



King County

1200 King County
Courthouse
516 Third Avenue
Seattle, WA 98104

Meeting Agenda Committee of the Whole

Jorge Barón, Chair
Claudia Balducci, Vice Chair;
Rod Dembowski, Reagan Dunn, Steffanie Fain, Rhonda Lewis, Teresa Mosqueda, Sarah Perry, Pete von Reichbauer

Lead Staff: Andy Micklow (206-263-3226)
Committee Clerk: Blake Wells (206-263-1617)

9:30 AM

Tuesday, April 28, 2026

Hybrid Meeting

Hybrid Meetings: Attend the King County Council committee meetings in person in Council Chambers (Room 1001), 516 3rd Avenue in Seattle, or through remote access. Details on how to attend and/or to provide comment remotely are listed below.

Pursuant to K.C.C. 1.24.035 A. and F., this meeting is also noticed as a meeting of the Metropolitan King County Council, whose agenda is limited to the committee business. In this meeting only the rules and procedures applicable to committees apply and not those applicable to full council meetings.

HOW TO PROVIDE PUBLIC COMMENT: The Committee of the Whole values community input and looks forward to hearing from you on agenda items.

There are three ways to provide public comment:

1. **In person:** You may attend the meeting and provide comment in the Council Chambers.
2. **By email:** You may comment in writing on current agenda items by submitting your email comments to committees@kingcounty.gov. If your email is received before 8:00 a.m. on the day of the meeting, your email comments will be distributed to the committee members and appropriate staff prior to the meeting.
3. **Remote attendance at the meeting by phone or computer:** You may provide oral comment on current agenda items during the meeting's public comment period by connecting to the meeting via phone or computer using the ZOOM application at <https://zoom.us/join>, and entering the webinar ID number below.



Sign language and interpreter services can be arranged given sufficient notice (206-848-0355).
TTY Number - TTY 711.
Council Chambers is equipped with a hearing loop, which provides a wireless signal that is picked up by a hearing aid when it is set to 'T' (Telecoil) setting.



You are not required to sign up in advance. Comments are limited to current agenda items.

You have the right to language access services at no cost to you. To request these services, please contact Language Access Coordinator, Tera Chea, at 206 477 9259 or email Tera.chea2@kingcounty.gov by 8:00 a.m. three business days prior to the meeting.

CONNECTING TO THE WEBINAR:
Webinar Meeting ID: 872 3341 5187

If you do not have access to the ZOOM application, you can connect to the meeting by calling 1 253 215 8782 and using the Webinar ID. Connecting in this manner, however, may impact your ability to be unmuted to speak.

HOW TO WATCH/LISTEN TO THE MEETING REMOTELY: There are several ways to watch or listen in to the meeting:

- 1) Stream online via this link: www.kingcounty.gov/kctv, or input the link web address into your web browser.
- 2) Watch King County TV Comcast Channel 22 and 322(HD), Astound Broadband Channels 22 and 711(HD).
- 3) Listen to the meeting by telephone – See “Connecting to the Webinar” above.

To help us manage the meeting, if you do not wish to be called upon for public comment please use the Livestream or King County TV options listed above, if possible, to watch or listen to the meeting.

1. **Call to Order**



To show a PDF of the written materials for an agenda item, click on the agenda item below.

2. **Roll Call**

3. **Approval of Minutes** p. 5

March 24, 2026 meeting minutes

4. **Public Comment**

	<p>Sign language and interpreter services can be arranged given sufficient notice (206-848-0355). TTY Number - TTY 711.</p> <p>Council Chambers is equipped with a hearing loop, which provides a wireless signal that is picked up by a hearing aid when it is set to 'T' (Telecoil) setting.</p>	
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Discussion and Possible Action

5. [Proposed Motion No. 2026-0079](#) p. 7

A MOTION adopting the King County 2026 Federal Legislative Priorities.

Sponsors: Perry

Mac Nicholson, Director, Government Relations, King County Council

6. [Proposed Ordinance No. 2026-0073](#) p. 10

AN ORDINANCE relating to organization of administrative offices and executive departments; and amending Ordinance 17402, Section 1, and K.C.C. 2.10.400, Ordinance 12550, Section 2, as amended, and K.C.C. 2.14.020, Ordinance 18665, Section 6, and K.C.C. 2.15.030, Ordinance 18665, Section 8, as amended, and K.C.C. 2.15.100, Ordinance 12075, Section 3, as amended, and K.C.C. 2.16.025, Ordinance 18793, Section 3, as amended, and K.C.C. 2.16.036, Ordinance 11955, Section 5, as amended, and K.C.C. 2.16.055, Ordinance 18086, Section 2, as amended, and K.C.C. 2.16.136, Ordinance 12076, Section 38, as amended, and K.C.C. 2.21.040, Ordinance 19770, Section 4, and K.C.C. 2.31.030, Ordinance 17699, Section 2, as amended, and K.C.C. 2.36.100, Ordinance 12901, Section 3, as amended, and K.C.C. 2.41.030, Ordinance 18811, Section 1, and K.C.C. 2.42.150, Ordinance 18798, Section 2, as amended, and K.C.C. 2.47.010, Ordinance 12058, Section 9, as amended, and K.C.C. 2.55.010, Ordinance 18653, Section 3, and K.C.C. 2.78.020, Ordinance 18653, Section 8, and K.C.C. 2.78.070, Ordinance 16077, Section 4, as amended, and K.C.C. 2.130.010, Ordinance 19008, Section 7, as amended, and K.C.C. 2.150.050, Ordinance 12014, Section 32, as amended, and K.C.C. 3.12.350, Ordinance 12943, Section 14, as amended, and K.C.C. 3.12A.020, Ordinance 18757, Section 4, as amended, and K.C.C. 3.12D.020, Ordinance 8658, Section 1, as amended, and K.C.C. 3.16.040, Ordinance 14287, Section 5, as amended, and K.C.C. 3.16.055, Ordinance 12076, Section 2, as amended, and K.C.C. 4.04.020, Ordinance 12076, Section 35, as amended, and K.C.C. 4.10.050, Ordinance 17293, Section 90, as amended, and K.C.C. 4A.10.495, Ordinance 12045, Section 23, as amended, and K.C.C. 4A.100.040, Ordinance 17929, Section 20, as amended, and K.C.C. 4A.100.070, Ordinance 17929, Section 21, as amended, and K.C.C. 4A.100.080, Ordinance 620, Section 4, as amended, and K.C.C. 4A.100.100, Ordinance 12076, Section 4, as amended, and K.C.C. 4A.110.010, Ordinance 17930, Section 13, as amended, and K.C.C. 4A.130.020, Ordinance 15556, Section 3, as amended, and K.C.C. 4A.200.190, Ordinance 19841, Section 1, and K.C.C. 4A.200.213, Ordinance 19786, Section 1, and K.C.C. 4A.200.266, Ordinance 18662, Section 5, and K.C.C. 4A.200.317, Ordinance 18938, Section 1, and K.C.C. 4A.200.405, Ordinance 15961, Section 1, as amended, and K.C.C. 4A.200.570, Ordinance 17527, Section 69, and K.C.C. 4A.200.580, Ordinance 12076, Section 27, as amended, and K.C.C. 4A.200.590, Ordinance 14596, Section 1, as amended, and K.C.C. 4A.200.620, Ordinance 10159, Section 14, as amended, and K.C.C. 6.27A.120, Ordinance 13981, Section 2, as amended, and K.C.C. 12.17.010, Ordinance 13981, Section 4, as amended, and K.C.C. 12.17.030, Ordinance 13981, Section 5, as amended, and K.C.C. 12.17.040, Ordinance 13981, Section 6, as amended, and K.C.C. 12.17.050, Ordinance 13981, Section 7, as amended, and K.C.C. 12.17.060, Ordinance 13981, Section 8, as amended, and K.C.C. 12.17.070, Ordinance 13981, Section 9, as amended, and K.C.C. 12.17.080, Ordinance 13981, Section 10, as amended, and K.C.C. 12.17.090, Ordinance 7430,



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Section 2, as amended, and K.C.C. 12.18.020, Ordinance 7430, Section 4, as amended, and K.C.C. 12.18.040, Ordinance 7430, Section 5, as amended, and K.C.C. 12.18.050, Ordinance 7430, Section 6, as amended, and K.C.C. 12.18.060, Ordinance 7430, Section 7, as amended, and K.C.C. 12.18.070, Ordinance 7430, Section 8, as amended, and K.C.C. 12.18.080, Ordinance 15399, Section 17, as amended, and K.C.C. 12.18.085, Ordinance 7430, Section 9, as amended, and K.C.C. 12.18.090, Ordinance 13263, Section 52, as amended, and K.C.C. 12.18.097, Ordinance 19762, Section 12, and K.C.C. 12.18B.030, Ordinance 5280, Section 2, as amended, and K.C.C. 12.20.020, Ordinance 5280, Section 4, as amended, and K.C.C. 12.20.070, Ordinance 5280, Section 5, as amended, and K.C.C. 12.20.080, Ordinance 5280, Section 6, as amended, and K.C.C. 12.20.090, Ordinance 10469, Section 11, as amended, and K.C.C. 12.20.095, Ordinance 5280, Section 7, as amended, and K.C.C. 12.20.100, Ordinance 5280, Section 9, as amended, and K.C.C. 12.20.120, Ordinance 10469, Section 13, as amended, and K.C.C. 12.20.122, Ordinance 10469, Section 14, as amended, and K.C.C. 12.20.124, Ordinance 10469, Section 16, as amended, and K.C.C. 12.20.133, Ordinance 13263, Section 53, as amended, and K.C.C. 12.20.150, Ordinance 8625, Section 2, as amended, and K.C.C. 12.22.020, Ordinance 8625, Section 4, as amended, and K.C.C. 12.22.040, Ordinance 8625, Section 5, as amended, and K.C.C. 12.22.050, Ordinance 8625, Section 6, as amended, and K.C.C. 12.22.060, Ordinance 8625, Section 7, as amended, and K.C.C. 12.22.070, Ordinance 8625, Section 8, as amended, and K.C.C. 12.22.080, Ordinance 15399, Section 59, as amended, and K.C.C. 12.22.085, Ordinance 8625, Section 9, as amended, and K.C.C. 12.22.090, Ordinance 15399, Section 54, as amended, and K.C.C. 12.22.095, Ordinance 13147, Section 27, as amended, and K.C.C. 20.18.110, Ordinance 4461, Section 2, as amended, and K.C.C. 20.22.040, Ordinance 19881, Section 164, and K.C.C. 21A.08.055, Ordinance 10870, Section 337, as amended, and K.C.C. 21A.08.100, Ordinance 14045, Section 30, as amended, and K.C.C. 21A.14.225, Ordinance 16267, Section 62, as amended, and K.C.C. 21A.28.154, Ordinance 17287, Section 3, as amended, and K.C.C. 21A.55.105, and Ordinance 8867, Section 1, as amended, and K.C.C. 26.12.010 and repealing Ordinance 15378, Section 6, as amended, and K.C.C. 1.36.060.

Sponsors: Barón

Sam Porter, Council staff

Briefing



7. [Briefing No. 2026-B0059](#) p. 260

Briefing on a proviso report required by Ordinance 20023, Section 60, Proviso P1, on the status of activities related to Department of Community and Human Services contract management and compliance reporting protocols

Dr. Susan McLaughlin, Interim Director, Department of Community and Human Services
Amber Green, Deputy Director, Department of Community and Human Services

Other Business

Adjournment

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Meeting Minutes Committee of the Whole

Jorge Barón, Chair
Claudia Balducci, Vice Chair;
Rod Dembowski, Reagan Dunn, Steffanie Fain, Rhonda Lewis,
Teresa Mosqueda, Sarah Perry, Pete von Reichbauer

Lead Staff: Andy Micklow (206-263-3226)
Committee Clerk: Blake Wells (206-263-1617)

9:30 AM

Tuesday, March 24, 2026

Hybrid Meeting

DRAFT MINUTES

1. **Call to Order**

Chair Barón called the meeting to order at 9:35 a.m.

2. **Roll Call**

Present: 9 - Balducci, Barón, Dembowski, Dunn, Fain, Lewis, Mosqueda, Perry and von Reichbauer

3. **Approval of Minutes**

Vice Chair Balducci moved approval of the February 24, 2026 meeting minutes. There being no objections, the minutes were approved.

Briefings

4. **[Briefing No. 2026-B0041](#)**

Harborview Medical Center Update

Dorothy Teeter, President, Harborview Board of Trustees, Ian Goodhew, Chief External Affairs Officer, UW Medicine, University of Washington, and Sommer Kleweno Walley, CEO, Harborview Medical Center, UW Medicine, University of Washington, briefed the committee via PowerPoint presentation and answered questions from the members.

This matter was presented.

5. [Briefing No. 2026-B0042](#)

King County Harborview Audit Report and Bond Project Update

Ben Thompson, Audit Director, King County Auditor's Office, briefed the committee via PowerPoint presentation and answered questions from the members. Tony Wright, Director, King County Harborview Construction and Infrastructure Division, also briefed the committee and answered questions from the members.

This matter was presented.

Other Business

There was no other business to come before the committee.

Adjournment

The meeting was adjourned at 10:58 a.m.

Approved this _____ day of _____

Clerk's Signature



King County

**Metropolitan King County Council
Committee of the Whole**

STAFF REPORT

Agenda Item:	5	Name:	Mac Nicholson
Proposed No.:	2026-0079	Date:	April 28, 2026

SUBJECT

A Motion adopting the King County 2026 Federal Legislative Priorities.

SUMMARY

Proposed Motion 2026-0079 would adopt the 2026 Federal Legislative Priorities. The document is a statement of King County Federal policy priorities and provides direction to County’s Federal advocacy team.

BACKGROUND

Each year, King County develops Federal Legislative Priorities. The document identifies issues and policy positions that are important to bring to the attention of the U.S. Congress and Federal bureaucracy, and guides the work of King County’s federal lobby team.

ATTACHMENTS

1. Proposed Motion 2026-0079



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Motion

Proposed No. 2026-0079.1

Sponsors Perry

1 A MOTION adopting the King County 2026 Federal
2 Legislative Priorities.

3 WHEREAS, the King County council and the King County executive work
4 together through their respective government relations staff and desire to bring their
5 positions on federal issues to the attention of the 119th Congress, and

6 WHEREAS, King County desires to work cooperatively with other local
7 governments and other organizations to achieve its 2026 federal legislative goals, and

8 WHEREAS, King County is dependent on a strong fiscal partnership with the
9 federal government for addressing local needs in transit, transportation, infrastructure,
10 public health, behavioral health, veterans and human services, affordable housing,
11 poverty, homelessness, public safety, flood control, and many other areas, and

12 WHEREAS, the King County council and the King County executive will
13 continue to review congressional developments for possible revisions of King County's
14 2026 federal legislative goals;

15 NOW, THEREFORE, BE IT MOVED by the Council of King County:

16 The King County council hereby adopts the King County 2026 Federal

- 17 Legislative Priorities, Attachment A to this motion, as King County's highest priorities
18 for federal action.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Sarah Perry, Chair

ATTEST:

Melani Hay, Clerk of the Council

APPROVED this ____ day of _____, ____.

Girmay Zahilay, County Executive

Attachments: None



King County

**Metropolitan King County Council
Committee of the Whole**

STAFF REPORT

Agenda Item:	6	Name:	Sam Porter
Proposed No.:	2026-0073	Date:	April 28, 2026

SUBJECT

A briefing on Proposed Ordinance 2026-0073, which would amend sections of King County Code to effectuate the Executive's reorganization and consolidation of five standalone offices into the Executive's Office.

SUMMARY

The Proposed Ordinance would amend sections of King County Code to consolidate five executive offices into the Executive's Office. The offices are:

- Office of Climate;
- Office of Economic Opportunity and Creative Economy;
- Office of Equity, Racial, and Social Justice;
- Office of Labor Relations; and
- Office of Performance, Strategy and Budget (including the Regional Land Use Division) into the Executive's Office.

The proposed budget would also repeal the appropriation for the Internal Auditor in the Executive's Office but that office does not appear in King County Code and therefore is not addressed in the Proposed Ordinance. The general functions of most standalone offices would continue in the Executive Office or in Executive Departments.

Changes proposed by this legislation have budget implications which are addressed in the proposed budget omnibus ordinance (Proposed Ordinance 2026-0071). The fiscal impact of the Proposed Ordinance would be to shift approximately \$69.3 million from the affected appropriation units for each office into the Executive Office, along with 119 FTEs. The impact of the Proposed Ordinance is a net zero change to appropriation and FTE authority. Approximately \$4.7 million would be transferred to the Department of Natural Resources and Parks to continue work previously performed by the Executive's Climate Office and \$1.42 million to the Department of Local Services to continue work previously performed by the Land Use Division of the Office of Performance, Strategy, and Budget.

Analysis is ongoing regarding the full impact of the proposed restructure. The next staff report will include information about how the FTEs will be deployed within the Executive's Office.

The Proposed Ordinance would amend Titles 20 and 21A which consequently triggers a 60-day notice requirement to the Department of Commerce which was fulfilled by the Executive Office on April 2, 2026 and confirmed via letter (as attachment 4 to this staff report). A 30-day notice prior to Council action is also required prior to final action.

BACKGROUND

The five offices proposed for dissolution by the Proposed Ordinance into the Executive's Office currently operate within the Executive's Office. This section provides a brief summary of the purpose of each office. All offices are funded by the General Fund with the Climate Office receiving a specific type of funding described below.

The **King County Executive Climate Office** coordinates climate action initiatives in coordination with cities, communities, and residents, and manages the Strategic Climate Action Plan (SCAP) and is funded through Climate Cost Share funding.¹ The Office collaborates across King County departments and through partnerships across the region to address the impacts of climate change including through the Climate Equity Community Task Force, and Puget Sound Climate Preparedness Collaborative.² Climate Cost Share is a central rate that pays for county-wide climate change-related costs like developing and updating the SCAP.

The **Office of Performance, Strategy, and Budget** provides comprehensive and regional planning, management, budgeting, and performance assessment for King County government.³

The **Office of Equity and Racial and Social Justice** provides resources and coordination efforts for King County's equity, race, and social justice initiatives including the Stop Hate Hotline, annual celebration of Dr. Martin Luther King Jr's life and legacy, the Civil Rights Program, the Human and Civil Rights and Immigrant and Refugee Commission, ADA and Disability Equity Program, and more.⁴

The **Office of Economic Opportunity and Creative Economy** is responsible for coordinating efforts to develop a strong equitable economy to create opportunities for residents, develop and implement strategies to promote economic revitalization and equitable development, and assist communities with related efforts.⁵

¹ According to Executive staff, the Climate Cost Share will not be collected and deposited into the General Fund in 2026-2027.

² <https://web.archive.org/web/20251213162134/https://kingcounty.gov/en/dept/executive/governance-leadership/climate-office/about>

³ <https://kingcounty.gov/en/dept/executive/governance-leadership/performance-strategy-budget>

⁴ <https://web.archive.org/web/20260117060809/https://kingcounty.gov/en/dept/executive/governance-leadership/equity-social-justice/office-of-equity-racial-social-justice>

⁵ <https://kingcounty.gov/en/dept/executive/governance-leadership/economic-opportunity-creative-economy>

The **Office of Labor Relations** negotiates, implements and administers labor agreements for over 90 bargaining units, covering the terms of employment for the County's approximately 13,900 represented employees.⁶

Executive Zahilay was elected at the November 2025 general election and solicited feedback from a transition committee which provided recommendations [announced February 26, 2026](#).⁷ As stated in the transmittal letter, the proposed restructure is intended to, "support advancing and delivering on my policy priorities, also known as the Four B's for a Better Future: breaking the cycle that drives homelessness and addiction, building more housing and infrastructure, being in community, and better government through accountability and effective service." Executive staff state that while the transition committee did not make structural recommendations, they did, "identify new priorities and broadly recommended that structures and operations get updated to meet these needs," which informed the basis of new teams in the Executive's Office including the Performance and Accountability Team and Community Service and Response Team.

ANALYSIS

The Proposed Ordinance would dissolve the five offices described in this staff report as shown in Table 1. Table 1 provides a high level overview of the effect of the Proposed Ordinance. According to Executive staff, almost all positions are considered new, "with new expectations to advance the policies and priorities of the new Executive. Several teams that were transferred into the Executive Office, including budget and grants, labor relations, finance & administration, civil rights, ADA compliance, and language access, continue to perform core functions as part of the Executive Office." Executive staff provided a draft organizational chart that appears as attachment five to this staff report. Analysis is ongoing regarding how many FTEs would be assigned to each team and how the 112.9 FTEs not transferred to other departments would be fully deployed in the Executive's Office.

⁶ <https://kingcounty.gov/en/dept/executive/governance-leadership/labor-relations/>

⁷ Girmay Transition 2025, Transition Committee Recommendations for King County Executive Zahilay; <https://kingcounty.gov/-/media/king-county/depts/executive/zahilay/documents/2026/Final-Transition-Committee-Recommendations-for-Executive-Zahilay>

**Table 1.
Executive Office Reorganization Effect**

Office	Proposed Code Change
Office of Performance Strategy and Budget	Staff and responsibilities would primarily be retained as the Executive's Budget Team. The Executive's Office will retain a Regional Planning Lead with the bulk of land use responsibilities being performed by the Department of Local Services.
Office of Equity and Racial and Social Justice	Code changes would assign most responsibilities to the Civil Rights Program. According to Executive staff, the Performance and Accountability Team in the Executive's Office will continue to house the Civil Rights, ADA, and Language Access Teams previously under the umbrella of the OERSJ.
Office of Climate	The work of the Climate Office would be moved to DNRP's Director's Office. According to Executive staff, "The intent is to move the climate work closer to the operations that the agencies are engaged in on a daily basis. There will still be a climate lead in the Executive Office to help coordinate SCAP implementation and future climate policy development." Additionally, the Climate Cost Share will not be collected from departments and deposited into the General Fund in 2026-2027.
Office of Economic Opportunity and Creative Economy	Code changes would remove reference to this office in Section 5. Analysis is ongoing regarding whether the responsibilities fulfilled by this office would continue in the Executive's reorganization.
Office of Labor Relations	Code changes would remove the Office of Labor Relations (OLR) and establish a Director of Labor Relations in the Executive's Office which would be responsible for continuing some of the responsibilities previously performed by OLR including providing trainings for agencies, the Executive, Council, and others. Responsibility for transmitting collective bargaining agreements to Council previously performed by OLR would be the responsibility of the Executive's Office. The draft organizational chart provided by Executive staff shows that there would be a labor relations team responsible for negotiations in the reorganization.

Budget Implications. The proposed omnibus (Proposed Ordinance 2026-0071) would effectuate net total changes of \$69,345,000 with 118.90 FTEs as shown in Table 2. In addition, the fiscal note for Proposed Ordinance 2026-0073 shows a one-time underspend assumption of vacancy savings of \$9,082,000 in the Executive's Office through at least the end of 2026.

The proposed omnibus (Proposed Ordinance 2026-0071) would fully disappropriate the budget and FTE authority from the appropriation units in lines 1 through 6 in Table 2 below and transfer the authority to the Office of the Executive. It would also transfer from the Office of the Executive approximately \$6.1 million and 6 FTEs to the Department of Local Services Director's Office and Department of Natural Resources and Parks Director's Office as shown in lines 8 and 9 in Table 2. **The cumulative impact is a net-zero change in appropriation and FTE authority.**

**Table 2.
Office of the Executive Proposed Reorganization –Appropriation and FTE
Changes Proposed in PO 2026-0071**

Appropriation Unit	Proposed Change to Appropriation Authority	Proposed Change to FTE Authority
1. Internal Auditor	(\$500,000)	N/A
2. Office of Performance Strategy and Budget	(\$37,459,000)	(72.30)
3. Office of Equity and Racial and Social Justice	(\$12,894,000) ⁸	(19.00)
4. Office of Climate	(\$13,761,000) ⁹	(14.00)
5. Office of Economic Opportunity and Creative Economy	(\$2,520,000)	(3.00)
6. Office of Labor Relations	(\$8,310,000)	(16.60)
7. Subtotal	(\$75,444,000)	(124.9)
8. DLS Director's Office (transferred from Exec Office)	\$1,420,000	2.0
9. Transfer from Executive (transferred from Exec Office)	\$4,679,000	4.0
10. Subtotal	\$6,099,000	6.0
11. Office of the Executive Net Increase	\$69,340,000	118.9

Analysis is ongoing regarding the full impact of the proposed restructure. The next staff report will include information about how the FTEs will be deployed within the Executive's Office.

TIMING

The Proposed Ordinance touches on land use regulations and as such must fulfill two noticing requirements. The Executive's Office submitted their 60-day notice to the Department of Commerce on April 2, 2026, and received confirmation that this submittal met the Growth Management notice to state agency requirements in RCW 36.70A.106.

⁸ The fiscal note for this line item was \$1,000 less than the actual appropriation, \$12,895,000, in the 2026-2027 budget.

⁹ The fiscal note for this line item was \$1,000 less than the actual appropriation, \$13,762,000, in the 2026-2027 budget.

Additionally, a 30-day notice is required to be published in the Seattle Times prior to Council action. This means that upon the legislation being voted out of the Committee of the Whole, a 30-day notice must be published prior to final action by Council.

AMENDMENT

A technical striking amendment is under development to incorporate changes to King County Code resulting from recently adopted ordinances including Ordinances 20047, 20048, and 20051 which are not reflected in the transmitted legislation. Additionally, the technical striker would update outdated phrasing and make corrections to the legislative markup. The technical striker will be ready for the May 26, 2026 Committee of the Whole meeting.

INVITED

- Aaron Rubardt, Budget Director, Executive's Office
- Hyeok Kim, Chief Operating Officer, Executive's Office
- Karan Gill, Deputy County Executive, Executive's Office

ATTACHMENTS

1. Proposed Ordinance 2026-0073
2. Transmittal Letter
3. Fiscal Note
4. Department of Commerce confirmation letter, dated April 3, 2026
5. Executive Office Org Chart, dated April 22, 2026



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Ordinance

Proposed No. 2026-0073.1

Sponsors Barón

1 AN ORDINANCE relating to organization of administrative
2 offices and executive departments; and amending Ordinance
3 17402, Section 1, and K.C.C. 2.10.400, Ordinance 12550,
4 Section 2, as amended, and K.C.C. 2.14.020, Ordinance
5 18665, Section 6, and K.C.C. 2.15.030, Ordinance 18665,
6 Section 8, as amended, and K.C.C. 2.15.100, Ordinance
7 12075, Section 3, as amended, and K.C.C. 2.16.025,
8 Ordinance 18793, Section 3, as amended, and K.C.C.
9 2.16.036, Ordinance 11955, Section 5, as amended, and
10 K.C.C. 2.16.055, Ordinance 18086, Section 2, as amended,
11 and K.C.C. 2.16.136, Ordinance 12076, Section 38, as
12 amended, and K.C.C. 2.21.040, Ordinance 19770, Section 4,
13 and K.C.C. 2.31.030, Ordinance 17699, Section 2, as
14 amended, and K.C.C. 2.36.100, Ordinance 12901, Section 3,
15 as amended, and K.C.C. 2.41.030, Ordinance 18811, Section
16 1, and K.C.C. 2.42.150, Ordinance 18798, Section 2, as
17 amended, and K.C.C. 2.47.010, Ordinance 12058, Section 9,
18 as amended, and K.C.C. 2.55.010, Ordinance 18653, Section
19 3, and K.C.C. 2.78.020, Ordinance 18653, Section 8, and
20 K.C.C. 2.78.070, Ordinance 16077, Section 4, as amended,

21 and K.C.C. 2.130.010, Ordinance 19008, Section 7, as
22 amended, and K.C.C. 2.150.050, Ordinance 12014, Section
23 32, as amended, and K.C.C. 3.12.350, Ordinance 12943,
24 Section 14, as amended, and K.C.C. 3.12A.020, Ordinance
25 18757, Section 4, as amended, and K.C.C. 3.12D.020,
26 Ordinance 8658, Section 1, as amended, and K.C.C.
27 3.16.040, Ordinance 14287, Section 5, as amended, and
28 K.C.C. 3.16.055, Ordinance 12076, Section 2, as amended,
29 and K.C.C. 4.04.020, Ordinance 12076, Section 35, as
30 amended, and K.C.C. 4.10.050, Ordinance 17293, Section
31 90, as amended, and K.C.C. 4A.10.495, Ordinance 12045,
32 Section 23, as amended, and K.C.C. 4A.100.040, Ordinance
33 17929, Section 20, as amended, and K.C.C. 4A.100.070,
34 Ordinance 17929, Section 21, as amended, and K.C.C.
35 4A.100.080, Ordinance 620, Section 4, as amended, and
36 K.C.C. 4A.100.100, Ordinance 12076, Section 4, as
37 amended, and K.C.C. 4A.110.010, Ordinance 17930, Section
38 13, as amended, and K.C.C. 4A.130.020, Ordinance 15556,
39 Section 3, as amended, and K.C.C. 4A.200.190, Ordinance
40 19841, Section 1, and K.C.C. 4A.200.213, Ordinance 19786,
41 Section 1, and K.C.C. 4A.200.266, Ordinance 18662, Section
42 5, and K.C.C. 4A.200.317, Ordinance 18938, Section 1, and
43 K.C.C. 4A.200.405, Ordinance 15961, Section 1, as

44 amended, and K.C.C. 4A.200.570, Ordinance 17527, Section
45 69, and K.C.C. 4A.200.580, Ordinance 12076, Section 27, as
46 amended, and K.C.C. 4A.200.590, Ordinance 14596, Section
47 1, as amended, and K.C.C. 4A.200.620, Ordinance 10159,
48 Section 14, as amended, and K.C.C. 6.27A.120, Ordinance
49 13981, Section 2, as amended, and K.C.C. 12.17.010,
50 Ordinance 13981, Section 4, as amended, and K.C.C.
51 12.17.030, Ordinance 13981, Section 5, as amended, and
52 K.C.C. 12.17.040, Ordinance 13981, Section 6, as amended,
53 and K.C.C. 12.17.050, Ordinance 13981, Section 7, as
54 amended, and K.C.C. 12.17.060, Ordinance 13981, Section
55 8, as amended, and K.C.C. 12.17.070, Ordinance 13981,
56 Section 9, as amended, and K.C.C. 12.17.080, Ordinance
57 13981, Section 10, as amended, and K.C.C. 12.17.090,
58 Ordinance 7430, Section 2, as amended, and K.C.C.
59 12.18.020, Ordinance 7430, Section 4, as amended, and
60 K.C.C. 12.18.040, Ordinance 7430, Section 5, as amended,
61 and K.C.C. 12.18.050, Ordinance 7430, Section 6, as
62 amended, and K.C.C. 12.18.060, Ordinance 7430, Section 7,
63 as amended, and K.C.C. 12.18.070, Ordinance 7430, Section
64 8, as amended, and K.C.C. 12.18.080, Ordinance 15399,
65 Section 17, as amended, and K.C.C. 12.18.085, Ordinance
66 7430, Section 9, as amended, and K.C.C. 12.18.090,

67 Ordinance 13263, Section 52, as amended, and K.C.C.
68 12.18.097, Ordinance 19762, Section 12, and K.C.C.
69 12.18B.030, Ordinance 5280, Section 2, as amended, and
70 K.C.C. 12.20.020, Ordinance 5280, Section 4, as amended,
71 and K.C.C. 12.20.070, Ordinance 5280, Section 5, as
72 amended, and K.C.C. 12.20.080, Ordinance 5280, Section 6,
73 as amended, and K.C.C. 12.20.090, Ordinance 10469,
74 Section 11, as amended, and K.C.C. 12.20.095, Ordinance
75 5280, Section 7, as amended, and K.C.C. 12.20.100,
76 Ordinance 5280, Section 9, as amended, and K.C.C.
77 12.20.120, Ordinance 10469, Section 13, as amended, and
78 K.C.C. 12.20.122, Ordinance 10469, Section 14, as amended,
79 and K.C.C. 12.20.124, Ordinance 10469, Section 16, as
80 amended, and K.C.C. 12.20.133, Ordinance 13263, Section
81 53, as amended, and K.C.C. 12.20.150, Ordinance 8625,
82 Section 2, as amended, and K.C.C. 12.22.020, Ordinance
83 8625, Section 4, as amended, and K.C.C. 12.22.040,
84 Ordinance 8625, Section 5, as amended, and K.C.C.
85 12.22.050, Ordinance 8625, Section 6, as amended, and
86 K.C.C. 12.22.060, Ordinance 8625, Section 7, as amended,
87 and K.C.C. 12.22.070, Ordinance 8625, Section 8, as
88 amended, and K.C.C. 12.22.080, Ordinance 15399, Section
89 59, as amended, and K.C.C. 12.22.085, Ordinance 8625,

90 Section 9, as amended, and K.C.C. 12.22.090, Ordinance
91 15399, Section 54, as amended, and K.C.C. 12.22.095,
92 Ordinance 13147, Section 27, as amended, and K.C.C.
93 20.18.110, Ordinance 4461, Section 2, as amended, and
94 K.C.C. 20.22.040, Ordinance 19881, Section 164, and K.C.C.
95 21A.08.055, Ordinance 10870, Section 337, as amended, and
96 K.C.C. 21A.08.100, Ordinance 14045, Section 30, as
97 amended, and K.C.C. 21A.14.225, Ordinance 16267, Section
98 62, as amended, and K.C.C. 21A.28.154, Ordinance 17287,
99 Section 3, as amended, and K.C.C. 21A.55.105, and
100 Ordinance 8867, Section 1, as amended, and K.C.C.
101 26.12.010 and repealing Ordinance 15378, Section 6, as
102 amended, and K.C.C. 1.36.060.

103 PREAMBLE:

104 The King County charter bestows on the executive the authority and the
105 duty of supervising all administrative offices and executive
106 departments established by the charter or created by the county council.

107 Under K.C.C. 2.16.025, the county executive manages the office of
108 performance, strategy and budget, the office of labor relations, the office of
109 climate, the office of economic opportunity and creative economy, and
110 the office of equity, racial, and social justice.

111 King County executive Girmay Zahilay was sworn in on November 25,
112 2025, with a stated commitment to strengthen how King County delivers
113 important services.
114 As part of that commitment, the county executive's office is being
115 reorganized to eliminate the office of performance, strategy and budget,
116 the office of labor relations, the office of climate, the office of economic
117 opportunity and creative economy, and the office of equity, racial, and social
118 justice.

119 The county executive's office will now work together as one cohesive unit
120 to integrate the principles of equity, social, and economic justice into all
121 decisions, and enable collaboration, advance priorities, and deliver services
122 in the best way possible.

123 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

124 SECTION 1. Ordinance 17402, Section 1, and K.C.C. 2.10.400 are
125 hereby amended to read as follows:

126 A. The ~~((county's office of performance, strategy and budget))~~ executive's office
127 shall review municipal proposals for intergovernmental financing partnerships that, if the
128 eligibility criteria in subsection B. of this section are satisfied, would support the
129 development of an interlocal agreement for the county to issue bonds in support of
130 municipally-sponsored development and construction of civic or cultural facilities with
131 regional benefit.

132 B. The executive's office ~~((of performance, strategy and budget))~~ shall apply the
133 following criteria in evaluating a proposal for an intergovernmental financing partnership

134 for the development and construction of civic or cultural facilities as provided for in
135 subsection A. of this section:

- 136 1. Only municipalities in King County are eligible to be a partner city;
- 137 2. The proposed project must be located in the partner city;
- 138 3. The proposed project must serve a county purpose and be determined to have
139 broad regional benefit;
- 140 4. The partner city must establish and identify the available secured revenue
141 sources for the proposed project;
- 142 5. The county's contribution shall be limited to an amount that can reasonably
143 be supported by the established or identified available tax revenues or other secured
144 revenues identified by the partner city, and shall be in an amount that is appropriate for
145 the specific circumstances of the proposal. County debt shall be used only if the county
146 has determined that its participation in the project with the partner city project would be
147 consistent with the county's debt policies and would not adversely impact the county's
148 bond rating or finances;
- 149 6. The partner city must enter into an interlocal agreement with the county. The
150 interlocal agreement may further establish the roles and responsibilities of the partner city
151 and the county, including the financing, management, ownership, communication,
152 oversight and accountability mechanisms that may be required by the county as the basis
153 for its participation in the partner city's project;
- 154 7. The proceeds from the county bond issuance may only be used for the
155 project's development and construction. The bond proceeds may not be used for a
156 facility's operations;

157 8. The partner city shall cover all county costs associated with the bond
158 issuance;

159 9. The project must satisfy all environmental requirements; and

160 10. The project must receive all necessary permitting approvals.

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

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

165 1. Is efficient and economical;

166 2. Promotes open government and an informed citizenry;

167 3. Protects individual privacy; and

168 4. Meets county record retention and disposition standards.

169 B. A public records committee is hereby established. The public records
170 committee shall:

171 1. Advise the council and the executive on county public records policies,
172 including both paper and electronic records; these policies must include policies for
173 posting records on county web sites;

174 2. Provide guidance on the planning and implementation of a countywide
175 records storage management plan and a countywide electronic records management
176 system;

177 3. Advise county agencies on their use of digital communication technology and
178 serve as a forum for sharing and discussing information about the county's use of such
179 technology; and

180 4. Submit a report containing the following information by August 15 of each
181 year in the form of a paper original and an electronic copy to the clerk of the council,
182 who shall retain the original and provide an electronic copy of the report to all
183 councilmembers, the council chief of staff, and the lead staff for the council's government
184 accountability and oversight committee or its successor. The report shall include:

185 a. a description of the forms of digital communication that are in use by each
186 county agency;

187 b. for each form of digital communication that is in use by an agency, a
188 description of the methods used by the agency to retain records of digital communication
189 to meet applicable record retention requirements; and

190 c. for each form of digital communication that is in use by an agency, a
191 description of the methods used by the agency to search records of digital communication
192 to meet applicable public record disclosure requirements;

193 d. the report required by the public records committee charter adopted by
194 Motion 12511, which provides a summary of the activities of the public records
195 committee in relation to the charter goals, and programmatic and policy
196 recommendations as to how King County can best manage, preserve and provide access
197 to its public records; and

198 e. all agency reports submitted to the chair of the public records committee
199 required by K.C.C. 2.12.300 that describe each agency's performance in responding to
200 public records requests during the preceding calendar year.

201 C. The director of the records and licensing services division or the director's
202 designee shall be the chair of the public records committee. The public records committee

- 203 shall include representatives of a broad range of county departments and elected
204 agencies, including at a minimum the following:
- 205 1. The council;
 - 206 2. The prosecuting attorney's office;
 - 207 3. The sheriff's office;
 - 208 4. The assessor's office;
 - 209 5. The department of elections;
 - 210 6. (~~Office of performance, strategy and budget~~) The executive's office;
 - 211 7. The executive branch's senior public records officer;
 - 212 8. The department of information technology's director of web-based services
213 technology; and
 - 214 9. Each executive department.

215 SECTION 3. Ordinance 18665, Section 6, and K.C.C. 2.15.030 are hereby
216 amended to read as follows:

217 A.1. King County and all its contractors shall provide free interpretation and
218 translation services as required by this chapter to limited-English-proficient persons.
219 When a limited-English-proficient person seeks or receives benefits or services from a
220 local agency, office, or contractor, the agency, office, or contractor shall make reasonable
221 efforts provide prompt interpretation services in all interactions with the person, whether
222 the interaction is done remotely or in person. King County agencies and offices shall
223 either employ sufficient qualified bilingual employees or contract with remote language
224 services to provide interpretation services in languages spoken by limited-English-
225 proficient county residents.

226 2. The agency, office or contractor shall meet its obligation to provide prompt
227 interpretation services for purposes of this subdivision by ensuring that limited-English-
228 proficient persons do not have to wait unreasonably longer to receive assistance than
229 persons who do not require interpretation services. King County agencies shall provide
230 support to contractors to meet the requirements of this section.

231 3. Where an application or form administered by King County requires
232 completion in English by a limited-English-proficient person for submission to a local,
233 state, or federal authority, King County or its contractor shall make reasonable efforts to
234 provide oral interpretation of the application or form as well as acknowledgement by the
235 limited-English-proficient person that the form was translated and completed by an
236 interpreter. King County agencies shall provide support to contractors to meet the
237 requirements of this section.

238 B. King County agencies and offices shall develop language assistance plans that
239 identify which of its vital documents and public communication materials need to be
240 translated into languages for use by limited-English-proficient persons. The plans should
241 also include identification of agency or office plans for providing translation of
242 webpages, automated telephonic greetings, automated telephonic voice messages, and
243 informational signage. The threshold for the translation of vital documents and public
244 communication materials shall be based on the top six languages identified by the tier
245 map of limited-English-proficient persons maintained by the executive's office (~~(of equity~~
246 ~~and social justice))~~) and the county demographer.

247 SECTION 4. Ordinance 18665, Section 8, as amended, and K.C.C. 2.15.100 are
248 hereby amended to read as follows:

249 A person who has been injured or otherwise sustained damages as a result of a
250 violation of this chapter may file a complaint with the ~~((King County office of equity and
251 racial and social justice))~~ civil rights program in accordance with K.C.C. 12.22.040.

252 SECTION 5. Ordinance 12075, Section 3, as amended, and K.C.C. 2.16.025 are
253 hereby amended to read as follows:

254 A. The county executive shall manage and be fiscally accountable for ~~((the office
255 of performance, strategy, and budget, the office of labor relations, the office of climate,
256 the office of economic opportunity and creative economy, and the office of equity and
257 racial and social justice.))~~ the following functions:

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

260 1. Planning, preparing, and ~~((managing, with emphasis on fiscal management
261 and control aspects,))~~ management of the county's operating and capital ((project))
262 budgets;

263 2. Monitoring revenues and ~~((preparing forecasts not produced by the office of
264 economic and financial analysis))~~ expenditures;

265 3. ~~((Monitoring expenditures and work programs;~~

266 4.)) Developing and preparing expenditure plans and ordinances to manage the
267 implementation of the operating and capital ~~((project))~~ budgets throughout the fiscal
268 period;

269 ~~((5.))~~ 4. Formulating and implementing financial policies regarding revenues
270 and expenditures for the county and other applicable agencies;

- 271 ~~((6. Performing program analysis, and contract and performance evaluation~~
272 ~~review;~~
- 273 ~~7. Developing and transmitting to the council, concurrent with the proposed~~
274 ~~budget for the fiscal period, supporting materials consistent with K.C.C. chapter 4A.100;~~
- 275 ~~8. Performance management and accountability:~~
- 276 ~~a.) 5. ((p))Providing leadership, guidance, and coordination of the executive~~
277 ~~branch performance management and accountability system;~~
- 278 ~~((b. overseeing the development of strategic plans and operational plans for~~
279 ~~each executive branch department and office;~~
- 280 ~~e. overseeing monitoring of the performance management and accountability~~
281 ~~system, including review of operational and budgetary performance;~~
- 282 ~~d. developing and using community level indicators and agency performance~~
283 ~~measures to monitor and evaluate the effectiveness and efficiency of each executive~~
284 ~~branch department and office; and~~
- 285 ~~e. overseeing the production of an annual performance report for the executive~~
286 ~~branch;~~
- 287 ~~9. Interagency coordination:~~
- 288 ~~a. coordinating and staffing executive initiatives across departments and~~
289 ~~agencies;~~
- 290 ~~b. facilitating interdepartmental, interagency and interbranch teams on~~
291 ~~multidisciplinary issues;~~
- 292 ~~c. negotiating interlocal agreements as designated by the executive; and~~
- 293 ~~d. serving as the liaison to the boundary review board for King County;~~

294 ~~10. Leading the county's continuous improvement activities;~~
295 ~~11. Leading the county's regional planning work, including:~~
296 ~~a.) 6. ((e))~~Coordinating the county's participation in multicounty planning at
297 the Puget Sound Regional Council, including serving on the Puget Sound Regional
298 Council's regional staff committee;
299 ~~((b-)) 7. ((e))~~Coordinating countywide planning at the Growth Management
300 Planning Council consistent with the Washington state Growth Management Act,
301 including leading the Growth Management Planning Council's interjurisdictional staff
302 team in accordance with the interlocal agreement authorized by King County Motion
303 8495;
304 ~~((e. Managing updates to the county's Comprehensive Plan in coordination~~
305 ~~with the department of local services in accordance with K.C.C. Title 20;~~
306 ~~d. coordinating the development of demographic and growth forecasting data~~
307 ~~and information including census data, growth targets, and buildable lands;~~
308 ~~e. facilitating annexations and joint planning with cities, including developing~~
309 ~~annexation proposals, drafting interlocal agreements, and serving as the liaison to the~~
310 ~~boundary review board for King County; and~~
311 ~~f. coleading with the department of local services's permitting division, an~~
312 ~~interbranch regional planning team that supports the council and executive through the~~
313 ~~provision of information and data, development of policy proposals and options for~~
314 ~~regional issues related to growth management, economic development, and~~
315 ~~transportation. Participation in the interbranch regional planning team shall include~~
316 ~~executive, department, and council staff as designated by the respective branches; and~~

317 ~~12.a. In the case of deaths that are subject to an inquest under Section 895 of the~~
318 ~~King County Charter or RCW 36.24.020 that is investigating the causes and~~
319 ~~circumstances of the deaths and that involve a member of a law enforcement agency~~
320 ~~within King County, develop and administer a program by which the county shall select~~
321 ~~attorneys to provide legal representation at public expense to the family participating in~~
322 ~~an inquest, regardless of the income level of the members of the family. However:~~

323 ~~(1) legal representation shall not be provided if the family does not wish to be~~
324 ~~represented by the attorneys selected under the program; and~~

325 ~~(2) legal representation shall be limited to preparation for the inquest and~~
326 ~~participation during the inquest and shall not include any representation for the purpose~~
327 ~~of potential related civil litigation.~~

328 ~~b. For the purposes of this subsection B.12.:~~

329 ~~(1) "A member of a law enforcement agency" means a commissioned officer~~
330 ~~or noncommissioned staff of a local or state police force, jail, or corrections agency; and~~

331 ~~(2) "Family" refers to the group of those individuals determined by the~~
332 ~~person conducting the inquest to have a right to participate as the family of the decedent.~~

333 ~~C. The office of labor relations functions and responsibilities shall include:~~

334 ~~1.)~~ 8. Representing county agencies in the collective bargaining process as
335 required by chapter 41.56 RCW;

336 ~~((2. Developing and maintaining databases of information relevant to the~~
337 ~~collective bargaining process;~~

338 3-)) 9. Representing county agencies in labor arbitrations, appeals, and hearings
339 including those in chapter 41.56 RCW and required by K.C.C. Title 3, in collaboration
340 with the department of human resources;

341 ~~((4.))~~ 10. Administering labor contracts and providing consultation to county
342 agencies regarding the terms and implementation of negotiated labor agreements, in
343 collaboration with the department of human resources;

344 ~~((5. Advising the executive and council on overall county labor policies; and~~

345 ~~6. Providing resources for labor relations training for county agencies, the~~
346 ~~executive, the council, and others, in collaboration with the department of human~~
347 ~~resources.~~

348 ~~D. The office of climate functions and responsibilities shall include:~~

349 4-)) 11. Coordinating the integration of climate change into county operations
350 ~~((in partnership with executive branch departments and offices, King County cities,~~
351 ~~partners, communities, and residents;~~

352 ~~2. Advising the executive and council on climate related policies, programs, and~~
353 ~~activities; and~~

354 ~~3. Leading)) and fostering climate innovation among county agencies((?));~~

355 ~~((E. The office of economic opportunity and creative economy functions and~~
356 ~~responsibilities shall include:~~

357 ~~1. Coordinating the county's efforts to develop a strong equitable economy that~~
358 ~~creates opportunities for all residents;~~

359 2-)) 12. Developing and implementing strategies to promote economic
360 revitalization ~~((and)), equitable development((? and)),~~

361 ~~((3. Assisting communities and businesses in creating economic opportunities,~~
362 ~~promoting)) a diversified economy, and ~~((promoting)) family-wage job creation((:)); and~~~~

363 ~~((F. The office of equity and racial and social justice functions and~~
364 ~~responsibilities shall include:~~

365 ~~1. Defining the county's equity and racial and social justice outcomes with~~
366 ~~communities most affected by inequities;~~

367 ~~2. Developing the county's strategies, practices, systems, and processes to~~
368 ~~achieve equity and racial and social justice outcomes;~~

369 ~~3. Providing strategic consultation to county agencies, and the communities they~~
370 ~~serve, to achieve equity and racial and social justice outcomes;~~

371 ~~4. Assisting county agencies to fulfill their responsibility to achieve equity and~~
372 ~~racial and social justice outcomes; and~~

373 ~~5. Operating the civil rights program, which shall include the following duties:~~

374 ~~a.) 13. Operating the county's civil rights program which includes enforcing~~
375 ~~the county's nondiscrimination ordinances as codified in K.C.C. chapters 12.17, 12.18,~~
376 ~~12.20, and 12.22((:)), and coordinating county responses to issues involving the~~
377 ~~Americans with Disabilities Act of 1990, the Civil Rights Act Title VI, and investigating~~
378 ~~complaints filed under the Civil Rights Act Title VI.~~

379 ~~((b.)) a. assisting departments in complying with the federal Americans with~~
380 ~~Disabilities Act of 1990, the federal Rehabilitation Act of 1973, Section 504, and other~~
381 ~~legislation and rules regarding access to county programs, facilities, and services for~~
382 ~~people with disabilities; and~~

383 ~~((e. serving as the county Americans with Disabilities Act Title II coordinator~~
384 ~~relating to public access;~~

385 ~~((~~f.~~) b. providing staff support to the county civil rights commission((~~f.~~~~
386 ~~e. serving as the county federal Civil Rights Act Title VI coordinator; and~~
387 ~~f. coordinating county responses to federal Civil Rights Act Title VI issues and~~
388 ~~investigating complaints filed under Title VI)),~~

389 ~~G.))~~ B.1. The county council hereby delegates to the executive or the executive's
390 designee authority to request a hearing before the Washington state Liquor and Cannabis
391 Board and make written recommendations and objections regarding applications relating
392 to:

- 393 a. liquor licenses under chapter 66.20 RCW; and
- 394 b. licenses for marijuana producers, processors, or retailers under chapter
395 69.50 RCW.

396 2. Before making a recommendation under subsection ~~((G))~~B.1. of this section,
397 the executive or designee shall solicit comments from county departments and agencies,
398 including, but not limited to, the department of local services, public health - Seattle &
399 King County, the sheriff's office, and the prosecuting attorney's office.

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

405 C.1. In the case of deaths that are subject to an inquest under Section 895 of the
406 King County Charter or RCW 36.24.020 that is investigating the causes and
407 circumstances of the deaths and that involve a member of a law enforcement agency
408 within King County, develop and administer a program by which the county shall select
409 attorneys to provide legal representation at public expense to the family participating in
410 an inquest, regardless of the income level of the members of the family. However:

411 a. Legal representation shall not be provided if the family does not wish to be
412 represented by the attorneys selected under the program; and

413 b. Legal representation shall be limited to preparation for the inquest and
414 participation during the inquest and shall not include any representation for the purpose
415 of potential related civil litigation.

416 2. For the purposes of this subsection C.:

417 a. "a member of a law enforcement agency" means a commissioned officer or
418 noncommissioned staff of a local or state police force, jail, or corrections agency; and

419 b. "family" refers to the group of those individuals determined by the person
420 conducting the inquest to have a right to participate as the family of the decedent.

421 ~~((H.))~~ D. The executive may assign or delegate budgeting, performance
422 management and accountability, climate policy, economic development, and strategic
423 planning, and interagency coordination functions to employees in the office of the
424 executive but shall not assign or delegate those functions to any departments.

425 SECTION 6. Ordinance 18793, Section 3, as amended, and K.C.C. 2.16.036 are
426 hereby amended to read as follows:

427 A. The department of human resources shall be responsible for the administration
428 of the county personnel system in accordance with K.C.C. Title 3. The department shall
429 manage and be fiscally responsible for the human resources services division, the career
430 and culture division, and the central employee services division.

431 B. The duties of the department shall include:

- 432 1. Developing, administering, and monitoring human resources policy;
- 433 2. Developing, administering, and monitoring diversity management programs
434 including equal employment opportunity affirmative action plan development and
435 integration of equity and social justice concepts into plans and programs;
- 436 3. Advising the executive and council on overall county employment policies;
- 437 4. Developing and disseminating communications to employees regarding
438 issues related to human resources; and
- 439 5. Providing labor relations training for county agencies, the executive, the
440 council, and others, in collaboration with the ~~((office of))~~ labor relations director in the
441 executive's office.

442 C. The duties of the human resources services division shall include:

- 443 1. Developing proposed and administering policies and procedures for:
 - 444 a. employment, including recruitment, examination, and selection;
 - 445 b. classification and compensation; and
 - 446 c. salary administration;
- 447 2. Providing technical and human resources information services support;
- 448 3. Coordinating individual employee performance review programs in executive
449 departments;

450 4. Administering the county's civil service personnel system in accordance with
451 K.C.C. chapter 3.14;

452 5. Monitoring executive branch compliance with human resources policies; and

453 6. Collecting and reporting to the executive's office (~~(of performance, strategy,~~
454 ~~and budget))~~) on a quarterly basis information on the numbers of filled and vacant full-
455 time equivalent and term-limited temporary positions and the number of emergency
456 employees for each appropriation unit.

457 D. The duties of the career and culture division shall include:

458 1. Developing and administering training and organizational development
459 programs, including centralized employee and supervisory training, conflict resolution
460 training, and other employee development programs;

461 2. Developing and administering programs to minimize detrimental workplace
462 conflict;

463 3. Developing and administering programs that promote employee engagement;
464 and

465 4. Providing organization assistance, mediation, and restoration services.

466 E. The duties of the central employee services division shall include:

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

471 2. Developing and administering workplace safety programs, including
472 inspection of work sites and dissemination of safety information to employees to promote
473 workplace safety;

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

476 4. Overseeing the county's unemployment compensation program;

477 5. Administering the county's employee benefits program fund; and

478 6. Managing the payroll system and procedures, including processing benefits
479 transactions in the payroll system and administering the employer responsibilities for the
480 retirement and the deferred compensation plans.

481 SECTION 7. Ordinance 11955, Section 5, as amended, and K.C.C. 2.16.055 are
482 hereby amended to read as follows:

483 A. The department of local services is responsible for managing and being
484 fiscally accountable for the permitting division and the road services division. The
485 department shall also administer the county roads function as authorized in applicable
486 sections of Titles 36 and 47 RCW and other laws, regulations, and ordinances as may
487 apply. Consistent with Motion 15125, the department shall:

488 1. Work in partnership with each county council district to focus on
489 coordinating, enhancing and improving municipal services provided to the county's
490 unincorporated areas. To effectuate this partnership, the executive shall routinely and
491 proactively meet and collaborate with councilmembers representing the unincorporated
492 area about potential organizational, operational, and other changes to county programs or
493 services that will affect unincorporated area residents;

494 2. Be available to brief the council's standing and regional committees on issues
495 related to unincorporated area local services;

496 3. Develop and implement programs and strategies that emphasize:

497 a. improving the coordination of local services by county agencies through
498 increased collaboration;

499 b. strengthening partnerships between the county, communities, and other
500 entities;

501 c. improving the delivery, responsiveness, and quality of local services to the
502 people, businesses, and communities of unincorporated King County through unified
503 accountability;

504 d. improving local services through robust employee engagement while
505 embracing equity and racial and social justice and continuous improvement;

506 e. strengthening unincorporated communities by supporting local planning and
507 community initiatives; and

508 f. pursuing innovative funding strategies.

509 B. The department shall support the executive's office in regional planning by:

510 1. Supporting the council and executive through the provision of information
511 and data, development of policy proposals and options for regional issues related to
512 growth management, economic development, and transportation;

513 2. Coordinating the development of demographic and growth forecasting data
514 and information including census data, growth targets, and buildable lands;

515 3. Facilitating annexations and joint planning with cities, including developing
516 annexation proposals, drafting interlocal agreements, and serving as the liaison to the
517 boundary review board for King County; and.

518 4. Managing updates to the county's Comprehensive Plan in accordance with
519 K.C.C. Title 20 in coordination with the executive's office.

520 C.1. The department shall also manage the development and implementation of
521 subarea plans for the six rural community service area and five urban unincorporated
522 potential annexation area geographies (~~(in coordination with the regional planning~~
523 ~~function in K.C.C. 2.16.025 and)) in accordance with the King County Comprehensive~~
524 Plan and the Growth Management Act.

525 2. Each subarea plan shall be developed consistent with the King County
526 Comprehensive Plan and shall:

527 a. be based on a scope of work established with the community;

528 b. establish a long-range vision, guiding principles, and policies to implement
529 that vision. Policies in the subarea plan shall be consistent with and not redundant to
530 policy direction in the Comprehensive Plan;

531 c. establish performance metrics and monitoring for implementation of the
532 subarea plan. The performance metrics and monitoring shall be:

533 (1)(a) for subarea geographies that have a subarea plan adopted as of
534 December 2022, reviewed and jointly reported on by December 30, 2024, and every two
535 years thereafter; and

536 (b) for subarea geographies that do not have a subarea plan adopted as of
537 December 2022, reviewed and reported on the timelines established in subsection
538 ~~((B))~~C.2.c.(1)(a) of this section beginning no sooner than two years after adoption; and
539 (2) informed and monitored by the community and the council;

540 d. use the tools and resources developed by the executive's office ~~((of equity~~
541 ~~and racial and social justice))~~ to develop the scope of work and to develop, review,
542 amend, adopt, and implement the subarea plan, including, but not limited to, community
543 engagement, language access and equity impact review tools. The county shall use, at
544 minimum, the "County and community work together" levels of engagement as outlined
545 in the ~~((office of equity and racial and social justice's))~~ Community Engagement Guide
546 published by the executive's office for the scoping, development, review, amendment,
547 adoption, and implementation of the subarea plan. The county shall include as an
548 appendix to the subarea plan information detailing the community engagement completed
549 during the development of the subarea plan and how the community engagement meets
550 the requirements of this subsection ~~((B))~~C.2.d.;

551 e. incorporate the findings of an equity impact analysis and proposals to
552 address equity impacts. During the development of the subarea plan, the public review
553 draft shall include preliminary findings of any equity impacts that will be further refined
554 and submitted as part of the subarea plan proposal;

555 f. include a review of policies specific to the subarea in the Comprehensive
556 Plan and previously adopted subarea plans, and, where appropriate, transfer policies from
557 those plans to the subarea plan; and

558 g. review the land use designations and zoning classifications in the subarea
559 geography, including all special district overlays and property-specific development
560 conditions, and transmit map amendments necessary to implement land use and zoning
561 updates and the vision, guiding principles, and policies within the subarea plan, and for
562 the five urban unincorporated potential annexation area geographies, the subarea plan
563 shall include modifications to the land use designations and zoning classifications to
564 meaningfully and substantially increase residential density in order to accelerate housing
565 production.

566 3. Before transmittal of the subarea plan to the council, the executive shall
567 coordinate and collaborate with the councilmember office or councilmember offices who
568 represent the subarea geography on development of the subarea plan.

569 4. Each subarea plan shall be transmitted to the council for possible adoption as
570 established in the schedule in the Comprehensive Plan and K.C.C. Title 20.

571 ~~((C))~~ D.1. The department shall also manage the development and
572 implementation of the list of services, programs, facilities, and capital improvements that
573 are identified by the community, known as a community needs list, for each of the
574 subarea geographies in subsection ~~((B))~~ C. of this section. The community needs list shall
575 be the responsibility of the executive to implement. The department of local services, in
576 coordination with the community, shall be responsible for monitoring the implementation
577 of the community needs list.

578 2. Each community needs list shall:

579 a. be consistent with and implement the subarea plan described in subsection
580 B. of this section and other county plans;

581 b. include potential services, programs, facilities, and capital improvements
582 that respond to community-identified needs, including, but not limited to, those that build
583 on the community's strengths and assets;

584 c. be developed, reviewed, prioritized, amended, adopted, and implemented
585 using tools and resources developed by the executive's office (~~(of equity and racial and~~
586 ~~social justice)~~), including, but not limited to, community engagement, language access,
587 and equity impact review tools. The county shall use, at minimum, the "County and
588 community work together" level of engagement as outlined in the (~~(office of equity and~~
589 ~~racial and social justice's)~~) Community Engagement Guide published by the executive's
590 office for the development, review, amendment, adoption, and implementation of the
591 community needs list. The county shall include as an appendix to the community needs
592 list information detailing the community engagement completed during the development
593 of the community needs list and how the community engagement meets the requirements
594 of this subsection ~~((C))~~D.2.c.

595 3. The community needs list shall be established as follows:

596 a. an initial catalog shall be compiled that identifies all requests from the
597 community for potential services, programs, and improvements;

598 b. the community service area program shall review the initial catalog and
599 refine this document into a community needs list based on:

600 (1) review by the department whether and to what extent the request meets or
601 strengthens the community vision, guiding principles, and policies established in the
602 adopted subarea plan and other county plans;

603 (2) review by county agencies regarding consistency with other county plans,
604 feasibility, budget constraints, timing, resources needs, and other barriers to
605 implementation; and

606 (3) review by the community through ongoing community engagement to
607 identify, discuss, and prioritize community needs;

608 c. for each item that is included in the community needs list, the following
609 shall be included:

610 (1) the executive, in consultation with the community and the councilmember
611 office or offices that represent the subarea geography, shall propose a prioritization of
612 low, medium, or high priority;

613 (2) which county agencies are responsible for implementation; and

614 (3) an anticipated timeline for completion that reflects that future resources
615 and budget appropriations may change the timeline. The county shall encourage
616 creativity and flexibility in identifying potential partnerships with and opportunities for
617 others, such as community-based organizations, to meet these needs;

618 d. for each request from the initial catalog that is not advanced to the
619 community needs list, the executive shall state why the request was not advanced. The
620 county shall clearly communicate why the request was not advanced to the community.
621 For items that cannot be accomplished by the county because they are outside of the
622 scope of county operations, the county shall provide information on how noncounty
623 entities may be able to accomplish the item, including consideration of potential
624 partnerships with noncounty entities; and

625 e. the community needs list shall establish performance metrics to monitor the
626 implementation of the community needs list and the overarching progress towards
627 reaching the twenty-year vision established in the policies of the subarea plan. The
628 performance metrics shall be:

629 (1) reviewed and reported on annually; and

630 (2) informed and monitored by the community and the council.

631 4. Before transmittal of a new or updated community needs list to the council,
632 the executive shall coordinate and collaborate with the councilmember office or
633 councilmember offices who represent the subarea geography.

634 5. A community needs list shall be transmitted to the council for possible
635 adoption by ordinance as follows:

636 a. concurrent with the executive's biennial budget transmittal; and

637 b. when identified by either the community service area work programs and
638 associated community engagement outlined in subsection ~~((D))~~E. of this section or the
639 services partnership agreements outlined in subsection ~~((F))~~G. of this section, or both.

640 6. The community needs lists shall be used to develop proposals for the
641 executive's proposed budget, including services, programs, infrastructure, and facilities
642 that implement the list. As part of the executive's budget transmittal, the executive shall
643 include a description of how the proposed budget implements the list.

644 ~~((D-))~~ E.1. The department shall also manage the community service area
645 framework adopted by Ordinance 17139, which shall be called the community service
646 area program. The community service area program shall develop and implement
647 programs and services to help all residents of unincorporated King County be more

648 knowledgeable of, better served by and heard by King County departments and agencies.
649 The community service area program shall work with all county departments and
650 agencies whose services, programs, and projects are of interest to unincorporated area
651 residents, to promote successful public engagement.

652 2. A work program shall be, beginning in 2025, developed for each subarea
653 geography described in subsection ~~((B))~~C. of this section and shall:

654 a. be consistent with and implement the applicable subarea plan as described in
655 subsection B. of this section, the community needs list in subsection ~~((C))~~D. of this
656 section and other county plans;

657 b. address the required elements in Ordinance 17139;

658 c. list potential action items for the area;

659 d. list known planning activities for the area;

660 e. identify public meetings for the area;

661 f. include the current adopted community needs list as required in subsection
662 C. of this section; and

663 g. establish an ongoing communications and community engagement plan
664 using tools and resources developed by the executive's office ~~((of equity and racial and
665 social justice))~~, including, but not limited to, community engagement, language access,
666 and equity impact review tools. The county shall use, at minimum, the "County and
667 community work together" level of engagement as outlined in the ~~((office of equity and
668 racial and social justice's))~~ Community Engagement Guide published by the executive's
669 office for the development, review, amendment, adoption, and implementation of the
670 community needs list; and

671 h. establish performance metrics to monitor the implementation of the work
672 program.

673 3. The community service area program shall provide regular updates to the
674 councilmember or councilmembers who represent the subarea geography on the progress
675 of the work program throughout the year and shall publish regular reports on the work
676 program to its website at least once per quarter.

677 4. The work program shall be updated on an annual basis.

678 ~~((E))~~ F.1. The department of local services shall monitor and report on
679 performance metrics for subarea plans described in subsection ~~((B))~~ C. of this section, for
680 community needs lists described in subsection ~~((C))~~ D. of this section, and for the work
681 program described in this subsection ~~((D))~~ E. of this section.

682 2. The timing for reporting on performance metrics and monitoring shall be:

683 a. for transmitting a report to the council:

684 (1) for subarea geographies that have a subarea plan adopted as of December
685 2022, reviewed and jointly reported on by December 30, 2024, and every two years
686 thereafter; and

687 (2) for subarea geographies that do not have a subarea plan adopted as of
688 December 2022, reviewed and reported on the timelines established in subsection
689 ~~((B))~~ C.2.c.(1)(a) of this section beginning no sooner than two years after adoption; and

690 b. for reporting outside of the timeframe in subsection ~~((E))~~ F.2.a. of this
691 section, reporting is required every year by the last business day of December, by posting
692 the performance metrics and monitoring information on the department's website.

693 3. Performance monitoring shall be informed and monitored by the community
694 and the council.

695 ~~((F-))~~ G.1. The department shall also establish service partnership agreements
696 with each executive branch agency that provides programs, services, or facilities in the
697 unincorporated area, including those agencies that provide regional services to
698 unincorporated area residents and businesses. The service partnership agreements shall
699 inform budget development for programs, services, or facilities in the unincorporated
700 area.

701 2. Service partnerships agreements shall:

702 a. be consistent with and implement the subarea plans in subsection ~~((B))~~ C. of
703 this section, the community needs lists in subsection ~~((C))~~ D. of this section, the
704 community service area work programs in subsection ~~((D))~~ E. of this section, and other
705 county plans;

706 b. use tools and resources developed by the executive's office ~~((of equity and
707 racial and social justice))~~ by the partner agency to deliver the programs, services, and
708 facilities described in the service partnership agreements.

709 3. Each service partnership agreement shall include, at a minimum:

710 a. roles and responsibilities for the department of local services and the partner
711 agency;

712 b. a general description of the programs, services or facilities provided by the
713 partner agency for unincorporated area residents and businesses and, where applicable, in
714 the subarea geographies;

715 c. goals for the partner agency to achieve the emphasis on local service
716 delivery described in Motion 15125 and this section, including:

717 (1) the desired outcomes for provision of each program, service, or facility;
718 and

719 (2) service level goals for each program, service, or facility;

720 d. performance metrics to monitor progress of implementing the outcomes and
721 service level goals for each program, service, or facility;

722 e. use of the community service area work programs in local service delivery
723 by the partner agency; and

724 f. the current adopted community needs lists and associated performance
725 metrics for monitoring and reporting on the progress the county agencies have made on
726 items on the lists that they are responsible for.

727 4. The service partnership agreements, after they are established, shall be
728 updated concurrent with the development of the annual or biennial budget and shall be
729 transmitted to the council as part of the supporting material for the executive's proposed
730 annual or biennial budget. In addition to the requirements for service partnership
731 agreements described in this subsection F., the updates shall include evaluation and
732 reporting on the goals and performance metrics identified in the previous service
733 partnership agreement and in the community needs list.

734 ~~((G.))~~ H. Until an ordinance that makes changes to the King County Code
735 required in Ordinance 18791, Section 217, is effective, the permitting division shall be
736 considered the successor agency to the department of permitting and environmental
737 review. Therefore, upon effectiveness of Ordinance 18791 and until an ordinance

738 required by Ordinance 18791, Section 217, is effective, where the code states or intends a
739 decision to be made or action to be implemented by the department of permitting and
740 environmental review, those decisions or actions shall be performed by the permitting
741 division.

742 ((H.)) I.1. The duties of the permitting division shall include the following:

743 a. ensuring consistent and efficient administration of environmental, building
744 and land use codes and regulations for commercial and residential projects by means of
745 permit review and approval, construction inspections, and public information;

746 ((b. participating on the interbranch regional planning team as specified in
747 K.C.C. 2.16.025));

748 ((e-)) b. administering the State Environmental Policy Act and acting as lead
749 agency, including making the threshold determinations, determining the amount of
750 environmental impact and reasonable mitigation measures, and coordinating with other
751 departments and divisions in the preparation of county environmental documents or in
752 response to environmental documents from other agencies;

753 ((d-)) c. effective processing and timely review of land development proposals,
754 including zoning variances, zoning reclassifications, master drainage plans, variances
755 from the Surface Water Design Manual and the King County Road Design and
756 Construction Standards, critical area, subdivision, right-of-way use, clearing and grading,
757 shoreline, special use, and conditional use applications;

758 ((e-)) d. pursuing and resolving code violations, including preparing for
759 administrative or legal actions, evaluating the department's success in obtaining

760 compliance with King County rules and regulations, and designing measures to improve
761 compliance;

762 ~~((f.))~~ e. regulating the operation, maintenance, and conduct of county-licensed
763 businesses, except taxicab, for-hire, and transportation network company drivers and
764 vehicles; and

765 ~~((g.))~~ f. developing and implementing an inspection program to identify fire
766 hazards and require conformance with K.C.C. Title 17, reviewing building plans and
767 applications for compliance with K.C.C. Title 17, and conducting inspections, including
768 inspections of new construction, for compliance with K.C.C. Title 17.

769 2. The permitting division manager shall be the:

770 a. county planning director;

771 b. zoning adjuster;

772 c. responsible official for purposes of administering the State Environmental
773 Policy Act;

774 d. county building official; and

775 e. county fire marshal.

776 3. The manager may delegate the functions in subsection ~~((H))~~I.2. of this section
777 to qualified subordinates.

778 ~~((I.))~~ J. The road services division is responsible for designing, constructing,
779 maintaining, and operating a comprehensive system of roadways and other transportation
780 facilities and services to support a variety of transportation modes for the safe and
781 efficient movement of people and goods and delivery of services. The duties of the
782 division shall include the following:

- 783 1. Designing, constructing, and maintaining county roads, bridges, and
784 associated drainage facilities;
- 785 2. Designing, installing, and maintaining county traffic signs, markings, and
786 signals;
- 787 3. Designing, installing, and maintaining roadway active transportation
788 facilities;
- 789 4. Managing intergovernmental contracts or agreements for services related to
790 road maintenance and construction and to other transportation programs supporting the
791 transportation plan;
- 792 5. Inspecting utilities during construction and upon completion for compliance
793 with standards and specifications, and ensuring that public facilities disturbed due to
794 construction are restored;
- 795 6. Performing detailed project development of roads capital improvement
796 projects that are consistent with the transportation element of the county's Comprehensive
797 Plan, and coordinating such programming with other county departments and divisions
798 assigned responsibilities for Comprehensive Plan implementation;
- 799 7. Incorporating into the roads capital improvement program those projects
800 identified in the transportation needs report, related functional plans and elsewhere
801 consistent with the county's Comprehensive Plan;
- 802 8. Preparing, maintaining, and administering the county road standards;
- 803 9. Preparing and administering multiyear roads maintenance and capital
804 construction plans and periodic updates;

805 10. Administering the transportation concurrency and mitigation payment
806 programs; and

807 11.a. Performing the duties of the office of the county road engineer, which is
808 hereby established as an administrative office of the road services division. The office of
809 the county road engineer shall be an office of record, supervised by the county road
810 engineer hired in accordance with RCW 36.80.010 and reporting to the manager of the
811 road services division. The office of the county road engineer shall be located within the
812 corporate limits of the county seat.

813 b. The county road engineer shall carry out all duties assigned to the county
814 road engineer as prescribed by state statute, except as modified by the county executive
815 as authorized in subsection ~~((f))~~J.11.c. of this section.

816 c. The county executive may assign professional engineering duties of the
817 county road engineer to someone other than the county road engineer, except as
818 otherwise assigned by the King County Code, and only if the individual assigned those
819 duties shall be qualified as required under RCW 36.80.020. The executive shall provide
820 to the county council and the Washington state County Road Administration Board, in
821 writing, those specific professional engineering duties not assigned to the county road
822 engineer, the name and position of each person responsible for carrying out those
823 assigned duties, the specific reporting and working relationships with the county road
824 engineer, and the duration for which those duties have been assigned.

825 SECTION 8. Ordinance 18086, Section 2, as amended, and K.C.C. 2.16.136 are
826 hereby amended to read as follows:

827 A.1. For all elections administered by the department of elections, the director of
828 elections shall prepare voting materials, to the extent not already provided by the Office
829 of the Washington state Secretary of State, in the languages required by subsection C. of
830 this section, in addition to those languages required by Section 203 of the Voting Rights
831 Act of 1965, P.L. 94-73, 42 U.S.C. 1973aa-1a. The director of elections shall make the
832 voting materials available to any resident of King County upon request of that person,
833 and in addition shall make the voter registration materials required by this section broadly
834 available, including to King County offices required to make them available under
835 K.C.C. 2.16.137. The director of elections shall record the numbers of ballot and voter
836 pamphlet requests in each language other than English, and include this information in
837 the report required in subsection B. of this section.

838 2. For the purposes of this section, "voting materials" include, but are not
839 limited to:

840 a. voter registration notices, voter registration forms, and voter registration
841 instructions, to the extent not already provided by the Office of the Washington state
842 Secretary of State;

843 b. ballots and ballot instructions; and

844 c. local voters' pamphlets, in conformity with K.C.C. chapter 1.10 and chapter
845 29A.32 RCW.

846 B. In 2016 and at least every five years thereafter, the director of elections shall
847 review data on limited-English-proficient populations in King County and shall
848 determine, in consultation with community leaders of limited-English-proficient
849 populations and the executive's office (~~(of performance, strategy and budget)~~), each

850 single language that has ten thousand or more limited-English-proficient King County
851 residents. The director of elections shall make this determination by referring to the best
852 available data from the United States Census Bureau or other source the director
853 considers relevant and reliable. The director of elections shall file a report of this
854 determination, including a list of all languages that meet the threshold of ten thousand or
855 more limited-English-proficient residents, and the supporting analysis by January 30,
856 2017, and at least every five years after the first report is filed. The director of elections
857 shall electronically file the report with the clerk of the council, who shall retain a copy
858 and provide an electronic copy to all councilmembers, the council chief of staff, the
859 council chief policy office, and the director of elections.

860 C.((1-)) The director of elections shall prepare and make available to the public
861 translated voting materials in the following languages:

- 862 1. Spanish;
- 863 2. Chinese;
- 864 3 Vietnamese;
- 865 4. Korean;
- 866 5. Russian;
- 867 6. Somali;
- 868 7. Any languages identified by the director in a report required by subsection B.
869 of this section as having ten thousand or more limited-English-proficient King County
870 residents, unless an ordinance is enacted within forty-five days of the filing of that report
871 requiring otherwise, beginning with the first general election after that report is filed with
872 the clerk of the council; and

873 8. Any other languages required under Section 203 of the Voting Rights Act of
874 1965, P.L. 94-73, 42 U.S.C. 1973aa-1a.

875 D. The director of elections shall also ensure the provision of targeted outreach to
876 all language communities identified under subsection C. of this section to promote
877 awareness of and requests for translated voting materials. The outreach may include, but
878 not be limited to, engagement of community leaders from and outreach to community
879 organizations serving limited-English-proficient populations, minority language media
880 purchases, such as advertising, attendance and materials distribution at large limited-
881 English-proficient community events, and recruitment of bilingual election workers. The
882 director of elections shall maintain and make available to the public at least one hundred
883 twenty days before each primary and general election a list of the languages other than
884 English in which the department will provide translated material and assistance, and the
885 specific form of that assistance.

886 E. The cost of providing the materials and services described in subsections A.,
887 C., and D. of this section shall be considered a cost of elections, of which a pro rata share
888 shall be recovered from constituent jurisdictions and the state.

889 SECTION 9. Ordinance 12076, Section 38, as amended, and K.C.C. 2.21.040 are
890 hereby amended to read as follows:

891 A. There is created a risk management committee to be composed of the risk
892 manager, the chief civil deputy, and ~~((the director of the office of performance, strategy
893 and budget))~~ a representative of the executive's office. The risk manager shall chair the
894 committee.

895 B. The risk management committee shall:

896 1. Make recommendations to the council and executive regarding risk
897 management policy;

898 2. Advise the risk manager on matters concerning the purchase of insurance
899 policies and advise on the design of insurance and funded self-insurance programs; and

900 3. Advise the risk manager concerning matters of risk management policy.

901 SECTION 10. Ordinance 19770, Section 4, and K.C.C. 2.31.030 are hereby
902 amended to read as follows:

903 The commission shall have the following duties:

904 A. Advise the executive, the council, and the public to implement and carry out
905 the purposes and provisions of this chapter, which may include, but are not limited to, the
906 following:

907 1. Human and civil rights protections that strengthen county antidiscrimination
908 ordinances and support the county's equity, racial, and social justice goals;

909 2. Human and civil rights protections to address issues of concern for county
910 residents;

911 3. Policies to proactively prevent discrimination and address inequalities at the
912 front end with an explicit focus on racial justice and equitable outcomes that would
913 benefit communities who have historically lacked power in the community;

914 4. Policies related to affirmative action and updates to the county's list of
915 protected classes based on robust engagement with community members, in particular
916 those individuals with a vested interest in policies related to affirmative action and
917 protected classes;

918 5. Policies, practices, and procedures to assist county decision makers in
919 fulfilling the county's commitment to address the root causes of inequities and distribute
920 resources equitably;

921 6. Equitable allocation of county resources, with investments that are consistent
922 with human and civil rights values, focused on people and places with the greatest needs;

923 7. The county's equal employment opportunity affirmative action plan; and

924 8. The county's equity and social justice strategic plan and related county
925 policies and practices;

926 B. Conduct and prioritize a robust and ongoing engagement process with
927 community members and county entities to consider their input in implementing and
928 carrying out the purposes and provisions of this chapter. Engagement shall be prioritized
929 for historically disadvantaged communities who have historically lacked power to
930 influence policies for the community. County entities should include, but not be limited
931 to, the office of law enforcement oversight, the community advisory committee for law
932 enforcement oversight, the immigrant and refugee commission, the women's advisory
933 board, 504/ADA advisory committee, the veterans, seniors and human services levy
934 advisory board, the executive's office (~~(of equity and racial and social justice)~~), the
935 legislative branch's director of equity and social justice, the county auditor, the hearing
936 examiner, the office of public complaints, and the various King County unincorporated
937 area councils;

938 C.1. Conduct research, public forums, and educational programs on social
939 stresses that impact the cohesion between groups in the county to support building of
940 alliances;

941 2. Conduct community outreach to ascertain the status and treatment of county
942 residents based on their protected class;

943 3. Evaluate means of alleviating discrimination and bias and of improving
944 human relations within the county; and

945 4. Issue such publications as may assist in enhancing the human and civil rights
946 of all county residents;

947 D. Monitor and review the procedures and processes of antidiscrimination
948 ordinances and affirmative action policies to determine compliance and effectiveness.

949 The monitoring and reviewing may include, but not be limited to, reviewing any
950 complaints filed under the antidiscrimination ordinances with a finding of no reasonable
951 cause and request for reconsideration by the complainant was denied. In conducting its
952 review, the commission may hold informal fact finding sessions with respect to processes
953 and procedures and any findings may result in recommendations to the executive;

954 E. Evaluate existing county policies and new ordinances for disproportionate
955 impacts on historically disadvantaged communities who have historically lacked power to
956 influence policies for the community;

957 F. Lead county efforts in raising community awareness, conducting education,
958 assistance and information programs on human and civil rights issues and on the purpose
959 and work of the commission; and

960 G. Beginning in 2026, provide an annual report to the executive and council that
961 shall include, but not be limited to, a quantitative and qualitative summary of completed
962 and ongoing commission activities as required in this chapter, progress on the work
963 program outlined in the prior calendar year annual report, and a work program for the

964 following calendar year. On behalf of the commission, the executive shall electronically
965 file the report by April 15 of each year with the clerk of the council, who shall retain an
966 electronic copy and provide an electronic copy to all councilmembers, the council chief
967 of staff, and the lead staff for the law and justice committee or its successor. The report
968 shall be publicized widely, in particular to those historically disadvantaged communities
969 who have historically lacked power to influence policies for the community. Publicity
970 methods shall include, but not be limited to, the official county newspaper, newspapers of
971 general circulation within each council district, King County civic television, television
972 news outlets, social media platforms, non-English language newspapers and periodicals
973 distributed in the county, and the county's website. The commission should provide
974 annual briefings to media and elected officials representing cities, the county, and the
975 state to ensure that the commission's lessons learned and achievements are shared with
976 the public and policy makers.

977 SECTION 11. Ordinance 17699, Section 2, as amended, and K.C.C. 2.36.100 are
978 hereby amended to read as follows:

979 A. The central business systems steering committee is hereby created. The
980 committee's purpose shall be to:

- 981 1. Maximize benefits from the accountable business transformation program;
- 982 2. Achieve the proper functioning and integration of the countywide systems for
983 human resources, payroll, time, and labor, finance, and budget; and
- 984 3. Provide for communication and accountability.

985 B. The members of the committee shall be:

- 986 1. The deputy county executive or designee;

987 ~~((2. The assistant deputy county executive;~~
988 ~~3.))~~ The county administrative officer;
989 ~~((4. The director of the office of performance, strategy, and budget))~~ 3. The
990 budget director in the executive's office; and
991 ~~((5.))~~ 4. The chief information officer.

992 C. The committee shall:

- 993 1. Make recommendations to the executive;
- 994 2. Coordinate work, set priorities, and guide how technical and business process
995 issues with the countywide system are addressed to achieve the proper functioning and
996 integration of the countywide policies, business processes, and systems for human
997 resources, payroll, time, and labor, finance, and budget. The committee shall also align
998 and integrate work plans for allocation of resources and budget;
- 999 3. Create a structured process for regular end-user engagement, involvement,
1000 communication, and training;
- 1001 4. Promote continued business process improvements and business rule
1002 standardization, and eliminate obstacles to adopting best practices; and
- 1003 5. Maximize benefits of the integrated enterprise system through business
1004 process and system standardization, optimization and transformation, and monitor
1005 performance measurement and reporting including benefit realization.

1006 SECTION 12. Ordinance 12901, Section 3, as amended, and K.C.C. 2.41.030 are
1007 hereby amended to read as follows:

1008 A. The commission shall consist of thirteen voting members; the members shall
1009 serve terms of three years as specified in K.C.C. chapter 2.28.

1010 B. The voting members of the commission shall serve without compensation.
1011 The members shall represent the diversity of rural forestry interests and the different
1012 geographic regions of rural King County.

1013 C. Commission membership shall include an equitable representation of the
1014 following interests:

1015 1. At least five members representing private rural forest landowners, with at
1016 least one from each of the following ownership categories:

1017 a. forest landowners with greater than five hundred acres of rural forest land in
1018 King County;

1019 b. forest landowners with forty to five hundred acres of rural forest land in
1020 King County, and for whom income from forestry is an important component of total
1021 income;

1022 c. residential forest landowners with greater than twenty acres of rural forest
1023 land enrolled in the Forest Land Designation (chapter 84.33 RCW) program; and

1024 d. residential forest landowners with less than twenty acres of rural forest land;

1025 2. Advocates of nontimber values of forest land, such as environmental
1026 protection, recreation, and open space;

1027 3. The Washington Department of Natural Resources;

1028 4. Affected Indian tribes;

1029 5. Consumers or users of local forest products, such as mills, lumber
1030 suppliers, craftspeople, artisans, florist suppliers, or users of other alternative forest
1031 products;

1032 6. Academic or professional foresters, or forestry associations; and

1033 7. Rural cities.

1034 D. The directors of the departments of natural resources and parks and executive
1035 services, (~~the chief officer of the office of performance, strategy and budget~~) a
1036 representative of the executive's office, the department of local services permitting
1037 division manager, a representative of the King County council (~~planning, rural service~~
1038 ~~and environment~~) local services and land use committee, or its successor, a
1039 representative of the Mount Baker-Snoqualmie National Forest, a representative of the
1040 Washington State University Extension, and the director of the King Conservation
1041 District may serve as nonvoting ex officio members of the commission.

1042 E. All appointees should have a working knowledge of King County forestry, a
1043 strong commitment to promote forestry in the rural area, the ability to work with differing
1044 viewpoints to find solutions to complex problems, and a willingness to commit the time
1045 necessary to attend commission meetings and activities.

1046 SECTION 13. Ordinance 18811, Section 1, and K.C.C. 2.42.150 are hereby
1047 amended to read as follows:

1048 A. The administrator is authorized to issue warrants for the medical center,
1049 subject to the requirements and limitations in RCW 36.62.252 and in subsection B. of this
1050 section.

1051 B. All warrants issued by the administrator shall comply with the following:

1052 1. The warrants shall be issued from the county hospital fund and drawn on an
1053 account maintained with the financial institution with which the county has its banking
1054 services agreement;

1055 2. The warrants shall be issued in a manner consistent with any written
1056 procedures established by either the finance and business operations division or the
1057 executive's office (~~(of performance, strategy and budget)~~), or both;

1058 3. The medical center shall coordinate with the finance and business operations
1059 division to ensure fiscal responsibility, accountability and auditing as needed;

1060 4. The administrator may not issue warrants for medical center capital projects
1061 administered and managed by King County, except that warrants for medical center
1062 capital projects managed and administered by the University of Washington under the
1063 terms of the Hospital Services Agreement dated February 25, 2016, may be issued by the
1064 administrator; and

1065 5. The administrator must be the signatory on the warrants.

1066 SECTION 14. Ordinance 18798, Section 2, as amended, and K.C.C. 2.47.010 are
1067 hereby amended to read as follows:

1068 A. The (~~county's office of equity and social justice~~) executive's office shall
1069 invite representatives from all branches, departments, agencies, and offices of county
1070 government to form an interbranch team to plan the Reverend Dr. Martin Luther King,
1071 Jr., annual gathering celebrating the life and legacy of the Reverend Dr. Martin Luther
1072 King, Jr.

1073 B. The interbranch team shall reach out to community representatives to receive
1074 ideas for the planning of the Reverend Dr. Martin Luther King, Jr., annual gathering, and
1075 receive feedback during the planning of the Reverend Dr. Martin Luther King, Jr., annual
1076 gathering.

1077 C. The (~~county's office of equity and social justice~~) executive's office in
1078 collaboration with the interbranch team shall each year convene an annual gathering
1079 celebrating the life and legacy of the Reverend Dr. Martin Luther King, Jr. The intent of
1080 the gathering shall be to:

1081 1. Provide a countywide gathering for all members of the public to celebrate the
1082 life and legacy of the Reverend Dr. Martin Luther King, Jr.;

1083 2. Recognize the impact that the Reverend Dr. Martin Luther King, Jr. has on
1084 our community and our nation and bring to attention the Reverend Dr. Martin Luther
1085 King Jr.'s message of equity, social justice, and (~~non-violence~~) nonviolence and his
1086 political and social philosophies; and

1087 3. Inspire county residents to strive in a (~~non-violent~~) nonviolent manner for
1088 the human rights, civil liberties, and economic guarantees rightfully due to all peoples.

1089 D. The gathering shall be held in the second week of the month of January.

1090 E. The gathering shall be open to all county employees that are available to
1091 attend. Separately elected officials, department directors, and division managers shall
1092 make an effort to accommodate all county employees that request to attend the gathering.

1093 F. The gathering shall be open to the public.

1094 G. The (~~county's office of equity and social justice~~) executive's office in
1095 collaboration with the interbranch team should widely publicize the gathering. Publicity
1096 methods shall include, but not be limited to, the official county newspaper, newspapers of
1097 general circulation within each council district, King County civic television, television
1098 news outlets, social media platforms, non-English language newspapers and periodicals
1099 distributed in the county, and the county's website.

1100 H. The gathering shall be held in a King County venue that would accommodate
1101 all attendees.

1102 I. The gathering shall consider including:

1103 1. Presentation of the King County Medal of Distinguished Service awards;

1104 2. Keynote addresses from invited guests and county elected officials;

1105 3. Performances by award winning artists, local artists, or both;

1106 4. Recognition of the Reverend Dr. Martin Luther King Jr. essay contest

1107 winners; and

1108 5. Readings of excerpts from Dr. King's speeches.

1109 J. Costs of the gathering are hereby authorized, subject to availability of funds in
1110 the county general fund.

1111 K. The executive shall include a proposed budget that will cover the costs of each
1112 annual gathering as part of the executive's proposed budget to council.

1113 SECTION 15. Ordinance 12058, Section 9, as amended, and K.C.C. 2.55.010 are
1114 hereby amended to read as follows:

1115 A. There is hereby created a King County Section 504 of the Rehabilitation Act
1116 of 1973/Americans with Disabilities Act of 1990 advisory committee, referred to in this
1117 section as the 504/ADA committee.

1118 B. The 504/ADA committee shall be composed of not less than three individuals,
1119 subject to confirmation by the county council, including the chair of the committee. The
1120 executive shall appoint the chair of the committee.

1121 C. The 504/ADA committee shall serve in an advisory capacity to the executive
1122 in developing strategies, systems, and guidelines in implementing the 504/ADA

1123 Compliance Workplan. The functions of the 504/ADA committee shall include, but not
1124 be limited to, the following:

1125 1. Review the 504/ADA Compliance Workplan and make recommendations
1126 towards improving its effectiveness;

1127 2. Review and monitor the progress of the 504/ADA Compliance Workplan;
1128 and

1129 3. Review and monitor the progress of affirmative action made in the
1130 employment of individuals with disabilities in the county's workforce.

1131 D. Appropriate staff to the 504/ADA committee shall be provided by the
1132 executive, including the Section 504 of the Rehabilitation Act of 1973/Americans with
1133 Disabilities Act of 1990 compliance specialist in the executive's office (~~of equity and~~
1134 ~~racial and social justice~~). The Section 504 of the Rehabilitation Act of 1973/Americans
1135 with Disabilities Act of 1990 compliance specialist is the designated county employee to
1136 coordinate the county's effort to comply with and carry out its responsibilities under
1137 Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of
1138 1990 and its implementing regulations.

1139 SECTION 16. Ordinance 18653, Section 3, and K.C.C. 2.78.020 are hereby
1140 amended to read as follows:

1141 The commission shall:

1142 A. Act as a central point of contact, communication and coordination to
1143 encourage coordination and efficient intersection of the work of stakeholders serving and
1144 engaging immigrant and refugee residents to achieve greater impact. As the hub, the
1145 commission shall act as the focal point for connecting a broad group of stakeholders to

1146 identify, elevate, and develop shared strategies and solutions, streamline and strengthen
1147 efforts, and bring more resources to the most pressing issues affecting immigrant and
1148 refugee communities. To achieve this purpose, the commission's duties shall include, but
1149 not be limited to, the following:

1150 1. Assist and advise the council, council administration, and independent offices
1151 of the legislative branch, the executive branch, including departments, divisions and
1152 offices, the sheriff, the assessor, the department of elections, the prosecuting attorney,
1153 superior court, district court, and the office of economic and financial analysis on issues,
1154 programs, and policies impacting immigrant and refugee communities;

1155 2. Collaborate with all levels of government to ensure effective outreach to and
1156 engagement of immigrant and refugee communities and advise on the county's role with
1157 other government entities;

1158 3. Coordinate with the executive's office (~~(of equity and racial and social~~
1159 ~~justice))~~ to develop and review core principles and strategies on equity as they relate to
1160 immigrant and refugee communities in the context of county services, programs, and
1161 policies;

1162 4. Assist with the development and implementation of county services,
1163 programs, and policies that impact immigrant and refugee communities;

1164 5. Evaluate county services, programs, and policies from the perspective of
1165 immigrant and refugee communities;

1166 6. Assist with the development and review of major county plans to ensure that
1167 the interests and priorities of immigrants and refugees are incorporated in those plans;

1168 7. Promote civic participation and government representation, which shall
1169 include, but not be limited to, encouraging application for employment within the county
1170 workforce by immigrant and refugee residents and representation of immigrant and
1171 refugee residents on boards and commissions;

1172 8. Promote naturalization as a path toward civic and economic integration;

1173 9. Collaborate with organizations that implement programs to enhance
1174 integration, naturalization, and English-language learning;

1175 10. Increase public awareness of immigrants and refugees and their
1176 contributions to our community;

1177 11. Collaborate with all levels of government to invest in the capacity of
1178 organizations that serve the immigrant and refugee communities;

1179 12. Continually review the need for appropriate resourcing and support for
1180 issues affecting immigrant and refugee communities;

1181 13. Recommend and advocate for increased funding, identify new funding
1182 sources and leverage existing funding that include county funds to address the needs of
1183 the immigrant and refugee communities and support the commission's activities; and

1184 14. Convene workgroups made up of stakeholders serving and engaging
1185 immigrant and refugee communities to build a shared countywide strategy to address the
1186 top issues surfaced through community input and/or work with the appropriate programs,
1187 boards/commissions, and task forces such as in housing and homelessness, employment
1188 and small business, barriers to accessing services, human trafficking, and criminal justice
1189 and safety;

1190 B. Focus on understanding and addressing challenges faced by immigrant and
1191 refugee communities living in suburban cities and unincorporated areas of the county.

1192 The commission should complement the work engaged by the city of Seattle but with
1193 emphasis on communities outside of the city of Seattle. To achieve this purpose, the
1194 commission's duties shall include, but not be limited to:

1195 1. Advocating for the county to act as a regional partner with cities to
1196 investigate the need for increased investment in the development of neighborhood centers
1197 or meeting hubs for youth and families, with an emphasis on serving the needs of
1198 immigrant and refugee populations;

1199 2. Working with county departments, cities, service providers, and the Sound
1200 Cities Association, to create a strategic plan, to be adopted by the commission, for
1201 addressing immigrant and refugee issues in suburban cities and unincorporated areas;

1202 3. Investigating whether immigrants and refugees are able to adequately access
1203 county services such as district courts, public health clinics, parks, transit in suburban
1204 cities, and exploring the potential and need for opening a multilingual, culturally-
1205 responsive satellite office in a suburban city if it is determined by the commission that a
1206 satellite office would help to increase access;

1207 4. Working with county departments to collaborate with businesses to increase
1208 economic opportunities for immigrants and refugees living in unincorporated areas to
1209 have access to living wage jobs; and

1210 5. Working with county departments to gather, share, and disaggregate data
1211 related to immigrants and refugees in unincorporated areas to determine unmet needs,

1212 such as the number of substandard houses, and prevalence of income gaps to understand
1213 intersections between place-based challenges for immigrants and refugees; and

1214 C. Adopt goals directed towards the purposes and responsibilities of this section.

1215 SECTION 17. Ordinance 18653, Section 8, and K.C.C. 2.78.070 are hereby
1216 amended to read as follows:

1217 An employee from the executive's office (~~(of equity and racial and social justice)~~)
1218 and one council employee shall staff the commission.

1219 SECTION 18. Ordinance 16077, Section 4, as amended, and K.C.C. 2.130.010
1220 are hereby amended to read as follows:

1221 A. There is hereby established a King County mental illness and drug
1222 dependency advisory committee.

1223 B.1. The advisory committee shall act as an advisory body to the county
1224 executive and council. The advisory committee shall conduct reviews, provide comment
1225 on and make recommendations on the mental illness and drug dependency tax-funded
1226 initiatives, services, programs and policy goals outlined in Ordinance 15949, Section 3,
1227 as amended, and K.C.C. 4A.500.340 and consistent with the mental illness and drug
1228 dependency service improvement plan that is approved in accordance with Ordinance
1229 17998. The advisory committee shall provide ongoing review, comments and
1230 recommendations on mental illness and drug dependency tax-funded programs until all
1231 sales tax revenues have been expended and the final evaluation of the mental illness and
1232 drug dependency programs and services has been submitted to the council.

1233 2. The advisory committee shall:

- 1234 a. review and provide written recommendations to the executive and the
1235 council on the implementation and effectiveness of the county's sales tax funded
1236 programs in meeting the goals established in Ordinance 15949, Section 3, as amended,
1237 and K.C.C. 4A.500.300 through 4A.500.340;
- 1238 b. review and report to the executive and the council on annual evaluation
1239 reports as required by Ordinance 15949, Section 3, as amended, and K.C.C. 4A.500.300
1240 through 4A.500.340;
- 1241 c. review and make comment on emerging and evolving priorities for the use
1242 of the mental illness and drug dependency sales tax revenue;
- 1243 d. serve as a forum to promote coordination and collaboration between entities
1244 involved with sales tax programs;
- 1245 e. educate the public, policymakers and stakeholders on mental illness and
1246 drug dependency sales tax funded programs; and
- 1247 f. coordinate and share information with other related efforts and groups.
- 1248 C. The advisory committee shall be composed of one representative from each of
1249 the following:
- 1250 1. The council;
- 1251 2. The executive;
- 1252 3. The superior court;
- 1253 4. The district court;
- 1254 5. The prosecuting attorney's office;
- 1255 6. The sheriff's office;
- 1256 7. The department of public health;

- 1257 8. The department of judicial administration;
- 1258 9. The department of adult and juvenile detention;
- 1259 10. The department of community and human services;
- 1260 11. A provider of both mental health and chemical dependency services in King
1261 County;
- 1262 12. A provider of culturally specific mental health services in King County;
- 1263 13. A provider of culturally specific chemical dependency services in King
1264 County;
- 1265 14. A representative of an organization with expertise in helping individuals
1266 with behavioral health needs in King County get jobs and live independent lives;
- 1267 15. A provider of domestic violence prevention services in King County;
- 1268 16. A provider of sexual assault victim services in King County;
- 1269 17. An agency providing mental health and chemical dependency services to
1270 youth;
- 1271 18. Harborview Medical Center;
- 1272 19. All Home;
- 1273 20. King County systems integration initiative, which is an ongoing work group
1274 established by the executive for addressing juvenile justice matters;
- 1275 21. The Community Health Council;
- 1276 22. The Washington State Hospital Association, representing King County
1277 hospitals;
- 1278 23. The Sound Cities Association;
- 1279 24. The city of Seattle;

- 1280 25. The city of Bellevue;
- 1281 26. Labor representing a bona fide labor organization;
- 1282 27. The office of the public defender;
- 1283 28. The National Alliance on Mental Illness;
- 1284 29. Puget Sound educational services district;
- 1285 30. A representative of a philanthropic organization;
- 1286 31. The King County behavioral health advisory board;
- 1287 32. A representative of an organization with expertise in recovery;
- 1288 33. A representative of the five managed care organizations operating in King
- 1289 County;
- 1290 34. An individual representing behavioral health consumer interests from the
- 1291 mental illness and drug dependency advisory committee's consumers and communities ad
- 1292 hoc work group;
- 1293 35. An individual representing community interests from the mental illness and
- 1294 drug dependency advisory committee's consumers and communities ad hoc work group;
- 1295 36. A representative of a grassroots organization serving a cultural population or
- 1296 cultural populations; and
- 1297 37. A representative of unincorporated King County.
- 1298 D.1. Separately elected officials and King County agency directors or their
- 1299 designees are not required to be appointed or confirmed.
- 1300 2. A member of the advisory committee who has been confirmed to serve on
- 1301 another county board or commission is not required to be confirmed to serve on the
- 1302 advisory committee.

1303 3. All other members of the advisory committee are subject to appointment by
1304 the county executive and confirmation by the county council.

1305 4. The executive shall appoint advisory committee members to staggered terms
1306 in accordance with K.C.C. 2.28.010.C.

1307 E.1. The advisory committee shall adopt rules governing its operations at its first
1308 meeting.

1309 2. The committee shall elect a chair or cochairs.

1310 3. Subcommittees and workgroups may be formed at the discretion of the
1311 advisory committee.

1312 4. At each meeting of the advisory committee, the advisory committee shall
1313 provide an open comment period.

1314 F. The advisory committee shall coordinate with other county groups including,
1315 but not limited to, the All Home coordinating board, the regional human services levy
1316 citizen oversight board, the veterans levy citizen oversight board, the children and youth
1317 advisory board, the behavioral health and recovery board, the board of health and the
1318 adult and juvenile justice operational master plan advisory groups, or their successors, to
1319 ensure that information is shared and, when appropriate, efforts are coordinated and not
1320 duplicated.

1321 G. The (~~office of performance, strategy and budget and the~~) behavioral health
1322 and recovery division of the department of community and human services shall provide
1323 staffing of the advisory committee.

1324 H. Members of the advisory committee who are not full-time county employees
1325 may be reimbursed for parking expenses in the King County parking garage when
1326 attending meetings of the committee.

1327 SECTION 19. Ordinance 19008, Section 7, as amended, and K.C.C. 2.150.050
1328 are hereby amended to read as follows:

1329 The duties of the commission include the following:

1330 A. Provide information, advice and counsel to the council, the executive, the
1331 department of community and human services, ~~((the office of equity and social justice,))~~
1332 and other county departments on issues and policies affecting renters, including housing
1333 affordability and the intersection of renters with their access to transportation, green and
1334 other public spaces, renter protections, public health and safety, education, and economic
1335 growth as they relate to renters in unincorporated King County;

1336 B. Monitor the enforcement and effectiveness of legislation related to renters and
1337 renter protections;

1338 C. Provide periodic advice on priorities, policies, and strategies for strengthening
1339 and enhancing the enforcement and effectiveness of renter protections;

1340 D. Adopt an annual work plan. The plan shall include a briefing on the
1341 commission's public involvement process for soliciting community and citizen input in
1342 developing the commission's annual work plan and updates on the work plan; and

1343 E. Collaborate and consult with other county commissions and committees,
1344 departments, the King County housing authority board of commissioners, the affordable
1345 housing committee of the King County growth management planning council, the Seattle
1346 renters' commission, and other community groups and associations, including those

1347 representing rental property landlords, to gather information, feedback, and
1348 recommendations related to the King County renters' commission's work.

1349 SECTION 20. Ordinance 12014, Section 32, as amended, and K.C.C. 3.12.350
1350 are hereby amended to read as follows:

1351 A. The director may adopt personnel guidelines for the purpose of implementing
1352 the directives, policies, and standards contained in this chapter and in Article 5 of the
1353 charter.

1354 After adoption, amendment, or repeal of any guideline, the department shall post
1355 the updated guidelines to the Internet, and the department will notify each department and
1356 the executive's office (~~(of labor relations)~~) may notify the collective bargaining units.

1357 B. The personnel guidelines may include, but not be limited to, the following
1358 subjects:

- 1359 1. Purpose, objectives and intent;
- 1360 2. Definitions;
- 1361 3. Preemployment administration:
 - 1362 a. role of the director and the department;
 - 1363 b. recruitment procedures;
 - 1364 c. application procedures;
 - 1365 d. examinations;
 - 1366 e. employment lists;
 - 1367 f. appointment; and
 - 1368 g. process requirements of equal employment opportunity;
- 1369 4. Postemployment administration:

- 1370 a. role of the department of human resources;
- 1371 b. probationary periods;
- 1372 c. classification system;
- 1373 d. employee performance evaluation;
- 1374 e. disciplinary procedures;
- 1375 f. separation, including reductions in force;
- 1376 g. employee relations; and
- 1377 h. process requirements of equal employment opportunity;
- 1378 5. Special duty;
- 1379 6. Grievance and appeals procedures:
- 1380 a. role of the department of human resources and other departments, including
- 1381 relationship and processes of the equal employment program;
- 1382 b. role of the director;
- 1383 c. grievance procedures;
- 1384 d. appeals procedures; and
- 1385 e. role of the personnel board;
- 1386 7. Conditions of employment;
- 1387 8. Employee benefits;
- 1388 9. Procedures for leaves of absence; and
- 1389 10. Procedures for salary and administration.

1390 SECTION 21. Ordinance 12943, Section 14, as amended, and K.C.C. 3.12A.020
1391 are hereby amended to read as follows:

1392 The definitions set forth in K.C.C. chapter 3.12 are hereby incorporated in this
1393 chapter. Words not defined in K.C.C. chapter 3.12 or in this chapter shall have their
1394 ordinary and usual meanings. In the event of conflict, the specific definitions set forth in
1395 this chapter shall presumptively, but not conclusively, prevail.

1396 A. "Committee" means the career service review committee, which shall consist
1397 of:

1398 1. The following three permanent members:

1399 a. ~~((the county executive or designee))~~ two executive's office representatives
1400 designated by the executive; and

1401 b. ~~((the chief officer of the office of performance, strategy, and budget or~~
1402 ~~successor organizational unit or designee; and~~

1403 ~~—e.))~~ the director of the department of human resources or successor
1404 organizational unit or designee; and

1405 2. One member representing the department whose body of work or employees
1406 are then under review.

1407 SECTION 22. Ordinance 18757, Section 4, as amended, and K.C.C. 3.12D.020
1408 are hereby amended to read as follows:

1409 The executive, assessor, director of elections, council, and prosecuting attorney
1410 shall report biennially on the number of workplace discrimination and harassment
1411 complaints, including sexual harassment, and inappropriate conduct complaints and,
1412 when possible, informal inquiries, received by each department each year. The report
1413 shall indicate the basis or bases of the complaint, which may be one or more of the
1414 protected classes as defined in K.C.C. chapter 3.12D, pregnancy, domestic violence

1415 victimization, or any other status protected by federal, state, or local law. The executive's
1416 office (~~(of equity and racial and social justice)~~) shall report on the number of unfair
1417 employment practice complaints filed, the basis or bases of the complaint, the number of
1418 investigations of unfair employment practices in the reporting year, and the number of
1419 findings that reasonable cause exists to believe that an unfair employment practice
1420 occurred. The first report shall be transmitted to the council by December 31, 2019. All
1421 reports under this section shall be electronically filed with the clerk of the council who
1422 shall retain an electronic copy and provide an electronic copy to all councilmembers, the
1423 council chief of staff and the council chief policy officer.

1424 SECTION 23. Ordinance 8658, Section 1, as amended, and K.C.C. 3.16.040 are
1425 hereby amended to read as follows:

1426 A. Any collective bargaining agreement between King County and a recognized
1427 bargaining representative as defined in RCW 41.56.030 which has been signed by the
1428 union shall be transmitted to the King County council no later than fourteen days after
1429 receipt by the executive's office (~~(of labor relations)~~).

1430 B. Failure to meet the deadline in subsection A. of this section shall result in the
1431 payment of interest on the retroactive amount of any negotiated salary or wage increase
1432 equal to interest earned on federal ninety-day treasury bills from the first day following
1433 the deadline through the date the signed agreement is transmitted to the King County
1434 council, unless the fourteen days have been extended by mutual agreement by both
1435 parties in writing.

1436 C. The interest accrued, if any, shall be divided among the county employees
1437 represented by the collective bargaining unit, based upon each employee's individual

1438 retroactive wage rate increase. The computed interest shall be included in the first
1439 paycheck that pays out the rate of pay negotiated in the tentative collective bargaining
1440 agreement.

1441 SECTION 24. Ordinance 14287, Section 5, as amended, and K.C.C. 3.16.055 are
1442 hereby amended to read as follows:

1443 A.1. A bargaining representative may at any time during negotiations forward to
1444 the ~~((manager of the office of))~~ labor relations director in the executive's office, or ~~((its))~~
1445 successor, a written complaint that the collective bargaining process is not being
1446 conducted in a timely manner or is not being conducted in a manner consistent with good
1447 faith bargaining. The ~~((manager of the office of))~~ labor relations director in the
1448 executive's office shall, within fifteen calendar days, respond in writing to the complaint
1449 and propose such remedies as may address the complaint.

1450 2. If the bargaining representative is not satisfied with the written response of
1451 the director, or if a written response to the complaint is not received within fifteen
1452 calendar days, the bargaining representative may forward the written complaint to the
1453 King County executive, as the bargaining agent, who shall, within fifteen calendar days,
1454 respond to it in writing and propose such remedies as may address the complaint.

1455 3. If the bargaining representative is not satisfied with the written response of
1456 the bargaining agent, or if a written response is not received from the bargaining agent
1457 within fifteen calendar days, the bargaining representative may request that the
1458 bargaining agent forward the written complaint to the council.

1459 4. If the bargaining agent receives a written request to have the complaint
1460 forwarded to the council, including an explanation of reasons for the request, the

1461 bargaining agent shall forward the request, together with the bargaining agent's written
1462 response, to the council within five calendar days from the receipt of the request. These
1463 materials or any discussion thereof shall remain confidential to the extent allowed by law.

1464 5. The council may request that the bargaining agent meet with the council for
1465 the purpose of reviewing the status of negotiations with regard to the principles contained
1466 in this chapter and the overall policy direction established by the labor policy committee,
1467 but the council shall take no action that would interfere with the lawful role of the
1468 bargaining agent.

1469 B. By June 30 of each year, the prosecuting attorney, in conjunction with
1470 bargaining agent, shall report to the council on all pending unfair labor practice charges
1471 and all pending arbitration involving represented employees.

1472 C. By June 30 of each year, or, in the case of agreements expiring other than
1473 December 31, at least ninety days before the commencement of negotiations, in
1474 preparation for collective bargaining the bargaining agent shall report to the council the
1475 agreements expiring that calendar year. The bargaining agent shall also generally explain
1476 existing policies that, if changed, would further the principles and intent established by
1477 this chapter. County department management concerned with the collective bargaining
1478 process, with the advice of other relevant county departments, shall assist the bargaining
1479 agent in reporting to the council.

1480 D. By June 30 of each year or, for agreements expiring other than December 31,
1481 at least ninety days before commencing negotiations, the council shall meet with the
1482 bargaining agent to review the schedule of collective bargaining agreements expiring in
1483 that calendar year and the key issues related to the collective bargaining process.

1484 Methods of consultation with unions, management rights and eliminating the causes of
1485 employee grievances shall also be considered.

1486 E. For the purpose of maintaining an effective collective bargaining process, the
1487 strategies and related information presented by the bargaining agent shall be maintained
1488 as confidential. The council shall develop guidelines to assist in accomplishing such
1489 confidentiality.

1490 SECTION 25. Ordinance 12076, Section 2, as amended, and K.C.C. 4.04.020 are
1491 hereby amended to read as follows:

1492 The definitions in this section apply throughout this chapter unless the context
1493 clearly requires otherwise.

1494 A. "Acquisition phase" means the time during which activities associated with
1495 acquisition or surplus and sale of real property, property rights or the acquisition of
1496 improvements through direct purchase or capitalized lease agreements occur.

1497 B. "Adopted" means approval by council motion or ordinance.

1498 C. "Agency" means a county office, officer, institution whether educational,
1499 correctional or other, department, division, board commission, except as otherwise
1500 provided in this chapter.

1501 D. "Allocation" means a part of a lump sum appropriation that is designated for
1502 expenditure by either a specific organization unit or for specific purposes, or both.

1503 E. "Allotment" means a part of an appropriation that may be encumbered or
1504 expended during an allotment period.

1505 F. "Allotment period" means a period of less than a fiscal year in length during
1506 which an allotment is effective.

1507 G. "Allotment plan" means a fiscal management plan that divides a county
1508 agency's program element budget into quarterly increments, reflecting the cyclical or
1509 seasonal pattern of expenditures, for the purpose of identifying over and under
1510 expenditures throughout the year.

1511 H. "Appropriations" means an authorization granted by the council to make
1512 expenditures and to incur obligations for specific purposes.

1513 I. "Appropriation ordinance" means the ordinance that establishes the legal level
1514 of appropriation for a fiscal year.

1515 J. "Art" means funds budgeted for the one percent for art program under K.C.C.
1516 chapter 4.40 or as otherwise provided by ordinance for a public art program.

1517 K. "Budget" means a proposed plan of expenditures for a given period or purpose
1518 and the proposed means for financing these expenditures.

1519 L. "Budget detail plan" means the council's proposed spending plan for the
1520 operational budgets of all agencies detailed at the section level and attached to the
1521 adopted appropriation ordinance or as modified by the most-recent supplemental
1522 appropriation ordinance.

1523 M. "Budget document" means a formal, written, comprehensive financial
1524 program presented by the executive to the council, including an electronic database with
1525 revenues and expenditures for all county agencies at the lowest organization levels and
1526 all summary levels provided in the general ledger system, balanced to the financial plans
1527 and the appropriation ordinance, fee ordinances, motions related to proposed levy rates to
1528 comply with chapter 36.40 RCW and cost-of-living adjustment ordinance proposed by
1529 the executive.

1530 N. "Budget message" means a formal oral presentation by the executive to the
1531 council that explains the budget in terms of goals to be accomplished and how the budget
1532 relates to the Comprehensive Plan.

1533 O. "Capital improvement plan" means a plan that establishes the capital
1534 improvements required to implement an approved operational master plan. This plan
1535 should extend over a minimum period of six years to define long-range capital
1536 improvement requirements and the annual capital improvements budget for a user
1537 agency.

1538 1. The capital improvement plan shall include the following elements, where
1539 applicable:

1540 a. general program requirements that define the development scope for specific
1541 sites or facilities;

1542 b. general space and construction standards;

1543 c. prototype floor plans and prototype facility designs for standard
1544 improvements;

1545 d. space requirements based on the adopted county space plan;

1546 e. initial, and life-cycle cost, of alternative facilities and locations including
1547 lease and lease/purchase approaches;

1548 f. approximate location of planned capital improvements;

1549 g. general scope and estimated cost of infrastructure;

1550 h. a schedule, that extends over a minimum of six years, for the
1551 implementation of projects included in capital improvement plans, based on overall user
1552 agency priorities and projected available revenue;

1553 2. The user agency shall prepare the elements of the plan in subsection O.1. a, d,
1554 f₂ and h of this section. The implementing agency shall prepare the elements of this plan
1555 in subsection O.1. b, c, e₂ and g of this section.

1556 3. The six-year budget schedule included in the capital improvement plan shall
1557 be updated annually in conjunction with the capital budget adoption process.

1558 P. "Capital project" means a project with a scope that includes one or more of the
1559 following elements, all related to a capital asset: acquisition of either a site or existing
1560 structure, or both; program or site master planning; design and environmental analysis;
1561 construction; major equipment acquisition; reconstruction; demolition; or major
1562 alteration. "Capital project" includes a: project program plan; scope; budget by phase;
1563 and schedule. The project budget and phases of a project shall be prepared or managed
1564 by the implementing agency.

1565 Q. "CIP" means capital improvement program.

1566 R. "CIP exceptions notification" means, except for major maintenance reserve
1567 fund, roads, solid waste, surface water management and wastewater CIP projects, a letter
1568 filed with the clerk of the council for distribution to the chair of the budget and fiscal
1569 management committee, or its successor committee, which describes changes to an
1570 adopted CIP project's scope or schedule, or both, or total project cost and, with the
1571 exception of schedule changes, shall be sent in advance of any action. For major
1572 maintenance reserve fund CIP projects, "exceptions notification" means a letter filed with
1573 the clerk of the council for distribution to the chair of the budget and fiscal management
1574 committee, or its successor committee, that describes changes of fifteen percent or more
1575 to an adopted CIP project's scope or schedule, or both, or total project costs and, with the

1576 exception of schedule changes, shall be sent in advance of any action. For road CIP
1577 projects, "exceptions notification" means a letter filed with the clerk of the council for
1578 distribution to the chair of the transportation committee, or its successor committee, that
1579 describes changes of fifteen percent or more to an adopted CIP project's scope or
1580 schedule, or both, or total project costs and, with the exception of schedule changes, shall
1581 be sent in advance of any action. For wastewater, solid waste and surface water
1582 management CIP projects, "exceptions notification" means a letter filed with the clerk of
1583 the council for distribution to the chair of the budget and fiscal management committee,
1584 or its successor committee, and to the chair of the utilities committee, or its successor
1585 committee, which describes changes of fifteen percent or more to an adopted CIP
1586 project's scope or schedule, or both, or total project costs and, with the exception of
1587 schedule changes, shall be sent in advance of any action.

1588 S. "Close-out phase" means the time during which the administrative processes
1589 and associated accounting activities to close out all contracts occurs. The close-out phase
1590 follows final acceptance and may include multiyear monitoring.

1591 T. "Council" means the metropolitan King County council.

1592 U. "Deficit" means the excess of expenditures over revenues during an
1593 accounting period, or an accumulation of such excesses over a period of years.

1594 V. "Director" means the ~~((director of the office of performance, strategy and))~~
1595 budget director in the executive's office.

1596 W. "Executive" means the King County executive, as defined by Article 3 of the
1597 King County Charter.

1598 X. "Expenditures" means, where the accounts are kept on the accrual basis or the
1599 modified accrual basis, the cost of goods delivered or services rendered, whether paid or
1600 unpaid, including expenses, provisions for debt retirement not reported as a liability of
1601 the fund from which retired, and capital outlays. Where the accounts are kept on the cash
1602 basis, "expenditures" means actual cash disbursements for these purposes.

1603 Y. "Final design phase" means the time during which design is completed,
1604 permits and other permissions are secured so that the project, or staged elements of the
1605 project consistent with the project management plan, can proceed to implementation.
1606 Final design phase also includes development of a final cost estimate, plans,
1607 specifications and a bid package.

1608 Z. "Financial plan" means a summary by fund of planned revenues and
1609 expenditures, reserves and undesignated fund balance.

1610 AA. "Fiscal period" means a calendar year or a biennium.

1611 BB. "Fund" an independent fiscal and accounting entity with a self-balancing set
1612 of accounts recording either cash or other resources, or both, together with related
1613 liabilities, obligations, reserves and equities that are segregated for the purpose of
1614 carrying on specific activities or attaining certain objectives in accordance with special
1615 regulations, restrictions or limitations.

1616 CC. "Fund balance" means the excess of the assets of a fund over its liabilities
1617 and reserves except in the case of funds subject to budgetary accounting where, before
1618 the end of a fiscal period, it represents the excess of the fund assets and estimated
1619 revenues for the period over its liabilities, reserves and appropriations for the fiscal
1620 period.

1621 DD. "General facility major maintenance emergent need contingency project"
1622 means an appropriation to provide contingent budget authority for emergent needs within
1623 major maintenance reserve fund CIP projects.

1624 EE. "Implementation phase" means the time during which a project is
1625 constructed or implemented. "Implementation phase" also includes the testing,
1626 inspection, adjustment, correction and certification of facilities and systems to ensure that
1627 the project performs as specified. The implementation phase begins with the notice to
1628 proceed for the construction contract and ends with final acceptance of the project, unless
1629 otherwise specified in grant or regulatory requirements.

1630 FF. "Implementing agency" means the appropriate department and division
1631 responsible for the administration of CIP projects.

1632 GG. "Lapse" of an appropriation means an automatic termination of an
1633 appropriation.

1634 HH. "Major maintenance reserve fund CIP project" means any major
1635 maintenance reserve fund CIP project that is allocated in the adopted six-year major
1636 maintenance reserve fund CIP and is appropriated at the major maintenance reserve fund
1637 level in accordance with K.C.C. 4.04.265 or is a high-risk project under K.C.C. 4.04.245.

1638 II. "Major widening project" means any roads CIP project adding at least one
1639 through lane in each direction.

1640 JJ. "Object of expenditure" means a grouping of expenditures on the basis of
1641 goods and services purchased, such as salary and wages.

1642 KK. "Open space non-bond fund project" means an open space project that is
1643 allocated in the adopted six-year open space CIP and is appropriated at the open space
1644 non-bond fund number 3522 level in accordance with K.C.C. 4.04.300.

1645 LL. "Operational master plan" means a comprehensive plan for an agency setting
1646 forth how the organization will operate now and in the future. An operational master
1647 plan shall include the analysis of alternatives and their life cycle costs to accomplish
1648 defined goals and objectives, performance measures, projected workload, needed
1649 resources, implementation schedules and general cost estimates. The operational master
1650 plan shall also address how the organization would respond in the future to changed
1651 conditions.

1652 MM. "Planning phase" means the time during which identification and
1653 development of project need and potential alternatives, evaluation of technical and
1654 economic feasibility and development of a rough-order-of-magnitude total project cost
1655 estimate occurs.

1656 NN. "Preliminary design phase" means the time during which when evaluation
1657 and analysis of potential project alternatives occurs, and the preferred alternative is
1658 selected and designed sufficiently to establish a project baseline, at thirty to forty percent
1659 design.

1660 OO. "Program" means the definition of resources and efforts committed to
1661 satisfying a public need. The extent to which the public need is satisfied is measured by
1662 the effectiveness of the process in fulfilling the needs as expressed in explicit objectives.

1663 PP. "Project program plan" means a plan, primarily in written narrative form, that
1664 describes the overall development concept and scope of work for a building, group of

1665 buildings or other facilities at a particular site. The complexity of the project program
1666 plan will vary based upon the size and difficulty of the program for a particular site.
1667 When the plan includes projects that are phased over time, each phase shall have an
1668 updated project program plan prepared by the user agency before project implementation.
1669 The project program plan shall be prepared by the user agency with assistance from the
1670 implementing agency. The program plan describes the user agency program
1671 requirements for a specific building or site; provides the basis for these requirements; and
1672 identifies when funds for the implementation of the capital projects will be provided.
1673 The program plan shall elaborate on the general program information provided in the
1674 operational master plan and the capital improvement plan. The plan shall also describe
1675 user agency programs, how these programs would fit and function on the site, and the
1676 general recommendation of the user agency regarding the appearance of the building or
1677 site. The plan shall indicate when a site master plan is required for a project.

1678 QQ. "Public need" means those public services found to be required to maintain
1679 the health, safety and well-being of the general citizenry.

1680 RR. "Quarterly management and budget report" means a report prepared
1681 quarterly by the director for major operating and capital funds, that:

- 1682 1. Presents executive revisions to the adopted financial plan or plans;
- 1683 2. Identifies significant deviations in agency workload from approved levels;
- 1684 3. Identifies potential future supplemental appropriations with a brief discussion
1685 of the rationale for each potential supplemental;
- 1686 4. Identifies significant variances in revenue estimates;

1687 5. Reports information for each appropriation unit on the number of filled and
1688 vacant full-time equivalent and term-limited temporary positions and the number of
1689 temporary employees;

1690 6. Includes the budget allotment plan information required under K.C.C.
1691 4.04.060; and

1692 7. Describes progress towards transitioning potential annexation areas to cities.

1693 SS. "Reappropriation" means authorization granted by the council to expend the
1694 appropriation for the previous fiscal year for capital programs only.

1695 TT. "Regulations" means the policies, standards and requirements, stated in
1696 writing, designed to carry out the purposes of this chapter, as issued by the executive and
1697 having the force and effect of law.

1698 UU. "Revenue" means the addition to assets that does not increase any liability,
1699 does not represent the recovery of an expenditure, does not represent the cancellation of
1700 certain liabilities on a decrease in assets and does not represent a contribution to fund
1701 capital in enterprise and intragovernmental service funds.

1702 VV. "Roads CIP project" means roads capital projects that are allocated in the
1703 adopted six-year roads CIP and are appropriated at the roads CIP fund level in
1704 accordance with K.C.C. 4.04.270 or a high-risk project under K.C.C. 4.04.245.

1705 WW. "Scope change" means, except for major maintenance reserve fund, roads,
1706 solid waste, surface water management, and wastewater CIP projects, that a CIP project's
1707 total project cost increases by ten percent or by fifty thousand dollars, whichever is less.

1708 For major maintenance reserve fund, roads, solid waste, surface water management, or

1709 wastewater CIP projects, "scope change" means the total project cost increases by fifteen
1710 percent.

1711 XX. "Section" means an agency's budget unit comprised of a particular project,
1712 program or line of business as described in Ordinance 16445, Section 5, for the 2010
1713 budget or for all subsequent budgets as described in the budget detail plan for the
1714 previous fiscal period as attached to the adopted appropriation ordinance or as modified
1715 by the most-recent supplemental appropriation ordinance. This definition is not intended
1716 to create an organizational structure for any agency.

1717 YY. "Site master plan" means a plan prepared by the implementing agency, with
1718 input from the user agency, that describes, illustrates and defines the capital
1719 improvements required to provide user agency program elements.

1720 1. The site master plan shall include preliminary information regarding, at a
1721 minimum:

- 1722 a. site analysis, including environmental constraints;
- 1723 b. layout, illustration, and description of all capital improvements;
- 1724 c. project scopes and budgets;
- 1725 d. project phasing; and
- 1726 e. operating and maintenance requirements.

1727 2. The site master plan shall be approved by the user agency and the
1728 implementing agency before submittal to the executive and council for approval.

1729 ZZ. "Solid waste CIP project" means a solid waste project that is allocated in the
1730 adopted six-year solid waste CIP and is appropriated at the solid waste CIP fund level in
1731 accordance with K.C.C. 4.04.273 or is a high-risk project under K.C.C. 4.04.245.

1732 AAA. "Surface water management CIP project" means a surface water
1733 management project that is allocated in the adopted six-year surface water management
1734 CIP and is appropriated at the surface water management CIP fund level in accordance
1735 with K.C.C. 4.04.275 or is a high-risk project under K.C.C. 4.04.245.

1736 BBB. "User agency" means the appropriate department, division, office, or
1737 section to be served by any proposed CIP project.

1738 CCC. "Wastewater asset management projects" means the wastewater capital
1739 projects identified and intended by the wastewater treatment division to extend and
1740 optimize the useful life of wastewater treatment assets, including facilities, structures,
1741 pipelines, and equipment.

1742 DDD. "Wastewater CIP project" means wastewater capital projects that are
1743 allocated in the adopted six-year wastewater CIP and are appropriated at the wastewater
1744 CIP fund level in accordance with K.C.C. 4.04.280 or is a high-risk project under K.C.C.
1745 4.04.245.

1746 SECTION 26. Ordinance 12076, Section 35, as amended, and K.C.C. 4.10.050
1747 are hereby amended to read as follows:

1748 The executive finance committee is hereby confirmed as being the "county
1749 finance committee," referred to in RCW 36.29.020 and RCW 36.48.070, and shall be
1750 composed of the following: ~~((the county executive;))~~ the manager of the finance and
1751 business operations division; ~~((the director of the office of performance, strategy and
1752 budget))~~ a representative of the executive's office; the director of department of executive
1753 services; and the chair of the county council. The executive finance committee shall be
1754 responsible for directing the manager of the finance and business operations division in

1755 determining the maximum prudent extent to which residual treasury cash shall be
1756 invested pursuant to RCW 36.29.020 and this chapter. Actions of the committee shall be
1757 by majority vote except when the chair of the council determines such action constitutes a
1758 policy determination, as opposed to an administrative determination, which should be
1759 referred to the council. The chair of the council may defer action on the proposal until
1760 the council makes such policy determination regarding the proposed action.

1761 SECTION 27. Ordinance 17293, Section 90, as amended, and K.C.C. 4A.10.495
1762 are hereby amended to read as follows:

1763 "Quarterly management and budget report" means a report prepared quarterly by
1764 the ~~((director of the office of performance, strategy and))~~ budget director in the
1765 executive's office, or ~~((its))~~ successor, that details revisions and variances for revenue
1766 collections and expenditures for major operating and capital funds under K.C.C.
1767 4A.100.100.

1768 SECTION 28. Ordinance 12045, Section 23, as amended, and K.C.C.
1769 4A.100.040 are hereby amended to read as follows:

1770 A.1. The executive shall prepare and distribute the budget in accordance with this
1771 subsection.

1772 2. At least one hundred fifty-five days before the end of the fiscal period, all
1773 agencies shall submit to the executive information necessary to prepare the budget.

1774 Agencies shall submit their budget information at the lowest organization and account
1775 levels unless accompanied by a notice explaining the reasons for not doing so.

1776 3. The basis for the executive's preliminary budget preparation of the pro forma
1777 budget, budget instructions to departments and preliminary review of departmental

1778 submittals to the executive shall be the preliminary economic and revenue forecast
1779 adopted by the forecast council.

1780 4. Before presentation to the council, the executive may provide for hearings on
1781 all agency requests for expenditures and revenues to enable the executive to make
1782 determinations as to the need, value, or usefulness of activities or programs requested by
1783 agencies. The executive may require the attendance of agency officials at the hearings
1784 and the agency officials shall disclose any information required to enable the executive to
1785 arrive at final determinations.

1786 5. The executive shall transmit a budget for the fiscal period and deliver a
1787 budget message to the council no later than ninety-five days before the end of the current
1788 fiscal period. The budget message shall explain the budget in fiscal terms and in terms of
1789 goals to be accomplished and shall relate the requested appropriations to the
1790 comprehensive plans of the county. Copies of the budget and budget message shall be
1791 delivered to the clerk of the council for distribution to councilmembers and legislative
1792 staff.

1793 6. The updated economic and revenue forecast adopted by the forecast council
1794 shall be used as the basis for the budget.

1795 7. Seven days before the presentation of the budget and budget message to the
1796 council, the ~~((director of the office of performance, strategy, and))~~ budget director in the
1797 executive's office, or ~~((its))~~ successor, shall submit to the council copies of all agency and
1798 departmental budget requests, departmental and divisional work programs.

1799 8. The executive shall prepare and present a proposed appropriation ordinance
1800 not later than ninety-five days before the end of the current fiscal period. The proposed

1801 appropriation ordinance shall specify by any combination of fund, program, project, or
1802 agency, the expenditure levels and maximum number of full time equivalent employees
1803 for the fiscal period.

1804 9. The executive shall make available to the public on the county's website, at
1805 no charge, an electronic copy of the budget and other summary documents.

1806 10. The ~~((director of the office of performance, strategy, and))~~ budget director in
1807 the executive's office, or ~~((its))~~ successor, shall be responsible for the distribution of the
1808 budget, either in electronic or printed formats, and posting on the Internet. The director
1809 shall also be responsible for updating the electronic database to reflect the adopted
1810 appropriations ordinance and posting on the Internet.

1811 11. If the fiscal period is a biennium, then the executive shall conduct a
1812 midbiennium review of the budget and propose adjustments during the adopted fiscal
1813 period, including any changes in the adopted overhead methodology.

1814 B. The council shall:

1815 1. Review the proposed appropriation ordinances and make any changes or
1816 additions it deems necessary except the council shall not change the form of the proposed
1817 appropriation ordinance submitted by the executive;

1818 2. Announce and hold public hearings as it deems necessary;

1819 3. Adopt an appropriation ordinance granting authority to make expenditures
1820 and to incur obligations upon completion of the budget hearings and at least thirty days
1821 before the end of the current fiscal period. The council may attach an accompanying
1822 statement specifying legislative intent;

1823 4. Adopt tax and revenue ordinances as may be necessary to implement the
1824 adopted appropriation ordinance; and

1825 5. Review any proposed midbiennium adjustments proposed by the executive
1826 during the adopted fiscal period, including any changes in the adopted overhead
1827 methodology.

1828 SECTION 29. Ordinance 17929, Section 20, as amended, and K.C.C.

1829 4A.100.070 are hereby amended to read as follows:

1830 A.1. Any departments or agencies, except the council, with unanticipated
1831 expenditures shall submit to the executive a statement of unanticipated expenditures. The
1832 statement shall specify any request for supplemental appropriation by program, project,
1833 object of expenditure, or any combination thereof. The executive shall review the
1834 requests in accordance with the department's or agency's work plan and determine
1835 whether to submit a supplemental appropriation request.

1836 2. If during the fiscal period the executive determines that revenues will be less
1837 than the expenditure amounts included in the appropriations ordinance, the executive
1838 shall revise the expenditures of departments or agencies funded from those revenue
1839 sources to prevent the making of expenditures in excess of revenues. If the executive
1840 determines that the fund has unrestricted reserves, the executive may use these reserves to
1841 avoid making expenditure reductions; however, the use of reserves may not reduce the
1842 fund balances below target reserve amounts. If the use of reserves exceeds five percent
1843 of the total appropriation, the council shall be notified in the quarterly management and
1844 budget report. An expenditure shall not be made from any portion of an appropriation
1845 that has been assigned to a reserve status except as provided in this section.

1846 B. All unexpended appropriations in noncapital appropriation ordinances lapse at
1847 the end of the fiscal period.

1848 C. The executive may transfer appropriation authority from an emergent need
1849 contingency project to support a cost increase for a capital project in the same fund in
1850 accordance with the procedures in K.C.C. 4A.100.080.

1851 D.1. Except as provided in this subsection, an agency shall not expend or contract
1852 to expend any money in excess of amounts appropriated. A contract made in violation of
1853 this subsection is null and void. An officer, agent, or employee of the county knowingly
1854 responsible for such a contract is personally liable to anyone, including the county,
1855 damaged by the officer, agent, or employee's action.

1856 2. An agency may contract to expend money in excess of existing
1857 appropriations when:

1858 a. the contract commits the county to expend funds beyond the fiscal period
1859 and the contract includes a cancellation clause that provides:

1860 (1) the contract may be unilaterally terminated by the county for lack of
1861 appropriation; and

1862 (2) the costs associated with such a termination, if any, shall not exceed the
1863 appropriation for the fiscal period in which termination occurs;

1864 b. the contract commits the county to expend funds beyond the fiscal period
1865 and the council, at the request of the executive, adopts an ordinance permitting the county
1866 to enter into the contract;

1867 c. the contract implements a grant awarded to the county before the
1868 appropriation of grant funds, including appropriations that must be made in future years,

1869 if the council has received prior notice of the grant application and if either of the
1870 following conditions are met: all of the funds to be appropriated under the contract will
1871 be from the granting agency; or all financial obligations of the county under the contract
1872 are subject to appropriation; or

1873 d. the contract is an emergency contract as authorized by K.C.C. 2.93.080.

1874 3. In accordance with Section 495 of the King County Charter, real property
1875 shall not be leased to the county for more than one year unless it is included in a capital
1876 budget appropriation ordinance.

1877 4.a. Any lease or license for the possession or use of real property by the county
1878 with a term, including any potential options, extensions, or renewals, longer than five
1879 years must be approved by the council before execution by the executive.

1880 b. Any decision to extend a lease or license for the possession or use of real
1881 property by the county beyond a cumulative total of five years, whether memorialized
1882 through an option, extension, amendment, or new lease or license, must be approved by
1883 the council before execution by the executive.

1884 c. Any lease or license for the possession or use of real property by the county
1885 that requires more than fifty thousand dollars in tenant improvement or other alterations
1886 to the real property for the benefit of the county must be approved by the council before
1887 execution by the executive.

1888 d. Any lease or license for the possession or use of real property by the county
1889 shall comply with the requirements of K.C.C. 18.17.050.C.

1890 5. Any lease or license or extension of a lease or license for the possession or
1891 use of real property by the county entered into for the purpose of implementing the Puget

1892 Sound emergency radio network project as described in Ordinance 17993 and approved
1893 by the voters at the election held on April 28, 2015, may commit the county to expend
1894 funds in excess of amounts appropriated, and may be executed by the executive without
1895 council approval.

1896 E. A capital project budget and phases of a capital project shall be prepared by
1897 the user agency. The capital project shall be managed by the implementing agency.

1898 F. Ongoing review of capital projects for which moneys have been appropriated
1899 shall be coordinated by the executive's office (~~(of performance, strategy and budget or its~~
1900 ~~successor)~~). For capital projects involving more than one agency, representatives from
1901 the agencies shall consult with the executive's office (~~(of performance, strategy and~~
1902 ~~budget or its successor)~~). The executive's office (~~(of performance, strategy and budget or~~
1903 ~~its successor)~~) shall review capital projects for compliance with scope, budget, and
1904 schedule.

1905 SECTION 30. Ordinance 17929, Section 21, as amended, and K.C.C.

1906 4A.100.080 are hereby amended to read as follows:

1907 A. An emergent need contingency project may be included in any capital
1908 improvement program fund under K.C.C. 4A.100.030.

1909 B. Emergent need contingency projects must be included in the proposed capital
1910 fund's six year capital improvement program and be consistent with the proposed fund
1911 financial plan.

1912 C. An emergent need contingency project amount shall not exceed either twenty
1913 percent of the total unexpended appropriation in a capital fund as of July 1 of the final

1914 year of the fiscal period plus the total adopted appropriations for the capital fund for the
1915 upcoming fiscal period or fifty million dollars, whichever is less.

1916 D.1. For capital projects other than risk monitored projects, expenditure authority
1917 may be transferred from an emergent need contingency project to another capital project
1918 within the same fund to address costs not anticipated at the time of budget adoption.

1919 Capital projects requiring a transfer of less than twenty-five percent of total project costs,
1920 a scope change or a schedule deviation must be reported in the quarterly budget
1921 management report under K.C.C. 4A.100.100.

1922 2. For transfers of twenty-five percent or more of total project costs, the
1923 ~~((director of the office of performance, strategy and))~~ budget director in the executive's
1924 office, or ~~((its))~~ successor, shall be responsible for electronically filing a capital project
1925 exception notification with the clerk of the council, who shall retain an electronic copy
1926 and provide an electronic copy to all councilmembers and the lead staff for the budget
1927 and fiscal management committee or its successor. The notification must be sent and
1928 authorized as set forth in subsection E. of this section in accordance with this section
1929 before any transfer may occur.

1930 E. When the clerk of the council receives a capital project exception notification,
1931 the clerk of the council shall list the capital project exception notification under other
1932 business on the next two council agenda. Councilmembers may object to the proposed
1933 transfer of emergent need contingency expenditure authority to another project in the
1934 same fund at either of those two council meetings. If an objection is not made at either
1935 council meeting, the transfer may proceed. If an objection to the transfer of emergent
1936 need contingency is made at a council meeting, the transfer may not proceed. The clerk

1937 of the council shall notify the ~~((director of the office of performance, strategy and))~~
1938 budget director in the executive's office, or ~~((its))~~ successor, of the council's action.

1939 SECTION 31. Ordinance 620, Section 4, as amended, and K.C.C. 4A.100.100
1940 are hereby amended to read as follows:

1941 A. The following reports shall be prepared:

1942 1. A comprehensive annual financial report. The executive shall annually
1943 prepare and publish a comprehensive financial report covering all funds and financial
1944 transactions of the county during the preceding fiscal period;

1945 2. Internal county audit reports. The county auditor shall periodically prepare
1946 and publish the results of examinations performed by the county auditor's office of the
1947 effectiveness, efficiency, and equity of the operation of county agencies. The examination
1948 report and any departmental response to the audit shall be made available by the county
1949 auditor, either electronically or in print formats, and by posting on the Internet;

1950 3. A state audit report. The examination report of the county's financial affairs
1951 and transactions issued annually by the Office of the State Auditor and the county
1952 response to the audit shall be made available to the State Auditor annually, either
1953 electronically or in print formats, and by posting on the Internet; and

1954 4. Quarterly budget management reports.

1955 a. The executive shall submit to the council a report detailing the results of
1956 actual revenue collections and expenditures for each fund. The report shall:

1957 (1) present current financial plans for operating and capital funds that have
1958 gone through the ~~((office of performance, strategy, and budget's))~~ financial monitoring
1959 process of the executive's office, as described in the current comprehensive financial

1960 management policies adopted by council motion during the current quarter, including
1961 actual expenditures and revenues;

1962 (2) identify significant variances in revenue and expenditure estimates for the
1963 general fund;

1964 (3) list any transfer of emergent need contingency expenditure authority that
1965 would increase the total budget of a capital project, identifying those increases that are
1966 greater than fifteen percent;

1967 (4) list any transfer of grant contingency expenditure authority;

1968 (5) list any capital budget appropriations that have lapsed because the project
1969 has been completed or abandoned, or because no encumbrance or expenditure has been
1970 made for three years;

1971 (6) report scope, schedule, and budget status for capital projects that has a
1972 baseline with total estimated cost greater than one million dollars;

1973 (7) summarize the risks included in the risk assessment register for baselined
1974 risk monitored projects in the design phase, the acquisition phase, and the implementation
1975 phase, summarize change orders and amendments, explain change orders and
1976 amendments that have the cumulative potential to carry the project over project baseline,
1977 and summarize the results of the latest earned value analysis;

1978 (8) report on all incremental changes to sections and attachments to the
1979 budget appropriations ordinance made during the quarter, including the ordinance
1980 numbers making the changes; and

1981 (9) report on waivers to the regulations of K.C.C. chapter 18.17, in
1982 compliance with K.C.C. 18.17.060.

1983 b. The report shall be electronically filed with the clerk of the council, who
1984 shall retain an electronic copy and provide and an electronic copy to all councilmembers
1985 and the lead staff of the budget and fiscal management committee, or its successor, no
1986 later than June 1 for the first quarterly report, September 1 for the second quarterly
1987 report, December 1 for the third quarterly report and March 1 for the fourth quarterly
1988 report. The ~~((director of performance, strategy, and))~~ budget director in the executive's
1989 office, or successor, shall also be responsible for posting the report on the Internet.

1990 B. The King County project control officer is requested to report annually on the
1991 process used to ensure that all departments and divisions adhere to King County's
1992 construction management policies and procedures, the compliance rate for following the
1993 county's construction management policies and procedures, and the steps being taken to
1994 increase compliance with King County's construction management policies and
1995 procedures. Additionally, the report shall summarize all findings in regards to any
1996 changes in a contract's scope, schedule, or budget. The King County project control
1997 officer shall electronically file the report by June 1 of each calendar year with the clerk of
1998 the council, who shall retain an electronic copy and provide an electronic copy to all
1999 councilmembers, the lead staff for the budget and fiscal management committee or its
2000 successor and the county auditor's office.

2001 SECTION 32. Ordinance 12076, Section 4, as amended, and K.C.C. 4A.110.010
2002 are hereby amended to read as follows:

2003 A. The ~~((director of the office of performance, strategy and))~~ budget director in
2004 the executive's office, or ~~((its))~~ successor, shall maintain a fiscal note process and shall
2005 update formats for fiscal notes as needed to provide for the requirements of this section,

2006 adopted comprehensive financial management policies, and any other information
2007 required by the council.

2008 B. A fiscal note shall identify the incremental fiscal impact of a motion or
2009 ordinance that would directly or indirectly increase or decrease revenues or expenditures
2010 incurred by the county. A fiscal note shall include the estimated revenue and expenditure
2011 impact of any legislation for the current fiscal period, for the prior biennium and for the
2012 two subsequent biennia.

2013 C. If proposed legislation authorizes the execution of a contract or interlocal
2014 agreement that extends beyond two subsequent biennia, the legislation's fiscal note shall
2015 document the impact through the end of the term of the proposed contract or interlocal
2016 agreement, either in fiscal terms or by using a narrative regarding the long term impacts.
2017 A fiscal note shall accompany any request for expenditure authority transmitted by the
2018 executive, but a fiscal note may be omitted when the executive certifies in writing with
2019 the transmittal that the legislation has no significant fiscal impact on either the operating
2020 budget or the capital budget, or both.

2021 D. All fiscal notes shall include:

- 2022 1. A brief descriptive title of the proposed legislation;
- 2023 2. An explanation of how the revenue or expenditure impacts were developed.
2024 The explanation shall include, but not be limited to, quantifiable data that illustrates a
2025 significant workload increase or decrease caused by adoption of the proposed legislation
2026 major assumptions made in preparing the fiscal note;
- 2027 3. For a program anticipated to be funded by any dedicated non-general fund
2028 revenue source, the fiscal note shall denote anticipated collection schedules for the non

2029 general fund revenue. For a new fee or a fee change, in addition to the requirements of
2030 K.C.C. 2.99.030, the fiscal note shall identify the fee and include the rates proposed. For
2031 a regulatory fee, the fiscal note shall include an analysis of the county costs associated
2032 with performing the regulatory function;

2033 4. An updated financial plan or plans shall accompany the fiscal note if the
2034 expenditure impact of the proposal results in a positive or negative change of five percent
2035 or more in the fund financial plan.

2036 E. The ~~((director of the office of performance, strategy and))~~ budget director in
2037 the executive's office, or ~~((its))~~ successor, shall provide a fiscal note on any proposed
2038 legislation whenever a fiscal note is requested by a councilmember. In addition, the
2039 director shall provide additional fiscal impact information regarding the proposed
2040 legislation upon request by a councilmember. The requested fiscal note or information
2041 shall be returned within five working days of the request to the requesting
2042 councilmember and shall be filed with the clerk of the council's office for distribution to
2043 all councilmembers, for distribution to lead staff of the budget and fiscal management
2044 committee, or its successor committee, and for inclusion with the legislation.

2045 SECTION 33. Ordinance 17930, Section 13, as amended, and K.C.C.
2046 4A.130.020 are hereby amended to read as follows:

2047 A. The executive shall ensure that capital projects required to undergo a risk
2048 assessment receive an annual risk assessment score using a risk assessment scoring
2049 instrument developed by the county auditor. Except as provided in subsection D.2. of
2050 this section, at least annually, the executive shall notify the county auditor of those capital
2051 projects undergoing a risk assessment.

2052 B. The risk assessment scoring instrument shall use information such as
2053 complexity of regulatory requirements, interdependencies with other projects and
2054 programs, schedule constraints, implementing agency resources, project delivery method,
2055 complexity of property acquisition issues, public impact, risks inherent to the likely
2056 construction technology or any other issues that could have a significant impact on the
2057 ability of the project to meet its project baseline scope, schedule or budget.

2058 C. The risk assessment scoring instrument shall be completed by the
2059 implementing agency. The implementing agency director shall ensure that the risk
2060 assessment scoring instrument is reviewed and signed by agency staff who does not
2061 report to the project's project manager, to anyone who reports to that project manager or
2062 to anyone to whom that project manager directly reports. The implementing agency shall
2063 submit the completed risk assessment scoring instrument to the executive by a deadline
2064 set by the county auditor. The executive shall compile all completed risk assessment
2065 scoring instruments and submit the compilation to the county auditor.

2066 D.1. For existing capital projects and anticipated capital project expenditure
2067 authority requests, by June 30 of each year the county auditor shall electronically file risk
2068 assessment score results, if required by K.C.C. 4A.130.010, and a letter recommending
2069 which capital projects should be designated risk monitored projects with the clerk of the
2070 council, who shall retain an electronic copy and distribute electronic copies to all
2071 councilmembers and the lead staff for the budget and fiscal management committee, or
2072 its successor. The county auditor shall also transmit an electronic copy of its
2073 recommendation letter required by this subsection to the ~~((director of the office of~~
2074 ~~performance, strategy and))~~ budget director in the executive's office, or ~~((its))~~ successor.

2075 2. For each capital project expenditure authority request included in a proposed
2076 supplemental capital budget appropriation ordinance, the executive shall transmit a risk
2077 assessment score, if required by K.C.C. 4A.130.010, to the county auditor. Within a
2078 reasonable time after receipt of such a risk assessment score, the county auditor shall
2079 determine whether the project has significant potential risk such that it warrants being
2080 designated a risk monitored project. The county auditor shall file a letter listing all
2081 projects that it recommends for designation as risk monitored projects under this
2082 subsection with the clerk of the council, who shall retain an electronic copy and distribute
2083 electronic copies to all councilmembers and the lead staff for the budget and fiscal
2084 management committee or its successor. The county auditor shall also transmit an
2085 electronic copy of its recommendation letter required by this subsection to the ~~((director~~
2086 ~~of the office of performance, strategy and))~~ budget director in the executive's office, or
2087 ~~((its))~~ successor.

2088 E.1. The council may designate a capital project as a risk monitored project by
2089 motion or the executive may designate a capital project as a risk monitored project by
2090 letter to the council if:

- 2091 a. the capital project is recommended by the county auditor;
- 2092 b. the capital project has not submitted a completed risk assessment scoring
2093 instrument as required by this chapter; or
- 2094 c. the capital project is otherwise determined to have characteristics that
2095 increase its likelihood of being completed late or over budget at a potentially significant
2096 financial cost or other significant impact to the county.

2097 2. The executive shall file an electronic copy of a risk monitored project
2098 designation letter with the clerk of the council, who shall retain an electronic copy and
2099 provide electronic copies to all councilmembers, the lead staff for the budget and fiscal
2100 management committee or its successor and the county auditor.

2101 SECTION 34. Ordinance 15556, Section 3, as amended, and K.C.C. 4A.200.190
2102 are hereby amended to read as follows:

2103 A. There is hereby created the Climate Exchange fund, classified as a special
2104 revenue fund, for the purpose of accounting for any revenue generated by the sale of
2105 carbon credits and other emission credits, and the expenditures incurred for the purchase
2106 of carbon credits or other emission credits, in accordance with the rules of emissions
2107 trading programs in which the county may participate. Carbon credits include but are not
2108 limited to those credits sold or purchased through the Chicago Climate Exchange. This
2109 fund may also be used for the purpose of accounting for the sale or purchase of other
2110 emission credits as the county may develop.

2111 B. Any financial benefit that accrues to the county from the sale of carbon or
2112 other emissions credits shall be appropriately invested in actions that either reduce
2113 emissions or address global warming impacts, or both.

2114 C. The (~~office of performance, strategy and~~) budget director in the executive's
2115 office shall be the fund manager for the Climate Exchange fund.

2116 D. For investment purposes, the Climate Exchange fund shall be considered a
2117 first tier fund.

2118 SECTION 35. Ordinance 19841, Section 1, and K.C.C. 4A.200.213 are hereby
2119 amended to read as follows:

2120 A. There is hereby created the county hospital levy fund.

2121 B. The fund shall be a first-tier fund. It is a special revenue fund.

2122 C. The ((~~director of the office of performance, strategy and~~)) budget director in
2123 the executive's office shall be the manager of the fund.

2124 D. The fund shall account for the proceeds of the property tax levy authorized by
2125 RCW 36.62.090. The levy proceeds are for the express purpose of the operation,
2126 maintenance, and capital expenses of the hospital, and any outpatient clinics operated by
2127 the hospital, and for the payment of principal and interest on bonds issued for such
2128 purposes.

2129 SECTION 36. Ordinance 19786, Section 1, and K.C.C. 4A.200.266 are hereby
2130 amended to read as follows:

2131 A. There is hereby created the Doors Open Program fund.

2132 B. The fund shall be a first tier fund. It is a special revenue fund.

2133 C. The ((~~director of the office of performance strategy and~~)) budget director in
2134 the executive's office shall be the manager of the fund.

2135 D. The fund shall receive all proceeds of an additional one-tenth of one percent
2136 sales and use tax imposed by the county as authorized in chapter 36.160 RCW.

2137 E. Proceeds of the sales tax shall be used to support cultural organizations
2138 consistent with RCW 36.160.110 and Ordinance 19710, including transfer of proceeds to
2139 the cultural development authority, as the county's designated public agency under RCW
2140 36.160.070, to perform its functions under Ordinance 19710.

2141 SECTION 37. Ordinance 18662, Section 5, and K.C.C. 4A.200.317 are hereby
2142 amended to read as follows:

2143 A. There is hereby created the general fund technology capital fund.

2144 B. The fund shall be a second tier fund. It is a capital projects fund.

2145 C. The ((~~director of the office of performance strategy and~~)) budget director in
2146 the executive's office shall be the manager of the fund.

2147 D. The fund shall account for the proceeds of receipts from transfers from
2148 operating funds, bond proceeds, grants, and other revenues identified in the budget
2149 process to support approved technology projects. Receipts will be transferred into the
2150 capital fund on a reimbursable or scheduled basis.

2151 E. The fund shall be used to support technology capital projects which support
2152 the operations of the general fund.

2153 F. Any subfund of the fund created to hold and manage bond proceeds shall be
2154 treated as a first tier fund.

2155 SECTION 38. Ordinance 18938, Section 1, and K.C.C. 4A.200.405 are hereby
2156 amended to read as follows:

2157 A. There is hereby created the lodging tax fund.

2158 B. The fund shall be a first tier fund. It is a special revenue fund.

2159 C. The ((~~director of the office of performance strategy and~~)) budget director in
2160 the executive's office shall be the manager of the fund.

2161 D. All revenues from the lodging tax shall be deposited into the fund beginning
2162 January 1, 2021.

2163 E. The fund shall distribute lodging tax revenues consistent with the requirements
2164 of Washington state law and Ordinance 18788. Moneys in the fund shall only be used for
2165 the following purposes:

- 2166 1. Transit oriented development projects that preserve or develop affordable
2167 workforce housing;
- 2168 2. Services that support homeless youth;
- 2169 3. For art museums, cultural museums, heritage museums, the arts and the
2170 performing arts; and
- 2171 4. Capital or operating programs that promote tourism.

2172 SECTION 39. Ordinance 15961, Section 1, as amended, and K.C.C. 4A.200.570
2173 are hereby amended to read as follows:

- 2174 A. There is hereby created the rainy day reserve fund.
- 2175 B. The fund shall be a first tier fund. It is a subfund of the general fund.
- 2176 C. The ~~((director of the office of performance strategy and))~~ budget director in
2177 the executive's office shall be the manager of the fund.
- 2178 D. The fund shall receive revenue when available in an annual or supplemental
2179 budget ordinance.
- 2180 E. The fund shall be used in the event of an emergency, as declared by a vote of
2181 the county council for the following purposes:
- 2182 1. Maintenance of essential county services in the event that current expense
2183 fund revenue collections in a given fiscal year are less than ninety-seven percent of
2184 adopted estimates;
- 2185 2. Payment of current expense fund legal settlements or judgments in excess of
2186 the county's ability to pay from other sources;
- 2187 3. Catastrophic losses in excess of the county's other insurances against such
2188 losses; and

2189 4. Other emergencies, as determined by the council.

2190 SECTION 40. Ordinance 17527, Section 69, and K.C.C. 4A.200.580 are hereby

2191 amended to read as follows:

2192 A. There is hereby created the real estate excise tax, number 1 fund.

2193 B. The fund shall be a first tier fund. It is a capital projects fund.

2194 C. The ((~~director of the office of performance strategy and~~)) budget director in
2195 the executive's office shall be the manager of the fund.

2196 D. The fund may only be used for capital needs of the unincorporated area of the
2197 county.

2198 SECTION 41. Ordinance 12076, Section 27, as amended, and K.C.C.

2199 4A.200.590 are hereby amended to read as follows:

2200 A. There is hereby created the real estate excise tax, number 2 fund.

2201 B. The fund shall be a first tier fund. It is a capital projects fund.

2202 C. The ((~~director of the office of performance strategy and~~)) budget director in
2203 the executive's office shall be the manager of the fund.

2204 D. All receipts from K.C.C. 4.32.012 shall be deposited in the fund.

2205 E. The fund may only be used for the planning, construction, reconstruction,
2206 repair, rehabilitation or improvement of parks located in or providing a benefit and open
2207 to residents of the unincorporated area of King County.

2208 SECTION 42. Ordinance 14596, Section 1, as amended, and K.C.C. 4A.200.620

2209 are hereby amended to read as follows:

2210 A. There is hereby created the risk abatement fund.

2211 B. The fund shall be a second tier fund. It is a special revenue fund.

2212 C. The (~~director of the office of performance strategy and~~) budget director in
2213 the executive's office shall be the manager of the fund.

2214 D. The fund shall be used to process administrative and related costs associated
2215 with fund activity.

2216 SECTION 43. Ordinance 10159, Section 14, as amended, and K.C.C. 6.27A.120
2217 are hereby amended to read as follows:

2218 A. A franchisee or applicant for a franchise shall not deny cable service, or
2219 otherwise discriminate against any subscriber, access programmer, or resident on the
2220 basis of one or more of the protected classes as defined in K.C.C. chapter 3.12D, political
2221 affiliation, or income of the residents of the area in which the person resides. The
2222 franchisee shall comply at all times with all other applicable federal, state, and local laws,
2223 rules and regulations relating to nondiscrimination.

2224 B. A franchisee shall not refuse to employ, nor discharge from employment, nor
2225 discriminate against any person in compensation or in terms, conditions, or privileges of
2226 employment because of one or more of the protected classes as defined in K.C.C. chapter
2227 3.12D, political affiliation, or income.

2228 C. A franchisee shall comply with all applicable federal, state, and local equal
2229 employment opportunity requirements.

2230 D. The franchisee shall establish, maintain, and execute an equal employment
2231 opportunity plan and a minority/women's business procurement program, which shall be
2232 consistent with the intent of the county's affirmative action and minority/women's
2233 business procurement policies. Upon request, the franchisee shall file with the cable
2234 office a copy of their equal employment opportunity report submitted annually to the

2235 FCC and shall file with (~~King County office of equity and racial and social justice~~) the
2236 executive's office an annual compliance report detailing its progress with its
2237 minority/women's business procurement program during the previous year. The
2238 franchisee must also provide the cable office, upon request, copies of all other reports and
2239 information filed with federal, state, or local agencies concerning equal employment
2240 opportunity or employment discrimination laws. This subsection shall apply only to
2241 franchise agreements entered into after December 2, 1991.

2242 E. Despite the other provisions of this section, no provision of this section shall
2243 invalidate any other section of this chapter.

2244 SECTION 44. Ordinance 13981, Section 2, as amended, and K.C.C. 12.17.010
2245 are hereby amended to read as follows:

2246 The definitions in this section apply throughout this chapter unless the context
2247 clearly requires otherwise.

2248 A. "Business enterprise" means a licensed business organization located in or
2249 doing business in unincorporated King County or that is required to comply with this
2250 chapter by the terms of an agreement with King County under K.C.C. 12.17.100.

2251 B. "Charging party" means the person aggrieved by an alleged unfair contracting
2252 practice or the person making a complaint on another person's behalf, or the executive's
2253 office (~~of equity and racial and social justice~~) when the executive's office (~~of equity~~
2254 ~~and racial and social justice~~) files a complaint.

2255 C. "Commercially significant contract" means a contract for the provision of
2256 services, including, but not limited to, construction services, consulting services or

2257 bonding or other financial services, or the sale of goods that exceeds five thousand
2258 dollars.

2259 D. "Contract" means an agreement to perform a service or provide goods that
2260 entails a legally binding obligation and that is performed or intended to be wholly or
2261 partly performed within unincorporated King County or that includes King County as a
2262 party. "Contract" does not include the following: a contract for the purchase and sale of
2263 residential real estate; a contract for employment; and a collective bargaining agreement.

2264 E. "Contracting agency" means a person who for compensation engages in
2265 recruiting, procuring, referral, or placement of contracts with a contractor, and that is
2266 doing business in King County.

2267 F. "Contractor" means a business enterprise, including, but not limited to, a
2268 company, partnership, corporation, or other legal entity, excluding real property lessors
2269 and lessees, contracting to do business within the county. "Contractor" includes, but is
2270 not limited to, a public works contractor, a consultant contractor, a provider of
2271 professional services, a service agency, a vendor, and a supplier selling or furnishing
2272 materials, equipment, goods, or services, but does not include a governmental agency
2273 other than King County.

2274 G. "Discriminate," "discrimination" and "discriminatory act" mean an action,
2275 other than an action taken in accordance with a lawful affirmative action program, or
2276 failure to act, whether by itself or as part of a practice, the effect of which is to adversely
2277 affect or differentiate between or among individuals or groups of individuals, by reasons
2278 of one or more of the protected classes as defined in K.C.C. chapter 3.12D unless based
2279 upon a bona fide contractual qualification.

2280 H. "Party" includes the person making a complaint alleging an unfair contracting
2281 practice and the person alleged to have committed an unfair contracting practice.

2282 I. "Person" includes one or more individuals, partnerships, business enterprises,
2283 associations, organizations, corporations, cooperatives, legal representatives, trustees,
2284 trustees in bankruptcy, receivers, or group of persons, and includes King County.

2285 J. "Respondent" means a person who has been alleged or found to have
2286 committed an unfair contracting practice prohibited by this chapter.

2287 K. "Retaliate" means to take action against any person because that person has:

- 2288 1. Opposed any practice forbidden by this chapter;
2289 2. Complied or proposed to comply with this chapter or any order issued under
2290 this chapter; or
2291 3. Filed a complaint, testified or assisted in any manner in any investigation,
2292 proceeding, or hearing initiated under this chapter.

2293 L. "Trade association" means an association of businesses organizations engaged
2294 in similar fields of business that is formed for mutual protection, the interchange of ideas,
2295 information, and statistics or the maintenance of standards within their industry.

2296 SECTION 45. Ordinance 13981, Section 4, as amended, and K.C.C. 12.17.030
2297 are hereby amended to read as follows:

2298 A. An individual complaint alleging an unfair contracting practice in connection
2299 with a commercially significant contract may be filed with the ~~((office of equity and
2300 racial and social justice))~~ civil rights program by or on behalf of any person who claims
2301 to be aggrieved by that unfair contracting practice.

2302 B. A complaint alleging that a group is being subjected to an unfair contracting
2303 practice in connection with a commercially significant contract may be filed by:

2304 1. Any member of the group;

2305 2. The ~~((office of equity and racial and social justice))~~ civil rights program;

2306 3. A state or federal agency concerned with discrimination in contracting
2307 whenever the agency has reason to believe that an unfair contracting practice has been or
2308 is being committed; or

2309 4. A trade association that has reason to believe that an unfair contracting
2310 practice has been or is being committed against any of its members.

2311 C. A complaint alleging an unfair contracting practice shall be in writing on a
2312 form or in a format determined by the ~~((office of equity and racial and social justice))~~
2313 civil rights program, shall be signed by the charging party, shall describe with
2314 particularity the unfair contracting practice complained of and shall include a statement
2315 of the dates, places and circumstances and the persons responsible for the acts and
2316 practices. The complaint must be filed within one hundred eighty days of the time of the
2317 alleged unfair contracting practice or within one hundred eighty days of when the
2318 charging party, through exercise of due diligence, should have had notice or been aware
2319 of the occurrence. However, the ~~((office of equity and racial and social justice))~~ civil
2320 rights program shall not reject a complaint as insufficient because of failure to include all
2321 required information, if the ~~((office of equity and racial and social justice))~~ civil rights
2322 program determines that the complaint substantially meets the informational
2323 requirements necessary for processing.

2324 D. If a complaint has been filed in accordance with this chapter, the ((office of
2325 equity and racial and social justice)) civil rights program shall initiate an investigation
2326 under this chapter. If the ((office of equity and racial and social justice)) civil rights
2327 program determines that a violation of this chapter or a rule or regulation adopted under
2328 this chapter has occurred, the office shall issue an order in accordance with this chapter.
2329 With respect to violations of this chapter, the notice, service and hearings provisions in
2330 this chapter control over K.C.C. Title 23.

2331 E. The charging party or the ((office of equity and racial and social justice)) civil
2332 rights program may amend a complaint: to cure technical defects or omissions; to clarify
2333 and amplify allegations made in the complaint; or to add allegations related to or arising
2334 out of the subject matter set forth, or attempted to be set forth, in the original complaint.
2335 For jurisdictional purposes, the amendments shall relate back to the date the original
2336 complaint was first filed. Either the charging party or the ((office of equity and racial and
2337 social justice)) civil rights program, or both, may amend a complaint for these reasons as
2338 a matter of right before service of notice of hearing on the matter, as provided under
2339 K.C.C. 12.17.070, and thereafter may amend a complaint only with permission of the
2340 hearing examiner, which permission shall be granted if justice will be served by the
2341 permission. All parties must be allowed time to prepare their cases with respect to
2342 additional or expanded allegations that the parties did not and could not have reasonably
2343 foreseen would be an issue at the hearing.

2344 F. The charging party may also amend a complaint to include allegations of
2345 additional unrelated unfair contracting practices that arose after filing of the original
2346 complaint. The amendment must be filed within one hundred eighty days after the

2347 occurrence of the additional alleged unfair contracting practices and before the issuance
2348 of findings of fact and a determination with respect to the original complaint by ~~((office~~
2349 ~~of equity and racial and social justice))~~ civil rights program. The amendments may be
2350 made at any time during the investigation of the original complaint if the ~~((office of~~
2351 ~~equity and racial and social justice))~~ civil rights program will have adequate time to
2352 investigate the additional allegations and the parties will have adequate time to present
2353 the ~~((office of equity and racial and social justice))~~ civil rights program with evidence
2354 concerning the allegations before the issuance of findings of fact and a determination.

2355 G. Upon the receipt of a complaint, the ~~((office of equity and racial and social~~
2356 ~~justice))~~ civil rights program shall serve notice upon the charging party acknowledging
2357 the filing.

2358 SECTION 46. Ordinance 13981, Section 5, as amended, and K.C.C. 12.17.040
2359 are hereby amended to read as follows:

2360 A. Upon receipt of a complaint meeting the requirements of K.C.C. 12.17.030,
2361 the ~~((office of equity and racial and social justice))~~ civil rights program shall, within
2362 twenty days, cause to be served or mailed to the respondent by certified mail, return
2363 receipt requested, a copy of the complaint along with a notice advising of procedural
2364 rights and obligations of respondents under this chapter, and shall promptly make an
2365 investigation of the complaint. Each respondent may file an answer to the complaint, not
2366 later than twenty days after receipt of notice from the ~~((office of equity and racial and~~
2367 ~~social justice))~~ civil rights program. If the respondent is unable to file a response within
2368 twenty days, the respondent may request an extension of time from the ~~((office of equity~~

2369 ~~and racial and social justice))~~ civil rights program. The extension may be granted if good
2370 cause is shown.

2371 B. The investigation shall be commenced promptly. It shall be directed to
2372 ascertain the facts concerning the discriminatory practice alleged in the complaint and
2373 shall be conducted in an objective and impartial manner.

2374 C. During the investigation, the ~~((office of equity and racial and social justice))~~
2375 civil rights program shall consider any statement of position or evidence with respect to
2376 the allegations of the complaint which the charging party or the respondent wishes to
2377 submit. A person who is not named as a respondent in a complaint, but who is identified
2378 as a respondent in the course of the investigation, may be joined as an additional or
2379 substitute respondent upon written notice to the person from the ~~((office of equity and
2380 racial and social justice))~~ civil rights program. The notice, in addition to meeting the
2381 requirements of subsection A. of this section, shall explain the basis for the belief of the
2382 ~~((office of equity and racial and social justice))~~ civil rights program that the person to
2383 whom the notice is addressed is properly joined as a respondent.

2384 D. During the period beginning with the filing of the complaint and ending with
2385 the issuance of the findings of fact, the ~~((office of equity and racial and social justice))~~
2386 civil rights program shall, to the extent feasible, engage in settlement discussions with
2387 respect to the complaint. Nothing said or done in the course of the settlement discussions
2388 may be used as evidence in a subsequent proceeding under this chapter without the
2389 written consent of the persons concerned. A prefinding settlement agreement arising out
2390 of the settlement discussions shall be an agreement between the respondent and the
2391 charging party, and is subject to approval by the ~~((office of equity and racial and social~~

2392 ~~justice)) civil rights program. Failure to comply with the prefinding settlement~~

2393 agreement may be enforced under K.C.C. 12.17.070.

2394 E. The (~~office of equity and racial and social justice~~) civil rights program shall

2395 seek the voluntary cooperation of all persons: to obtain access to premises, records,

2396 documents, individuals, and other possible sources of information; to examine, record,

2397 and copy necessary materials; and to take and record testimony or statements of persons

2398 reasonably necessary for the furtherance of the investigation. The (~~office of equity and~~

2399 ~~racial and social justice~~) civil rights program may conduct discovery in aid of the

2400 investigation by the following methods or others: deposition upon oral examination or

2401 written questions; written interrogatories; requests for the production of documents or

2402 evidence; inspection and physical and mental examinations; and requests for admissions.

2403 The (~~office of equity and racial and social justice~~) civil rights program may sign and

2404 issue subpoenas requiring the attendance and testimony of witnesses, the production of

2405 evidence including, but not limited to, books, records, correspondence, e-mail, or

2406 documents in the possession or under the control of the person subpoenaed, access to

2407 evidence for the purpose of examination and copying as are necessary for the

2408 investigation. The (~~office of equity and racial and social justice~~) civil rights program

2409 shall consult with the prosecuting attorney before issuing any subpoena under this

2410 section.

2411 F. If an individual fails to obey a subpoena, or obeys a subpoena but refuses to

2412 testify when requested concerning any matter under investigation, the (~~office of equity~~

2413 ~~and racial and social justice~~) civil rights program may invoke the aid of the King County

2414 prosecuting attorney who may petition the King County superior court for an order or

2415 other appropriate action necessary to secure enforcement of the subpoena. The petition
2416 shall:

- 2417 1. Be accompanied by a copy of the subpoena and proof of service;
2418 2. Set forth in what specific manner the subpoena has not been complied with;

2419 and

- 2420 3. Ask an order of the court to compel the witness to appear and testify or
2421 cooperate in the investigation of the unfair contracting practice.

2422 G. If the (~~office of equity and racial and social justice~~) civil rights program
2423 concludes after the filing of a complaint that prompt judicial action is necessary to carry
2424 out the purposes of this chapter, the (~~office of equity and racial and social justice~~) civil
2425 rights program may invoke the aid of the prosecuting attorney who may file a civil action
2426 for appropriate temporary, injunctive or preliminary relief pending final disposition of the
2427 complaint.

2428 H. The results of the investigation shall be reduced to written findings of fact and
2429 a finding shall be made that there either is or is not reasonable cause for believing that an
2430 unfair contracting practice has been or is being committed.

2431 I. If a finding is made that there is no reasonable cause, the finding shall be
2432 served on the charging party and respondent. Within thirty days after service of the
2433 negative finding, the charging party may file a written request with the (~~office of equity~~
2434 ~~and racial and social justice~~) civil rights program asking for reconsideration of the
2435 finding. The (~~office of equity and racial and social justice~~) civil rights program shall
2436 furnish the charging party with information regarding how to request reconsideration.

2437 The (~~office of equity and racial and social justice~~) civil rights program shall respond in
2438 writing within a reasonable time by granting or denying the request.

2439 SECTION 47. Ordinance 13981, Section 6, as amended, and K.C.C. 12.17.050
2440 are hereby amended to read as follows:

2441 A.1. If the finding is made initially or on request for reconsideration that
2442 reasonable cause exists to believe that an unfair contracting practice occurred, the (~~office
2443 of equity and racial and social justice~~) civil rights program shall endeavor to eliminate
2444 the unfair practice by conference, conciliation, and persuasion, which may include as a
2445 condition of settlement:

- 2446 a. elimination of the unfair contracting practice;
- 2447 b. payment of actual damages including payment of lost profits not in excess
2448 of the amount of monetary damage actually incurred;
- 2449 c. payment of damages caused by emotional distress, humiliation, and
2450 embarrassment;
- 2451 d. payment of attorneys' fees and costs; and
- 2452 e. such other requirements as may be agreed upon by the parties and the
2453 (~~office of equity and racial and social justice~~) civil rights program.

2454 2. A settlement agreement shall be reduced to writing and signed by the
2455 respondent and the charging party and shall be approved by the (~~office of equity and
2456 racial and social justice~~) civil rights program. An order shall then be entered by the
2457 (~~office of equity and racial and social justice~~) civil rights program setting forth the
2458 terms of the agreement. Copies of the order shall be delivered to all affected parties and
2459 the original of the order filed with the records and licensing services division. Failure to

2460 comply with the postfinding settlement agreement or order may be enforced under
2461 K.C.C. 12.17.070. Each postfinding settlement agreement is a public record.

2462 B.1. If the parties cannot reach agreement, the ~~((office of equity and racial and~~
2463 ~~social justice))~~ civil rights program shall make a finding to that effect, incorporate the
2464 findings in the order and furnish a copy of the order to all affected parties. The order
2465 shall also include:

2466 a. a finding that an unfair contracting practice has occurred;
2467 b. the basis for the finding; and
2468 c. an order requiring the respondent to cease and desist from the unfair practice
2469 and to take appropriate affirmative measures, which may include:

2470 (1) payment of actual damages including payment of lost profits not in excess
2471 of the amount of monetary damages actually incurred;

2472 (2) payment of damages caused by emotional distress, humiliation and
2473 embarrassment;

2474 (3) payment of attorneys' fees and costs; and

2475 (4) such other action as in the judgment of the ~~((office of equity and racial~~
2476 ~~and social justice))~~ civil rights program will effectuate the purposes of this chapter, which
2477 may include the requirement for a report on the matter of compliance.

2478 2. If the ~~((office of equity and racial and social justice))~~ civil rights program
2479 finds the respondent willfully or knowingly committed any unfair contracting practice,
2480 the ~~((office of equity and racial and social justice))~~ civil rights program may further order
2481 the respondent to pay a civil penalty of up to one thousand dollars per violation, which
2482 penalty shall be paid to the King County treasury for deposit in the county general fund.

2483 C. If there is a failure to reach an agreement for the elimination of any unfair
2484 contracting practice where the respondent is an executive department, division, or office
2485 of the county, the ~~((office of equity and racial and social justice))~~ civil rights program
2486 may compel compliance by the executive department, division, or office with any
2487 settlement agreement agreed to between the complainant and the ~~((office of equity and~~
2488 ~~racial and social justice))~~ civil rights program.

2489 SECTION 48. Ordinance 13981, Section 7, as amended, and K.C.C. 12.17.060
2490 are hereby amended to read as follows:

2491 A. A party aggrieved by an order of the ~~((office of equity and racial and social~~
2492 ~~justice))~~ civil rights program may appeal in accordance with K.C.C. 20.22.080.

2493 B. If the order of the ~~((office of equity and racial and social justice))~~ civil rights
2494 program is appealed, the office of the hearing examiner shall conduct a hearing for the
2495 purpose of affirming, denying or modifying the order. There shall be a verbatim record
2496 kept of the hearing and the hearing examiner shall have such rule-making and other
2497 power necessary for the conduct of the hearing as are specified by K.C.C. chapter 20.22.
2498 The order of the ~~((office of equity and racial and social justice))~~ civil rights program shall
2499 not be presumed correct. The hearing examiner's decision shall be based upon a
2500 preponderance of the evidence. The hearing shall be conducted within a reasonable time
2501 after receipt of the request for appeal. Written notice of the time and place of the hearing
2502 shall be given at least ten days before the date of the hearing to each affected party and to
2503 ~~((office of equity and racial and social justice))~~ civil rights program.

2504 C. Each party has the following rights, among others:

- 2505 1. To call and examine witnesses on any matter relevant to the issues of the
2506 complaint;
- 2507 2. To introduce documentary and physical evidence;
- 2508 3. To cross-examine opposing witnesses on any matter relevant to the issues of
2509 the complaint;
- 2510 4. To impeach any witness regardless of which party first called the witness to
2511 testify;
- 2512 5. To rebut evidence against the party; and
- 2513 6. To self-represent or to be represented by anyone of the party's choice who is
2514 lawfully permitted to do so.

2515 D. Following review of the evidence submitted, the hearing examiner presiding at
2516 the hearing shall enter written findings and conclusions and shall affirm or modify the
2517 order previously issued if the hearing examiner finds that a violation has occurred. The
2518 hearing examiner shall reverse the order if the hearing examiner finds that a violation did
2519 not occur. The hearing examiner may grant any relief that the ~~((office of equity and
2520 racial and social justice))~~ civil rights program could grant under K.C.C. 12.17.050.B. A
2521 copy of the hearing examiner's decision shall be delivered to all affected parties. The
2522 order of the hearing examiner is final unless reviewed by a court under K.C.C.
2523 20.22.270.B.

2524 SECTION 49. Ordinance 13981, Section 8, as amended, and K.C.C. 12.17.070
2525 are hereby amended to read as follows:

2526 A. If the ~~((office of equity and racial and social justice))~~ civil rights program has
2527 reasonable cause to believe that a respondent has breached a prefinding or postfinding

2528 settlement agreement executed under K.C.C. 12.17.040 or 12.17.050 or violated an order
2529 of the ((office of equity and racial and social justice)) civil rights program issued under
2530 K.C.C. 12.17.050 or an order of the hearing examiner issued under K.C.C. 12.17.060,
2531 ((office of equity and racial and social justice)) civil rights program shall refer the matter
2532 to the prosecuting attorney for the filing of a civil action under subsection B. of this
2533 section for the enforcement of the agreement.

2534 B. The prosecuting attorney may commence a civil action in King County
2535 superior court for appropriate relief with respect to a breach of a prefinding or postfinding
2536 settlement agreement or violation of an order of the ((office of equity and racial and
2537 social justice)) civil rights program issued under K.C.C. 12.17.050 or an order of the
2538 hearing examiner issued under K.C.C. 12.17.060. The action may be commenced no
2539 later than ninety days after the referral of the alleged break underlying the referral under
2540 subsection A. of this section.

2541 SECTION 50. Ordinance 13981, Section 9, as amended, and K.C.C. 12.17.080
2542 are hereby amended to read as follows:

2543 A. An aggrieved person may commence a civil action in King County superior
2544 court not later than one year after the occurrence or the termination of an alleged unfair
2545 contracting practice, whichever occurs last, to obtain appropriate relief with respect to the
2546 unfair contracting practice.

2547 B. The computation of the one-year period does not include time during which an
2548 administrative proceeding under this chapter was pending with respect to a complaint or
2549 charge under this chapter based upon the discriminatory contracting practices.

2550 C. An aggrieved person may commence a civil action under this section whether
2551 or not a complaint has been filed under K.C.C. 12.17.030 and without regard to the status
2552 of any such a complaint, except as provided in subsection D. of this section, but if a
2553 settlement or conciliation agreement has been reached with the consent of an aggrieved
2554 person, an action may not be filed under this subsection by the aggrieved person with
2555 respect to the alleged unfair contracting practice that forms the basis for the complaint
2556 except for the purpose of enforcing the terms of the agreement.

2557 D. An aggrieved person may not commence a civil action under this section with
2558 respect to an alleged unfair contracting practice which forms the basis of a complaint if a
2559 hearing on the complaint has been convened by the office of the King County hearing
2560 examiner.

2561 E. In a civil action under this section, if the court finds that an unfair contracting
2562 practice has occurred or is about to occur, the court may grant as relief any relief that the
2563 ~~((office of equity and racial and social justice))~~ civil rights program could grant under
2564 K.C.C. 12.17.050.B.

2565 F. Relief granted under this section does not affect any contract, sale,
2566 encumbrance or lease consummated before the granting of the relief and involving a bona
2567 fide purchaser, encumbrances or tenant, without actual notice of the filing of a complaint
2568 with the ~~((office of equity and racial and social justice))~~ civil rights program or civil
2569 action under this title.

2570 G. Upon timely application, the prosecuting attorney may intervene in the civil
2571 action if the prosecuting attorney determines that the case is of general public importance.

2572 H. This section is intended to provide private judicial remedies for violations of
2573 this chapter that are expansive as the powers granted by the Constitution and laws of the
2574 state of Washington.

2575 SECTION 51. Ordinance 13981, Section 10, as amended, and K.C.C. 12.17.090
2576 are hereby amended to read as follows:

2577 The executive's office (~~(of equity and racial and social justice)~~) may implement
2578 such forms, administrative processes and operational procedures as are necessary to
2579 implement this chapter. The forms, processes and procedures shall be adopted in
2580 compliance with K.C.C. chapter 2.98. The (~~(office of equity and racial and social~~
2581 ~~justice)~~) civil rights program shall further assist other county agencies and departments
2582 upon request in effectuating and promoting the purposes of this chapter.

2583 SECTION 52. Ordinance 7430, Section 2, as amended, and K.C.C. 12.18.020 are
2584 hereby amended to read as follows:

2585 The definitions in this section apply throughout this chapter unless the context
2586 clearly requires otherwise:

2587 A. "Aggrieved person" includes a person who claims to have been injured by an
2588 unfair employment practice.

2589 B. "Charging party" means any person alleging an unfair employment practice
2590 under this chapter by filing a complaint with the (~~(office of equity and racial and social~~
2591 ~~justice)~~) civil rights program.

2592 C. "Discriminate," "discrimination," or "discriminatory act" means any action or
2593 failure to act, whether by itself or as part of a practice, the effect of which is to adversely
2594 affect or differentiate between or among, individuals or groups of individuals, by reasons

2595 of one or more of the protected classes as defined in K.C.C. chapter 3.12D unless based
2596 upon a bona fide occupational qualification.

2597 D. "Employee" means any person who works for another in return for financial
2598 or other compensation, and does not include any individual employed by the individual's
2599 parents, spouse, or child, or in the domestic service of any person.

2600 E. "Employer" means King County or any person acting in the interest of an
2601 employer, directly or indirectly, who employs eight or more persons in unincorporated
2602 King County, and includes neither any religious or sectarian organization not organized
2603 for private profit nor any governmental body other than King County.

2604 F. "Employment agency" means any person who for compensation engages in
2605 recruiting, procuring, referral, or placement of employees with an employer.

2606 G. "Gender identity or expression" means an individual's gender-related identity,
2607 appearance, or expression, whether or not associated with the individual's sex assigned at
2608 birth, and includes an individual's attitudes, preferences, beliefs, and practices pertaining
2609 to the individual's own gender identity or expression.

2610 H. "Labor organization" means any organization existing for the purpose of:

2611 1. Dealing with employers concerning grievances, terms or conditions of
2612 employment; or

2613 2. Providing other mutual aid or protection in connection with employment.

2614 I. "Party" includes the person making a complaint or upon whose behalf a
2615 complaint is made alleging an unfair employment practice, the person alleged or found to
2616 have committed an unfair employment practice, and the ~~((office of equity and racial and
2617 social justice))~~ civil rights program.

2618 J. "Person" includes one or more individuals, partnerships, associations,
2619 organizations, corporations, cooperatives, legal representatives, trustees, trustees in
2620 bankruptcy, receivers, or groups of persons, and includes King County.

2621 K. "Respondent" means any person who is alleged to or found to have committed
2622 an unfair employment practice prohibited by this chapter.

2623 L. "Settlement discussions" or "conference, conciliation, and persuasion" means
2624 the attempted resolution of issues raised by a complaint, or by the investigation of a
2625 complaint, through informal negotiations involving the charging party, the respondent
2626 and the ~~((office of equity and racial and social justice))~~ civil rights program.

2627 SECTION 53. Ordinance 7430, Section 4, as amended, and K.C.C. 12.18.040 are
2628 hereby amended to read as follows:

2629 A. A complaint alleging an unfair employment practice may be filed by:

2630 1. Any aggrieved person;

2631 2. A state, local, or federal agency concerned with discrimination in
2632 employment, including the ~~((office of equity and racial and social justice))~~ civil rights
2633 program, if the agency has reason to believe that an unfair employment practice has been
2634 or is being committed; or

2635 3. Any labor organization that has reason to believe that an unfair employment
2636 practice has been or is being committed.

2637 B. A complaint alleging an unfair employment practice shall be in writing and
2638 signed by the charging party, and shall describe with particularity the unfair employment
2639 practice complained of, the location of the practice and the person alleged to have
2640 committed the unfair employment practice. The complaint must be filed with the ~~((office~~

2641 ~~of equity and racial and social justice))~~ civil rights program within two years of the time
2642 of the alleged unfair employment practice or within two years of when the charging
2643 party, through exercise of due diligence, should have had notice or been aware of the
2644 occurrence. However, the ~~((office of equity and racial and social justice))~~ civil rights
2645 program shall not reject a complaint as insufficient because of failure to include all
2646 required information, if the ~~((office of equity and racial and social justice))~~ civil rights
2647 program determines that the complaint substantially meets the informational
2648 requirements necessary for processing.

2649 C. Upon the receipt of a complaint, the ~~((office of equity and racial and social~~
2650 ~~justice))~~ civil rights program shall serve upon the charging party notice acknowledging
2651 the filing.

2652 D. The charging party or the ~~((office of equity and racial and social justice))~~ civil
2653 rights program may amend a complaint: to cure technical defects or omissions; to clarify
2654 and amplify allegations made in the complaint; or to add allegations related to or arising
2655 out of the subject matter set forth, or attempted to be set forth, in the original complaint.
2656 For jurisdictional purposes, the amendments relate back to the date the original complaint
2657 was first filed. Either the charging party or the ~~((office of equity and racial and social~~
2658 ~~justice))~~ civil rights program, or both, may amend a complaint for these reasons as a
2659 matter of right before service of notice of hearing on the matter, as provided under
2660 K.C.C. 12.18.070, and thereafter may amend a complaint only with permission of the
2661 hearing examiner, which permission shall be granted if justice will be served by the
2662 permission. All parties must be allowed time to prepare their cases with respect to

2663 additional or expanded allegations that the parties did not and could not have reasonably
2664 foreseen would be an issue at the hearing.

2665 E. The charging party may also amend a complaint to include allegations of
2666 additional unrelated unfair employment practices that arose after filing of the original
2667 complaint. The charging party must file any amendments adding the allegations within
2668 two years of the time of the additional unfair employment practice or within two years of
2669 when the charging party, through exercise of due diligence, should have had notice or
2670 been aware of the additional discriminatory act, and before the issuance of findings of
2671 fact and a determination with respect to the original complaint by the ~~((office of equity
2672 and racial and social justice))~~ civil rights program. The amendments may be made at any
2673 time during the investigation of the original complaint if the ~~((office of equity and racial
2674 and social justice))~~ civil rights program will have adequate time to investigate the
2675 additional allegations and the parties will have adequate time to present the ~~((office of
2676 equity and racial and social justice))~~ civil rights program with evidence concerning the
2677 allegations before the issuance of findings of fact and a determination.

2678 SECTION 54. Ordinance 7430, Section 5, as amended, and K.C.C. 12.18.050 are
2679 hereby amended to read as follows:

2680 A. Upon receipt of a complaint meeting the requirements of K.C.C. 12.18.040.C.,
2681 the ~~((office of equity and racial and social justice))~~ civil rights program shall cause to be
2682 served or mailed, by certified mail, return receipt requested, a copy of the complaint to
2683 the respondent within twenty days after the filing of the complaint and shall promptly
2684 make an investigation of the complaint. Each respondent may file an answer to the
2685 complaint not later than twenty days after receipt of notice from the ~~((office of equity and~~

2686 ~~racial and social justice~~) civil rights program. If a respondent is unable to file a response
2687 within twenty days, the respondent may request an extension of time from the ~~(office of~~
2688 ~~equity and racial and social justice~~) civil rights program. The ~~(office of equity and~~
2689 ~~racial and social justice~~) civil rights program may grant the extension if good cause is
2690 shown.

2691 B. The ~~(office of equity and racial and social justice~~) civil rights program shall
2692 direct the investigation to ascertain the facts concerning the unfair employment practice
2693 alleged in the complaint and shall conduct the investigation in an objective and impartial
2694 manner.

2695 C. During the investigation, the ~~(office of equity and racial and social justice~~)
2696 civil rights program shall consider any statement of position or evidence with respect to
2697 the allegations of the complaint which the charging party or the respondent wishes to
2698 submit. A person who is not named as a respondent in a complaint, but who is identified
2699 as a respondent in the course of investigation, may be joined as an additional or substitute
2700 respondent upon written notice, under subsection A. of this section, to the person from
2701 the ~~(office of equity and racial and social justice~~) civil rights program. The notice, in
2702 addition to meeting the requirements of subsection A. of this section, must explain the
2703 basis for the ~~(office of equity and racial and social justice~~) civil rights program belief
2704 that the person to whom the notice is addressed is properly joined as a respondent.

2705 D. During the period beginning with the filing of the complaint and ending with
2706 the issuance of the findings of fact, the ~~(office of equity and racial and social justice~~)
2707 civil rights program shall, to the extent feasible, engage in settlement discussions with
2708 respect to the complaint. Anything said or done in the course of the settlement

2709 discussions may not be made public or used as evidence in a subsequent proceeding
2710 under this chapter without the written consent of the persons concerned. A prefinding
2711 settlement agreement arising out of the settlement discussions must be an agreement
2712 between the respondent and the charging party and is subject to approval by the ((office
2713 of equity and racial and social justice)) civil rights program. Each prefinding settlement
2714 agreement is a public record. Failure to comply with the prefinding settlement agreement
2715 may be enforced under K.C.C. 12.18.080.

2716 E. The ((office of equity and racial and social justice)) civil rights program shall
2717 seek the voluntary cooperation of all persons: to obtain access to premises, records,
2718 documents, individuals, and other possible sources of information; to examine, record,
2719 and copy necessary materials; and to take and record testimony or statements of persons
2720 reasonably necessary for the furtherance of the investigation. The ((office of equity and
2721 racial and social justice)) civil rights program may conduct discovery in aid of the
2722 investigation by the following methods or others: deposition upon oral examination or
2723 written questions; written interrogatories; requests for the production of documents or
2724 other evidence, for inspection and other purposes; physical and mental examinations; and
2725 requests for admissions. The ((office of equity and racial and social justice)) civil rights
2726 program may sign and issue subpoenas requiring the attendance and testimony of
2727 witnesses and the production of or access to evidence including books, records,
2728 correspondence, e-mail, or documents in the possession or under the control of the person
2729 subpoenaed as are necessary for the investigation. The ((office of equity and racial and
2730 social justice)) civil rights program shall consult with the prosecuting attorney before
2731 issuing a subpoena under this section.

2732 F. If an individual fails to obey a subpoena, or obeys a subpoena but refuses to
2733 testify if requested concerning any matter under investigation, the ((~~office of equity and~~
2734 ~~racial and social justice~~)) civil rights program may invoke the aid of the prosecuting
2735 attorney, who may petition to the superior court for an order or other appropriate action
2736 necessary to secure enforcement of the subpoena. The petition shall:

- 2737 1. Be accompanied by a copy of the subpoena and proof of service;
- 2738 2. Set forth in what specific manner the subpoena has not been complied with;
- 2739 and
- 2740 3. Ask for an order of the court to compel the witness to appear and testify or
2741 cooperate in the investigation of the unfair employment practice.

2742 G. If the ((~~office of equity and racial and social justice~~)) civil rights program
2743 concludes at any time after the filing of a complaint that prompt judicial action is
2744 necessary to carry out the purposes of this chapter, the ((~~office of equity and racial and~~
2745 ~~social justice~~)) civil rights program may invoke the aid of the prosecuting attorney, who
2746 may file a civil action for appropriate temporary, injunctive, or preliminary relief pending
2747 final disposition of the case.

2748 H. The ((~~office of equity and racial and social justice~~)) civil rights program shall
2749 reduce the results of the investigation to written findings of fact and make a finding that
2750 there either is or is not reasonable cause for believing that an unfair employment practice
2751 has been or is being committed.

2752 I. If a finding is made that there is no reasonable cause, the finding shall be
2753 served on the charging party and respondent. Within thirty days after service of such a
2754 negative finding, the charging party may file a written request with the ((~~office of equity~~

2755 ~~and racial and social justice))~~ civil rights program asking for reconsideration of the
2756 finding. The ~~((office of equity and racial and social justice))~~ civil rights program shall
2757 furnish the charging party with information regarding how to request reconsideration.
2758 The ~~((office of equity and racial and social justice))~~ civil rights program shall respond in
2759 writing within a reasonable time by granting or denying the request.

2760 SECTION 55. Ordinance 7430, Section 6, as amended, and K.C.C. 12.18.060 are
2761 hereby amended to read as follows:

2762 A.1. If the ~~((office of equity and racial and social justice))~~ civil rights program
2763 makes the finding initially or on request for reconsideration that reasonable cause exists
2764 to believe that an unfair employment practice occurred, the ~~((office of equity and racial
2765 and social justice))~~ civil rights program shall endeavor to eliminate the unfair practice by
2766 conference, conciliation and persuasion which may include as a condition of settlement:

- 2767 a. elimination of the unfair employment practice;
- 2768 b. payment of back pay not in excess of the amount of monetary damage
2769 actually incurred;
- 2770 c. payment of other actual damages, including damages caused by emotional
2771 distress, humiliation and embarrassment;
- 2772 d. reinstatement;
- 2773 e. payment of attorneys' fees and costs;
- 2774 f. participation in training on fair employment laws; and
- 2775 g. such other requirements as may lawfully be agreed upon by the parties and
2776 the ~~((office of equity and racial and social justice))~~ civil rights program.

2777 2. Any postfinding settlement agreement shall be reduced to writing and signed
2778 by all parties, with the approval of the ((office of equity and racial and social justice))
2779 civil rights program. The ((office of equity and racial and social justice)) civil rights
2780 program shall then enter an order setting forth the agreement and furnish copies of the
2781 order to all affected parties. Each postfinding settlement agreement is a public record.
2782 Failure to comply with the postfinding agreement or order may be enforced under K.C.C.
2783 12.18.080.

2784 B.1. If the parties cannot reach agreement, the ((office of equity and racial and
2785 social justice)) civil rights program shall make a finding to that effect, incorporate the
2786 finding in the order and furnish a copy of the order to all affected parties. The order shall
2787 also include:

- 2788 a. a finding that an unfair employment practice occurred;
 - 2789 b. the basis for the finding; and
 - 2790 c. an order requiring the respondent to cease and desist from the unfair practice
- 2791 and to take appropriate affirmative measures, which may include:
- 2792 (1) payment of back pay not in excess of the amount of monetary damage
 - 2793 actually incurred;
 - 2794 (2) payment of other actual damages, including damages caused by emotional
 - 2795 distress, humiliation, and embarrassment;
 - 2796 (3) reinstatement;
 - 2797 (4) payment of attorneys' fees and costs;
 - 2798 (5) participation in training on fair employment laws; and

2799 (6) such other action as in the judgment of the ((office of equity and racial
2800 and social justice)) civil rights program will effectuate the purposes of this chapter, which
2801 may include the requirement for a report on the matter of compliance.

2802 2. If the ((office of equity and racial and social justice)) civil rights program
2803 finds the respondent willfully or knowingly committed any unfair employment practice,
2804 the ((office of equity and racial and social justice)) civil rights program may further order
2805 the respondent to pay a civil penalty of up to s one thousand dollars per violation, which
2806 penalty shall be paid to the King County treasury for deposit in the county general fund.

2807 C. If the parties fail to reach an agreement for the elimination of any unfair
2808 employment practice in which the respondent is an executive department, division or
2809 office of the county, the King County executive may compel compliance by the executive
2810 department, division or office with any settlement agreement agreed to between any
2811 charging party and the ((office of equity and racial and social justice)) civil rights
2812 program.

2813 SECTION 56. Ordinance 7430, Section 7, as amended, and K.C.C. 12.18.070 are
2814 hereby amended to read as follows:

2815 A. Any respondent or charging party, after by an order of the ((office of equity
2816 and racial and social justice)) civil rights program is made in accordance with K.C.C.
2817 12.18.060.B., may appeal that order in accordance with K.C.C. 20.22.080.

2818 B. If the order of the ((office of equity and racial and social justice)) civil rights
2819 program is appealed, the hearing examiner shall conduct a hearing for the purpose of
2820 affirming, denying, or modifying the order. There shall be a verbatim record kept of the
2821 hearing. The hearing examiner has such rule-making and other powers necessary for the

2822 conduct of the hearing as are specified by K.C.C. chapter 20.22. The ~~((office of equity~~
2823 ~~and racial and social justice))~~ civil rights program shall not be presumed correct. The
2824 hearing examiner's decision shall be based upon a preponderance of the evidence. The
2825 hearing shall be conducted within a reasonable time after receipt of the request for
2826 appeal. Written notice of the time and place of the hearing shall be given at least ten days
2827 before the date of the hearing to each affected party and to the ~~((office of equity and~~
2828 ~~racial and social justice))~~ civil rights program.

2829 C. Each party may, among exercising other rights:

- 2830 1. Call and examine witnesses on any matter relevant to the issues of the
2831 complaint;
- 2832 2. Introduce documentary and physical evidence;
- 2833 3. Cross-examine opposing witnesses on any matter relevant to the issues of the
2834 complaint;
- 2835 4. Impeach any witness regardless of which party first called the witness to
2836 testify;
- 2837 5. Rebut evidence against the party; and
- 2838 6. Self-represent or be represented by anyone of the party's choice who is
2839 lawfully permitted to do so.

2840 D. Following review of the evidence submitted, the hearing examiner presiding at
2841 the hearing shall enter written findings and conclusions and shall affirm or modify the
2842 order previously issued if the hearing examiner finds that a violation occurred. The
2843 hearing examiner shall reverse the order if the hearing examiner finds that a violation did
2844 not occur. The hearing examiner may grant as relief any relief that the executive's office

2845 ((~~of equity and racial and social justice~~)) could grant under K.C.C. 12.18.060.B. A copy
2846 of the hearing examiner's decision shall be delivered to all affected parties. The order of
2847 the hearing examiner is final unless reviewed by a court under K.C.C. 20.22.270.B.

2848 SECTION 57. Ordinance 7430, Section 8, as amended, and K.C.C. 12.18.080 are
2849 hereby amended to read as follows:

2850 A. If the ((~~office of equity and racial and social justice~~)) civil rights program has
2851 reasonable cause to believe that a respondent breached a prefinding or postfinding
2852 settlement agreement executed under K.C.C. 12.18.050 or 12.18.060, or violated an order
2853 of the ((~~office of equity and racial and social justice~~)) civil rights program issued under
2854 K.C.C. 12.18.060 or an order of the hearing examiner issued in accordance with K.C.C.
2855 12.18.070, the ((~~office of equity and racial and social justice~~)) civil rights program shall
2856 refer the matter to the prosecuting attorney for the filing of a civil action under subsection
2857 B. of this section for the enforcement of the agreement.

2858 B. The prosecuting attorney may commence a civil action in superior court for
2859 appropriate relief with respect to a breach of a prefinding or postfinding settlement
2860 agreement executed under K.C.C. 12.18.050 or 12.18.060, or a violation of an order of
2861 the ((~~office of equity and racial and social justice~~)) civil rights program issued under
2862 K.C.C. 12.18.060 or an order of the hearing examiner issued under K.C.C. 12.18.070.
2863 This action may be commenced no later than ninety days after the referral of the alleged
2864 breach under subsection A. of this section.

2865 SECTION 58. Ordinance 15399, Section 17, as amended, and K.C.C. 12.18.085
2866 are hereby amended to read as follows:

2867 A. An aggrieved person may commence a civil action in superior court not later
2868 than three years after the occurrence or termination of an alleged unfair employment
2869 practice or ninety days after a determination of reasonable cause is issued by the ((office
2870 of equity and racial and social justice)) civil rights program, whichever occurs last, to
2871 obtain appropriate relief with respect to the unfair employment practice.

2872 B. A civil action may be filed under this section whether or not an administrative
2873 complaint has been filed under K.C.C. 12.18.040 and without regard to the status of such
2874 a complaint. However, if ((office of equity and racial and social justice)) civil rights
2875 program obtained a prefinding or postfinding settlement or conciliation agreement with
2876 the consent of the aggrieved person, an action may not be filed under this section by the
2877 aggrieved person with respect to the alleged unfair employment practice that forms the
2878 basis for the complaint except for the purpose of enforcing the agreement. To preclude
2879 such a filing, the prefinding or postfinding settlement or conciliation agreement must
2880 include language that the aggrieved person knowingly waives any right to file a civil
2881 action based on the same alleged unfair employment practice.

2882 C. Subject to subsection D. of this section, after the filing of a civil action
2883 involving the same claim or arising from the same facts and circumstances, whether
2884 under this chapter or similar law, the ((office of equity and racial and social justice)) civil
2885 rights program may administratively close a complaint of an unfair employment practice.

2886 D. If a court dismisses a private cause of action without reaching the merits and
2887 on grounds that would not preclude pursuit of a complaint under this chapter, the
2888 charging party may request, within ninety days of the entry of the court's order of
2889 dismissal, that the ((office of equity and racial and social justice)) civil rights program

2890 reopen a previously filed case. Upon such a request, (~~office of equity and racial and~~
2891 ~~social justice~~) civil rights program may reopen a case that was administratively closed
2892 upon the filing of a civil action. If the (~~office of equity and racial and social justice~~)
2893 civil rights program closes a case based on a "no reasonable cause" finding, the case shall
2894 not be reopened except as provided through reconsideration under K.C.C. 12.18.050.

2895 E. A charging party or aggrieved person may not secure relief from more than
2896 one governmental agency, instrumentality, or tribunal for the same harm or injury.

2897 F. An aggrieved person may not commence a civil action under this section with
2898 respect to an alleged unfair employment practice that forms the basis of a complaint if a
2899 hearing on the complaint has been convened under K.C.C. 12.18.070.

2900 G. In a civil action under this section, if the court finds that an unfair practice
2901 occurred, the court may grant such relief as is available for violations of the Washington
2902 state Law Against Discrimination, chapter 49.60 RCW.

2903 H. Upon timely application, the prosecuting attorney may intervene in the civil
2904 action if the prosecuting attorney determines that the case is of general public importance.

2905 I. This section is intended to provide private judicial remedies for violations of
2906 this chapter that are as expansive as the powers granted by the Constitution and laws of
2907 the state of Washington.

2908 SECTION 59. Ordinance 7430, Section 9, as amended, and K.C.C. 12.18.090 are
2909 hereby amended to read as follows:

2910 The (~~office of equity and racial and social justice~~) civil rights program may
2911 implement such forms, administrative processes, and operational procedures as are

2912 necessary to comply with this chapter. The forms, processes, and procedures shall be
2913 adopted in compliance with K.C.C. chapter 2.98.

2914 SECTION 60. Ordinance 13263, Section 52, and K.C.C. 12.18.097 are hereby
2915 amended to read as follows:

2916 A. If a complaint is filed under this chapter, the (~~office of equity and racial and~~
2917 ~~social justice~~) civil rights program shall initiate an investigation under this chapter.

2918 B. If the (~~office of equity and racial and social justice~~) civil rights program
2919 determines that a violation of this chapter or any rules and regulations adopted under this
2920 chapter occurred, the (~~office of equity and racial and social justice~~) civil rights program
2921 shall issue an order in accordance with this chapter. For the enforcement of this chapter,
2922 if a conflict exists between this chapter and K.C.C. Title 23, this chapter controls over
2923 K.C.C. Title 23.

2924 SECTION 61. Ordinance 19762, Section 12, and K.C.C. 12.18B.030 are hereby
2925 amended to read as follows:

2926 A. Beginning January 1, 2026, the (~~manager of the office of performance,~~
2927 ~~strategy, and budget, or its designee,~~) representative of the executive's office shall
2928 annually convene a workgroup to: evaluate whether the current hourly minimum wage
2929 rate as established by this chapter is sufficient to meet the basic needs of working
2930 households in King County; and analyze the current hourly minimum wage rate's impact
2931 to the region's economy. The workgroup's evaluation and analysis shall include, but not
2932 be limited to, the following considerations:

- 2933 1. The Self-Sufficiency Standard for Washington State, developed in
2934 partnership with the University of Washington's Center for Women's Welfare and the
2935 Workforce Development Council of Seattle-King County;
- 2936 2. Impacts to the county labor market including, but not limited to, employment
2937 rates, small business labor costs, and ability to attract new businesses to the region;
- 2938 3. Impacts on the number of county residents that receive the federal Earned
2939 Income Tax Credit, the Washington State Working Families Tax Credit, and any other
2940 government benefits that are provided to low- and middle-income households; and
- 2941 4. Disproportionate impacts to Black, Indigenous, and People of Color
2942 communities, if any.
- 2943 B. Workgroup membership shall include, but not be limited to, the following:
- 2944 1. The ~~((manager of the office of performance, strategy, and budget, or~~
2945 ~~designee))~~ representative of the executive's office;
- 2946 2. The county's chief economist, or designee;
- 2947 3. The manager of the finance and business operations division, or designee;
- 2948 4. The director of the department of local services, or designee;
- 2949 5. The director of the department of human resources, or designee; and
- 2950 6. The chair of the budget and fiscal management committee, or its successor, or
2951 designee.
- 2952 C. The workgroup shall seek input from the community on its evaluation and
2953 analysis work as described in subsection A. of this section. The community shall include,
2954 but not be limited to, the following:

2955 1. Economists and wage experts from accredited colleges and universities in the
2956 state of Washington;

2957 2. Representatives from the King County Coalition of Unions;

2958 3. Employers that contract with the county or have showed interest in
2959 contracting with the county; and

2960 4. Organizations that represent employees and employers in unincorporated
2961 King County.

2962 D. On behalf of the workgroup, the executive shall transmit a report of its
2963 findings and a recommendation, if any, to modify the hourly minimum wage rate
2964 established by this chapter. The executive shall electronically file the report and any
2965 proposed ordinance that would amend this chapter and any other chapters related to the
2966 hourly minimum wage rate of county employees and county contractors to implement the
2967 hourly minimum wage rate as recommended by the workgroup no later than June 30 of
2968 each year with the clerk of the council, who shall retain an electronic copy and provide an
2969 electronic copy to all councilmembers, the council chief of staff, and the lead staff for the
2970 transportation, economy, and environment committee, or its successor. The executive
2971 shall electronically distribute the report to all government entities in the county and to
2972 relevant state and federal agencies, including, but not limited to, the Washington state
2973 Department of Labor and Industries, or its successor.

2974 SECTION 62. Ordinance 5280, Section 2, as amended, and K.C.C. 12.20.020 are
2975 hereby amended to read as follows:

2976 The definitions in this section apply throughout this chapter unless the context
2977 clearly requires otherwise.

2978 A. "Aggrieved person" includes a person who:

2979 1. Claims to have been injured by an unfair housing practice; or

2980 2. Believes that the person will be injured by an unfair housing practice that is
2981 about to occur.

2982 B. "Alternative source of income" means lawful, verifiable income derived from

2983 sources other than wages, salaries, or other compensation for employment. It includes

2984 but is not limited to moneys derived from Social Security benefits, other retirement

2985 programs, supplemental security income, unemployment benefits, child support, the state

2986 Aged, Blind or Disabled Cash Assistance Program, state Refugee Cash Assistance, and

2987 any other federal, state, local government, private, or nonprofit-administered cash benefit

2988 program.

2989 C. "Charging party" means any person alleging an unfair housing practice under

2990 this chapter by filing a complaint with the ~~((office of equity and racial and social justice))~~

2991 civil rights program.

2992 D.1. "Disability" means:

2993 a. a physical or mental impairment that substantially limits one or more of a
2994 person's major life activities, either temporarily or permanently;

2995 b. a person is regarded as having such an impairment; or

2996 c. a person has a disability under the Washington state Law Against

2997 Discrimination, chapter 49.60 RCW.

2998 2. "Disability" does not include current, illegal use of a controlled substance, as

2999 defined in section 102 of 21 U.S.C. Sec. 802 as it exists on April 16, 2006.

3000 E. "Discriminate" means any action or failure to act, whether by single act or as
3001 part of a practice, the effect of which is to adversely affect or differentiate between or
3002 among individuals or groups of individuals, because of one or more of the protected
3003 classes as defined in K.C.C. chapter 3.12D, participation in the Section 8 program or
3004 other housing subsidy program, or alternative source of income.

3005 F. "Dwelling" or "dwelling unit" mean any building, structure, or portion of a
3006 building or structure that is occupied as, or designed or intended for occupancy as, a
3007 residence by one or more families or individuals, and any vacant land that is offered for
3008 sale or lease for the construction or location thereon of any such a building, structure, or
3009 portion of a building or structure.

3010 G. "Gender identity or expression" means an individual's gender-related identity,
3011 appearance, or expression, whether or not associated with the individual's sex assigned at
3012 birth, and includes an individual's attitudes, preferences, beliefs, and practices pertaining
3013 to the individual's own gender identity or expression.

3014 H. "Housing accommodations" means any dwelling or dwelling unit, rooming
3015 unit, rooming house, lot, or parcel of land in unincorporated King County that is used,
3016 intended to be used or arranged or designed to be used as, or improved with, a residential
3017 structure for one or more human beings.

3018 I.1. "Parental status" means one or more individuals, who have not attained the
3019 age of eighteen years, being domiciled with:

3020 a. a parent or another person having legal custody of the individual or
3021 individuals; or

3022 b. the designee of such a parent or other person having the custody, with the
3023 written permission of the parent or other person.

3024 2. The protections afforded against discrimination on the basis of familial status
3025 apply to a person who is pregnant or is in the process of securing legal custody of an
3026 individual who has not attained the age of eighteen years.

3027 J. "Participation in the Section 8 program or other housing subsidy program"
3028 means participating in a short- or long-term federal, state, or local government, private,
3029 nonprofit, or other assistance program in which a tenant's rent is paid either partially or
3030 completely by the program, through a direct arrangement between the program and the
3031 owner or lessor of the real property. Other housing subsidy programs include, but are not
3032 limited to, the federal Veteran Affairs Supportive Housing vouchers, state Housing and
3033 Essential Needs funds and short-term rental assistance provided by rapid rehousing
3034 subsidies.

3035 K. "Party" includes the person charging or making a complaint or upon whose
3036 behalf a complaint is made alleging an unfair practice, the person alleged or found to
3037 have committed an unfair practice and the ~~((office of equity and racial and social justice))~~
3038 civil rights program.

3039 L. "Person" means one or more individuals, partnerships, associations,
3040 organizations, corporations, cooperatives, legal representatives, trustees and receivers, or
3041 any group of persons; including any owner, lessee, proprietor, housing manager, agent or
3042 employee whether one or more natural persons. "Person" also includes any political or
3043 civil subdivisions of the state and any agency or instrumentality of the state or of any
3044 political or civil subdivision of the state.

3045 M. "Real estate transaction" includes, but is not limited to, the sale, conveyance,
3046 exchange, purchase, rental, lease, or sublease of real property.

3047 N. "Real estate-related transaction" means any of the following:

3048 1. The making or purchasing of loans or providing other financial assistance:

3049 a. for purchasing, constructing, improving, repairing, or maintaining real

3050 property; or

3051 b. secured by real property; or

3052 2. The selling, brokering, or appraising of real property.

3053 O. "Real property" includes, but is not limited to, buildings, structures, real

3054 estate, lands, tenements, leaseholds, interests in real estate cooperatives, condominiums,

3055 and hereditaments, corporeal and incorporeal, or any interest therein.

3056 P. "Respondent" means any person who is alleged or found to have committed an

3057 unfair practice prohibited by this chapter.

3058 Q. "Senior citizens" means persons who are sixty-two years of age or older.

3059 R. "Settlement discussions" and "conference, conciliation, and persuasion" mean

3060 the attempted resolution of issues raised by a complaint, or by the investigation of a

3061 complaint, through informal negotiations involving the charging party, the respondent,

3062 and the ~~((office of equity and racial and social justice))~~ civil rights program.

3063 S. "Verifiable" means the source of income can be confirmed as to its amount or

3064 receipt.

3065 SECTION 63. Ordinance 5280, Section 4, as amended, and K.C.C. 12.20.070 are

3066 hereby amended to read as follows:

3067 A. A complaint alleging an unfair housing practice may be filed by:

3068 1. Any aggrieved person; or
3069 2. Any state, local, or federal agency concerned with discrimination in housing,
3070 including the ~~((office of equity and racial and social justice))~~ civil rights program has
3071 reason to believe that an unfair housing practice has been or is being committed.

3072 B. A complaint alleging an unfair housing practice shall be in writing and signed
3073 by the charging party. The complaint must be filed by the charging party with the
3074 ~~((office of equity and racial and social justice))~~ civil rights program within three hundred
3075 sixty-five days after the occurrence or termination of the alleged unfair housing practice.
3076 The complaint must describe with particularity the practice complained of and the
3077 location of the practice and must identify the person being charged with committing an
3078 unfair housing practice. However, the ~~((office of equity and racial and social justice))~~
3079 civil rights program shall not reject a complaint as insufficient because of failure to
3080 include all required information, if the ~~((office of equity and racial and social justice))~~
3081 civil rights program determines that the complaint substantially meets the informational
3082 requirements necessary for processing.

3083 C. Upon the receipt of a complaint alleging an unfair housing practice, the
3084 ~~((office of equity and racial and social justice))~~ civil rights program shall serve notice
3085 upon the charging party acknowledging the filing and advising the charging party of the
3086 time limits provided under this chapter and of the choice of forums provided by this
3087 chapter.

3088 D. The charging party or the ~~((office of equity and racial and social justice))~~ civil
3089 rights program may amend a complaint: to cure technical defects or omissions; to clarify
3090 and amplify allegations made in the complaint; or to add allegations related to or arising

3091 out of the subject matter set forth, or attempted to be set for, in the original complaint.
3092 For jurisdictional purposes, the amendments relate back to the date the original complaint
3093 was first filed. Either the charging party or the ((~~office of equity and racial and social~~
3094 ~~justice~~)) civil rights program, or both, may amend a complaint for these reasons as a
3095 matter of right before service of notice of hearing on the matter, as provided under
3096 K.C.C. 12.20.100, and thereafter may amend a complaint only with permission of the
3097 hearing examiner, which permission shall be granted if justice will be served by the
3098 permission, and all parties shall be allowed time to prepare their case with respect to
3099 additional or expanded allegations they did not and could not have reasonably foreseen
3100 would be an issue at the hearing.

3101 E. The charging party may also amend a complaint to include allegations of
3102 additional unrelated discriminatory practices that arose after the filing of the original
3103 complaint. The charging party must file any amendments adding the allegations within
3104 three hundred sixty-five days after the occurrence or termination of the additional
3105 discriminatory practices and before the issuance of findings of fact and a determination
3106 with respect to the original complaint by the ((~~office of equity and racial and social~~
3107 ~~justice~~)) civil rights program. The amendments may be made at any time during the
3108 investigation of the original complaint if the ((~~office of equity and racial and social~~
3109 ~~justice~~)) civil rights program will have adequate time to investigate the additional
3110 allegations and the parties will have adequate time to present the ((~~office of equity and~~
3111 ~~racial and social justice~~)) civil rights program with evidence concerning the allegations
3112 before the issuance of findings of fact and a determination.

3113 SECTION 64. Ordinance 5280, Section 5, as amended, and K.C.C. 12.20.080 are
3114 hereby amended to read as follows:

3115 A. After the filing of a complaint, the ((~~office of equity and racial and social~~
3116 ~~justice~~)) civil rights program shall cause to be served on or mailed to the respondent, by
3117 certified mail, return receipt requested, a copy of the complaint, along with a notice
3118 advising of procedural rights and obligations of respondents under this chapter promptly
3119 and in no case longer than twenty days after the filing the complaint. Each respondent
3120 may file an answer to the complaint, not later than ten days after receipt of notice from
3121 the ((~~office of equity and racial and social justice~~)) civil rights program. If the respondent
3122 is unable to file a response within ten days, the respondent may request an extension of
3123 time from the ((~~office of equity and racial and social justice~~)) civil rights program not to
3124 exceed five days. The ((~~office of equity and racial and social justice~~)) civil rights
3125 program may grant the extension if good cause is shown.

3126 B. The investigation shall be commenced promptly and in no event later than
3127 thirty days after receipt of the complaint. It shall be directed to ascertain the facts
3128 concerning the unfair practice alleged in the complaint and shall be conducted in an
3129 objective and impartial manner. The investigation shall be completed within one hundred
3130 days after the filing of the complaint, unless it is impracticable to do so. If the ((~~office of~~
3131 ~~equity and racial and social justice~~)) civil rights program is unable to complete the
3132 investigation within the one hundred days, the ((~~office of equity and racial and social~~
3133 ~~justice~~)) civil rights program shall notify the charging party and respondent, in writing, of
3134 the reasons for not doing so. The ((~~office of equity and racial and social justice~~)) civil
3135 rights program shall make final administrative disposition of a complaint within one year

3136 of the date of receipt of the complaint, unless it is impracticable to do so. If the ((office
3137 of equity and racial and social justice)) civil rights program is unable to do so, the ((office
3138 of equity and racial and social justice)) civil rights program shall notify the charging
3139 party and respondent, in writing, of the reasons for not doing so.

3140 C. During the investigation, the ((office of equity and racial and social justice))
3141 civil rights program shall consider any statement of position or evidence with respect to
3142 the allegations of the complaint that the charging party or the respondent wishes to
3143 submit.

3144 D. A person who is not named as a respondent in a complaint, but who is
3145 identified as a respondent in the course of investigation, may be joined as an additional or
3146 substitute respondent upon written notice, under subsection A. of this section, to the
3147 person from the ((office of equity and racial and social justice)) civil rights program. The
3148 notice, in addition to meeting the requirements of subsection A. of this section, shall
3149 explain the basis for the belief of the ((office of equity and racial and social justice)) civil
3150 rights program that the person to whom the notice is addressed is properly joined as a
3151 respondent.

3152 E. During the period beginning with the filing of the complaint and ending with
3153 the issuance of the findings of fact, the ((office of equity and racial and social justice))
3154 civil rights program shall, to the extent feasible, engage in settlement discussions with
3155 respect to the complaint. Nothing said or done in the course of the settlement discussions
3156 may be made public or used as evidence in a subsequent proceeding under this chapter
3157 without the written consent of the persons concerned. A prefinding settlement agreement
3158 arising out of the settlement discussions shall be an agreement between the respondent

3159 and the charging party, and is subject to approval by the (~~office of equity and racial and~~
3160 ~~social justice~~) civil rights program. Each prefinding settlement agreement is a public
3161 record. Failure to comply with the prefinding settlement agreement may be enforced
3162 under K.C.C. 12.20.120.

3163 F. The (~~office of equity and racial and social justice~~) civil rights program shall
3164 seek the voluntary cooperation of all persons to: obtain access to premises, records,
3165 documents, individuals, and other possible sources of information; examine, record, and
3166 copy necessary materials; and take and record testimony or statements of persons
3167 reasonably necessary for the furtherance of the investigation. The (~~office of equity and~~
3168 ~~racial and social justice~~) civil rights program may conduct discovery in aid of the
3169 investigation by the following methods or others: deposition upon oral examination or
3170 written questions; written interrogatories; requests for the production of documents or
3171 evidence, for inspection and other purposes; physical and mental examinations; and
3172 requests for admissions. The (~~office of equity and racial and social justice~~) civil rights
3173 program may sign and issue subpoenas requiring the attendance and testimony of
3174 witnesses, the production of evidence including books, records, correspondence, e-mail,
3175 or documents in the possession or under the control of the person subpoenaed and access
3176 to evidence for the purpose of examination and copying as are necessary for the
3177 investigation. The (~~office of equity and racial and social justice~~) civil rights program
3178 shall consult with the prosecuting attorney before issuing any subpoena under this
3179 section.

3180 G. If an individual fails to obey a subpoena, or obeys a subpoena but refuses to
3181 testify when requested concerning any matter under investigation, the (~~office of equity~~

3182 ~~and racial and social justice))~~ civil rights program may invoke the aid of the prosecuting
3183 attorney, who shall petition to the superior court for an order or other appropriate action
3184 necessary to secure enforcement of the subpoena. The petition shall:

- 3185 1. Be accompanied by a copy of the subpoena and proof of service;
- 3186 2. Set forth in what specific manner the subpoena has not been complied with;
- 3187 and
- 3188 3. Ask for an order of the court to compel the witness to appear and testify or
3189 cooperate in the investigation of the unfair housing practice.

3190 H. If the ~~((office of equity and racial and social justice))~~ civil rights program
3191 concludes at any time after the filing of a complaint that prompt judicial action is
3192 necessary to carry out the purposes of this chapter, the ~~((office of equity and racial and
3193 social justice))~~ civil rights program may invoke the aid of the prosecuting attorney, who
3194 shall file a civil action for appropriate temporary, injunctive or preliminary relief pending
3195 final disposition of the case.

3196 I. The ~~((office of equity and racial and social justice))~~ civil rights program shall
3197 reduce the results of the investigation to written findings of fact and make a finding that
3198 there either is or is not reasonable cause for believing that an unfair housing practice has
3199 been or is being committed.

3200 J. If a finding is made that there is no reasonable cause, the finding shall be
3201 served on the charging party and respondent. Within thirty days after service of such a
3202 negative finding, the charging party may file a written request with the ~~((office of equity
3203 and racial and social justice))~~ civil rights program asking for reconsideration of the
3204 finding. The ~~((office of equity and racial and social justice))~~ civil rights program shall

3205 furnish the charging party with information regarding how to request reconsideration.
3206 The (~~office of equity and racial and social justice~~) civil rights program shall respond in
3207 writing within a reasonable time by granting or denying the request.

3208 SECTION 65. Ordinance 5280, Section 6, as amended, and K.C.C. 12.20.090 are
3209 hereby amended to read as follows:

3210 A.1. If the (~~office of equity and racial and social justice~~) civil rights program
3211 makes the finding initially or on request for reconsideration that reasonable cause exists
3212 to believe that an unfair housing practice occurred or is about to occur, the (~~office of~~
3213 ~~equity and racial and social justice~~) civil rights program shall endeavor to eliminate the
3214 unfair practice by conference, conciliation and persuasion, which may include as a
3215 condition of settlement the:

- 3216 a. elimination of the unfair housing practice;
- 3217 b. payment of actual damages, including damages caused by emotional
3218 distress, humiliation and embarrassment;
- 3219 c. reinstatement to tenancy;
- 3220 d. payment of attorneys' fees and costs;
- 3221 e. payment of a civil penalty to vindicate the public interest up to the limits in
3222 42 U.S.C. Sec. 3612(g)(3) and 24 C.F.R. 180.671(2003), as they exist on April 16, 2006,
3223 which penalty shall be paid to King County for deposit in the county general fund;
- 3224 f. participation in training on fair housing laws; and
- 3225 g. such other requirements as may lawfully be agreed upon by the parties and
3226 the (~~office of equity and racial and social justice~~) civil rights program.

3227 2. Any postfinding settlement agreement shall be reduced to writing and signed
3228 by all parties, with the approval of the ~~((office of equity and racial and social justice))~~
3229 civil rights program. The ~~((office of equity and racial and social justice))~~ civil rights
3230 program shall then enter an order setting forth the agreement and furnish copies of the
3231 order to all affected parties. Failure to comply with the postfinding agreement or order
3232 may be enforced under K.C.C. 12.20.120. Each postfinding settlement agreement is a
3233 public record.

3234 B.1. If the parties cannot reach agreement, the ~~((office of equity and racial and~~
3235 ~~social justice))~~ civil rights program shall make a finding to that effect, incorporate the
3236 finding in an order, and furnish a copy of the order to all affected parties. The order shall
3237 also include:

3238 a. a finding that an unfair housing practice is about to occur or has occurred;

3239 b. the basis for the finding; and

3240 c. an order requiring the respondent to cease and desist from such unfair

3241 practice and to take appropriate affirmative action, including:

3242 (1) payment of actual damages, including damages caused by emotional
3243 distress, humiliation and embarrassment;

3244 (2) reinstatement to tenancy;

3245 (3) payment of attorneys' fees and costs;

3246 (4) participation in training on fair housing laws; and

3247 (5) such other action as in the judgment of the ~~((office of equity and racial~~

3248 ~~and social justice))~~ civil rights program will effectuate the purposes of this chapter, which

3249 may include the requirement for report on the matter of compliance, injunctive relief and

3250 the payment of a civil penalty to vindicate the public interest up to the limits set out in 42
3251 U.S.C. Sec. 3612(g)(3) as it exists on April 16, 2006.

3252 SECTION 66. Ordinance 10469, Section 11, as amended, and K.C.C. 12.20.095
3253 are hereby amended to read as follows:

3254 In the case of an order with respect to a discriminatory housing practice that
3255 occurred in the course of a business subject to a licensing or regulation by a
3256 governmental agency, the ((office of equity and racial and social justice)) civil rights
3257 program shall, not later than thirty days after the date of the issuance of the order or, if
3258 the order is appealed pursuant to K.C.C. 12.20.100, thirty days after the order is in
3259 substance affirmed upon the review:

3260 A. Send copies of the findings of fact, conclusions of law and the order, to that
3261 governmental agency; and

3262 B. Recommend to that governmental agency appropriate disciplinary action
3263 including, if appropriate, the suspension or revocation of the license of the respondent.

3264 SECTION 67. Ordinance 5280, Section 7, as amended, and K.C.C. 12.20.100 are
3265 hereby amended to read as follows:

3266 A.1. Any charging party, respondent, or aggrieved person on whose behalf the
3267 finding was made, after an order of the ((office of equity and racial and social justice))
3268 civil rights program is made in accordance with K.C.C. 12.20.090.B., may appeal the
3269 order by electing to have the claims on which reasonable cause was found decided in a
3270 civil action under K.C.C. 12.20.124 or in a hearing before the hearing examiner. The
3271 ((office of equity and racial and social justice)) civil rights program shall provide the
3272 charging party, respondent, and aggrieved person on whose behalf the finding was made

3273 with information regarding how to make the election. This election must be made not
3274 later than thirty days after the receipt by the electing person of service of the order. The
3275 person making the election shall give notice of the election stating which forum is elected
3276 to the ~~((office of equity and racial and social justice))~~ civil rights program and to all other
3277 charging parties and respondents to whom the complaint relates. The notice of election
3278 should identify clearly and specifically:

- 3279 a. the errors that the appellant believes were made in the action or decision that
3280 is being appealed, or the procedural irregularities associated with that action or decision;
- 3281 b. specific reasons by the county's action should be reversed or modified; and
- 3282 c. the desired outcome of the appeal.

3283 2. Any order issued by the ~~((office of equity and racial and social justice))~~ civil
3284 rights program under K.C.C. 12.20.090.B. becomes final thirty days after service of the
3285 order unless a written notice of election is filed with the ~~((office of equity and racial and~~
3286 ~~social justice))~~ civil rights program within the thirty-day period. If the order becomes
3287 final, parties violating the order are subject to the enforcement provisions of K.C.C.
3288 12.20.120.

3289 B. If no election of civil action is made, and an election for hearing is made, the
3290 complaint, any and all findings made and either affirmative action measures or civil
3291 penalties, or both, required shall be certified by the ~~((office of equity and racial and social~~
3292 ~~justice))~~ civil rights program to the office of the hearing examiner for hearing.

3293 C. A hearing shall be conducted by the office of the hearing examiner for the
3294 purpose of affirming, denying or modifying the order. There shall be a verbatim record
3295 kept of the hearing. The hearing examiner shall have such rule-making and other powers

3296 necessary for conduct of the hearing as are specified by K.C.C. chapter 20.22. The
3297 ~~((office of equity and racial and social justice))~~ civil rights program shall maintain the
3298 action and the order of the ~~((office of equity and racial and social justice))~~ civil rights
3299 program shall not be presumed correct. The hearing examiner's decision shall be based
3300 upon a preponderance of the evidence. The hearing shall be conducted within a
3301 reasonable time after receipt of the certification. Written notice of the time and place of
3302 the hearing shall be given at least ten days before the date of the hearing to each affected
3303 party and to the ~~((office of equity and racial and social justice))~~ civil rights program.

3304 D. Each party may, among exercising other rights:

- 3305 1. Call and examine witnesses on any matter relevant to the issues of the
3306 complaint;
- 3307 2. Introduce documentary and physical evidence;
- 3308 3. Cross-examine opposing witnesses on any matter relevant to the issues of the
3309 complaint;
- 3310 4. Impeach any witness regardless of which party first called the witness to
3311 testify;
- 3312 5. Rebut evidence against the party; and
- 3313 6. Self-represent or be represented by anyone of the party's choice who is
3314 lawfully permitted to do so.

3315 E. Following review of the evidence submitted, the hearing examiner presiding at
3316 the hearing shall enter written findings and conclusions and shall affirm or modify the
3317 order previously issued if the hearing examiner finds that a violation is about to occur or
3318 occurred. The hearing examiner shall reverse the order if the hearing examiner finds that

3319 a violation is not about to occur or did not occur. The hearing examiner may grant as
3320 relief any relief that the ((office of equity and racial and social justice)) civil rights
3321 program could grant under K.C.C. 12.20.090.B. A copy of the hearing examiner's
3322 findings, conclusions, and decision shall be served on all affected parties. The order of
3323 the hearing examiner is final unless reviewed by a court under K.C.C. 20.22.270.B.

3324 SECTION 68. Ordinance 5280, Section 9, as amended, and K.C.C. 12.20.120 are
3325 hereby amended to read as follows:

3326 A. If the ((office of equity and racial and social justice)) civil rights program has
3327 reasonable cause to believe that a respondent breached a prefinding or postfinding
3328 settlement agreement executed under K.C.C. 12.20.080 or 12.20.090 or violated an order
3329 of the ((office of equity and racial and social justice)) civil rights program issued under
3330 K.C.C. 12.20.090 or an order of the hearing examiner issued under K.C.C. 12.20.100, the
3331 ((office of equity and racial and social justice)) civil rights program shall refer the matter
3332 to the prosecuting attorney for the filing of a civil action under subsection B. of this
3333 section for the enforcement of the agreement.

3334 B. The prosecuting attorney may commence a civil action in superior court for
3335 appropriate relief with respect to breach of a prefinding or postfinding settlement
3336 agreement executed under K.C.C. 12.20.080 or 12.20.090, or violation of an order of the
3337 ((office of equity and racial and social justice)) civil rights program issued under K.C.C.
3338 12.20.090 or an order of the hearing examiner issued under K.C.C. 12.20.100. This
3339 action may be commenced no later than ninety days after the referral of the alleged
3340 breach under subsection A. of this section.

3341 SECTION 69. Ordinance 10469, Section 13, as amended, and K.C.C. 12.20.122
3342 are hereby amended to read as follows:

3343 A. An aggrieved person may commence a civil action in superior court not later
3344 than one year after the occurrence or the termination of an alleged discriminatory housing
3345 practice, whichever occurs last, to obtain appropriate relief with respect to such
3346 discriminatory housing practice.

3347 B. The computation of the one-year period shall not include any time during
3348 which an administrative proceeding under this chapter was pending with respect to a
3349 complaint or charge under this chapter based upon the discriminatory housing practices.

3350 C. An aggrieved person may commence a civil action under this section whether
3351 or not a complaint has been filed under K.C.C. 12.20.070 and without regard to the status
3352 of any such complaint. However, if the ~~((office of equity and racial and social justice))~~
3353 civil rights program or the United States Department of Housing and Urban Development
3354 has obtained a prefinding or postfinding settlement or conciliation agreement with the
3355 consent of an aggrieved person, an action may not be filed under this section by the
3356 aggrieved person with respect to the alleged discriminatory housing practice that forms
3357 the basis for the complaint except for the purpose of enforcing the agreement. To
3358 preclude such a filing, the prefinding or postfinding settlement or conciliation agreement
3359 must include language that the charging party knowingly waives any right to file a civil
3360 action based on the same alleged unfair housing practice.

3361 D. Subject to subsection E. of this section, after the filing of a civil action
3362 involving the same claim or arising from the same facts and circumstances, whether

3363 under this chapter or similar law, the ~~((office of equity and racial and social justice))~~ civil
3364 rights program may administratively close a complaint of an unfair housing practice.

3365 E. If a court dismisses a private cause of action without reaching the merits and
3366 on grounds that would not preclude pursuit of a complaint under this chapter, the
3367 charging party may request, within ninety days of the entry of the court's order of
3368 dismissal, that the ~~((office of equity and racial and social justice))~~ civil rights program
3369 reopen a previously filed case. Upon such a request, the ~~((office of equity and racial and~~
3370 ~~social justice))~~ civil rights program may reopen a case that was administratively closed
3371 upon the filing of a civil action. If the ~~((office of equity and racial and social justice))~~
3372 civil rights program closes a case based on a "no reasonable cause" finding, the case shall
3373 not be reopened except as provided through reconsideration under K.C.C. 12.20.080. A
3374 charging party or aggrieved person may not secure relief from more than one
3375 governmental agency, instrumentality, or tribunal for the same harm or injury.

3376 F. An aggrieved person may not commence a civil action under this section with
3377 respect to an alleged discriminatory housing practice that forms the basis of a complaint
3378 if a hearing on the complaint has been convened by the office of the hearing examiner.

3379 G. In a civil action under subsection A., of this section, if the court finds that a
3380 discriminatory practice occurred or is about to occur, the court may order remedies as
3381 allowed by 42 U.S.C. 3613 (c) as it exists on April 16, 2006, including punitive damages
3382 as provided in 42 U.S.C. 3613(c), and, subject to the restrictions of subsection H. of this
3383 section, may grant as relief, as the court deems appropriate, any permanent or temporary
3384 injunction, temporary restraining order or other order, including an order enjoining the
3385 defendant from engaging in the practice or ordering such affirmative action as might be

3386 appropriate. The court may also allow reasonable attorneys' fees and costs to the
3387 prevailing party.

3388 H. Relief granted under this section shall not affect any contract, sale,
3389 encumbrance or lease consummated before the granting of the relief and involving a bona
3390 fide purchaser, encumbrances or tenant, without actual notice of the filing of a complaint
3391 with the ((office of equity and racial and social justice)) civil rights program or civil
3392 action under this chapter.

3393 I. Upon timely application, the prosecuting attorney may intervene in the civil
3394 action if the prosecuting attorney determines that the case is of general public importance.

3395 J. This section is intended to provide private judicial remedies for violations of
3396 this chapter that are as expansive as the powers granted by the Constitution of laws of the
3397 state of Washington.

3398 SECTION 70. Ordinance 10469, Section 14, as amended, and K.C.C. 12.20.124
3399 are hereby amended to read as follows:

3400 A. If an election is made under K.C.C. 12.20.100 for the claims to be decided in a
3401 civil action, the ((office of equity and racial and social justice)) civil rights program shall
3402 authorize and, not later than thirty days after the election is made, shall commence, on
3403 behalf of the charging party, a civil action in superior court to affirm or modify the order
3404 of the ((office of equity and racial and social justice)) civil rights program issued under
3405 K.C.C. 12.20.090.

3406 B. Any aggrieved person with respect to the issues to be determined in a civil
3407 action under this section may intervene as of right in that civil action.

3408 C. In a civil action under this section, if the court finds that a discriminatory
3409 housing practice has occurred, or is about to occur, the court may grant as relief any relief
3410 which a court could grant with respect to such discriminatory housing practice in a civil
3411 action under K.C.C. 12.20.122. Any relief so granted that would accrue to an aggrieved
3412 person in a civil action commenced by that aggrieved person under K.C.C. 12.20.122 also
3413 accrues to that aggrieved person in a civil action under this section. If monetary relief is
3414 sought for the benefit of an aggrieved person who does not intervene in that civil action,
3415 the court shall not award the monetary relief if that aggrieved person has not complied
3416 with discovery orders entered by the court.

3417 SECTION 71. Ordinance 10469, Section 16, as amended, and K.C.C. 12.20.133
3418 are hereby amended to read as follows:

3419 The (~~office of equity and racial and social justice~~) civil rights program may
3420 implement such forms, administrative processes, and operational procedures as are
3421 necessary to comply with this chapter. The forms, processes and procedures shall be
3422 adopted in compliance with K.C.C. chapter 2.98.

3423 SECTION 72. Ordinance 13263, Section 53, as amended, and K.C.C. 12.20.150
3424 are hereby amended to read as follows:

3425 A. If a complaint has been filed under this chapter, the (~~office of equity and~~
3426 ~~racial and social justice~~) civil rights program shall initiate an investigation under this
3427 chapter.

3428 B. If the (~~office of equity and racial and social justice~~) civil rights program
3429 determines that a violation of this chapter or any rules and regulations adopted under this
3430 chapter is about to occur or has occurred the (~~office of equity and racial and social~~

3431 justice)) civil rights program shall issue an order in accordance with this chapter. For
3432 enforcement of this chapter, if a conflict exists between this chapter and K.C.C. Title 23,
3433 this chapter controls over K.C.C. Title 23.

3434 SECTION 73. Ordinance 8625, Section 2, as amended, and K.C.C. 12.22.020 are
3435 hereby amended to read as follows:

3436 The definitions in this section apply throughout this chapter unless the context
3437 clearly requires otherwise.

3438 A. "Aggrieved person" includes any person who claims to have been injured by
3439 an act of discrimination in a place of public accommodation;

3440 B. "Charging party" means any person alleging an act of discrimination in a place
3441 of public accommodation under this chapter by filing a complaint with the ~~((office of
3442 equity and racial and social justice))~~ civil rights program.

3443 C. "Discrimination" or "discriminatory practice or act" means any action or
3444 failure to act, whether by a single act or part of a practice, the effect of which is to
3445 adversely affect or differentiate between or among individuals, because of one or more of
3446 the protected classes as defined in K.C.C. chapter 3.12D.

3447 D. "Gender identity or expression" means an individual's gender-related identity,
3448 appearance, or expression, whether or not associated with the individual's sex assigned at
3449 birth, and includes an individual's attitudes, preferences, beliefs, and practices pertaining
3450 to the individual's own gender identity or expression.

3451 E. "Owner" includes a person who owns, leases, subleases, rents, operates,
3452 manages, has charge of, controls, or has the right of ownership, possession, management,
3453 charge, or control of real property on the person's own behalf or on behalf of another.

3454 F. "Party" includes a person making a complaint or upon whose behalf a
3455 complaint is made alleging an unfair public accommodations practice, a person alleged or
3456 found to have committed an unfair public accommodations practice, and the ~~((office of~~
3457 ~~equity and racial and social justice))~~ civil rights program.

3458 G. "Person" means one or more individuals, partnerships, associations,
3459 organizations, corporations, cooperatives, legal representatives, trustees, trustees in
3460 bankruptcy, receivers, or any group of persons, and includes King County but no
3461 governmental body other than King County. "Person" also includes any owner, lessee,
3462 proprietor, manager, agent, or employee whether one or more natural persons.

3463 H. "Place of public accommodation" means any place, store, or other
3464 establishment, either licensed or unlicensed, that supplies goods or services to the general
3465 public. "Place of public accommodation" includes, but is not limited to, the following
3466 types of services or facilities: hotels, or other establishments provide lodging to transient
3467 guests; restaurants, cafeterias, lunchrooms, lunch counters, soda fountains, or other
3468 facilities principally engaged in selling or offering for sale food for consumption upon the
3469 premises; motion picture houses, theatres, concert halls, convention halls, sport arenas,
3470 stadiums, or other places of exhibition or entertainment; bowling alleys and amusement
3471 parks; retail establishments; transportation carriers; barber shops; beauty shops; bars or
3472 taverns or other facilities engaged in selling or offering for sale alcoholic beverages for
3473 consumption upon the premises; food banks, senior citizens centers, and other social
3474 service organizations and establishments; places of public accommodation operated by
3475 King County; and public burial facilities if the facilities are owned and operated by any
3476 cemetery corporation or burial association.

3477 I. "Respondent" means a person who is alleged or found to have discriminated in
3478 a place of public accommodation.

3479 J. "Senior citizen" means an individual as old or older than an age set for a senior
3480 category. The minimum age for the senior category is fifty-five years.

3481 K. "Settlement discussions" or "conference, conciliation, and persuasion" means
3482 the attempted resolution of issues raised by a complaint, or by the investigation of a
3483 complaint, through informal negotiations involving the charging party, the respondent
3484 and the ~~((office of equity and racial and social justice))~~ civil rights program.

3485 SECTION 74. Ordinance 8625, Section 4, as amended, and K.C.C. 12.22.040 are
3486 hereby amended to read as follows:

3487 A. A complaint alleging discrimination in a place of public accommodation may
3488 be filed by:

3489 1. Any aggrieved person; or

3490 2. Any state, local, or federal agency concerned with discrimination in places of
3491 public accommodation, including the ~~((office of equity and racial and social justice))~~ civil
3492 rights program, if the agency has reason to believe that a discriminatory act or practice
3493 has been or is being committed.

3494 B. A complaint alleging discrimination in a place of public accommodation shall
3495 be in writing and signed by the charging party. The complaint must be filed with the
3496 ~~((office of equity and racial and social justice))~~ civil rights program within one hundred
3497 eighty days of the occurrence of the alleged discrimination or within one hundred eighty
3498 days of when the charging party, through exercise of due diligence, should have had
3499 notice or been aware of the occurrence. The complaint must describe with particularity

3500 the practice complained of and the location of the practice and must identify the person
3501 being charged with committing the discrimination. However, the ((~~office of equity and~~
3502 ~~racial and social justice~~)) civil rights program shall not reject a complaint as insufficient
3503 because of failure to include all required information, if the ((~~office of equity and racial~~
3504 ~~and social justice~~)) civil rights program determines that the complaint substantially meets
3505 the informational requirements necessary for processing.

3506 C. Upon the receipt of a complaint, the ((~~office of equity and racial and social~~
3507 ~~justice~~)) civil rights program shall serve notice upon the charging party acknowledging
3508 the fling.

3509 D. The charging party or the ((~~office of equity and racial and social justice~~)) civil
3510 rights program may amend a complaint: to cure technical defects or omissions; to clarify
3511 and amplify allegations made in the complaint; or to add allegations related to or arising
3512 out of the subject matter set forth, or attempted to be set forth, in the original complaint.
3513 For jurisdictional purposes, the amendments relate back to the date the original complaint
3514 was first filed. Either the charging party or the ((~~office of equity and racial and social~~
3515 ~~justice~~)) civil rights program, or both, may amend a complaint for these reasons as a
3516 matter of right before service of notice of hearing on the matter as provided under K.C.C.
3517 12.22.070, and thereafter may amend a complaint only with the permission of the hearing
3518 examiner, which permission shall be granted if justice will be served by the permission,
3519 and all parties shall be allowed time to prepare their cases with respect to additional or
3520 expanded allegations that the parties did not and could not have reasonably foreseen
3521 would be an issue at the hearing.

3522 E. The charging party may also amend a complaint to include allegations of
3523 additional unrelated discriminatory acts that arose after filing of the original complaint.
3524 The charging party must file any amendments adding the allegations within one hundred
3525 eighty days of the occurrence of the alleged discrimination or within one hundred eighty
3526 days of when the charging party, through exercise of due diligence, should have had
3527 notice or been aware of the additional discriminatory act, and before the issuance of
3528 findings of fact and a determination with respect to the original complaint by the ((office
3529 of equity and racial and social justice)) civil rights program. The amendments may be
3530 made at any time during the investigation of the original complaint if the ((office of
3531 equity and racial and social justice)) civil rights program will have adequate time to
3532 investigate the additional allegations and the parties will have adequate time to present
3533 the ((office of equity and racial and social justice)) civil rights program with evidence
3534 concerning the allegations before the issuance of findings of fact and a determination.

3535 SECTION 75. Ordinance 8625, Section 5, as amended, and K.C.C. 12.22.050 are
3536 hereby amended to read as follows:

3537 A. After the filing of a complaint, the ((office of equity and racial and social
3538 justice)) civil rights program shall serve notice of the complaint and a copy of the
3539 complaint on the respondent within twenty days after the filing of the complaint. Each
3540 respondent may file an answer to the complaint not later than twenty days after receipt of
3541 notice from the ((office of equity and racial and social justice)) civil rights program. If a
3542 respondent is unable to file a response within twenty days, the respondent may request an
3543 extension of time from the ((office of equity and racial and social justice)) civil rights
3544 program. The extension may be granted by the ((office of equity and racial and social

3545 ~~justice))~~ civil rights program if good cause is shown. The ~~((office of equity and racial~~
3546 ~~and social justice))~~ civil rights program shall commence the investigation of the
3547 complaint promptly.

3548 B. The ~~((office of equity and racial and social justice))~~ civil rights program shall
3549 direct the investigation to ascertain the facts concerning the discrimination in public
3550 accommodations alleged in the complaint and shall conduct the investigation in an
3551 objective and impartial manner. During the investigation, the ~~((office of equity and racial~~
3552 ~~and social justice))~~ civil rights program shall consider any statement of position or
3553 evidence with respect to the allegations of the complaint that the charging party or the
3554 respondent wishes to submit. A person who is not named as a respondent in a complaint,
3555 but who is identified as a respondent in the course of the investigation, may be joined as
3556 an additional or substitute respondent upon written notice, as provided under subsection
3557 A. of this section, to the person from the ~~((office of equity and racial and social justice))~~
3558 civil rights program. The notice, in addition to meeting the requirements of subsection A.
3559 of this section, must explain the basis for the belief of the ~~((office of equity and racial and~~
3560 ~~social justice))~~ civil rights program that the person to whom the notice is addressed is
3561 properly joined as a respondent.

3562 C. During the period beginning with the filing of the complaint and ending with
3563 the issuance of the findings of fact, the ~~((office of equity and racial and social justice))~~
3564 civil rights program, to the extent feasible, engage in settlement discussions with respect
3565 to the complaint. Anything said or done in the course of the settlement discussions may
3566 not be made public or used as evidence in a subsequent proceeding under this chapter
3567 without the written consent of the persons concerned. A prefinding settlement agreement

3568 arising out of the settlement discussions must be an agreement between the respondent
3569 and the charging party, and is subject to approval by the ((office of equity and racial and
3570 social justice)) civil rights program. Each prefinding settlement agreement is a public
3571 record. Failure to comply with the prefinding settlement agreement may be enforced
3572 under K.C.C. 12.22.080.

3573 D. The ((office of equity and racial and social justice)) civil rights program shall
3574 seek the voluntary cooperation of all persons to obtain access to premises, records,
3575 documents, individuals and other possible sources of information; to examine, record and
3576 copy necessary materials; and to take and record testimony or statements of persons
3577 reasonably necessary for the furtherance of the investigation. The ((office of equity and
3578 racial and social justice)) civil rights program may conduct discovery in aid of the
3579 investigation by the following methods or others: deposition upon oral examination or
3580 written questions; written interrogatories; requests for the production of documents or
3581 other evidence, inspection and other purposes; physical and mental examinations; and
3582 requests for admissions. The ((office of equity and racial and social justice)) civil rights
3583 program may sign and issue subpoenas requiring the attendance and testimony of
3584 witnesses and the production of or access to evidence including books, records,
3585 correspondence, e-mail or documents in the possession or under the control of the person
3586 subpoenaed as are necessary for the investigation. The ((office of equity and racial and
3587 social justice)) civil rights program shall consult with the prosecuting attorney before
3588 issuing a subpoena under this section.

3589 E. If an individual fails to obey a subpoena issued under this section, or obeys the
3590 subpoena but refuses to testify if requested concerning a matter under investigation under

3591 this section, the ~~((office of equity and racial and social justice))~~ civil rights program may
3592 invoke the aid of the prosecuting attorney who may petition to the superior court for an
3593 order or other appropriate action necessary to secure enforcement of the subpoena. The
3594 petition shall:

- 3595 1. Be accompanied by a copy of the subpoena and proof of service;
- 3596 2. Set forth in what specific manner the subpoena has not been complied with;
- 3597 and
- 3598 3. Ask for an order of the court to compel the witness to appear and testify or
3599 cooperate in the investigation of the discrimination in public accommodations.

3600 F. If the ~~((office of equity and racial and social justice))~~ civil rights program
3601 concludes at any time after the filing of a complaint that prompt judicial action is
3602 necessary to carry out the purposes of this chapter, the ~~((office of equity and racial and
3603 social justice))~~ civil rights program may invoke the aid of the prosecuting attorney who
3604 may file a civil action for appropriate temporary, injunctive, or preliminary relief pending
3605 final disposition of the case.

3606 G. The ~~((office of equity and racial and social justice))~~ civil rights program shall
3607 reduce the results of the investigation to written findings of fact make and a finding that
3608 there either is or is not reasonable cause for believing that an act of discrimination in a
3609 place of public accommodations has been or is being committed.

3610 H. If a finding is made that there is no reasonable cause, the finding shall be
3611 served on the charging party and respondent. Within thirty days after service of such a
3612 negative finding, the charging party may file a written request with the ~~((office of equity
3613 and racial and social justice))~~ civil rights program asking for reconsideration of the

3614 finding. The ((office of equity and racial and social justice)) civil rights program shall
3615 furnish the charging party with information regarding how to request reconsideration.
3616 The ((office of equity and racial and social justice)) civil rights program shall respond in
3617 writing within a reasonable time by granting or denying the request.

3618 SECTION 76. Ordinance 8625, Section 6, as amended, and K.C.C. 12.22.060 are
3619 hereby amended to read as follows:

3620 A.1. If the ((office of equity and racial and social justice)) civil rights program
3621 makes the finding initially or on request for reconsideration that reasonable cause exists
3622 to believe that discrimination in a place of public accommodation occurred, the ((office
3623 of equity and racial and social justice)) civil rights program shall endeavor to eliminate
3624 the discriminatory practice by conference, conciliation, and persuasion, which may
3625 include as a condition of settlement:

- 3626 a. elimination of the discriminatory practice;
- 3627 b. payment of refunds or credits not in excess of the amount of monetary
3628 damage actually incurred;
- 3629 c. payment of other actual damages, including damages caused by emotional
3630 distress, humiliation and embarrassment;
- 3631 d. payment of attorneys' fees and costs;
- 3632 e. participation in training on public accommodations laws; and
- 3633 f. such other requirements as may lawfully be agreed upon by the parties and
3634 the ((office of equity and racial and social justice)) civil rights program.

3635 2. Any postfinding settlement agreement shall be reduced to writing and signed
3636 by all parties, with the approval of the ((office of equity and racial and social justice))

3637 civil rights program. The ~~((office of equity and racial and social justice))~~ civil rights
3638 program shall then enter an order setting forth the agreement and furnish copies of the
3639 order to all affected parties. Each postfinding settlement agreement is a public record.
3640 Failure to comply with the postfinding settlement agreement or order may be enforced
3641 under K.C.C. 12.22.080.

3642 B.1. If the parties cannot reach agreement, the ~~((office of equity and racial and~~
3643 ~~social justice))~~ civil rights program shall make a finding to that effect, incorporate the
3644 finding in the order and furnish a copy of the order to all affected parties. The order shall
3645 also include:

- 3646 a. a finding that discrimination in a place of public accommodation occurred;
- 3647 b. the basis for the finding;
- 3648 c. an order requiring the respondent to cease and desist from such
3649 discriminatory practice and to take appropriate affirmative measures, which may include:
 - 3650 (1) payment of refunds or credit or other damages not to exceed monetary
3651 damage actually incurred;
 - 3652 (2) payment of other actual damages, including damages caused by emotional
3653 distress, humiliation, and embarrassment;
 - 3654 (3) payment of attorneys' fees and costs;
 - 3655 (4) participation in training in public accommodations laws; or
 - 3656 (5) such other action as in the judgment of the ~~((office of equity and racial~~
3657 ~~and social justice))~~ civil rights program will effectuate the purposes of this chapter, which
3658 may include the requirement for a report on the matter of compliance.

3659 2. If the (~~office of equity and racial and social justice~~) civil rights program
3660 finds the respondent willfully or knowingly committed any discrimination in a place of
3661 public accommodation, the (~~office of equity and racial and social justice~~) civil rights
3662 program may further order the respondent to pay a civil penalty of up to one thousand
3663 dollars per violation, which penalty shall be paid to the King County treasury for deposit
3664 in the county general fund.

3665 SECTION 77. Ordinance 8625, Section 7, as amended, and K.C.C. 12.22.070 are
3666 hereby amended to read as follows:

3667 A.1. Any respondent or charging party, after an order of the (~~office of equity and~~
3668 ~~racial and social justice~~) civil rights program is made in accordance with K.C.C.
3669 12.22.060.B., may request an appeal hearing before the hearing examiner by filing a
3670 written request for hearing within thirty days of the service of the order. The request for
3671 hearing shall be filed with the (~~office of equity and racial and social justice~~) civil rights
3672 program. The request for hearing must identify clearly and specifically:

- 3673 a. the errors that the appellant believes were made in the action or decision that
3674 is being appealed, or the procedural irregularities associated with that action or decision;
3675 b. specific reasons why the county's action should be reversed or modified; and
3676 c. the desired outcome of the appeal.

3677 2. Unless the hearing examiner authorizes an amendment to the statement of
3678 appeal, the identification of errors and the statement of reasons for reversal or
3679 modification defines and limits the issues that the examiner may consider.

3680 B. Any order issued by the (~~office of equity and racial and social justice~~) civil
3681 rights program in accordance with procedures in this chapter becomes final thirty days

3682 after service of the order unless a written request for hearing is filed with the ((office of
3683 equity and racial and social justice)) civil rights program within the thirty-day period.

3684 C. If the order of the ((office of equity and racial and social justice)) civil rights
3685 program is appealed, the hearing examiner shall conduct a hearing for the purpose of
3686 affirming, denying or modifying the order. There shall be a verbatim record kept of the
3687 hearing. The hearing examiner has such rule-making and other powers necessary for the
3688 conduct of the hearing as are specified by K.C.C. chapter 20.22. The order of the ((office
3689 of equity and racial and social justice)) civil rights program shall not be presumed
3690 correct. The hearing examiner's decision shall be based upon a preponderance of the
3691 evidence. The hearing shall be conducted within a reasonable time after receipt of the
3692 request for appeal. Written notice of the time and place of the hearing shall be given at
3693 least ten days before the date of the hearing to each affected party and to the ((office of
3694 equity and racial and social justice)) civil rights program.

3695 D. Each party may, among exercising other rights:

- 3696 1. Call and examine witnesses on any matter relevant to the issues of the
3697 complaint;
- 3698 2. Introduce documentary and physical evidence;
- 3699 3. Cross-examine opposing witnesses on any matter relevant to the issues of the
3700 complaint;
- 3701 4. Impeach any witness regardless of which party first called the witness to
3702 testify;
- 3703 5. Rebut evidence against the party; and

3704 6. Self-represent or be represented by anyone of the party's choice who is
3705 lawfully permitted to do so.

3706 E. Following review of the evidence submitted, the hearing examiner presiding at
3707 the hearing shall enter written findings and conclusions and shall affirm or modify the
3708 order previously issued if the hearing examiner finds that a violation occurred. The
3709 hearing examiner shall reverse the order if the hearing examiner finds that a violation did
3710 not occur. The hearing examiner may grant as relief any relief that ((~~office of equity and~~
3711 ~~racial and social justice~~)) civil rights program could grant under K.C.C. 12.22.060.B. A
3712 copy of the hearing examiner's decision shall be delivered to all affected parties. The
3713 order of the hearing examiner is final unless reviewed by a court under K.C.C.
3714 20.22.270.B.

3715 SECTION 78. Ordinance 8625, Section 8, as amended, and K.C.C. 12.22.080 are
3716 hereby amended to read as follows:

3717 A. If the ((~~office of equity and racial and social justice~~)) civil rights program has
3718 reasonable cause to believe that a respondent breached a prefinding or postfinding
3719 settlement agreement executed under K.C.C. 12.22.050 or 12.22.060, or violated an order
3720 of the ((~~office of equity and racial and social justice~~)) civil rights program issued under
3721 K.C.C. 12.22.060 or an order of the hearing examiner issued under K.C.C. 12.22.070, the
3722 ((~~office of equity and racial and social justice~~)) civil rights program shall refer the matter
3723 to the prosecuting attorney for the filing of a civil action under subsection B. of this
3724 section for the enforcement of the agreement.

3725 B. The prosecuting attorney may commence a civil action in superior court for
3726 appropriate relief with respect to a breach of a prefinding or postfinding settlement

3727 agreement executed under K.C.C. 12.22.050 or 12.22.060, or violation of an order of the
3728 ~~((office of equity and racial and social justice))~~ civil rights program issued under K.C.C.
3729 12.22.060 or an order of the hearing examiner issued under K.C.C. 12.22.070. The action
3730 may be commenced no later than ninety days after the referral of the alleged breach
3731 underlying the referral under subsection A. of this section.

3732 SECTION 79. Ordinance 15399, Section 59, as amended, and K.C.C. 12.22.085
3733 are hereby amended to read as follows:

3734 A. An aggrieved person may commence a civil action in superior court not later
3735 than one year after the occurrence or termination of alleged discrimination in a place of
3736 public accommodation or ninety days after a determination of reasonable cause is issued
3737 by the ~~((office of equity and racial and social justice))~~ civil rights program, whichever
3738 occurs last, to obtain appropriate relief with respect to the discrimination in public
3739 accommodations.

3740 B. A civil action may be filed under this section whether or not an administrative
3741 complaint has been filed under K.C.C. 12.22.040 and without regard to the status of the
3742 complaint. However, if the ~~((office of equity and racial and social justice))~~ civil rights
3743 program obtained a prefinding or postfinding settlement or conciliation agreement with
3744 the consent of the aggrieved person, an action may not be filed by the aggrieved person
3745 with respect to the alleged discrimination in public accommodations that forms the basis
3746 for the complaint except for the purpose of enforcing the agreement. To preclude such a
3747 filing, the prefinding or postfinding settlement or conciliation agreement must include
3748 language that the aggrieved person knowingly waives any right to file a civil action under
3749 this section based on the same alleged discrimination in public accommodations.

3750 C. Subject to subsection D. of this section, after the filing of a civil action
3751 involving the same claim or arising from the same facts and circumstances, whether
3752 under this chapter or similar law, the (~~office of equity and racial and social justice~~) civil
3753 rights program may administratively close a complaint of discrimination in public
3754 accommodations.

3755 D. If a court dismisses a private cause of action without reaching the merits and
3756 on grounds that would not preclude pursuit of a complaint under this chapter, the
3757 charging party may request, within ninety days of the entry of the court's order of
3758 dismissal, that the (~~office of equity and racial and social justice~~) civil rights program
3759 reopen a previously filed case. Upon such a request, the (~~office of equity and racial and~~
3760 ~~social justice~~) civil rights program may reopen a case that was administratively closed
3761 upon the filing of a civil action. If the (~~office of equity and racial and social justice~~)
3762 civil rights program closes a case based on a "no reasonable cause" finding, the case may
3763 not be reopened except as provided through reconsideration under K.C.C. 12.22.050.

3764 E. A charging party or aggrieved person may not secure relief from more than
3765 one governmental agency, instrumentality, or tribunal for the same harm or injury.

3766 F. An aggrieved person may not commence a civil action under this section with
3767 respect to an alleged discrimination in public accommodations practice that forms the
3768 basis of a complaint if a hearing on the complaint has been convened under K.C.C.
3769 12.22.070.

3770 G. In a civil action under this section, if the court finds that discrimination in
3771 public accommodations occurred, the court may grant such relief as is available for
3772 violations of the Washington state Law Against Discrimination, chapter 49.60 RCW.

3773 H. Upon timely application, the prosecuting attorney may intervene in the civil
3774 action, if the prosecuting attorney determines that the case is of general public
3775 importance.

3776 I. This section is intended to provide private judicial remedies for violations of
3777 this chapter that are as expansive as the powers granted by the Constitution and laws of
3778 the state of Washington.

3779 SECTION 80. Ordinance 8625, Section 9, as amended, and K.C.C. 12.22.090 are
3780 hereby amended to read as follows:

3781 The (~~office of equity and racial and social justice~~) civil rights program may
3782 implement such forms, administrative processes, and operational procedures as are
3783 necessary to comply with this chapter. The forms, processes and procedures shall be
3784 adopted in compliance with K.C.C. chapter 2.98.

3785 SECTION 81. Ordinance 15399, Section 54, as amended, and K.C.C. 12.22.095
3786 are hereby amended to read as follows:

3787 A. If a complaint has been filed under this chapter, the (~~office of equity and~~
3788 ~~racial and social justice~~) civil rights program shall initiate an investigation under the
3789 provisions of this chapter.

3790 B. If the (~~office of equity and racial and social justice~~) civil rights program
3791 determines that a violation of this chapter or any rules and regulations adopted under this
3792 chapter occurred, the office shall issue an order under this chapter. For violations of this
3793 chapter, if a conflict exists between this chapter and K.C.C. Title 23, this chapter controls
3794 over K.C.C. Title 23.

3795 SECTION 82. Ordinance 13147, Section 27, as amended, and K.C.C. 20.18.110
3796 are hereby amended to read as follows:

3797 A. Notice of the time, place, and purpose of a public hearing before the council to
3798 consider amendments to the Comprehensive Plan or development regulations shall at a
3799 minimum be given at least thirty days before the hearing by the following methods:

- 3800 1. One publication in a newspaper of general circulation in the county.
- 3801 2. For land use designation and zoning classification proposals only:
 - 3802 a. one additional publication in the area for which the area zoning is proposed,
3803 if available;
 - 3804 b. mailed to affected property owners, appropriate to the scope of the proposal,
3805 whose names appear on the rolls of the King County assessor and shall at a minimum
3806 include owners of properties within five hundred feet of affected property, at least twenty
3807 property owners in the vicinity of the property, and to any individuals or organizations
3808 that have formally requested to the department of local services, permitting division,
3809 ~~((department of performance, strategy and budget, regional planning section))~~ the
3810 executive's office, or the council, to be kept informed of applications in an identified area.
3811 If the additional publication referenced in subsection A.2.a. of this section is not
3812 available, the mailing radius shall be extended to one thousand feet, and at least forty
3813 property owners in the vicinity of the property. The mail shall be postmarked at least
3814 thirty days before the hearing. If the county sends the mailed notice by bulk mail, the
3815 certificate of mailing shall qualify as a postmark. Failure to notify any specific property
3816 owner shall not invalidate an area zoning proceeding or any resulting reclassification of
3817 land; and

3818 c. posted on the county website.

3819 B. Notice for site-specific land use map amendments shall also be provided in
3820 accordance with K.C.C. 20.18.050.

3821 C. The county shall endeavor to provide notices required by this section in
3822 nontechnical language. The notice shall indicate how the detailed description of the
3823 ordinance required by K.C.C. 20.18.100 can be obtained by a member of the public.

3824 SECTION 83. Ordinance 4461, Section 2, as amended, and K.C.C. 20.22.040 are
3825 hereby amended to read as follows:

3826 The examiner makes decisions on:

3827 A. Appeals of orders of the ombuds under the lobbyist disclosure code under
3828 K.C.C. chapter 1.07;

3829 B. Appeals of sanctions of the finance and business operations division in the
3830 department of executive services under K.C.C. chapter 2.97;

3831 C. Appeals of career service review committee conversion decisions for part-time
3832 and temporary employees under K.C.C. chapter 3.12A;

3833 D. Appeals of electric vehicle recharging station penalties by the Metro transit
3834 department under K.C.C. 4A.700.700;

3835 E. Appeals of notice and orders of the manager of records and licensing services
3836 or the department of local services permitting division manager under K.C.C. chapter
3837 6.01;

3838 F. Appeals of adult entertainment license denials, suspensions, and revocations
3839 under K.C.C. chapter 6.09;

3840 G. Appeals of the fire marshal's decisions on fireworks permits under K.C.C.
3841 chapter 17.11;

3842 H. Appeals of cable franchise nonrenewals under K.C.C. 6.27A.060 and notices
3843 and orders under K.C.C. 6.27A.240;

3844 I. Appeals of notice and orders of the department of natural resources and parks
3845 under K.C.C. chapter 7.09;

3846 J. Appeals of decisions of the director of the department of natural resources and
3847 parks on surface water drainage enforcement under K.C.C. chapter 9.04;

3848 K. Appeals of decisions of the director of the department of natural resources and
3849 parks on requests for rate adjustments to surface and storm water management rates and
3850 charges under K.C.C. chapter 9.08;

3851 L. Appeals of decisions on water quality enforcement under K.C.C. chapter 9.12;

3852 M. Appeals of notice and orders of the manager of regional animal services under
3853 K.C.C. chapter 11.04;

3854 N. Certifications by the finance and business operations division of the
3855 department of executive services under K.C.C. chapter 12.16;

3856 O. Appeals of orders of the (~~office of equity and racial and social justice~~) civil
3857 rights program under K.C.C. chapter 12.17, K.C.C. chapter 12.18, K.C.C chapter 12.20,
3858 and K.C.C. chapter 12.22;

3859 P. Appeals of noise-related orders and citations of the department of local
3860 services, permitting division, under K.C.C. chapter 12.86;

3861 Q. A decision on a request for exemption under K.C.C. 12.25.020.F.;

- 3862 R. Appeals of utilities technical review committee determinations on water
3863 service availability under K.C.C. 13.24.090;
- 3864 S. Appeals of decisions regarding mitigation payment system, commute trip
3865 reduction, and intersection standards under K.C.C. Title 14;
- 3866 T. Appeals of changes to speed limits under K.C.C. chapter 14.06;
- 3867 U. Appeals related to road designations and redesignations under K.C.C. chapter
3868 16.08;
- 3869 V. Appeals of suspensions, revocations, or limitations of plumbing permits under
3870 K.C.C. chapter 16.32;
- 3871 W. Appeals from denials of C-PACER applications under K.C.C. chapter 18.19;
- 3872 X. Appeals of all Type 2 decisions under K.C.C. chapter 20.20, with the
3873 exception of appeals of shoreline permits, including shoreline substantial development
3874 permits, shoreline variances, and shoreline conditional uses, which are appealable to the
3875 state Shoreline Hearings Board;
- 3876 Y. Type 3 decisions under K.C.C. chapter 20.20;
- 3877 Z. Appeals of SEPA decisions under K.C.C. 20.44.120 and public rules adopted
3878 under K.C.C. 20.44.075;
- 3879 AA. Appeals of completed farm management plans under K.C.C. 21A.30.045;
- 3880 BB. Appeals of decisions of the interagency review committee created under
3881 K.C.C. 21A.37.070 regarding sending site applications for certification under K.C.C.
3882 chapter 21A.37;

3883 CC. Appeals of citations, notices and orders, notices of noncompliance, and stop
 3884 work orders issued under K.C.C. Title 23 or BOH chapter 1.08 (~~(of the code)~~) of the King
 3885 County board of health code;

3886 DD. Appeals of notices and certifications of junk vehicles to be removed as a
 3887 public nuisance under K.C.C. Title 21A and K.C.C. chapter 23.10;

3888 EE. Appeals of decisions not to issue a citation or a notice and order under
 3889 K.C.C. 23.36.010;

3890 FF. Appeals of fee waiver decisions by the department of local services,
 3891 permitting division under K.C.C. 27.02.040;

3892 GG. Appeals from decisions of the department of natural resources and parks
 3893 related to permits, discharge authorizations, violations, and penalties under K.C.C.
 3894 28.84.050 and 28.84.060, civil infractions and penalties under K.C.C. 7.12.650, and
 3895 suspensions of park privileges under K.C.C. 7.12.700.B.;

3896 HH. Appeals of transit rider suspensions under K.C.C. 28.96.430;

3897 II. Appeals of department of public safety seizures and intended forfeitures, when
 3898 properly designated by the chief law enforcement officer of the department of public
 3899 safety under RCW 69.50.505; and

3900 JJ. Other applications or appeals prescribed by ordinance.

3901 SECTION 84. Ordinance 19881, Section 164, and K.C.C. 21A.08.055 are hereby
 3902 amended to read as follows:

3903 A. Government and education land uses.

SI	SPECIFIC	A	F	M	RA	UR	R-1	R-4	R-12	N	CB	RB	O	I
C#	LAND USE				(I)			- R-	- R-	B				

								8	48					
	GOVERNMENT SERVICES:													
*	Public Agency or Utility Office				P2 C4	P2 C4	P2 C	P2 C	P2 C	P	P	P	P	P3
*	Public Agency or Utility Yard				P5	P5	P5	P5	P5			P		P
*	Public Agency Archives											P	P	P
921	Court										P6	P	P	
922 1	Police Facility				P7	P7	P7	P7	P7	P7	P	P	P	P
922 4	Fire Facility				C8	C8	C8	C8	C8	P	P	P	P	P
*	Utility Facility (12)	P1 0 C1 1	P 1 0 C 1 1 1	P 1 0 C 1 1 1	P10 C11	P10 C11	P10 C11	P10 C11	P10 C11	P	P	P	P	P
*	Private	P1	P	P	P13	P13	P13	P13	P13	P1	P1	P13	P13	P1

	Stormwater Management Facility	3	1 3	1 3						3	3			3
*	Vactor Waste Receiving Facility	P	P	P	P14 C	P14 C	P14 C	P14 C	P14 C	P1 5	P1 5	P15	P15	P
*	Commuter Parking Lot				P29 C	P29 C	P29 C	P29 C	P29 C	P	P	P	P	P3 0
	EDUCATION SERVICES:													
*	Elementary School				P16 P18	P	P	P	P		P1 7 P1 8	P17 P18	P17 P18	
*	Middle/Junior High School				P18 C16	P	P	P	P		P1 7 C1 8	P17 C18	P17 C1 8	
*	Secondary or High School				C16 C20	P21	P21	P21	P21		P1 7 C1 9	P17 C19	P17	
822 1- 822 2	College/University(26)	P2 2	P 2		P22 C23 S24	P22 C23 S24	P22 C23 S	P22 C23 S	P22 C23 S	P2 2 C2 3	P	P	P	P

										S				
*	Vocational School					P25 C	P25 C	P25 C	P25 C			P19	P27	P
*	School District Support Facility					P28 C	P28 C	P28 C	P28 C	C1 9	P1 9	P19	P19	P1 9

3904 B. Development conditions.

3905 1. Subject to review and approval of conditions to comply with trail corridor
3906 provisions of K.C.C. chapter 21A.14.

3907 2.a. Only as a reuse of a public school facility or a surplus nonresidential facility
3908 subject to K.C.C. chapter 21A.32; or

3909 b. only when accessory to a fire facility and the office is no greater than one
3910 thousand five hundred square feet of floor area.

3911 3. Only as an accessory use to another permitted use.

3912 4. New utility office locations only if there is no commercial/industrial zoning
3913 in the utility district, and not in the RA-10 or RA-20 zones unless it is demonstrated that
3914 no feasible alternative location is possible.

3915 5a. Utility yards only on sites with utility district offices; or

3916 b. Public agency yards are limited to material storage for road maintenance
3917 facilities.

3918 6. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter
3919 21A.32.

3920 7. Limited to storefront police offices. Such offices shall not have:

- 3921 a. holding cells;
- 3922 b. suspect interview rooms (except in the NB zone); or
- 3923 c. long-term storage of stolen properties.
- 3924 8.a. All buildings and structures shall maintain a minimum distance of twenty
- 3925 feet from property lines adjoining RA, UR, and R zones;
- 3926 b. Any buildings from which fire-fighting equipment emerges onto a street
- 3927 shall maintain a distance of thirty-five feet from such street;
- 3928 c. No outdoor storage; and
- 3929 d. Excluded from the RA-10 and RA-20 zones unless it is demonstrated that no
- 3930 feasible alternative location is possible.
- 3931 10. Excluding local distribution gas storage tanks.
- 3932 11. Limited to local distribution gas storage tanks that pipe to individual
- 3933 residences but excluding liquefied natural gas storage tanks.
- 3934 12. As part of an application for construction of new electric transmission lines
- 3935 in regional utility corridors, or for the construction or siting of new, modified, or
- 3936 expanded gas or hazardous liquid transmission pipelines, the applicant shall submit an
- 3937 equity impact review of the proposal using tools developed by the executive's office (~~of~~
- 3938 ~~equity and racial and social justice~~). Until the tools have been developed and made
- 3939 publicly available by the executive's office, the equity impact review is not required. The
- 3940 results from the equity impact review shall be used to assess equity impacts and
- 3941 opportunities during county permit review and may be used to inform determinations of
- 3942 project approval.

3943 13. Private stormwater management facilities serving development proposals
3944 located on commercial/industrial zoned lands shall also be located on
3945 commercial/industrial lands, unless participating in an approved shared facility drainage
3946 plan. Such facilities serving development within an area designated urban in the King
3947 County Comprehensive Plan shall only be located in the urban area.

3948 14. Only as an accessory use to a public agency or utility yard, or to a transfer
3949 station.

3950 15. Vactor waste treatment, storage, and disposal shall be limited to liquid
3951 materials. Materials shall be disposed of directly into a sewer system or shall be stored in
3952 tanks, covered structures, or enclosed buildings.

3953 16. A school may be located outside of the Urban Growth Area only if allowed
3954 under King County Comprehensive Plan policies. New high school sites shall abut or be
3955 accessible from a public street functioning as an arterial per the King County Design
3956 Standards.

3957 17. If located outside of the urban area, shall be designed to primarily serve the
3958 rural area and natural resource lands and shall be located within a rural town. In CB, RB,
3959 and O zones, only for K-12 schools, and limited to a maximum of one hundred students.

3960 18. Only as a reuse of an existing public school.

3961 19. If located outside of the urban area, limited to projects that are of a size and
3962 scale designed to primarily serve the rural area and natural resource lands and shall be
3963 located within a rural town.

3964 20. A high school may be allowed as a reuse of an existing public school if
3965 allowed under King County Comprehensive Plan policies.

3966 21.a. New high schools permitted in the RA, UR, and R zones shall be subject
3967 to the review process in K.C.C. 21A.42.140.

3968 b. Renovation, expansion, modernization, or reconstruction of a school, or the
3969 addition of relocatable facilities, is allowed.

3970 22. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.

3971 23. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter
3972 21A.32.

3973 24. Only for facilities related to resource-based research.

3974 25. Only as a reuse of a public school facility or surplus nonresidential facility
3975 subject to K.C.C. chapter 21A.32. Before filing an application with the department, the
3976 applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

3977 26. Except technical institutions, which are classified as vocational schools.

3978 27. All instruction shall occur within an enclosed structure.

3979 28. Only if adjacent to an existing or proposed school.

3980 29. Limited to new commuter parking lots designed for thirty or fewer parking
3981 spaces or commuter parking lots located on existing parking lots for religious facilities,
3982 schools, or other allowed nonresidential uses that have excess capacity available during
3983 commuting, but only if the new or existing lot is adjacent to a designated arterial that has
3984 been improved to a standard acceptable to the department of local services.

3985 30. Allowed as a primary or accessory use to an allowed industrial-zoned land
3986 use.

3987 SECTION 85. Ordinance 10870, Section 337, as amended, and K.C.C.
3988 21A.08.100 are hereby amended to read as follows:

3989

A. Regional land uses.

SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R-1	R-4 - R-8	R-12 - R-48	NB	CB	RB	O	I (15))
*	Jail						S	S	S	S	S	S	S	S
*	Jail Farm/Camp	S	S		S	S								
*	Work Release Facility				S19	S19	S	S	S	S	S	S	S	
*	Public Agency Animal Control Facility		S		S	S						S		P
*	Public Agency Training Facility		S		S3						S3	S3	S3	C4
*	Hydroelectric Generation Facility		C14 S14b		C1 4 S14 b	C1 4 S14 b	C1 4 S14 b	C1 4 S14 b						
*	Nonhydroelectric Generation Facility	C12 S29	C12 S29	C12 S29	C1 2 S29	C1 2 S29	C1 2 S29	C1 2 S29	C1 2 S29	C1 2 S29	C1 2 S29	C12 S29	C1 2 S29	P12 S29
*	Renewable Energy Generation Facility	C28	C28	C	C	C	C	C	C	C	C	C	C	C
*	Fossil Fuel													S27

Ordinance

	Facility													
*	Battery Energy Storage System (30)		S	P	P	P	C	C	C	P	P	P	P	P
*	Communication Facility (17)	C6c S	P		C6c S	C6c S	C6c S	C6c S	C6c S	C6c S	P	P	P	P
*	Earth Station	P6b C	P		C6a S	C6a S	C6c S	C6a S	C6a S	P6b C	P	P	P	P
*	Energy Resource Recovery Facility		S	S	S	S	S	S	S	S	S	S	S	S
*	Soil Recycling Facility		S	S	S									C
*	Landfill		S	S	S	S	S	S	S	S	S	S	S	S
*	Transfer Station			S	S	S	S	S	S	S	S	S		P
*	Wastewater Treatment Facility				S	S	S	S	S	S	S	S	S	C
*	Municipal Water Production	S	P13 S	S	S	S	S	S	S	S	S	S	S	S
*	Airport/Heliport	S7	S7		S	S	S	S	S	S	S	S	S	S
*	Search and Rescue Facility				C3 1 S31									
*	Regional Transit Authority Facility						P25							
*	Rural Public Infrastructure Maintenance				C2 3									P

	Facility													
*	Transit Bus Base					S	S	S	S	S	S	S	S	P
*	Transit Comfort Facility			P26		P26	P26	P26	P26	P26	P26	P26	P26	P26
*	School Bus Base			C5	C5	C5	C5	C5	S	S	S	S	S	P
				S20	S	S	S	S						
7948	Racetrack			S8	S8	S8	S8	S8	S8	S8	S8	S8	S8	S24
*	Regional Motor Sports Facility													P
*	County Fairgrounds Facility			P21										
				S22										
*	Fairground									S	S			S
8422	Zoo/Wildlife Exhibit(2)		S9	S9	S	S	S	S		S	S			
7941	Stadium/Arena										S			S
*	Zoo Animal Breeding Facility	P16	P16	P16										

- 3990 B. Development conditions.
- 3991 1. Repealed.
- 3992 2. Except arboretum.
- 3993 3. Except weapons armories and outdoor shooting ranges.
- 3994 4. Except outdoor shooting range.
- 3995 5. Only in conjunction with an existing or proposed school.
- 3996 6.a. Limited to no more than three satellite dish antennae.
- 3997 b. Limited to one satellite dish antenna.

- 3998 c. Limited to tower consolidations.
- 3999 7. Limited to landing field for aircraft involved in forestry or agricultural
4000 practices or for emergency landing sites.
- 4001 8. Except racing of motorized vehicles.
- 4002 9. Limited to wildlife exhibit.
- 4003 10. Repealed
- 4004 11. Repealed
- 4005 12.a. Limited to gas extraction as an accessory use to a waste management
4006 process, such as wastewater treatment, landfill waste management, livestock manure, and
4007 composting processes, and excluding anaerobic digesters.
- 4008 b. an equity impact review of the proposal using tools developed by the
4009 ~~((office of equity and racial and social justice))~~ executive's office. Until the tools have
4010 been developed and made publicly available by the ~~((office))~~ executive's office, the
4011 equity impact review is not required. The results from the equity impact review shall be
4012 used to assess equity impacts and opportunities during county permit review and may be
4013 used to inform determinations of project approval.
- 4014 13. Excluding impoundment of water using a dam.
- 4015 14.a. Limited to facilities that comply with the following:
- 4016 (1)~~((:))~~ Any new diversion structure shall not:
- 4017 (a) exceed a height of eight feet as measured from the streambed; or
- 4018 (b) impound more than three surface acres of water at the normal maximum
4019 surface level;
- 4020 (2) There shall be no active storage;

4021 (3) The maximum water surface area at any existing dam or diversion shall not
4022 be increased;

4023 (4) An exceedance flow of no greater than fifty percent in mainstream reach
4024 shall be maintained;

4025 (5) Any transmission line shall comply with the following:

4026 (a) be limited to right-of-way of five miles or less; and

4027 (b) be limited to capacity of two hundred thirty KV or less;

4028 (6) Any new, permanent access road shall be limited to five miles or less; and

4029 (7) The facility shall only be located above any portion of the stream used by
4030 anadromous fish.

4031 b. The applicant shall submit an equity impact review of the proposal using
4032 tools developed by the ~~((office of equity and racial and social justice))~~ executive's office.

4033 Until the tools have been developed and made publicly available by the ~~((office))~~

4034 executive's office, the equity impact review is not required. The results from the equity
4035 impact review shall be used to assess equity impacts and opportunities during county

4036 permit review and may be used to inform determinations of project approval.

4037 15. For I-zoned sites located outside the urban area, uses shown as a conditional
4038 or special use in K.C.C. 21A.08.100.A., except for wastewater treatment facilities and
4039 racetracks, shall be prohibited. All other uses, including wastewater treatment facilities,
4040 shall be subject to the provisions for rural industrial uses in K.C.C.21A.09T.020.

4041 16. The operator of such a facility shall provide verification to the department of
4042 natural resources and parks or its successor organization that the facility meets or exceeds
4043 the standards of the Animal and Plant Health Inspection Service of the United States

4044 Department of Agriculture and the accreditation guidelines of the American Zoo and
4045 Aquarium Association.

4046 17. The following provisions of the table apply only to major communication
4047 facilities. Minor communication facilities shall be reviewed in accordance with the
4048 processes and standard outlined in K.C.C. chapter 21A.27.

4049 18. Repealed.

4050 19. Limited to work release facilities associated with natural resource-based
4051 activities.

4052 20. Limited to projects that do not require or result in an expansion of sewer
4053 service outside the Urban Growth Area boundary, unless a finding is made that no cost-
4054 effective alternative technologies are feasible, in which case a tightline sewer sized only
4055 to meet the needs of the school bus base and serving only the school bus base may be
4056 used. Renovation, expansion, modernization, or reconstruction of a school bus base is
4057 allowed but shall not require or result in an expansion of sewer service outside the Urban
4058 Growth Area boundary, unless a finding is made that no cost-effective alternative
4059 technologies are feasible, in which case a tightline sewer sized only to meet the needs of
4060 the school bus base.

4061 21.((a-)) Only in conformance with the King County Fairgrounds Site
4062 Development Plan Attachment A to Ordinance 14808. Modifications to the plan of up to
4063 ten percent are allowed for the following:

- 4064 a. building square footage;
- 4065 b. landscaping;
- 4066 c. parking;

4067 d. building height; or
4068 e. impervious surface as established in the King County Fairgrounds Site
4069 Development Plan Environmental Checklist, dated September 21, 1999, Attachment B to
4070 Ordinance 14808.

4071 22. A special use permit shall be required for any modification or expansion of
4072 the King County fairgrounds facility that is not in conformance with the King County
4073 Site Development Plan Report or that exceeds the allowed modifications to the plan
4074 identified in subsection B.21. of this section.

4075 23. The facility shall be primarily devoted to rural public infrastructure
4076 maintenance and is subject to the following conditions:

4077 a. The minimum site area shall be ten acres, unless:

4078 (1) the facility is a reuse of a public agency yard; or

4079 (2) the site is separated from a county park by a street or utility right-of-way;

4080 b. Type 1 landscaping as provided in K.C.C. chapter 21A.16 shall be provided
4081 between any stockpiling or grinding operations and adjacent R or UR zoned property;

4082 c. Type 2 landscaping as provided in K.C.C. chapter 21A.16 shall be provided
4083 between any office and parking lots and adjacent R or UR zoned property;

4084 d. Access to the site does not use local access streets that abut R or UR zoned
4085 property, unless the facility is a reuse of a public agency yard;

4086 e. Structural setbacks from property lines shall be as follows:

4087 (1) Buildings, structures, and stockpiles used in the processing of materials
4088 shall be no closer than:

4089 (a) one hundred feet from any R or UR zoned properties, except that the
4090 setback may be reduced to fifty feet when the grade where the building or structures are
4091 proposed is fifty feet or greater below the grade of the R or UR zoned property;

4092 (b) fifty feet from any other zoned property, except when adjacent to a
4093 mineral extraction or materials processing site;

4094 (c) the greater of fifty feet from the edge of any public street or the setback
4095 from R or UR zoned property on the far side of the street; and

4096 (2) Offices, scale facilities, equipment storage buildings, and stockpiles shall
4097 not be closer than fifty feet from any property line except when adjacent to M or F zoned
4098 property or when a reuse of an existing building. Facilities necessary to control access to
4099 the site, when demonstrated to have no practical alternative, may be located closer to the
4100 property line;

4101 f. On-site clearing, grading, or excavation, excluding that necessary for
4102 required access, roadway, or storm drainage facility construction, shall not be allowed
4103 within fifty feet of any property line except along any portion of the perimeter adjacent to
4104 M or F zoned property. If native vegetation is restored, temporary disturbance resulting
4105 from construction of noise attenuation features located closer than fifty feet shall be
4106 allowed; and

4107 g. Sand and gravel extraction shall be limited to forty thousand yards per year.

4108 24. The following accessory uses to a motor race track operation are allowed if
4109 approved as part of the special use permit:

4110 a. motocross;

4111 b. autocross;

- 4112 c. skidpad;
- 4113 d. garage;
- 4114 e. driving school; and
- 4115 f. fire station.
- 4116 25. Regional transit authority facilities shall be exempt from setback and height
- 4117 requirements.
- 4118 26. Transit comfort facility shall:
- 4119 a. only be located outside of the urban area;
- 4120 b. be exempt from street setback requirements; and
- 4121 c. be no more than two hundred square feet in size.
- 4122 27.a. Required for all new, modified, or expanded fossil fuel facilities.
- 4123 Modification or expansion includes, but is not limited to:
- 4124 (1) new uses or fuel types within existing facilities;
- 4125 (2) changes to the type of refining, manufacturing, or processing;
- 4126 (3) changes in the methods or volumes of storage or transport of raw
- 4127 materials or processed products;
- 4128 (4) changes in the location of the facilities on-site;
- 4129 (5) replacement of existing facilities;
- 4130 (6) increases in power or water demands; or
- 4131 (7) increases in production capacity.
- 4132 b. Before filing an application with the department, the applicant shall hold a
- 4133 community meeting in accordance with K.C.C. 20.20.035.

4134 c. As part of permit application submittal for new, modified, or expanded fossil
4135 fuel facilities, the applicant shall submit the following documentation:

4136 (1) an inventory of similar existing facilities in King County and neighboring
4137 counties, including their locations and capacities;

4138 (2) a forecast of the future needs for the facility;

4139 (3) an equity impact review of the proposal using tools developed by the
4140 ~~((office of equity and racial and social justice))~~ executive's office. Until the tools have
4141 been developed and made publicly available by the ~~((office))~~ executive's office, the
4142 equity impact review is not required. The results from the equity impact review shall be
4143 used to assess equity impacts and opportunities during county permit review and may be
4144 used to inform determinations of project approval;

4145 (4) an analysis of alternatives to the facility, including location, conservation,
4146 demand management and other strategies;

4147 (5) an analysis of economic and environmental impacts, including mitigation,
4148 of any similar existing facilities and of any new site or sites under consideration as an
4149 alternative to expansion of an existing facility;

4150 (6) an extensive public involvement strategy that strives to effectively engage
4151 a wide range of racial, ethnic, cultural, and socioeconomic groups, including
4152 communities that are the most impacted;

4153 (7) considered evaluation of any applicable prior review conducted by a
4154 public agency, local government, or interested party; and

4155 (8) a greenhouse gas impact analysis prepared by the applicant~~((-))~~, the results
4156 of which shall be used to identify and mitigate the impacts of such facilities.

4157 d. As part of permit application submittal, the applicant shall demonstrate
4158 financial responsibility meeting the requirements of K.C.C. chapter 21A.49. The
4159 financial responsibility shall be reviewed as part of the facility's periodic review under
4160 K.C.C. 21A.22.050.

4161 e. New, modified or expanded fossil fuel facilities shall:

4162 (1) not be located within one thousand feet from any schools, medical care
4163 facilities, or places of assembly that have occupancies of greater than one thousand
4164 persons;

4165 (2) not be located within two hundred fifty feet from a regulated wetland or
4166 aquatic area, except when a larger buffer is required under K.C.C. chapter 21A.24, the
4167 buffer in K.C.C. chapter 21A.24 shall apply;

4168 (3) maintain an interior setback of at least two hundred feet;

4169 (4) store fossil fuels completely within enclosed structures, tanks, or similar
4170 facilities;

4171 (5) be accessed directly to and from an arterial roadway; and

4172 (6) comply with all applicable regulations in K.C.C. chapter 21A.22.

4173 f. Proposals shall only be approved when the following conditions are met:

4174 (1) the proposed facility can confine or mitigate all operational impacts;

4175 (2) the facility can adequately mitigate conflicts with adjacent land uses;

4176 (3) the full scope of environmental impacts, including life cycle greenhouse
4177 gas emissions and public health, have been evaluated and appropriately conditioned or
4178 mitigated as necessary, consistent with the County's substantive State Environmental
4179 Policy Act authority;

4180 (4) the applicant can comply with applicable federal and state regulations,
4181 including the Clean Water Act, Clean Air Act, and Endangered Species Act;

4182 (5) the applicant has demonstrated early, meaningful, and robust consultation
4183 with Indian tribes, the public, and surrounding property owners to assess impacts to
4184 Indian tribal treaty-protected cultural and fisheries resources; and

4185 (6) risks to public health and public safety can be mitigated.

4186 28. Limited to uses that will not convert more than two acres of farmland or
4187 forestland, or two and one-half percent of the farmland or forestland, whichever is less.

4188 29.a. Before filing an application with the department, the applicant shall hold a
4189 community meeting in accordance with K.C.C. 20.20.035.

4190 b. As part of permit application submittal for nonhydroelectric generation
4191 facilities, the applicant shall submit the following documentation:

4192 (1) an inventory of similar existing facilities in King County and neighboring
4193 counties, including their locations and capacities;

4194 (2) a report demonstrating that the facility would serve a significant portion
4195 of the county or metropolitan region, or is part of a statewide or national system;

4196 (3) a forecast of the future needs for the facility;

4197 (4) an equity impact review of the proposal using tools developed by the
4198 ~~((office of equity and racial and social justice))~~ executive's office. Until the tools have
4199 been developed and made publicly available by the ~~((office))~~ executive's office, the
4200 equity impact review is not required. The results from the equity impact review shall be
4201 used to assess equity impacts and opportunities during county permit review and may be
4202 used to inform determinations of project approval;

4203 (5) an analysis of alternatives to the facility, including location, conservation,
4204 demand management, and other strategies;

4205 (6) an analysis of economic and environmental impacts, including mitigation,
4206 of any similar existing facilities and of any new site or sites under consideration as an
4207 alternative to expansion of an existing facility;

4208 (7) an extensive public involvement strategy that strives to effectively engage
4209 a wide range of racial, ethnic, cultural, and socioeconomic groups, including
4210 communities that are the most impacted;

4211 (8) considered evaluation of any applicable prior review conducted by a
4212 public agency, local government, or interested party; and

4213 (9) a greenhouse gas impact analysis prepared by the applicant, the results of
4214 which shall be used to identify and mitigate the impacts of such facilities.

4215 c. As part of permit application submittal, an applicant shall demonstrate
4216 financial responsibility meeting the requirements of K.C.C. chapter 21A.49.

4217 d. Nonhydroelectric generation facilities shall be subject to a periodic review
4218 meeting the same standards given in K.C.C. 21A.22.050. The financial responsibility
4219 required by subsection B.29.c. of this section shall be reviewed as part of the periodic
4220 review.

4221 30. Battery energy storage systems, except those defined as an accessory use
4222 under K.C.C. 21A.06.015, 21A.06.020, or 21A.06.025, are subject to the applicable
4223 permit requirements of subsection A. of this section and the following conditions:

4224 a. A minimum separation of ten feet shall be maintained between rooms or
4225 enclosures containing battery energy storage systems and landscaping or other
4226 vegetation;

4227 b. As part of building permit application submittal, battery energy storage
4228 systems shall demonstrate financial responsibility for public liability and environmental
4229 risks in accordance with K.C.C. chapter 21A.49 if the total system capacity is more than
4230 two megawatts and all three of the following apply:

4231 (1) the battery technology requires thermal runaway compliance under WAC
4232 51-54A-1207.6;

4233 (2) any individual room, cabinet, container, or other enclosure containing the
4234 system has an energy rating greater than two megawatt-hours, or any two enclosures are
4235 less than ten feet apart; and

4236 (3) the system does not qualify as a remote installation under IFC 1207.8.1.;

4237 c. As part of building permit application submittal, battery energy storage
4238 systems with a total system capacity more than two megawatts shall demonstrate
4239 financial responsibility for decommissioning in accordance with K.C.C. chapter 21A.49;

4240 d. If financial responsibility is required by subsection B.30.b. or c. of this
4241 section, the applicant shall submit verification of financial responsibility to the
4242 department every five years, beginning five years from the date of permit issuance;

4243 e. The findings and recommendations of studies, analyses, and testing required
4244 by K.C.C. Title 17, WAC 51-54A-1207, and the International Fire Code should be
4245 incorporated into the permit conditions for the facility; and

4246 f. As part of application submittal, the applicant shall submit verification that
4247 preliminary fire safety and evacuation plans have been shared with the local fire
4248 protection district. The final plans shall be shared with the local fire protection district
4249 before final inspection approval.

4250 31.a. For all search and rescue facilities:

4251 (1) the minimum lot size is four and one half acres;

4252 (2) structures and parking areas for search and rescue facilities shall maintain
4253 a minimum distance of seventy-five feet from interior lot lines that adjoin RA, UR, and R
4254 zones, unless located in a building designated as historic resource under K.C.C. chapter
4255 20.62;

4256 (3) use of the search and rescue facility is limited to activities directly relating
4257 to the search and rescue organization, except that the facility may be used by law
4258 enforcement and other public emergency responders for training and operations related to
4259 search and rescue activities; and

4260 (4) the applicant shall demonstrate the absence of existing search and rescue
4261 facilities that are adequate to conduct search and rescue operations in the rural area.

4262 b. A special use permit is required when helicopter fueling, maintenance, or
4263 storage is proposed.

4264 SECTION 86. Ordinance 14045, Section 30, as amended, and K.C.C.

4265 21A.14.225 are hereby amended to read as follows:

4266 A. Tracts and easements containing hazardous liquid and gas transmission
4267 pipelines and required setbacks from such pipelines may include the following uses,
4268 subject to other regulations applicable to each use and approval of the holder of the

4269 easement: utility structures that are not normally occupied and that are necessary for the
4270 operation of the pipeline, landscaping, trails, open space, keeping of animals, agriculture,
4271 forestry, commercial signage, minor communication facilities and utility structures that
4272 are not normally occupied and that are necessary for the operation of the minor
4273 communication facility, and other compatible uses as specified on the face of the
4274 recorded plat or short plat; however, structures designed for human occupancy shall
4275 never be allowed within pipeline tracts, easements, or setbacks.

4276 B. Hazardous liquid and gas transmission pipelines shall not be located in aquifer
4277 recharge areas, landslide hazard areas, or erosion hazard areas. When it is impractical to
4278 avoid such areas, special engineering precautions should be taken to protect public health,
4279 safety, and welfare.

4280 C. As part of an application for the new, modified, or expanded gas or hazardous
4281 liquid transmission pipelines, the applicant shall submit an equity impact review of the
4282 proposal using tools developed by the ~~((office of equity and racial and social justice))~~
4283 executive's office. Until the tools have been developed and made publicly available by
4284 the ~~((office))~~ executive's office, the equity impact review is not required. The results
4285 from the equity impact review shall be used to assess equity impacts and opportunities
4286 during county permit review and may be used to inform determinations of project
4287 approval.

4288 SECTION 87. Ordinance 16267, Section 62, as amended, and K.C.C.
4289 21A.28.154 are hereby amended to read as follows:

4290 A. There is hereby created the school technical review committee consisting of
4291 the following representatives:

- 4292 1. One from the department of local services;
- 4293 2. One from the ((~~regional planning unit of the office of performance, strategy,~~
- 4294 ~~and budget~~)) executive's office;
- 4295 3. One from the housing, homelessness, and community development division
- 4296 of the department of community and human services; and
- 4297 4. One from the county council staff, as a nonvoting ex officio member.
- 4298 B. The representative from the department of local services shall serve as the
- 4299 chair of the committee.
- 4300 C. The committee shall be charged with reviewing each school district's: capital
- 4301 facilities plan; enrollment projections; standard of service; overall capacity for the next
- 4302 six years to ensure consistency with the Growth Management Act, King County
- 4303 Comprehensive Plan, and adopted subarea plans; calculation and rationale for proposed
- 4304 impact fees; and evaluation of potential impacts of the proposed impact fee on housing
- 4305 production.
- 4306 D. Committee meetings shall be open to the public. The chair of the committee
- 4307 shall post on the county's website a public notice of the time and place of a committee
- 4308 meeting least two weeks in advance of the meeting. Materials submitted under K.C.C.
- 4309 21A.28.152.A. shall be posted on the county's website at the same time as the meeting
- 4310 notice.
- 4311 E. At the meeting where the committee will review or act upon the school
- 4312 district's documents, school district representatives may attend and present testimony to
- 4313 the committee.
- 4314 F. In its review, the committee shall consider the following factors:

- 4315 1. Whether the school district's forecasting system for enrollment projections
4316 has been demonstrated to be reliable and reasonable;
- 4317 2. The historic levels of funding and voter support for bond issues in the school
4318 district;
- 4319 3. The inability of the school district to obtain the anticipated state funding or to
4320 receive voter approval for school district bond issues;
- 4321 4. An emergency or emergencies in the school district that required the closing
4322 of a school facility or facilities resulting in a sudden and unanticipated decline in
4323 districtwide capacity;
- 4324 5. The standards of service set by school districts in similar types of
4325 communities. While community differences will be allowed, the standard established by
4326 the school district should be reasonably consistent with the standards set by other school
4327 districts in communities of similar socioeconomic profile;
- 4328 6. The standards identified by the state concerning the ratios of certificated
4329 instructional staff to students; and
- 4330 7. The potential impacts of the proposed impact fee on housing production
4331 within the school district.
- 4332 G. In the event that the school district's standard of service reveals a deficiency in
4333 its current facilities, the committee shall review the school district's capital facilities plan
4334 to determine whether the school district has identified all sources of funding necessary to
4335 achieve the standard of service.

4336 H. The school district in developing the financing plan component of the capital
4337 facilities plan shall plan on a six-year horizon and shall document that it took the
4338 following steps:

4339 1. Establish a six-year financing plan, and propose the necessary bond issues
4340 and levies required by and consistent with that plan and as approved by the school board
4341 and consistent with RCW 28A.53.020, 84.52.052 and 84.52.056, as amended; and

4342 2. Apply to the state for funding, and comply with the state requirement for
4343 eligibility to the best of the school district's ability.

4344 I. The committee may request that a school district review and resubmit its
4345 capital facilities plan, establish a different standard of service, or review its capacity for
4346 accommodating new students, or any combination thereof, under any of the following
4347 circumstances:

4348 1. The standard of service established by the school district is not reasonable in
4349 light of the factors in subsection F. of this section;

4350 2. The committee finds that the school district's standard of service cannot
4351 reasonably be achieved in light of the secured financial commitments and the historic
4352 levels of support in the school district; or

4353 3. Any other basis that is consistent with this section.

4354 J. If a school district fails to submit its capital facilities plan for review by the
4355 committee, King County shall assume the school district has adequate capacity to
4356 accommodate growth for the following six years.

4357 K. The chair of the committee shall document the outcome of the committee
4358 meeting each school district's capital facility plan and associated proposed impact fees in

4359 a report. The report shall include analysis consistent with subsections F. through J. of
4360 this section and the evaluation by each school district of the potential impact of the
4361 proposed impact fee on housing production within the school district required by
4362 subsection C. of this section. The chair of the committee shall submit copies of its report
4363 to the director, hearing examiner, and school districts and shall post the report on the
4364 county's website.

4365 L. In accordance with K.C.C. 20.18.060 and 20.18.070 and based on committee
4366 input, the chair of the committee shall recommend to the executive, and the executive
4367 shall transmit to the council, a proposed Comprehensive Plan amendment adopting the
4368 school district's capital facilities plan as part of the Comprehensive Plan, for any plan that
4369 the committee concludes accurately reflects the school district's facilities status. The
4370 transmittal shall include the report required by subsection K. of this section.

4371 M. In the event that after reviewing a school district's capital facilities plan and
4372 other documents, the committee is unable to recommend adoption of the school district's
4373 capital facilities plan, the chair of the committee shall submit a statement to the council,
4374 director, hearing examiner, and school district stating the committee's findings. The
4375 committee shall then recommend to the executive, and the executive shall transmit to the
4376 council, consistent with the school capital facility plan timelines established in K.C.C.
4377 20.18.060 and 20.18.070, either proposed amendments to the land use element of the
4378 King County Comprehensive Plan or proposed amendments to the development
4379 regulations implementing the plan, or both, to more closely conform county land use
4380 plans and school district capital facilities plans, including, but not limited to, requiring

4381 mandatory phasing of plats or multiunit development located within the school district's
4382 boundary.

4383 SECTION 88. Ordinance 17287, Section 3, as amended, and K.C.C. 21A.55.105
4384 are hereby amended to read as follows:

4385 A. The purpose of the master planning process demonstration project is to:

4386 1. Create a comprehensive but streamlined process for the review of major land
4387 use proposals that will be developed over the course of several years by:

4388 a. utilizing a concise timeline for project review that incorporates a process for
4389 public outreach and input during project review and facility operation;

4390 b. executing a development and operating agreement, pursuant to RCW
4391 36.70B.170 that establishes:

4392 (1) a clearly defined project through a master development plan, which shall
4393 include a master site plan;

4394 (2) requirements that must be met before approval of each phase of
4395 development; and

4396 (3) operating standards governing all aspects of the project's operation,
4397 including, but not limited to, noise and traffic, hours and days of operation for racing,
4398 nonracing uses, and number and types of events; and

4399 c. establishing a process that ensures timely and efficient review;

4400 2. Utilize the hearing examiner, as authorized in K.C.C. 20.22.190, to conduct
4401 fact finding and reporting on compliance by the applicant with the executed development
4402 and operating agreement, as provided in subsection S. of this section; and

4403 3. Provide for ongoing monitoring of the executed development and operating
4404 agreement by the council to ensure continued future compliance with the executed
4405 development and operating agreement.

4406 B. The master planning process demonstration project shall be implemented only
4407 for a regional motor sports facility only on the Pacific Raceways property as described in
4408 Attachment A to Ordinance 17287.

4409 C. The master planning demonstration project shall be initiated by the applicant
4410 making a written request to the department for a preapplication meeting to identify the
4411 requirements necessary for a complete application under this section.

4412 D. A master planning proposal application shall be considered complete when the
4413 following information and studies have been submitted and are adequate to review the
4414 proposal:

4415 1. A proposed development plan that describes the nature, size and scope and
4416 phasing of all proposed activities;

4417 2. A proposed site plan that identifies the location and dimensions of proposed
4418 racing surfaces, access roadways, parking areas, buildings, stormwater facilities, sewage
4419 treatment or holding facilities, and any off-site traffic improvements;

4420 3. A proposed master drainage plan under the surface water design manual;

4421 4. A proposed grading plan that identifies or includes:

4422 a. land contours;

4423 b. soil types; and

4424 c. phasing;

4425 5. Proposed development conditions relating to:

- 4426 a. on-site vehicle circulation and off-site traffic control measures;
- 4427 b. protection for critical areas, especially adjacent to Soosette creek;
- 4428 c. stormwater flow control and water quality treatment;
- 4429 d. visual screening from adjoining residential properties;
- 4430 e. ongoing monitoring and reporting to measure compliance with the
- 4431 development and operating agreements;
- 4432 f. fire protection; and
- 4433 g. water supply and service;
- 4434 6. Proposed operating conditions that specify:
 - 4435 a. days and hours of operation;
 - 4436 b. frequency of events;
 - 4437 c. types of activities, including types of motor vehicles; and
 - 4438 d. maximum noise levels; and
- 4439 7. Any necessary information identified through the preapplication process.
- 4440 E. The development and operating agreement shall contain development
- 4441 standards and operating conditions related to the development and operation of the site
- 4442 and shall include, but shall not be limited to:
 - 4443 1. A master site plan and detailed conditions establishing the:
 - 4444 a. location and scope of proposed land uses;
 - 4445 b. location and size of buildings and structures such as grandstands;
 - 4446 c. layout and dimensions of racing surfaces and circulation roadways;
 - 4447 d. site elevations and contours established by a master grading plan;

- 4448 e. excavation and processing of materials, including dust control, during
4449 construction of the facilities;
- 4450 f. location and dimensions parking areas;
- 4451 g. location of stormwater facilities, sewage treatment facilities, water, and
4452 related features; and
- 4453 h. vegetative screening required in subsection F.1. of this section;
- 4454 2. A master drainage plan consistent with the surface water design manual;
- 4455 3. A project phasing plan, including threshold requirements that must be met
4456 before approval of the next phase of development;
- 4457 4. Specified types of racing and nonracing activities, and where on the site the
4458 activities can occur;
- 4459 5. Specified days and times for all racing and nonracing uses;
- 4460 6. Specified noise levels for racing and nonracing uses, including but not limited
4461 to, how noise levels will be measured and mitigated;
- 4462 7. Specified on-site vehicle circulation and other traffic control measures to
4463 reduce the impact of congestion on roadways in the vicinity of Pacific Raceways;
- 4464 8. Specified development conditions to ensure that permitted alterations
4465 provided for in subsection G. of this section achieve the appropriate level of protections;
- 4466 9. Specified development conditions to ensure that stormwater flow control and
4467 water quality treatment provided for in subsection H. of this section is achieved;
- 4468 10. Specified regular ongoing monitoring and reporting to measure compliance
4469 with the development and operating agreement requirements relating to noise, traffic, air

4470 quality, groundwater quality, stormwater flow control and water quality treatment, and
4471 water volume and quality in Soosette creek;

4472 11. Specified process for the receipt and evaluation by the department of
4473 inquiries and complaints relating to the operation of the facility, in order to allow for
4474 review by the hearing examiner as provided in subsection S. of this section; and

4475 12. Specified enforcement mechanisms to address any violations of the
4476 conditions of the development agreement, including, but not limited to, the following:

4477 a. a process for monitoring condition violations and for receipt of complaints;

4478 b. a process for expedited review and remedy of possible violations; and

4479 c. a penalty schedule that recognizes the nature and impact of the violation and

4480 is sufficient to deter violations that otherwise result in financial benefit to the facility,

4481 including, but not limited to, revocation of operating permit and loss of specific days of

4482 operation.

4483 F. All development under the master plan shall be subject to the following

4484 standards relating to screening and building setbacks: as provided in K.C.C.

4485 21A.16.030.F., to the maximum extent practical, buildings and other structures shall be

4486 constructed on the project to be shielded from view from adjoining residential properties

4487 using methods that may include, but are not limited to:

4488 1. Retention of existing vegetation; and

4489 2. Placement of new vegetation to augment existing vegetation.

4490 G.1. Except as otherwise provided in this subsection G.2. of this section, all

4491 development under the master plan shall comply with K.C.C. chapter 21A.24.

4492 2. The department may approve alterations to critical areas, critical areas buffers
4493 and critical area setbacks that are not otherwise allowed as an alteration exception under
4494 K.C.C. 21A.24.070 when the applicant demonstrates that:

4495 a. the proposal does not pose an unreasonable threat to the public health, safety
4496 or welfare on or off the site;

4497 b. the proposed impacts to critical areas, critical area buffers and critical area
4498 setbacks shall be controlled and compensated for in accordance with the requirements of
4499 K.C.C. 21A.24.125;

4500 c. for proposed alterations within steep slope or landslide areas:

4501 (1) the alterations are necessary to bring existing racing or access road
4502 surfaces into compliance with applicable racing association safety standards, or to
4503 construct noise barriers or for the placement of spectator seating on the interior portion of
4504 the road course; and

4505 (2) the alterations can be constructed to maintain the stability of the hazard
4506 area through the use of structural mitigations identified through a geotechnical analysis
4507 by a licensed and qualified geotechnical professional; and

4508 d. for proposed alterations to wetlands or aquatic areas and their buffers:

4509 (1) the alterations are necessary to comply with applicable racing association
4510 safety standards either for existing racing surfaces or for providing to emergency vehicles
4511 access roads to the existing racing surfaces;

4512 (2) there is no feasible alternative to the development proposal with less
4513 adverse impact on the critical area;

4514 (3) the alteration is the minimum necessary to accommodate the development
4515 proposal;

4516 (4) the alternation has the least possible adverse impact on the critical area
4517 and critical area buffer;

4518 (5) the critical area is not used as a salmonid spawning area;

4519 (6) the director may only approve an alteration in a category III or IV
4520 wetland; and

4521 (7) the alterations to any wetland shall be mitigated in accordance with an
4522 approved mitigation plan by relocating the wetland into a new wetland, with equivalent
4523 or greater functions, or into an existing wetland at the ratios specified in K.C.C.
4524 21A.24.340 based on the type of mitigation measures proposed.

4525 H. Uses proposed under the master planning proposal shall comply with the King
4526 County surface water design manual and shall:

4527 1. Use enhanced basic water quality measures to treat stormwater and use
4528 stormwater infiltration facilities to manage stormwater to protect aquatic life in Big Soos
4529 and Soosette creeks and operation of the Soos Creek Hatchery, while protecting
4530 groundwater quality. The department shall consider the proposed use in determining
4531 whether spill control or special oil control measures in excess of the King County surface
4532 water design manual requirements are necessary to achieve the required environmental
4533 protections;

4534 2. Specify and require facilities and best management practices to ensure that
4535 auto-related fluids, brake dust, and other products are properly managed and disposed of
4536 to avoid contamination of soils, surface water and groundwater;

4537 3. Develop and implement a water quality monitoring plan to assure that copper,
4538 other metals, hydrocarbons, and other contaminants are not elevated in ground and
4539 surface waters on- site and in Big Soos and Soosette creeks;

4540 4. Conduct flow monitoring in Big and Soosette creeks before, during and after
4541 construction to ensure that normal or preexisting flows are being maintained.

4542 5. Conduct biotic monitoring in Big Soos and Soosette creeks before, during
4543 and after construction;

4544 6. If the department determines it to be environmentally beneficial and if it is in
4545 compliance with the surface water design manual requirements for discharge to the
4546 natural location and is approved through an adjustment, channel surface water from
4547 impervious surfaces, including buildings, structures, pit areas, or raceways to drain away
4548 from Soosette creek and evaluate any impacts to Big Soos and Soosette creeks and to the
4549 alternative discharge location; and

4550 7. Develop and implement an adaptive management program to correct any
4551 flow, surface or ground water quality, or biotic problem in Big Soos or Soosette creeks
4552 caused by the development.

4553 I. Site development that entails extraction and grading of soils to achieve the final
4554 site contours for development shall be subject to the following limits:

4555 1. The amount of materials that may be extracted during any specific phase of
4556 project construction shall be only as necessary to construct that phase of the project
4557 approved for construction; and

4558 2. The on-site processing of the extracted materials shall be limited to the
4559 sorting of the material into separate dirt, sand, and gravel components.

4560 J. The master planning proposal shall include site designs and features to reduce
4561 the level of noise impacts upon nearby residential neighborhoods.

4562 K. The department shall:

4563 1. Schedule and conduct a preapplication meeting with applicant within thirty
4564 days of the request for such a meeting by the applicant in order to identify the full range
4565 of potential issues related to the proposed expansion of Pacific Raceways and to
4566 specifically list information or studies needed to adequately evaluate the listed issues.

4567 2. Provide to the applicant a detailed listing of all project issues and necessary
4568 information or studies required under subsection D. of this section within thirty days after
4569 the date of the preapplication meeting;

4570 3. Accept for filing a master planning proposal application submitted by the
4571 applicant only if it provides the information and studies required by subsection K.2. of
4572 this section;

4573 4. Determine whether the master planning proposal is a complete application
4574 under this section and K.C.C. 20.20.050;

4575 5. Provide a notice of a complete application under K.C.C. 20.20.060.B. In
4576 addition to notice required under K.C.C. 20.20.060.B, the department shall provide
4577 mailed notice to:

4578 a. all parties of record, including community groups or organizations,
4579 established during the review of Conditional Use Permit File Nos. A-71-0-81 and
4580 L08CU006, Proposed Ordinance 2010-0189, or Ordinance 17287;

4581 b. persons requesting notification of any county land use action regarding
4582 Pacific Raceways; and

4583 c. residents or property owners of parcels located within twenty-five hundred
4584 feet of the boundaries of the Pacific Raceways site;

4585 6. Not later than seven days after the applicant has filed with the department its
4586 master planning proposal, issue a determination of significance and proceed with the
4587 environmental review of the master planning proposal under Ordinance 17287, Section 6;

4588 7. Conduct one or more public meetings on the master planning proposal
4589 application to gather information and public input on all aspects of the master planning
4590 proposal. The first meeting shall be held within thirty days after the applicant has filed
4591 its master planning proposal application with the department and may be combined with
4592 a public meeting required under Ordinance 17287, Section 5.D.4. At that public meeting,
4593 the applicant shall present its master planning proposal. At each public meeting, the
4594 public shall be provided an opportunity to comment on the master planning proposal.
4595 The department shall record all public meetings and make a written summary of the
4596 meetings available on its website within fourteen days after the meeting. The department
4597 may hold additional public meetings as it conducts its review of the master planning
4598 proposal application and shall provide an opportunity for the applicant to respond to
4599 questions at each public meeting;

4600 8. Issue the final environmental impact statement within eighteen months of
4601 either issuing to the applicant a notice of complete application or the master planning
4602 proposal is deemed a complete application under K.C.C. 20.20.050.B. The consultant
4603 may request additional time to prepare the final environmental impact statement;

4604 9. Not later than thirty days after the final environmental impact state is issued,
4605 propose for public review and comment a development and operating agreement

4606 consistent with this section. The department shall provide notice of the proposed
4607 development and operating agreement in the same manner as it provided the notice of
4608 application under subsection K.5. of this section. The department shall present the
4609 proposed development and operating agreement at a public meeting within fourteen days
4610 after the notice is provided under this subsection K.9.; and

4611 10. Within sixty days after the public meeting required by subsection K.9. of
4612 this section:

4613 a. transmit to the hearing examiner the department's recommended
4614 development and operating agreement, together with a proposed ordinance authorizing
4615 the executive to execute the development and operating agreement;

4616 b. publish its recommended development and operating agreement on the
4617 department's website; and

4618 c. provide notice of its recommended development and operating agreement in
4619 the same manner as it provided the notice of application under subsection K.5.a. through
4620 c. of this section and to those governmental agencies listed in K.C.C. 20.20.090.A. The
4621 notice shall also advise:

4622 (1) that the department's recommendation is subject to an open record public
4623 hearing before the hearing examiner;

4624 (2) the date that the department's recommendation has been transmitted to the
4625 hearing examiner; and

4626 (3) that interested persons may appear as parties at the open record public
4627 hearing by filing a notice of appearance with the hearing examiner within fourteen days
4628 of the date that the department's recommendation has been transmitted to the hearing

4629 examiner. The applicant will be presumed to be a party without having to file a notice of
4630 appearance.

4631 L.1. Before the transmittal of the department's recommended development and
4632 operating agreement to the hearing examiner, the transportation, economy and
4633 environment committee or its applicable successor may request reports or briefings from
4634 the department and applicant regarding how the demonstration project is proceeding.
4635 The department shall solicit input from those identified in subsection K.5.a. through c. of
4636 section to inform the committee in the report and briefing.

4637 2. If the department or the applicant is unable to meet a timeline established by
4638 this section as part of the process for review of the master planning proposal, the
4639 department shall provide written notice to the council within fourteen days after the
4640 missed deadline in the form of a letter to the chair of transportation, economy and
4641 environment committee or its applicable successor describing the causes for the delay,
4642 and the steps or actions needed to be taken by the department or the applicant to continue
4643 timely processing of the proposal.

4644 M.1. No sooner than fourteen days after receiving the department's recommended
4645 development and operating agreement, the hearing examiner shall set the date for the
4646 prehearing conference and notify the parties of interest.

4647 2. Unless otherwise agreed to by those that appear as parties, the hearing
4648 examiner shall conduct an open record public hearing within ninety days of the
4649 prehearing conference and, if necessary, shall hold the public hearing over consecutive
4650 days.

4651 3. When the hearing examiner sets the department's recommended development
4652 and operating agreement for an open record public hearing, the department shall
4653 coordinate and assemble the reviews of other departments and governmental agencies
4654 having an interest in the application and shall prepare a report summarizing the factors
4655 involved and the department's recommendation. At least fourteen calendar days before
4656 the scheduled hearing, the department shall file the report with the hearing examiner and
4657 mail copies to those identified in subsection K.5.a. through c. of section.

4658 4. The hearing examiner's recommendation may be to approve or reject the
4659 department's recommended development and operating agreement, or the examiner may
4660 recommend that the council adopt the department's recommended development and
4661 operating agreement with such conditions, modifications, and restrictions as the examiner
4662 finds necessary to carry out applicable state laws and regulations and the regulations,
4663 including chapter 43.21C RCW, policies, objectives, and goals of the Comprehensive
4664 Plan, the zoning code K.C.C. Title 21A and other laws, policies, and objectives of King
4665 County.

4666 5. Within fourteen days after the conclusion of the open record public hearing,
4667 the hearing examiner shall issue a written recommendation and shall transmit a copy
4668 thereof to all persons who appeared as parties in the open record public hearing. The
4669 recommendation shall include findings of fact and conclusions from the record that
4670 support the decision and the findings and conclusions shall set forth and demonstrate the
4671 manner in which the recommendation is consistent with, carries out, and helps implement
4672 applicable state laws and regulations, the regulations, policies, objectives, and goals of
4673 the comprehensive plan and Ordinance 17287.

4674 6. To appeal the hearing examiner's recommendation, an aggrieved party must
4675 file a notice of appeal with the clerk of the council within fourteen days of the date of the
4676 mailing of the hearing examiner's recommendation. The clerk shall notify the hearing
4677 examiner and the parties of record to the hearing examiner's open record public hearing in
4678 writing of the council's receipt of the appeal. The clerk shall also cause to have posted on
4679 the council's web page the notice of the appeal. The appellant shall file a statement of
4680 appeal with the clerk within twenty-one days of filing its notice of appeal, together with
4681 proof of service of the statement of appeal to the other parties of record. The statement of
4682 appeal must specify the basis for the appeal and any arguments in support of the appeal.
4683 Failure to file a statement of appeal shall result in the dismissal of the appeal. The clerk
4684 shall cause to have the statement of appeal posted on the council's web page. Any
4685 written responsive statements or arguments to the appeal, together with proof of service
4686 on the other parties of record, must be filed with the clerk within fourteen days after the
4687 filing of the statement of appeal. The clerk shall cause to have these responsive
4688 statements and arguments posted on the council's webpage.

4689 7. At least fourteen days before the closed record hearing by the council of the
4690 appeal, the clerk will provide the parties of record with written notice of the hearing time
4691 and date. The council's consideration of the appeal shall be based upon the record as
4692 presented to the hearing examiner at the open record public hearing and upon written
4693 appeal statements and arguments submitted by the parties that are based on the open
4694 record public meeting. The council may allow the parties to the appeal a period of time
4695 for oral argument based on the record. Consistent with RCW 36.70B.020(1), before or at
4696 the appeal hearing and upon the request of the council, county staff may provide a written

4697 or oral summary, or both, of the appeal record, issues, and arguments presented in an
4698 appeal and may provide answers, based on the record, to questions with respect to issues
4699 raised in an appeal asked by council members at the appeal hearing. Nothing in this
4700 subsection shall be construed as limiting the ability of the council to seek and receive
4701 legal advice regarding a pending appeal from the office of the prosecuting attorney or
4702 other county legal counsel either within or outside of the hearing.

4703 8. If, after consideration of the record, written appeal statements and any oral
4704 argument the council determines that:

4705 a. An error in fact or procedure may exist or additional information or
4706 clarification is desired, the council shall remand the matter to the hearing examiner for
4707 further hearing to receive additional information or further consideration; or

4708 b. The recommendation of the hearing examiner is based on an error in
4709 judgment or conclusion, the council may modify or reverse the recommendation of the
4710 hearing examiner.

4711 9. a. The council's final action on any recommendation of the hearing examiner
4712 shall be by ordinance, which shall include findings of fact and conclusions from the
4713 record of the hearing examiner's public hearings. The findings and conclusions shall set
4714 forth and demonstrate the manner in which the council's decision is consistent with,
4715 carries out, and helps implement applicable state laws, the regulations, the policies,
4716 objectives, and goals of the comprehensive plan, and Ordinance 17287. The council may
4717 adopt as its own all or portions of the hearing examiner's findings and conclusions.

4718 b. Any ordinance also may contain reasonable conditions, in accordance with
4719 state law and county ordinances, which must be satisfied before the ordinance becomes

4720 effective. The ordinance shall also designate the time period within which any such
4721 conditions must be satisfied. All authority pursuant to such ordinance shall expire if any
4722 of the conditions are not satisfied within the designated time period and the property shall
4723 continue to be subject to all laws, regulations, and zoning as if the ordinance had not been
4724 adopted. The council may extend the period for satisfaction of the conditions if, after a
4725 public hearing by the examiner, the council finds an extension will be in the public
4726 interest and the extension was requested by the applicant within the initial time period.

4727 N. If the hearing examiner's recommendation is not appealed pursuant to
4728 subsection M. of this section:

4729 1. The clerk of the council shall place a proposed ordinance that implements the
4730 examiner's recommended action on the agenda of the next available council meeting for
4731 adoption;

4732 2. No final action to amend or reverse the hearing examiner's recommendation
4733 shall be taken at that meeting and notice to parties shall be given before the adoption of a
4734 substitute or amended ordinance that amends or reverses the examiner's recommendation;

4735 3. The council may either:

4736 a. Refer the matter to the transportation, economy and environment or its
4737 successor for further consideration deemed necessary before the council takes final action
4738 on the matter or remand the matter to the hearing examiner for further hearing to receive
4739 additional information or further consideration; or

4740 b. Adopt the hearing examiner's recommendation by an ordinance satisfying
4741 the requirements of subsection M.9. of this section.

4742 4. Any final action by the county council may be reconsidered by the council
4743 pursuant to K.C.C. 20.22.280; and

4744 5. Any appeal of the council's final action shall comply with the requirements of
4745 K.C.C 20.22.270.A.

4746 O.1. The design and operating conditions specified in any agreement adopted and
4747 executed pursuant to the process established in this section shall prospectively control the
4748 operations and design for the site and supersede the design and operating conditions
4749 established under Conditional Use Permit File Nos. A-71-0-81 and L08CU006.

4750 However, any such development and operating agreement will not have retroactive
4751 effect. Any enforcement actions relating to compliance with the design and operating
4752 conditions established under Conditional Use Permit File Nos. A-71-0-81 and L08CU006
4753 regarding activities that occurred before the execution of a development agreement shall
4754 not be affected.

4755 2. A master plan development and operating agreement approved by the council
4756 shall be in effect for a period of ten years from the effective date of the ordinance
4757 approving the master plan development and operating agreement and authorizing the
4758 executive to execute the development and operating agreement;

4759 3.a. An approved master plan development and operating agreement may be
4760 renewed one time for not more than ten years.

4761 b. The applicant shall apply to the department for renewal of the development
4762 and operating agreement at least twelve months before the agreement expires. The
4763 department shall provide a notice of the renewal request under subsection K.5.a. through

4764 c. of this section and shall conduct at least one public meeting on the request as provided
4765 in subsection K.7. of this section.

4766 c. The department shall make its recommendation to the council on the
4767 proposed renewal together with any recommended changes to the agreement not later
4768 than ninety days before the development and operating agreement expires.

4769 d. If the agreement is not renewed by the council:

4770 (1) the operating conditions established in the agreement shall remain in
4771 effect; and

4772 (2) any subsequent development permit application shall be subject to laws in
4773 effect at the time the subsequent application is filed.

4774 P. During the period a development and operating agreement is in effect, any
4775 subsequent development on the site shall be consistent with the approved development
4776 and operating agreement.

4777 Q.1. Except as otherwise provided in subsection Q.2. of this section, the laws in
4778 effect on the date the council adopts the ordinance authorizing the execution of the
4779 development and operating agreement shall apply to subsequent permits necessary for the
4780 uses authorized by the development and operating agreement.

4781 2. The following regulations in effect on the date of a complete application for
4782 any permits necessary for a use authorized by the development and operating agreement
4783 shall apply:

4784 a. surface water management standards under K.C.C. Title 9;

4785 b. public health and safety codes under K.C.C. Title 13;

4786 c. road standards under K.C.C. Title 14;

4787 ~~((e-))~~ d. building codes under K.C.C. Title 16; and

4788 ~~((e-))~~ e. fire codes under K.C.C. Title 17.

4789 R. During the effective period of the development and operating agreement, the
4790 applicant may request in writing and the department may propose a modification of the
4791 development and operating agreement. The applicant's request and the department-
4792 initiated proposal shall be made by June 1 of each year for implementation in the
4793 following year. The department shall provide notice of the request or proposed
4794 modification as provided in subsection K.5.a. through c. of this section. The department
4795 shall submit to the hearing examiner its recommendation on the request not later than
4796 August 1.

4797 S. The hearing examiner shall conduct the following annual monitoring and
4798 reporting activities for the council:

4799 1. No later than October 15 of each year, the hearing examiner shall conduct a
4800 public meeting in the vicinity of the project site for the purpose of gathering community
4801 input on the operation of facility during the preceding year and on any modifications to
4802 the development and operating agreement. The department shall provide a notice of the
4803 meeting as provided in subsection K.5.a. through c. of this section.

4804 2. Beginning on December 31 of the year after the effective date of the
4805 ordinance authorizing the execution of the development and operating agreement, and for
4806 each subsequent year, the hearing examiner shall prepare and submit to the council a
4807 report that:

4808 a. describes the current status of the phases of the development;

4809 b. evaluates compliance with development and operation agreement conditions
4810 during the preceding year;

4811 c. identifies issues and concerns that have been brought forward by the
4812 community, Pacific Raceways, and the department;

4813 d. evaluates proposed modifications to the development and operating
4814 agreement; and

4815 e. outlines potential steps to ensure compliance with the development and
4816 operating agreement.

4817 3. The report shall be presented in a briefing by the hearing examiner to the
4818 transportation, economy, and environment committee, or its applicable successor, at
4819 which the department and project operator shall be present.

4820 T. The director shall submit a report on the master planning demonstration
4821 project to the council within sixty days of the council's adoption of the ordinance
4822 approving the development and operating agreement. The report shall evaluate the
4823 efficacy of the master planning process and may include recommended changes to the
4824 master planning process to address problems or deficiencies in the process identified by
4825 the department. The department shall solicit comments from the applicant, the hearing
4826 examiner, and the public, identified in subsection K.5.a. through c. of this section, on the
4827 master planning process and include a synopsis of those comments in the report. The
4828 report shall be filed electronically with the clerk of the council, who shall retain an
4829 electronic copy and provide an electronic copy to each councilmember.

4830 U.1 Before the application for a master planning proposal application, the
4831 applicant shall be permitted to undertake the following activities, subject to an interim
4832 use permit:

4833 a. construct up to four hundred thousand square feet of buildings, including
4834 required excavation and processing of materials, for uses allowed for a regional motor
4835 sports facility as set forth in K.C.C. 21A.06.973.C., and associated required site
4836 improvements;

4837 b. add paved impervious surface area, including, but not limited to, parking, a
4838 new vehicular access point to SE 304th Street, and internal access roads, with total
4839 impervious surface area not to exceed thirty-three and one-third percent of the site that is
4840 subject to the property-specific development condition known as P-suffix SC-P02; and

4841 c. add grandstands to accommodate up to twenty-five thousand persons, and
4842 replace existing grandstand seating.

4843 2. Excavation and processing of materials under an interim use permit shall be
4844 subject to the following limits:

4845 a. The amount of materials shall be only as is necessary to undertake the
4846 activities allowed by subsection U.1. of this section, subject to review by the department;

4847 b. The on-site processing of the extracted materials shall be limited to the
4848 sorting of the materials into separate dirt, sand and gravel components, and crushing and
4849 washing of those components that will be used for on-site construction and required site
4850 improvements; and

4851 c. The on-site processing shall be limited to 9:00 a.m. to 5:00 p.m. Monday
4852 through Friday.

4853 V. A preapplication meeting shall be required for the interim use permit. The
4854 applicant shall submit the following information to the department with a request to
4855 schedule a preapplication meeting:

- 4856 1. Affidavit of application, on a form approved by the department;
- 4857 2. Project narrative and questions for department staff;
- 4858 3. Preliminary site plan, which shall include:
 - 4859 a. location of the property, with a vicinity map showing cross street;
 - 4860 b. address, if an address has been assigned;
 - 4861 c. parcel number or numbers;
 - 4862 d. zoning of parcel or parcels and adjacent parcel or parcels;
 - 4863 e. north arrow and scaled dimensions;
 - 4864 f. existing and proposed building footprints, with overhangs and projections;
 - 4865 g. existing and proposed grade contours;
 - 4866 h. site area in square feet or acres of the project site;
 - 4867 i. area of either disturbance or development, or both, including utilities, septic
4868 and internal circulation, as needed;
 - 4869 j. existing and proposed easements, including ingress, egress, utilities, or
4870 drainage; and
 - 4871 k. critical areas and their buffers; and
- 4872 4. Preliminary building plan.

4873 W. An interim use permit application shall be considered complete when the
4874 following information and studies have been submitted and are adequate to review the
4875 proposal:

- 4876 1. A proposed site plan that identifies the location and dimensions of the
4877 proposed buildings, structures, and paving, vehicular circulation and parking areas,
4878 critical areas and buffers, landscaping, stormwater facilities, utilities, and fire protection;
- 4879 2. A proposed drainage plan under the surface water design manual for the
4880 improvements proposed under the interim use permit;
- 4881 3. A proposed grading plan that complies with the submittal, operating, and
4882 performance requirements in K.C.C. chapter 16.82;
- 4883 4. A proposed restoration plan that complies with this section;
- 4884 5. A deposit as required by K.C.C. 27.02.210 for review of the interim use
4885 permit; and
- 4886 6. Any necessary information identified through the preapplication process.
- 4887 X. The interim use permit shall contain development conditions related to the
4888 grading activities and buildings and shall include, but not be limited to:
- 4889 1. An approved site plan and conditions that establish:
- 4890 a. location, size, and proposed uses of the buildings;
- 4891 b. location and dimensions of vehicular circulation and parking, including
4892 required parking for the existing uses;
- 4893 c. location of stormwater facilities, sewage treatment facilities, water, and
4894 related features;
- 4895 d. landscaping requirements, as required by K.C.C. chapter 21A.16;
- 4896 e. location of on-site critical areas. Development or operations are not allowed
4897 within critical areas or their buffers, and alterations of critical areas or their buffers are

4898 not permitted, as part of the activities allowed with the interim use permit or related
4899 construction permits; and

4900 f. necessary on-site and off-site traffic control for construction impacts on
4901 vehicular circulation and on roadways in the vicinity of the project site;

4902 2. An approved grading plan in compliance with the requirements of K.C.C.
4903 chapter 16.82;

4904 3. A preliminary drainage plan in compliance with the surface water design
4905 manual; and

4906 4. A restoration plan in compliance with the following requirements:

4907 a. Final grades shall generally conform to standards in K.C.C. 16.82.100 and
4908 the following:

4909 (1) be such so as to encourage the uses permitted within the primarily
4910 surrounding zone or, if applicable, the underlying or potential zone classification; and

4911 (2) result in drainage patterns that reestablish natural conditions of aquifer
4912 recharge, water velocity, volume, and turbidity within six months of restoration and that
4913 precludes water from collecting or becoming stagnant. Suitable drainage systems
4914 approved by the department shall be constructed or installed where natural drainage
4915 conditions are not possible or where necessary to control erosion. All constructed
4916 drainage systems shall be designed consistent with the Surface Water Design Manual;
4917 and

4918 b. All areas subject to clearing, grading or backfilling shall:

4919 (1) be planted with a variety of trees, shrubs, legumes, and grasses indigenous
4920 to the surrounding area and appropriate for the soil, moisture, and exposure conditions;

4921 and

4922 (2) except for roads and areas incorporated into drainage facilities, be
4923 surfaced with soil of a quality at least equal to the topsoil of the land areas immediately
4924 surrounding, and to a depth of the topsoil of land area immediately surrounding six
4925 inches, whichever is greater.

4926 Y. For the interim use permit, the executive shall appoint a special project
4927 manager.

4928 1. The special project manager shall either be an employee of, or hired as a
4929 consultant by, the ~~((regional planning unit of the office of performance, strategy, and
4930 budget))~~ executive's office.

4931 2. The Pacific Raceways property has been designated as a project of statewide
4932 significance under chapter 43.157 RCW.

4933 3. The special project manager will coordinate the reviews with the department
4934 and other agencies, be the primary point of contact for the applicant and interested
4935 parties, and ensure that the timelines established for review of the interim use permit in
4936 this section are met.

4937 4. The special project manager shall evaluate, and provide a recommendation to
4938 the executive, regarding the efficacy of options, such as review by another jurisdiction or
4939 using outside staff to complete the substantive review, for expediting the permit review
4940 process. As part of this review, the special project manager shall ensure that any

4941 recommended option will produce a review that complies with this chapter and other
4942 applicable laws, regulations, and adopted policies.

4943 Z.1. In reviewing the interim use permit, the department shall:

4944 a. process the interim use permit as a Type 3 land use permit, except as
4945 provided in subsection DD. of this section. K.C.C. chapter 20.20 shall apply, except as
4946 modified by this section;

4947 b. conduct a mandatory preapplication meeting within fourteen days of the
4948 applicant's request for a preapplication meeting;

4949 c. within twenty one days of the preapplication meeting, provide a detailed
4950 listing of the required information or studies required for review of the interim permit, in
4951 conformance with this section, the other building, construction and environmental
4952 permits that will be required, and an estimate of cost for review of the interim use permit;

4953 d. accept the interim use permit application if the applicant provides the
4954 information and studies required by the detailed listing provided in subsection Z.1.c. of
4955 this section;

4956 e. determine whether the interim use permit application is complete within
4957 seven days of filing by the applicant, pursuant to K.C.C. 20.20.050, and subject to the
4958 application requirements in subsection W. of this section;

4959 f. provide a notice of complete application under K.C.C. 20.20.050, within
4960 seven days of determining that the application is complete;

4961 g. provide a notice of application under K.C.C. 20.20.060 within fourteen days
4962 of providing the notice of complete application. In addition to the notice required by
4963 these two sections, the department shall provide mailed notice to:

4964 (1) all parties of record, including community groups or organizations,
4965 established during the review of Conditional Use Permit File Nos. A-71-0-81 and
4966 L08CU006, Proposed Ordinance 2010-0189, or Ordinance 17287;

4967 (2) persons requesting notification of any county land use action regarding
4968 Pacific Raceways; and

4969 (3) residents or property owners of parcels located within twenty-five
4970 hundred feet of the boundaries of the Pacific Raceways site;

4971 h. complete environmental review on the interim use and activities authorized
4972 by the interim use permit;

4973 i. transmit to the hearing examiner the department's recommendation on the
4974 interim use permit and provide notice of the recommendation under K.C.C. 20.20.090.
4975 The recommendation shall be based on the conformance of the proposal with the
4976 requirements of this section; and:

4977 (1) for a determination of nonsignificance or mitigated determination of
4978 nonsignificance, transmit the recommendation within forty-five days of the end of the
4979 comment period on threshold determination;

4980 (2) for a determination of significance, transmit the recommendation within
4981 forty five days of the end of the appeal period for the final environmental impact
4982 statement; and

4983 j. coordinate and assemble the reviews of other departments and governmental
4984 agencies having an interest in the application and shall prepare a report summarizing the
4985 factors involved and the department's recommendation. At least seven calendar days

4986 before the scheduled hearing, the department shall file the report with the hearing
4987 examiner and mail copies to those identified in subsection Z.1.g. of this section.

4988 2. The exceptions to permit review timelines described in K.C.C. 20.20.100.C.
4989 shall apply to the review period deadlines outlined in subsection Z. of this section. If the
4990 department is unable to meet the time limits established by this section, it shall provide
4991 written notice of this fact to the applicant. The notice shall include a statement of reasons
4992 why the time limits have not been met and an estimated date for issuance of the notice of
4993 recommendation to the hearing examiner. In no case shall the review of the interim use
4994 permit, from the date a complete application is filed through the date the department
4995 issues the recommendation to the hearing examiner, excluding the timeframes outlined in
4996 K.C.C. 20.20.100.C., exceed one hundred twenty days, unless the parties agree to an
4997 extension.

4998 AA.1. The hearing examiner shall:

4999 a. within fourteen days of receiving the department's recommendation on the
5000 interim use permit, set the date for the prehearing conference and notify the interested
5001 parties.

5002 b. within seven days of the prehearing conference, issue a prehearing order that
5003 includes a tentative schedule and order of proceedings for the hearing required under this
5004 subsection.

5005 c. conduct an open record public hearing within thirty days of the prehearing
5006 conference.

5007 d. within ten days of the public hearing, issue a decision on the interim use
5008 permit. The examiner's determination may be to grant or deny the application, and may

5009 include any conditions, modifications, and restrictions as the examiner finds necessary to
5010 carry out the provisions of this section. The examiner's decision may be appealed to the
5011 council according to K.C.C. 20.22.220.

5012 2. When reasonably required to enable the attendance of all necessary parties at
5013 the hearing, or the production of evidence or to otherwise assure that due process is
5014 afforded and the objectives of this chapter are met, the periods in subsection AA.1. of this
5015 section may be extended by the examiner at the examiner's discretion for an additional
5016 thirty days. With the consent of all parties, the periods may be extended indefinitely.
5017 The reason for the deferral shall be stated in the examiner's decision. Failure to complete
5018 the hearing process within the stated time shall not terminate the jurisdiction of the
5019 examiner.

5020 BB. Issuance of the interim use permit by the county under this section does not
5021 relieve the applicant of its obligations to obtain other approvals required under state and
5022 federal law.

5023 CC. The applicant shall pay fees to the county to cover the actual cost of
5024 providing project management, review, and inspection services for the interim use
5025 permits and including environmental review, in accordance with K.C.C. 27.02.100.

5026 DD. Upon issuance of an interim use permit, the department may review and
5027 approve, in accordance with the code compliance process in K.C.C. chapter 21A.42, an
5028 expansion of, modification to, or addition to the development authorized by the interim
5029 use permit. If the proposed development, taken together with any previously approved
5030 development under the interim use permit, is within the limitations of subsection U.1. of

5031 this section, the development proposal shall be processed as a Type 1 land use decision,
5032 subject to all other applicable state and local standards.

5033 EE. Establishment of the use or activity authorized by an interim use permit shall
5034 occur within ten years of the effective date of the decision for the interim use permit or
5035 subsequent amendment to the interim use permit under subsection DD. of this section.
5036 Upon written request to the department made by the applicant before the expiration of an
5037 interim use permit or subsequent amendment, the department shall extend the permit for
5038 one or more one-year period, up to a total of five consecutive years, if site conditions
5039 have not significantly changed in a manner that would have affected the original permit
5040 approval and the applicant pays applicable permit extension fees.

5041 SECTION 89. Ordinance 8867, Section 1, as amended, and K.C.C. 26.12.010 are
5042 hereby amended to read as follows:

5043 A process is hereby established for the annual allocation of the conservation
5044 futures tax levy proceeds to acquire open space lands, including greenspaces, greenbelts,
5045 wildlife habitat, and trail rights-of-way proposed for preservation for public use by either
5046 agencies or nonprofit organizations within the county. Agencies, nonprofit organizations,
5047 nongovernmental organizations, and individuals may make application for proceeds in
5048 this allocation process. In accordance with chapter 84.34 RCW, only agencies and
5049 nonprofit organizations are eligible to receive conservation futures funding to acquire
5050 property.

5051 A. The department of natural resources and parks shall determine the deadline for
5052 submission of applications for use of conservation futures tax levy proceeds. At least one
5053 month before the application submission deadline date, the department shall provide

5054 notice on the King County website of the opportunity to apply to the county for a share of
5055 the annual allocation of the conservation futures tax levy proceeds available for that year.

5056 The department shall also provide notice by email to all agencies, nonprofit
5057 organizations, nongovernmental organizations, and individuals anticipated to have
5058 potential interest in conservation futures funding. The department shall maintain and
5059 update a list of parties anticipated to be interested in conservation futures funding.

5060 B. No later than March 1, the county council may adopt a motion that provides
5061 direction to the advisory committee on priorities for evaluating the applications within the
5062 open space criteria identified in K.C.C. 26.12.025.

5063 C.1. The advisory committee shall make project recommendations and
5064 recommend funding allocations for each project to the executive, including:

- 5065 a. a description of each project including project location and acreage;
- 5066 b. a report on how each project meets the county open space selection criteria,
5067 contained in K.C.C. 26.12.025;
- 5068 c. the amount of funding requested in each project application;
- 5069 d. any additional relevant criteria of the jurisdiction in which the potential
5070 acquisition is located; and
- 5071 e. a description of how projects contain a demonstrable regional visibility, use,
5072 ecological, cultural, historical, or other natural resource significance.

5073 2. The executive shall transmit the advisory committee's project and funding
5074 recommendations for the following year to the council. The report shall be filed
5075 electronically with the clerk of the council, who will retain an electronic copy and

5076 provide an electronic copy to all councilmembers, the council chief of staff, and the lead
5077 staff to the mobility and environment committee or its successor.

5078 3. The committee's recommendations are solely advisory and either the
5079 executive or the council, or both, may adopt, alter, add to, or decline to adopt all or part
5080 of the committee's recommendations in the budget process.

5081 D. The executive's project and funding recommendation shall be transmitted with
5082 the applicable appropriation ordinance.

5083 E. Except for acquisitions of property interests in opportunity areas, the agency
5084 or nonprofit organization receiving conservation futures tax levy proceeds shall commit
5085 to providing a matching contribution no less than twenty-five percent of the total project
5086 costs, and conservation futures shall represent no more than seventy-five percent of the
5087 total project costs. The matching contribution shall be provided before conservation
5088 futures tax levy proceeds are reimbursed to that agency or nonprofit organization. The
5089 contribution may consist of cash, land match with a valuation verified by a reviewed
5090 appraisal or the cash value, excluding King County conservation futures contributions, of
5091 other open spaces acquired within the previous two years from the date of the submittal
5092 of the application by the agency or nonprofit organization. Properties considered as land
5093 match or cash value of other open space acquisitions should be directly linked to the
5094 property under application.

5095 F.1. If an application by an agency other than King County is funded by this
5096 process, the agency shall enter into an interlocal agreement with the county.

5097 2. If an application by a nonprofit organization is funded by this process, the
5098 organization shall enter into an agreement with the county. Before a funding award is

5099 paid to a nonprofit organization, the organization shall obtain a letter of intent from an
5100 agency or a separate nonprofit organization that indicates that if in the future the
5101 acquiring organization ceases to exist, the agency or the separate organization is willing
5102 to be identified on title to the acquired property as an owner. If the property is in the
5103 unincorporated area and the nonprofit organization seeks an agency letter, the
5104 organization shall request the letter from the King County department of natural
5105 resources and parks, or a metropolitan park district within the boundaries of which the
5106 property is located. If the property is in an incorporated area and the nonprofit
5107 organization seeks an agency letter, the organization shall request the letter from the
5108 agency of the jurisdiction in which the project is located, or a metropolitan park district
5109 within the boundaries of which the property is located. If the property is in an
5110 incorporated area, in the event that the legislative body of the agency of the incorporated
5111 area or the park district indicates in writing or through a formal vote that it is not willing
5112 to provide the letter, the nonprofit organization may request a letter from King County.
5113 For any acquisition by a nonprofit organization, King County shall ensure a restriction is
5114 recorded on the chain of title to preserve the conservation values of the property in
5115 perpetuity.

5116 3. If an application by a nongovernmental organization or individual is funded
5117 by this process, the award shall be made either to a nonprofit organization or an agency.
5118 K.C.C. 26.12.010.F.1. applies to an award to an agency. K.C.C. 26.12.010.F.2. applies to
5119 an award to a nonprofit organization.

5120 G. If the King County transfer of development rights program bank, as
5121 established by K.C.C. chapter 21A.37, is awarded conservation futures levy proceeds in

5122 order to purchase development rights and thereby preserve open space in accordance with
5123 purposes and provisions of this chapter, the bank is authorized to sell those development
5124 rights and to use the proceeds from that sale to acquire additional development rights,
5125 thereby preserving additional open space lands in accordance with the terms and
5126 provisions of this chapter. When transferrable development rights are purchased by the
5127 bank in accordance with K.C.C. chapter 21A.37 using conservation futures tax levy
5128 proceeds allocated to a project under K.C.C. 26.12.003.I., and there are subsequent sales
5129 of the transferable development rights, the bank may use sale proceeds as a match to new
5130 projects.

5131 H. Conservation futures tax levy proceeds shall be deposited in the conservation
5132 futures fund for the purpose of administering, disbursing, and accounting for
5133 conservation futures tax levy proceeds authorized by King County. Conservation futures
5134 tax levy proceeds shall be disbursed to projects previously approved by King County
5135 upon receipt and verification by King County of properly completed requests for payment
5136 of the proceeds. ~~((The office of performance, strategy and budget shall prescribe the
5137 form for the requests.))~~ The disbursement requests shall be made only for capital project
5138 expenditures that include all costs of acquiring real property, including interests in real
5139 property, and the following costs, though it shall not include the cost of preparing grant
5140 applications for conservation futures moneys: related relocation of eligible occupants;
5141 appraisal; appraisal review; title insurance; closing costs; pro rata real estate taxes;
5142 compensating tax; recording fees; environmental due diligence; survey; boundary line
5143 adjustment; and directly related staff, legal, and administrative costs. Requests may also
5144 include costs for initial site stabilization activities associated with acquisition, which are

5145 limited to signage, fencing, or demolition of structures necessary to secure real property
5146 interests acquired with conservation futures tax levy proceeds for public safety or
5147 resource protection purposes. Approved disbursements for site stabilization activities
5148 shall not exceed in any particular year twenty-five percent of the conservation futures tax
5149 levy moneys raised in the preceding year and shall not be used to supplant existing
5150 funding. The department shall annually review and determine the maximum allowable
5151 per-parcel award for site stabilization, taking inflation into consideration. The agency or
5152 nonprofit organization shall have the property valued by a reviewed appraisal, except in
5153 situations where the department of natural resources and parks determines that an
5154 appraisal is unnecessary because the process for valuing the property is established by
5155 statute, code, or regulation. The agency or nonprofit organization is responsible for the
5156 accuracy of the payment requests and the propriety and timeliness of its disbursements
5157 following receipt of conservation futures tax levy proceeds. Conservation futures tax
5158 levy proceeds may not be used to acquire any property or interest therein through the
5159 exercise of the power of eminent domain.

5160 I. Projects carried out in whole or part with conservation futures tax levy
5161 proceeds shall not be transferred or conveyed except to an agency or nonprofit
5162 organization by written agreement providing that the land or interest in land shall be
5163 continued to be used for the purposes of K.C.C. chapter 26.12 and in strict conformance
5164 with the uses authorized under chapter 84.34 RCW. The land or interest in land shall not
5165 be converted to a different use unless other equivalent lands within King County are
5166 received in exchange for the lands or interest in lands, or cash reimbursement is made, or
5167 a combination of land and cash reimbursement is provided. The land shall be valued in

5168 its changed status or use, and not based upon its value as open space, and the replacement
5169 land or payment amount must be acceptable to King County. Before the conversion of
5170 conservation futures land to another use, the department of natural resources and parks
5171 shall provide written notification to the council. If the proposal is to convert one-half
5172 acre or more of conservation futures land, or if the conservation futures land to be
5173 converted is valued at more than fifty thousand dollars, and the proposal is either for a
5174 cash reimbursement or for proposed equivalent lands that are not within the same
5175 jurisdiction as the conservation futures land proposed to be converted to another use, the
5176 executive shall, at least sixty days before taking action on the proposal, submit the written
5177 notification to the council. Unless the council passes a motion rejecting the proposal
5178 within sixty days of receiving the notification, the executive may proceed with the
5179 proposal. The sixty-day waiting period shall not apply when the conservation futures
5180 land proposed to be converted, as well as the proposed equivalent lands, are within the
5181 same trail corridor or part of the same contiguous open space area.

5182 J. The written notification required by this section shall include, but not be
5183 limited to, the acreage and specific location of both the conservation futures land
5184 proposed to be converted and the proposed equivalent lands, if any, the reason for the
5185 conversion of land and, if cash reimbursement is proposed, a copy of the appraisal for the
5186 conservation futures land to be converted and the amount of the cash reimbursement
5187 proposed. The notification shall be filed electronically with the clerk of the council, who
5188 will retain an electronic copy and provide an electronic copy to all councilmembers, the
5189 council chief of staff and the lead staff to the mobility and environment committee or its
5190 successor. Information on conversions of properties to another use, including a

5191 description of the proposed replacement land or payment amount, shall be included with
5192 the advisory committee's project progress reporting to council as provided in K.C.C.
5193 26.12.035.B. This section does not prevent the grant of easements or franchises or the
5194 making of joint use agreements or other operations compatible with the use of a project
5195 as provided for in this section and authorized under chapter 84.34 RCW.

5196 K. The department of natural resources and parks shall identify and update
5197 opportunity areas as defined by K.C.C. 26.12.003.J.1. at least every three years.

5198 SECTION 90. Ordinance 15378, Section 6, as amended, and K.C.C. 1.36.060 are
5199 hereby repealed.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Sarah Perry, Chair

ATTEST:

Melani Hay, Clerk of the Council

APPROVED this ____ day of _____, ____.

Girmay Zahilay, County Executive

Attachments: None

**Executive Girmay Zahilay**

Chinook Building, CNK-EX-0800
401 Fifth Avenue, Suite 800
Seattle, WA 98104-2391

April 2, 2026

The Honorable Sarah Perry
Chair, King County Council
Room 1200
COURTHOUSE

Dear Councilmember Perry:

This letter transmits a proposed Ordinance that would, if adopted, amend King County Code to reorganize the Executive Office to support our new administration to best serve the people of King County.

The proposed Ordinance would restructure the former standalone offices of the Executive Department into one unified Executive Office that will support advancing and delivering on my policy priorities, also known as the Four B's for a Better Future: breaking the cycle that drives homelessness and addiction, building more housing and infrastructure, being in community, and better government through accountability and effective service.

The proposed Ordinance would consolidate in the King County Code the Office of Climate, the Office of Economic Opportunity and Creative Economy, the Office of Equity, Racial, and Social Justice, the Office of Labor Relations, and the Office of Performance, Strategy and Budget into the Executive's Office. The primary functions and duties of these offices would continue in the Executive Office and/or directly in departments. This restructuring will break down silos and reduce administrative overhead costs, while improving collaboration and coordination across the Executive Office and throughout the executive branch.

The 2026-2027 First Omnibus Ordinance, which transmits on April 2nd, will include proposed changes to Ordinance 20023, which adopted the 2026-2027 Budget, to reflect the reorganization.

If your staff have any questions please contact Karan Gill, Deputy Executive, at 206-477-0952.

The Honorable Sarah Perry

March 19, 2026

Page 2

Sincerely,



Girmay Zahilay

King County Executive

Enclosure

cc: King County Councilmembers

ATTN: Stephanie Cirkovich, Chief of Staff

Melani Hay, Clerk of the Council

Karan Gill, Deputy Executive, Office of the Executive

Jasmin Weaver, Chief of Staff, Office of the Executive

Hyeok Kim, Chief Operating Officer, Office of the Executive

Sierra Howlett Browne, Director of Government Relations, Office of the Executive

Garrett Holbrook, Council Relations Manager, Office of the Executive

Aaron Rubardt, Chief Budget Officer, Office of the Executive

2026-2027 FISCAL NOTE

Ordinance/Motion: 2026-XXXX
 Title: Office of the Executive Reorganization Ordinance
 Affected Agency and/or Agencies: Office of the Executive, Department of Natural Resources and Parks, Department of Local Services
 Note Prepared By: Gabby Lacson, Office of the Executive
 Date Prepared: March 4, 2026
 Note Reviewed By: Aaron Rubardt, Office of the Executive
 Date Reviewed: March 12, 2026

Description of request:

The effect of this ordinance is a code change implementing the reorganization of the Office of the Executive. The Internal Auditor, Office of Performance, Strategy, and Budget, Office of Equity and Racial and Social Justice, Executive Climate Office, Office of Labor Relations, and Office of Economic Opportunity and Creative Economy will be reorganized under the Office of the Executive appropriation unit. Any necessary budget changes will be proposed in the 2026 First Omnibus.

Revenue to:

Agency	Fund Code	Revenue Source	2026-2027	2028-2029	2030-2031
General Fund					
Executive Climate Office	0010	Climate Cost Share	(13,761,000)		
		Subtotal	(13,761,000)		
Department of Natural Resources and Parks					
DNRP Director's Office	1600	Climate Cost Share	4,679,000		
		Subtotal	4,679,000		
Department of Local Services					
DLS Director's Office	1350	General Fund Transfer	1,420,000		
		Subtotal	1,420,000		
TOTAL			(7,662,000)	0	0

Expenditures from:

Agency	Fund Code	Department	2026-2027	2028-2029	2030-2031
General Fund					
Executive Climate Office	0010	KCEO	(13,761,000)		
Internal Auditor	0010	KCEO	(500,000)		
Office of Economic Opportunity and Creative Economy	0010	KCEO	(2,520,000)		
Office of Equity and Racial and Social Justice	0010	KCEO	(12,894,000)		
Office of Labor Relations	0010	KCEO	(8,310,000)		
Office of Performance, Strategy, and Budget	0010	KCEO	(37,459,000)		
Office of the Executive	0010	KCEO	69,345,000		

GF Transfer to DLS Director's Office	0010	DLS	1,420,000		
One-time Underspend Assumption	0010	KCEO	(9,082,000)		
		Subtotal	(13,761,000)		
Department of Natural Resources and Parks					
DNRP Director's Office	1600	DNRP	4,679,000		
		Subtotal	4,679,000		
Department of Local Services					
DLS Director's Office	1350	DLS	1,420,000		
		Subtotal	1,420,000		
TOTAL			(7,662,000)	0	0

Expenditures by Categories

	2026-2027	2028-2029	2030-2031
Salaries and Benefits	-		
Supplies/Services	-		
Intragovernmental Contributions & Services/Other	-		
TOTAL	-	0	0

Does this legislation require a budget supplemental? Yes

Notes and Assumptions:

Any necessary budget adjustments will be proposed as part of the 2026-2027 First Omnibus Supplemental. This fiscal note only addresses the code changes associated with the reorganization.

Expenditures by Categories

- This reflects that the costs moving to the DLS Director's Office will be double budgeted in the General Fund and in the DLS Director's Office.
- There is no net increase in actual expenditures in the 2026-2027 biennium.

Office of the Executive Notes

- Anticipated underexpenditures in the Executive Office for the 2026-2027 biennium are projected to be about \$9 million due to vacancy savings through at least the end of 2026.

General Fund Notes

- The ongoing biennial net impact to the General Fund will be approximately -\$3.5 million, due to the loss of the climate cost share revenue. Some of the CCS-revenue backed costs will shift to DNRP, and some will shift to become part of the General Fund Overhead cost pool, which is about 72% revenue backed.
- Due to the anticipated underexpenditures from vacancy savings, the net impact to the General Fund in 2026-2027 is about zero.

Climate Cost Share Notes

- The fiscal note shows the reduction in Climate Cost Share revenue collected by the General Fund and the shifting in Climate Office costs to DNRP.
- Climate Cost Share revenues will be collected, in the near-term, by the DNRP Director's Office from DNRP Divisions (Parks, Solid Waste, Water and Land, and Wastewater) in order to support the work moving over from the Office of Climate.



STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

04/03/2026

Ms. Erin Auzins
Regional Planning Lead
King County
35030 SE Douglas Street Suite 210
Snoqualmie, WA 98065

Sent Via Electronic Mail

Re: King County--2026-S-11669--Request for Expedited Review / Notice of Intent to Adopt Amendment

Dear Ms. Auzins:

Thank you for sending the Washington State Department of Commerce (Commerce) the Request for Expedited Review / Notice of Intent to Adopt Amendment as required under [RCW 36.70A.106](#). We received your submittal with the following description.

Proposed Ordinance to reorganize the County's Executive Office functions. Development regulations are updated to modify references to Offices that would no longer exist with the reorganization.

We received your submittal on 04/02/2026 and processed it with the Submittal ID 2026-S-11669. Please keep this letter as documentation that you have met this procedural requirement. Your 60-day notice period ends on 06/01/2026.

You requested expedited review under [RCW 36.70A.106\(3\)\(b\)](#). We have forwarded a copy of this notice to other state agencies for expedited review and comment. If one or more state agencies indicate that they will be commenting, then Commerce will deny expedited review and the standard 60-day review period (from date received) will apply. Commerce will notify you by e-mail regarding of approval or denial of your expedited review request. If approved for expedited review, then final adoption may occur no earlier than fifteen calendar days after the original date of receipt by Commerce.

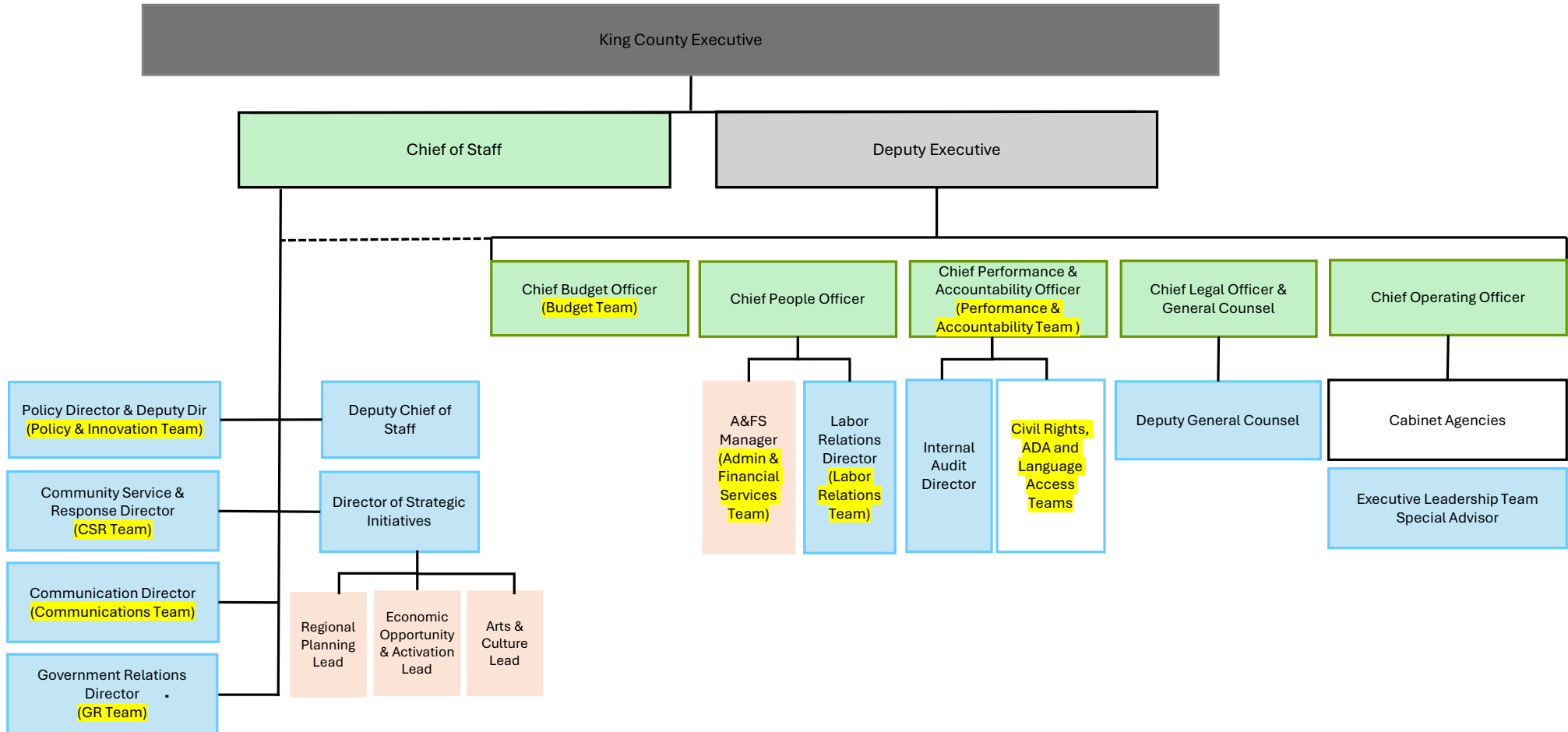
If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call Jeff Aken, (360) 725-2869.

Sincerely,

Page: 1 of 1

Review Team
Growth Management Services

**Draft Organizational Chart for the Executive's Office
Dated April 22, 2026**



LEGEND

- Green – Chiefs
- Blue – Directors
- Orange – Leads & Managers
- Yellow Highlight - Teams



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Motion

Proposed No. 2026-0068.1

Sponsors Barón

1 A MOTION acknowledging receipt of the first semiannual
2 report on the status of activities related to contract
3 management and compliance reporting protocols, as
4 required by Ordinance 20023, Section 60, Proviso P1.

5 WHEREAS, the 2026-2027 Biennial Budget Ordinance, Ordinance 20023,
6 Section 60, Proviso P1, requires the executive to transmit semiannual reports on the
7 status of activities required by Ordinance 19978 related to contract management and
8 compliance reporting protocols, and

9 WHEREAS, the proviso further requires the executive to submit motions that
10 acknowledge receipt of the reports, and

11 WHEREAS, the first semiannual report on the status of activities related to
12 contract management and compliance reporting protocols, which is Attachment A to this
13 motion, is submitted by the executive;

14 NOW, THEREFORE, BE IT MOVED by the Council of King County:

15 The receipt of the first semiannual report on the status of activities related to
16 contract management and compliance reporting protocols, which is Attachment A to this

Motion

17 motion, as required by Ordinance 20023, Section 60, Proviso P1, is hereby
18 acknowledged.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Sarah Perry, Chair

ATTEST:

Melani Hay, Clerk of the Council

APPROVED this ____ day of _____, ____.

Girmay Zahilay, County Executive

Attachments: A. Report on the Status of Activities Related to Contract Management and Compliance Reporting Protocols

Report on the Status of Activities Related to Contract Management and Compliance Reporting Protocols

*Responding to Ordinance 20023, Section 60, Proviso P1
and Ordinance 19978, Section 5.A*

March 31, 2026



King County

Summary

DCHS is taking immediate action to strengthen its fiscal and compliance oversight as it advances implementation of the King County Auditor's Office (KCAO) recommendations. Since the August 2025 KCAO report, the department has adopted nine new policies and procedures, launched contracted provider fiscal stewardship trainings, initiated interdepartmental coordination with Public Health – Seattle & King County (PHSKC), developed an anti-fraud training for employees, and engaged an external consultant to conduct a risk assessment, gap analysis, and provide recommendations for future improvements. As detailed for each recommendation in the body of this report, DCCHS is on track to complete KCAO recommendations within committed timeframes.

The actions summarized in this report are consistent with Executive Zahilay's March 4, 2026 Executive Order.¹ The order is focused on Countywide efforts, but the planned department steps in the report support the objectives of the Order on governance and financial management practices. Notably for this report, the Order directed the County's executive branch to increase accountability, transparency, and internal controls.

As identified in the October 2025 Service Provider Capacity and Fiscal Partnership Program Feasibility Analysis Report to the Council, a service provider capacity and fiscal partnership program as envisioned by Ordinance 19978 would only be feasible with new funding.² Because it was not funded in the 2026-2027 budget, the program has not been launched. DCCHS continues limited technical assistance and capacity building through Best Starts for Kids (BSK) and the Veterans, Seniors and Human Services Levy (VSHSL), as well as a time-limited pilot in the Developmental Disabilities and Early Childhood Supports Division.

DCCHS significantly increased its systematic tracking of contract compliance monitoring activities throughout 2025, in response to KCAO recommendations and Ordinance 19978. This report provides information about how the department is prioritizing these activities to respond to the KCAO report and Ordinance 19978 requirements given limited available resources. It also provides data from 2025 on the number of multiyear contract agencies, risk and readiness assessments, fiscal compliance monitoring visits, and program compliance monitoring visits.

DCCHS will assess the impact of updated processes and monitoring activities on providers through direct contractor feedback. The initial changes that will have an impact on contractors were implemented in March 2026. DCCHS expects to provide initial data on the effects of these changes on providers in the March 31, 2027 report.

DCCHS is prioritizing strengthening its overall infrastructure to ensure accountability and compliance, both internally and with contracted providers, while also implementing the KCAO recommendations swiftly. While many improvements can be made within existing resources, certain initiatives will require additional resources and capacity. DCCHS plans to work closely with the Executive's Office on supplemental budget requests to advance this work.

Background

In January 2025, by Motion 16723, the King County Council adopted a work program for the King County Auditor's Office (KCAO) that included plans to conduct an audit of DCHS' management of juvenile diversion services.^{3,4} The KCAO responded by releasing a report in August 2025 that reviewed and made recommendations regarding DCHS' internal controls and compliance standards.⁵

DCHS is working to implement the recommendations included in the KCAO report by strengthening the department's internal policies and procedures, increasing staff capacity to achieve contract management and compliance monitoring standards, and training contracted providers on contract and invoicing requirements.⁶ DCHS is implementing these changes with the support of the Executive, the Finance and Business Operations Division (FBOD) of the Department of Executive Services, and an external consultant.

In September 2025, the Council adopted Ordinance 19978, requiring DCHS to undertake certain actions as part of its fiscal stewardship responsibilities.⁷ These actions include implementing the use of best practices in contract management and compliance monitoring, performing regular risk assessments of contract agencies, and instituting financial management training for department staff and contract agencies. The Ordinance also calls for DCHS to provide information to the Council about its response to several of the audit's recommendations, through a series of reports, letters, and briefings.⁸

The actions summarized in this report are consistent with Executive Zahilay's March 4, 2026 Executive Order.⁹ The order is focused on Countywide efforts, but the planned department steps in the report support the objectives of the Order on governance and financial management practices. Notably for this report, the Order directed the County's executive branch to increase accountability, transparency, and internal controls.

Report Requirements

This report responds to two related legislative requirements, from Ordinance 20023, Section 60, Proviso P1, and from Ordinance 19978, Section 5.A, both of which called for reporting to the Council due March 31, 2026.

Ordinance 20023, Section 60, Proviso P1, requires the Executive to provide a semiannual report, with the first report due March 31, 2026, describing the status of activities required by Ordinance 19978 related to contract management and monitoring protocols. Specifically, the Ordinance calls for:

- a summary of the activities initiated consequent to any recommendations from the King County auditor's office in the reporting period,
- a summary of the services provider capacity and fiscal partnership program activities supporting technical assistance and capacity building, and
- a summary of activities initiated consequent to the requirements defined by Ordinance 19978, including the financial management and best practices training requirements as described in Ordinance 19978, Section 1.A.2.d.

Report on the Status of Activities Related to Contract Management and Compliance Reporting Protocols

This report also responds to the requirement of Ordinance 19978, Section 5.A, for the Executive to report on the following by March 31 of each year, beginning in 2026:

- the percentage of its multiyear contract agencies that received an in-person site visit from the department during the prior calendar year,
- a status update on the department's contract management and compliance monitoring activities, and
- a summary of data for the prior calendar year regarding monitoring of contract agencies' time spent on contract compliance activities and evaluating the effectiveness and efficiency of contract processes and requirements.

Summary of Activities Initiated Consequent to Auditor's Recommendations and Ordinance 19978 Requirements including Financial Management and Best Practices Training

This section responds to:

- *Ordinance 20023, Section 60, Proviso P1, Part A;*
- *Ordinance 20023, Section 60, Proviso P1, Part C (See Recommendation 6); and*
- *Ordinance 19978, Section 5.A.1.b.*

As part of the established protocol with the KCAO for Executive responses to audits, on August 19, 2025, the King County Executive's Office provided the KCAO with an Executive Response that included a timeline for implementation of each KCAO recommendation, spanning from late 2025 through mid-2027. The timelines vary due to interconnectedness and phasing of the work, staffing capacity, overall complexity, and contract volume of the department. Notably, several improvement initiatives are already under way, including:

- the July 2025 implementation of DCHS' updated Contract Compliance Monitoring Policy and completion of associated staff trainings by all relevant staff;
- a risk assessment of the hybrid payment model; development of trainings for contracted providers regarding financial stewardship values and practices; and interdepartmental coordination with Public Health – Seattle & King County;¹⁰ and
- development of an anti-fraud training for all DCHS staff. This training will be launched on April 1, 2026, and staff will be required to complete it by December 31, 2026.

Table 1 below provides a summary of activities initiated for each of the ten KCAO report recommendations, updating information provided in Executive Braddock's November 2025 letter.¹¹

Table 1. Activities Initiated and Expected Timeline for KCAO Report Recommendations

KCAO Report Recommendation	Status	Activities Initiated and Expected Timeline
<p>Recommendation 1: “Develop, document, and implement a strategy to strengthen internal controls for financial management that includes, at a minimum, 1) a clear vision of how financial stewardship relates to program goals, and 2) the role of compliance, fiscal, and program staff in supporting fiscal stewardship.”</p>	<p><i>On Track</i></p>	<ul style="list-style-type: none"> • An external consultant completed a current state assessment and gap analysis on December 22, 2025. The consultants briefed DCHS senior leaders on January 12, 2026. The next day, DCHS held the first of three half-day work sessions to develop a vision to strengthen DCHS infrastructure, improve internal controls, and ensure accountability to fiscal and program goals. <ul style="list-style-type: none"> ○ DCHS is finalizing a document to reflect the vision and ensure integration of KCAO, Council, and consultant recommendations and requirements and identify milestones, timelines, and resources needed to achieve the vision. ○ DCHS has initiated a recruitment process for a new senior leader to lead activities to strengthen internal and external compliance and controls. ○ DCHS is developing job aids that create stronger role clarity for key positions within the department. It will further specify responsibilities for program managers, contract managers, and fiscal and compliance staff in supporting fiscal stewardship. ○ During the second quarter of 2026, DCHS intends to complete a plan with timelines for implementing additional improvements. • DCHS updated multiple policies and procedures related to financial management and compliance. • DCHS has developed a three-part financial stewardship training series for providers, covering contracting financial management, and fiscal compliance, that launched in March 2026. • KCAO Recommendation 1 will be fully implemented by June 30, 2027.

<p>Recommendation 2: “Work with Public Health – Seattle & King County to develop, document, and implement a plan to identify opportunities for efficiencies in the financial oversight of organizations funded by both departments.”</p>	<p><i>On Track</i></p>	<ul style="list-style-type: none"> • A cross-departmental DCHS and Public Health - Seattle & King County (PHSKC) workgroup began meeting in October 2025 to develop, document and implement a plan to identify opportunities for efficiencies. <ul style="list-style-type: none"> ○ The workgroup is currently mapping existing financial monitoring and risk assessment processes across both departments to identify financial efficiencies, including compliance and analysis functions such as site visits, risk assessments and budget monitoring of contract delivery. <ul style="list-style-type: none"> ○ The workgroup is developing additional metrics to track coordinated and leveraged monitoring visits, and will implement them by June 30, 2026. ○ Once the mapping is complete, the departments will develop shared standards and coordinated practices for financial monitoring, data collection, and risk assessments to reduce administrative burden on providers and improve oversight. ○ The workgroup has established a short-term goal of synchronizing upcoming Q1 and Q2 site visits and strategies, including documenting areas of common and different approaches and recommending solutions to achieve consistency. <ul style="list-style-type: none"> ○ The cross-departmental team has developed a tracking tool that has identified providers that have contracts that overlap both DCHS and PHSKC. This tool helps both agencies focus on which providers require synchronized site visits and risk assessment review and elevates any urgent issues that may exist in provider oversight. ○ The cross-departmental team has established monthly meetings to share a 60-day fiscal monitoring schedule. These meetings will allow the agencies to coordinate a more efficient fiscal monitoring plan for agencies with contracts in both departments. The monitoring visit may include shared information on document gathering and sampling of costs, which will result in a reduction in duplicative oversight requests of agencies. • As of the drafting of this report, DCHS is currently developing a documented joint implementation strategy, with completion planned for spring 2026.
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KCAO Report Recommendation	Status	Activities Initiated and Expected Timeline
		Following finalization of the report, identified changes will be phased in, with initial implementation anticipated by June 30, 2026.
<p>Recommendation 3: “Develop, document, and implement a plan to offer ongoing anti-fraud training for all staff. At a minimum, this training should include information on the impact of fraud, why people commit fraud, how to identify it, and how to report it.”</p>	<p><i>On Track</i></p>	<ul style="list-style-type: none"> • DCHS developed anti-fraud training for department staff. The training incorporates input from King County’s Finance and Business Operations Division, Public Health – Seattle & King County, and key DCHS staff. • Additionally, DCHS has developed an anti-fraud training plan, which outlines ongoing training requirements for current staff, the process and training requirements for new staff, and training completion tracking activities. • DCHS will launch anti-fraud training for all staff on April 1, 2026, and will require all department staff to complete it by December 31, 2026 and annually thereafter.
<p>Recommendation 4: “Conduct and document the results of a risk assessment of its hybrid payment model that specifies how its response appropriately mitigates the risks of fraud and improper payments.”</p>	<p><i>On Track</i></p>	<ul style="list-style-type: none"> • DCHS completed a risk assessment of its hybrid payment model in December 2025. This included analysis of additional approval steps for new hybrid contracts and conducting a detailed review of payment process and reconciliation timing. • DCHS finalized its strategies for mitigating risk based on the assessment on January 29, 2026, by introducing a centralized process to review, approve, and track hybrid payment model utilization and oversight and establishing reconciliation standards. Specifically, DCHS intends to: <ul style="list-style-type: none"> ○ determine the precise criteria for eligibility of hybrid contracts at the program and RFP level; ○ incorporate provider readiness reviews to triage oversight strategies ○ create a procedure manual to outline steps to be followed to monitor payments and collected documentation;¹² and ○ establish principles when payment pauses or request to return unused funds shall occur. • DCHS will implement the recommended strategies by June 30, 2026.

KCAO Report Recommendation	Status	Activities Initiated and Expected Timeline
<p>Recommendation 5: “The Department of Community and Human Services should develop, document, and implement a plan to monitor the effectiveness of the Best Starts for Kids capacity-building program in improving the financial capacity of grantees and use monitoring results to inform Recommendation 6.”</p>	<p><i>On Track</i></p>	<ul style="list-style-type: none"> • A full evaluation of the Best Starts for Kids (BSK) Technical Assistance and Capacity Building (TACB) strategy was under way before the KCAO made this recommendation. <ul style="list-style-type: none"> ○ Data collection activities began in 2022 and are being led by evaluators in Public Health Seattle-King County (PHSKC). ○ Initial findings from the full evaluation are expected by June 30, 2026, and will be used to inform planning for a potentially renewed Best Starts for Kids levy and the Executive’s response to Recommendation 6. ○ A full evaluation report will be available by December 31, 2026. • Staff and evaluators have also adjusted the original evaluation plan to more explicitly address Recommendation 5. <ul style="list-style-type: none"> ○ To strengthen the evaluation’s assessment of financial capacity outcomes, the evaluation team added several new questions to the survey that goes to each TACB recipient every six months. This targeted data collection began in January 2026, with two additional rounds of data collection occurring in July 2026 and January 2027. ○ To deepen understanding of how financial capacity building supports are delivered and where improvements may be needed, evaluators also plan to conduct a focus group with financial capacity building consultants in mid-2026. ○ DCHS is preparing a supplemental report to the BSK TACB evaluation report, expected by June 30, 2027. It is expected to summarize findings from the targeted data collection above. Plans for the report also include highlighting factors that support or hinder fiscal capacity development and making recommendations for strengthening future capacity-building investments.

<p>Recommendation 6: “Develop, document, and implement a plan for effectively communicating to grantees their role in financial stewardship and how they are supported and held accountable to that role.”</p>	<p><i>On Track</i></p>	<ul style="list-style-type: none"> • DCHS developed the following three online financial stewardship training courses and made them available on its website in March 2026 for its contracted providers to access.¹³ The trainings are responsive to Ordinance 19978 and KCAO Recommendation 6: <ul style="list-style-type: none"> ○ DCHS Contracting Overview Training ○ Financial Management and Best Practices Training ○ DCHS Fiscal Contract Compliance Training • All DCHS contracted providers can access these courses on a new training website that the department developed to support the training implementation and centralize access to additional resources.¹⁴ The training website includes information on how to do business with DCHS and technical assistance and capacity building resources. • DCHS will require the Financial Management and Best Practices training for multi-year contract agencies beginning April 1, 2026, ahead of the timeline called for by Ordinance 19978. The training: <ul style="list-style-type: none"> ○ clarifies DCHS’ financial management expectations for contracted providers; ○ covers key financial best practices a DCHS contract provider needs to understand to successfully manage a contract award; ○ provides consistent and equitable resources to support providers in implementing best practices; and ○ Includes content on accounting system and processes best practices, internal controls best practices, and best practices related to managing a DCHS contract award. • DCHS’ standard contract terms and conditions have been updated to include this requirement, and contract agencies that are required to complete the training must submit a training completion attestation form to DCHS to document that they have finished it. • DCHS communicated the financial stewardship training courses, including the required Financial Management and Best Practices training, to DCHS contracted providers and regional human service coalitions through email communication in March, published a blog post, and has published information about the trainings on its new training website. DCHS has also added the requirement to its contract templates, developed internal workflows
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KCAO Report Recommendation	Status	Activities Initiated and Expected Timeline
		<p>to operationalize the requirement, and trained DCHS staff on the new contracted provider Financial Management and Best Practices training requirement.</p> <ul style="list-style-type: none"> • DCHS intends to prioritize continuous improvement of the training to meet contract providers’ training needs. Contracted providers will have an opportunity to provide training feedback through a survey posted on the DCHS training website. • DCHS plans to develop Spanish language versions of the financial stewardship training courses in the second quarter of 2026 to improve access to these resources.

KCAO Report Recommendation	Status	Activities Initiated and Expected Timeline
<p>Recommendation 7: “Enforce contract requirements related to subcontractors by ensuring, at a minimum, that 1) it has issued written approval for all subcontractors, 2) subcontracts contain language required by contract, and 3) it takes action to correct any improper payments that may have occurred related to unapproved subcontracts.”</p>	<p><i>On Track</i></p>	<ul style="list-style-type: none"> • A cross-divisional staff working group in DCHS developed a Subcontract Review and Management Procedure and related job aids in the fourth quarter of 2025 and finalized the materials on January 23, 2026. <ul style="list-style-type: none"> ○ The procedure provides clear and standard steps and expectations for how contract managers should enforce and document contract requirements related to subcontractors, including approving subcontractors and reviewing subcontracts. ○ Job aids include guidance on how to determine if an entity is acting as a subcontractor, checklist for subcontractor and subcontract review, email templates, and tools for contractors including what to include in a subcontract request and a template of current required flow-down terms. ○ This procedure is intended in part to prevent improper payments to subcontractors. (DCHS, in coordination with the Finance and Business Operations Division, intends to develop and implement a procedure for correcting any improper payments, including those related to unapproved subcontracts, by July 31, 2026.) • DCHS staff and supervisors involved in contract management received training on the procedures and job expectations by the end of February 2026 and are expected to adhere to them for any subcontract that a contractor requests on or after March 1, 2026. • In February 2026, DCHS sent a broad communication to all DCHS contractors explaining the new subcontract request and review process, and created a website to provide information to support contractors to comply.¹⁵

KCAO Report Recommendation	Status	Activities Initiated and Expected Timeline
<p>Recommendation 8: “Develop, document, and implement clear and consistent policies and procedures for:</p> <ol style="list-style-type: none"> 1. invoice validation including, at a minimum, a) guidance on allowable and reasonable costs and b) staff duties to request and review supporting documents for high-risk costs, like subcontracts, stipends, and prepaid cards 2. contract amendments 3. stipend payments 4. prepaid card logs 5. when contract payments exceed actual expenditures 6. contract termination 7. funding eligibility of for-profit businesses as both grantees and subcontractors on community grants 8. documentation management including, at a minimum, the appropriate system(s) for collecting and storing documentation that is used to validate invoices and comply with contract terms.” 	<p><i>On Track</i></p>	<ul style="list-style-type: none"> • Cross-divisional subject matter experts in DCHS collaborated to develop all eight of the recommended policies and procedures required in KCAO Recommendation 8. <ul style="list-style-type: none"> ○ The policies and procedures incorporate feedback from King County’s Finance and Business Operations Division and DCHS staff. ○ DCHS leadership approved all eight of the policies and procedures in Recommendation 8. ○ DCHS intends to continue to evolve these policies and procedures over time. • Training, conducted by the Contract Management Learning and Development Manager, has been provided for staff and supervisors involved in procurements and contract management on all eight policies and procedures in Recommendation 8, with consistent implementation expected by March 31, 2026.

KCAO Report Recommendation	Status	Activities Initiated and Expected Timeline
<p>Recommendation 9: “Develop, document, and implement checklists that help ensure staff adhere to all policies and procedures established in Recommendation 8.”</p>	<p><i>On Track</i></p>	<ul style="list-style-type: none"> • DCHS hired a Contract Management Learning and Development Manager in January 2026. This dedicated staff person has worked with cross-divisional staff to develop checklists and other job aids to support the implementation of the policies and procedures outlined in Recommendation 8. • This staff person maintains a comprehensive list of all policies, procedures, and job aids, as well as related definitions. • The Contract Management Learning and Development Manager will continue to develop, document, and implement checklists and other job aids as additional contract management policies and procedures are developed. • Ultimately, DCHS intends to develop and implement department-wide standard contract management requirements, including an onboarding plan for new staff with contract management duties and ongoing training requirements. This work will likely require additional resources. DCHS plans to utilize future supplemental budget opportunities to make this request.
<p>Recommendation 10: “Develop, document, and implement a comprehensive staff training plan that covers policies, procedures, and checklists from Recommendations 8 and 9.”</p>	<p><i>On Track</i></p>	<ul style="list-style-type: none"> • DCHS’s Contract Management Learning and Development Manager has developed and delivered multiple staff training courses on the policies and procedures outlined in Recommendation 8. This staff has scheduled regular drop-in help sessions for staff already trained on the policies and procedures outlined in Recommendation 8. Additionally, DCHS intends to offer quarterly trainings for new staff. • The Contract Management Learning and Development Manager is also developing a more comprehensive set of contract management-related policies, procedures, and job aids, beyond what is outlined in KCAO Recommendation 8, to further support Contract Managers in their roles. • DCHS intends to develop and implement more comprehensive training, for contract management staff, beyond what was completed March 31, 2026 (as described under Recommendations 7 and 8 above), by the first quarter of 2027.

As detailed in Table 1, DCHS is putting in place stronger internal controls, so staff and contracted providers have what they need to succeed. In September 2025, an external financial consulting firm began working directly with DCHS to help assess the department's current state, identify additional gaps and risks, and support implementing the report's recommendations. At the end of December 2025, the consultant provided detailed recommendations for improvement. The consultants briefed DCHS senior leaders on January 12, 2026. The next day, DCHS held the first of three half-day work sessions to develop a vision to strengthen DCHS infrastructure, improve internal controls, and ensure accountability to fiscal and program goals. DCHS is finalizing a document to reflect the vision and ensure integration of KCAO, Council, and consultant recommendations and requirements and identify milestones, timelines, and resources needed to achieve the vision.

Components of the vision include restructuring and adding functions within the department to support a culture of accountability and standardization of practices. Examples include:

- creating a provider support and readiness team,
- creating a centralized accounts payable team for invoice review, approval, and payment,
- developing internal quality assurance and compliance functions, including the hiring of a new senior leader to oversee these contracting functions,
- enhancing training and development, and
- better leveraging technology.

DCHS intends to have a finalized plan (with timelines) for implementation of consultant-recommended improvements by the second quarter of 2026 and will then coordinate with the Executive's Office on supplemental budget requests that are necessary to make the plan a reality. The Report on Feasibility of Implementing Auditor Recommendations and Proposed Amendment Concepts, transmitted October 20, 2025, identifies areas where additional resources are expected to be necessary to implement audit recommendations and the other activities called for by Ordinance 19978, Section 1.A.2.

In addition, DCHS completed internal review of the 19 issues of potential improper payments that were referred to DCHS by the KCAO. The King County Ombuds Office is now managing a contract for an external independent party to review the items, to ensure objectivity and credibility.

Summary of Service Provider Capacity and Fiscal Partnership Program Activities Supporting Technical Assistance and Capacity Building

This section responds to Ordinance 20023, Section 60, Proviso P1, Part B.

DCHS transmitted a Service Provider Capacity and Fiscal Partnership Program Feasibility Analysis Report to the Council on October 20, 2025 in accordance with Ordinance 19978.¹⁶ The report provided a feasibility analysis of what it would take for DCHS to establish a service provider capacity and fiscal partnership program (PCFPP) that makes ongoing technical assistance and capacity building services available to all DCHS multiyear contract agencies. The report included a description of potential program elements, an estimated implementation timeline, resources needed for enabling program implementation, and a program administration recommendation. The report concluded that a potential PCFPP for multi-year contractors is feasible if the following conditions are met:

Report on the Status of Activities Related to Contract Management and Compliance Reporting Protocols

- An implementation approach involving multiple strategies implemented at different times guides execution of the program.
- Sufficient additional resources to match the scale of the program are provided, including:
 - funding for expanded consultant resources; and
 - funding for additional staffing in DCHS.

A PCFPP was not funded in the King County 2026-2027 Biennial Budget. As a result, DCHS has not implemented this program. However, DCHS continues to administer Best Starts for Kids (BSK) and Veterans, Seniors, and Human Services Levy (VSHSL) technical assistance and capacity building programs. These programs are available to a subset of DCHS contract agencies who have been funded by BSK or VSHSL and agencies who are responding to BSK or VSHSL procurements.

In the October 2025 report, DCHS reported that the department was piloting a Developmental Disabilities and Early Childhood Supports Division (DDECSD) capacity building program. At the time the October 2025 report was transmitted, it was unknown if the DDECSD capacity building pilot would continue in 2026 due to funding uncertainty. Since that time, DCHS has determined that limited developmental disability millage funding is anticipated to be available to support the pilot through the end of 2027, allowing the division to continue small-scale implementation and learning while assessing impact and sustainability.

In addition to these existing programs, DCHS previously administered a similar countywide program between July 2022 and December 2024, called the Grant Application and Capacity Building (GACB) program, which ended due to funding restrictions in 2024.¹⁷

2025 Compliance Monitoring Visits and Risk Assessments

This section responds to:

- *Ordinance 19978, Section 5.A.1.a.; and*
- *Ordinance 19978, Section 5.A.1.b.*

This section responds to the Ordinance 19978, Section 5.A.1.a, requirement for DCHS to report each March 31 on the percentage of its multiyear contract agencies that received an in-person site visit from the department during the prior calendar year, based on related activities called for by Ordinance 19978, Section 1.A.2.c. It also provides additional metrics on DCHS' fiscal and program compliance activity in 2025. These data build upon the status update provided earlier in this report on the department's contract management and compliance monitoring activities, in response to Ordinance 19978, Section 5.A.1.b.

Multiyear Contract Agencies

Since passage of Ordinance 19978 in October 2025, DCHS has developed a methodology to identify multiyear contract agencies for the purposes of conducting annual risk assessments and in-person compliance monitoring visits, tracking contractor training attendance, and implementing other related policies. DCHS intends to report on the percentage of its multiyear contract agencies that received an in-person site visit from the department during 2026 in its March 31, 2027 report.

As DCHS operationalizes direction from Ordinance 19978, the department considers an agency to be a multiyear contract agency in a particular year when the agency has at least one contract with DCHS' standard terms and conditions that was active on or before the first day of that year that has

Report on the Status of Activities Related to Contract Management and Compliance Reporting Protocols

at least 18 months left in its contract term as of the first day of that year. Due to typical contracting and fund source renewal cycles, the number of multiyear contract agencies fluctuates from year to year.

DCHS contracted with 248 multiyear contract agencies in 2025.¹⁸

Ordinance 19978 Interpretation and Prioritization

As described in the Report on Feasibility of Implementing Auditor Recommendations and Proposed Amendment Concepts, transmitted October 20, 2025, DCHS interprets the site visit requirement in Ordinance 19978, Section 1.A.2.c, as inclusive of in-person programmatic or fiscal monitoring site visits, consistent with its Contract Compliance Monitoring Policy instituted in July 2025.¹⁹

The department's policy requires all department contractors that deliver human services or community-based programs directly to residents using DCHS-administered funding, which the policy references as subrecipients, to receive either an in-person or remote monitoring visit covering programmatic and fiscal contract compliance at least once every three years. Under this policy, program monitoring includes interviews with agency program staff, review of policies, procedures, and board minutes, and reviews of client files where applicable. Fiscal monitoring includes review of financial policies, internal controls, ledgers, and source documentation.

As also discussed in the October 2025 Report on Feasibility of Implementing Auditor Recommendations and Proposed Amendment Concepts, implementing a requirement for DCHS to conduct in-person site visits at least every three years will significantly increase workloads for monitoring staff, and additional funding for staffing resources would be needed to meet this threshold.²⁰ The October 2025 report also stated that unless directed otherwise by Council, DCHS intends to use the risk assessment process called for by Ordinance 19978, Section 1.A.2.c, to determine which organizations most need in-person monitoring and which allow for virtual monitoring (low-risk organizations), until sufficient resources are identified.²¹

Risk and Readiness Assessments

This report provides information on DCHS' monitoring activity for multiyear contract agencies as well as previous tracking of monitoring and risk assessment activity prior to the passage of Ordinance 19978, including in responses to the August 2025 KCAO report. Consistent with DCHS' Contract Compliance Monitoring Policy and the October 2025 Report on Feasibility of Implementing Auditor Recommendations and Proposed Amendment Concepts, prior to the passage of Ordinance 19978, compliance monitoring activities have been compared to the department's total number of contractors that deliver human services or community-based programs directly to residents using DCHS-administered funding.^{22,23} In 2025, DCHS identified 358 contractors as eligible for risk assessments, because they had received payment from the department in 2024. Not all these 358 contractors are multiyear contract agencies.

DCHS' fiscal compliance team performed a risk assessment on 100 percent of the 358 contractors deemed eligible for a risk assessment in 2025. In addition to fiscal compliance risk assessments, DCHS divisions conducted an additional 140 risk or readiness assessments in 2025, for a total of 498 risk and readiness assessments across DCHS during the year.^{24,25} These 498 risk and readiness assessments involved 405 unique agencies, 171 of which were 2025 multiyear contract agencies (approximately 69 percent of the 248 multiyear contract agencies).

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DCHS intends to standardize department-wide risk and readiness assessments. The results of these assessments will be used to inform future contract management and monitoring activities. These include monitoring visits but also other supports an organization may need, such as technical assistance or capacity building (where available), or more frequent contact with their DCHS program manager.

Fiscal Compliance Monitoring Visits

Based on the prioritization within existing resources described above, DCHS conducted 79 fiscal compliance monitoring visits in 2025, representing 22 percent of the 358 organizations that received a risk assessment in 2025. As DCHS previously reported, these 358 agencies were prioritized for risk assessments and fiscal compliance monitoring visits, as guided by DCHS' Contract Compliance Monitoring Policy.²⁶ The 79 fiscal compliance monitoring visits included 36 agencies (approximately 14 percent) out of the department's 248 2025 multiyear contract agencies.

Program Compliance Monitoring Visits

In addition, DCHS contract management staff conducted 208 program compliance monitoring visits, covering 129 agencies. Of these, 63 were multiyear contract agencies in 2025, or 25 percent of the 248 total multiyear contract agencies in 2025, and 35 (14 percent) of the visits to 2025 multiyear contract agencies occurred in person. These visits include general compliance monitoring visits, as well as electronic data validation (EDV) visits that verify service delivery fidelity, and on-site housing capital and community capital contract compliance inspections.

Prioritization in 2026

Responding to direction from Ordinance 19978, DCHS is prioritizing risk assessments and in-person site visits for multiyear contract agencies in 2026. DCHS is currently recruiting for additional compliance staff, as provided in the 2026-2027 budget. This added staffing is needed to increase the number of on-site compliance monitoring visits and risk assessments for multiyear contract agencies in 2026. The department intends to continue to prioritize among multiyear contract agencies based on risk assessment results, as described above.

Monitoring Contract Agencies' Time Spent on Contract Compliance Activities and Evaluating the Effectiveness and Efficiency of Contract Processes and Requirements

This section responds to Ordinance 19978, Section 5.A.1.c.

As noted in the Report on Feasibility of Implementing Auditor Recommendations and Proposed Amendment Concepts, transmitted in October 2025, DCHS intends to use direct feedback from contractors to determine the impact of its updated processes and monitoring activities.²⁷ DCHS already routinely collects information about contractors' experience using a variety of methods, such as surveys administered at the end of the solicitation application process, required annual narrative reporting about successes and challenges in implementing contracted services, and annual fiscal compliance subrecipient surveys. DCHS intends to integrate questions into existing feedback mechanisms to limit burden on providers. The first round of updated processes and procedures that will have an impact on providers was implemented on March 31, 2026. DCHS anticipates having collected sufficient data to report to Council on the impact of updated processes and monitoring activity beginning with the March 31, 2027 report.

Conclusion

DCHS is taking swift action to reinforce its commitment to strengthening fiscal stewardship and creating a strong platform from which it can fulfill the more complex KCAO recommendations. Since the KCAO released its report in August 2025, DCHS has implemented several new policies and procedures. The implementation includes training numerous staff on the policies and procedures so they have the information they need to be successful. Many foundational improvement activities are already in motion, including the rollout of the new Contract Compliance Monitoring Policy and staff completion of associated trainings, the launch of interdepartmental coordination efforts with PHSKC, the development of an anti-fraud training, and the engagement of an external consultant.

While DCHS is confident in leveraging existing staff and tools to initiate many reforms, certain recommendations and improvements will require staffing increases, targeted technology, and reporting enhancements. DCHS plans to partner with the Executive's Office on supplemental budget requests.

With support from the Executive, structured timelines, and a phased resourcing strategy, DCHS intends to fulfill the recommendations outlined in the KCAO report.²⁸ New policies have been developed by the KCAO's March 31, 2026 deadline, with full implementation of all recommendations planned by mid-2027. Through these efforts, DCHS will deliver on its commitment to fiscal responsibility and community impact.

Endnotes

- ¹ Executive Girmay Zahilay Executive Order, March 4, 2026. https://content.govdelivery.com/attachments/WAKING/2026/03/04/file_attachments/3573206/EO_GoodGovernance_FinancialManagement.pdf.
- ² Service Provider Capacity and Fiscal Partnership Program Feasibility Analysis Report, October 20, 2025. <https://mkcclegisearch.kingcounty.gov/LegislationDetail.aspx?ID=7709802&GUID=B99AFE29-D9C6-43F3-B008-08E2EAD50E66&Options=Advanced&Search=>
- ³ Motion 16723. <https://mkcclegisearch.kingcounty.gov/LegislationDetail.aspx?ID=7030493&GUID=9F12AB5C-3AF3-4096-A7C4-A33CAA52FC5B&Options=Advanced&Search=>
- ⁴ Initial calls for the audit in 2024 focused on the Restorative Community Pathways (RCP) youth diversion program. The audit did not contain any findings related to RCP, but the final scope of the audit encompassed a broader range of youth programs.
- ⁵ King County Auditor's Office (August 26, 2025, updated September 10, 2025). Department of Community and Human Services Needs to Strengthen Financial Stewardship. <https://cdn.kingcounty.gov/-/media/king-county/independent/governance-and-leadership/government-oversight/auditors-office/reports/audits/2025/dchs-contracts/dchs-contracts-2025.pdf?rev=de1da047b6c94b9d9ac69aebf3b4de4f&hash=A3D1D5746BFA9C7911E02029536AA559>. The Executive Response is Appendix 3 to the KCAO report, and is included as Appendix B to this report.
- ⁶ King County DCHS (September 5, 2025). Cultivating Connections: Doing Right by Communities: Our Commitment to Accountability and Transparency. <https://dchsblog.com/2025/09/05/doing-right-by-communities-our-commitment-to-accountability-and-transparency/>
- ⁷ Ordinance 19978. <https://mkcclegisearch.kingcounty.gov/LegislationDetail.aspx?ID=7638134&GUID=6C08433A-B1B7-4E54-A3F9-C512CD12E80D&Options=Advanced&Search=>
- ⁸ Ordinance 19978. <https://mkcclegisearch.kingcounty.gov/LegislationDetail.aspx?ID=7638134&GUID=6C08433A-B1B7-4E54-A3F9-C512CD12E80D&Options=Advanced&Search=>
- ⁹ Executive Girmay Zahilay Executive Order, March 4, 2026. https://content.govdelivery.com/attachments/WAKING/2026/03/04/file_attachments/3573206/EO_GoodGovernance_FinancialManagement.pdf.
- ¹⁰ King County Auditor's Office (August 26, 2025, updated September 10, 2025). Department of Community and Human Services Needs to Strengthen Financial Stewardship. <https://cdn.kingcounty.gov/-/media/king-county/independent/governance-and-leadership/government-oversight/auditors-office/reports/audits/2025/dchs-contracts/dchs-contracts-2025.pdf?rev=de1da047b6c94b9d9ac69aebf3b4de4f&hash=A3D1D5746BFA9C7911E02029536AA559>
- ¹¹ Status Update Letter Responding to Auditor Recommendations and Available Plans for Improvements to Contract Management and Compliance Monitoring Activities, November 21, 2025. <https://mkcclegisearch.kingcounty.gov/View.ashx?M=F&ID=14978676&GUID=39D14A7C-A355-494D-A36E-A83D4E820608>
- ¹² This activity is also associated with KCAO Recommendation 8.5.
- ¹³ King County DCHS Contractor Training Resources. <https://kingcounty.gov/en/dept/dchs/human-social-services/funding-opportunities-dchs/contractor-training-resources>
- ¹⁴ King County DCHS Contractor Training Resources. <https://kingcounty.gov/en/dept/dchs/human-social-services/funding-opportunities-dchs/contractor-training-resources>
- ¹⁵ King County DCHS Requesting to Subcontract. <https://kingcounty.gov/en/dept/dchs/human-social-services/funding-opportunities-dchs/how-to-contract-dchs/subcontracting>

¹⁶ Service Provider Capacity and Fiscal Partnership Program Feasibility Analysis Report, October 20, 2025. <https://mkcclegisearch.kingcounty.gov/LegislationDetail.aspx?ID=7709802&GUID=B99AFE29-D9C6-43F3-B008-08E2EAD50E66&Options=Advanced&Search=>

¹⁷ DCHS established the Grant Application and Capacity Building (GACB) program in July 2022 to support small community-based organizations (CBOs) that traditionally face barriers to accessing King County funding but who are situated to best serve the diverse communities of King County. GACB provided support to access County funds through contracted assistance to CBOs applying to County procurements. The program aimed to address barriers and enable more small CBOs (less than 20 staff and organizational budget smaller than \$4 million) and BIPOC-led organizations to equitably apply to County procurements through the provision of grant assistance. Once contracted with the County, GACB provided capacity building support to help organizations thrive through a variety of services to strengthen organizational development and systems for long-term organization sustainability, including but not limited to, finance, human resources, fund development, information technology, change management, and board development. The program ended due to General Fund reductions.

¹⁸ As a comparison, applying the multiyear contract agency definition in this report, DCHS worked with 315 multiyear contract agencies in 2024. In 2026, DCHS is working with 360 multiyear contract agencies.

¹⁹ Report on Feasibility of Implementing Auditor Recommendations and Proposed Amendment Concepts, October 20, 2025.

<https://mkcclegisearch.kingcounty.gov/LegislationDetail.aspx?ID=7710207&GUID=5A92CECB-7BFB-42CE-BC66-58DAD45A2EEC&Options=Advanced&Search=>

²⁰ Report on Feasibility of Implementing Auditor Recommendations and Proposed Amendment Concepts, October 20, 2025.

<https://mkcclegisearch.kingcounty.gov/LegislationDetail.aspx?ID=7710207&GUID=5A92CECB-7BFB-42CE-BC66-58DAD45A2EEC&Options=Advanced&Search=>

²¹ Report on Feasibility of Implementing Auditor Recommendations and Proposed Amendment Concepts, October 20, 2025.

<https://mkcclegisearch.kingcounty.gov/LegislationDetail.aspx?ID=7710207&GUID=5A92CECB-7BFB-42CE-BC66-58DAD45A2EEC&Options=Advanced&Search=>

²² Report on Feasibility of Implementing Auditor Recommendations and Proposed Amendment Concepts, October 20, 2025.

<https://mkcclegisearch.kingcounty.gov/LegislationDetail.aspx?ID=7710207&GUID=5A92CECB-7BFB-42CE-BC66-58DAD45A2EEC&Options=Advanced&Search=>

²³ The department's risk assessment activities do not include the roughly 85 fee-for-service contractors that deliver services to support DCHS contractors, such as language translation, workforce training, technical assistance and capacity building. Unlike subrecipients that deliver direct services to clients, these contractors provide discrete support services to other service providers rather than operating client-facing programs themselves.

²⁴ Many contracted providers hold multiple contracts with DCHS. Fiscal monitoring visits evaluate the agency as a whole, whereas program compliance monitoring visits typically evaluate performance on a specific program. This is why there is a difference between the number of visits and the number of agencies visited.

²⁵ In addition to risk assessments by DCHS' fiscal compliance team, DCHS divisions' risk and readiness assessments included: (a) pre-vendor assessment the Adult Services Division conducted on 96 agencies that were entering new contracts; (b) 29 risk assessments conducted by Housing and Community Development Division's capital section, in alignment with standards developed with joint funders, and consistent with affordable housing industry metrics and contract requirements; and (c) 13 risk assessments conducted by the Developmental Disabilities and Early Childhood Supports Division, informed by ongoing discussions with Department of Children, Youth and Families (DCYF) and in alignment with federal monitoring requirements.

²⁶ Prioritization considerations for fiscal compliance monitoring visits included federally and state-funded contracts that require annual monitoring; agencies identified as high risk through the risk assessment

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process; agencies that had not been monitored during the past three years; and agencies where possible concerns had been identified.

²⁷ Report on Feasibility of Implementing Auditor Recommendations and Proposed Amendment Concepts, October 20, 2025.

<https://mkcclegisearch.kingcounty.gov/LegislationDetail.aspx?ID=7710207&GUID=5A92CECB-7BFB-42CE-BC66-58DAD45A2EEC&Options=Advanced&Search=>

²⁸ King County Auditor's Office (August 26, 2025, updated September 10, 2025). Department of Community and Human Services Needs to Strengthen Financial Stewardship. <https://cdn.kingcounty.gov/-/media/king-county/independent/governance-and-leadership/government-oversight/auditors-office/reports/audits/2025/dchs-contracts/dchs-contracts-2025.pdf?rev=de1da047b6c94b9d9ac69aebf3b4de4f&hash=A3D1D5746BFA9C7911E02029536AA559>. The Executive Response is Appendix 3 to the KCAO report.

**King County | Office of the Executive****Executive Girmay Zahilay**

Chinook Building, CNK-EX-0800
401 Fifth Avenue, Suite 800
Seattle, WA 98104-2391

March 31, 2026

The Honorable Sarah Perry
Chair, King County Council
Room 1200
COURTHOUSE

Dear Councilmember Perry:

This letter transmits the Report on the Status of Activities Related to Contract Management and Compliance Reporting Protocols, in response to Ordinance 20023, Section 60, Proviso P1, and Ordinance 19978, Section 5.A, both of which call for reporting to the Council due March 31, 2026.

The reporting requirements of Ordinance 20023 and Ordinance 19978 addressed by this report relate to an August 2025 King County Auditor's Office (KCAO) report that reviewed and made recommendations regarding internal controls and compliance standards in the Department of Community and Human Services.

DCHS is taking immediate action to strengthen its fiscal and compliance oversight as it advances implementation of the KCAO recommendations. Since the August 2025 KCAO report, DCHS has adopted nine new policies and procedures, launched three contracted provider fiscal stewardship trainings, initiated interdepartmental coordination with Public Health-Seattle & King County, developed an anti-fraud training for employees, and engaged with an external consultant to assess and make recommendations to strengthen DCHS' overall infrastructure to support compliance and contract monitoring. DCHS is on track to complete KCAO recommendations within the committed timeframes.

This report updates information included in reports transmitted to the King County Council in October 2025 and November 2025 by:

- providing an updated summary of actions taken to implement KCAO recommendations;
- describing the status of provider capacity building efforts in DCHS;
- providing data from 2025 on compliance monitoring and risk assessments conducted by DCHS for its contract agencies;
- summarizing the status of data collection regarding the impacts on providers of its compliance and monitoring changes.

The Honorable Sarah Perry

March 31, 2026

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Thank you for your consideration of this report. If you or your staff have questions, please contact Susan McLaughlin, Interim Department Director, Department of Community and Human Services at 206-477-9309.

Sincerely,



for

Girmay Zahilay
King County Executive

Enclosures

cc: King County Councilmembers
 ATTN: Stephanie Cirkovich, Chief of Staff
 Melani Hay, Clerk of the Council
Karan Gill, Deputy Executive, Office of the Executive
Jasmin Weaver, Chief of Staff, Office of the Executive,
Hyeok Kim, Chief Operating Officer, Office of the Executive
Sierra Howlett Browne, Director of Government Relations, Office of the Executive
Garrett Holbrook, Council Relations Manager, Office of the Executive
Susan McLaughlin, Interim Department Director, Department of Community and Human Services