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INTRODUCED BY: Ron Sims
Cynthia Sullivan

PROPOSED NO. 88-757

ORDINANCE NO. **8694**

AN ORDINANCE approving the adoption of King County Employee Charitable Campaign Committee rules, requiring council approval of contracts for campaign administration.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Pursuant to Ordinance 8575, the rules attached to this ordinance are hereby approved.

SECTION 2. The rules approved by this ordinance shall be interim rules to govern the 1988 King County Employee Charitable Campaign only. Permanent rules shall be provided to King County council for their approval by the Employee Charitable Campaign Committee by May 1, 1989.

SECTION 3. Any contract with any entity to administer and/or manage the King County Employee Charitable Campaign shall be approved by motion by the King County council prior to its execution by the executive.

INTRODUCED AND READ for the first time this 10th day of October, 1988.

PASSED this 17th day of October, 1988.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Gary Grant
Chair

ATTEST:

Janet M. Owens
Clerk of the Council

APPROVED this 28th day of October, 1988.

Jim Hill
King County Executive

A RULE of the King County Council, adopted pursuant to
Recommendation of the King County Charitable Campaign Committee

SECTION 1. AUTHORITY AND PURPOSE.

This RULE is adopted pursuant to Ordinance 8575, Section 3, Subsection B. It is intended to govern eligibility of federations to participate in the 1988 annual campaign established in that ordinance, and to regulate solicitations made in connection with that campaign.

SECTION 2. FINDINGS AND DECLARATION.

The King County Employee Charitable Campaign Committee (hereafter ECCC) finds, and the council concurs, as follows:

A. Ordinance 8575 requires that there shall be one annual campaign by federations of charitable organizations, and that the executive shall designate the month in which the combined drive will be held. The executive has designated November 1-16 for the 1988 campaign.

B. Ordinance 8575 was enacted in July 1988. The members of the ECCC were confirmed on September 12, 1988 in Resolution 88-677.

C. Insufficient time remains for the ECCC to develop and recommend, and for the council to then consider, permanent rules implementing Ordinance 8575 for the 1988 annual campaign.

D. The City of Seattle has enacted Ordinance 114034, which established a system of charitable campaigns for employees of that city similar to that established by Ordinance 8575.

E. It is in the public interest that the 1988 King County Employees Charitable Campaign be conducted according to the requirements of Ordinance 8575.

F. Therefore, an emergency exists, warranting the approval of emergency rules which rely substantially on decisions made by the City of Seattle in implementation of Ordinance 114034.

SECTION 3. ELIGIBILITY OF FEDERATIONS APPROVED BY THE CITY OF SEATTLE FOR 1988.

Any federation may participate in the 1988 campaign established by Ordinance 8575 if it complies with all of the requirements set forth in this section.

(1) The federation has been approved for participation in the 1988 campaign established by City of Seattle Ordinance 114034, whether as a "fund" or a "federation."

(2) The federation has been in existence and has actively made grants for the previous twelve months to at least five charitable organizations.

"Federation of charitable organizations" means a group representing at least 5 charitable organizations which is organized to solicit and distribute contributions on behalf of its member charitable organizations. "Charitable Organization" means an organization which has been in active existence at least three years and which is formally recognized by the U. S. Internal Revenue Service as complying with section 501(c)(3) of the Internal Revenue

Code and all contributions to the organization must be deductible for federal income tax purposes under Section 170 of the Internal Revenue Code of 1954 as demonstrated by receipt of an internal revenue service letter of determination granting tax deductible status to the charitable organization. A copy of the federation's determination letter must be attached to the application.

(3) Each charitable organization is governed by a voluntary board of directors which serves without compensation for serving on the board.

(4) The applicant and each of its charitable organizations observes a policy and practice of non-discrimination on the basis of race, color, sex, marital status, sexual orientation, age, creed, ancestry, religion, national origin, and the presence of any sensory, mental, or physical handicap, under law, applicable to employment, procurement, and service rendered.

(5) The federation ensures that a copy of its annual report and that of each member or grantee, will be provided to the council, the executive, and the ECCC upon request.

(6) The federation provides documentation of its compliance with Clause (1) of this section, and an affidavit affirming the compliance of (2) through (5) of the section to the King County Council Clerk's Office, Room 403, King County Courthouse prior to Noon On October 14, 1988.

The campaign manager may further limit distribution and quantity of materials, provided that such limitation shall not discriminate among eligible federations.

(7) The federation provides a twenty-five word description of programs/services and statement showing actual percent of funds directly allocated to its member agencies, for use in the combined campaign brochure.

SECTION 4. ELIGIBILITY OF OTHER FEDERATIONS.

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Any federation may apply to participate in the 1988 campaign established by Ordinance 8575 by completing the form "KING COUNTY COMBINED CHARITIES CAMPAIGN APPLICATION -- 1988. A copy of this form is set forth in this rule as "APPENDIX A." Documentation and affidavits must be attached to the form as specified therein. The form must be received at the King County Council Clerk's Office to close of business on October 14, 1988.

SECTION 5. APPROVAL AND REVOCATION.

A. The ECCC, or a subcommittee designated by it for this purpose, shall review all applications to determine whether the applicant is eligible under Ordinance 8575 and this rule. The decision shall be communicated to the applicant expeditiously. If the determination is made by a subcommittee, and the determination is that the applicant is not eligible, the applicant may appeal by requesting consideration of the application by the full committee by notifying the chair of the committee, or in writing stating the reasons for the appeal within 3 days of the notification. A re-determination of eligibility by the full committee shall be communicated in writing. Such determination by the full committee shall be final.

B. The ECCC shall revoke a determination of eligibility upon the occurrence of any of the following:

1. Fraud;
2. Ineligibility under Ordinance 8575, or under this rule;
3. Failure to inform the ECCC of any fact which would affect a determination in the federation's eligibility.

SECTION 6. PRESENTATION AND SOLICITATIONS.

Department directors may authorize up to thirty minutes of release time for presentation in connection with solicitations undertaken as part of the 1988 campaign. No federation shall be allowed to make a presentation in any department or division, or to otherwise solicit in any department or division, unless all eligible federations are allowed to make a presentation, or to otherwise solicit, in such department or division.

SECTION 7. LIMITATIONS ON MATERIALS.

No federation or combination of federations may distribute more than one item of informational material, such as brochures or pamphlets. Any number of copies of such item may be distributed. Such materials should be recyclable. A copy of each item must be provided to the ECCC prior to distribution. The requirements of this section shall not apply to posters or pledge cards.

SECTION 8. WITHHOLDING.

Every employee shall be furnished with a card on which the employee's name and social security number shall appear. There shall be five lines, on each of which the employee may designate a federation which shall have been designated by the committee to be eligible, and a dollar sum no less than two dollars, which shall be the amount withheld monthly from the employee's paycheck, for transmittal to the named federation. An employee may designate from one to five federations, but may designate no less than two dollars per month to any one federation.

All funds must be designated to an eligible federation.

SECTION 9.

A federation may petition to deem itself more than one component federation, to reflect the diversity of its grantees and to allow employees to designate groups of its charitable organizations for withholding. Each such component federation shall represent no fewer than ten charitable organizations. Such component federations need not meet any other test of eligibility, provided that the federation of which they are components complies with the requirements of Ordinance 8575 and this rule. No federation may designate more than five component federations.

SECTION 10.

It is the intention of the committee that any federation which receives less than \$250 in any campaign, or receives contribution from fewer than fifty employees, will be declared ineligible for an undetermined number of future campaigns, under permanent rules to be adopted hereafter.

SECTION 11.

A. Each federation and each organization represented by the federation shall expend a minimum of seventy-five percent of the monies received from the

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combined fund drive for those charitable purposes for which the money was solicited within twelve months of receipt of the monies.

B. Each federation must attest that the funds if receives through the campaign are distributed to its affiliated charitable organizations.

SECTION 12. RATIFICATION OF PRIOR ACTS.

Any acts performed consistent with the authority and prior to the effective date of this rule are hereby ratified and confirmed.

SECTION 13. DECLARATION OF EMERGENCY -- EXPIRATION.

Pursuant to King County Code Section 2.98.070 and Ordinance 2165, Section 7, this rule is necessary for the preservation of the public health and general welfare and shall take effect immediately upon approval. It shall remain in effect for ninety days following its approval.