1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

KING COUNTY

Signature Report

December 17, 2002

Ordinance 14561

Proposed No. 2002-0363.3 **Sponsors** Sullivan

AN ORDINANCE relating to the organization of the executive branch; making technical corrections; and amending Ordinance 12075, Section 3, as amended, and K.C.C. 2.16.025, Ordinance 14199, Section 11, and K.C.C. 2.16.035, Ordinance 11955, Section 5, as amended, and K.C.C. 2.16.055, Ordinance 14005, Section 3, as amended, and K.C.C. 2.16.0755, Ordinance 14155, Section 5, and K.C.C. 2.16.07585, Ordinance 12529, Section 2, as amended, and K.C.C. 2.16.080, Ordinance 11955, Section 13, as amended, and K.C.C. 2.16.110, Ordinance 12432, Section 2, as amended, and K.C.C. 2.16.120, Ordinance 13720, Section 4, as amended, and K.C.C. 2.45.030, Ordinance 12075, Section 13, as amended, and K.C.C. 2.50.045, Ordinance 12076, Section 2, as amended, and K.C.C. 4.04.020, Ordinance 12076, Section 3, as amended, and K.C.C. 4.04.030, Ordinance 12076, Section 3, as amended, and K.C.C. 4.04.040, Ordinance 620, Section 4

(part), as amended, and K.C.C. 4.04.060, Ordinance 12076, Section 4 and K.C.C. 4.04.075, Ordinance 12076, Section 5, as amended, and K.C.C. 4.04.200. Ordinance 12076, Section 8, as amended, and K.C.C. 4.08.005, Ordinance 12076, Section 33, as amended, and K.C.C. 4.10.010, Ordinance 12076, Section 35, as amended, and K.C.C. 4.10.050, Ordinance 12076, Section 38, and K.C.C. 4.12.040, Ordinance 13983, Section 3, as amended, and K.C.C. 4.19.030, Ordinance 12045, Section 5, as amended, and K.C.C. 4.56.070, Ordinance 12394, Section 3, as amended, and K.C.C. 4.56.085, Ordinance 14214, Section 6, and K.C.C. 9.14.050, Ordinance 1709, Section 6, as amended, and K.C.C. 13.24.080, Ordinance 13147, Section 21, as amended, and K.C.C. 20.18.050, Ordinance 13274, Section 7, as amended, and K.C.C. 21A.37.070, Ordinance 13733, Section 10, as amended, and K.C.C. 21A.37.110, and Ordinance 13733, Section 15, as amended, and K.C.C. 21A.37.160.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 12075, Section 3, as amended, and K.C.C. 2.16.025 are each hereby amended to read as follows:

County executive. The county executive shall manage and be fiscally accountable for the office of management and budget((,)) and the office of ((~~regional planning and policy and the office of cultural resources~~)) business relations and economic development.

A. The office of management 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;

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

7. Performing program analysis, and contract and performance evaluation review;

8. 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

9. 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 ((~~regional planning an policy~~)) business relations and economic development functions and responsibilities shall include, but not be limited to:

1. ((~~Managing and coordinating the implementation by departments of Growth Management Act requirements;~~

~~2.~~)) Developing proposed policies to address ((~~strategic planning, regional planning,~~)) economic development ((~~and housing planning~~));

((~~3. Developing and overseeing the countywide program for implementation of the county's comprehensive plan including coordinating~~

~~a. the implementation of plans which are developed by departments;~~

~~b. the collection and analysis of land development, population, housing, natural resource enhancement, and economic activity data to aid decision making and to support implementation of county plans and programs, including benchmarks; and~~

~~c. the preparation of interlocal agreements between any combination of the county, cities and providers of necessary urban services such as sewer and water as needed to address common planning issues;~~

~~4. Coordinating county and regional planning with public and private agencies;~~

~~5.~~)) 2. Providing quarterly economic reports to the executive and the council that characterize trends in employment, unemployment, business operations including layoff warnings required under state law and other factors that are useful in understanding economic trends;

3. Establishing, fostering and maintaining healthy relations with business and industry;

4. Optimizing the value of county-controlled assets, such as the King County airport, as engines for economic growth, recognizing that it may be in the public interest to foster job creation expansion of the tax base rather than maximizing direct revenue to the county from a particular asset;

5. Managing programs and developing projects that promote economic development, assist communities and businesses in creating economic opportunities, promote a diversified regional economy, promote job creation with the emphasis on family-wage jobs and improve county asset management. A report on these activities shall be included in the quarterly report required under subsection B.2 of this section;

((~~6. Developing and managing housing programs and projects that implement Growth Management Act policies and have not been assigned to a department;~~

~~7.~~)) 6. Providing assistance to other county departments to determine if real property or other assets may be managed for economic development purposes to create jobs and expand private investment or administered in a manner that will provide additional revenue to the county;

((~~8. Managing children and family programs and provide administrative support to the children and family commission;~~

~~9.~~)) 7. Managing the boost, apprenticeship and business development programs including the following functions:

a. administering the discrimination and affirmative action in employment by contractors', subcontractors' and vendors' policies under K.C.C. chapter 12.16;

b. administering the boost program for the use of small economically disadvantaged businesses on county contracts under K.C.C. chapter 4.19; and

c. administering the federal Americans with Disabilities Act of 1990 and federal Rehabilitation Act of 1973, Section 504, policies related to obligations of contractors with the county; ((~~and~~))

((~~10.~~)) 8. Serving as the disadvantaged business enterprise liaison officer for federal Department of Transportation and other federal grant program purposes; and

9. Managing the county's landmark preservation program including the following functions:

a. administering landmark designation and regulation functions under K.C.C. chapter 20.62;

b. serving as the county's historic preservation officer under the county's certified local government agreement with the state and for federal grant program purposes;

c. administering the landmark rehabilitation and improvement loan program in partnership with local financial institutions, administering the special valuation program under chapter 84.26 RCW and assisting with the current use taxation program for cultural resources;

d. providing oversight and assistance to other county departments to ensure compliance with federal, state and local cultural resource laws; and

e. preparing and administering interlocal agreements between the county and cities related to landmark designation and protection services.

C. The executive may assign or delegate budgeting, ((~~and strategic planning~~)) business relations and economic development functions to employees in the office of the executive but shall not assign or delegate those functions to any departments.

((~~D. The office of cultural resources shall plan, manage and be responsible for administering the county cultural programs, including but not limited to arts, heritage and historic preservation.~~))

SECTION 2. Ordinance 14199, Section 11, and K.C.C. 2.16.035 are each hereby amended to read as follows:

Department of executive services. The county administrative officer shall be the director of the department of executive services ((~~shall be managed by the county administrative officer~~)). The department shall include the information and telecommunications services division, the records, elections and licensing division, the finance and business operations division, the human resources management division, the facilities management division, the administrative office of information resources management, the administrative office of risk management, the administrative office of emergency management and the administrative office of civil rights. In addition, the ((~~chief~~))county administrative officer shall be responsible for providing staff support for the board of ethics.

A. The duties of the information and telecommunications services division shall include the following:

1. Designing, developing, operating, maintaining and enhancing computer information systems for the county and other contracting agencies, except for geographic

information systems, which shall be administered by the department of natural resources and parks;

2. Managing the cable communications provisions set forth in K.C.C. chapter 6.27A;

3. Negotiating and administering cable television and telecommunication franchises ((~~pursuant to~~)) under K.C.C. chapter 6.27;

4. Providing telephone system design, installation, maintenance and repair;

5. Managing and operating the centralized printing and graphic arts services;

6. Providing internal communications and public information services including setting standards for and preparing informational publications, except to the extent to which the council decides, as part of the annual appropriation ordinance, to fund selected departmental level internal communications and public information services in certain departments or divisions; and

7. Administering the emergency radio communication system under K.C.C. chapter 2.58, but not including the radio communication and data system operated and maintained by the department of transportation.

B. The duties of the records, elections and licensing services division shall include the following:

1. Conducting all special and general elections held in the county and registering voters;

2. 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;

3. Enforcing county and state laws relating to animal control;

4. Managing the recording, processing, filing, storing, retrieval((,)) and certification of copies of all public documents filed with the division as required((, ~~of all public documents filed with the division~~));

5. Processing all real estate tax affidavits;

6. Acting as the official custodian of all county records, ((~~per~~)) as required by general law, except as otherwise provided by ordinance; and

7. Managing the printing and distribution of the King County Code and supplements to the public.

C. 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 ((~~such~~)) 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 ((~~such~~)) 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.

D. 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 ((~~administer~~)) administering adopted policies and procedures for employment (recruitment, examination and selection), classification and compensation, and salary administration;

3. Developing proposed and administering adopted human resources policy;

4. Providing technical and human resources information services support;

5. ((~~Administering insured and noninsured benefits programs, including health care benefits, leave programs, deferred compensation and other special benefits, such as dependent care assistance and wellness and work/family programs~~)) Developing and managing insured and noninsured benefits programs, including proposing policy re

commendations, 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. Representing county agencies in the collective bargaining process as required by chapter 41.56 RCW;

10. Representing county agencies in labor arbitrations, appeals and hearings including those ((~~set forth~~)) in chapter 41.56 RCW and required by K.C.C. Title 3;

11. Administering labor contracts and ((~~provide~~)) providing consultation to county agencies regarding the terms and implementation of negotiated labor agreements;

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

13. Providing labor relations training for county agencies, the executive, the council and others;

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

15. Developing and maintaining databases of information relevant to the collective bargaining process; and

16. 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. 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. ((~~A~~))administering professional services and construction contracts;

b. ((~~A~~))acting as the county's representative during site master plan, design and construction activities;

c. ((~~M~~))managing county funds and project budgets related to capital improvement projects;

d. ((~~A~~))assisting county agencies in the acquisition of appropriate facility sites;

e. ((~~F~~))formulating guidelines for the development of operational and capital improvement plans;

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

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

h. ((E))ensuring the conformity of capital improvement plans with the adopted space plan and approved operational master plans;

i. ((D))developing project cost estimates that are included in capital improvement plans, site master plans, capital projects and annual project budget requests;

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

k. ((C))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. ((P))providing engineering support on capital projects to user agencies as requested and for which there is budgetary authority; and

m. ((P))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. 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. 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. 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.

I. The duties of the ((~~administrative~~)) office of information resource management shall include the ((~~following:~~)) duties in K.C.C. 2.16.0755.

((~~1. Identifying and establishing short-range, mid-range and long-range objectives for information technology investments in the county;~~

~~2. Preparing and recommending for council approval a county information technology strategic plan and annually updating the plan;~~

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

~~4. Recommending technical standards for the purchase, implementation and operation of computing hardware, software and networks as part of the county's strategic planning process;~~

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

~~6. Recommending information technology service delivery models for the information and telecommunications services division and the county's satellite information technology centers;~~

~~7. Establishing a standard process for information technology project management, including requirements for project initiation and review, parameters for agency contracts with information technology vendors, and reporting requirements to facilitate monitoring of project implementation;~~

~~8. Establishing criteria for determining which information technology projects will be monitored centrally;~~

~~9. Monitoring project implementation when projects meet the established criteria;~~

~~10. Releasing the funding for each phase of those projects subject to central oversight based on successful reporting and completion of milestones;~~

~~11. Recommending budgetary changes in the funding of information technology projects to the executive and council, as appropriate;~~

~~12. Recommending project termination, as appropriate;~~

~~13. Conducting post-implementation information technology project review;~~ ~~and~~

~~14. Reporting annually on information technology performance to the executive and the council.~~))

SECTION 3. Ordinance 11955, Section 5, as amended, and K.C.C. 2.16.055 are each hereby amended to read as follows:

Department of development and environmental services - duties - divisions.

A. The department of development and environmental services is responsible to manage and be fiscally accountable for the building services division, land use services division, and administrative services division. The director of the department shall be the county planning director, building official, fire marshal((,)) and zoning adjuster((,)) and the responsible official for purposes of administering the ((S))state Environmental Policy Act, and may delegate those functions to qualified subordinates. The department shall be responsible for regulating the operation, maintenance and conduct of county-licensed businesses, except taxicab and for-hire drivers and vehicles. The department shall be responsible for managing and coordinating the implementation of Growth Management Act requirements, coordinating county and regional land use planning with public and private agencies, developing proposed policies to address regional land use planning and developing and overseeing the countywide program for implementation of the county's Comprehensive Plan including coordinating the implementation of plans that are developed by departments.

B. The building services division shall be responsible for ensuring consistent and efficient administration of environmental, building and land use codes and regulations for commercial and residential projects by means of permit review and approval, construction inspections and public information. The duties of the division shall include the following:

1. Permit center and public information;

2. Building plan and application review, including fire, fire-flow, building, mechanical, barrier-free, energy, security and other uniform code reviews;

3. Site review, including engineering and sensitive areas review of permit applications;

4. Inspections, including new-construction inspections for compliance with site, fire and building code requirements; and

5. Pursue and resolve code violations, including preparing for administrative or legal actions, evaluating the division's success in obtaining compliance with King County rules and regulations and designing measures to improve compliance.

C. The land use services division shall be responsible for the effective processing and timely review of land development proposals, including zoning variance and reclassification, master drainage plans, variances from the surface water design manual and the King County road standards, sensitive area, subdivision, right-of-way use, urban planned development, clearing and grading, shoreline, special use and conditional use applications. The duties of the division shall include the following:

1. Permit center and public information;

2. Plan review, including the review of applications for compliance with shorelines, sensitive areas, subdivision and other zoning regulations, road standards and variances from the surface water design manual, as well as community plans and utility comprehensive plans;

3. Engineering review and inspection, including the review of clearing and grading applications and review of engineering plans for compliance with adopted road and drainage standards and specifications;

4. Development inspection, including inspection of construction activity to ensure compliance with approved plans and codes;

5. Develop and assist in implementing local and subarea specific plans for urban and rural areas, consistent with the ((~~c~~))Comprehensive ((~~p~~))Plan;

6. Develop proposed policies to address long-range comprehensive land use planning and analyze and provide proposed updates to the ((~~c~~))Comprehensive ((~~p~~))Plan on an annual basis;

7. Develop proposed county plans, programs and policies and implement regulations on environmental issues, including environmentally sensitive areas and mineral resources((~~;~~)), and serve as the contact for cities and agencies, providing appropriate research in support of county initiatives on these issues;

8. Administer the ((~~S~~))state Environmental Policy Act and act as lead agency, including making the threshold determinations, determining the amount of environmental impact and reasonable mitigation measures((~~,~~)) and coordinating with other departments and divisions in the preparation of county environmental documents or in response to environmental documents from other agencies; and

9. Monitor the cumulative effects of the county's ((~~e~~))Comprehensive ((~~p~~))Plan and other plans, policies and laws intended to protect natural and community resources while permitting development and growth, and providing periodic status reports to the executive and council.

D. The administrative services division shall provide support services throughout the department, including personnel and payroll support, budget support, financial services, information services, facilities management and support((~~,~~)) and records management and program analysis services.

SECTION 4. Ordinance 14005, Section 3, as amended, and K.C.C. 2.16.0755 are each hereby amended to read as follows:

Office of information resource management – chief information officer.

A. The office of information resource management shall be directed by a chief information officer (CIO). The CIO shall be appointed by the executive and confirmed by the council. The CIO shall report to the county executive and advise all branches of county government on technology issues. ((~~The CIO shall report to the county administrative officer on administrative and management matters.~~)) The CIO shall provide vision and coordination in technology management and investment across the county. The CIO shall attend regular((~~ly~~)) executive cabinet meetings as a non-voting member and advisor on technology implications of policy decisions. The CIO shall meet regularly with business managers for the assessor, council, prosecutor, superior court, district court and sheriff to advise on technology implications of policy decisions. The CIO shall advise all county elected officials, departments and divisions on technology planning and project implementation.

B. The duties of the CIO also shall include the following:

((~~A.~~)) 1. Overseeing the information technology strategic planning office and production of a county information technology strategic plan and annually updating the plan;

((~~B.~~)) 2. Overseeing the central information technology project management office and monitoring of approved technology projects;

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

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

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

((~~F.~~)) 6. Recommending information technology service delivery models for the information and telecommunications services division and the county's satellite information technology centers;

7. Identifying and establishing short-range, mid-range and long-range objectives for information technology investments in the county;

8. Establishing a standard process for information technology project management, including requirements for project initiation and review, parameters for agency contracts with information technology vendors, and reporting requirements to facilitate monitoring of project implementation;

9. Establishing criteria for determining which information technology projects will be monitored centrally;

10. Monitoring project implementation when projects meet the established criteria;

11. Releasing the funding for each phase of those projects subject to central oversight based on successful reporting and completion of milestones;

12. Recommending budgetary changes in the funding of information technology projects to the executive and council, as appropriate;

13. Recommending project termination, as appropriate;

14. Conducting post-implementation information technology project review;

((~~G.~~)) 15. Managing the internal service fund of the office of information resource management; and

((~~H.~~)) 16. Providing annual performance review to the executive and council.

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

Project review board.

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 ((~~King County~~)) chief information officer, the assistant ((~~deputy~~)) county executive operations I, the

((~~budget~~)) director of the office of management and budget and the director of the department of ((~~information and administrative~~)) 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 endorsements.

((~~E. Members of the project review board shall serve without compensation.~~))

SECTION 6. Ordinance 12529, Section 2, as amended, and K.C.C. 2.16.080 are each hereby amended to read as follows:

Seattle-King County department of public health.

A. ((~~Department established.~~)) Since 1951, the city of Seattle and the county have jointly financed and operated a city-county health department. As of January 1, 1981, the city of Seattle and the county established a combined city-county health department known as the Seattle-King County department of public health under chapters 70.05 and 70.08 RCW and certain city ordinances and county resolutions and ordinances. The director of the department shall be jointly appointed by the mayor of the city and the county executive, subject to confirmation by the city and county councils, and may be removed by the county executive, after consultation with the mayor, upon filing a

statement of the reasons therefor with the city and county councils as authorized by RCW 70.08.040. The director shall be responsible for the management of the department.

B. ((~~Responsibilities of the department.~~)) As provided in the agreement between King County and the city of Seattle entitled "1996 Agreement Regarding the Seattle-King County Department of Public Health" approved by the county council by Motion 9999, the department shall be responsible for providing a functionally integrated set of services and programs that are fully responsive to urban, suburban city and ((~~nonincorporated~~)) unincorporated communities. The department shall achieve and sustain healthy people and healthy communities throughout King County by providing public health services ((~~which~~)) that promote health and prevent disease, including, but not limited to: providing needed or mandated prevention or intervention services to address individual and community health concerns; assessing and monitoring the health status of communities; preventing disease, injury, disability and premature death; promoting healthy living conditions and healthy behaviors; and controlling and reducing the exposure of individuals and communities to environmental or personal hazards. The department shall assess the health of King County residents and communities, facilitate planning to develop responses to issues which affect the public's health((~~,~~)) and evaluate the effectiveness of programs and initiatives which address these issues. The department shall include an emergency medical services division, an environmental health division, a prevention division, a community oriented primary care division, an alcohol, tobacco and other drug abuse prevention division, an administrative services division and regional services areas. The department shall manage children and family programs and shall provide administrative support to the children and family commission.

C. ((~~Emergency medical services division.~~)) To fulfill the purpose of reducing death and disability from accidents, acute illness, injuries and other medical emergencies, the duties of the emergency medical services division shall include the following:

1. Track and analyze service and program needs of the emergency medical services system in the county, and plan and implement emergency medical programs, services and delivery systems based on uniform data and standard emergency medical incident reporting;

2. Set standards for emergency medical services training and implement emergency medical service personnel training programs, including, but not limited to, public education, communication and response capabilities and transportation of the sick and injured;

3. Coordinate all aspects of emergency medical services in the county with local, state and federal governments((,)) and other counties, municipalities and special districts for the purpose of improving the quality and quantity of emergency medical services and disaster response in King County; and

4. Analyze and coordinate the disaster response capabilities of the department.

D. ((~~Environmental health division~~)). The duties of the environmental health division shall include the following:

1. Inspect and monitor regulated facilities to ensure compliance with public health codes, rules and regulations;

2. Investigate complaints or special programs, such as disease outbreaks, sewage spills or toxic spills, identified by the public, the media or public officials;

3. Advise or educate the public on health risks associated with environmental hazards; and

4. Enforce public health codes, rules and regulations within the jurisdictions of the division.

E. ((~~Prevention division.~~)) The duties of the prevention division shall include the following:

1. Reduce the public's exposure to communicable diseases through surveillance and outbreak investigation;

2. Lower the occurrence of chronic diseases, injury and violence in the community through strategies which reduce the frequency of risk factors for these conditions;

3. Promote and provide public education and research in the development of prevention models;

4. Perform specific public health services including vital statistics and laboratory functions; and

5. Perform medical examiner and statutory coroner duties, except for the holding of inquests, which function is vested in the county executive.

F. ((~~Community oriented primary care division.~~)) The community oriented primary care division shall focus the department's clinical leadership, health services and expertise and strengthens quality systems and effective care partnerships with government, business and community-based organizations. To maintain the community health care system, the duties of the division shall include the following:

1. Develop benchmarks of service quality, clinical guidelines and standards of excellence for the health department;

2. Provide leadership and coordination with health care providers, government agencies, ((~~business~~)) businesses and community groups in the provision of primary health services to at-risk populations in King County;

3. Develop, implement and monitor a systematic, comprehensive system of health service delivery in King County ((~~which~~)) that improves health outcomes by connecting community-based intervention and strategies with the health care of individuals;

4. Develop responsive service delivery and access mechanisms to meet the changing health care needs of at-risk populations in King County; and

5. Provide basic primary care services to detainees of the King County adult detention facilities.

G. ((~~Alcohol, tobacco and other drug abuse prevention division.~~)) The duties of the alcohol, tobacco and other drug abuse prevention division shall include the following:

1. Administer, staff and provide technical expertise to department programs related to the prevention of alcoholism and substance abuse;

2. Provide prevention services on alcoholism and other drug addictions under federal and state laws and King County ordinances;((~~and~~))

3. Link and integrate alcohol, tobacco and other drug abuse interventions with public health functions and activities; and

4. Provide for the delivery of alcohol, tobacco and other drug abuse services in correctional facilities.

H. ((~~Administrative services division.~~)) The duties of the administrative services division shall include the following:

1. Provide administrative and technical support to the department;

2. Oversee the administrative systems and activities of the department; and

3. Provide general support within the department as authorized elsewhere in this chapter.

I. ((~~Regional service areas.~~)) In addition to divisions, the department shall be organized into regional service areas that will directly provide department activities, services and programs within identified geographic boundaries in the county.

SECTION 7. Ordinance 11955, Section 13, as amended, and K.C.C. 2.16.110 are each hereby amended to read as follows:

Appointment and confirmation of exempt officials.

A. The county executive shall appoint the county administrative officer and the director of each executive department, except the departments of assessment, public safety and judicial administration. The county executive shall also appoint the ((~~manager~~))division director of the youth detention facility through a competitive search process that includes participation by the superior court judges.

B. The county administrative officer shall appoint the division ((~~managers~~))directors and chief officers of each administrative office in the department of executive services((~~, except the chief information officer~~)).

C. The director of each executive department, at the discretion of the county executive, shall appoint exempt employees of his or her department as provided in Section 550 of the King County Charter.

D.1. All appointments by the county executive shall be subject to confirmation by a majority of the county council except exempt personnel assigned to his or her personal staff.

2. All appointments to positions of division ((~~manager~~))director or chief officer of an administrative office not made by the county executive shall be subject to approval by the county executive.

E.1. All individuals appointed by the county executive, under Section 340.40 of the King County Charter, shall serve in an acting capacity, unless confirmed by the council. The executive is authorized to appoint a person to serve in an acting capacity to fill a position requiring council confirmation for a period of no greater than one hundred fifty days. The executive shall notify the council within ninety days concerning the status of his or her search for qualified candidates for appointment to the vacant position. Thereafter, the individual may continue serving in an acting capacity for successive sixty-day periods only with approval by motion of the county council. The council shall grant at least one successive sixty-day extension if the executive certifies to the council's satisfaction that the executive is actively pursuing a search for qualified candidates for appointment to the vacant position. If no appointment is transmitted to the council for confirmation during the authorized period, the position shall be considered vacant for purposes of exercise of any authority given to the position ((~~pursuant to~~)) under ordinance and no salary shall be paid for the position while it is so vacant.

2. Within seven calendar days of any executive appointment that is subject to council confirmation, the executive shall deliver written notice of said appointment to the council accompanied by a proposed motion confirming the appointment.

3. Upon the receipt of the notification by the executive of an appointment, accompanied by the proposed motion, the council shall act to consider confirmation of the appointment within ninety days. Approval of the introduced motion by a majority of the council shall constitute confirmation of the appointee. Once confirmed, the appointee is no longer serving in an acting capacity.

4. In considering the confirmation of executive appointments to offices of management level responsibility, the council shall base its review on the ability of the appointee to meet the following criteria:

a. a demonstrated reputation for integrity and professionalism;

b. a commitment to and knowledge of the responsibilities of the office;

c. a history of demonstrated leadership, experience and administrative ability;

d. the ability to work effectively with the executive, the council, other management, public agencies, private organizations and citizens; and

e. a demonstrated sensitivity to and knowledge of the particular needs and problems of minorities and women.

5. The appointee, ((~~prior to~~)) before review of the appointment by the council, shall submit to the chair of the council:

a. a full and complete resume of his or her employment history, to include references attesting to the stated employment experiences; and

b. a signed statement acknowledging that the council's confirmation process may require the submittal of additional information relating to the background and expertise of the appointee.

6. Upon receipt of an executive appointment, the chair or his or her delegate, subject to the council's rules of procedure, shall notify council members of the appointment and attempt to allow a minimum of one work week for individual members to submit written questions to the reviewing committee.

It is understood that written inquiries submitted to the reviewing committee, by individual council members, may require a written response from the appointee or the executive, in matters pertaining to the process of appointment and other pertinent employment policies of King County.

SECTION 8. Ordinance 12432, Section 2, as amended, and K.C.C. 2.16.120 are each hereby amended to read as follows:

Department of adult and juvenile detention -- duties -- divisions.

A.1. The department of adult and juvenile detention is responsible to manage and be fiscally accountable for the Seattle division, ((~~and~~)) the Kent division, ((~~and~~)) the juvenile division, the community corrections division and the administrative services division, ((~~all three~~)) each of which shall have equal standing within the department. Through the Seattle division and the Kent division, the department shall operate the King County adult correctional facility and the security operation of the work and education release unit in Seattle and the Regional Justice Center adult correctional facility in Kent. Through the juvenile division, the department shall operate the county's juvenile detention facility. ((~~In addition,~~)) Through the community corrections division, the department ((~~is responsible for~~)) shall administer programs that provide alternatives to confinement in the adult correctional facilities, as well as services and support functions directed toward reduction of the adult correctional facilities' populations. Through the

administrative services division, the department shall administer personnel operation, budget and fiscal operations and other central support services for the department. In addition, the administrative services division shall be responsible for the administration and monitoring of jail health expenditures and services through a jail health levels of service agreement and contract with its health services contractor. The division shall monitor the provision of health care services and is responsible for ensuring that minimum inmate health care needs are met and monitoring the cost-containment provisions for both operational and health care related costs.

2. The judges of the superior court have final authority for approval of all screening criteria ((~~including participation in any~~)) for admission to the juvenile detention facility and alternatives to confinement ((~~for~~)) in the juvenile detention facility. The department shall implement such criteria approved by the superior court related to the juvenile detention facility. The department shall implement the criteria approved by the superior and district courts related to adult detention facilities and alternatives to confinement.

B. The duties of the Seattle division and the Kent division shall include the following:

1. House adult persons who are any combination of arrested for, charged for or held on investigation of a criminal offense;

2. House adult persons during trial, and before sentencing after conviction;

3. House adult persons serving sentences not exceeding one year;

4. Maintain records and process and identify property of persons confined or committed to correctional facilities operated by the division;

5. Perform functions related to residential and building security, including supervision of persons confined or committed to correctional facilities operated by the division;

6. Transport confined or committed adult persons to and from court and provide secure escort of those persons outside the facilities;

7. Provide nutritional meals daily to confined or committed adult persons, including preparation of special meals in response to medical and religious requirements;

8. Provide health care to confined or committed adult persons in conjunction with the Seattle-King County department of public health ((~~department~~)), including medical, dental and psychiatric care;

9. Provide social services to and for confined or committed adult persons, including, but not limited to, the following: classifying those persons; evaluating mentally ill or developmentally disabled confined or committed persons, including referral to available community programs; reviewing those persons with psychiatric problems; reviewing other special population groups; providing general population group management; and providing outside agency access to those persons including special visitation, library, recreational and educational services; and

10. Ensure compliance with laws and regulations applicable to the management and operation of the correctional facilities.

C. The principle function of the juvenile division is to operate the county's juvenile detention facility in a safe, secure and humane manner as prescribed by state law and court rules. The juvenile division shall administer alternatives to secure detention as approved by the court, a school program, a health program and other related programs.

The juvenile division shall be operated in a manner ((~~which~~)) that will give reasonable access to the defense bar, juvenile probation counselors and social service providers and educators, consistent with appropriate security measures and public safety.

D. ((~~All~~)) The duties of the administrative services division shall include administering personnel operations, budget and fiscal operations and other central support services involving ((~~staff members of the Seattle, Kent and juvenile~~)) all divisions ((~~shall be administered within a division of administrative services~~)) in the department to ensure consistency and efficiency of operations. The department's ((~~chief of administration~~))director the administrative services division shall oversee these operations and services, and the operations and services shall conform to county policies and procedures and to department guidelines and practices.

NEW SECTION. SECTION 9. There is hereby added to K.C.C. chapter 2.16 a new section to read as follows:

Community corrections division.

A. The community corrections division is established as a subordinate administrative office under King County Charter Section 350.10. The division manager shall be subject to the provisions of King County Charter Section 340, requiring that the appointed division manager be subject to council confirmation. The department shall provide administration, analytic, and other support to the division.

B. The duties of the community corrections division shall include:

1. Based on screening criteria approved by the superior and district courts, implementation of alternatives to adult detention, including, but not limited to, electronic home detention, work and education release, day and evening reporting and work crews;

2. Assessment of the needs of adult persons placed in alternatives to detention; and

3. Contracting with private nonprofit community agencies to provide services for relicensing offenders.

SECTION 10. Ordinance 13720, Section 4, and K.C.C. 2.45.030 are each hereby amended to read as follows:

Membership – terms and nonvoting ex officio members.

A. The commission must consist of nineteen voting members and shall consist of one member nominated by each councilmember. Councilmembers must provide the executive with a recommendation to represent their council district. If the executive does not appoint a person that has been recommended by the councilmember, the executive must request that the councilmember nominate another candidate for appointment. Six members of the commission shall be appointed by the executive.

B. In making appointments to the commission, an effort should be made to assure that the following categories of recreation are considered: field sports, court sports, aquatic recreation, hobby groups, specialized recreation for persons with disabilities and any other sport which requires facilities or fields. Additionally, one or more representatives of local youth groups should be included on the commission membership. Councilmembers may recommend candidates for appointment who are under the age of eighteen. Commission membership shall be monitored by the director of the department of natural resources and parks ((~~and recreation~~)) and the director shall provide councilmembers with recommendations on which recreation categories are not represented on the commission and which categories should receive priority

consideration for appointment. The director((s)) of the King County department of natural resources and parks ((~~and recreation, and the office of regional policy and planning~~)), a representative from a local law enforcement agency, and a representative of King County council's natural resources, parks and open space committee may serve as nonvoting ex officio members of the commission.

C. All appointees should have a working knowledge of parks and recreation, a strong commitment to promote recreation in King County, the ability to work with differing viewpoints to find solutions to complex problems and a willingness to commit the time necessary to attend commission meetings and activities.

SECTION 11. Ordinance 12075, Section 13, as amended, and K.C.C. 2.50.045 are each hereby amended to read as follows:

Staffing. The ((~~office of regional planning and policy~~)) Seattle-King County department of public health shall have lead responsibility, within available resources, for staffing the commission. Staff ((~~for the office will~~)) from the department shall respond to the chair of the commission, assisting in the preparation of agendas, securing information and statistics as requested or required for commission projects, keeping members informed about meetings and tasks, communicating with the executive office about appointments of new members as needed and working with the commission to ((~~insure~~)) ensure the intent of this chapter is fulfilled.

SECTION 12. Ordinance 12076, Section 2, as amended, and K.C.C. 4.04.020 are each hereby amended to read as follows:

Definitions. The following terms as used in this chapter shall, unless the context clearly indicates otherwise, have the respective meanings in this section.

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

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

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

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

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 during which an allotment is effective.

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

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

I. "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.

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

K. "Budget document" means a formal, written, comprehensive financial program presented by the executive to the council.

L. "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.

M. "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.

N. ((~~"Chief budget and strategic planning officer" means the individual designated by the executive to perform the budgeting and strategic planning functions assigned to the executive under K.C.C. chapter 2.16.~~

~~O.~~)) "CIP" means capital improvement program.

((~~P.~~)) O. "CIP exceptions notification" means, except in the case of roads, wastewater and surface water management CIP projects, a letter transmitted to the chair of the council finance committee, or its successor committee, which describes changes to an adopted CIP project's scope and/or schedule or total project cost and, with the exception of schedule changes, shall be sent in advance of any action. For road CIP projects, "exceptions notification" means a letter transmitted to the chair of the transportation committee, or its successor committee, which describes changes of fifteen percent or more to an adopted CIP project's scope and/or schedule or total project costs and, with the exception of schedule changes, shall be sent in advance of any action. For wastewater

and surface water management CIP projects, "exceptions notification" means a letter transmitted to the chair of the budget and fiscal management committee, or its successor committee, and 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 and/or schedule or total project costs and, with the exception of schedule changes, shall be sent in advance of any action.

((~~Q.~~)) P. "Construction" means funds budgeted for CIP project construction including contract construction, contract inspection and testing and, as appropriate, construction tasks performed by county forces.

((~~R.~~)) Q. "Contingency" means funds budgeted for unanticipated CIP project costs associated with any other project activities.

((~~S.~~)) R. "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.

((~~T.~~)) S. "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.

((~~U.~~)) T. "Council" means the county council of King County.

((~~V.~~)) U. "County force design" means funds budgeted for CIP project design or design review by county personnel.

((~~W.~~)) V. "County force right of way" means funds budgeted for real property costs associated with CIP land acquisition.

((~~X.~~)) W. "Deficit" means the excess of expenditures over revenues during an accounting period, or an accumulation of such excesses over a period of years.

X. "Director" means the director of the office of management and budget.

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

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

AA. "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.

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

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

DD. "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 period.

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

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

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

HH. "Object of expenditure" means a grouping of expenditures on the basis of goods and services purchased (e.g., salary and wages).

II. "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.

JJ. "Operational master plan" means a comprehensive plan for an agency setting forth how the organization will operate now and in the future. It 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. This plan shall also address how the organization would respond in the future to changed conditions.

KK. "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.

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

MM. "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. This plan shall indicate when a site master plan is required for a project.

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

OO. "Quarterly management and budget report" means a report prepared quarterly by the ((~~chief budget and strategic planning officer~~)) director for major operating and capital funds, which:

1. ((~~p~~))Presents executive revisions to the adopted financial plan or plans ((~~and~~));

2. ((i))Identifies significant deviations in agency workload from approved levels ((and));

3. ((i))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.

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

QQ. "Regulations" means the polities, 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.

RR. "Revenue" means the addition to assets which does not increase any liability, nor represent the recovery of an expenditure, nor the cancellation of certain liabilities on a decrease in assets nor a contribution to fund capital in enterprise and intragovernmental service funds.

SS. "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.

TT. "Scope change" means, except in the case of roads, surface water management and wastewater CIP projects, a CIP project's scope is changed if total project cost increases by ten percent or by fifty thousand dollars, whichever is less. A roads, surface water management or wastewater CIP project's scope is changed if the total project cost increases by fifteen percent.

UU. "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.

VV. "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.

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

XX. "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.

YY. "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.

SECTION 13. Ordinance 12076, Section 3, as amended, and K.C.C. 4.04.030 are each hereby amended to read as follows:

Contents of the budget document. The budget documents shall include, but not be limited to, data specified in this chapter.

A. The budget shall set forth the complete financial plan for the ensuing fiscal year showing planned expenditures, and the sources of revenue from which they are to be financed.

1. The budget document shall include the following:

a. estimated revenue by fund and by source from taxation;

b. estimated revenues by fund and by source other than taxation;

c. actual receipts for first six months (January 1 through June 30) of the current fiscal year;

d. actual receipts for the last completed fiscal year by fund and by source;

e. estimated fund balance or deficit for current fiscal year by fund; and

f. such additional information dealing with revenues as the executive and council shall deem pertinent and useful.

2. The budget document shall include the following:

a. tabulation of expenditures in a comparable form by fund, program project, and/or object of expenditure for the ensuing fiscal year;

b. actual expenditures for the first six months (January 1 through June 30) of the current year;

c. actual expenditures for the last completed fiscal year;

d. the appropriation for the current year; and

e. such additional information dealing with expenditures as the executive and council shall deem pertinent and useful.

3. All capital improvement projects and appropriations shall be authorized only by inclusion in the annual council adopted CIP or any amendment thereto. A bond ordinance is not an appropriation for capital projects. The capital improvement section of the budget shall include:

a. estimated expenditures for at least the next six fiscal years by program;

b. expenditures planned for current, pending, or proposed capital projects during the fiscal year, classified according to proposed source of funds whether from bonds, or any combination of other local, state, federal and private sources;

c. an alphabetic index to enable quick location of any project contained in the budget;

d. a discrete number for each project which shall serve to identify it within the capital budget document, and all accounting reports;

e. estimated net annual operating costs associated with each project upon completion or in cases where operating costs are negligible or incalculable, a statement to that effect;

f. an identification of all CIP projects by council district in which they are located;

g. CIP projects funded in the budget year shall be presented in a separate section of the budget, or otherwise distinctively identified from five year CIP program of future planned projects and any previously funded projects. However:

(1) roads CIP projects shall be presented in the six-year road CIP program;

(2) the appropriation for roads projects shall be made at the roads CIP fund level in accordance with K.C.C. 4.04.270;

(3) wastewater CIP projects shall be presented in the six-year wastewater CIP program;

(4) the appropriation for wastewater CIP projects shall be made at the wastewater CIP fund level in accordance with K.C.C. 4.04.280;

(5) surface water management CIP project shall be presented in the six-year surface water management CIP program; and

(6) the appropriation for surface water management CIP projects shall be made at the surface water management CIP fund level in accordance with K.C.C. 4.04.275;

h. in addition to schedule requirements, a statement of purpose and estimated total cost for each project for which expenditures are planned during the ensuing fiscal year;

i. the original project cost estimate which shall remain fixed from year to year. This original cost estimate shall be included in the capital budget document. A project record, separate from the budget document, shall be provided which identifies the original project cost estimate and any subsequent changes thereto by cost element and revenue source as approved in the budget document or any amendment to the budget;

j. an enumeration of revised project cost estimates;

k. funds actually expended for projects as of June 30 of the current year;

l. funds previously authorized for the project;

m. anticipated specific cost elements within each project. However, the executive is authorized to transfer funds between specific activities within the same project provided that, these transfers will not result in a necessary increase to the total project budget. A change in scope of a project constitutes a revision. A CIP project scope change shall be included in the CIP exceptions notification if total project costs increase by ten percent or by fifty thousand dollars, whichever is less; or if the schedule deviates by three months. For parks CIP projects, a CIP exceptions notification shall be transmitted in advance to the chair of the council finance committee, or its successor committee, when fifty thousand dollars or more or funds in excess of ten percent or more of total project costs, whichever is less, are to be transferred from a contingency project to a CIP project. For roads CIP projects, a CIP exceptions notification shall be transmitted in advance to the council transportation chair when contingency funds in excess of fifteen percent or more of total project costs are to be transferred. For wastewater and surface water management CIP projects, a CIP exceptions notification shall be transmitted in advance to the chair of the budget and fiscal management

committee, or its successor committee, and chair of the utilities committee, or its successor committee, when contingency funds in excess of fifteen percent or more of total project costs are to be transferred;

n. individual allocations by cost element for each capital project; and

o. when a single fund finances both operating expenses and capital projects, there shall be separate appropriations therefrom for the operating and the capital sections of the budget.

B.1. The budget message shall explain the budget in fiscal terms and in terms of goals to be accomplished and shall relate the requested appropriation to the Comprehensive Plan of the county.

2. The total proposed expenditures shall not be greater than the total proposed revenue. However, this requirement shall not prevent the liquidation of any deficit existing on January 1, 1996.

3. If the estimated revenues in the current expense, special revenue, or debt service funds for the next ensuing fiscal period, together with the fund balance for the current fiscal period exceeds the applicable appropriations proposed by the executive for the next ensuing fiscal period, the executive shall include in the budget document recommendations for the use of the excess for the reduction of indebtedness, for the reduction of taxation or for other purposes as in his or her discretion shall serve the best interests of the county.

4. If, for any applicable fund, the estimated revenues for the next ensuing period plus fund balance shall be less than the aggregate of appropriations proposed by the executive for the next ensuing fiscal period, the executive shall include in the budget

document his or her proposals as to the manner in which the anticipated deficit shall be met, whether by an increase in the indebtedness of the county, by imposition of new taxes, by increase of tax rate or in any like manner.

C.1. Justification for revenues and expenditures shall be presented in detail when necessary to explain changes of established practices, unique fiscal practices and new sources of revenue or expenditure patterns or any data the executive deems useful to support the budget. The following are included:

a. nonbudgeted departments and programs expenditures and revenues; that is, intragovernmental service funds;

b. historical and projected agency workload information; and

c. brief explanation of existing and proposed new programs, as well as the purpose and scope of agency activities.

2. Capital improvement program data shall include but not be limited to the streets and highway programming process, which shall specify priorities, guide route establishments, select route design criteria and provide detailed design information for each road or bridge project.

D.1. The department of transportation shall submit a request for CIP project funding, which shall specify project funding levels on a project by project basis, but which shall be appropriated at the road CIP fund level, stated as an aggregate of individual projects for the budget year in question in accordance with K.C.C. 4.04.270. The ((~~chief budget and strategic planning officer~~)) director shall annually review and forecast recommended roads CIP projects to the executive.

2. For projects where a determination of environmental significance has been made pursuant to the state Environmental Policy Act, a study or environmental impact statement or declaration of no significant impact will be prepared by the responsible official. For a determination of environmental significance to be made, the proposal should be at a sufficient stage of contemplation or planning that its principal features can be reliably identified in terms of alternative locations, size, quantities of natural resources involved, changes in land use and general areas of the community and population that may be affected.

3. The executive and council may require other data that they deem necessary, which may include objects of expenditure and other expenditures categories.

E.1. Beginning with budget year 2002, the department of natural resources and parks shall submit a request for CIP project funding, which shall specify project funding levels on a project by project basis, but which shall be appropriated at the wastewater CIP fund level, stated as an aggregate of individual projects, including subprojects, for the budget year in question in accordance with K.C.C. 4.04.280. Except for multiyear construction contracts and carryover amounts approved during the annual CIP reconciliation process, appropriations shall be for one year. All construction contracts including multiyear construction contracts shall be appropriated for the full construction amount in the first year. Any multiyear construction contracts longer than three years must be specifically identified in the department of natural resources and parks wastewater CIP budget request. The request for CIP project funding for wastewater asset management shall include categories of wastewater asset management projects. Wastewater asset management projects shall be appropriated annually at the category

level. The executive-proposed CIP shall allocate anticipated expenditures for each wastewater asset management project category as part of the six-year wastewater CIP. For each category, a proposed project list will be appended. The ((~~chief budget officer~~)) director shall annually review and forecast recommended wastewater CIP projects to the executive.

2. Subsection D.2 and 3 of this section also applies to the wastewater CIP development process.

F.1. Beginning with budget year 2003, the department of natural resources and parks shall submit a request for CIP project funding, which shall also specify project funding levels on a project by project basis but which shall be appropriated at the surface water management CIP fund level, states as an aggregate of individual projects, including subprojects, for the budget year in question in accordance with K.C.C. 4.04.275. Except for multiyear construction contracts and carryover amounts approved during the annual CIP reconciliation process, appropriations shall be for one year. All construction contracts including multiyear construction contracts shall be appropriated for the full construction amount in the first year. Any multiyear construction contracts longer than three years must be specifically identified in the department of natural resources and parks surface water management CIP budget request.

2. For projects where a determination of environmental significance has been made pursuant to the state Environmental Policy Act, a study or environmental impact statement or declaration of no significant impact will be prepared by the responsible official. For a determination of environmental significance to be made, the proposal should be at a sufficient stage of contemplation or planning that its principal features can

be reliably identified in terms of alternative locations, size, quantities of natural resources involved, changes in land use and general areas of the community and population that may be affected.

3. The executive and council may require other data that they deem necessary, which may include objects of expenditure and other expenditures categories.

SECTION 14. Ordinance 12076, Section 3, as amended, and K.C.C. 4.04.040 are each hereby amended to read as follows:

Preparation and administration of budget.

A. ((~~PREPARATION AND DISTRIBUTION.~~)) The council and executive shall execute the responsibilities outlined below in order to accomplish the preparation and distribution of the budget and budget document.

1. ((~~Role of the Executive.~~)) a. ((~~submission of Agency Requests.~~)) At least one hundred thirty-five days ((~~prior to~~)) before the end of the fiscal year, all agencies shall submit to the executive information necessary to prepare the budget.

b. ((~~executive Budget Hearings. Prior to~~)) Before presentation to the council, the executive may provide for hearings on all agency requests for expenditures and revenues to enable him to make determinations as to the need, value or usefulness of activities or programs requested by agencies. The executive may require the attendance of proper agency officials at such hearings, and it shall be their duty to disclose such information as may be required to enable the executive to arrive at final determinations.

c. ((~~submission of Executive Budget.~~)) The executive shall prepare and present an annual budget and budget message to the council no later than seventy-five

days ((~~prior to~~)) before the end of the fiscal year. Copies of the budget and budget message shall be delivered to the clerk and each councilmember.

d. ((~~submission of Proposed Appropriation Ordinance.~~)) The executive shall prepare and present a proposed appropriation ordinance not later than seventy-five days ((~~prior to~~)) before the end of the fiscal year. The proposed appropriation ordinance shall specify by any combination of fund, program, project and((~~/or~~)) agency the expenditure levels for the ensuing budget year.

e. ((~~availability to the Public. Prior to~~)) Before the public hearing on the budget, the budget message and supporting tables shall be furnished to any interested person upon request, and copies of the budget shall be furnished for a reasonable fee as established by ordinance and shall be available for public inspection.

f. ((~~additional Information to be Submitted to the Council.~~)) Seven days ((~~prior to~~)) before the presentation of the annual budget and budget message to the council, the ((~~chief budget and strategic planning officer~~)) director shall submit to the council copies of all agency and departmental budget requests, and departmental and divisional work programs.

2. ((~~Role of the Council.~~)) a. ((~~Review of the Executive Budget.~~)) The council shall review the proposed appropriation ordinance and shall make any changes or additions it deems necessary except the council shall not change the form of the proposed appropriation ordinance submitted by the executive.

b. ((~~Legislative Budget Hearings.~~)) The council shall then announce and subsequently hold a public hearing or hearings as it deems necessary.

c. ((~~Appropriation.~~)) Upon completion of the budget hearings, the council shall by ordinance adopt an appropriation granting authority to make expenditures and to incur obligations, and the council may attach an accompanying statement specifying legislative intent.

3. ((~~Printing and Distribution of the Budget.~~)) The ((~~chief budget and strategic planning officer~~)) director shall be responsible for the printing and distribution of the executive proposed budget and final adopted budget.

B. ((~~ADMINISTRATION OF THE BUDGET.~~)) 1. ((~~Allotment and Work Program.~~)) a. ((~~Establishment of Allotments.~~)) Within thirty days after adoption of the appropriation ordinance, all agencies shall submit to the executive a statement of proposed expenditures at such times and in such form as may be required by the executive, provided that the council is not required to submit an allotment. The statement of proposed expenditures shall include requested allotments of appropriations for the ensuing fiscal period for the department or agency concerned by either program, project, object of expenditure or combination thereof and for such periods as may be specified by the executive.

The executive shall review the requested allotments in light of the department's or agency's plan of work, and may revise or alter requested allotments. The aggregate of the allotments for any department or agency shall not exceed the total of appropriations available to the department or agency concerned for the fiscal period.

b. ((~~Revision of Allotments.~~)) If at any time during the fiscal period the executive ascertains that available revenues for the applicable period will be less than the respective appropriations, the executive shall revise the allotments of departments or

agencies funded from such revenue sources to prevent the making of expenditures in excess of revenues. To the same end, the executive is authorized to assign to, and to remove from, a reserve status any portion of a department or agency appropriation which in the executive's discretion is not needed for the allotment. No expenditure shall be made from any portion of an appropriation which has been assigned to a reserve status except as provided in this section.

2. ((~~Review of Pay and Classification Plans.~~)) The executive shall periodically review any pay and classification plans, and changes thereunder, for fiscal impact, and shall recommend to the council any changes to such plans; provided, that none of the provisions of this subsection shall affect merit systems of personnel management now existing or hereafter established by ordinance relating to the fixing of qualification requirements for recruitment, appointment, promotion or reclassification of employees of any agency.

3. ((~~Transfer of Appropriations between Agencies.~~)) During the last quarter of the fiscal year, the council when requested by the executive may adopt an ordinance to transfer appropriations between agencies; but a capital project shall not be abandoned thereby unless its abandonment is recommended by the department or agency responsible for planning.

4. ((~~Lapsing of Appropriation.~~)) a. Unless otherwise provided by the appropriation ordinances and as set forth herein, all unexpended and unencumbered appropriations in the current expense appropriation ordinances shall lapse at the end of the fiscal year. As used in this subsection, "current expense appropriations" include all non-capital budget appropriations.

b. A portion of any such appropriations may be carried forward into the subsequent fiscal year as part of a savings incentive program administered by the ((~~chief budget and strategic planning officer~~)) director and calculated as follows:

(1) The amount to be carried forward shall be one-half of the unexpended and unencumbered current expense appropriations which exceed underexpenditure requirements established for the year by the ((~~chief budget and strategic planning officer~~)) director, and exceed any loss of grant, contract or similar revenues, which are dedicated to fund the activities supported by the applicable appropriations. These amounts must result from efficiencies and other management measures; and

(2) The calculated amount shall exclude appropriations requested in the subsequent fiscal year to pay for goods or services planned to be purchased during the current fiscal year, but neither delivered nor paid for during the current fiscal year.

c. Amounts carried forward as set forth in this subsection shall be expended to improve productivity and service quality. Authorized uses include, but are not limited to, the acquisition of equipment, testing new service delivery systems and training, so long as such uses do not create recurring, annual obligations beyond minor equipment maintenance costs and are consistent with any applicable county automation standards and plans.

d. By May 1st of each year, the executive shall submit to the council a report describing the amount of savings each agency has carried forward from the prior fiscal year.

e. An appropriation in the capital budget appropriations authorization shall be canceled at the end of the fiscal year, unless the executive submits to the council the

report of the final year end reconciliation of expenditures for all capital projects on or before March 1st of the year following the year of the appropriation, and each year thereafter in which the appropriation remains open.

5. ((~~Current Expense Opportunity Fund.~~)) There is hereby created the current expense opportunity fund. Contributions to the fund shall be made pursuant to the formula contained in this subsection, or by direct appropriation.

a. ((~~Source of Funds.~~)) The amount deposited in the current expense opportunity fund shall be one-half of the unexpended and unencumbered current expense appropriations which exceed underexpenditure requirements established for the year by the office of financial management, and exceed any loss of grant, contract or similar revenues, which are dedicated to fund the activities supported by the applicable appropriations. The calculated amount shall exclude appropriations requested in the subsequent fiscal year to pay for goods or services planned to be purchased during the current fiscal year, but neither delivered nor paid for during the current fiscal year. The funds deposited in the current expense opportunity fund shall be equal to the funds made available to the savings incentive program.

b. ((~~Use of Funds.~~)) The executive may recommend, subject to appropriation, the expenditure of the current expense opportunity funds in the annual budget submittal or in supplemental spending requests.

6. ((~~When Contracts and Expenditures Prohibited.~~)) a. Except as <u>otherwise</u> provided in ((~~paragraph~~)) <u>this subsection</u> B.6 of this section, no agency shall expend or contract to expend any money or incur any liability in excess of the amounts appropriated. Any contract made in violation of this section shall be null and void; any

officer, agent or employee of the county knowingly responsible under such a contract shall be personally liable to anyone damaged by this action. The council when requested to do so by the executive may adopt an ordinance permitting the county to enter into contracts requiring the payment of funds from appropriations of subsequent fiscal years, except that the executive may enter into grant contracts, as provided ((~~by paragraph~~)) under subsection B.7 of this section.

b. The term of a lease or agreement for real or personal property shall not extend beyond the end of a calendar year unless:

(1) funding for the entire term of that lease or agreement is included in a capital appropriation ordinance; or

(2) such lease or agreement includes a cancellation clause under which the lease or agreement may be unilaterally terminated for convenience by the county and costs associated with such termination for convenience, if any, shall not exceed the appropriation for the year in which termination is effected; or

(3) such lease or agreement is authorized by ordinance for such periods and under such terms as the county council shall deem appropriate.

c. Real property shall not be leased to the county for more than one year unless it is included in a capital appropriation ordinance.

d. Nothing in this section shall prevent the making of contracts or the spending of money for capital improvements, nor the making of contracts of lease or for service for a period exceeding the fiscal period in which such contract is made, when such contract is permitted by law.

7. ((~~Grant Contracts.~~)) The executive may enter into contracts to implement grants awarded to the county ((~~prior to~~)) before the appropriation of grant funds, including appropriations that must be made in future years, if the council has received prior notice of the grant application and if either of the following conditions are met: all of the funds to be appropriated under the contract will be from the granting agency; or all financial obligations of the county under the contract are subject to appropriation.

SECTION 15. Ordinance 620, Section 4 (part), as amended, and K.C.C. 4.04.060 are each hereby amended to read as follows:

Types of reports available – county annual report – management fiscal reports – annual postaudit report – budget allotment plan – quarterly management and budget report.

A. ((~~COUNTY ANNUAL REPORT.~~)) The county executive shall annually cause to be prepared and published a comprehensive financial report covering all funds and financial transactions of the county during the preceding fiscal year.

B. ((~~MANAGEMENT FISCAL REPORTS.~~)) The county auditor shall periodically prepare and publish the results of examinations performed by his office of the effectiveness and efficiency of the operation of county agencies.

C. ((~~ANNUAL POST AUDIT REPORT.~~)) The Office of the State Auditor, Division of Municipal Corporations, annually issues the results of their examination of the financial affairs and transactions of the county.

D. ((~~BUDGET ALLOTMENT PLAN.~~)) 1. By February 1(((~~st~~)) of 1982 and each year thereafter, the ((~~E~~))executive shall develop and transmit to the ((~~C~~))council an

allotment plan for each ((~~C~~))county agency based on the budget adopted by the ((~~C~~))council as required in Section 410 of the King County Charter.

2. Within five weeks after the end of each quarter, the ((~~E~~))executive shall notify the ((~~C~~))council of those agencies whose expenditures have deviated from the quarter's allotment by five percent. For those agencies which have exceeded that quarter's allotment by five percent the ((~~E~~))xecutive shall propose an expenditure plan designed either to eliminate the need for a budget increase ((~~and/~~))or to identify the source and amount of a proposed supplemental appropriation, or both.

3. At the end of each quarter, all allotted but unexpended funds which exceed five percent of that quarter's allotment for each ((~~C~~))council appropriated program shall be transferred to the appropriate allotment reserve account. Within five weeks of the end of each quarter the ((~~E~~))executive shall inform the ((~~C~~))council of all transfers of allotted but unexpended funds to ((~~and/~~))or from, or to and from, each allotment reserve account.

4. This ((~~ordinance~~)) section shall not apply to individual C.I.P. projects approved by the ((~~C~~))ouncil.

SECTION 16. Ordinance 12076, Section 4, and K.C.C. 4.04.075 are each hereby amended to read as follows:

Fiscal note procedure.

A. The ((~~chief budget and strategic planning officer~~)) director shall establish a procedure for the preparation of fiscal notes on the expected impact of motions or ordinances which will increase or decrease county revenues or expenditures. Such fiscal notes shall document the impact of proposed legislation for the current fiscal year and a cumulative forecast for each of the succeeding three fiscal years. The ((~~chief budget and~~

~~strategic planning officer~~)) director shall coordinate the development of fiscal notes with all affected agencies. Fiscal notes shall be attached to all legislation transmitted by the executive, provided, that a fiscal note may not be required when the executive certifies in writing that the subject legislation has no significant fiscal impact on the operating and/or capital budget.

B. The fiscal note form used by the ((~~chief budget and strategic planning officer~~)) director shall be the form approved by the council.

C. All fiscal notes shall contain:

1. A brief descriptive title of the motion or ordinance.

2. An estimate of revenue impact of the subject motion or ordinance. Revenue impact shall be displayed for the current fiscal year and the three subsequent fiscal years.

3. An estimate of the expenditure impact of the subject motion or ordinance on the operating and/or capital budget. Expenditure impact shall be displayed for the current fiscal year and the three subsequent fiscal years. This section shall present a detailed breakdown of the anticipated expenditure by fiscal year.

4. An explanation of how the revenue or expenditure impacts were developed. This section shall include, but not be limited to quantifiable data which illustrates a significant workload increase or decrease caused by adoption of the subject motion or ordinance; major assumptions made in preparing the fiscal note and indicate whether passage of the subject motion or ordinance was anticipated in the current fiscal year's annual budget.

D. The ((~~chief budget and strategic planning officer~~)) director shall also provide a fiscal note on any legislative proposal requested by a councilmember. Such fiscal note

shall be returned to the requesting councilmember and the council clerk's office for distribution to all councilmembers and attachment to the proposed motion or ordinance within five working days. The lack of any fiscal note shall not affect the validity of any motion or ordinance adopted by the council.

SECTION 17. Ordinance 12076, Section 5, as amended, and K.C.C. 4.04.200 are each hereby amended to read as follows:

Executive responsibilities.

A. The executive shall be responsible for the implementation of all CIP projects pursuant to adopted project budgets and schedules. However, road CIP projects may be implemented in accordance with the roads capital improvement budgeting procedures in K.C.C. 4.04.270, wastewater CIP projects may be implemented in accordance with the wastewater capital improvement budgeting procedures in K.C.C. 4.04.280 and 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. 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. The executive shall be responsible for implementation of council adopted CIP projects to ensure their completion on schedule and within adopted budgets. However, roads CIP projects may be reprogrammed in accordance with K.C.C. 4.04.270, wastewater CIP projects may be reprogrammed in accordance with K.C.C. 4.04.280 and

surface water management CIP projects may be reprogrammed in accordance with K.C.C. 4.04.275. 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 and the budget for each 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 surface water management or wastewater CIP, except when the amount is modified by ordinance or in accordance with the CIP exceptions notifications process. The executive shall select consultants soliciting work on all CIP projects. The executive shall implement this section by the establishment of 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 ((~~chief budget and strategic planning officer~~)) director 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. 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 stage, before submitting these plans to the executive and 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; and

5. The executive may exempt smaller scale projects from the requirements in subsection C.1 and C.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.

SECTION 18. Ordinance 12076, Section 8, as amended, and K.C.C. 4.08.005 are each hereby amended to read as follows:

Definitions. As used in this chapter, the following terms shall have the following meanings:

A. "Manager" means the manager of the finance and business operations division.

B. ((~~"Chief budget officer" means that individual designated by the executive to perform the budgeting functions assigned to the executive under K.C.C. chapter 2.16.~~

((~~C.~~)) "First tier fund" means each fund listed or described as a first tier fund in K.C.C. chapter 4.08.

((~~D.~~)) C. "Fund manager" means that person holding or exercising the powers of the position or office specified in K.C.C. chapter 4.08 as the manager for each fund. As to any fund created for which no fund manager is designated, the manager of the finance and business operations division shall be deemed to be the fund manager.

((~~E.~~)) D. "Second tier fund" means each fund listed or described as a second tier fund in K.C.C. chapter 4.08.

SECTION 19. Ordinance 12076, Section 33, as amended, and K.C.C. 4.10.010 are each hereby amended to read as follows:

Definitions. As used in this chapter, the following terms shall have the following meanings:

A. "Manager"((~~:~~)) means ((~~T~~))the manager of the finance and business operations division.

B. ((~~"Chief budget officer": That individual designated by the executive to perform the budgeting functions assigned to the executive under K.C.C. chapter 2.16.~~

((~~C.~~)) "First tier fund": Each county fund listed or described as a first tier fund in K.C.C. chapter 4.08.

((~~D.~~)) C. "Fund manager"((~~:~~)) means ((~~T~~))that person holding or exercising the powers of the position or office specified in K.C.C. chapter 4.08 as the manager for each fund and such persons to whom the fund manager has delegated duties and responsibilities as provided in K.C.C. chapter 4.08.

((~~E.~~)) D. "Residual treasury cash"((~~:~~)) means ((~~A~~))any cash in the custody or control of the finance and business operations division as to which no investment directive under the first paragraph of RCW 36.29.020, as now or hereafter amended, has been received by the manager of the finance and business operations division. Residual treasury cash includes county cash for which the fund manager has not directed a specific fund investment pursuant to this chapter.

((~~F.~~)) E. "Second tier fund"((~~: A~~)) means a fund that is not to be invested for its own benefit under the first paragraph of RCW 36.29.020 and listed as a second tier fund in K.C.C. chapter 4.08.

SECTION 20. Ordinance 12076, Section 35, as amended, and K.C.C. 4.10.050 are each hereby amended to read as follows:

Executive finance committee. 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((~~, chief budget officer,~~)); the director of the office of management and budget; and the chairperson 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 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 of the council may defer action on the proposal until the council makes such policy determination regarding the proposed action.

SECTION 21. Ordinance 12076, Section 38, and K.C.C. 4.12.040 are each hereby amended to read as follows:

Risk management committee.

A. ((~~CREATION AND COMPOSITION.~~)) There is created a risk management committee to be composed of the following individuals: RM((~~,~~)); safety manager((~~,~~)); chief civil deputy((~~,~~)); and ((~~chief budget and strategic planning officer~~)) the director of the office of management 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. ((~~DUTIES OF COMMITTEE.~~)) 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 22. Ordinance 13983, Section 3, as amended, and K.C.C. 4.19.030 are each hereby amended to read as follows:

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

A. "Administrator" means the chief officer of the office of ((~~regional planning and policy~~)) business relations and economic development.

B. "Economically distressed area" means a geographic area determined by the county council to require the use of incentives in order to stimulate economic activity and revitalize declining neighborhoods.

C. "Located within" the county or an economically distressed area means that a business that at least:

1. Has its primary offices or distribution points, other than residential or post office box, physically within the relevant boundaries;

2. Lists the address on a valid business permit as being within the relevant boundaries;

3. Has been doing business within the relevant boundaries for at least twelve months; and

4. Submits other proof of compliance with subsection C. 1. through 3. of this section as required by the administrator.

D. "Small economically disadvantaged business" means that a business and the person or persons who own and control it are in a financial condition ((~~which~~)) that puts the business at a substantial disadvantage in attempting to compete for public contracts. In assessing these financial conditions, the administrator shall substantially adopt the approach used by the federal Small Business Administration, but the administrator shall adjust the Small Business Administration dollar ceilings for various standard business

classifications and levels for owners' personal net worth to account for local market conditions. Initially, the dollar ceiling for standard business classifications shall be fifty percent of the 1999 Small Business Administration thresholds.

SECTION 23. Ordinance 12045, Section 5, as amended, and K.C.C. 4.56.070 are each hereby amended to read as follows:

Facilities management division, county departments – ((~~R~~))responsibilities and powers in declaring county real property surplus.

A. The facilities management division shall no later than the end of the first quarter of the calendar year, maintain and update a current inventory of all county titled real property with detailed information as to current departmental custodianship and as to the characteristics that determine its economic value and potential uses((~~; provided, that~~)). However, all county roads shall be excluded from ((~~the provision of~~)) this section.

B. No later than ((~~June 30th~~)) April 1 of each calendar year, each department shall submit a report to the facilities management division on the status of all real property for which the department is the custodian and include in the report any change in use or status since the previous year's report.

C. County departments shall be required((~~,~~)) to report no later than ((~~June 30th~~)) April 1 of every ((~~third calendar~~)) year ((~~beginning with 1996,~~)) to justify departmental retention of all real property for which the department is the custodian to the facilities management division.

1. If in the judgment of the facilities management division, a county department cannot justify the retention of real property for which it is the custodian or if a department determines that real property is surplus to its needs, the facilities management division

shall determine whether any other county department has a need for the property that is related to the provision of essential government services, including, but not limited to, services for the public health, public safety((,)) or services related to transportation, water quality, surface water or other utilities. If the property is not needed for the provision of essential government services, the facilities management division shall then determine if the parcel is suitable for affordable housing. If it is deemed suitable for housing the county shall first attempt to make it available or use it for affordable housing ((~~pursuant to~~)) in accordance with K.C.C. 4.56.085 or 4.56.100. Suitable for affordable housing for the purpose of this section means the parcel is located within the Urban Growth Area, zoned residential and the housing development is compatible with the neighborhood. If the property is not deemed suitable for the purposes described ((~~above~~)) in this subsection C.1., then it shall be determined whether any other department has a need for the parcel.

2. If another department can demonstrate a need for said real property, custodianship of ((~~such~~)) the real property shall be transferred to that department without any financial transaction between present and future custodial organizations, except as required by RCW 43.09.210, as amended, or under grants.

3. If ((~~no other~~)) another department ((~~can~~)) cannot demonstrate a need for ((~~such~~)) the real property, ((~~said~~)) the real property shall be declared surplus to the future foreseeable needs of the county and may be disposed of as set forth in this chapter.

D. The facilities management division shall review and make recommendations to the executive for uses other than the sale of surplus real property ((~~prior to~~)) before a decision by the executive to dispose of such properties through sale. Other possible uses

that shall be considered by the division in accordance with ((~~the provisions of~~)) this chapter((~~,~~)) are:

1. Exchanges for other privately or publicly owned lands that meet the county's land needs;

2. Lease with necessary restrictive covenants;

3. Use by other governmental agencies;

4. Retention by the county if the parcel is classified as floodplain or slide hazard property;

5. Use by nonprofit organizations for public purposes; and

6. Long-term lease or sale for on-site development of affordable housing.

E. The facilities management division in consultation with the ((~~office of regional planning and policy and the~~)) department of community and human services shall, no later than ((~~the third quarter of the calendar~~)) July 1 of each year, submit a report to the council identifying surplus county real property suitable for the development of affordable housing. Affordable housing for the purpose of this chapter means residential housing that is rented or owned by a person:

1. Who is from a special needs population and whose monthly housing costs, including utilities other than telephone, do not exceed thirty percent of the household's monthly income; or

2. Who qualifies as a very low-income, low-income((~~,~~)) or moderate-income household as those terms are defined in RCW 43.63A.510.

SECTION 24. Ordinance 12394, Section 3, as amended, and K.C.C. 4.56.085 are each hereby amended to read as follows:

Public/private development projects on or with county property.

A. The office of ((~~regional planning and policy~~)) business relations and economic development shall assist the department of executive services to determine the potential public/private uses of county owned real and personal property.

B. The department of executive services shall assist county departments in capital facilities planning and, in collaboration with the office of ((~~regional planning and policy~~)) business relations and economic development, investigate the feasibility of, and when feasible, facilitate, public/private partnerships in the use of county property, ((~~pursuant to~~)) in accordance with K.C.C. 4.56.070. These investigations shall include such actions as:

1. ((~~Prepare~~)) Preparing market and financial feasibility studies, ((~~hold~~)) holding public meetings((~~,~~)) and ((~~prepare~~)) preparing recommendations;

2. ((~~Brief~~)) Briefing the executive and council;

3. ((~~Solicit~~)) Soliciting developer proposals;

4. ((~~Select~~)) Selecting the developer;

5. ((~~Obtain~~)) Obtaining council approval;

6. ((~~Negotiate~~)) Negotiating the developer agreement; and

7. ((~~Monitor~~)) Monitoring the development and use of assets.

C. The office of ((~~regional planning and policy~~)) business relations and economic development shall provide assistance to other county departments to determine if real property or other assets may be managed for economic development purposes or administered in a manner that will provide revenue to the county.

SECTION 25. Ordinance 14214, Section 6, and K.C.C. 9.14.050 are each hereby amended to read as follows:

Lead agency - responsibilities.

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

1. Oversee implementation of King County's groundwater protection program;

2. Provide staff support to any groundwater protection committee appointed by King County and respond to the committees in a timely manner regarding the adoption of committee recommendations;

3. Identify sources and methods of funding regional groundwater protection services and seek funding for these services;

4. Develop any combination of interlocal agreements, memorandums of understanding and operating agreements with cities, special purpose districts, sewer and water utilities and associations, and water purveyors for implementation of groundwater management plans and regional groundwater protection services in King County. These agreements shall include provisions addressing the scope, governance, structure, funding and transition to implementation of certified groundwater management plans and regional groundwater protection services in King County;

5. Consult with the Washington state Department of Ecology about the feasibility of integrating the goals and implementation of certified groundwater management plans, where possible, with adopted watershed plans to avoid creating redundant work programs;

6. Coordinate with the department of development and environmental services for any review required pursuant to K.C.C. Title 21A regarding land use, water use, environmentally sensitive areas and special district overlays, or the exercise of other authorities, that relate to groundwater protection;

7. Coordinate with the Seattle-King County department of public health for work performed pursuant to the King County Board of Health Code Title 10, Solid Waste Handling, Title 11, Hazardous Chemicals, Title 12, Water, Title R12, Water and Title 13, On-site Sewage, or the exercise of other authorities, that relate to groundwater protection;

8. Coordinate with the department of development and environmental services for work performed pursuant to K.C.C. Title 20, Planning, or the exercise of other authorities, that relate to groundwater protection;

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

10. In consultation with the department of development and environmental services, the Seattle-King County department of public health, ((~~the office of regional policy and planning,~~)) and divisions within the department of natural resources, develop an integrated annual work plan that incorporates each of these agencies work programs relative to groundwater protection and that delineates the groundwater protection services provided by King County. A draft annual work plan shall be submitted to any groundwater protection committee appointed by King County for their review and

recommendations. The department of natural resources shall distribute the final annual work plan to the King County council, any groundwater protection committee appointed by King County, cities, special purpose districts, sewer and water utilities and associations, water purveyors and other entities that are implementing activities recommended in certified groundwater management plans;

11. Develop a three-year work plan that identifies long-term needs for groundwater protection, in consultation with any groundwater protection committee appointed by King County, cities, special purpose districts, sewer and water utilities and associations, and water purveyors. The work plan should include an examination by the Seattle-King County department of public health of the effectiveness of the current compliance methodology for violations of regulations governing operation, maintenance and repair of groundwater facilities by public water systems or individuals, and an examination of alternative compliance methodologies that provide for a hierarchy of responses to such violations (e.g. education, site visit, notification, fines, civil penalty, operating restrictions). The work plan shall include an examination of existing county fees or charges for groundwater testing that could reduce any current testing disincentives caused by unaffordability of those fees or charges. The department of natural resources shall distribute the three-year work plan to the King County council, any groundwater protection committee appointed by King County, cities, special purpose districts, sewer and water utilities and associations, water purveyors and other entities that have a role in the three-year work plan;

12. Provide an annual written report on the groundwater protection program. This report shall include, but not be limited to, information from the prior calendar year

on groundwater protection services provided by King County, expenditures for the groundwater protection program and recommendations from any groundwater protection committee appointed by King County. By March 31 of each year this report shall be submitted to the King County council and any groundwater protection committee appointed by King County.

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

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

SECTION 26. Ordinance 1709, Section 6, as amended, and K.C.C. 13.24.080 are each hereby amended to read as follows:

Utilities technical review committee - creation and composition. A utilities technical review committee is created consisting of the following representatives as appointed by the director of each department((:)):

A. Two representatives from the department of natural resources and parks;

B. One representative from the department of transportation;

C. One representative from the department of development and environmental services;

D. One representative from the Seattle-King County department of public health;

E. One representative from the ((~~office of regional policy and planning;~~

~~F. One representative from the~~))facilities management division of the department of executive services; and

((~~G~~))F. One representative from the King County council staff.

SECTION 27. Ordinance 13147, Section 21, as amended, and K.C.C. 20.18.050 are each hereby amended to read as follows:

Site-specific land use map amendments initiation.

A. Site-specific land use map amendments are legislative actions that may only be initiated by property owner application, by council motion, or by executive proposal. All site-specific land use map amendments must be evaluated by the hearing examiner ((~~prior to~~)) before adoption by the council ((~~pursuant to the provisions of~~)) in accordance with this chapter.

1. If initiated by council motion, the motion shall refer the proposed site-specific land use amendment to the department of development and environmental services for preparation of a recommendation to the hearing examiner. The motion shall also identify the resources and the work program required to provide the same level of review accorded to applicant-generated amendments. An analysis of the motion's fiscal impact shall be provided to the council ((~~prior to~~)) before adoption. If the executive

determines that additional funds are necessary to complete the work program, the executive may transmit an ordinance requesting the appropriation of supplemental funds.

2. If initiated by executive proposal, the proposal shall refer the proposed site-specific land use amendment to the department of development and environmental services for preparation of a recommendation to the hearing examiner.

3. If initiated by property owner application, the property owner shall submit a docketed request for a site-specific land use amendment. Upon receipt of a docketed request for a site-specific land use amendment, the request shall be referred to the department of development and environmental services for preparation of a recommendation to the hearing examiner.

B. All proposed site-specific land use map amendments, whether initiated by property owner application, by council motion, or by executive proposal shall include the following:

1. Name and address of the owner(s) of record;

2. Description of the proposed amendment;

3. Property description, including parcel number, property street address and nearest cross street;

4. County assessor's map outlining the subject property; and

5. Related or previous permit activity.

C. Upon initiation of a site specific land use map amendment, an initial review conference will be scheduled by the department of development and environmental services. The owner(((~~s~~))) or owners of record of the property shall be notified of and invited to attend the initial review conference. At the initial review conference, the

department will review the proposed amendment's consistency with applicable county policies or regulatory enactments including specific reference to comprehensive plan policies, countywide planning policies and state Growth Management Act requirements. The proposed amendment will be classified pursuant to K.C.C. 20.18.040 and this information either will be provided at the initial review conference or in writing to the owner(((~~s~~))) or owners of record within thirty days.

D. If a proposed site-specific land use map amendment is initiated by property owner application, the property owner shall, following the initial review conference, submit the completed application including an application fee and an environmental checklist to the department of development and environmental services to proceed with review of the proposed amendment.

E. If a proposed site-specific land use map amendment is initiated by council motion, following the initial review conference, the council shall submit an environmental checklist to the department of development and environmental services to proceed with review of the proposed amendment.

F. If a proposed site-specific land use map amendment is initiated by executive proposal, following the initial review conference, the ((~~office of regional policy and planning~~))executive shall submit an environmental checklist to the department of development and environmental services to proceed with review of the proposed amendment.

G. Following the submittal of the information required by subsections D, E or F, the department of development and environmental services shall submit a report including an executive recommendation on the proposed amendment to the hearing

examiner within one hundred twenty days. The department of development and environmental services shall provide notice of a public hearing and notice of threshold determination pursuant to K.C.C. 20.20.060 F, G and H. The hearing will be conducted by the hearing examiner pursuant to K.C.C. 20.24.400. Following the public hearing, the hearing examiner shall prepare a report and recommendation on the proposed amendment pursuant to K.C.C. 20.24.400. A compilation of all completed reports will be considered by the council pursuant to K.C.C. 20.18.070.

H. A property-owner-initiated for a site-specific land use map amendment may be accompanied by an application for a zone reclassification to implement the proposed amendment, in which case administrative review of the two applications shall be consolidated to the extent practical consistent with this ordinance and K.C.C. chapter 20.20. The council's consideration of a site-specific land use map amendment is a legislative decision which will be determined ((~~prior to~~)) before and separate from their consideration of a zone reclassification which is a quasi-judicial decision. If a zone reclassification is not proposed in conjunction with an application for a site-specific land use map amendment and the amendment is adopted, the property shall be given potential zoning. A zone reclassification pursuant to K.C.C. 20.20.020 will be required in order to implement the potential zoning.

I. Site-specific land use map amendments for which a completed recommendation by the hearing examiner has been submitted to the council by January 15 will be considered concurrently with the annual amendment to the comprehensive plan. Site specific land use map amendments for which a recommendation has not been

issued by the hearing examiner by January 15 will be included in the next appropriate review cycle following issuance of the examiner's recommendation.

J. No amendment to a land use designation for a property may be initiated unless at least three years have elapsed since council adoption or review of the current designation for the property. This time limit may be waived by the executive or the council if the proponent establishes that there exists either an obvious technical error or a change in circumstances justifying the need for the amendment.

1. A waiver by the executive shall be considered after the proponent has submitted a docket request in accordance with K.C.C. 20.18.140. The executive shall render a waiver decision within forty-five days of receiving a docket request and shall mail a copy of this decision to the proponent.

2. A waiver by the council shall be considered by motion.

SECTION 28. Ordinance 13274, Section 7, as amended, and K.C.C. 21A.37.070 are each hereby amended to read as follows:

Transfer of development rights (TDR) program - sending site certification and interagency review committee process.

A. An interagency review committee, chaired by the directors of the department of development and environmental services and the department of natural resources and parks, or their designees, shall be responsible for qualification of sending sites. Determinations on sending site certifications made by the committee are appealable to the examiner pursuant to K.C.C. 20.24.080. The department of natural resources and parks shall be responsible for preparing a written report, which shall be signed by the director of the ((~~office of regional policy and planning~~))department of natural resources and parks

or the director's designee, documenting the review and decision of the committee. The committee shall issue a TDR certification letter within sixty days of the date of submittal of a completed sending site certification application.

B. Responsibility for preparing a completed application rests exclusively with the applicant. Application for sending site certification shall include:

1. A legal description of the site;

2. A title report;

3. A brief description of the site resources and public benefit to be preserved;

4. A site plan showing the proposed conservation easement area, existing and proposed dwelling units, submerged lands, any area already in a conservation easement or other similar encumbrance and any other area, except setbacks, required by King County to remain open;

5. Assessors map or maps of the lot or lots;

6. A statement of intent indicating whether the property ownership, after TDR certification, will be retained in private ownership or dedicated to King County or another public or private nonprofit agency;

7. Any or all of the following written in conformance with criteria established through a public rule consistent with K.C.C. chapter 2.98, if the site is qualifying as habitat for a threatened or endangered species:

a. a wildlife habitat conservation plan((~~, or~~));

b. a wildlife habitat restoration plan((,)) or

c. a wildlife present conditions report;

8. A forest stewardship plan, written in conformance with criteria established through a public rule consistent with K.C.C. chapter 2.98, if required under K.C.C. 21A.37.060B.3 and 6;

9. An affidavit of compliance with the reforestation requirements of the Forest Practices Act and any additional reforestation conditions of the forest practices permit for the site, if required under K.C.C. 21A.37.020E.

10. A completed density calculation worksheet for estimating the number of available development rights, and

11. The application fee consistent with K.C.C. 27.36.020.

SECTION 29. Ordinance 13733, Section 10, as amended, and K.C.C. 21A.37.110 are each hereby amended to read as follows:

Transfer of development rights (TDR) bank expenditure and purchase authorization.

A. The TDR bank may purchase development rights from qualified sending sites at prices not to exceed fair market value and to sell development rights at prices not less than fair market value. The TDR bank may accept donations of development rights from qualified TDR sending sites.

B. The TDR bank may use funds to facilitate development rights transfers. These expenditures may include, but are not limited to, establishing and maintaining internet web pages, marketing TDR receiving sites, procuring title reports and appraisals and reimbursing the costs incurred by the department of natural resources and parks, water and land resources division, or its successor, for administering the TDR bank fund and executing development rights purchases and sales.

C. The TDR bank fund shall not be used to cover the cost of identifying and qualifying sending and receiving sites, or the costs of providing staff support for the TDR interagency review committee or ~~((the office of regional policy and planning))~~the department of natural resources and parks.

SECTION 30. Ordinance 13733, Section 15, as amended, and K.C.C. 21A.37.160 are each hereby amended to read as follows:

Transfer of development rights (TDR) program - establishment and duties of the TDR executive board.

A. The TDR executive board is hereby established. The TDR executive board shall be composed of the director of the budget office, the director of the department of natural resources and parks, the director of the department of transportation, the director of finance and the director of the ((~~office of regional policy and planning~~))office of business relations and economic development, or their designees. A representative from the King County council staff, designated by the council chair, may participate as an ex officio, nonvoting member of the TDR executive board. The TDR executive board shall be chaired by the director of the ((~~office of regional policy and planning~~))department of natural resources and parks or that director's designee.

B. The issues that may be addressed by the executive board include, but are not limited to, using site evaluation criteria established by administrative rules, ranking and selecting sending sites to be purchased by the TDR bank, recommending interlocal agreements and the provision of TDR amenities, if any, to be forwarded to the executive, identifying future funding for amenities in the annual budget process, enter into other written agreements necessary to facilitate density transfers by the TDR bank and

otherwise oversee the operation of the TDR bank to measure the effectiveness in achieving the policy goals of the TDR program.

C. The ((~~office of regional policy and planning~~))department of natural resources and parks shall provide lead staff support to the TDR executive board. Staff duties include, but are not limited to:

1. Making recommendations to the TDR executive board on TDR program and TDR bank issues on which the TDR executive board must take action;

2. Facilitating development rights transfers through marketing and outreach to the public, community organizations, developers and cities;

3. Identifying potential receiving sites;

4. Developing proposed interlocal agreements with cities;

5. Assisting in the implementation of TDR executive board policy in cooperation with other departments;

6. Ranking certified sending sites for consideration by the TDR executive board;

7. Negotiating with cities to establish city receiving areas with the provision of amenities;

8. Preparing agendas for TDR executive board meetings;

9. Recording TDR executive board meeting summaries;

10. Preparing administrative rules in accordance with K.C.C. chapter 2.98 to implement this chapter; and

11. Preparing annual reports on the progress of the TDR program to the council with assistance from other departments.

SECTION 31. This ordinance takes effect January 1, 2003.

Ordinance 14561 was introduced on 9/3/2002 and passed as amended by the Metropolitan King County Council on 12/16/2002, by the following vote:

Yes: 11 - Ms. Sullivan, Ms. Edmonds, Ms. Lambert, Mr. Phillips, Mr. Pelz, Mr. McKenna, Mr. Constantine, Mr. Pullen, Mr. Gossett, Ms. Hague and Ms. Patterson
No: 0
Excused: 2 - Mr. von Reichbauer and Mr. Irons

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Cynthia Sullivan, Chair

ATTEST:

Anne Noris, Clerk of the Council

APPROVED this 27 day of December, 2002.

Ron Sims, County Executive

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KING COUNTY COUNCIL

Attachments None