



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

November 16, 2010

Ordinance 16977

Proposed No. 2010-0554.1

Sponsors Dunn

1 AN ORDINANCE relating to reorganization of the
2 department of public safety; making technical corrections;
3 amending Ordinance 1438, Section 3(c), as amended and
4 K.C.C. 2.16.060 and Ordinance 15939, Section 3, and
5 K.C.C. 3.16.100 and repealing Ordinance 15921, Section 2.

6 STATEMENT OF FACTS:

7 1. K.C.C. 2.16.060 was amended twice in 2007, in Ordinance 15921 and
8 Ordinance 15939, each without reference to the other, in a manner that
9 could not be merged under K.C.C. 1.02.090.

10 2. This ordinance resolves that conflict by repealing the change in
11 Ordinance 15921 and including the material from Ordinance 15921,
12 modified slightly to fit into the section as amended by Ordinance 15939,
13 into the section as amended by Ordinance 15939.

14 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

15 SECTION 1. Ordinance 1438, Section 3(c), as amended, and K.C.C. 2.16.060 are
16 each hereby amended to read as follows:

17 A. The department of public safety, as identified in the Section 350.20.40 King
18 County Charter, and managed by the King County sheriff, may also be known and cited
19 in the King County Code and in other usage as the office of the sheriff. Employees

20 managed by the King County sheriff may be referred to in the King County Code or
21 otherwise, as King County police, King County officer, or deputy sheriff.

22 B. The department of public safety is responsible to keep and preserve the public
23 peace and safety including the discharge of all duties of the office of sheriff under State
24 law, except those duties relating to jails and inmates which are performed by other
25 departments of county government. The functions of the department include:

26 1. Oversee a crime prevention program, investigate crimes against persons and
27 property and arrest alleged offenders.

28 2. Execute the processes and orders of the courts of justice and all other
29 mandated functions required by law.

30 3. In coordination with the office of emergency management, plan and
31 coordinate resources for the public safety and welfare in the event of a major emergency
32 or disaster.

33 4. Provide service and administrative functions which support but do not
34 duplicate other governmental activities, and which have the potential to be fiscally self-
35 supportive.

36 5. Investigate the origin, cause, circumstances and extent of loss of all fires, in
37 accordance with RCW 43.44.050. Fire investigations shall be conducted under the
38 direction of the fire investigation supervisor, who shall also be considered an assistant
39 fire marshal for the purposes of chapter 43.44 RCW. The functions of the fire and arson
40 investigation unit include, but are not limited to: investigation and determination of the
41 origin and cause of fires; preparation of detailed informational, investigative and
42 statistical reports; conducting criminal follow-up investigations, including detection.

43 apprehension and prosecution of arson suspects; providing expert testimony in court for
44 criminal and civil cases; maintenance of records of fires; preparation and submission of
45 annual reports to the county sheriff and other entities as required by chapters 43.44 and
46 48.50 RCW.

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

- 49 1. Office of the sheriff;
- 50 2. ~~((Field))~~ Patrol operations division;
- 51 3. ~~((Technical))~~ Support services division;
- 52 4. Criminal investigation division;
- 53 5. ~~((Special operations division; and~~
- 54 ~~6.))~~ Professional standards division;
- 55 6. Sound Transit division, which provides services to the Central Puget Sound
56 Regional Transit Authority; and
- 57 7. Metro Transit division, which provides services to the King County
58 department of transportation, transit division.

59 SECTION 2. Ordinance 15939, Section 3, and K.C.C. 3.16.100 are each hereby
60 amended to read as follows:

61 A. By the power conferred upon the county legislative authority in RCW
62 41.14.070, the council authorizes the following number of positions as unclassified and
63 exempt from the state civil service system for county sheriff's employees:

- 64 1. Office of the sheriff: five positions;
- 65 2. ~~((Field))~~ Patrol operations division: ~~((five))~~ six positions;

- 66 3. ~~((Technical))~~ Support services division: two positions;
67 4. Criminal investigation division: ~~((two))~~ one position(s);
68 5. ~~((Special operations division: two positions; and~~
69 6.)) Professional standards division: ~~((one))~~ two positions;
70 6. Sound Transit division: one position; and
71 7. Metro Transit division: one position.

72 B. RCW 41.14.070 grants the sheriff the ability to designate ten unclassified
73 positions that are exempt from the state civil service system for sheriff's employees. By
74 the power conferred upon the county legislative authority in RCW 41.14.070(4), the
75 sheriff's office is authorized ~~((three))~~ two additional unclassified positions for a total of
76 twenty

77 unclassified positions.

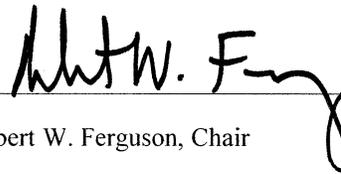
78 SECTION 3. Ordinance 15921, Section 2, is hereby repealed.

79

Ordinance 16977 was introduced on 10/11/2010 and passed by the Metropolitan King County Council on 11/15/2010, by the following vote:

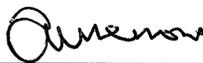
Yes: 8 - Ms. Drago, Mr. Phillips, Mr. Gossett, Ms. Hague, Ms. Patterson, Ms. Lambert, Mr. Ferguson and Mr. Dunn
No: 1 - Mr. von Reichbauer
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Robert W. Ferguson, Chair

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KING COUNTY COUNCIL CLERK

ATTEST:


Anne Noris, Clerk of the Council

APPROVED this 20th day of November, 2010.


Dow Constantine, County Executive

Attachments: None

KING COUNTY FIRE PROTECTION
DISTRICT NO. 38

Chair, Board of Fire Commissioners

KING COUNTY FIRE PROTECTION
DISTRICT NO. 43

Chair, Board of Fire Commissioners

KING COUNTY FIRE PROTECTION
DISTRICT NO. 39

Chair, Board of Fire Commissioners

KING COUNTY FIRE PROTECTION
DISTRICT NO. 44

Chair, Board of Fire Commissioners

Attachment A

Fire District Levy Resolution Language

Section 1. Regular Property Tax Levy.

- 1.1 A regular property tax levy is authorized for collection in 2011 in an amount equal to \$_____, plus the new construction and similar adjustments allowed under chapter 84.55 RCW.
- 1.2 Notwithstanding paragraph 1.1, above, if the Fire District's levy would cause the combined lawful levies within any levy code area in the Fire District to exceed the constitutional and/or aggregate levy rate limitations under RCW 84.52.043, the Fire District instead levies a tax for collection in 2011 in an amount equal to the maximum amount which may be levied by the Fire District without causing any reduction to the levy of the Flood District under RCW 84.52.010. Any reduction to the Fire District's levy under this provision shall be in accordance with the Interlocal Levy Agreement attached to this resolution as Exhibit ____.

Attachment B

County Levy Ordinance Language

Section 1. County Levy.

- 1.1 Unincorporated / Roads Levy \$ _____

- 1.2 If the levy amount set forth in paragraph 1.1 would cause the combined lawful levies within any levy code area in the County that is located outside of the Fire Districts that are a party to the Interlocal Levy Agreement (which is on file with the County Assessor and is attached to this ordinance as Exhibit __) to exceed the constitutional and/or aggregate levy rate limitations under RCW 84.52.043, the County instead levies this tax for collection in 2011 in an amount equal to the maximum amount which may be levied without causing any reduction to the levy of the Flood District due to those levy code areas under RCW 84.52.010, in accordance with the Interlocal Levy Agreement attached to this resolution as Exhibit __.

Attachment C

Procedures for Levy Reduction

- Step 1. The Assessor shall calculate the total levy rates for each levy code area in the County using its standard procedures.
- Step 2. The Assessor shall identify any levy code areas in which the statutory or constitutional levy rate limitations are exceeded (the “Identified LCAs”), using its standard procedures.
- Step 3. For each Identified LCA that is located outside of a Fire District that is party to this Agreement, the Assessor shall calculate the amount of reduction to the County levy under RCW 36.82.040 (“County Levy”) that is necessary to avoid any reduction to the Flood District levy in that Identified LCA.
- Step 4. For each Identified LCA located within a Fire District that is a party to this Agreement, the Assessor shall calculate the amount of Fire District levy reduction necessary to avoid any reduction to the Flood District levy in that Identified LCA.
- Step 5. The Assessor shall calculate the total amount of the Fire District levy reductions (“Aggregate FPD Payment”) and the total County Levy reduction necessary to avoid any reduction to the Flood District in those Identified LCAs (“County Payment”).
- Step 6. If no County Payment is necessary and the Aggregate FPD Payment is equal to or less than \$5.5 million, the Assessor shall reduce the affected Fire District levies as calculated. If a County Payment is necessary, then the Assessor shall reduce the County Levy and the affected Fire District levies as calculated only if the total of County Payment plus the Aggregate FPD Payment is equal to or less than \$8.5 million. If the Aggregate FPD Payment exceeds \$5.5 million (and no County Payment is necessary), or if a County Payment is necessary and the total of the Aggregate FPD Payment plus the County Payment exceeds \$8.5 million, then the Assessor shall disregard Steps 1-5 of this Attachment C and shall make reductions to taxing district levies only as required under and in accordance with RCW 84.52.010.