



## Legislation Text

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**File #:** 2017-0501, **Version:** 3

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Clerk 12/12/2017

AN ORDINANCE relating to county reports and making technical corrections; amending Ordinance 13320, Section 13, as amended, and K.C.C. 1.07.130, Ordinance 13320, Section 14, as amended, and K.C.C. 1.07.140, Ordinance 16679, Section 27, as amended, and K.C.C. 2.12.300, Ordinance 12550, Section 2, as amended, and K.C.C. 2.14.020, Ordinance 17706, Section 2, as amended, and K.C.C. 2.15.020, Ordinance 12075, Section 3, as amended, and K.C.C. 2.16.025, Ordinance 14199, Section 11, as amended, and K.C.C. 2.16.035, Ordinance 10563, Section 2, as amended, and K.C.C. 2.42.080, Ordinance 6818, Section 10, as amended, and K.C.C. 2.42.090, Ordinance 14482, Section 17, and K.C.C. 2.49.160, Ordinance 473, Section 15, as amended, and K.C.C. 2.52.150, Ordinance 12022, Section 4, as amended, and K.C.C. 2.59.110, Ordinance 18217, Section 2, and K.C.C. 2A.300.510, Ordinance 174 (part), as amended, and K.C.C. 3.08.110, Ordinance 12014, Section 18, as amended, and K.C.C. 3.12.180, Ordinance 12014, Section 29, and K.C.C. 3.12.290, Ordinance 12014, Section 50, as amended, and K.C.C. 3.15.020, Ordinance 14233, Section 5, as amended, and K.C.C. 3.15.120, Ordinance 12014, Section 55, as amended, and K.C.C. 3.16.050, Ordinance 14287, Section 5, and K.C.C. 3.16.055, Ordinance 17909, Section 11, and K.C.C. 3.18.080, Ordinance 12045, Section 20, as amended, and K.C.C. 4.56.035, Ordinance 620, Section 4 (part), as amended, and K.C.C.

4A.100.100, Ordinance 15949, Section 3, as amended, and K.C.C. 4A.500.309, Ordinance 17422, Section 3, and K.C.C. 4A.700.750, Ordinance 14214, Section 6, as amended, and K.C.C. 9.14.050, Ordinance 7786, Section 7, as amended, and K.C.C. 10.14.080, Ordinance 7737, Section 2, as amended, and K.C.C. 10.24.020, Ordinance 12809, Section 1, as amended, and K.C.C. 20.14.070, Ordinance 11502, Section 19, as amended, and K.C.C. 20.22.310, Ordinance 15051, Section 140, as amended, and K.C.C. 21A.24.061, Ordinance 11621, Section 90, as amended, and K.C.C. 21A.28.154, Ordinance 11621, Section 91, and K.C.C. 21A.28.156, Ordinance 11962, Section 11, and K.C.C. 28.94.070, Ordinance 12643, Section 23, as amended, and K.C.C. 28.94.265 and Ordinance 16770, Section 4, and K.C.C. 28.96.220 and repealing Ordinance 12671, Section 2, and K.C.C. 2.29.010, Ordinance 15327, Section 5, as amended, and K.C.C. 2.43.025, Ordinance 13720, Section 2, and K.C.C. 2.45.010, Ordinance 13720, Section 3, and K.C.C. 2.45.020, Ordinance 13720, Section 4, as amended, and K.C.C. 2.45.030, Ordinance 13720, Section 5, and K.C.C. 2.45.040, Ordinance 13720, Section 6, and K.C.C. 2.45.050, Ordinance 12468, Section 9, as amended, and K.C.C. 2.84.190, Ordinance 12138, Section 23, as amended, and K.C.C. 2.93.200, Ordinance 12014, Section 38, as amended, and K.C.C. 3.13.015, Ordinance 12014, Section 39, as amended, and K.C.C. 3.13.020, Ordinance 12014, Section 40, and K.C.C. 3.13.030, Ordinance 12014, Section 41, and K.C.C. 3.13.040, Ordinance 12014, Section 42, and K.C.C. 3.13.045, Ordinance 12014, Section 43, and K.C.C. 3.13.055, Ordinance 12014, Section 44, and K.C.C. 3.13.060, Ordinance 16580, Section 9, and K.C.C. 3.42.070, Ordinance 13923, Section 6, and K.C.C. 4A.601.040, Ordinance 14509, Section 11, and

K.C.C. 7.08.090, Ordinance 10187, Section 12, and K.C.C. 9.08.125, Ordinance 14214, Section 7, and K.C.C. 9.14.060, Ordinance 10423, Section 22, as amended, and K.C.C. 11.04.550, Ordinance 14259, Section 14, as amended, and K.C.C. 21A.14.410 and Ordinance 10870, Section 509, and K.C.C. 21A.26.200.

STATEMENT OF FACTS:

1. King County code contains extensive reporting requirements that request information on a variety of topics on an ongoing basis, some of which are to be transmitted to council for review.
2. The ongoing reports required by code are generated by staff at county agencies, boards, or commissions, and can require significant staff hours and resources to produce.
3. In some cases, the reporting requirements are more than a decade old and the circumstances precipitating the request for information have since changed.
4. It has been a long time, if ever, that the council has reviewed all of the reports received in order to determine if they are still useful in conducting council business or if changes to frequency or format could still yield sufficient information while reducing county staff workloads.
5. In 2017, council central staff generated a list of ongoing reporting requirements to council that are required by code and provided the list to councilmembers for review. Central staff did not include ongoing reports that are required by state law or interlocal agreements on the list.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 13320, Section 13, as amended, and K.C.C. 1.07.130 are each hereby amended to read as follows:

The department shall:

- A. Prepare, publish and update, as appropriate, documents written in plain language explaining the

provisions of this chapter and, further, develop and implement other methods to educate the public, including, but not limited to, grassroots campaign lobbying groups, employers and lobbyists concerning the requirements of this chapter;

B. Develop and provide forms for the reports and statements required to be made under this chapter;

C. Prepare and publish a manual setting forth recommended uniform methods of bookkeeping and reporting for use by persons required to make reports and statements under this chapter;

D. Compile and maintain a current list of all filed reports and statements;

E. Annually publish and disseminate a directory of lobbyists which sets forth the name, employer, if applicable, and telephone number of each lobbyist;

F. Determine whether properly completed statements and reports have been filed within the times required by this chapter;

G. ~~((Prepare and publish an annual report to the council as to the effectiveness of this chapter and its enforcement, provided that with the first annual report the executive shall include recommendations on whether the preparation of legislation by the executive branch and/or promulgating rules should be activities within the definition of "lobbying." These recommendations shall be based on a review of the questions by a task force established by the board of ethics;~~

H.)) Review at least every five years the monetary reporting thresholds and penalties of this chapter. The focus of this review shall include recognition of economic changes and any related changes promulgated by rule. Upon completion of its review, the department shall recommend to the council necessary changes, if any, to the monetary reporting thresholds and penalties of this chapter;

~~((F.))~~ H. Adopt rules to carry out the policies and purposes of this chapter in a manner prescribed in K.C.C. chapter 2.98;

~~((F.))~~ I. Prepare and publish such reports as in its judgment will address the purposes of this chapter including reports and statistics concerning lobbying and enforcement of this chapter;

~~((K-))~~ J. Audit the registrations and reports of lobbyists, sponsors of professional grass roots lobbying campaigns and lobbyists' employers;

~~((L-))~~ K. Give a written warning for the first violation to any person registered under this chapter who fails to file required statements and reports within the timelines established herein by certified mail, return receipt requested. Each subsequent violation after the initial warning has been given shall be assessed a late report filing fee of fifty dollars and an additional late fee of ten dollars per day for up to thirty days. Late fees shall be assessed by the department and may be appealed ~~((to the hearing examiner))~~ in accordance with K.C.C. 20.22.080.

SECTION 2. Ordinance 13320, Section 14, as amended, and K.C.C. 1.07.140 are each hereby amended to read as follows:

A. Except for allegations of untimely filing of statements and reports, which are processed by the department under section K.C.C. ~~((1.07.130.L))~~ 1.07.130.K, complaints alleging a violation of any of the provisions of this chapter shall be filed with the county ombuds~~((man))~~. Any such a complaint shall be in writing, verified and signed by the complainant. The complainant shall describe the basis for the complainant's belief that this chapter has been violated. The complainant may state in the written complaint whether the complainant desires that ~~((his or her))~~ the complainant's name be withheld from disclosure under RCW 42.17.310(1)(e) if the complaint is the subject of a public records disclosure request.

B. Within twenty days of receiving a complaint meeting the requirements of subsection A. of this section, the ombuds~~((man))~~ shall serve or mail, by certified mail, return receipt requested, a copy of the complaint to the person alleged to have violated this chapter. Within forty days of receiving the complaint the ombuds~~((man))~~ shall analyze the merits of the complaint to determine whether a full investigation is warranted. The ombuds~~((man))~~ shall have the authority to issue an order dismissing the complaint, or specific sections of the complaint, if the ombuds~~((man))~~ determines that the complaint or specific sections of the complaint, as written, alleges a de minimis violation or does not state facts that, even if true, would constitute a violation of

this chapter.

C. If the ombuds((~~man~~)) determines that a full investigation of the complaint is warranted, then the investigation shall be directed to ascertain the facts concerning the violation or violations alleged in the complaint and shall be conducted in an objective and impartial manner. The ombuds((~~man~~)) is authorized to contract for such investigative services and other assistance as may be needed to conduct the investigation, subject to the council's appropriation of adequate funds to pay for the costs of the contracts. In furtherance of such an investigation, the ombuds((~~man~~)) is authorized to use the subpoena power to compel sworn testimony from any person and require the production of any records relevant or material to the investigation except information that is legally privileged. Upon request of the ombuds((~~man~~)), county employees shall provide sworn testimony and produce any records relevant or material to the investigation, except information that is legally privileged.

D. During the investigation, the ombuds((~~man~~)) shall consider any statement of position or evidence with respect to the allegations of the complaint that the complainant or respondent wishes to submit.

E. The results of the investigation shall be reduced to written findings of fact and a finding shall be made that there either is or is not reasonable cause for believing that the respondent has violated one or more provisions of the chapter.

F. If a finding is made that there is no reasonable cause, then the finding shall be served or mailed, by certified mail, return receipt requested, to the complainant and the respondent and the finding shall be final. The original of the ombud'((~~man~~))'s finding shall be filed with the clerk of the council.

G. If a finding is made that reasonable cause exists to believe that the respondent has violated one or more of the provisions of this chapter, then the ombuds((~~man~~)) shall prepare an order to that effect, copies of which shall be served or mailed, by certified mail, return receipt requested, to the complainant and the respondent. The original of the ombuds'((~~man~~))'s order shall be filed with the clerk of the council. The reasonable cause order shall include:

1. A finding that one or more violations of this chapter has occurred;
2. The factual basis for the finding;
3. The amount of the civil penalty or penalties imposed for remedial purposes to be assessed for each violation. A person who is found to have violated this chapter shall be given a written warning for the first violation by certified mail, return receipt requested, and shall be subject to a civil penalty of up to one thousand dollars for each subsequent violation after the warning has been given. Further, an individual penalty may not exceed one thousand dollars per violation and in any case where multiple violations are involved in a single complaint, the maximum aggregate civil penalty shall not exceed two thousand five hundred dollars; and
4. A notice informing the respondent that the respondent has the right to a hearing before the hearing examiner as set forth in K.C.C. 1.07.150.

SECTION 3. Ordinance 16679, Section 27, as amended, and K.C.C. 2.12.300 are each hereby amended to read as follows:

A.1.a. No later than (~~April 1~~) March 20 of each year, the public records officer of each county agency shall submit to the (~~county council~~) chair of the public records committee a report on the agency's performance in responding to public records requests during the preceding calendar year. The report shall include, at a minimum, a listing of all requests that either were closed during the preceding calendar or remained open at the end of the preceding calendar year, including, for each such request:

- (1) the name of the requestor;
- (2) a summary of the request;
- (3) the date the request was received;
- (4) whether the five-day response requirement in K.C.C. 2.12.250.C.1 was met;
- (5) the date the request was closed, if it has been closed; and
- (6) for each closed request for which more than six months elapsed from the date the request was received until the date the request was closed, and for each open request that had been open for more than six

months at the end of the preceding calendar year, an explanation of why the request was not closed more promptly.

2. For the purpose of this section, a request is closed if the agency has provided all responsive records, has indicated that there are no responsive records or that all of the responsive records are exempt from disclosure or has provided records and indicated that no additional records will be produced because the remaining records are exempt from disclosure, or if the request is closed pursuant to K.C.C. 2.12.250.F., H. or I.

~~((3. A paper original and an electronic copy of the report shall be filed with the clerk of the council, who shall email the electronic copy to all councilmembers. In the electronic copy of the report, the listing of public records requests shall be in the form of an electronic spreadsheet.~~

~~B. On January 15 and July 15 of each year, the county prosecuting attorney shall submit to the county council a report listing all pending lawsuits alleging that the county has violated chapter 42.56 RCW, including the name of the case, the court in which it was filed, the date on which it was filed, the case number, a brief summary of the claims made against the county and the current case status. A paper original and an electronic copy of the report shall be filed with the clerk of the council, who shall email the electronic copy to all councilmembers.))~~

SECTION 4. Ordinance 12550, Section 2, as amended, and K.C.C. 2.14.020 are each hereby amended to read as follows:

A. King County is committed to managing its public records as a countywide resource and in a manner that:

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

B. A public records committee is hereby established. The public records committee shall



1. Advise the council and the executive on county public records policies, including both paper and electronic records; these policies must include policies for posting records on county web sites;
2. Provide guidance on the planning and implementation of a countywide records storage management plan and a countywide electronic records management system;
3. Advise county agencies on their use of digital communication technology and serve as a forum for sharing and discussing information about the county's use of such technology; and
4. Submit a report containing the following information by ~~((March 1))~~ April 1 of each year in the form of a paper original and an electronic copy to the clerk of the council, who shall retain the original and provide an electronic copy of the report to all councilmembers, the council chief of staff, and the lead staff for the council's government accountability~~((;))~~ and oversight~~((, and financial planning))~~ committee or its successor. The report shall include:
  - a. a description of the forms of digital communication that are in use by each county agency;
  - b. for each form of digital communication that is in use by an agency, a description of the methods used by the agency to retain records of digital communication to meet applicable record retention requirements;  
~~((and))~~
  - c. for each form of digital communication that is in use by an agency, a description of the methods used by the agency to search records of digital communication to meet applicable public record disclosure requirements;
  - d. the report required by the public records committee charter adopted by Motion 12511, which provides a summary of the activities of the public records committee in relation to the charter goals, and programmatic and policy recommendations as to how King County can best manage, preserve and provide access to its public records; and
  - e. all agency reports submitted to the chair of the public records committee required by K.C.C. 2.12.300 that describe each agency's performance in responding to public records requests during the preceding

calendar year.

C. The director of the records and licensing services division or the director's designee shall be the chair of the public records committee. The public records committee shall include representatives of a broad range of county departments and elected agencies, including at a minimum the following:

1. The council;
2. The prosecuting attorney's office;
3. The sheriff's office;
4. The assessor's office;
5. The department of elections;
6. Office of performance, strategy and budget;
7. The executive branch's senior public records officer;
8. The department of information technology's director of web-based services technology; and
9. Each executive department.

SECTION 5. Ordinance 17706, Section 2, as amended, and K.C.C. 2.15.020 are each hereby amended to read as follows:

A. It is the policy of the county to only honor civil immigration hold requests from United States Immigration and Customs Enforcement for individuals that are accompanied by a criminal warrant issued by a U.S. District Court judge or magistrate.

B. The department of adult and juvenile detention shall compile a listing all immigration detainees received by the department, showing detainees received and detainees accompanied by federal judicial warrants. Beginning May 1, 2014, the department shall prepare and transmit to the council (~~(a quarterly)~~) an annual report showing the number of detainees received and the number of detainees that were accompanied by a federal judicial warrant with descriptive data that includes but is not limited to: the types of offenses that individuals with detainees accompanied by a federal judicial warrant were being held, the reason for release

from county custody, the length of stay for each individual before the detainer accompanied by a federal judicial warrant was executed, and the number of individuals that had detainers but were transferred to federal or state department of corrections' custody. The reports called for in this section shall be transmitted by March 1 in the form of a paper original and an electronic copy to the clerk of the council, who shall distribute electronic copies to all councilmembers and the lead staff for the committee of the whole, and the law, justice, health and human services committee, or their successors.

SECTION 6. Ordinance 12075, Section 3, as amended, and K.C.C. 2.16.025 are each hereby amended to read as follows:

A. The county executive shall manage and be fiscally accountable for the office of performance, strategy and budget and the office of labor relations.

B. The office of performance, strategy and budget functions and responsibilities shall include, but not be limited to:

1. Planning, preparing and managing, with emphasis on fiscal management and control aspects, the annual operating and capital project budgets;
2. Preparing forecasts of and monitor revenues;
3. Monitoring expenditures and work programs in accordance with Section 475 of the King County Charter;
4. Developing and preparing expenditure plans and ordinances to manage the implementation of the operating and capital project budgets throughout the fiscal period;
5. Formulating and implementing financial policies regarding revenues and expenditures for the county and other applicable agencies;
6. Performing program analysis, and contract and performance evaluation review;
7. Developing and transmitting to the council, concurrent with the biennial proposed budget,

supporting materials consistent with K.C.C. chapter 4A.100;

8. Performance management and accountability:

- a. providing leadership and coordination of the performance management and accountability system countywide;
- b. overseeing the development of strategic plans and business plans for each executive branch department and office;
- c. providing technical assistance on the development of strategic plans and business plans for agencies;
- d. developing and using community-level indicators and agency performance measures to monitor and evaluate the effectiveness and efficiency of county agencies;
- e. overseeing the production of an annual performance report for the executive branch;
- f. coordinating performance review process of executive branch departments and offices;
- g. collecting and analyzing land development, population, housing, natural resource enhancement, transportation and economic activity data to aid decision making and to support implementation of county plans and programs, including benchmarks;
- h. leading public engagement and working in support of county performance management, budget and strategic planning; and
- i. developing and transmitting to the council (~~(an annual)~~) a biennial report on April 30 in odd-numbered years about the benefits achieved from technology projects. The report shall include information about the benefits obtained from completed projects and a comparison with benefits that were projected during different stages of the project. The report shall also include a description of the expected benefits from those projects not yet completed. The report shall be approved by the council by motion. The report and motion shall be filed in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers;

9. Strategic planning and interagency coordination:

- a. coordinating and staffing executive initiatives across departments and agencies;
- b. facilitating interdepartmental, interagency and interbranch teams on multidisciplinary issues;
- c. ~~((leading governance transition efforts for the urban area consistent with the Growth Management~~

Act;

~~d. providing technical assistance in the update of regional growth management planning efforts including the Countywide Planning Policies and distribution of jurisdictional population and employment growth targets;~~

~~e. providing assistance in the development of agency and system planning efforts such as agency business plans;~~

f.) negotiating interlocal agreements as designated by the executive; and

~~((g-))~~ d. serving as the liaison to the boundary review board for King County;

10. Business relations and economic development:

a. developing proposed policies to address regional, unincorporated urban, and rural economic development;

b. establishing, fostering and maintaining healthy relations with business and industry;

c. implementing strategies and developing opportunities that include partnering with, cities, the Port of Seattle and other economic entities on regional and subregional economic development projects;

d. developing and implementing strategies to promote economic revitalization and equitable development in urban unincorporated areas including the possible assembly of property for the purpose of redevelopment;

e. refining and implementing strategies in the county's rural economic strategies to preserve and enhance the rural economic base so that the rural area can be a place to both live and work; and

f. assisting communities and businesses in creating economic opportunities, promoting a diversified

economy and promoting job creation with the emphasis on family-wage jobs; and

11. Continuous improvement:

a. leading, coordinating and implementing a program of continuous improvement, including the provision of leadership development, transformational improvement and capacity building in Lean thinking; and

b. providing annual reports to the council on the implementation of the continuous improvement program, including but not limited to a description of the number of people and agencies that have received training, the processes changed as a result of Lean implementation and the budget and other impacts of these changes.

12. Regional planning:

a. coordinating the county's participation in multicounty planning at the Puget Sound Regional Council, including serving on the Puget Sound Regional Council's regional staff committee;

b. coordinating countywide planning at the Growth Management Planning Council consistent with the Washington state Growth Management Act, including leading the Growth Management Planning Council's interjurisdictional staff team in accordance with the interlocal agreement authorized by King County Motion 8495;

c. managing updates to the county's Comprehensive Plan in coordination with the department of permitting and environmental review, in accordance with K.C.C. Title 20;

d. coordinating the development of demographic and growth forecasting data and information including census data, growth targets and buildable lands;

e. facilitating annexations and joint planning with cities, including developing annexation proposals, drafting interlocal agreements, and serving as the liaison to the boundary review board for King County; and

f. coleading with the department of permitting and environmental review an interbranch regional planning team that supports the council and executive through the provision of information and data,

development of policy proposals and options for regional issues related to growth management, economic development and transportation. Participation in the interbranch regional planning team shall include executive, department and council staff as designated by the respective branches.

C. The office of labor relations functions and responsibilities shall include, but not be limited to:

1. Representing county agencies in the collective bargaining process as required by chapter 41.56 RCW;
2. Developing and maintaining databases of information relevant to the collective bargaining process;
3. Representing county agencies in labor arbitrations, appeals, and hearings including those in chapter 41.56 RCW and required by K.C.C. Title 3, in collaboration with the human resources management division;
4. Administering labor contracts and providing consultation to county agencies regarding the terms and implementation of negotiated labor agreements, in collaboration with the human resources management division;
5. Advising the executive and council on overall county labor policies; and
6. Providing resources for labor relations training for county agencies, the executive, the council and others, in collaboration with the human resources management division.

D.1. The county council hereby delegates to the executive or the executive's designee authority to request a hearing before the Washington state Liquor (~~Control~~) and Cannabis Board and make written recommendations and objections regarding applications relating to:

- a. liquor licenses under chapter 66.20 RCW; and
- b. licenses for marijuana producers, processors or retailers under chapter 69.50 RCW.

2. Before making a recommendation under subsection D.1. of this section, the executive or the executive's designee shall solicit comments from county departments and agencies, including, but not limited to, the department of permitting and environmental review, public health - Seattle & King County, the sheriff's office and the prosecuting attorney's office.

3. For each application reviewed under subsection D.1.b. of this section, the executive shall transmit to the county council a copy of the application received with the applicant's name and proposed license application location, a copy of all comments received under subsection D.2. of this section and the executive's recommendation to the Washington state Liquor (~~Control~~) and Cannabis board.

E. The executive may assign or delegate budgeting, performance management and accountability, economic development and strategic planning and interagency coordination functions to employees in the office of the executive but shall not assign or delegate those functions to any departments.

SECTION 7. Ordinance 14199, Section 11, as amended, and K.C.C. 2.16.035 are each hereby amended to read as follows:

The county administrative officer shall be the director of the department of executive services. The department shall include the records and licensing services division, the finance and business operations division, the human resources management division, the facilities management division, the administrative office of risk management, the administrative office of emergency management, the administrative office of the business resource center and the administrative office of civil rights. In addition, the county administrative officer shall be responsible for providing staff support for the board of ethics.

A. The duties of the records and licensing services division shall include the following:

1. Issuing marriage, vehicle/vessel, taxicab and for-hire driver and vehicle and pet licenses, collecting license fee revenues and providing licensing services for the public;
2. Enforcing county and state laws relating to animal control;
3. Managing the recording, processing, filing, storing, retrieval and certification of copies of all public documents filed with the division as required;
4. Processing all real estate tax affidavits; and
5. Acting as the official custodian of all county records, as required by general law, except as otherwise provided by ordinance.



B. The duties of the finance and business operations division shall include the following:

1. Monitoring revenue and expenditures for the county. The collection and reporting of revenue and expenditure data shall provide sufficient information to the executive and to the council. The division shall be ultimately responsible for maintaining the county's official revenue and expenditure data;

2. Performing the functions of the county treasurer;

3. Billing and collecting real and personal property taxes, local improvement district assessments and gambling taxes;

4. Processing transit revenue;

5. Receiving and investing all county and political subjurisdiction moneys;

6. Managing the issuance and payment of the county's debt instruments;

7. Managing the accounting systems and procedures;

8. Managing the fixed assets system and procedures;

9. Formulating and implementing financial policies for other than revenues and expenditures for the county and other applicable agencies;

10. Administering the accounts payable and accounts receivable functions;

11. Collecting fines and monetary penalties imposed by district courts;

12. Developing and administering procedures for the procurement of and awarding of contracts for tangible personal property, services, professional or technical services and public work in accordance with K.C.C. chapter 2.93 and applicable federal and state laws and regulations;

13. Establishing and administering procurement and contracting methods, and bid and proposal processes, to obtain such procurements;

14. In consultation with the prosecuting attorney's office and office of risk management, developing and overseeing the use of standard procurement and contract documents for such procurements;

15. Administering contracts for goods and services that are provided to more than one department;

16. Providing comment and assistance to departments on the development of specifications and scopes of work, in negotiations for such procurements, and in the administration of contracts;

17. Assisting departments to perform cost or price analyses for the procurement of tangible personal property, services and professional or technical services, and price analysis for public work procurements;

18. Developing, maintaining and revising as may be necessary from time to time the county's general terms and conditions for contracts for the procurement of tangible personal property, services, professional or technical services and public work;

19. Managing the payroll system and procedures, including processing benefits transactions in the payroll system and administering the employer responsibilities for the retirement and the deferred compensation plans;

20. Managing and developing financial policies for borrowing of funds, financial systems and other financial operations for the county and other applicable agencies.

21. Managing the contracting opportunities program to increase opportunities for small contractors and suppliers to participate on county-funded contracts. Submit an annual report as required by K.C.C. 2.97.090;

22. Managing the apprenticeship program to optimize the number of apprentices working on county construction projects. Submit an annual report as required by K.C.C. 12.16.175; and

23. Serving as the disadvantaged business enterprise liaison officer for federal Department of Transportation and other federal grant program purposes. The disadvantaged business enterprise liaison officer shall have direct, independent access to the executive on disadvantaged business enterprise program matters consistent with 49 C.F.R. Sec. 26.25. For other matters, the disadvantaged business enterprise liaison officer shall report to the director of the finance and business operations division.

C. The duties of the human resources management division shall include the following:

1. Developing and administering training and organizational development programs, including

centralized employee and supervisory training and other employee development programs;

2. Developing proposed and administering adopted policies and procedures for:

- a. employment, including recruitment, examination and selection;
- b. classification and compensation; and
- c. salary administration;

3. Developing proposed and administering adopted human resources policy;

4. Providing technical and human resources information services support;

5. Developing and managing insured and noninsured benefits programs, including proposing policy recommendations, negotiating benefits plan designs with unions, preparing legally mandated communications materials and providing employee assistance and other work and family programs;

6. Developing and administering diversity management and employee relations programs, including affirmative action plan development and administration, management and supervisory diversity training and conflict resolution training;

7. Developing and administering workplace safety programs, including inspection of work sites and dissemination of safety information to employees to promote workplace safety;

8. Administering the county's self-funded industrial insurance/worker's compensation program, as authorized by Title 51 RCW;

9. Advising the executive and council on overall county employee policies;

10. Providing labor relations training for county agencies, the executive, the council and others, in collaboration with the office of labor relations;

11. Overseeing the county's unemployment compensation program; ~~((and))~~

12. Collecting and reporting to the office of management and budget on a quarterly basis information on the numbers of filled and vacant full-time equivalent and term-limited temporary positions and the number of emergency employees for each appropriation unit; and

13. Providing a quarterly report to the council showing vacant positions by department. The report must indicate whether a term-limited temporary employee is backfilling the position, the salary and benefits associated with a position and how long the position has been vacant. The report is due thirty days after the end of each calendar quarter and shall be filed in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff to the budget and fiscal management committee or its successor.

D. The duties of the facilities management division shall include the following:

1. Overseeing space planning for county agencies;
2. Administering and maintaining in good general condition the county's buildings except for those managed and maintained by the departments of natural resources and parks and transportation;
3. Operating security programs for county facilities except as otherwise determined by the council;
4. Administering all county facility parking programs except for public transportation facility parking;
5. Administering the supported employment program;
6. Managing all real property owned or leased by the county, except as provided in K.C.C. chapter 4.56, ensuring, where applicable, that properties generate revenues closely approximating fair market value;
7. Maintaining a current inventory of all county-owned or leased real property;
8. Functioning as the sole agent for the disposal of real properties deemed surplus to the needs of the county;
9. In accordance with K.C.C. chapter 4A.100, providing support services to county agencies in the acquisition of real properties, except as otherwise specified by ordinance;
10. Issuing oversized vehicle permits, franchises and permits and easements for the use of county property except franchises for cable television and telecommunications;
11. Overseeing the development of capital projects for all county agencies except for specialized roads, solid waste, public transportation, airport, water pollution abatement, surface water management projects

and parks and recreation;

12. Being responsible for all general projects, such as office buildings or warehouses, for any county department including, but not limited to, the following:

- a. administering professional services and construction contracts;
- b. acting as the county's representative during site master plan, design and construction activities;
- c. managing county funds and project budgets related to capital projects;
- d. assisting county agencies in the acquisition of appropriate facility sites;
- e. formulating guidelines for the development of operational and capital project plans;
- f. assisting user agencies in the development of capital projects and project plans, as defined and

provided for in K.C.C. chapter 4A.100;

g. formulating guidelines for the use of life cycle cost analysis and applying these guidelines in all appropriate phases of the capital process;

h. ensuring the conformity of capital project plans with the adopted space plan and agency business plans;

i. developing project cost estimates that are included in capital project plans, site master plans, capital projects and biennial project budget requests;

j. providing advisory services, feasibility studies or both services and studies to projects as required and for which there is budgetary authority;

k. coordinating with user agencies to assure user program requirements are addressed through the capital development process as set forth in this chapter and in K.C.C. chapter 4A.100;

l. providing engineering support on capital projects to user agencies as requested and for which there is budgetary authority; and

- m. providing assistance in developing the executive budget for capital projects; and

13. Providing for the operation of a downtown winter shelter for homeless persons between October

15 and April 30 each year.

E. The duties of the administrative office of risk management shall include the management of the county's insurance and risk management programs consistent with K.C.C. chapter 2.21.

F. The duties of the administrative office of emergency management shall include the following:

1. Planning for and providing effective direction, control and coordinated response to emergencies;

and

2. Being responsible for the emergency management functions defined in K.C.C. chapter 2.56.

G. The duties of the administrative office of civil rights shall include the following:

1. Enforcing nondiscrimination ordinances as codified in K.C.C. chapters 12.17, 12.18, 12.20 and 12.22;

2. Assisting departments in complying with the federal Americans with Disabilities Act of 1990, the federal Rehabilitation Act of 1973, Section 504, and other legislation and rules regarding access to county programs, facilities and services for people with disabilities;

3. Serving as the county Americans with Disabilities Act coordinator relating to public access;

4. Providing staff support to the county civil rights commission;

5. Serving as the county federal Civil Rights Act Title VI coordinator; and

6. Coordinating county responses to federal Civil Rights Act Title VI issues and investigating complaints filed under Title VI.

H. The duties of the administrative office of the business resource center shall include the following:

1. The implementation and maintenance of those systems necessary to generate a regular and predictable payroll through the finance and business operations division;

2. The implementation and maintenance of those systems necessary to provide regular and predictable financial accounting and procedures through the finance and business operations division;

3. The implementation and maintenance of those systems necessary to generate regular and

predictable county budgets, budget reports and budget management tools for the county; and

4 . The implementation and maintenance of the human resources systems of record for all human resources data for county employment purposes.

SECTION 8. Ordinance 10563, Section 2, as amended, and K.C.C. 2.42.080 are each hereby amended to read as follows:

A. The medical center shall prepare a long-range capital improvement program plan, which shall be approved by the board and by the county governing authority by ordinance. The long-range CIP plan shall identify the medical center's needs for ensuring quality patient care consistent with the medical center's mission statement and county policy describing the medical center's purpose, priority programs, priority patient groups and other requirements in this chapter. The long-range CIP plan shall be updated at least once every five years, or more frequently, if deemed necessary by the board. All changes to the long-range CIP plan shall be treated as amendments to the plan previously approved by ordinance. The county, the board and the university shall make a good faith effort to adhere to the deadlines detailed in subsections B and C. of this section.

B. The medical center capital project oversight committee, or its successor in function, shall review and advise the board regarding the university's annual six-year CIP budget which shall be forwarded to the board no later [than] February 28 each year.

C. The board shall review the six-year capital improvement plan "CIP" budget, which shall be approved by the board and submitted to the county executive no later than April 15 each year. The medical center CIP budget shall contain the specific capital improvements necessary to meet the needs, policies and priorities identified in the approved long-range CIP plan.

D. The executive shall submit the medical center's six-year CIP budget to the council which should adopt the medical center CIP budget by June 13 each year.

E. All capital improvement projects at the medical center that are funded in whole or in part with the proceeds of county tax revenues, bonds or other debt issued by the county, grants to the county, gifts or

donations shall be subject to, planned and administered consistent with this chapter and K.C.C. Title 4A.

F. Notwithstanding any provisions of this chapter or K.C.C. Title 4A to the contrary, all capital improvement projects at the medical center that are funded exclusively with medical center revenues and that are budgeted over the life of the project for an amount not exceeding five million dollars shall be managed, designed, planned, developed and overseen by medical center administration and the university, subject to review and approval by the board. All capital project activities conducted under this subsection shall comply with state law applicable to the university, this subsection and medical center policies and procedures approved by the executive, following consultation with the board and university. Those policies and procedures shall include, but not be limited to, the following:

1. procedures for the open and competitive solicitation of contracts for capital projects as may be required by state laws applicable to the university;
2. elements to be included within all CIP project budgets, which shall include, at a minimum:
  - a. design consultant (architect and engineering services);
  - b. other consultant fees;
  - c. construction costs;
  - d. permit fees;
  - e. contingency budget; and
  - f. project management and administration costs.
3. Policies and procedures to provide opportunities for apprentices, minority and women's businesses, disadvantaged business enterprises and small contractors and suppliers to participate in capital project contracts. These policies and procedures shall include, at a minimum: goals for the use of apprentices, minority and women's businesses or small contractors and suppliers or disadvantaged business enterprises that shall be reasonably achievable and identified in all appropriate solicitations; reporting guidelines; and the identification of medical center staff necessary to implement this subsection F.3.;



4. Procedures for review, evaluation and award of contracts for either construction or architectural and engineering services; and

5. Procedures for reporting and control, which shall include, at a minimum:

a. quarterly reports from staff at the medical center to the board on the status of the budget, scope and schedule for all CIP projects subject to this subsection;

b. when requested by the executive, quarterly reports from the board on the status of the budget, scope and schedule for all CIP projects subject to this subsection;

c. immediate notification by staff at the medical center to the board, if a CIP project subject to this subsection exceeds its authorized budget;

d. periodic reports from the board to the executive for transmittal to the council on the status of the budget, scope and schedule for all CIP projects subject to this subsection; and

e. annual reports from the board to the executive for transmittal to the council evaluating the participation of apprentices, minority and women's businesses, small contractors and suppliers or disadvantaged business enterprises in CIP projects subject to this subsection.

G. All costs of CIP projects administered by the medical center under subsection F. of this section shall be paid from medical center revenues. So long as management of the medical center is delegated by contract to the University of Washington, exemption of such capital improvement projects from K.C.C. Title 4A shall be effective but only if the university agrees to indemnify the county in accordance with the hospital services agreement.

H. Subsection F. of this section shall remain in effect until the expiration date of the ((the)) hospital services agreement, as may be amended.

I.1. From the annual operating revenue of the medical center, the medical center shall fund depreciation reserves to be allocated to the major movable equipment and building repair and replacement funds and transfer the depreciation reserve funding into the respective capital funds. The medical center shall designate a

minimum of ten million eight hundred thousand dollars annual depreciation reserve commitment and allocate it as follows:

a. The building repair and replacement fund annual funding amount shall be in accordance with the annual budget submitted to the county, but shall not be less than four million dollars per year; and

b. The balance, or not less than six million eight hundred thousand dollars of the minimum ten million eight hundred thousand dollar annual depreciation reserve commitment shall be allocated for moveable equipment.

2. ~~((An annual report shall be provided to the executive and council detailing major moveable equipment, expenditures and revenue sources in the major movable equipment fund.~~

3. ~~The transfers to the major movable equipment fund and the building repair and replacement fund shall occur no later than thirty days after the end of the medical center's fiscal year.))~~

4.)) When planned expenditures exceed the funds available in the building repair and replacement fund, the additional funding shall come from an extraordinary funding source other than the county's general fund.

~~((5.))~~ 3. The difference, between the six million eight hundred thousand dollars available for moveable equipment and the ten million eight hundred thousand dollars projected moveable equipment need, or four million dollars annually, shall be included as part of an allotment through an extraordinary funding source, not including the county's general fund.

J. King County shall continue to be responsible for major long-range infrastructure capital repairs, replacements and improvements and major additions, using voter approved bonds or other funding mechanisms approved by the county governing authority.

K. There is created a medical center building repair and replacement fund, which shall be a county capital project fund and shall be used to account for the regular segregation of building repair and replacement capital reserves, including investment income. From the building repair and replacement fund shall be drawn

payments for the acquisition of fixed equipment, building renovations and improvements as approved by the board.

1. Moneys deposited in the building repair and replacement fund shall be invested solely for the benefit of that fund. The board may make transfers to the fund on a more frequent basis.

2. The moneys deposited in this fund shall be used solely for the renovation and/or improvement of the medical center's buildings and equipment, subject to the capital budgeting provisions of this chapter.

SECTION 9. Ordinance 6818, Section 10, as amended, and K.C.C. 2.42.090 are each hereby amended to read as follows:

A. ~~((As))~~ At a minimum, the board shall provide the executive and the council with ~~((the following reports))~~ an annual report including the following items:

1. ~~((An annual))~~ A financial report and statement for the medical center's preceding fiscal year ~~((to be submitted within one hundred twenty days of the end of that fiscal year.));~~

2. A ~~((report covering))~~ summary of the proceedings of the board including the attendance record of the trustees during the preceding fiscal year ~~((shall accompany the financial report.));~~

3. A summary of the medical center annual proposed operating budget including anticipated plans and highlights for the coming year ~~((, not later than seventy five days preceding the medical center's fiscal year.));~~

4. ~~((An annual))~~ A report on medical center programs and services including the quality of patient care ~~((, to accompany the operating budget summary.));~~

5. A ~~((quarterly))~~ report on the extent and type of care provided to priority patients, and proposed changes for improvement ~~((,)); and~~

6. An annual fixed assets inventory report for medical center property and equipment.

~~((7. A capital plant and equipment reserve report to accompany the annual operating budget summary.~~

))

B. The report required by subsection A. of this section shall be transmitted by September 30 of each calendar year in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff to the budget and fiscal management committee or its successor and the committee of the whole or its successor.

C. The county governing authority may prescribe the format and content of reports required and set dates for submission to the county, as appropriate, consistent with the requirements of state law and regulations.

SECTION 10. Ordinance 14482, Section 17, and K.C.C. 2.49.160 are each hereby amended to read as follows:

A. By April 15 of each year, the authority shall submit an annual report to the county executive and the county council containing:

1. A statement of assets and liabilities, income and expenditures and changes in its financial position during the previous year;
2. A summary of significant accomplishments;
3. A list of depositories used;
4. A projected operating budget for the current fiscal year;
5. A summary of cultural programs, public art projects and all other projects and activities to be undertaken during the current year; and
6. Other information as may be required in the charter of the authority.

B.1. The authority shall meet with the county council's committee of the whole two times per year, once ~~((in the first half of the calendar year))~~ to discuss the authority's annual report and once ~~((in the second half of the calendar year))~~ to discuss the authority's plans and proposed expenditures for the following year.

2. The authority shall meet:

- a. at least one time per year with the county executive; and

b. at least one time per year with directors and administrators of county departments and agencies that interface with the authority.

C. The authority shall respond to requests for additional information from the executive or from the council. The council shall make its request by motion.

SECTION 11. Ordinance 473, Section 15, as amended, and K.C.C. 2.52.150 are each hereby amended to read as follows:

In addition to whatever reports ~~((he))~~ the director may make from time to time, the director ~~((on the fifteenth day of January, May and September of each year))~~ shall report to the county council ~~((concerning))~~ semiannually. The director shall file the report by March 1 and September 1 of each year, in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the executive. The report shall include, but not be limited to:

A. ~~((t))~~The exercise of ((his)) the director's functions during the preceding ((calendar)) six-month period. In discussing matters with which ((he)) the director has dealt, the director need not identify those immediately concerned if to do so would cause unnecessary hardship. Insofar as the report may criticize named agencies or persons, it must also include their replies to the criticism; and

B. The status of the whistleblower program described in K.C.C. chapter 3.42 from the preceding six-month period, including summarizing improper governmental action and retaliation claims processed during the reporting period, case outcomes from all claims investigated by King County officials, resource issues, any concerns raised by whistleblowers about the process and any recommendations for program improvements. The ombuds is encouraged to seek feedback from participants in the whistleblower process when preparing the report.

SECTION 12. Ordinance 12022, Section 4, as amended, and K.C.C. 2.59.110 are each hereby amended to read as follows:

A.1. There is hereby created the CTV citizens advisory committee. The CTV citizens advisory committee shall advise the council and the executive regarding overall programming strategy and content and how CTV can best serve the community. The CTV citizens advisory committee shall consist of the following members:

- a. a representative from a local television station or local network affiliate, or a person with significant experience in or knowledge of the broadcast media;
  - b. a representative from a local public relations firm or a professional working in the public relations field for a local corporation;
  - c. a representative:
    - (1) from a company that publishes a significant amount of news or other content via the Internet;
    - (2) with significant experience in dissemination of information via the Internet; or
    - (3) with expertise in delivering information via streaming video or other emerging technologies;
- and
- d. a representative from a local newspaper source or a person with significant experience in or knowledge of newspapers.

2. Members of the CTV citizens advisory committee shall be appointed by the executive and confirmed by the council, for terms not to exceed four years. Members shall be compensated at fifty dollars per day for days on which advisory committee meetings are held.

B. There is hereby created the CTV working group. The CTV working group shall advise CTV management and the council regarding CTV programming and operations and how CTV can best serve King County, including all branches of government and all county departments. The CTV working group shall consist of seven members, as follows: the council's director of communications, or equivalent position; two other staff members from CTV staff or from council staff, designated by the chair of the council; the executive's director of communications, or equivalent position; two other executive branch employees to be designated by

the executive; and one representative from the judicial or law enforcement entities, including the superior and district courts, the prosecuting attorney's office and the department of public safety, to be designated by the executive. The CTV working group should consult regularly with CTV management and representatives of county agencies and departments to help ensure that CTV is effectively serving the county government and the county's citizens.

C. Final authority over all CTV policy and operational matters, including hiring and other personnel matters, shall be governed by the council in accordance with K.C.C. 2.59.140.

~~((D. On or before July 1, 2005, and annually thereafter, the CTV citizens advisory committee shall report to the council on the effectiveness of the CTV governance structure set forth in this section and K.C.C. 2.59.140. The committee's report may include recommended changes to the governance structure, which shall be given due consideration by the council.))~~

SECTION 13. Ordinance 18217, Section 2, and K.C.C. 2A.300.510 are each hereby amended to read as follows:

A. For the purposes of this section:

1. "Best starts for kids children and youth strategies" means those strategies that are eligible expenditures as defined in Ordinance 18088, Section 5.C.1., 2., and 4;
2. "Collective impact" means a process for achieving meaningful and sustainable progress on complex social issues that involves convening stakeholders across sectors and communities, who share a common vision and a shared agenda for assuring accountability and measuring results; and
3. "Youth Action Plan" means the Youth Action Plan approved under Motion 14378.

B. As recommended in the Youth Action Plan and as required by Ordinance 18088, the King County children and youth advisory board is created to act in an advisory capacity to the executive and council to:

1. Assist King County policy makers as they consider outcomes, policies and investments for children and families and youth and young adults; and

2. Serve as the best starts for kids children and youth strategies oversight and advisory body, including making recommendations on and monitoring the distributions of levy proceeds described in Ordinance 18088, Section 5.C.1., 2. and 4.

C. The goal of the board is to improve the health and well-being of children and youth by utilizing a collective impact model to implement strategies that focus on prevention and early intervention.

D.1. The board shall make recommendations to the executive and county council regarding children and youth services, consistent with the recommendations in the Youth Action Plan.

2. The board shall receive and review King County outcomes and data, recommending improvements and modifications to achieve outcomes and support strong data collection and indicator protocols.

3. The board shall assist the executive and the council with the comprehensive review and analysis of King County government's programs, services and outcomes for children, families, youth and young adults for alignment with other initiatives and coalitions that have outcomes identified for children, families, youth and young adults.

4. The board shall recommend policy, budget, and other findings to the executive and the council, ensuring alignment with other initiatives and coalitions that have outcomes identified for children, families, youth and young adults.

5. The board shall participate with, track and report on efforts of partnerships, coalitions and networks throughout the region to inform the development of an aligned, region wide response that leads to improved outcomes.

6. The board shall be a forum for discussion and exchange of ideas in response to emergent needs, promising practices, and continuous improvement.

E. ~~((The board shall, to the maximum extent possible, collaborate with the executive on development of an implementation plan relating to the best starts for kids youth and family homelessness prevention initiative to be transmitted to the council by March 1, 2016. The plan must be filed in the form of a paper original and an~~



~~electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers.~~

F.)) The board shall work in collaboration with the executive to develop an implementation plan for the portion of the levy proceeds pertaining to best starts for kids children and youth strategies to be transmitted to the council by June 1, 2016. The board shall:

1. Make recommendations for the plan consistent with Ordinance 18088;
2. Make recommendations for the plan so it is consistent with other adopted county plans and policies such as the King County Strategic Plan, the Youth Action Plan and Ordinance 16948, which transformed the county's work on equity and social justice from an initiative to an integrated effort that applies the King County Strategic Plan 2010-2014's "fair and just" principle to all the county does in order to achieve equitable opportunities for all people and communities;
3. Advise on development of indicators and targets for best starts for kids children and youth strategies for inclusion in the plan;
4. Make recommendations that ensure the work of the county's steering community to address juvenile justice disproportionality is taken into consideration in development of the plan, to the maximum extent possible;
5. Make recommendations on and monitor the distribution of best starts for kids levy proceeds; and
6. Make recommendations on an annual reporting process to the council and community that demonstrates transparency regarding the expenditure of levy proceeds and the effectiveness of the best starts for kids children and youth strategies in meeting the goals and outcomes established in Ordinance 18088.

~~(G.))~~ F. The board may establish standing and ad hoc work groups focusing on specific components of children and youth services and best starts for kids strategies. Individuals or representative from entities whose work is closely related to children and youth prevention and early intervention strategies may be invited to participate in work groups as nonvoting members.

~~((H))~~ G. Consistent with a collective impact model, the board shall:

1. Review and advise the executive and council on emerging and evolving best and promising practices to improve the health and well-being of children and youth;
2. Coordinate with other county boards and groups including, but not limited to, the steering committee to address juvenile justice disproportionality, the mental illness and drug dependency oversight board, the regional human services levy citizen oversight board and the veterans levy citizen oversight board, to maximize the impact of the county's children and youth services;
3. Serve as a forum to promote coordination and collaboration between entities involved in improving the health and well-being of children and youth; and
4. Coordinate and share information with other related external efforts and groups.

~~((I))~~ H. The board shall adopt rules governing its operations at its first meeting, which may be revised in subsequent meetings.

~~((J))~~ I.1. The board shall be composed of not more than forty members, at least three of whom shall be youth age twenty-four or under.

2. As required by Ordinance 18088, the board shall be comprised of a wide array of King County residents and stakeholders with geographically and culturally diverse perspectives.
3. Members of the advisory board shall be appointed by the executive and confirmed by the council.

~~((K))~~ J. The board shall establish terms of appointment by lot. Thirteen positions shall have initial terms of two years, thirteen positions shall have initial terms of three years and the remainder of the positions shall have initial terms of four years. After the initial terms have expired, all terms shall be for three years.

SECTION 14. Ordinance 174 (part), as amended, and K.C.C. 3.08.110 are each hereby amended to read as follows:

For time devoted to the official work of the personnel board, each member thereof shall receive a per diem of one hundred dollars to be paid out of the current expense fund; provided that a per diem of seventy-five

dollars shall be paid for official board work of three hours or less; provided further that an additional twenty-five dollars per day will be paid to the chair of the board during any full day (six hours or more) or thirteen dollars for work of three hours or less in which board business is conducted. The county is further authorized to pay for reasonable parking expenses of personnel board members while board business is conducted.

~~((Further, the executive shall report back to the council no later than December 31, 1999 on the expenses incurred during the calendar year of 1999 at the new per diem rate and shall make recommendations to the council on any further adjustments to the per diem rate as may be needed at that time.))~~

SECTION 15. Ordinance 12014, Section 18, as amended, and K.C.C. 3.12.180 are each hereby amended to read as follows:

A. For purposes of this section:

1. "County work force" means persons employed by King County executive departments;
2. "Job group" means a grouping of jobs as defined by the United States Department of Labor;
3. "Labor force availability rate" means the percentage of persons of color or women with requisite job skills in King County as reported by the United States Census Bureau;
4. "Persons of color" means persons in each of the following groups: Blacks; Hispanics; Asian/Pacific Islanders; and Native Americans; and
5. "Placement goal" shall equal the labor force availability rate.

B. The county is an equal opportunity employer and shall carry out federal, state and local laws and regulations prohibiting discrimination in employment on the basis of race, color, religion, religious affiliation, creed, national origin, ancestry, sex, sexual orientation, gender identity or expression, age (except by minimum age and retirement provisions), marital status, honorably discharged veteran or military status, or the presence of a sensory, mental or physical disability. Further, it is the intent of the county to ensure that employment is based on the principle of equal opportunity and that such a principle shall be implemented in all county personnel-related actions including, but not limited to, recruitment, hiring, testing, training, promotion,

compensation, transfer and all other terms and conditions of employment in all job classifications.

C. In order to comply with federal contracting requirements and to ensure equal opportunity for all persons, all county departments shall establish and maintain an effective affirmative action plan, as adopted by the council by ordinance. Such an affirmative action plan shall promote the objectives of public policy set forth in applicable federal and state laws relating to nondiscrimination, equal employment opportunity, affirmative action and civil rights. Specifically, the plan shall promote the objectives of the State Law Against Discrimination, chapter 49.60 RCW (applicable parts), and provisions of the Washington Administrative Code adopted thereunder. As part of the county's affirmative action plan, the executive shall submit by June 1 of every ~~((fifth))~~ fourth year, commencing with ~~((2014))~~ 2018, a proposed ordinance for the approval of an affirmative action plan pertaining to executive county departments and agencies to be approved, or modified, by the council by ordinance, or rejected by the council, by January 1 following the plan's submittal to council.

The affirmative action plan shall include:

1. Information related to county work force statistics, which shall include:

a. a comparison of labor force availability for women and persons of color to the county's actual labor force for women and persons of color as a summary across all departments. The plan shall also compare labor force availability for women and persons of color to the county's actual labor force for women and persons of color by departments and job group. The plan shall also summarize the percentage of total goal setting areas which meet or exceed the labor force availability rate;

b. a summary of the county work force by job group and by race and gender;

c. a discussion of the methodology by which the labor force availability and county work force data is developed and a listing of the county job classifications that are included in each job group;

d. the total number of persons with disabilities in each job group within the county work force and the total number of persons with disabilities by department voluntarily reported by individuals for equal employment opportunity affirmative action purposes. The plan shall include the number of positions for which

an accommodation is currently in effect;

e. the total number and percentage of employees by salary range and by race and gender. Salary ranges shall be reported in a manner consistent with the equal employment opportunity data reported by the United States Census Bureau. The plan shall include data reported by the United States Census bureau on the total number and percentage of the labor force working in King County by salary range and by race and gender;

f. an analysis by race and gender of the positions filled by promotion during the prior plan period. For the purposes of this subsection, "promotions" means those instances in which an individual advances in salary level because the individual changed to a position with a higher pay range assignment;

g. a summary by year for the prior plan period on executive branch discrimination complaints by basis of complaint and complaint status. The summary shall also include data by department on the number of complaints filed by complaint type and the number of people filing complaints; and

h. historical data on the county work force by race and gender. Historical data before 2014 is required only to the extent it is readily available;

2. Placement goals for the plan period. For those job groups within departments where the actual number of women and persons of color employed is less than projected by labor force availability, a placement goal by race and gender shall be established for the entire plan period. A placement goal shall equal the labor force availability rate. Placement goals are used to measure progress toward achieving equal employment opportunity. Placement goals may not be quotas, which must be met, nor do they create set-asides for specific groups. Placement goals may not be used to supersede merit selection principles. Further, existence of a placement goals does not constitute evidence of discrimination. If a placement goal has been established, the plan shall identify the labor force availability rate;

3. Implementation plans for departments. Each implementation plan shall:

a. identify the activities proposed each year during the plan period to meet the department's placement goals. The plan shall discuss how the proposed activities will help the department achieve its

placement goals;

b. identify the activities proposed during the plan period by year to recruit, retain and promote women and persons of color in the work force; and

c. identify the specific activities during the plan period, by year, that each department will undertake to increase its hiring, retention and promotion of persons with disabilities; and

4. A summary of the results of the prior affirmative action plan, which shall include:

a. A description of the progress of each department in completing the activities listed in subsection C.3. a. through c. of this section proposed in the previous implementation plan. The outcomes of each activity shall be reported. The human resources management division shall provide an evaluation of the effectiveness of each department's implementation activities during the plan period;

b. the status of each ((five-year)) placement goal established in the prior affirmative action plan. For each identified placement goal, the status report shall report the:

(1) labor force availability rate;

(2) total number of positions filled for the corresponding job group within a department;

(3) of the total number reported under subsection C.4.b.(2) of this section, the number of positions that were filled by each race and gender category; and

(4) an actual hiring rate for each race and gender category calculated by dividing the number of positions filled by the number of positions filled by each race and gender category; and

c. a separate listing of those placement goals for the plan period that were not achieved. Placement goals are considered not achieved when the actual hiring rate is less than the availability rate for the overall plan period. For each placement goal not achieved, the plan shall provide an analysis of why the goals were not met including whether the planned implementation activities were completed. Placement goals shall only be considered not achieved in those instances in which the total number of hires is large enough such that it is statistically reasonable to expect under conditions of equal employment opportunity that the number of hires by

race and gender will reflect work force availability.

D. A progress report on each year's placement goals and implementation plans shall be delivered to the council annually on June 1. Eleven copies of the report shall be filed with the clerk of the council, for distribution to all councilmembers. For each category where a placement goal is established, the following shall be reported:

1. Labor force availability rates as proposed in the affirmative action plan by department, job group, race and gender;

2. Data by department and job group of the total number of positions filled;

3. For each department and job group, the number of positions that were filled by each race and gender category;

4. For each department and job group, the percentage of positions that were filled by each race and gender category;

5. A separate listing of placement goals not achieved. Placement goals are considered not achieved when the availability rates are greater than the hiring rates. Placement goals shall only be considered not achieved in those instances in which the total number of hires is large enough such that it is statistically reasonable to expect under conditions of equal employment opportunity that the number of hires by race and gender will reflect work force availability;

6. Beginning in the second year, cumulative data for the plan period for the information required under subsection D. 1. through 5. of this section; and

7. The status of each activity proposed in each department's implementation plan as required by subsection C.3. a. through c. of this section. The progress report shall include updates to the implementation plans in order that the plans consist of more than repeating the same activities which have previously produced inadequate results.

E. The executive shall submit a proposed ordinance approving a new (~~five-year~~) four-year affirmative

action plan to the council within twelve months of the publication of the appropriate data from the ten-year United States census.

SECTION 16. Ordinance 12014, Section 29, and K.C.C. 3.12.290 are each hereby amended to read as follows:

A. In the case of an appeal by a career service employee to the board, written notice of appeal shall be filed by the employee with the chair of the board and the director within thirty calendar days of the employee having been notified of the disciplinary action as provided for by this chapter or within ten calendar days of completion of the grievance or appeal process contained in this chapter or any applicable collective bargaining agreement. For appeals not involving disciplinary action, the applicable period shall be fourteen calendar days from the action from which the appeal is taken, or fourteen calendar days from the time the employee should reasonably have known of the action, whichever is longer. The written notice of appeal shall contain a statement of the following:

1. The action or alleged action from which the appeal is taken;
2. The grounds for appeal; and
3. The relief requested.

The board may only hear appeals which are within its jurisdiction, as set forth by Section 540 of the charter.

B. All decisions of the personnel board shall be final unless appealed to a court of competent jurisdiction within fourteen calendar days.

C. The personnel board or the court shall award a career service employee reasonable attorney's fees incurred in any appeal in which the employee is the prevailing party, provided, that the employee shall be considered the prevailing party only where the county has a written settlement offer in effect thirty calendar days prior to the hearing of the personnel board or court and the award obtained by the employee exceeds the terms of that settlement offer; provided further, that such reasonable attorney's fees shall not exceed the actual



fees paid by the employee.

D. ~~((Annually or a))~~ Upon request, the director shall provide the council with a status report of appeals filed with the personnel board.

SECTION 17. Ordinance 12014, Section 50, as amended, and K.C.C. 3.15.020 are each hereby amended to read as follows:

This section applies to all positions in the executive branch, noncommissioned positions in the office of the sheriff and the department of assessments allocated to a classification approved by the council.

A.1. Except as otherwise provided by ordinance, the schedule of pay ranges shall consist of ninety-nine pay ranges, each containing ten steps as approved by ordinance annually.

2. On a continuing three-year cycle, the executive shall assess market conditions and determine whether to make adjustments, if any, to pay ranges assigned to existing classifications.

B. Consistent with K.C.C. 3.12.350, the manager of the human resources management division shall establish guidelines for pay increases in accordance with the following:

1. Employees may receive within-range increases from one step to the next higher step upon satisfactory completion of the probationary period. All probationary-period pay increases must be supported by documented performance appraisal. Probationary-period pay increases exceeding Step 5 must have prior written approvals by the department director and the manager of the human resources management division. In the event of the completion of the probationary period by a division of human resources employee, the county administrative officer must provide prior written approval for probationary-period pay increases exceeding Step 5. ~~((A written report listing the number of employees who have received probationary increases above Step 5 must be filed with the clerk of the council for distribution to the chair of the labor, operations and technology committee or its successor committee on February 15 and August 15 of each year))~~);

2. Employees may be eligible to receive increases annually in accordance with the following principles:

a. An incentive increase must be supported by an annual documented performance appraisal approved by the department director(,) or ((his or her)) designee(,) and the documented performance appraisal must be maintained in the employee's personnel file. Incentive increases shall be prospective only and shall be effective on January 1 following the year on which the appraisal was based;

b. For employees currently in Steps 1 through 4 in the pay range, the appointing authority may grant an increase of a single step for standard performance and may grant an increase exceeding a single step for above-standard or outstanding performance, as defined by the manager of the human resources management division;

c. For employees currently in Steps 5 through 7 in the pay range, the appointing authority may grant an increase of one or more steps for above-standard performance; and

d. For employees currently in Steps 8 through 9 in the pay range, the appointing authority may grant an increase of one step, not to exceed the top of the pay range, for outstanding performance;

3. An appointing authority may grant an employee incentive pay up to five percent above the top step of the range for a period of twelve months, if all of the following conditions are met:

a. the employee is not a department director;

b. the employee has been at the top step of the prior or current range for two years before the award of the increase; and

c. the employee has demonstrated continuous outstanding performance;

4. All incentive increases are subject to the availability of funds. Within-range incentive increases are not automatic but shall be given only upon the written direction of the appointing authority, as defined in K.C.C. 3.12.010\_B, within the guidelines established by the manager of the human resources management division;

5.a. When the manager of the human resources management division reclassifies a position to a higher classification, the pay rate of the incumbent employee shall be increased to the first step of the pay range of the new classification or the nearest step that constitutes an increase of no more than five percent above the former

rate of pay, whichever is greater.

b. A pay increase as a result of reclassification may not exceed the top step of the new range, unless the employee's former pay includes an above-Step-10 amount as a result of an incentive increase. If the employee's former pay includes an above-Step-10 amount as a result of an incentive increase, the employee's new pay is calculated upon the above-Step-10 amount. If the increase from reclassification results in pay that is above the top step of the new range, the pay shall be reduced to the top step of the new range at the end of the incentive period unless the employee requalifies for an above-Step-10 incentive award.

c. Implementation of a reclassification and any related pay change shall be prospective and is effective when the classification is approved by the manager of the human resources management division. The pay increase as a result of reclassification may not exceed five percent above the top step in any case; and

6. When the manager of the human resources management division adjusts the pay range of a classification, the incumbent employee shall be placed at the same step in the new pay range as the employee was in the previous range. Implementation of any pay range adjustment shall be prospective and is effective when approved by the manager of the human resources management division or, if required by K.C.C. 3.15.040, by the labor, operations and technology committee or its successor committee.

SECTION 18. Ordinance 14233, Section 5, as amended, and K.C.C. 3.15.120 are each hereby amended to read as follows:

A.1. New county employees shall start at the first step of the pay range. If necessary for recruitment, however, a department director may authorize an offer of a higher pay step.

2. At least one of the following criteria must be met to hire an employee above the first step:

a. The candidate's education and experience are significantly above the minimum requirements for the position;

b. The candidate has an especially desirable skill, talent, knowledge or ability;

c. The candidate has a current salary that is above the first step of the of the salary range; or

d. The candidate has a competing written, formal offer of employment that is above the first step of the salary range.

3. If a department director determines it is necessary to hire an employee above the first step, a copy of the appointment letter, together with a statement of the reason for hiring the employee above the first step, must be provided to the manager of the human resources management division at the time of hire.

B. The county administrative officer may approve the hiring of an employee above Step 5. In such cases, the county administrative officer must issue prior written approval to the department director and send a copy of the written notification to the executive.

~~((C. The executive shall report in writing filed with the clerk of the council for distribution to the chair of the labor, operations and technology committee, or its successor committee, on the number of instances when employees are hired above Step 5 on February 15 and August 15 of each year.))~~

SECTION 19. Ordinance 12014, Section 55, as amended, and K.C.C. 3.16.050 are each hereby amended to read as follows:

A. The labor policy committee shall meet as it deems necessary to obtain the testimony of members of the public, the bargaining agent, bargaining representatives or their designees, county department management and others in order to consider such testimony in policy decisions before the committee. The labor policy committee shall not engage in bargaining with bargaining representatives or represented employees.

B. The labor policy committee shall provide an opportunity for bargaining representatives or their designees to address the committee before the adoption of overall policy. Overall policy, and all amendments to adopted policies, shall be established only upon an affirmative vote by a majority of the members of the labor policy committee.

C. The bargaining agent shall recommend to the labor policy committee overall changes to adopted policies that would be required to implement the changes proposed in K.C.C. ~~((3.16.055.D))~~ 3.16.055.C, and an overall estimate of the monetary value, if any, of these changes, including both costs and benefits.

D. The bargaining agent may seek further clarification of adopted policies from the labor policy committee at any time during the negotiations.

E. By June 30 of each year, the executive shall report to the labor policy committee regarding employment policies applicable to nonrepresented employees.

F. ~~((By June 30 of each year, the prosecuting attorney shall, in conjunction with the executive, report to the labor policy committee on all pending litigation involving nonrepresented employees.~~

~~G.))~~ G.) For the purpose of maintaining an effective collective bargaining process, the strategies and related information presented by the bargaining agent shall be maintained as confidential. In addition, proposed or adopted policies designated as confidential shall be considered policy formulation documents and be maintained as confidential and exempt from public disclosure as provided in RCW 42.56.280. The labor policy committee shall develop guidelines to assist in accomplishing such confidentiality.

~~((H.))~~ H.) G. Any councilmember may propose the adoption, amendment or repeal of any labor policy by filing with the clerk of the council a memorandum that includes the proposed policy. Any proposed amendment shall set for the existing policy and show proposed changes as in the form required for ordinances by K.C.C. 1.24.075. The clerk shall provide a copy of the proposal to the executive, each councilmember and the lead staff for the labor policy committee. The proposal shall be designated by the councilmember either as public or as confidential pending action by the committee on the policy. Adopted policies may be designated as confidential by an affirmative vote of a majority of the members of the policy committee.

~~((I.))~~ I.) H. The clerk of the council shall maintain a compilation of adopted policies. The clerk shall make publicly available all public policies, and shall maintain as confidential all labor policies designated as confidential policy formulation documents.

SECTION 20. Ordinance 14287, Section 5, and K.C.C. 3.16.055 are each hereby amended to read as follows:

~~((A. The bargaining agent shall report to the implementation committee no later than June 30 of each~~

~~year on the status and maintenance necessary to comply with the requirement of maintaining a database of information within King County government on wages, hours, employee benefits, vacation and other leave, job classifications and substantial and factual information to provide knowledge of working conditions necessary to conduct effective negotiations.~~

B.1.) A.1. A bargaining representative may at any time during negotiations forward to the manager of the human resource management division, or its successor, a written complaint that the collective bargaining process is not being conducted in a timely manner or is not being conducted in a manner consistent with good faith bargaining. The manager shall, within fifteen calendar days, respond in writing to the complaint and propose such remedies as may address the complaint.

2. If the bargaining representative is not satisfied with the written response of the manager, or if a written response to the complaint is not received within fifteen calendar days, the bargaining representative may forward the written complaint to the King County executive, as the bargaining agent, who shall, within fifteen calendar days, respond to it in writing and propose such remedies as may address the complaint.

3. If the bargaining representative is not satisfied with the written response of the bargaining agent, or if a written response is not received from the bargaining agent within fifteen calendar days, the bargaining representative may request that the written complaint be forwarded to the implementation committee.

4. If the bargaining agent receives a written request to have the complaint forwarded to the implementation committee, including an explanation of reasons for the request, the bargaining agent shall forward the request, together with the bargaining agent's written response, to the implementation committee within five calendar days from the receipt of the request. These materials or any discussion thereof shall remain confidential to the extent allowed by law.

5. The implementation committee may request that the bargaining agent meet with the implementation committee for the purpose of reviewing the status of negotiations with regard to the principles contained in this chapter and the overall policy direction established by the policy committee, but the implementation committee

shall take no action that would interfere with the lawful role of the bargaining agent.

~~((C-))~~ B. By June 30 of each year, the prosecuting attorney, in conjunction with bargaining agent, shall report to the implementation committee on all pending unfair labor practice charges and all pending ~~((litigation and))~~ arbitration involving represented employees.

~~((D-))~~ C. By June 30 of each year, or, in the case of agreements expiring other than December 31, at least ninety days before the commencement of negotiations, in preparation for collective bargaining the bargaining agent shall report to the implementation committee the agreements expiring that calendar year. The bargaining agent shall also generally explain existing policies that, if changed, would further the principles and intent established by this chapter. County department management concerned with the collective bargaining process, with the advice of other relevant county departments, shall assist the bargaining agent in reporting to the implementation committee.

~~((E-))~~ D. By June 30 of each year or, for agreements expiring other than December 31, at least ninety days before commencing negotiations, the implementation committee shall meet with the bargaining agent to review the schedule of collective bargaining agreements expiring in that calendar year and the key issues related to the collective bargaining process. Methods of consultation with unions, management rights and eliminating the causes of employee grievances shall also be considered.

~~((F-))~~ E. Following the establishment of overall policy, and before commencing negotiations, the implementation committee shall meet to hear the bargaining agent's recommended strategies for implementing adopted policies. The implementation committee shall confer with the bargaining agent as it deems necessary to ensure compliance with this chapter and good-faith collective bargaining. The bargaining agent's strategies shall be generally consistent with the principles contained in this chapter and the overall policy direction established by the policy committee.

~~((G-))~~ F. The implementation committee shall meet at least quarterly to review the progress of the negotiations but shall not interfere with good-faith collective bargaining.

~~((H.))~~ G. The implementation committee shall review all agreements negotiated between the bargaining agent and bargaining representatives to ensure compliance with the principles contained in this chapter and with the overall policy direction established by the policy committee. The implementation committee may recommend to the council adoption or rejection of agreements or it may forward agreements to the council for action without recommendation.

~~((I.))~~ H. For the purpose of maintaining an effective collective bargaining process, the strategies and related information presented by the bargaining agent shall be maintained as confidential. The implementation committee shall develop guidelines to assist in accomplishing such confidentiality.

SECTION 21. Ordinance 17909, Section 11, and K.C.C. 3.18.080 are each hereby amended to read as follows:

A. The executive may waive this chapter in whole or in part to the extent that any of the following applies:

1. The award of a contract or amendment to a contract is necessary in an emergency, as defined in K.C.C. 12.52.010 or RCW 39.04.280;

2. The contract is for a proprietary purchase under K.C.C. 2.93.070;

3. There are no contractors capable of responding to the county's requirements that can comply with this chapter;

4. The county is purchasing through a cooperative or joint purchasing agreement; or

5. Application of this chapter would:

a. result in an increased cost to the county that would make it necessary to reduce services to county residents; or

b. otherwise have a material, adverse impact on the county.

B. A request for a waiver of this chapter must be made to the executive by the contract-awarding authority in a manner prescribed by the executive by administrative rule.



C. When any waivers are granted under this section, ((F))the executive shall provide ((an annual)) a written report to the council ((regarding any waivers granted under this section, including)) that includes a description of the relevant facts and an explanation of the reason for each waiver. The executive must file the report covering the preceding calendar year by April 1 ((of each calendar year, covering the preceding calendar year)) when a waiver was granted in the preceding year, in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff, and the lead staff to the budget and fiscal management committee or its successor. If no waivers are granted in a calendar year, no reporting is required in the following year.

SECTION 22. Ordinance 12045, Section 20, as amended, and K.C.C. 4.56.035 are each hereby amended to read as follows:

County employees shall be held accountable and responsible for all of the various personal property assigned to them during the course of their employment with the county.

A. Written documentation, by employee, of all changes in assigned capitalized items from the department or agency inventory reports will be recorded at the time of the occurrence and kept in each county department or agency.

B. The fleet administration division shall provide a report of losses to the county council, county administrative officer and office of risk management. The report to the county council shall be transmitted with the biennial budget.

C. The fleet administration division shall recommend to the department or agency director or manager corrective action for all capitalized items lost or misplaced due to employee negligence or misconduct.

D. If the director or manager determines an employee to be negligent in ((his or her)) the care of the property assigned to ((him or her)) the employee or if a terminated employee fails to return personal property assigned to ((him or her)) the employee, then the county may pursue any remedy available at law for recovery of loss of property. If a career service employee is disciplined, that employee has the right to the full protection

of the county disciplinary-grievance process as established by applicable union bargaining agreements and the county code provisions and administrative guidelines for the career service.

E. The fleet administration division shall be the sole agency responsible for inventorying and disposing of county personal property.

SECTION 23. Ordinance 620, Section 4 (part), as amended, and K.C.C. 4A.100.100 are each hereby amended to read as follows:

A. The following reports shall be prepared:

~~((A-))~~ 1. A comprehensive annual financial report. The executive shall annually prepare and publish a comprehensive financial report covering all funds and financial transactions of the county during the preceding fiscal period;

~~((B-))~~ 2. Internal county audit reports. The county auditor shall periodically prepare and publish the results of examinations performed by the county auditor's office of the effectiveness and efficiency of the operation of county agencies. The examination report and any departmental response to the audit shall be made available by the county auditor, either electronically or in print formats, and by posting on the Internet;

~~((e))~~ 3. State audit report. The examination report of the county's financial affairs and transactions issued annually by the Office of the State Auditor and the county response to the audit shall be made available they the State Auditor annually, either electronically or in print formats, and by posting on the Internet; and

~~((D-))~~ 4. Quarterly budget management reports.

~~((1-))~~ a. The executive shall submit to the council a report detailing the results of actual revenue collections and expenditures for each fund. The report shall:

~~((a-))~~ (1) present current financial plans for operating and capital funds that have gone through the office of performance, strategy and budget's financial monitoring process, as described in the current comprehensive financial management policies adopted by motion by the council during the current quarter, including actual expenditures and revenues;

~~((b-))~~ (2) identify significant variances in revenue and expenditure estimates for the general fund;

~~((e-))~~ (3) list any transfer of emergent need contingency expenditure authority that would increase the total budget of a capital project by less than fifteen percent;

~~((d-))~~ (4) report scope, schedule and budget status for capital projects that has a baseline with total estimated cost greater than one million dollars;

~~((e-))~~ (5) summarize the risks included in the risk assessment register for mandatory phased appropriation projects in the construction phase, summarize change orders, explain change orders that have the cumulative potential to carry the project over project baseline and summarize the results of the latest earned value analysis;

~~((f-))~~ (6) list all new donations to the department of public health of two thousand dollars or more, as described in K.C.C. 2.35A.200, including the name of the person making the donation, the amount of the donation, and the public health purpose for which it is intended to be expended. In any case where the donation originates from social media activity such as crowdsourcing, the list shall include the name of the person sponsoring this activity; and

~~((g-))~~ (7) report on all incremental changes to sections and attachments to the biennial budget appropriations ordinance made during the quarter, including the ordinance numbers making the changes.

~~((2-))~~ b. The report shall be delivered to the clerk of the council in the form of a paper original and an electronic copy for distribution to all councilmembers and to the chair and lead staff of the budget and fiscal management committee, or its successor, no later than June 1 for the first quarterly report, September 1 for the second quarterly report, December 1 for the third quarterly report and March 1 for the fourth quarterly report. The director of performance, strategy and budget shall also be responsible for posting the report on the Internet.

B. The King County project control officer is requested to report annually on the process used to ensure that all departments and divisions adhere to King County's construction management policies and procedures,

the compliance rate for following the county's construction management policies and procedures and the steps being taken to increase compliance with King County's construction management policies and procedures. Additionally, the report shall summarize all findings in regards to any changes in a contract's scope, schedule or budget. The King County project control officer shall file this report by June 1 of each calendar year in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers and the capital project oversight office in the auditor's office.

SECTION 24. Ordinance 15949, Section 3, as amended, and K.C.C. 4A.500.309 are each hereby amended to read as follows:

A. It is the policy of the county that citizens and policy makers be able to measure the effectiveness of the investment of these public funds. The county requires appropriate oversight, accountability and reporting on the status and progress of the programs supported with the sales tax funds. The programs supported with these funds shall be designed to achieve the following policy goals:

1. Divert individuals with behavioral health needs from costly interventions such as jail, emergency rooms and hospitals;
2. Reduce the number, length and frequency of behavioral health crisis events;
3. Increase culturally-appropriate, trauma-informed behavioral health services;
4. Improve the health and wellness of individuals living with behavioral health conditions; and
5. Explicit linkage with, and furthering the work of, King County and community initiatives.

B. To ensure the oversight, implementation and evaluation of the Mental Illness and Drug Dependency Service Improvement Plan is consistent with the county's policy goals outlined in subsection A. of this section and to ensure fulfillment of the requirements of RCW 82.14.460 which enables the sales tax, the executive, in collaboration with the mental illness and drug dependency advisory committee and community stakeholders, shall develop and submit for council review and approval an implementation and evaluation plan for the Mental

Illness and Drug Dependency Service Improvement Plan accepted by council by ~~(((Proposed)))~~ Ordinance ((~~2016-XXXX~~)) 18406.

C. The implementation and evaluation plan shall have the following parts:

1. Part One: Implementation Plan. Part one of the implementation and evaluation plan is an implementation plan. The implementation plan shall describe the implementation of the initiatives, programs and services outlined in the Mental Illness and Drug Dependency Service Improvement Plan. The description shall include: a schedule of the implementation of initiatives, programs, and services outlined in the Mental Illness and Drug Dependency Service Improvement Plan as approved by the council under Ordinance ((~~XXXXX (Proposed Ordinance 2016-XXXX)~~)) 18406; a discussion of needed resources, including staff, information and provider contracts; outcome and performance measures; procurement and contracting information; community engagement efforts; and how the initiative, program or service advances the county's mental health and chemical dependency policy goals. An updated 2017-2018 biennial spending plan and financial plan for the mental illness and drug dependency fund shall be included in the implementation plan that is transmitted to the council. Part one shall be developed in collaboration with the mental illness and drug dependency advisory committee and community stakeholders. Part one of the implementation and evaluation plan shall be submitted to the council by August 3, 2017, for council review and approval by motion. Twelve copies of the part one implementation plan to the council shall be filed with the clerk of the council, for distribution to all councilmembers and to the lead staff of the health, housing and human services committee, or its successor; and

2. Part Two: Evaluation Plan. Part two of the implementation and evaluation plan is an evaluation plan. The evaluation plan shall describe an evaluation and reporting plan for the mental illness and drug dependency sales tax-funded initiatives, programs, and services supported by revenue levied under K.C.C. 4A.500.300. Part two shall specify: process and outcome evaluation components; a proposed schedule for evaluations; performance measurements and performance measurement targets; and data elements that will be used for

reporting and evaluations. Performance measures shall include, but not be limited to: the amount of funding contracted to date, the number and status of request for proposals to date, individual program status and statistics such as individuals served, data on utilization of the justice and emergency medical systems and resources needed to support the evaluation requirements identified in this subsection C.2. The evaluation plan shall describe overarching principles, evaluation framing questions and approaches that will guide mental illness and drug dependency evaluation and performance measurement for 2017 through 2025. Part two shall be developed in collaboration with the mental illness and drug dependency oversight committee and community stakeholders. Part two of the implementation and evaluation plan shall be submitted to the council by August 3, 2017, for council review and approval by motion. Twelve copies of the part two evaluation plan to the council shall be filed with the clerk of the council, for distribution to all councilmembers and to the lead staff the health, housing and human services committee or their successors.

D.1. In addition to reviewing and approving the parts one and two of the implementation and evaluation plan outlined in subsection C. of this section, in coordination with the mental illness and drug dependency advisory committee, the executive shall submit an annual mental illness and drug dependency evaluation summary report each year for the initiatives, programs and services supported with the sales tax revenue. The annual summary evaluation report shall be submitted to the council by August 1 each year for council review and approval by Motion, starting in August 2018. The annual report shall include at a minimum:

- a. performance measurement statistics;
- b. program utilization statistics;
- c. request for proposal and expenditure status updates;
- d. progress reports on evaluation implementation;
- e. geographic distribution of the sales tax expenditures across the county, including collection of

residential ZIP ((e))Code data for individuals served by the programs and strategies;

f. updated performance measure targets for the following year of the mental illness and drug dependency initiatives, programs and services;

g. recommendations on either program changes or process changes, or both, to the funded programs based on the measurement and evaluation data; and

h. summary of cumulative calendar year data.

2. Twelve copies of the ~~((quarterly reports and the))~~ annual report to the council shall be filed with the clerk of the council, for distribution to all councilmembers and to the lead staff of the health, housing and human services committee, or its successor.

E. Concurrent with the executive's 2017/2018 biennial budget proposal and for each biennia that the mental illness and drug dependency sales and use tax is levied, the executive shall submit a report on program expenditures and revenue as part of the county's biennial budget review process. The information submitted with the executive's budget shall include an updated ~~((and))~~ financial plan and a detailed spending plan for the tax funding, as well as revenue information. The mental illness and drug dependency spending plan shall include a detailed list of mental illness and drug dependency sales tax-funded initiatives, programs and services supported by revenue levied under K.C.C 4A.500.300 and a budget.

SECTION 25. Ordinance 17422, Section 3, and K.C.C. 4A.700.750 are each hereby amended to read as follows:

A. Fees are established for on-demand use of bicycle lockers installed at King County transit passenger facilities to partially offset the cost to establish and operate the on-demand locker program. All fees charged under authority of this section shall be used to support the on-demand locker program. Any revenue collected by the department of transportation under authority of this section shall be deposited into the public transportation operating account of the public transportation fund.

B. The program's costs include, but are not limited to, contract administration, facility construction, operation and maintenance, vendor selection costs and customer support.

C. The department of transportation shall set the fee or a range of fees for on-demand use of bicycle lockers in accordance with this section.

D. The department of transportation shall calculate fees or a range of fees for on-demand bicycle lockers. The initial maximum fee rate for on-demand use of bicycle lockers shall not exceed ten cents per hour. Factors considered in setting the fee include a review of average rates for use of bicycle lockers at other transit agencies; the desire to establish a value for this service; the need to partially recoup operational costs; and recognition that rates should be set low enough to stimulate demand and encourage more people to participate in the on-demand locker program. The department may round up the actual fee charged to the next full hour.

E. The department of transportation shall post fees and rules for on-demand use of bicycle lockers on signs on or near the lockers. The department shall also post the fees, rules and penalties on the department of transportation website.

F. The department of transportation may suspend or revoke use privileges of a user who:

1. Fails to pay the applicable fee;
2. Uses an on-demand bicycle locker for long-term storage;
3. Damages or abuses an on-demand bicycle locker; or
4. Uses any bicycle locker for any purpose other than short-term storage of a bicycle and related

bicycle equipment.

G. In addition, the department of transportation may remove or impound property from a bicycle locker for documented failure to comply with posted rules. The department shall make a reasonable, good-faith effort to contact the owner of any property impounded for violation of posted rules, and to return the impounded property to the owner.

H. Within a range of fees set as authorized under subsection C. of this section, the department of transportation may vary the fee for on-demand bicycle locker use where there is a reasonable basis to do so, including, but not limited to factors such as location, time, demand or usage patterns.



I. The department of transportation shall review the fees for on-demand use of bicycle lockers at least once per year.

J. Once the fee or range of fees for on-demand use of bicycle lockers is set, the department of transportation may not increase the hourly fee, or the upper end of the hourly fee range, more than one hundred percent of that which is in place for the hourly fee or range, unless the department is authorized to do so by the council by ordinance. The department may not increase the fees or the upper end of the range of fees for on-demand use of bicycle lockers, within one hundred twenty days of a previous increase to the fee or range, unless the department is authorized to do so by the council by ordinance. However, for the convenience of bicycle locker users, the department may round up an increase in the hourly fee or fee range to the next highest increment of five cents, even if such rounding up would cause the hourly fee or fee range increase to exceed one hundred percent.

K. The department of transportation may contract with a vendor or other agent to operate the on-demand bicycle locker rental program.

~~((L. By March 31 of each year, the executive shall transmit an annual report for the previous calendar year in the form of a paper original and an electronic copy filed with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers. The report shall include:~~

- ~~1. The average daily occupancy of on-demand bicycle lockers and monthly rental information for traditional keyed bicycle lockers at transit passenger facilities;~~
- ~~2. The total revenues, by category, associated with on-demand bicycle lockers;~~
- ~~3. All rate structures in effect;~~
- ~~4. All costs, by category, associated with bicycle lockers, including separate detail on costs specified to on-demand bicycle lockers;~~
- ~~5. An analysis of the on-demand bicycle locker program's effectiveness; and~~
- ~~6. Recommendations, as appropriate, for rate and code changes to both maximize use of the bicycle~~

~~lockers and maximize cost recovery for the county.))~~

SECTION 26. Ordinance 14214, Section 6, as amended, and K.C.C. 9.14.050 are each hereby amended to read as follows:

A. The department of natural resources and parks shall be the lead agency for King County's groundwater protection program and shall be responsible for the following activities:

1. Oversee implementation of King County's groundwater protection program;
2. Provide staff support to any groundwater protection committee appointed by King County and respond to the committees in a timely manner regarding the adoption of committee recommendations;
3. Identify sources and methods of funding regional groundwater protection services and seek funding for these services;
4. Develop any combination of interlocal agreements, memorandums of understanding and operating agreements with cities, special purpose districts, sewer and water utilities and associations, and water purveyors for implementation of groundwater management plans and regional groundwater protection services in King County. These agreements shall include provisions addressing the scope, governance, structure, funding and transition to implementation of certified groundwater management plans and regional groundwater protection services in King County;
5. Consult with the Washington state Department of Ecology about the feasibility of integrating the goals and implementation of certified groundwater management plans, where possible, with adopted watershed plans to avoid creating redundant work programs;
6. Coordinate with the department of permitting and environmental review for any review required pursuant to K.C.C. Title 21A regarding land use, water use, environmentally sensitive areas and special district overlays, or the exercise of other authorities, that relate to groundwater protection;
7. Coordinate with the Seattle-King County department of public health for work performed pursuant to the King County Board of Health Code Title 10, Solid Waste Handling, Title 11, Hazardous Chemicals, Title

12, Water, Title R12, Water and Title 13, On-site Sewage, or the exercise of other authorities, that relate to groundwater protection;

8. Coordinate with the office of regional policy and planning for work performed pursuant to K.C.C. Title 20, Planning, or the exercise of other authorities, that relate to groundwater protection;

9. Coordinate internally within the department of natural resources for work performed under K.C.C. Title 9, Surface Water Management, K.C.C. chapter 20.70, Critical Aquifer Recharge Areas and K.C.C. Title 28, Water Pollution Abatement and Wastewater Treatment, or the exercise of other authorities, that relate to groundwater protection;

10. In consultation with the department of permitting and environmental review, the Seattle-King County department of public health, and divisions within the department of natural resources, develop an integrated annual work plan that incorporates each of these agencies work programs relative to groundwater protection and that delineates the groundwater protection services provided by King County. A draft annual work plan shall be submitted to any groundwater protection committee appointed by King County for their review and recommendations. The department of natural resources shall distribute the final annual work plan to the King County council, any groundwater protection committee appointed by King County, cities, special purpose districts, sewer and water utilities and associations, water purveyors and other entities that are implementing activities recommended in certified groundwater management plans;

11. Develop a three-year work plan that identifies long-term needs for groundwater protection, in consultation with any groundwater protection committee appointed by King County, cities, special purpose districts, sewer and water utilities and associations, and water purveyors. The work plan should include an examination by the Seattle-King County department of public health of the effectiveness of the current compliance methodology for violations of regulations governing operation, maintenance and repair of groundwater facilities by public water systems or individuals, and an examination of alternative compliance methodologies that provide for a hierarchy of responses to such violations (e.g., education, site visit,

notification, fines, civil penalty, operating restrictions). The work plan shall include an examination of existing county fees or charges for groundwater testing that could reduce any current testing disincentives caused by unaffordability of those fees or charges. The department of natural resources shall distribute the three-year work plan to the King County council, any groundwater protection committee appointed by King County, cities, special purpose districts, sewer and water utilities and associations, water purveyors and other entities that have a role in the three-year work plan; and

12. Provide an annual written report on the groundwater protection program. This report shall include, but not be limited to, information from the prior calendar year on groundwater protection services provided by King County, expenditures for the groundwater protection program and recommendations from any groundwater protection committee appointed by King County. By March 31 of each year ~~((this))~~ the report shall be submitted to ~~((the King County council and))~~ any groundwater protection committee appointed by King County.

B. The King County auditor shall review whether or not groundwater protection services are being provided by King County and provide to the King County council by July 2003 an inventory of groundwater protection services that are provided and are not provided by King County.

C. The regional water quality committee is requested to make recommendations to the King County council between April and September 2003 on the efficacy of the groundwater protection program in King County, including but not limited to the following areas: public outreach, education and stewardship; data management; coordination of groundwater protection activities with all interested entities, users and individuals; regional involvement in the groundwater protection program; development of agreements and funding for regional groundwater protection services, and the role of the department of natural resources in providing groundwater protection services.

SECTION 27. Ordinance 7786, Section 7, as amended, and K.C.C. 10.14.080 are each hereby amended to read as follows:

The council will evaluate annually the effectiveness of the waste recycling and reduction program in a programmatic and quantitative manner, to ensure the program is responsive and is meeting the solid waste management needs of the people of King County. By April 1 of each year, the division shall file a report in the form of a paper original and an electronic copy with the clerk of the council, ~~((for distribution))~~ who shall retain the original and provide an electronic copy to all councilmembers~~((,-a))~~ and lead staff to the committee of the whole or its successor. The report shall describe:

A. ~~((of its p))~~Progress toward the goal of zero waste of resources through maximum feasible, cost-effective reduction of waste going to the landfills and other processing facilities. The report shall include annual projections of the amounts diverted from landfills and shall describe progress toward the work program outlined in K.C.C. 10.14.060;

B. Progress toward objectives identified in the comprehensive solid waste management plan described in K.C.C. chapter 10.24; and

C. Progress in implementing the provisions of the construction and demolition ("C&D") waste program as set forth in KC.C. chapter 10.30, including, but not limited to: participation by vendors who have signed designated facility agreements; the numbers of enforcement actions and types of enforcement actions; effectiveness of enforcement strategy; engagement with vendors on enforcement strategies, through mechanisms such as an enforcement advisory group or outreach efforts; regulatory fee collection; effectiveness of efforts to ensure that waste is delivered exclusively to designated facilities; volumes and nature of residual C&D waste being sent to landfills for disposal; and C&D recycling rate.

SECTION 28. Ordinance 7737, Section 2, as amended, and K.C.C. 10.24.020 are each hereby amended to read as follows:

A. The division shall maintain an updated comprehensive solid waste management plan and shall review and propose plan revisions, if necessary to the council at least once every five years in accordance with

RCW 70.95.110, as now enacted or hereafter amended.

B. The county solid waste advisory committee shall review and comment upon the proposed plan before its submittal to the council for adoption.

C. The interlocal forum shall have the following responsibilities:

1. Advise the county council and county executive and other jurisdictions as appropriate on all policy aspects of solid waste management and planning, and consult with and advise the division on technical issues;

2. Review and comment on alternatives and recommendations for the county comprehensive solid waste management plan and facilitate approval of plan by each jurisdiction;

3. Review proposed solid waste interlocal agreements between the county and cities for planning, recycling and waste stream control;

4. Review disposal rate proposals;

5. Review status reports on: waste stream reduction, recycling, energy and resource recovery; and solid waste operations with interjurisdictional impact;

6. Promote information exchange and interaction between waste generators, local governments with collection authority, recyclers and county-planned and operated disposal system;

7. Provide coordination opportunities between the division, local governments, private operators and recyclers; and

8. Aid cities in recognizing municipal solid waste responsibilities, including collection and recycling, and effectively carrying out those responsibilities.

D. The division shall seek public comment on the preliminary draft comprehensive solid waste management plan, in addition to conducting the public review and comment procedures required by the state Environmental Policy Act. Copies of the plan should be provided to county cities, community organizations and the county council, and shall be posted on the county's web site. The public comment period on the preliminary draft shall be at least thirty days and shall be completed before the division transmits the

preliminary draft to the Washington state Department of Ecology. The division should provide community organizations, commissions, cities and individuals an opportunity to submit written statements. If necessary, the division should revise the preliminary draft to address comments received.

E. The council's committee of the whole or another committee designated by the council may hold hearings on the preliminary draft plan and the council shall hold a public hearing on the final draft plan before adoption of the plan. Any city using county solid waste facilities shall be notified of these public hearings and shall be requested to comment on the plan.

~~F. ((The division shall submit to the council by May 1 of each year an annual report of its progress toward objectives identified in the plan. That report shall also describe progress in implementing the provisions of the construction and demolition ("C&D") waste program as set forth in K.C.C. chapter 10.30, including, but not limited to, participation by vendors who have signed designated facility agreements; the numbers of enforcement actions and types of enforcement actions; effectiveness of enforcement strategy; engagement with vendors on enforcement strategies, through mechanisms such as an enforcement advisory group or outreach efforts; regulatory fee collection; effectiveness of efforts to ensure that waste is delivered exclusively to designated facilities; volumes and nature of residual C&D waste being sent to landfills for disposal; and C&D recycling rate. The division must file the report in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers.~~

G.)) Solid waste interlocal agreements between the county and cities wishing to plan jointly with the county or to authorize the county to plan for them shall identify which party is responsible for city solid waste operational plans, tonnage forecasts and recycling goals.

~~((H.))~~ G. The division shall provide staff support to the metropolitan solid waste management advisory committee and the interjurisdictional technical staff group.

SECTION 29. Ordinance 12809, Section 1, as amended, and K.C.C. 20.14.070 are each hereby amended to read as follows:

A. The Watershed Management Committee - Proposed Lower Cedar River Basin and Nonpoint Pollution Action Plan, as shown in Attachment A and as amended in Attachment B to Ordinance 12809 and Appendix G of Ordinance 13190, is adopted to implement the surface water management and environmental policies of the King County Comprehensive Plan, provided, however, the following conditions shall apply:

1. The executive shall transmit within thirty days from the council's adoption of the Lower Cedar River Basin and Nonpoint Pollution Action Plan, legislation which establishes a detailed work plan and any necessary code changes to implement the forest incentive program elements described in Chapter 4; and
2. The executive shall transmit to the council for review by the ~~((utilities and natural resources))~~ transportation, economy and environment committee or its successor ~~((with))~~ within sixty days of the council's adoption of the Lower Cedar River Basin and Nonpoint Pollution Action Plan, the base line data and the methodology for monitoring and evaluating the progress of the forest incentive program in the Cedar River Basin consistent with the indicators outlined in Chapter 4 ~~((, and shall thereafter submit annual progress reports to the council consistent with that established methodology))~~; and
3. The executive shall transmit to the council for review by the ~~((utilities and natural resources))~~ transportation, economy and environment committee or its successor within sixty days of the council's adoption of the Lower Cedar River Basin and Nonpoint Pollution Action Plan, criteria for prioritizing future surface water CIP and bond program projects, and the process for early review by the Cedar River Council of projects proposed for funding in the Cedar River ~~((B))~~basin.

The Watershed Management Committee - Proposed Lower Cedar River Basin and Nonpoint Pollution Action Plan constitutes official county policy with regard to surface water management in the Cedar River basin and designates regionally significant resource areas and locally significant resource areas in the basin

SECTION 30. Ordinance 11502, Section 19, as amended, and K.C.C. 20.22.310 are each hereby amended to read as follows:

The office of the hearing examiner shall prepare ~~((a semiannual))~~ an annual report to the council



detailing the length of time required for hearings in the previous (~~six months~~) year, categorized both on average and by type of proceeding. The report shall provide commentary on office operations and identify any need for clarification of county policy or development regulations. The office shall file the report by March 1 (~~and September 1~~) of each year, in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers.

SECTION 31. Ordinance 15051, Section 140, as amended, and K.C.C. 21A.24.061 are each hereby amended to read as follows:

A. The King County council recognizes that rural stewardship plans and farm management plans are key elements of this chapter that provide flexibility to rural area residents to establish and maintain a rural lifestyle that includes activities such as farming and forestry while maintaining and enhancing rural character and environmental quality.

B. The department of natural resources and parks and department of permitting and environmental review shall adopt public rules to implement K.C.C. 21A.24.045 and 21A.24.051 relating to rural stewardship plans and farm management plans, consistent with the provisions of this section. The rules shall not compromise the King Conservation District's mandate or standards for farm management planning.

C. County departments or approved agencies shall provide technical assistance and resources to landowners to assist them in preparing the plans. The technical assistance shall include, but is not limited to, web-based information, instructional manuals and classroom workshops. When possible, the assistance shall be provided at little or no cost to landowners. In addition, the department of natural resources and parks shall develop, in consultation as necessary with the department of permitting and environmental review and the King Conservation District, and make available to the public, model farm management, forest management and rural stewardship plans illustrating examples of plan application content, drawings and site plans, to assist landowners in their development of site-specific plans for their property.

D. The department of natural resources and parks is the primary county agency responsible for rural

stewardship plans and farm management plans that are filed with the county under this chapter. The department of natural resources and parks shall consult with the department of permitting and environmental review in carrying out its responsibilities under this chapter relating to rural stewardship plans and farm management plans. The department of natural resources and parks, the department of permitting and environmental review and the King Conservation District may enter into agreements to carry out the provisions of this chapter relating to rural stewardship plans and farm management plans.

E. Not later than March 1, 2005, the department of natural resources and parks and department of permitting and environmental review shall prepare and submit to the chair of the growth management and unincorporated areas committee, or its successor, a report summarizing the public rules adopted to implement the provisions of this chapter related to farm management plans and rural stewardship plans and how the rules implement the requirements of this section.

F. The department of natural resources and parks and department of permitting and environmental review shall monitor and evaluate the effectiveness of rural stewardship and farm management plans in meeting the goals and objectives of those plans established in this chapter. ~~((Beginning March 31, 2006, the departments shall present an annual report to the chair of the metropolitan King County council, providing an evaluation of the prior year's activity related to rural stewardship and farm management plans.))~~

SECTION 32. Ordinance 11621, Section 90, as amended, and K.C.C. 21A.28.154 are each hereby amended to read as follows:

A. There is hereby created a school technical review committee ~~((STRC))~~ within King County. The committee shall consist of three county staff persons, one each from the department of permitting and environmental review, the office of financial management and the county council.

B. The committee shall be charged with reviewing each school district's capital facilities plan, enrollment projections, standard of service, the district's overall capacity for the next six years to ensure consistency with the Growth Management Act, King County Comprehensive Plan~~((§))~~ and adopted community

plans, and the district's calculation and rationale for proposed impact fees.

C. Notice of the time and place of the committee meeting where the district's documents will be considered shall be provided to the district.

D. At the meeting where the committee will review or act upon the district's documents, the district shall have the right to attend or to be represented, and shall be permitted to present testimony to the committee. Meetings shall also be open to the public.

E. In its review, the committee shall consider the following factors:

1. Whether the district's forecasting system for enrollment projections has been demonstrated to be reliable and reasonable.
2. The historic levels of funding and voter support for bond issues in the district;
3. The inability of the district to obtain the anticipated state funding or to receive voter approval for district bond issues;
4. An emergency or emergencies in the district which required the closing of a school facility or facilities resulting in a sudden and unanticipated decline in districtwide capacity; and
5. The standards of service set by school districts in similar types of communities. While community differences will be permitted, the standard established by the district should be reasonably consistent with the standards set by other school districts in communities of similar socioeconomic profile.
6. The committee shall consider the standards identified by the state concerning the ratios of certificated instructional staff to students.

F. In the event that the district's standard of service reveals a deficiency in its current facilities, the committee shall review the district's capital facilities plan to determine whether the district has identified all sources of funding necessary to achieve the standard of service.

G. The district in developing the financing plan component of the capital facilities plan shall plan on a six-year horizon and shall demonstrate its best efforts by taking the following steps:

1. Establish a six-year financing plan, and propose the necessary bond issues and levies required by and consistent with that plan and as approved by the school board and consistent with RCW 28A.53.020 and RCW 84.52.052 and 84.52.056 as amended; and

2. Apply to the state for funding, and comply with the state requirement for eligibility to the best of the district's ability.

H. The committee is authorized to request the school district to review and to resubmit its capital facilities plan, or to establish a different standard of service, or to review its capacity for accommodating new students, under the following circumstances:

1. The standard of service established by the district is not reasonable in light of the factors set forth in subsection E. of this section.

2. The committee finds that the district's standard of service cannot reasonably be achieved in light of the secured financial commitments and the historic levels of support in the district; or

3. Any other basis which is consistent with the provisions of this section.

I. ~~((The committee shall prepare and submit an annual report to the King County council for each school district recommending a certification of concurrency in the district, except as provided in Subsection L of this section using the school concurrency standard as set forth in K.C.C. 21A.28.160.))~~ If a school district fails to submit its capital facilities plan for review by the ~~((STRC))~~ the committee, King County shall assume the district has adequate capacity to accommodate growth for the following six years.

J. The committee shall submit copies of its recommendation of concurrency for each school district to the director of ~~((DES))~~ the department of development and environmental review, to the hearing examiner~~((s))~~ and to the district.

K. The committee shall recommend to the council a ~~((e))~~Comprehensive ~~((p))~~Plan amendment adopting the district's capital facilities plan as part of the ~~((e))~~Comprehensive ~~((p))~~Plan, for any plan which the committee concludes accurately reflects the district's facilities status.

L. In the event that after reviewing the district's capital facilities plan and other documents, the committee is unable to recommend certifying concurrency in a school district, the committee shall submit a statement to the council, the director and the hearing examiner stating that the committee is unable to recommend certifying concurrency in a specific school district. The committee shall recommend to the executive that he propose to the council, amendments to the land use element of the King County Comprehensive Plan or amendments to the development regulations implementing the plan to more closely conform county land use plans and school facilities plans, including but not limited to requiring mandatory phasing of plats, UPDs or multifamily development located within the district's boundary. The necessary draft amendments shall accompany such recommendations.

SECTION 33. Ordinance 11621, Section 91, and K.C.C. 21A.28.156 are each hereby amended to read as follows:

A. On at least an annual basis, the King County council shall ~~((review the reports prepared by the Committee and))~~ certify the district's plans. The review may occur in conjunction with any update of the Facilities and Services chapter of the King County Comprehensive Plan proposed by the school technical review ~~((C))~~committee.

B. The council shall review and consider any proposal~~((s))~~ or proposals submitted by the ~~((C))~~committee for amending the land use policies of the King County Comprehensive Plan, or the development regulations implementing the plan, including but not limited to requiring mandatory phasing of plats, UPDs or multifamily development when the ~~((C))~~committee is unable to recommend a certification of concurrency in a specific school district. Any proposed amendments to the comprehensive plan or development regulations shall be subject to the public hearing and other procedural requirements set out in K.C.C. Title 20 or 21A, as applicable.

C. The council may require the ~~((C))~~committee to submit proposed amendments or may itself initiate amendments to the land use policies of the King County Comprehensive Plan, or amendments to the

development regulations implementing the plan.

SECTION 34. Ordinance 11962, Section 11, and K.C.C. 28.94.070 are each hereby amended to read as follows:

A. To assist in mitigating the adverse impacts of new or existing developments on public transportation and to meet requirements on new or existing developments established by local jurisdictions, the executive is authorized to enter into agreements with developers, employers, property owners and local jurisdictions under which such parties would donate property or cash to the department for public transportation purposes and/or compensate the department for services, including but not limited to certifying and administering carpool parking and monitoring private sector transportation management programs and actions; provided, that such agreements shall be approved by the council as required by the county charter, ordinance and/or applicable state law; and provided further, that such donations and agreements must be approved by the local jurisdiction imposing such requirements.

B. Each agreement shall include a termination for convenience provision and a term of not greater than five years.

C. The provisions of this section shall not supersede the terms of the Commuter Pool Transfer Agreement executed by the ((C))city of Seattle and ((M))municipality of Metropolitan Seattle on March 15, 1984.

~~((D. The director shall submit annual reports to the council on the number and nature of donations accepted and agreements entered into under this section.))~~

SECTION 35. Ordinance 12643, Section 23, as amended, and K.C.C. 28.94.265 are each hereby amended to read as follows:

The director shall submit annually to the council, by ~~((no later than the date on which the executive transmits the executive proposed budget to the council))~~ September 30, a report on the services and fares

authorized by K.C.C. 28.94.035, 4A.700.230, 4A.700.130, 4A.700.090, 4A.700.070, 4A.700.050, 4A.700.450, 4A.700.410, 4A.700.110, 28.94.225, 4A.700.530, 4A.700.350, 4A.700.610 and 4A.700.210. The report shall also describe any commercial parking agreements permitted by K.C.C. 28.96.220 that are in place, revenues generated and comments from users of the facilities where agreements are in place. The report shall be filed in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers.

SECTION 36. Ordinance 16770, Section 4, and K.C.C. 28.96.220 are each hereby amended to read as follows:

A. The county may permit the following types of commercial parking within park and ride lots:

1. For overflow parking for nearby business, except that the parking shall not be used to satisfy parking requirements under any land use or development code or other law or regulation; or

2. For customer parking for privately-operated passenger transportation services.

B. Permission under subsection A. of this section shall be granted by the county entering into licenses, leases or other contractual use agreements. The agreements shall include terms requiring payment based on consideration of these factors:

1. The fair market value of the use of transit property;

2. The actual costs incurred by the county in processing the request for use, in providing additional operation and maintenance of the park and ride lot and in administering the agreement; and

3. The existence of offsetting benefits that will directly support the county's transit program.

C. Any such an agreement shall protect the primary purpose of the transit property through such means as time-of-day restrictions, and shall be terminable by the county in the event of increased demand by transit commuters for parking. The agreements shall provide that this determination shall be at the sole discretion of the county.

D. For each park and ride location at which such a use is authorized, the transit division shall post a

public notice advising transit commuters how to comment to the division management regarding the effect on availability of transit commuter parking.

E. Any such an agreement shall be consistent with state, county and municipal law and applicable agreements with other agencies, including, but not limited to, the Federal Transit Administration, Sound Transit and the Washington state Department of Transportation.

~~((F. The transit division shall provide an annual report to the council on the agreements in place, revenues generated and comments from users of the facilities where agreements are in place. The report must be filed in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers.))~~

SECTION 37. The following are each hereby repealed:

- A. Ordinance 12671, Section 2, and K.C.C. 2.29.010;
- B. Ordinance 15327, Section 5, as amended, and K.C.C. 2.43.025;
- C. Ordinance 13720, Section 2, and K.C.C. 2.45.010;
- D. Ordinance 13720, Section 3, and K.C.C. 2.45.020;
- E. Ordinance 13720, Section 4, as amended, and K.C.C. 2.45.030;
- F. Ordinance 13720, Section 5, and K.C.C. 2.45.040;
- G. Ordinance 13720, Section 6, and K.C.C. 2.45.050;
- H. Ordinance 12468, Section 9, as amended, and K.C.C. 2.84.190;
- I. Ordinance 12138, Section 23, as amended, and K.C.C. 2.93.200;
- J. Ordinance 12014, Section 38, as amended, and K.C.C. 3.13.015;
- K. Ordinance 12014, Section 39, as amended, and K.C.C. 3.13.020;
- L. Ordinance 12014, Section 40, and K.C.C. 3.13.030;
- M. Ordinance 12014, Section 41, and K.C.C. 3.13.040;
- N. Ordinance 12014, Section 42, and K.C.C. 3.13.045;



- O. Ordinance 12014, Section 43, and K.C.C. 3.13.055;
- P. Ordinance 12014, Section 44, and K.C.C. 3.13.060;
- Q. Ordinance 16580, Section 9, and K.C.C. 3.42.070;
- R. Ordinance 13923, Section 6, and K.C.C. 4A.601.040;
- S. Ordinance 14509, Section 11, and K.C.C. 7.08.090;
- T. Ordinance 10187, Section 12, and K.C.C. 9.08.125;
- U. Ordinance 14214, Section 7, and K.C.C. 9.14.060;
- V. Ordinance 10423, Section 22, as amended, and K.C.C. 11.04.550;
- W. Ordinance 14259, Section 14, as amended, and K.C.C. 21A.14.410; and
- X. Ordinance 10870, Section 509, and K.C.C. 21A.26.200.