



Legislation Text

File #: 2010-0543, **Version:** 2

AN ORDINANCE creating the office of performance, strategy and budget; reorganizing the office of strategic planning and performance management and the office of management and budget and; amending Ordinance 15378, Section 6, and K.C.C. 1.36.060, Ordinance 11980, Section 3, as amended, and K.C.C. 2.10.010, Ordinance 11980, Section 2, as amended, and K.C.C. 2.10.020, Ordinance 16202, Section 6, as amended, and K.C.C. 2.10.045, Ordinance 16202, Section 10, as amended, and K.C.C. 2.10.080, Ordinance 16202, Section 11, as amended, and K.C.C. 2.10.090, Ordinance 134 (part), as amended, and K.C.C. 2.12.070, Ordinance 12550, Section 2, as amended, and K.C.C. 2.14.020, 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 11955, Section 9, as amended, and K.C.C. 2.16.045, Ordinance 14155, Section 5, as amended, and K.C.C. 2.16.07585, Ordinance 1607|1013|, Section 4, and K.C.C. 2.130.010, Ordinance 12076, Section 2, as amended, and K.C.C. 4.04.020, Ordinance 12076, Section 5, as amended, and K.C.C. 4.04.200, Ordinance 14921, Section 5, and K.C.C. 4.06.030, Ordinance 12076, Section 9, as amended, and K.C.C. 4.08.015, Ordinance 14596, Section 1, and K.C.C. 4.08.055, Ordinance 15961, Section 1, and K.C.C. 4.08.056, Ordinance 15556, Section 3, as amended, and K.C.C. 4.08.057, Ordinance 12076, Section 35, as amended, and K.C.C. 4.10.050, Ordinance 12076, Section 38, as amended, and K.C.C. 4.12.040, Ordinance

15949, Section 3, as amended, and K.C.C. 4.33.010, Ordinance 11992, Section 2, as amended, and K.C.C. 12.16.010 and Ordinance 8867, Section 1, as amended, and K.C.C. 26.12.010.

PREAMBLE:

The merging of the office of strategic planning and performance management and the office of management and budget into the office of performance, strategy and budget will integrate the strategy, performance and budget functions within the department of executive services.

The newly configured office will allow for better alignment between budgeting, performance management, and strategic planning resulting in effective implementation of the recently adopted King County Strategic Plan.

The newly configured office will facilitate effective collaboration and planning across systems, agencies and governments.

The business development and contract compliance unit, which develops, promotes, and establishes inclusiveness in King County contracts and administers the King County apprenticeship program, is functionally aligned with the work of the department of executive services.

Shifting the business development and contract compliance unit from the existing office of strategic planning and performance management to the department of executive services integrates its work with the overall procurement and contracting functions of the finance and business operations divisions.

The historic preservation program ensures that the county's historic and archaeological resources are preserved for future generations.

Shifting the historic preservation unit from the existing office of strategic planning and performance management to the department of natural resources and parks provides better

alignment with the existing functions of the director's office.

These organizational changes are consistent with the adopted King County Strategic Plan by improving customer service through co-location of similar functions.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 15378, Section 6, and K.C.C. 1.36.060 are each hereby amended to read as follows:

This chapter shall be implemented in phases to minimize cost. The county shall continue to use the previous crown logo on existing items until these are replaced in the usual course of county business, unless replacement with the new logo is either minimal in cost or is necessary for public health and safety purposes such as uniform identification for King County law enforcement officers. The executive shall coordinate with separately elected officials and branches of government to encourage implementation of this chapter in all county agencies. The office of ~~((management))~~ performance, strategy and budget shall submit semiannual reports to the council through 2009 on actual expenditures related to the implementation of this chapter. The reports should be submitted beginning September 29, 2006, with the subsequent report due March 30, 2007, and every six months thereafter. Eleven copies of each report shall be filed with the clerk of the council for distribution to all councilmembers.

SECTION 2. Ordinance 11980, Section 3 as amended, and K.C.C. 2.10.010 are each hereby amended to read as follows:

King County shall develop an effective performance management and accountability system designed to enhance government accountability, transparency, service performance and resource allocation. The performance management and accountability system shall be comprised of strategic and business planning at countywide, system, department and agency levels that effectively uses performance measurement to support continuous organizational evaluation and improvement. There is consensus among county leadership that the performance management and accountability system effectively aligns collaborative efforts towards common

county goals while respecting the needs of individual agencies to pursue organizational goals, and separately elected officials' obligation to deliver on their commitments to the public.

A. The purpose of creating and implementing a countywide performance management and accountability system shall be to promote a culture of accountability within King County government and will:

1. Engage the public in the development of countywide priorities as part of the development of a countywide strategic plan;
2. Demonstrate to the public and its decision makers the county's achievement in meeting its prioritized goals;
3. Increase the ability of county managers and staff to improve county management and customer service delivery and assess program effectiveness; and
4. Assist county elected leaders in making policy and budget decisions.

In order for the performance management and accountability system to be successful it is the intent of King County that the system shall use strategic business planning to develop high-level strategic plans for the entire county government and for each individual county agency, executive department and office that are directly related to the executive proposed county budget. The office of ~~((strategic planning and))~~ performance ~~((management))~~, strategy and budget will provide leadership in and coordination of countywide performance management and measurement. It is the intent that the countywide performance management and accountability system be developed and implemented in a fiscally responsible manner.

B. The King County performance management and accountability system should be guided by the following guiding principles:

1. The public and elected leaders are engaged to develop countywide prioritized goals and align services to those goals;
2. King County publicly reports on how well it is meeting its performance goals;
3. Performance measures are directly linked to policy and resource allocation decisions;

4. Performance measurement is used by managers for strategic planning, program evaluation, operational improvements and budgeting; and

5. Performance measures are not to be used in a punitive manner but are used to support continuous organizational evaluation and improvement in collaboration with the workforce.

SECTION 3. Ordinance 11980, Section 2 as amended, and K.C.C. 2.10.020 are each hereby amended to read as follows:

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

A. "Accountability" means a process to set priorities, measure performance, and inspire the workforce to improve the overall performance and customer service of county government. County leadership should relentlessly follow up on commitments made in strategic and business plans and should also regularly monitor results over time to verify that change is real and sustainable.

B. "Agency" means the legislative branch, prosecuting attorney's office, superior court, district court, sheriff's office, the assessor's office and the office of economic and financial analysis.

C. "Benchmarks" means internal or external points of comparison to help understand performance results and should be used to help set targets and provide context for county results.

D. "Business plan" means a plan that reflects how individual agencies, departments, divisions or offices will contribute to achievement of the goals identified in the strategic plan during the next one to two years. The business plan provides an opportunity for continuous monitoring of the strategic plan. In addition to stating the agency's vision, mission and goals, the business plans shall identify internal and external change dynamics and strategies and evaluate how they will affect budget priorities and program direction. Business plans should be aligned with the budget and should provide performance measures that support budget decisions.

E. "Executive branch departments and offices" means all county departments and offices directly reporting to the county executive.

F. "Goals" means the results that the organization plans to achieve within a defined period of time.

G. "King County" or "countywide" means all county agencies and executive branch departments and offices.

H. "Mission statement" means the purpose of the organization. The purpose shall be described in terms of the outcomes or results the organization intends to achieve.

I. "Objectives" means the identification of some of the specific ways in which goals are to be achieved.

J. "Operational master plan" means the comprehensive plan for an agency setting forth how the organization will operate now and in the future. An operational master plan builds on an organization's strategic plan and shall include analysis of agency strategies, alternatives and their lifecycle costs to accomplish defined goals and objectives, performance measures, projected workload, needed resources, implementation schedules and general cost estimates. The operational master plan shall also address how the organization will respond in the future to changed conditions. K.C.C. 4.04.200 requires that an operational master plan is done in conjunction with the director((s)) of the office of ~~((management and))~~ performance, strategy and budget ~~((and the office of strategic planning and performance management))~~. The completed operational master plan includes an implementation plan and schedule and feeds into capital planning efforts for an organization.

K. "Outcomes" means results that are expected to be achieved and assessed by the use of performance measures that can indicate a rate of change over time. They measure the extent to which goals and objectives have been achieved.

L. "Performance management" means the systemic use of performance measurement information to help set performance goals, allocate and prioritize resources, inform decision making about program performance, policy and budget, to evaluate results achieved and to report on the success of meeting goals.

M. "Performance measure" means a quantifiable, enduring measurement of the amount, quality, efficiency or effectiveness of products or services produced by an agency, department, office or program.

N. "Performance measurement" means the identification and ongoing monitoring and reporting of

program or agency results, particularly progress toward preestablished goals.

O. "Strategic plan" means a plan that clarifies the strategic direction on where an organization will be in five years and how it intends to get there. A strategic plan should define the current status of the organization, including its vision, mission and goals. It should also identify strengths, weaknesses, opportunities and challenges, both internal and external, that will either advance or impede the execution of the plan. A strategic plan should include prioritized strategies and actions that describe how goals will be achieved given the projected opportunities and challenges. The strategic plan should also include a monitoring plan that describes, tracks and evaluates key outcomes to be achieved and high-level performance measures relevant to the stated goals.

P. "Targets" means a quantified statement of what level of performance a program or agency plans to achieve. Targets help to evaluate performance and should be based on baseline data, regulatory or industry standards, policy decisions, program evaluation, or the performance of comparable organizations or benchmarks.

Q. "Vision" means the vision statement that describes what the agency, department, office or program would like to achieve by delivering on the stated mission. The vision should be stable and can be very long-term and difficult to achieve. The vision shall be specific to the mission of the organization.

SECTION 4. Ordinance 16202, Section 6, as amended, and K.C.C. 2.10.045 are each hereby amended to read as follows:

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

B. Members of the workgroup shall include personnel from the following agencies, department and

offices:

1. The council;
2. The sheriff;
3. The prosecuting attorney;
4. The assessor;
5. The superior court;
6. The district court;
7. The auditor;
8. Each executive branch department;
9. The office of information resources management; and
10. The office of ~~((management and))~~ performance, strategy and budget~~((; and~~
11. ~~The office of strategic planning and performance management))~~.

C. The performance management workgroup shall:

1. Advise on implementation of a countywide performance management and accountability system;
2. Provide a collaborative forum among county peers on performance management and measurement and coordinate with potential partners outside of King County government;
3. Advise on the county's training curriculum on performance management and measurement; and
4. Advise on new developments in the ~~((filed))~~ field and potential opportunities to improve the county's performance management and accountability system.

SECTION 5. Ordinance 16202, Section 10, as amended, and K.C.C. 2.10.080 are each hereby amended to read as follows:

A. Each county agency, department and office shall develop a business plan to guide its ongoing and proposed activities for a one- to two-year period. Each county agency, department and office business plan shall

be revised and updated annually.

B. Each county agency, department and office business plan shall be transmitted to King County council along with the county executive proposed King County budget after review by the office of ~~((strategie planning and))~~performance ~~((management and the office of management))~~, strategy and budget.

C. The agency, department and office annual business plans shall be directly related to their strategic plans, strategic plan updates and to the county executive-proposed King County budget.

D. The agency, department and office business plans shall include, but shall not be limited, to the following components:

1. A vision, mission and goals for the agency, department or office;
2. Objectives and strategies to accomplish goals;
3. Internal and external change dynamics and strategies and an evaluation of how they will affect budget priorities and program direction;
4. A prioritized list of recommended budget changes to reflect change dynamics, funding, and goal achievement; and
5. Performance measures for each goal or program to help determine the impact of the proposed budget change with a primary manager listed as accountable for improvement of each performance measure.

SECTION 6. Ordinance 16202, Section 11, as amended, and K.C.C. 2.10.090 are each hereby amended to read as follows:

It is the intent that there be an ongoing dialogue between the county council and agency, department and office directors on the countywide performance reports and strategic plans and individual agency, department and office strategic plans and business plans.

To assist in this review, the office of ~~((strategie planning and))~~performance ~~((management))~~, strategy and budget shall present to the county council the annual countywide performance report and countywide

strategic plan. It is the intent that the county council will review department, office and agency strategic plans and business plans on a periodic basis.

SECTION 7. Ordinance 134 (part), as amended, and K.C.C. 2.12.070 are each hereby amended to read as follows:

Copies of the annual King County budget shall be available from the office of ((~~management~~)) performance, strategy and budget upon payment of five dollars for each copy, which fee shall be paid to the King County treasurer. The county executive shall make available to the public on the county's website, at no charge, an electronic copy of the budget ordinance.

SECTION 8. 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 is efficient and economical; promotes open government and an informed citizenry; protects individual privacy; and meets county record retention and disposition standards.

B. A public records committee is hereby established. The public records committee shall 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. The public records committee shall also provide guidance on the planning and implementation of a countywide records storage management plan and a countywide electronic records management system.

C. The manager of the records and licensing services division shall be the chair of the public records committee. The public records committee shall involve a broad membership 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. Office of ~~((management))~~ performance, strategy and budget;
6. The office of information resource management;
7. The department of executive services' public disclosure officer;
8. The department of executive services' chief of information security and privacy officer; and
9. The department of executive services and other departments.

D. The executive shall submit to the council for approval by motion by March 1, 2007, a document detailing the vision, guiding principles, goals, and governance and management structure of the public records committee.

SECTION 9. Ordinance 12075, Section 3, as amended, and K.C.C. 2.16.025 are each hereby amended to read as follows:

The county executive shall manage and be fiscally accountable for the office of ~~((management))~~ performance, strategy and budget~~((, the office of strategic planning and performance management))~~ and the office of labor relations.

A. The office of ~~((management))~~ 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 improvement 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 improvement budgets throughout the fiscal year;
5. ~~((Developing and using outcome-based performance indicators to monitor and evaluate the~~

~~effectiveness and efficiency of county agencies in collaboration with the office of strategic planning and performance management;~~

~~6-))~~ Formulating and implementing financial policies regarding revenues and expenditures for the county and other applicable agencies;

~~((7-))~~ 6. Performing program analysis, and contract and performance evaluation review ~~((in collaboration with the office of strategic planning and performance management)); ((and~~

~~8-))~~ 7. Developing and transmitting to the council, concurrent with the annual proposed budget, supporting materials consistent with K.C.C. 4.04.030~~((:~~

~~B. The office of strategic planning and performance management functions and responsibilities shall include, but not be limited to:));~~

~~((1-))~~ 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;

~~((e-))~~ c. providing technical assistance on the development of strategic plans and business plans for agencies;

~~((f-))~~ d. developing and using ~~((outcome-based))~~ community-level indicators and agency performance ((indicators)) measures to monitor and evaluate the effectiveness and efficiency of county agencies ~~((in collaboration with the office of budget and management));~~

~~((g-))~~ e. overseeing the production of an annual performance report for the executive branch;

~~((h. Managing an ongoing))~~ f. coordinating the performance review process of executive branch departments~~((l))~~ and offices~~((l-performance, known as the KingStat program));~~

~~((i-))~~ 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; ~~((and))~~

~~((j. conducting))~~ h. leading public engagement ~~((about))~~ and working in support of county performance management, budget, and ~~((reporting activities))~~ strategic planning;

~~((3-))~~ 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 operational master plans;

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

g. serving as the liaison to the boundary review board for King County; and

~~((2-))~~ 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((;

~~g. 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 Ordinance 15703;~~

~~h. Managing the apprenticeship program to optimize the number of apprentices working on county construction projects. Submit an annual report as required by Ordinance 12787;~~

~~i. serving as the disadvantaged business enterprise liaison officer for federal Department of Transportation and other federal grant program purposes; and~~

~~j. managing the county's historic preservation program including landmark designation, protection, and enhancement to support tourism development, downtown revitalization and environmental and cultural sustainability;~~

~~3. Strategic initiatives and policy development~~

~~a. coordinating 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 operational~~

master plans; and

~~f. serving as the liaison to the Boundary Review Board for King County)).~~

~~((C-))~~ B. 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 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 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 division.

~~((D-))~~ C. The executive may assign or delegate budgeting, performance management and accountability, ~~((business relations,))~~ economic development and strategic ~~((initiatives and policy development))~~ 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 10. 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, ~~((elections 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 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 elections division shall include conducting all special and general elections held in the county and registering voters.~~

~~B.))~~ 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;
5. Acting as the official custodian of all county records, as required by general law, except as otherwise provided by ordinance; and
6. Managing the printing and distribution of the King County Code and supplements to the public.

~~((C.))~~ 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 4.16 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; (~~and~~)
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.

4.19.070.D;

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.

~~((D-))~~ 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 ~~((f))~~, including recruitment, examination and selection~~((g))~~;
 - b. classification and compensation~~((h))~~; 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.

~~((E-))~~ 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 4.04, 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 and surface water management projects;

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 improvement projects;

d. assisting county agencies in the acquisition of appropriate facility sites;

e. formulating guidelines for the development of operational and capital improvement plans;

f. assisting user agencies in the development of capital improvement and project program plans, as defined and provided for in K.C.C. chapter 4.04;

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 improvement plans with the adopted space plan and approved operational master plans;

i. developing project cost estimates that are included in capital improvement plans, site master plans, capital projects and annual 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. Title 4;

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 improvement projects; and

13. Providing for the operation of a downtown winter shelter for homeless persons between October 15 and April 30 each year.

~~((F-))~~ 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 4.12.

~~((G-))~~ 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;
2. Being responsible for the emergency management functions defined in K.C.C. chapter 2.56; and
3. Managing the E911 emergency telephone program.

~~((H-))~~ 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.

SECTION 11. Ordinance 11955, Section 9, as amended, and K.C.C. 2.16.045 are each hereby amended to read as follows:

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

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

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

- a. administering the functions and programs related to the operation, maintenance, construction, repair, replacement and improvement of the metropolitan sewerage system and its financing;
- b. administering the county's sewage disposal agreements with cities and special districts;
- c. providing planning for the water quality capital program;
- d. providing design, engineering and construction management services related to the water quality capital programs including new facilities development and maintenance of the existing infrastructure;
- e. providing support services such as project management, environmental review, permit and right-of-way acquisitions, scheduling and project control; and
- f. regulating industrial discharges into the metropolitan sewerage system.

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

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

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

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

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

4. Providing coordination and technical assistance within the county and other governments to assist in setting and implementing priorities for water and land resources, including sample collection, laboratory services, monitoring, analysis and other activities to protect, enhance and evaluate the quality of land, habitat and water resources in the county;

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

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

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

8. Implementing the county park, open space, trails, agriculture, forestry, and other natural resources acquisition programs, including planning, site selection, financing, acquisition, project budget management and

purchasing fee and less than fee interests;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 12. Ordinance 14155, Section 5, as amended, and K.C.C. 2.16.07585 are each hereby amended to read as follows:

A. The project review board is hereby created. The board shall act in an advisory capacity to the county's chief information officer in implementing the project management guidelines developed by the central information technology project management office as described in K.C.C. 2.16.0758 A. through E. As appropriate, the board also may assume the project oversight role assigned to the project management office under K.C.C. 2.16.0758 F. through K. The members shall be: the chief information officer, the assistant county executive operations I, the director of the office of ~~((management))~~ performance, strategy and budget and the director of the department of executive services.

B. The King County chief information officer shall serve as the chair of the project review board.

C. Ad hoc project review teams may be convened as determined to be necessary by the project review board to focus on specific projects. Each ad hoc project review team will include the project's sponsoring agency director. These teams shall report back findings to the board.

D. Formal votes shall be taken and recorded on all recommendations and meeting minutes shall formally record issues and concerns raised for consideration by the chief information officer.

SECTION 13. Ordinance 16077, Section 4, and K.C.C. 2.130.010 are each hereby amended to read as follows:

A. There is hereby established a King County mental illness and drug dependency oversight committee.

B.1. The oversight committee shall act as an advisory body to the county executive and council. The oversight committee is responsible for oversight of the mental illness and drug dependency tax-funded strategies, programs and goals outlined in (~~Ordinance 15949~~) K.C.C. chapter 4.33 and consistent with the mental illness and drug dependency action plan. The oversight committee shall provide ongoing oversight of mental illness and drug dependency tax-funded programs until all revenues have been expended and the final evaluation of the mental illness and drug dependency programs and services has been submitted to the council.

2. The oversight committee shall:

a. review and provide written recommendations to the executive and the council on the implementation and effectiveness of the county's sales tax funded programs in meeting the goals established in (~~Ordinance 15949~~) K.C.C. chapter 4.33;

b. review and report to the executive and the council on the quarterly, annual and evaluation reports as required by (~~Ordinance 15949~~) K.C.C. chapter 4.33;

c. review and make comment on emerging and evolving priorities for the use of the mental illness and drug dependency sales tax revenue;

d. serve as a forum to promote coordination and collaboration between entities involved with sales

tax programs;

- e. educate the public, policymakers and stakeholders on sales tax funded programs; and
- f. coordinate and share information with other related efforts and groups.

C. The oversight committee shall be composed of one representative from each of the following:

1. The council;
2. The executive;
3. The superior court;
4. The district court;
5. The prosecuting attorney's office;
6. The sheriff's office;
7. The department of public health;
8. The department of judicial administration;
9. The department of adult and juvenile detention;
10. The department of community and human services;
11. The King County mental health advisory board;
12. The King County alcoholism and substance abuse administrative board;
13. A provider of both mental health and chemical dependency services in King County;
14. A provider of culturally specific mental health services in King County;
15. A provider of culturally specific chemical dependency services in King County;
16. A provider of domestic violence prevention services in King County;
17. A provider of sexual assault victim services in King County;
18. An agency providing mental health and chemical dependency services to youth;
19. Harborview Medical Center;
20. The Committee to End Homelessness in King County;

21. King County systems integration initiative, which is an ongoing work group established by the executive for addressing juvenile justice matters;
22. The Community Health Council;
23. The Washington State Hospital Association, representing King County hospitals;
24. The Suburban Cities Association;
25. The city of Seattle;
26. The city of Bellevue;
27. Labor representing a bona fide labor organization;
28. The office of the public defender;
29. The national alliance on mental illness; and
30. A representative from a public defender agency that the county contracts with to provide services.

D.1. Separately elected officials and King County agency directors or their designees are not required to be appointed or confirmed.

2. A member of the oversight committee who has been confirmed to serve on another county board or commission is not required to be confirmed to serve on the oversight committee.

3. All other members of the oversight committee are subject to appointment by the county executive and confirmation by the county council.

4. ~~((Until all members of the oversight committee are appointed, the executive shall utilize the oversight planning group to begin collaboration on the development of the implementation plan. For this purpose, the executive shall expand membership of the planning group to include representatives of all of the entities that will be included in the oversight committee. This planning group shall expire on June 1, 2008. It is the expectation of the county that executive appointments shall be completed on or before this date.~~

5.)) The executive shall appoint oversight committee members to staggered terms in accordance with K.C.C. 2.28.010.C.

E. The oversight committee shall adopt rules governing its operations at its first meeting.

1. The committee shall elect a chair or cochairs.
2. Subcommittees and workgroups may be formed at the discretion of the oversight committee.
3. At each meeting of the oversight committee, the oversight committee shall provide an open

comment period.

F. The oversight committee shall coordinate with other county groups including, but not limited to, the Committee to End Homelessness in King County, the regional human services levy citizen oversight board, the veterans levy citizen oversight board and the adult and juvenile justice operational master plan advisory groups to ensure that information is shared and, when appropriate, efforts are linked and not duplicated.

G. The office of ((~~management~~)) performance, strategy and budget and the mental health, chemical abuse and dependency services division of the department of community and human services shall provide staffing of the oversight committee.

H. Members of the oversight committee who are not full-time county employees may be reimbursed for parking expenses in the King County parking garage when attending meetings of the committee.

SECTION 14. Ordinance 12076, Section 2, as amended, and K.C.C. 4.04.020 are each hereby amended to read as follows:

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

A. "Acquisition of right of way" or "land acquisition" means funds budgeted for the purchase of property rights, excluding county force charges of the facilities management division.

B. "Adopted" means approval by council motion or ordinance.

C. "Agency" means a county office, officer, institution whether educational, correctional or other, department, division, board commission, except as otherwise provided in this chapter.

D. "Allocation" means a part of a lump sum appropriation that is designated for expenditure by either a specific organization unit or for specific purposes, or both.

E. "Allotment" means a part of an appropriation that may be encumbered or expended during an allotment period.

F. "Allotment period" means a period of less than a fiscal year in length during which an allotment is effective.

G. "Allotment plan" means a fiscal management plan that divides a county agency's program element budget into quarterly increments, reflecting the cyclical or seasonal pattern of expenditures, for the purpose of identifying over and under expenditures throughout the year.

H. "Appropriations" means an authorization granted by the council to make expenditures and to incur obligations for specific purposes.

I. "Appropriation ordinance" means the ordinance that establishes the legal level of appropriation for a fiscal year.

J. "Art" means funds budgeted for the one percent for art program under K.C.C. chapter 4.40 or as otherwise provided by ordinance for a public art program.

K. "Budget" means a proposed plan of expenditures for a given period or purpose and the proposed means for financing these expenditures.

L. "Budget detail plan" means the council's proposed spending plan for the operational budgets of all agencies detailed at the section level and attached to the adopted appropriation ordinance or as modified by the most-recent supplemental appropriation ordinance.

M. "Budget document" means a formal, written, comprehensive financial program presented by the executive to the council, including an electronic database with revenues and expenditures for all county agencies at the lowest organization levels and all summary levels provided in the general ledger system, balanced to the financial plans and the appropriation ordinance, fee ordinances, motions related to proposed

levy rates to comply with chapter 36.40 RCW and cost-of-living adjustment ordinance proposed by the executive.

N. "Budget message" means a formal oral presentation by the executive to the council that explains the budget in terms of goals to be accomplished and how the budget relates to the Comprehensive Plan.

O. "Capital improvement plan" means a plan that establishes the capital improvements required to implement an approved operational master plan. This plan should extend over a minimum period of six years to define long-range capital improvement requirements and the annual capital improvements budget for a user agency.

1. The capital improvement plan shall include the following elements, where applicable:

- a. general program requirements that define the development scope for specific sites or facilities;
- b. general space and construction standards;
- c. prototype floor plans and prototype facility designs for standard improvements;
- d. space requirements based on the adopted county space plan;
- e. initial, and life-cycle cost, of alternative facilities and locations including lease and lease/purchase approaches;
- f. approximate location of planned capital improvements;
- g. general scope and estimated cost of infrastructure;
- h. a schedule, that extends over a minimum of six years, for the implementation of projects included in capital improvement plans, based on overall user agency priorities and projected available revenue;

2. The user agency shall prepare the elements of the plan in subsection L.1. a, d, f and h of this section. The implementing agency shall prepare the elements of this plan in subsection L.1. b, c, e and g of this section.

3. The six-year budget schedule included in the capital improvement plan shall be updated annually in conjunction with the capital budget adoption process.

P. "Capital project" means a project with a scope that includes one or more of the following elements, all related to a capital asset: acquisition of either a site or existing structure, or both; program or site master planning; design and environmental analysis; construction; major equipment acquisition; reconstruction; demolition; or major alteration. "Capital project" includes a: project program plan; scope; budget by task; and schedule. The project budget, conceptual design, detailed design, environmental studies and construction elements of a project shall be prepared or managed by the implementing agency.

Q. "CIP" means capital improvement program.

R. "CIP exceptions notification" means, except for major maintenance reserve fund, roads, solid waste, surface water management and wastewater CIP projects, a letter filed with the clerk of the council for distribution to the chair of the budget and fiscal management committee, or its successor committee, which describes changes to an adopted CIP project's scope or schedule, or both, or total project cost and, with the exception of schedule changes, shall be sent in advance of any action. For major maintenance reserve fund CIP projects, "exceptions notification" means a letter filed with the clerk of the council for distribution to the chair of the budget and fiscal management committee, or its successor committee, that describes changes of fifteen percent or more to an adopted CIP project's scope or schedule, or both, or total project costs and, with the exception of schedule changes, shall be sent in advance of any action. For road CIP projects, "exceptions notification" means a letter filed with the clerk of the council for distribution to the chair of the transportation committee, or its successor committee, that describes changes of fifteen percent or more to an adopted CIP project's scope or schedule, or both, or total project costs and, with the exception of schedule changes, shall be sent in advance of any action. For wastewater, solid waste and surface water management CIP projects, "exceptions notification" means a letter filed with the clerk of the council for distribution to the chair of the budget and fiscal management committee, or its successor committee, and to the chair of the utilities committee, or its successor committee, which describes changes of fifteen percent or more to an adopted CIP

project's scope or schedule, or both, or total project costs and, with the exception of schedule changes, shall be sent in advance of any action.

S. "Construction" means funds budgeted for CIP project construction including contract construction, contract inspection and testing and, as appropriate, construction tasks performed by county forces.

T. "Contingency" means funds budgeted for unanticipated CIP project costs associated with any other project activities.

U. "Contracted design" or "preliminary engineering" means funds budgeted for activities of a contract nature associated with all CIP project phases through bid advertising. Included are contracts for feasibility studies, planning, studies, preliminary design, construction drawings, bid specifications and on-site inspections.

V. "Cost elements" means CIP budgeting activities related to construction, contracted design, preliminary engineering, acquisition of right of way, equipment and furnishings, contingency, artistic furnishings, county force design, county force right of way, project administration or other activities as provided by the council.

W. "Council" means the metropolitan King County council.

X. "County force design" means funds budgeted for CIP project design or design review by county personnel.

Y. "County force right of way" means funds budgeted for real property costs associated with CIP land acquisition.

Z. "Deficit" means the excess of expenditures over revenues during an accounting period, or an accumulation of such excesses over a period of years.

AA. "Director" means the director of the office of ~~((management))~~ performance, strategy and budget.

BB. "Equipment and furnishings" means all costs for the purchase of equipment and furnishings associated with CIP project construction.

CC. "Executive" means the King County executive, as defined by Article 3 of the King County Charter.

DD. "Expenditures" means, where the accounts are kept on the accrual basis or the modified accrual basis, the cost of goods delivered or services rendered, whether paid or unpaid, including expenses, provisions for debt retirement not reported as a liability of the fund from which retired, and capital outlays. Where the accounts are kept on the cash basis, "expenditures" means actual cash disbursements for these purposes.

EE. "Financial plan" means a summary by fund of planned revenues and expenditures, reserves and undesignated fund balance.

FF. "Fiscal period" means a calendar year or a biennium.

GG. "Fund" an independent fiscal and accounting entity with a self-balancing set of accounts recording either cash or other resources, or both, together with related liabilities, obligations, reserves and equities that are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulations, restrictions or limitations.

HH. "Fund balance" means the excess of the assets of a fund over its liabilities and reserves except in the case of funds subject to budgetary accounting where, before the end of a fiscal period, it represents the excess of the fund assets and estimated revenues for the period over its liabilities, reserves and appropriations for the fiscal period.

II. "General facility major maintenance emergent need contingency project" means an appropriation to provide contingent budget authority for emergent needs within major maintenance reserve fund CIP projects.

JJ. "Implementing agency" means the appropriate department and division responsible for the administration of CIP projects.

KK. "Lapse" of an appropriation means an automatic termination of an appropriation.

LL. "Major maintenance reserve fund CIP project" means any major maintenance reserve fund CIP project that is allocated in the adopted six-year major maintenance reserve fund CIP and is appropriated at the major maintenance reserve fund level in accordance with K.C.C. 4.04.265 or is a high-risk project under K.C.C. 4.04.245.

MM. "Major widening project" means any roads CIP project adding at least one through lane in each direction.

NN. "Object of expenditure" means a grouping of expenditures on the basis of goods and services purchased, such as salary and wages.

OO. "Open space non-bond fund project" means an open space project that is allocated in the adopted six-year open space CIP and is appropriated at the open space non-bond fund number 3522 level in accordance with K.C.C. 4.04.300.

PP. "Operational master plan" means a comprehensive plan for an agency setting forth how the organization will operate now and in the future. An operational master plan shall include the analysis of alternatives and their life cycle costs to accomplish defined goals and objectives, performance measures, projected workload, needed resources, implementation schedules and general cost estimates. The operational master plan shall also address how the organization would respond in the future to changed conditions.

QQ. "Program" means the definition of resources and efforts committed to satisfying a public need. The extent to which the public need is satisfied is measured by the effectiveness of the process in fulfilling the needs as expressed in explicit objectives.

RR. "Project administration" means funds budgeted for all county costs associated with administering design and construction contracts on CIP projects.

SS. "Project program plan" means a plan, primarily in written narrative form, that describes the overall development concept and scope of work for a building, group of buildings or other facilities at a particular site. The complexity of the project program plan will vary based upon the size and difficulty of the program for a particular site. When the plan includes projects that are phased over time, each phase shall have an updated project program plan prepared by the user agency before project implementation. The project program plan shall be prepared by the user agency with assistance from the implementing agency. The program plan describes the user agency program requirements for a specific building or site; provides the basis for these

requirements; and identifies when funds for the implementation of the capital projects will be provided. The program plan shall elaborate on the general program information provided in the operational master plan and the capital improvement plan. The plan shall also describe user agency programs, how these programs would fit and function on the site, and the general recommendation of the user agency regarding the appearance of the building or site. The plan shall indicate when a site master plan is required for a project.

TT. "Public need" means those public services found to be required to maintain the health, safety and well-being of the general citizenry.

UU. "Quarterly management and budget report" means a report prepared quarterly by the director for major operating and capital funds, that:

1. Presents executive revisions to the adopted financial plan or plans;
2. Identifies significant deviations in agency workload from approved levels;
3. Identifies potential future supplemental appropriations with a brief discussion of the rationale for each potential supplemental;
4. Identifies significant variances in revenue estimates;
5. Reports information for each appropriation unit on the number of filled and vacant full-time equivalent and term-limited temporary positions and the number of temporary employees;
6. Includes the budget allotment plan information required under K.C.C. 4.04.060; and
7. Describes progress towards transitioning potential annexation areas to cities.

VV. "Reappropriation" means authorization granted by the council to expend the appropriation for the previous fiscal year for capital programs only.

WW. "Regulations" means the policies, standards and requirements, stated in writing, designed to carry out the purposes of this chapter, as issued by the executive and having the force and effect of law.

XX. "Revenue" means the addition to assets that does not increase any liability, does not represent the recovery of an expenditure, does not represent the cancellation of certain liabilities on a decrease in assets and

does not represent a contribution to fund capital in enterprise and intragovernmental service funds.

YY. "Roads CIP project" means roads capital projects that are allocated in the adopted six-year roads CIP and are appropriated at the roads CIP fund level in accordance with K.C.C. 4.04.270 or a high-risk project under K.C.C. 4.04.245.

ZZ. "Scope change" means, except for major maintenance reserve fund, roads, solid waste, surface water management and wastewater CIP projects, that a CIP project's total project cost increases by ten percent or by fifty thousand dollars, whichever is less. For major maintenance reserve fund, roads, solid waste, surface water management or wastewater CIP projects, "scope change" means the total project cost increases by fifteen percent.

AAA. "Section" means an agency's budget unit comprised of a particular project, program or line of business as described in Ordinance 16445, Section 5, for the 2010 budget or for all subsequent budgets as described in the budget detail plan for the previous fiscal period as attached to the adopted appropriation ordinance or as modified by the most-recent supplemental appropriation ordinance. This definition is not intended to create an organizational structure for any agency.

BBB. "Site master plan" means a plan prepared by the implementing agency, with input from the user agency, that describes, illustrates and defines the capital improvements required to provide user agency program elements.

1. The site master plan shall include preliminary information regarding, at a minimum:
 - a. site analysis, including environmental constraints;
 - b. layout, illustration and description of all capital improvements;
 - c. project scopes and budgets;
 - d. project phasing; and
 - e. operating and maintenance requirements.
2. The site master plan shall be approved by the user agency and the implementing agency before

submittal to the executive and council for approval.

CCC. "Solid waste CIP project" means a solid waste project that is allocated in the adopted six-year solid waste CIP and is appropriated at the solid waste CIP fund level in accordance with K.C.C. 4.04.273 or is a high-risk project under K.C.C. 4.04.245.

DDD. "Surface water management CIP project" means a surface water management project that is allocated in the adopted six-year surface water management CIP and is appropriated at the surface water management CIP fund level in accordance with K.C.C. 4.04.275 or is a high-risk project under K.C.C. 4.04.245.

EEE. "User agency" means the appropriate department, division, office or section to be served by any proposed CIP project.

FFF. "Wastewater asset management projects" means the wastewater capital projects identified and intended by the wastewater treatment division to extend and optimize the useful life of wastewater treatment assets, including facilities, structures, pipelines and equipment.

GGG. "Wastewater CIP project" means wastewater capital projects that are allocated in the adopted six-year wastewater CIP and are appropriated at the wastewater CIP fund level in accordance with K.C.C. 4.04.280 or is a high-risk project under K.C.C. 4.04.245.

SECTION 15. Ordinance 12076, Section 5, as amended, and K.C.C. 4.04. 200 are each hereby amended to read as follows:

A.1. The executive shall be responsible for the implementation of all CIP projects pursuant to adopted project budgets and schedules. However, major maintenance reserve fund CIP projects may be implemented in accordance with the major maintenance reserve fund capital improvement budgeting procedures in K.C.C. 4.04.265, road CIP projects may be implemented in accordance with the roads capital improvement budgeting procedures in K.C.C. 4.04.270, solid waste CIP projects may be implemented in accordance with the solid waste capital improvement budgeting procedures in K.C.C. 4.04.273, surface water management CIP projects

may be implemented in accordance with the surface water management capital improvement budgeting procedures in K.C.C. 4.04.275 and wastewater CIP projects may be implemented in accordance with the wastewater capital improvement budgeting procedures in K.C.C. 4.04.280

2. At least fifteen days before advertising for construction bids for any capital project, the council chair and councilmembers in whose district construction will take place shall be notified. The notification shall include project identification, advertising dates and a summary description of the work to be performed, though failure to comply with this provision shall not delay bid advertisement.

B.1. The executive shall be responsible for implementation of adopted CIP projects to ensure their completion on schedule and within adopted budgets. However, major maintenance reserve fund CIP projects may be reprogrammed in accordance with K.C.C. 4.04.265, roads CIP projects may be reprogrammed in accordance with K.C.C. 4.04.270, solid waste CIP projects may be reprogrammed in accordance with K.C.C. 4.04.273, surface water management CIP projects may be reprogrammed in accordance with K.C.C. 4.04.275 and wastewater CIP projects may be reprogrammed in accordance with K.C.C. 4.04.280.

2. The budget for each major maintenance reserve fund CIP project shall not exceed by more than fifteen percent the amount specified for that project in the adopted six-year major maintenance reserve fund CIP, except when the amount is modified by ordinance or in accordance with the CIP exceptions notification process. The budget for each roads CIP project shall not exceed by more than fifteen percent the amount specified for that project in the adopted six-year roads CIP, except when the amount is modified by ordinance or in accordance with the CIP exceptions notification process. The budget for each solid waste, surface water management and wastewater CIP project shall not exceed by more than fifteen percent the amount specified for that project in the adopted six-year solid waste, surface water management or wastewater CIP, except when the amount is modified by ordinance or in accordance with the CIP exceptions notifications process.

3. The executive may select consultants on all CIP projects. The executive shall implement this section by establishing rules and procedures that provide for consultant selection, ongoing CIP design review

and project implementation.

C. All above-grade CIP projects shall be subject to the following process:

1. An operational master plan shall be developed by the agency requesting a CIP project in conjunction with the office of ~~((management))~~ performance, strategy and budget ~~((and the office of strategic planning and performance management))~~ and shall be submitted to the executive and the council for approval;
2. A capital improvement plan, based upon the adopted county space plan, where applicable, and the approved operational master plan, shall be developed by the user agency with assistance from the implementing agency and shall be submitted to the executive and the council for approval.
3. A project program plan, based upon the adopted county space plan, where applicable, and the approved operational master plan, shall be developed by the user agency, with assistance from the implementing agency, for each requested CIP. This plan shall be submitted to the executive and the council for approval. This plan shall specify which projects will require a site master plan;
4. A site master plan shall be developed by the implementing agency, with input from the user agency, for all capital improvements that involve multiple projects, are complex in nature, or are otherwise identified as requiring such a plan in the project program plan. This plan shall be submitted to the executive and council for approval;
5. The executive may exempt smaller scale projects from the requirements in subsection C.1. and 2. of this section if criteria for granting exemptions are established and approved by the council and if the implementing agency certifies the project program plan and related CIP or lease request is in conformance with the adopted county space plan; and
6. Capital projects that involve the development of new parks or significant addition to or rehabilitation of existing parks shall require a public meeting in the affected community at the program plan and site master plan stages, before submitting these plans to the executive and council for approval.

SECTION 16. Ordinance 14921, Section 5, and K.C.C. 4.06.030 are each hereby amended to read as

follows:

A. The group members shall be the chair of the metropolitan King County council, the chairs of the budget and fiscal management committee and the labor, operations and technology committee or their successor committees as defined by the council's organizational motion, and three participants as determined appropriate by the executive, depending on projects to be discussed. Executive participants may include the facilities management director, the department of natural resources director, the department of transportation director((;)) or the office of ((management)) performance, strategy and budget director, as assigned by the executive.

B. The chair of the metropolitan King County council and the King County executive, or their designees, shall serve as group cochairpersons.

C. Group members may appoint a designee to participate in any meeting on their behalf.

D. Councilmembers or executive branch persons directly affected by or with specific knowledge of the real estate or major capital project program areas to be discussed at a monthly meeting may be invited by any group member to participate as ex officio members during consideration of that program area.

SECTION 17. Ordinance 12076, Section 9, as amended, and K.C.C. 4.08.015 are each hereby amended to read as follows:

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

Fund No.	Fund Title	Fund Manager
103	County Road	Dept. of Transportation
104	Solid Waste Landfill Post Closure Maintenance	Dept. of Natural Resources and Parks
106	Veterans' Relief	Dept. of Community and Human Services
109	Recorder's O & M	Dept. of Executive Services
111	Enhanced-911 Emergency Tel System	Dept. of Executive Services
112	Mental Health	Dept. of Community and Human Services
113-5	Mental Illness and Drug Dependency	Dept. of Community and Human Services

114-1	Veterans' Services Levy	Dept. of Community and Human Services
114-2	Health and Human Services Levy	Dept. of Community and Human Services
115	Road Improvement Guaranty	Dept. of Transportation
117	Arts and Cultural Development	Dept. of Executive Services
119	Emergency Medical Services	Dept. of Public Health
121	Surface Water Management	Dept. of Natural Resources and Parks
122	Automated Fingerprint Identification System	Dept. of Public Safety
124	Citizen Councilor Revolving	Auditor
128	Local Hazardous Waste	Dept. of Public Health
129	Youth Sports Facilities Grant	Dept. of Natural Resources and Parks
131	Noxious weed control fund	Dept. of Natural Resources and Parks
134	Development and Environmental Services	Dept. of Development and Environmental Services
137	Clark Contract Administration	Office of ((Management)) <u>Performance, Strategy and Budget</u>
138	Parks Trust and Contribution	Dept. of Natural Resources and Parks
139	Risk Abatement	Office of ((Management)) <u>Performance, Strategy and Budget</u>
145	Parks and Recreation	Dept. of Natural Resources and Parks
156-1	KC Flood Control Operating Contract	Dept. of Natural Resources and Parks
164	Two-Tenths Sales Tax Revenue Receiving	Dept. of Transportation
165	Public Transit Self Insurance	Dept. of Transportation
215	Grants tier 1 fund	Dept. of Executive Services
216	Cultural Resource Mitigation Fund	Office of ((Strategic Planning and)) <u>Performance ((Management)), Strategy and Budget</u>
309	Neighborhood Parks and Open Space	Dept. of Executive Services
312	HMC Long Range CIP	Dept. of Executive Services
315	Conservation Futures	Dept. of Natural Resources and Parks
316	Parks, Rec. and Open Space	Dept. of Executive Services
318	Surface and Storm Water Mgmt Const	Dept. of Natural Resources and Parks
320	Public Art Fund	Dept. of Executive Services
322	Housing Opportunity Acquisition	Dept. of Community and Human Services

326	1990 Series B Youth Detention Facility	Dept. of Executive Services
327	Equipment and Building Acquisition	Dept. of Executive Services
329	SWM CIP Construction 1992-1997	Dept. of Natural Resources and Parks
331	Long-Term Leases	Dept. of Executive Services
334	Capital Acqn and County Fac Renovation	Office of ((Management)) <u>Performance, Strategy and Budget</u>
335	Youth Services Facilities Construction	Dept. of Executive Services
338	Airport Construction	Dept. of Transportation
339	Working Forest 1995 B	Dept. of Natural Resources and Parks
340	Park Lands Acquisition 1993	Dept. of Natural Resources and Parks
340-3	Urban Reforestation and Habitat Restoration	Dept. of Natural Resources and Parks
341	Arts and Historic Preservation Capital	Dept. of Executive Services
342	Major Maintenance Reserve	Dept. of Executive Services
343	Core GIS Capital Project	Dept. of Natural Resources and Parks
346	Regional Justice Center Construction	Dept. of Executive Services
347	Emergency Communications System	Dept. of Executive Services
349	Parks Facilities Rehabilitation	Dept. of Executive Services
350	Open Space Acquisition	Dept. of Natural Resources and Parks
357-1	KC Flood Control Capital Contract	Dept. of Natural Resources and Parks
358	Parks Capital Fund	Dept. of Natural Resources and Parks
364-3	Transit Cross-Border Lease Financing Fund	Dept. of Executive Services
368	Real Estate Excise Tax Capital Summary Fund	Dept. of Executive Services
369	Transfer of Development Credits Program (TDC) Fund	Dept. of Natural Resources and Parks
377-1	OIRM Capital Fund	Office of Information Resource Management
378	Information and Telecommunications Capital Improvement Fund	Dept. of Executive Services
381	Solid Waste Cap Equip Recovery	Dept. of Natural Resources and Parks
383	Solid Waste Environmental Reserve	Dept. of Natural Resources and Parks
384	Farmland and Open Space Acquisition	Dept. of Natural Resources and Parks
385	Renton Maintenance Fac. Const	Dept. of Transportation
386	County Road Construction	Dept. of Transportation
387	HMC Construction	Dept. of Executive Services

390	Solid Waste Construction	Dept. of Natural Resources and Parks
391	Landfill Reserve	Dept. of Natural Resources and Parks
394	Kingdome CIP	Dept. of Executive Services
395	Building Capital Improvement	Dept. of Executive Services
396	HMC Building Repair and Replacement	Dept. of Executive Services
404	Solid Waste Operating	Dept. of Natural Resources and Parks
429	Airport Operating	Dept. of Transportation
448	Stadium Management	Dept. of Executive Services
453-1	Institutional Network Operating Fund	Dept. of Executive Services
461	Water Quality	Dept. of Natural Resources and Parks
464	Public Transportation	Dept. of Transportation
542	Safety and Workers' Compensation	Dept. of Executive Services
544	Wastewater Equipment Rental and Revolving Fund	Dept. of Transportation
Fund No.	Fund Title	Fund Manager
546	Department of Executive Service Equipment Replacement	Dept. of Executive Services
547	Office of Information Resource Management Operating Fund	Dept. of Executive Services
550	Employee Benefits Program	Dept. of Executive Services
551	Facilities Management	Dept. of Executive Services
552	Insurance	Dept. of Executive Services
557	Public Works Equipment Rental	Dept. of Transportation
558	Motor Pool Equipment Rental	Dept. of Transportation
560	Printing/Graphic Arts Services	Dept. of Executive Services
603	Cultural Resources Endowment	Dept. of Executive Services
622	Judicial Administration Trust and Agency	Dept. of Judicial Administration
624	School District Impact Fee	Office of ((Management)) <u>Performance, Strategy and Budget</u>
674	Refunded Ltd GO Bond Rdmp.	Dept. of Executive Services
675	Refunded Unltd GO Bond	Dept. of Executive Services
676	H&CD Escrow	Dept. of Executive Services
693	Deferred Compensation	Dept. of Executive Services
694	Employee Charitable Campaign Contributions	Dept. of Executive Services
696	Mitigation Payment System	Dept. of Transportation
840	Limited GO Bond Redemption	Dept. of Executive Services
843	DMS Limited GO Bonds	Dept. of Executive Services
851	Stadium GO Bond Redemption	Dept. of Executive Services
880	LIID Assessment 1981	Dept. of Transportation

070	CLD ASSESSMENT - 1701	Dept. of Transportation
1010	Climate Exchange Fund	Office of ((Management)) <u>Performance, Strategy and Budget</u>
1411	Rainy Day Reserve	Office of ((Management)) <u>Performance, Strategy and Budget</u>
1421	Children and Families Services	Dept. of Community and Human Services
1590	Marine Division Operating Fund	Dept. of Transportation
3590	Marine Division Capital Fund	Dept. of Transportation
4590	Animal Bequest Fund	Dept. of Executive Services
****	Historical Preservation and Historical Programs Fund	Dept. of Executive Services

B. The following shall also be first tier funds:

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

2. All county funds that receive original proceeds of borrowings made under Chapter 216, Washington Laws of 1982, as now existing or hereafter amended, to the extent of the amounts then outstanding for the borrowings for that fund. For purposes of this subsection, the director of the county department or office primarily responsible for expenditures from that fund shall be the fund manager.

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

SECTION 18. Ordinance 14596, Section 1, and K.C.C. 4.08.055 are each hereby amended to read as follows:

There is hereby established the risk abatement fund. This fund shall be a first tier fund managed by the office of ((management)) performance, strategy and budget. The fund shall be used to process administrative and related costs associated with fund activity.

SECTION 19. Ordinance 15961, Section 1, and K.C.C. 4.08.056 are each hereby amended to read as follows:

A. There is hereby created the rainy day reserve fund for the purpose of accumulating revenues to be available for emergencies, as defined in subsection B. of this section. This fund shall be a first tier fund, fully invested for its own benefit. The director of the office of ~~((management))~~ performance, strategy and budget shall be the fund manager.

B. The rainy day reserve fund shall be used in the event of an emergency, as declared by a vote of the ~~((C))~~ county ~~((C))~~ council for the following purposes:

1. Maintenance of essential county services in the event that current expense fund revenue collections in a given fiscal year are less than ninety-seven percent of adopted estimates~~((:))~~;
2. Payment of current expense fund legal settlements or judgments in excess of the county's ability to pay from other sources~~((:))~~;
3. Catastrophic losses in excess of the county's other insurances against such losses~~((:))~~; and
4. Other emergencies, as determined by the council.

SECTION 20. Ordinance 15556, Section 3, as amended, and K.C.C. 4.08 057 are each hereby amended to read as follows:

A. There is hereby created the Climate Exchange fund, classified as a special revenue fund, for the purpose of accounting for any revenue generated by the sale of carbon credits and other emission credits, and the expenditures incurred for the purchase of carbon credits or other emission credits, in accordance with the rules of the Chicago Climate Exchange or other emissions trading programs in which the county may participate. Carbon credits include but are not limited to those credits sold or purchased through the Chicago Climate Exchange. This fund may also be used for the purpose of accounting for the sale or purchase of other emission credits as the county may develop.

B. Any financial benefit that accrues to the county from its participation in the Chicago Climate

Exchange shall be appropriately invested in actions that either reduce carbon emissions (~~(and)~~) or address global warming impacts, or both.

C. The office of (~~(management)~~) performance, strategy and budget shall be the fund manager for the Climate Exchange fund.

D. For investment purposes, the Climate Exchange fund shall be considered a first tier fund.

SECTION 21. Ordinance 12076, Section 35, as amended, and K.C.C. 4.10.050 are each hereby amended to read as follows:

The executive finance committee is hereby confirmed as being the "county finance committee(~~(")~~)," referred to in RCW 36.29.020 and RCW 36.48.070, and shall be composed of the following: the county executive; the manager of the finance and business operations division; the director of the office of (~~(management)~~) performance, strategy and budget; and the (~~(chairperson)~~) chair of the county council. The executive finance committee shall be responsible for directing the manager of the finance and business operations division in determining the maximum prudent extent to which residual treasury cash shall be invested pursuant to RCW 36.29.020 and this chapter. Actions of the committee shall be by majority vote except when the (~~(chairperson)~~) chair of the council determines such action constitutes a policy determination, as opposed to an administrative determination, which should be referred to the council. The (~~(chairperson)~~) chair of the council may defer action on the proposal until the council makes such a policy determination regarding the proposed action.

SECTION 22. Ordinance 12076, Section 38, as amended, and K.C.C. 4.12.040 are each hereby amended to read as follows:

A. There is created a risk management committee to be composed of the following individuals: RM; safety manager; chief civil deputy; and the director of the office of (~~(management)~~) performance, strategy and budget. The RM shall chair the committee. The safety manager shall be a nonvoting member of the committee

and shall serve to inform and advise the committee on safety matters and coordinate employee safety programs with the risk identification and control functions of the committee.

B. The risk management committee shall:

1. Make recommendations to the council and executive regarding risk management policy and shall cause such policy to be established and kept current;
2. Approve the selection of all insurance brokers submitted to it, as a result of a competitive procurement process;
3. Render advice to the RM on matters concerning the purchase of insurance policies and advise on the design of insurance and funded self-insurance programs;
4. Advise the RM concerning matters of risk management policy; and
5. Approve the purchase of all insurance policies.

SECTION 23. Ordinance 15949, Section 3, as amended, and K.C.C. 4.33.010 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. A reduction of the number of mentally ill and chemically dependent using costly interventions like jail, emergency rooms and hospitals;
2. A reduction of the number of people who recycle through the jail, returning repeatedly as a result of their mental illness or chemical dependency;
3. A reduction of the incidence and severity of chemical dependency and mental and emotional disorders in youth and adults;
4. Diversion of mentally ill and chemically dependent youth and adults from initial or further justice

system involvement; and

5. Explicit linkage with, and furthering the work of, other council directed efforts including, the adult and juvenile justice operational master plans, the Plan to End Homelessness, the Veterans and Human Services Levy Services Improvement Plan and the county Recovery Plan.

B. To ensure the oversight, implementation and evaluation of the Mental Illness and Drug Dependency Action 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 office of ~~((management))~~ performance, strategy and budget, the departments of community and human services, public health and adult and juvenile detention, superior court, district court, the prosecuting attorney, the public defender and the sheriff are requested, with assistance from council staff, to develop and submit for council review and approval an oversight, implementation and evaluation plan for the Mental Illness and Drug Dependency Action Plan accepted by council by Motion 12598.

C. The oversight, implementation and evaluation plan shall have three parts:

1. Part One: Oversight Plan. Part one of the oversight, implementation and evaluation plan shall be an oversight plan. Part one, the oversight plan, shall propose an oversight group that will be responsible for the ongoing oversight of the mental illness and drug dependency action plan. The oversight group shall include representation from other county, state and community agencies and entities involved in the mental health, substance abuse, domestic violence and sexual assault, homeless, justice, public health and hospital systems. The oversight plan shall also identify the proposed role of the oversight group and how the oversight group will link and coordinate with other existing county groups such as the Criminal Justice Council, the Committee to End Homelessness and the veterans and human services levy oversight groups. Part one of the oversight, implementation and evaluation plan shall be submitted to the council by April 1, 2008, for council review and approval by motion. Twelve copies of the part one oversight plan shall be filed with the clerk of the council, for distribution to all councilmembers and to the lead staff the law, justice and human services committee or its

successor;

2. Part Two: Implementation Plan. Part two of the oversight, implementation and evaluation plan is an implementation plan. Part two, the implementation plan, shall describe the implementation of the programs and services outlined in the Mental Illness and Drug Dependency Action Plan. This description shall include: a schedule of the implementation of programs and services outlined in the Mental Illness and Drug Dependency Action Plan; a discussion of needed resources, including staff, information and provider contracts; and milestones for implementation of the programs. The implementation plan shall address how adult drug diversion court, one of the county's therapeutic courts, may also utilize sales tax revenue for program expansion. Additionally, because the council recognizes that there is a strong correlation between sexual assault and domestic violence victimization and subsequent mental health problems, substance abuse, homelessness, incarceration and usage of the emergency medical system, the implementation plan shall include a proposal on how to integrate programs that support specialized mental health or substance abuse counseling, therapy and support groups for victims of sexual assault, victims of domestic violence and children exposed to domestic violence, provided by or in collaboration with recognized sexual assault and domestic violence services providers. A revised 2008 spending plan and financial plan for the mental illness and drug dependency fund shall be included in part two. Part two shall be developed in collaboration with the oversight group. Part two of the oversight, implementation and evaluation plan shall be submitted to the council by July 3, 2008, for council review and approval by motion. Twelve copies of the part two implementation plan to the council shall be filed with the clerk of the council, for distribution to all councilmembers and to the lead staff the law, justice and human services committee or their successors; and

3. Part Three: Evaluation Plan. Part three of the oversight, implementation and evaluation plan is an evaluation plan. Part three, the evaluation plan, shall describe an evaluation and reporting plan for the programs funded with the sales tax revenue. Part three 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.3. Part three shall be developed in collaboration with the oversight group. Part three of the oversight, implementation and evaluation plan shall be submitted to the council by August 1, 2008, for council review and approval by motion. Twelve copies of the part three 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 law, justice and human services committee or their successors.

D.1. In addition to reviewing and approving the parts one, two and three of the oversight, implementation and evaluation plan outlined in subsection C. of this section, in coordination with the oversight group, the executive shall submit four quarterly progress reports and an one annual summary report for the programs supported with the sales tax revenue to the council. The quarterly reports 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 code data for individuals served by the programs and strategies; and
- f. updated financial plan.

2.a. The quarterly reports to the council are due to the council March 1, June 1, September 1 and December 1 for council review for years one and two and thereafter, every six months.

b.(1) The annual report to the council shall be submitted to the council by April 1, for council review and acceptance by motion. The annual report shall also include:

- (a) a summary of quarterly report data;
- (b) updated performance measure targets for the following year of the programs;
- (c) recommendations on program and/or process changes to the funded programs based on the measurement and evaluation data;
- (d) recommended revisions to the evaluation plan and processes; and
- (e) recommended performance measures and performance measurement targets for each mental illness and drug dependency strategy, as well as any new strategies that are established. New or revised performance measures and performance measurement targets for the strategies shall be identified and included in the April 1, 2009, annual report and in each annual report thereafter.

3. 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 the law, justice and human services committee or its successor.

E. Concurrent with the executive's 2009 budget proposal, and for each subsequent year that the tax exists, the executive shall submit a report on program expenditures and revenue as part of the annual budget review process. The information submitted with the executive's budget shall include an annual updated financial plan and a detailed spending plan for the tax funding, as well as revenue information. The elements of an annual spending plan, at a minimum, shall include:

- 1. A detailed list of funded activities along with a budget and revenue for each activity;
- 2. A reasonable estimate of cost per unit of service of activities;
- 3. The anticipated number of service units to be provided for each activity or item;
- 4. How many individuals are estimated to be served in each activity;
- 5. Whether the activity is to be completed by the county or by a contracted provider; and
- 6. Full time equivalent or term-limited temporary employee impact if service is provided by the county.

SECTION 24. Ordinance 11992, Section 2, as amended, and K.C.C. 12.16.010 are each hereby amended to read as follows:

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

A. "Administrator" means the ~~((manager of the office of strategic planning and performance management, business relations and economic development section))~~ director of the finance and business operations division in the department of executive services.

B. "Contract awarding authority" means any person with the power to enter into a contractual arrangement binding the county and also means the particular office, agency or division on whose behalf the contract is executed. In addition, "contract awarding authority" includes, but is not limited to, the county executive, heads of county departments or offices and as delegated, division directors.

C. "Contractor" means any person, firm, business, organization, company, partnership, corporation or other legal entity, excluding real property lessors and lessees and government agencies, contracting to do business with the county including, but not limited to, public work contractors, consultant contractors, providers of professional services, service agencies, vendors, and suppliers selling or furnishing materials, equipment or goods or services.

D. "Disability" means the presence of a sensory, mental or physical impairment that is medically cognizable or diagnosable; or exists as a record or history; or is perceived to exist whether or not it exists in fact. A disability exists whether it is temporary or permanent, common or uncommon, mitigated or unmitigated, or whether or not it limits the ability to work generally or work at a particular job or whether or not it limits any other activity within the scope of this chapter.

E. "Disability access laws" means all laws requiring that county services, programs and activities be accessible by people with disabilities including Title II of the Americans with Disabilities Act, Title II of the Telecommunications Act of 1934, as amended, and Section 504 of the Rehabilitation Act of 1973, as amended.

F. (~~"Discrimination" means differential treatment of or pursuit of policies or practices that have a disproportionate impact upon persons due to their sex, race, color, marital status, national origin, religious affiliation, disability, sexual orientation, gender identity or expression or age except by minimum age and retirement provisions, unless based upon a bona fide occupational qualification.~~

G.) "Discriminate" means an action, other than an action taken in accordance with lawful equal employment opportunity efforts, or failure to act, whether by itself or as part of a practice, the effect of which is to adversely affect or differentiate between or among individuals or groups of individuals, by reasons of sex, race, color, marital status, national origin, religious affiliation, disability, sexual orientation, gender identity or expression or age except by minimum age and retirement provisions, unless based upon a bona fide occupational qualification.

G. "Discrimination" means differential treatment of or pursuit of policies or practices that have a disproportionate impact upon persons due to their sex, race, color, marital status, national origin, religious affiliation, disability, sexual orientation, gender identity or expression or age except by minimum age and retirement provisions, unless based upon a bona fide occupational qualification.

H. "Employment" means any and all terms and conditions and policies and practices of employment including, but not limited to, hiring, firing, upgrading, demotion, recruiting, transfer, lay-off, termination, pay rates and advertisement, hours and conditions of work.

I. "Equal employment opportunity" means the availability of employment and advancement of all people based on merit, capability, and potential, and without regard to an individual's sex, race, color, marital status, national origin, religious affiliation, disability, sexual orientation, gender identity or expression or age except by minimum age and retirement provisions, unless based upon a bona fide occupational qualification. "Equal employment opportunity" includes the following components: recruitment, application processing, hiring, job placement, compensation, promotion, transfer, termination and work assignment.

J. "Equal employment opportunity efforts" means active efforts to ensure equal opportunity in

employment that is free from all forms of discrimination.

K. "Equal opportunity" means a system of practices under which individuals are not excluded from any opportunity or benefits because of their sex, race, color, marital status, national origin, religious affiliation, disability, sexual orientation, gender identity or expression or age except by minimum age and retirement provisions, unless based upon a bona fide occupational qualification.

L. "Minority" or "Minorities" means a person who is a citizen of the United States and who is a member of one or more of the following historically disadvantaged racial groups:

1. Black or African American: Having origins in any of the Black racial groups of Africa;
2. Hispanic: Mexican, Puerto Rican, Cuban, Central American, South American or of other Spanish or Portuguese culture or origin (~~([, regardless of race])~~), regardless of race;
3. Asian American: Having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent or the Pacific Islands; or
4. American Indian or Alaskan Native: Having origins in any of the original peoples of North America.

M. "Permanent workforce" means those persons employed by a bidder, proposer or contractor for at least six continuous months immediately prior to the bid or proposal opening or the award of a contract by the county, and who are currently employed by the bidder, proposer or contractor.

N. "Reasonable accommodation" means steps taken to modify facilities used by employees or to modify a particular job component which enables an otherwise qualified person with a disability to perform the essential functions of the job.

O. "Sexual orientation" means male or female heterosexuality, bisexuality, or homosexuality, and includes a person's attitudes, preferences, beliefs and practices pertaining to sex.

P. "Underrepresentation" means presence in a contractor's work force of minorities, women, and persons with disabilities in a particular job category in proportionate numbers less than their representation in

the county's labor market area.

SECTION 25. Ordinance 8867, Section 1, as amended, and K.C.C. 26.12.010 are each hereby amended to read as follows:

A process is hereby established for the annual allocation of the conservation futures tax levy funds, to acquire open space lands, including green spaces, greenbelts, wildlife habitat and trail rights-of-way proposed for preservation for public use by either the county or the cities within the county. King County, cities within the county, citizen groups and citizens may make application for funds in this allocation process.

A. The county executive shall determine a date, no later than April 1, as a deadline for submission of applications for use of conservation futures tax levy funds. At least one month before the application submission deadline date, the executive shall provide all cities within the county notice of the opportunity to apply to the county for a share of the annual allocation of the conservation futures tax levy funds available for that year. Notice also shall be provided in the official county newspaper.

B. No later than March 1, the county council may adopt a motion that provides direction to the citizen oversight committee on priorities for evaluating the applications within the open space criteria identified in K.C.C. 27.02.025.

C.1. By July 15, the citizen oversight committee shall make project recommendations and recommend funding allocations for each project to the executive, including:

- a. a description of each project including project location and acreage;
- b. a report on how each project meets the county open space selection criteria, contained in K.C.C. 26.12.025; and
- c. the amount of funding requested in each project application; and
- d. any additional relevant criteria of the jurisdiction in which the potential acquisition is located.

2. The committee's recommendations are solely advisory and the executive and/or the council may adopt, alter, add to or decline to adopt all or part of the committee's recommendations in the budget process.

D. The executive's project and funding recommendation shall be included in the annual proposed appropriation ordinance for the ensuing budget year.

E.1. Except as otherwise provided in subsection E.2. and 3. of this section, any application funded by this process shall be sponsored and forwarded by the jurisdiction in which the project is located. The jurisdiction shall commit to providing a matching contribution no less than the amount of conservation futures tax levy funds appropriated for the project before conservation futures tax levy funds are reimbursed to that jurisdiction. This contribution may consist of cash, land trades with a valuation verified by an appraisal by a Member of the Appraisal Institute (MAI) certified appraiser or the cash value, excluding King County conservation futures contributions, of other open spaces acquired within the previous two years that is either directly adjacent to the project or the county concludes to be directly linked to the property under application.

2. A jurisdiction may make an application in partnership with one or more jurisdictions if the proposed project lies wholly within the boundaries of those jurisdictions, or if another reason for such a partnership is articulated within the application, such as a trail connection, a community separator or coordinated salmon habitat preservation. In such a partnership application, the relationship, roles and responsibilities for acquisition, ownership, matching contribution obligations and future maintenance must be described. If a partnership application is funded by this process, the jurisdictions shall be required to enter into an interlocal agreement with the county formalizing the relationship, roles and responsibilities for acquisition, ownership, matching contribution obligations and future maintenance.

3. For an application by a citizen or citizen group for a project in the city of Seattle, the citizen or citizen group shall commit to providing a matching contribution no less than the amount of conservation futures tax levy funds appropriated for the project. This contribution may consist of cash, in-kind voluntary contributions or land donations with a valuation verified by an appraisal by a Member of the Appraisal Institute (MAI) certified appraiser or the cash value, excluding King County conservation futures contributions, of other open spaces acquired within the previous two years that is either directly adjacent to the project or the county

concludes to be directly linked to the property under application. For a project based on an application by a citizen or citizen group, the funds shall be reimbursed to the jurisdiction in which the project is located. If a citizen or citizen group's application is funded by this process, the jurisdiction in which the project is located shall be required to enter into an interlocal agreement with the county formalizing the relationship, roles and responsibilities for acquisition, ownership, matching contribution obligations and future maintenance.

F. Conservation futures tax levy funds shall be deposited in the conservation futures fund for the purpose of administering, disbursing and accounting for conservation futures tax levy funds authorized by King County. Conservation futures tax levy funds shall be disbursed to projects previously approved by King County upon receipt and verification by King County of properly completed requests for payment of the funds. The office of ~~((management))~~ performance, strategy and budget shall prescribe the form for the requests. The disbursement requests shall be made only for capital project expenditures that include all costs of acquiring real property, including interests in real property, and the following costs, though it shall not include the cost of preparing applications for conservation futures moneys: cost of related relocation of eligible occupants; cost of appraisal; cost of appraisal review; cost of title insurance; closing costs; pro rata real estate taxes; recording fees; compensating tax; hazardous waste substances reports; directly related staff costs; and related legal and administrative costs. The city shall transmit payment to its payees for current capital project costs within five days of the receipt by the city of its requested conservation futures tax levy funds. The city shall provide a list of authorized individuals to certify requests to King County. The city is responsible for the accuracy of the payment requests and the propriety and timeliness of its disbursements following receipt of conservation futures tax levy funds. Conservation futures tax levy funds may not be used to acquire any property or interest therein through the exercise of the power of eminent domain.

G. Projects carried out by a governmental agency in whole or part with conservation futures tax levy funds shall not be transferred or conveyed except by interlocal agreement providing that the land or interest in land shall be continued to be used for the purposes of K.C.C. 26.12.005 through 26.12.025 and in strict

conformance with the uses authorized under RCW 84.34.230. Also, the land or interest in land shall not be converted to a different use unless other equivalent lands within the geographic jurisdiction of the governmental agency are received in exchange for the lands or interest in lands. This section does not prevent the grant of easements or franchises or the making of joint use agreements or other operations compatible with the use of a project as provided for in this section and authorized under RCW 84.34.230.