collaborating with the University of Washington, Oregon State University, PowerTech Laboratories of British Columbia, the Minister of Energy in British Columbia's provincial government, Idaho National Laboratories, and General Motors to procure funding, establish a fueling station in Bothell, and possibly another in Oregon. We hope to obtain prototype hydrogen cell vehicles for this demonstration project.

On the matter of the Green Fleets Standards, we have already developed a proposal that outlines both standards and a rating model for the project and are now working collaboratively with 20 regional cities, the Puget Sound Clean Cities Coalition, and the Puget Sound Clean Air



Agency to build upon this proposal to develop a certification process and implementation strategy. We will provide the council with an update on this project after our meeting which will be convened some time in January 2008.

Over the years, King County has taken the use of county vehicles very seriously. To manage the use of take-home vehicles, specific criteria have been established in K.C.C. 3.30, and embedded in Executive policy administered by Fleet Administration. It is the addition of the fourth criteria on the use of special clean transportation technology demonstration vehicles that is my concern. While I understand the benefits of robust use to determine the merits of a vehicle during a demonstration project, I believe the "incidental personal benefit or convenience ... does not constitute personal use" language runs counter to our stated policies on the appropriate use of county vehicles.

To encourage visibility of such vehicle use may indeed promote clean technologies for the public, but may also create a public perception of vehicle misuse, inappropriate personal benefit, or convenience for the employee. The appearance of impropriety might well jeopardize the overall benefit of such a program. I would urge very limited assignments. In addition, recent court decisions regarding the use of vehicles and determinations that employees' use of vehicles before and after work is compensatory suggest another potential problem area.

Sincerely,



Ron Sims
King County Executive

cc: King County Councilmembers
 ATTN: Ross Baker, Chief of Staff
 Saroja Reddy, Policy Staff Director
 Anne Noris, Clerk of the Council
 Frank Abe, Communications Director
Harold S. Taniguchi, Director, Department of Transportation (DOT)
Win Mitchell, Director, Fleet Administrative Division, DOT
Theresa Jennings, Director, Department of Natural Resources and Parks
Bob Cowan, Director, Office of Management and Budget