



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, May 26, 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. 7

April 28, 2026 meeting minutes

4. **Public Comment**



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Consent

5. [Proposed Motion No. 2026-0068](#) p. 11

A MOTION acknowledging receipt of the first semiannual report on the status of activities related to contract management and compliance reporting protocols, as required by Ordinance 20023, Section 60, Proviso P1.

Sponsors: Barón

Olivia Brey, Council staff

6. [Proposed Ordinance No. 2026-0121](#) p. 47

AN ORDINANCE relating to retail establishments; changing the effective date of the requirement that retailers in unincorporated King County, unless otherwise exempted, must accept payment in cash; and amending Ordinance 19639, Section 6, as amended.

Sponsors: Perry

Mary Bourguignon, Council staff

Discussion and Possible Action

7. [Proposed Motion No. 2026-0080](#) p. 92

A MOTION confirming the appointment of Sandra Valenciano as director of the King County department of public health.

Sponsors: Mosqueda

Olivia Brey, Council staff

Briefings

8. [Briefing No. 2026-B0067](#) p. 101

Harborview Bond Project Update

Tony Wright, Director, King County Harborview Construction and Infrastructure Division
Jeff Muhm, Special Advisor to the Executive Leadership Team



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9. [Briefing No. 2026-B0068](#) p. 102

Harborview Labor and Leadership Panel

Representatives from SEIU 1199NW and WFSE Local 3488

Dorothy Teeter, President, Harborview Board of Trustees

Sommer Kleweno Walley, Chief Executive Officer, Harborview Medical Center, UW Medicine, University of Washington

Madeline Grant, Chief Administrative Officer, Harborview Medical Center, UW Medicine, University of Washington

Discussion and Possible Action

10. [Proposed Motion No. 2026-0070](#) p. 103

A MOTION approving a letter regarding a staffing plan for the Harborview construction and infrastructure division, as called for in the 2026-2027 Biennial Budget Ordinance, Ordinance 20023, Section 103, Proviso P1.

Sponsors: Barón

Sam Porter, Council staff

Nick Bowman, Council staff

11. [Proposed Ordinance No. 2026-0073](#) p. 135

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.



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Sponsors: Barón and Dembowski

Sam Porter, Council staff

Other Business

	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.	

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, April 28, 2026

Hybrid Meeting

DRAFT MINUTES

1. **Call to Order**

Chair Barón called the meeting to order at 9:31 AM.

2. **Roll Call**

Present: 8 - Balducci, Barón, Dembowski, Fain, Lewis, Mosqueda, Perry and von Reichbauer

Excused: 1 - Dunn

3. **Approval of Minutes**

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

4. **Public Comment**

There was no one present to provide public comment.

Discussion and Possible Action

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

A MOTION adopting the King County 2026 Federal Legislative Priorities.

Mac Nicholson, Director, Government Relations, King County Council, briefed the committee and answered questions from the members. Nina Collier, Managing Partner, W2A, also answered questions from the members.

A motion was made by Vice Chair Balducci that this motion be passed out of committee without a recommendation. The motion carried by the following vote:

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

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

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, Section 2, as amended, and K.C.C. 12.18.020,

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Sam Porter, Council staff, Aaron Rubardt, Budget Director, Executive's Office, Hyeok Kim, Chief Operating Officer, Executive's Office, briefed the committee and answered questions from the members.

Chair Barón disclosed on the record a potential conflict of interest. The Chair recused himself, and Vice Chair Balducci assumed the role of chair for this item.

This matter was deferred.

Briefing

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

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, and Amber Green, Deputy Director, Department of Community and Human Services, 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 11:24 AM.

Approved this _____ day of _____

Clerk's Signature



King County

Metropolitan King County Council Committee of the Whole

STAFF REPORT

Agenda Item:	5	Name:	Olivia Brey
Proposed No.:	2026-0068	Date:	May 26, 2026

SUBJECT

Proposed Motion 2026-0068 would acknowledge receipt of the first of four semiannual reports on the status of activities related to contact management and compliance reporting protocols, as required by the 2026-2027 Biennial Budget.

SUMMARY

In response to a 2026-2027 Biennial Budget proviso, the Executive has transmitted Proposed Motion 2026-0068 that acknowledges receipt of the first semiannual report on the status of activities related to contact management and compliance reporting protocols by the Department of Community and Human Services (DCHS).

The proviso report includes a summary of activities resulting from the recommendations from the Auditor's Office or Ordinance 19978, an update on 2025 compliance monitoring visits and risk assessments, and an update on monitoring contract agencies' time spent on contract compliance activities and evaluating the effectiveness and efficiency of contract processes. The report notes that because the Service Provider Capacity and Fiscal Partnership Program was not funded in the 2026-2027 Biennial Budget, DCHS has not implemented this program

The proviso response appears to be responsive to the requirements of the proviso. Passage of the proposed motion would satisfy the first of four proviso requirements and would release \$50,000 in the DCHS Administration budget to be expended or encumbered.

BACKGROUND

2025 DCHS Contract Audit. As part of the 2025 King County Auditor's Office Work Program,¹ the Auditor's Office released a report on August 26, 2025,² after reviewing a sample of contracts from four DCHS programs related to juvenile diversion. The

¹ [King County - File #: 2024-0395](#)

² Department of Community and Human Services Needs to Strengthen Financial Stewardship, King County Auditor's Office <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>

Auditor's Office found that DCHS lacks documented policies and procedures, training, and checklists for validating invoices, which has reduced consistency in financial oversight and increased financial risk. The report made 10 recommendations to help DCHS strengthen financial stewardship and improve internal controls, including documenting standard procedures; developing and implementing new strategies and policies for financial oversight; finding efficiencies in oversight with Public Health – Seattle & King County; developing anti-fraud training; and improving communications and support for grantees.

Ordinance 19978. In October 2025, the King County Council adopted Ordinance 19978,³ which codified directives for DCHS to develop and implement best practices for contract management, compliance monitoring, and supportive contracting partnerships. The ordinance also codified a training requirement for multi-year contract agencies receiving over \$50,000 per biennium.

Reporting requests for DCHS and the Auditor's Office were also included in the ordinance. Transmittal of the reports is noted in subsection C of the Analysis section of this staff report.

2026-2027 Biennial Budget. The 2026-2027 Biennial Budget⁴ included a proviso (Ordinance 20023, Section 60, Proviso P1) that withheld \$200,000 from the Community and Human Services Administration budget:

Of this appropriation, \$200,000 shall not be expended or encumbered until the executive transmits semiannual reports describing the status of activities required by Ordinance 19978 related to contract management and compliance monitoring protocols and motions that should acknowledge receipt of the report, and motions acknowledging receipt of the report are passed by the council. The motions should reference the subject matter, the proviso's ordinance, ordinance section, and proviso number in both the title and body of the motion. The reports shall include, but not be limited to:

A. A summary of the activities initiated consequent to any recommendations from the King County auditor's office in the reporting period;

B. A summary of the services provider capacity and fiscal partnership program activities supporting technical assistance and capacity building; and

C. 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.

³ Ordinance 19978, [King County - File #: 2025-0266](#)

⁴ Ordinance 20023, [King County - File #: 2025-0288](#)

Moneys shall be unencumbered in \$50,000 increments upon receipt of each quarterly report filed by the executive to the clerk of the council. The executive should electronically file the first semiannual report and a motion required by this proviso by March 31, 2026, with the clerk of the council, who shall retain an electronic copy and provide an electronic copy to all councilmembers, the council chief of staff, and the lead staff for the committee of the whole or its successor.

The executive should electronically file the next two semiannual reports required by this proviso by the first working day after the end of each half-year, with the clerk of the council council, who shall retain an electronic copy and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for committee of the whole or its successor.

The executive should electronically file the final semiannual report required by this proviso by September 30, 2027, with the clerk of the council, who shall retain an electronic copy and provide an electronic copy to all councilmembers, the council chief of staff, and the lead staff for the committee of the whole or its successor.

ANALYSIS

Proposed Motion 2026-0068 was transmitted in response to Proviso P1, Section 60 in the 2026-2027 Biennial Budget and would acknowledge receipt of DCHS' first semiannual report on the status of activities related to contact management and compliance reporting protocols. Passage of the proposed motion would satisfy the first of four proviso requirements and would release \$50,000 in the DCHS Administration budget to be expended or encumbered.

The report includes the following elements:

- A summary of the activities initiated consequent to any recommendations from the Auditor's Office and Ordinance 19978 requirements, including Financial Management and Best Practices Training;
- A summary of the services provider capacity and fiscal partnership program activities supporting technical assistance and capacity building;
- 2025 compliance monitoring visits and risk assessments; and
- An update on monitoring contract agencies' time spent on contract compliance activities and evaluating the effectiveness and efficiency of contract processes and requirements

A. A summary of the activities initiated consequent to any recommendations from the King County Auditor's Office in the reporting period. The report outlines activities that DCHS has completed since before the Auditor's Office report was published through March 31, 2026, to strengthen its fiscal and compliance oversight policies and procedures. A summary of the activities that appear to have been

completed during the reporting period⁵ for each recommendation are documented below.

Activities related to 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."

- An external consultant completed a current state assessment and gap analysis.
- DCHS held the first of three, half-day work sessions in January 2026 to develop a vision to strengthen DCHS infrastructure, improve internal controls, and ensure accountability to fiscal and program goals.
- DCHS is finalizing a document reflecting the vision and ensure recommendations are incorporated.
- 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.
- 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

Activities related to 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."

- The cross-departmental DCHS and Public Health - Seattle & King County (PHSKC) workgroup is developing additional metrics to track coordinated and leveraged monitoring visits.
- The workgroup has established a short-term goal of synchronizing upcoming site visits and strategies, including documenting areas of common and different approaches and recommending solutions to achieve consistency.
- The cross-departmental team has developed a tracking tool that has identified providers that have contracts that overlap both DCHS and PHSKC to help 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 to coordinate a more efficient fiscal monitoring plan for agencies with contracts in both departments.
- DCHS is currently developing a documented joint implementation strategy.

⁵ The initial reporting period was not defined, so for the purposes of this staff report, it is assumed start subsequent to the last update, provided in the November 21, 2025 transmittal letter for the Status Update Letter Responding to Auditor Recommendations and Available Plans for Improvements to Contract Management and Compliance Monitoring Activities, [2025-RPT0147](#)

Activities related to 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.”

- DCHS developed anti-fraud training for department staff.
- 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.

Activities related to 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.”

- 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.

Activities related to 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.”

- 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. Staff and evaluators have adjusted the original evaluation plan to more explicitly address Recommendation 5.
- 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.

Activities related to 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.”

- 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: DCHS Contracting Overview Training, Financial Management and Best Practices Training, and 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. 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.

- 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 to operationalize the requirement, and trained DCHS staff on the new contracted provider Financial Management and Best Practices training requirement.

Activities related to 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."

- 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.
- 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

Activities related to Recommendation 8, "Develop, document, and implement clear and consistent policies and procedures for:

- 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."*
- Cross-divisional subject matter experts in DCHS collaborated to develop all eight of the recommended policies and procedures required in KCAO Recommendation 8. DCHS leadership approved all eight of the policies and procedures in Recommendation 8.

- 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

Activities related to Recommendation 9, “Develop, document, and implement checklists that help ensure staff adhere to all policies and procedures established in Recommendation 8.”

- 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, policies, procedures, and other job aids to support the implementation of the policies and procedures outlined in Recommendation 8.

Activities related to Recommendation 10, “Develop, document, and implement a comprehensive staff training plan that covers policies, procedures, and checklists from Recommendations 8 and 9.”

- 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.
- The staff person 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.

Additional details including the upcoming activities and completion dates for many recommendations is included in the report. The report notes that many improvements can be made with existing resources; however, certain initiatives will require additional resources and capacity, which may be advanced in supplemental budget requests.

B. A summary of the services provider capacity and fiscal partnership program activities supporting technical assistance and capacity building. The report notes that because the Service Provider Capacity and Fiscal Partnership Program (PCFPP) wasn’t funded in the 2026-2027 Biennial Budget, DCHS has not implemented this program. Executive staff noted that resources were not requested in the first 2026-2027 omnibus because DCHS is focused on hiring staff approved in the 2026-2027 Biennial Budget, determining role clarity, and implementing department changes, including standardizing roles and processes with existing staff.

The report also notes that technical assistance and capacity building programs are included in BSK and Veterans, Seniors, and Human Services Levy (VSHSL) operations and are available to contract agencies who are funded by or responding to BSK or VSHSL procurements. Additionally, other programs including a Developmental Disabilities and Early Childhood Learning Supports Division capacity building program and a Grant Application and Capacity Building program were previously administered, but were discontinued due to funding restrictions.

C. 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. The summary of activities in response to Ordinance 19978 were focused on Section 5.A.1. of the ordinance, which requires DCHS to provide an annual report on several metrics. DCHS responded to the annual reporting requirements within this report.

The remaining sections of Ordinance 19978 were either inherently included in the summary of the activities in response to the King County Auditor's Office recommendations or the reporting functions were fulfilled, as documented in Table 1.

Table 1. Status Update of Added Requirements in Ordinance 19978

Section	Subsection	Summary of Requirement	Update
Section 1			
	A.2.a	Develop, document, implement, and adhere to best practices regarding contract management and compliance monitoring.	Summary provided in section A of staff report
	A.2.b	Establish protocols and procedures for monitoring multi-year contract agencies time spent on compliance activities and evaluate effectiveness of contract processes.	Summary provided in subsection Time Spent on Contract Agencies' Compliance Activities and Evaluating Effectiveness and Efficiency, below
	A.2.c	Annual perform risk assessment of multi-year contract agencies and complete site visit once every three years.	Summary provided in subsection Multi-year Contract Agencies Receiving Site Visit, below
	A.2.d	Require Financial Management and Best Practices Training for multi-year contract agencies with over \$50,000 in county moneys.	As discussed in Recommendation 6, DCHS developed the training, and will require the training for multi-year contract agencies beginning April 1, 2026.
Section 2			
	N/A	Briefing to Committee of the Whole on the status of DCHS contract management and compliance	Committee of the Whole Briefing, April 28, 2026, Briefing 2026-B0059
Section 3			
	A. 1	Report to Council on a service provider capacity and fiscal partnership program feasibility analysis	Transmitted: Service Provider Capacity and Fiscal Partnership Program Feasibility Analysis Report, 2025-RPT0124
	A.2	Report to Council on the	Transmitted: Report on

		feasibility of implementing auditor recommendations and proposed amendment concepts	Feasibility of Implementing Auditor Recommendations and Proposed Amendment Concepts, 2025-RPT0125
	A.3	Report to Council on a public dashboard with contract outcomes feasibility analysis	Transmitted: Public Dashboard with Contract Outcomes Feasibility Analysis Report, 2025-RPT0123
Section 4			
	N/A	Letter to Council on the status of the Auditor's recommendation and implementation plans	Transmitted: Status Update Letter Responding to Auditor Recommendations and Available Plans for Improvements to Contract Management and Compliance Monitoring Activities, 2025-RPT0147
Section 5			
	A.1.a	Annual report on % multi-year contract agencies that received site visit	Summary provided in subsection Multi-year Contract Agencies Receiving Site Visit, below
	A.1.b	Annual update on DCHS' contract management and compliance monitoring activities	Summary provided in section A of staff report
	A.1.c	Annual summary on monitoring multi-year contract agencies time spent on compliance activities and evaluate effectiveness of contract processes	Summary provided in subsection Time Spent on Contract Agencies' Compliance Activities and Evaluating Effectiveness and Efficiency, below
	B	Notify the Council of credible evidence of contractor agency fraud, waste, or abuse	Nothing transmitted to date
Section 6			
	N/A	Report to Council by the Auditor's Office and King County Ombuds on feasibility of inspector general position, qui tam program, and independent contract review process	Transmitted: Building Toward Effective Fraud Risk Management and Response, 2026-RPT0023

Multi-year Contract Agencies Receiving Site Visit. Ordinance 19978, Section 5.A.1.a. calls for an annual update on the percentage of DCHS' multi-year contract agencies that received an in-person site visit from the department during the previous year.

The report notes that DCHS' interpretation of the site visit requirement in Ordinance 19978, Section 1.A.2.c. is inclusive a Contract Compliance Monitoring Policy, implemented in July 2025.⁶ The policy requires all department contractors that deliver human services or community-based programs directly to residents using DCHS-administered funding, including subrecipients, to receive either an in-person or remote monitoring visit covering programmatic and fiscal contract compliance at least once every three years. In comparison with the requirements of Ordinance 19978, the department considers an agency to be a multi-year 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 at least 18 months left in its contract term as of the first day of that year. Not all contractors that align with the Contract Compliance Monitoring Policy are multi-year contract agencies. The number of risk or readiness assessments and site visits for both definitions of agencies are shown in Table 2.

Table 2. 2025 Site Visits

Type	2025 Total Agencies	Risk or Readiness Assessments	Fiscal Monitoring Site visits	Programmatic Site Visits
Count of Agencies Using Multi-year Contract Definition	248	171 <i>69% of total</i>	36 <i>15% of total</i>	63 <i>25% of total</i>
Count of Agencies Using Contract Compliance Monitoring Policy Definition	358	498 (405 unique agencies) <i>100% of total</i>	79 <i>22% of total</i>	208 (129 unique agencies) <i>58% of total</i>

The report notes that, as 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. DCHS intends to use the risk assessment process called for by Ordinance 19978 to determine which organizations most need in-person monitoring and which allow for virtual monitoring, until sufficient resources are identified.

Time Spent on Contract Agencies' Compliance Activities and Evaluating Effectiveness and Efficiency. Ordinance 19978, Section 5.A.1.c calls for annual data for the prior year on time spent monitoring contract agencies' contract compliance activities and evaluating the effectiveness and efficiency of contract processes and requirements. The

⁶ DCHS Contract Compliance Monitoring Policy, <https://cdn.kingcounty.gov/-/media/king-county/depts/dchs/contracts/contract-requirements/dchs-contract-compliance-monitoring-policy.pdf?rev=b3ad858210cf42c7b92aeb48fda22c8d&hash=CF67D08936C88EFEA7894E48FCAC3619>

report notes that DCHS intends to integrate questions into existing feedback mechanisms and use direct feedback to determine the impact on its updated processes and monitoring activities. According to the report, 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.

Responsiveness of Report to Proviso Requirements. The report appears to meet all requirements outlined in Ordinance 20023, Section 60, Proviso P1.

INVITED

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

ATTACHMENTS

1. Proposed Motion 2026-0068 (and its attachments)
2. Transmittal Letter



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

- 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, DCHS 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. DCHS 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.

DCHS 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.

DCHS 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. DCHS expects to provide initial data on the effects of these changes on providers in the March 31, 2027 report.

DCHS 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. DCHS plans to work closely with the Executive's Office on supplemental budget requests to advance this work.

Report on the Status of Activities Related to Contract Management and Compliance Reporting Protocols

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
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.”	On Track	• 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. ○ 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.

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.”	<i>On Track</i>	• 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. ○ 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. ○ 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. ○ 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.

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.
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.”	On Track	• 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.
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.”	On Track	• 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: ○ 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
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.”	<i>On Track</i>	• 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. ○ 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. ○ 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.

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.”	<i>On Track</i>	• 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: ○ 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: ○ 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

KCAO Report Recommendation	Status	Activities Initiated and Expected Timeline
		to operationalize the requirement, and trained DCHS staff on the new contracted provider Financial Management and Best Practices training requirement. • 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
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.”	<i>On Track</i>	• 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. ○ 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
Recommendation 8: “Develop, document, and implement clear and consistent policies and procedures for: 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.”	<i>On Track</i>	• Cross-divisional subject matter experts in DCHS collaborated to develop all eight of the recommended policies and procedures required in KCAO Recommendation 8. ○ 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
Recommendation 9: “Develop, document, and implement checklists that help ensure staff adhere to all policies and procedures established in Recommendation 8.”	On Track	• 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.
Recommendation 10: “Develop, document, and implement a comprehensive staff training plan that covers policies, procedures, and checklists from Recommendations 8 and 9.”	On Track	• 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:

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- 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

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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.



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

Page 2

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,

A handwritten signature in black ink, appearing to read 'Girmay Zahilay', with a stylized flourish at the end.

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



King County

Metropolitan King County Council Committee of the Whole

STAFF REPORT

Agenda Items:	6	Name:	Mary Bourguignon
Proposed No.:	2026-0121	Date:	May 26, 2026

SUBJECT

Proposed Ordinance 2026-0121 would extend the effective date of Ordinance 19639, as amended by Ordinance 19911, for one year, to July 1, 2027.

SUMMARY

Ordinance 19639, which was enacted in July 2023, required retailers in unincorporated King County, unless otherwise exempted, to accept payment in cash beginning July 1, 2025. Ordinance 19911 extended that effective date to July 1, 2026.

Ordinance 19639 requires that unincorporated area retailers accept cash for in-person purchases up to \$200, with the caveat that a retailer can refuse cash suspected to be counterfeit, can refuse bills larger than \$20, and can refuse cash if they have a cash-to-card kiosk on the premises that converts cash into a prepaid card. Transactions made by phone, mail, Internet, mobile app, for Metro Transit fares, or when an employee is not physically present (such as at a parking lot payment kiosk) are exempt.

Retailers seeking to be exempted from the requirement can apply to the Hearing Examiner with documentation of a history of theft or attempted theft, the presence of only a single employee, the location of the retail establishment within a residence, distance of more than 15 miles by road to a bank branch, or other circumstances.

Ordinance 19639 did not specify enforcement mechanisms. Instead, the ordinance asked the Executive to transmit an implementation and enforcement plan in December 2024. The transmitted plan¹ outlined three potential levels of informational outreach and enforcement, which are estimated to range in cost from \$360,000 to \$770,000 annually and would require General Fund appropriations.

Proposed Ordinance 2026-0121 cites the need for additional time and resources to educate affected retailers and develop enforcement mechanisms in response to Ordinance 19639, and extends the effective date for one year, to July 1, 2027.

¹ 2024-RTP0140, King County Department of Local Services, Unincorporated King County Retailer Cash Requirement Implementation and Enforcement Plan, November 27, 2024 ([link](#))

BACKGROUND

Trends in cash and credit use. Over the last decade, American consumers have increasingly begun to pay for their purchases using credit cards, debit cards, and Internet-based mobile payment apps, rather than cash. This trend was furthered during the pandemic when many retailers stopped accepting cash and switched to contactless forms of payment.

According to a study published by the Federal Reserve last year,² in 2024, 65% of consumer payments were made by credit and debit cards, while cash accounted for 14% of payments.

However, the study noted that cash use has remained relatively constant for four years after declining during the pandemic, meaning that there may be a “floor” of cash use that consumers are choosing not to fall below. Specifically, the study pointed to a difference in cash use by age and income:

- Consumers living in households earning less than \$25,000 a year used cash for 24% of payments, more than twice as much as people in households earning more than \$100,000.
- Consumers 55 and older used cash for 19% of all payments, compared to 10% for consumers aged 25-54.

Local requirements for use of cash. In recent years, in response to the trend toward cashless payments, and to ensure access to goods and services by low-income people, seniors, and others who might prefer to use cash, a number of local and state governments have passed laws requiring retail establishments to accept cash. These include the City of New York, City and County of San Francisco, City of Philadelphia, Washington DC, and Commonwealth of Massachusetts.³

King County cash requirement. Ordinance 19639, which was enacted in July 2023, requires retailers in unincorporated King County, unless otherwise exempted, to accept payment in cash beginning on July 1, 2025, when the ordinance was set to take effect. The effective date was extended to July 1, 2026, by Ordinance 19911.

The ordinance requires that unincorporated area retailers accept cash for in-person purchases up to \$200, with the caveat that a retailer can refuse cash suspected to be counterfeit, can refuse bills larger than \$20, and can refuse cash if they have a cash-to-card kiosk on the premises that converts cash into a prepaid card. Transactions made by phone, mail, Internet, mobile app, for Metro Transit fares, or when an employee is not physically present (such as at a parking lot payment kiosk) are exempt.

² Bayeh, Berhan, Isaiah Nardone, Shaun O'Brien, and Hailey Phelps, The Federal Reserve Financial Services, 2025 Findings from the Diary of Consumer Payment Choice ([link](#))

³ Information about the cash requirements and enforcement mechanisms in these jurisdictions can be found in 2024-RTP0140, King County Department of Local Services, Unincorporated King County Retailer Cash Requirement Implementation and Enforcement Plan, November 27, 2024 ([link](#))

The ordinance offers an exemption process for retailers that believe the cash requirement would be a hardship. To qualify for this exemption, the retailer must write to the King County Hearing Examiner and document the specific reasons that accepting cash payments will pose unique difficulties, including, but not limited to:

- A history of theft or attempted theft at the retail establishment or a bona fide concern for theft or robbery of cash,
- The presence of only a single retail employee at the retail establishment,
- Location of the retail establishment within a residence,
- Distance of 15 or more miles by road between the retail establishment and the nearest branch of a banking institution, and
- Other circumstances that affect the ability of the retailer to accept cash payments.

Implementation and enforcement plan. Ordinance 19639 did not outline a plan for enforcement of the cash requirement. Instead, it asked the Executive to transmit an implementation and enforcement plan by December 1, 2024.

The implementation and enforcement plan,⁴ which was transmitted in late 2024 as required, is based on information obtained by the Department of Local Services (DLS) from the City of New York, City and County of San Francisco, City of Philadelphia, Washington DC, and Commonwealth of Massachusetts.

After noting that King County does not employ consumer protection or business regulation staff and does not generally operate business regulation functions, the report outlines several potential strategies for King County based on the experiences of the jurisdictions that were surveyed:

- **Building Awareness** information campaign for businesses, community-based organizations, and Chambers in seven languages. This approach would have an estimated start-up cost of \$360,000, including funding for a nine-month term-limited temporary (TLT) position and a grant program to assist with outreach. Ongoing expenses for this approach are estimated at \$10,000/year, including a frequently-asked-questions document and web site.
- **Targeted education** (letter and materials) to businesses reported as being out of compliance with the cash requirement. This would require a full-time employee (FTE) at the Administrator I level to triage and respond to complaints. Start-up costs are estimated at \$360,000, with an ongoing annual cost of \$180,000.
- **Enforcement** for businesses reported as being out of compliance that do not take corrective action after receiving targeted education materials. This approach would require a new Consumer Protection Unit within DLS. Start-up costs are estimated at \$490,000, with an ongoing annual cost of \$770,00, which would include a tracking system, two FTE code enforcement officers, a per-visit cost, and system maintenance.

⁴ 2024-RTP0140, King County Department of Local Services, Unincorporated King County Retailer Cash Requirement Implementation and Enforcement Plan, November 27, 2024 ([link](#))

The transmitted implementation and enforcement plan recommends proceeding with the “building awareness” level of outreach. It states that DLS would require additional General Fund resources to move forward with this recommended approach or with either of the other two options.

ANALYSIS

Proposed Ordinance 2026-0121 cites the need for additional time and resources to ensure that affected retailers are educated about the requirements of Ordinance 19639 and prepared to accept cash and to develop and implement enforcement mechanisms, and extends the effective date of Ordinance 19639 for one year, to July 1, 2027.

ATTACHMENTS

1. Proposed Ordinance 2026-0121
2. Ordinance 19639
3. 2024-RTP0140 (King County Department of Local Services, Unincorporated King County Retailer Cash Requirement Implementation and Enforcement Plan)



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Ordinance

Proposed No. 2026-0121.1

Sponsors Perry

1 AN ORDINANCE relating to retail establishments;
2 changing the effective date of the requirement that retailers
3 in unincorporated King County, unless otherwise
4 exempted, must accept payment in cash; and amending
5 Ordinance 19639, Section 6, as amended.

6 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

7 **SECTION 1. Findings:**

8 A. King County strives to be an equitable and inclusive place and strives to
9 empower all residents to participate in the economic life of the county. A key aspect of
10 participation in economic life is the ability to purchase food, consumer goods, and
11 consumer services.

12 B. On July 10, 2023, Ordinance 19639 was enacted, which requires retailers in
13 unincorporated King County, unless otherwise exempted, to accept payment in cash. The
14 effective date of Ordinance 19639 was set as July 1, 2025.

15 C. After determining that additional time and effort would be necessary to ensure
16 that retailers in unincorporated King County could be educated about the requirements of
17 Ordinance 19639 and prepared to accept payment in cash and that enforcement
18 mechanisms could be developed, on April 11, 2025, Ordinance 19911 was enacted,
19 which amended Ordinance 19639 to change the effective date to July 1, 2026.

20 D. Additional time and effort are necessary to ensure that retailers in

21 unincorporated King County are educated about the requirements of Ordinance 19639
22 and prepared to accept payment in cash and to develop enforcement mechanisms.

23 SECTION 2. Ordinance 19639, Section 6, as amended, is hereby amended to
24 read as follows:

25 Ordinance 19639 takes effect July 1, ((2026)) 2027.

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**

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report**Ordinance 19639****Proposed No. 2023-0027.3****Sponsors Kohl-Welles**

1 AN ORDINANCE relating to retail establishments;
2 requiring retailers in unincorporated King County, unless
3 otherwise exempted, to accept payment in cash; and adding
4 a new chapter to K.C.C. Title 12.

5 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

6 **SECTION 1. Findings:**

7 A. King County strives to be an equitable and inclusive place and strives to
8 empower all residents to participate in the economic life of the county. A key aspect of
9 participation in economic life is the ability to purchase food and consumer goods.

10 B. The organization Bank On Washington, which is a collaboration of financial
11 institutions, community-based organizations, and local governments, estimates that three
12 percent of Washington state residents are unbanked, meaning they do not use or do not
13 have access to traditional financial services, including bank accounts, credit cards, or
14 personal checks; and that more than seventeen percent of Washington state residents are
15 underbanked, meaning they might have a bank account but might often rely on alternative
16 financial services, such as money orders, check-cashing services, and payday loans rather
17 than on traditional loans and credit cards to fund purchases and manage their finances. If
18 those figures are applied to King County, it means that approximately sixty-seven
19 thousand people in King County could be unbanked and more than three hundred eighty
20 thousand people could be underbanked. If those figures are applied to unincorporated

Ordinance 19639

21 King County, it means that approximately seven thousand four hundred people in
22 unincorporated King County could be unbanked and forty-two thousand people could be
23 underbanked.

24 C. A 2021 survey by the Federal Deposit Insurance Corporation of unbanked and
25 underbanked households found that people of color and low-income people are more
26 likely to be unbanked or underbanked than the population as a whole.

27 D. For residents who are unbanked or underbanked, the ability to purchase food
28 and consumer goods often depends on the ability to pay in cash.

29 E. Relying on cash to make purchases can be inconvenient and difficult and can
30 pose safety risks. As a result, King County supports the goal of connecting all residents
31 to safe and appropriate financial products and services. However, until all residents have
32 access to safe and appropriate financial products and services, many will continue to rely
33 on cash to pay for food and consumer goods. In addition to those who are unbanked or
34 underbanked, many people might prefer to pay for some purchases in cash, for reasons of
35 convenience or privacy. The Federal Reserve Bank of San Francisco found in 2022 that
36 consumers used cash in twenty percent of all transactions, that people sixty-five and older
37 reported using cash for one-quarter of payments, and that cash use had decreased during
38 the pandemic except for consumers with household incomes less than twenty-five
39 thousand dollars, who make up nearly twenty percent of the population.

40 F. In recent years, many retailers have moved toward a cashless model of
41 payment, citing improved technology, including tap-to-pay mobile applications and the
42 emergence of "just walk out" payment technology, as well as the safety concerns of
43 storing and handling cash.

Ordinance 19639

44 G. People who are unbanked or underbanked, as well as those who might prefer
45 to use cash for some purchases, might find it difficult to purchase from retailers that use a
46 cashless model and might be limited in the food and consumer goods they can procure.

47 H. Other jurisdictions, including the cities of New York, San Francisco, and
48 Philadelphia, the District of Columbia, and the states of Massachusetts and New Jersey,
49 have imposed requirements that retailers accept cash for purchases of food and consumer
50 goods.

51 I. Policies to require retailers to accept cash for purchase would be most effective
52 and efficient if adopted at the state or national level.

53 SECTION 2. Sections 3 through 5 of this ordinance should constitute a new
54 chapter in K.C.C. Title 12.

55 NEW SECTION. SECTION 3. The definitions in this section apply throughout
56 this chapter unless the context clearly requires otherwise.

57 A. "Cash" means United States currency, in the form of both paper federal
58 reserve notes and metal coins. For the purposes of this chapter, "cash" does not include:

59 1. Currency issued under the authority of a country other than the United States;

60 2. A paper instrument other than a federal reserve note, including, but not
61 limited to, any check, bond, or promissory note; and

62 3. A metal coin, including, but not limited to, a gold or silver coin that is not
63 legal tender in the United States.

64 B. "Consumer goods" means items bought or acquired by individuals for
65 personal, family, or household consumption or use.

66 C. "Retail employee" means a person who is employed by a retailer to work at a

Ordinance 19639

67 retail establishment for wages or salary, including, but not limited to, a full-time
68 employee, a part-time employee, and a temporary worker.

69 D. "Retail establishment" means an establishment, including, but not limited to, a
70 building, room, vehicle, pushcart, or stand, in which food or consumer goods are sold,
71 displayed, or offered for sale.

72 E. "Retailer" means the same thing as defined in K.C.C. 6.72.020.B.

73 F. "Retail transaction" means a sale conducted in person of food or consumer
74 goods at a retail establishment, in which payment for purchase is received directly and in
75 person from the purchaser by a retailer or retail employee. For the purposes of this
76 chapter, "retail transaction" does not include:

77 1. A transaction for which an order is placed and payment is made by telephone,
78 mail, or Internet, including by mobile application;

79 2. A transaction for which a retailer or retail employee is not physically present
80 to receive payment, such as at a parking lot at which payment is made at an automated
81 kiosk; and

82 3. A transaction for the rental of consumer goods, including accommodations or
83 equipment, for which posting of collateral or security is typically required.

84 G. "Unincorporated King County" means those areas outside any city or town
85 and under King County's jurisdiction.

86 NEW SECTION. SECTION 4. A. A retail establishment in unincorporated
87 King County shall not refuse to accept cash, if offered, as a form of payment for a retail
88 transaction and shall not charge a higher price to customers who pay cash than they
89 would pay using any other form of payment.

Ordinance 19639

90 B. A retailer may refuse to accept payment in cash or putative cash that the
91 retailer reasonably suspects to be counterfeit. A retailer may also refuse to accept
92 currency denominations greater than twenty dollars.

93 C. In single retail transactions that total more than two hundred dollars, the
94 retailer must accept cash for any amount up to two hundred dollars but may refuse to
95 accept cash as payment for the remainder of the amount due.

96 D. Fares for public transportation services operated by the Metro transit
97 department shall be paid as authorized by K.C.C. 4A.700.010.B.

98 E. A retailer may refuse to accept payment in cash if the retail establishment
99 provides a device on premises, or in a location proximate to the retail establishment if
100 shared with other nearby retailers and accessible to consumers, that converts cash into a
101 prepaid card that allows a consumer to complete a purchase, and:

102 1. The retailer shall place a conspicuous sign in the retail establishment
103 indicating that the retailer does not accept cash payments and that cash can be exchanged
104 for a prepaid card at the cash conversion device, and providing directions to the location
105 of the cash conversion device;

106 2. The cash conversion device must not charge a fee to a consumer if requiring
107 the device be used;

108 3. The cash conversion device must not require a minimum deposit amount
109 greater than one dollar;

110 4. The cash conversion device must provide each consumer with a receipt
111 indicating the amount of cash the consumer deposited onto the prepaid card;

Ordinance 19639

112 5. Cash deposits through a cash conversion device onto a prepaid card must not
113 be subject to an expiration date, there must not be a limit on the number of transactions
114 that may be completed on such a prepaid card, and a prepaid card must be able to be used
115 at other retail establishments; and

116 6. If a cash conversion device malfunctions, the retailer where the device is
117 located shall accept payment in cash from consumers throughout the time in which the
118 cash conversion device does not function. The retailer shall place a conspicuous sign on
119 or immediately adjacent to the cash conversion device indicating that the retailer is
120 required to accept cash if the cash conversion device malfunctions.

121 F.1. A retailer may seek an exemption from the requirement to accept cash
122 payments by applying in writing to the hearing examiner, documenting the specific
123 reasons that accepting cash payments will pose unique difficulties for the retailer,
124 including, but not limited to:

125 a. a history of theft or attempted theft at the retail establishment or a bona fide
126 concern for theft or robbery of cash;

127 b. the presence of only a single retail employee at the retail establishment;

128 c. location of the retail establishment within a residence;

129 d. distance of fifteen or more miles by road between the retail establishment
130 and the nearest branch of a banking institution; or

131 e. other circumstances that affect the ability of the retailer to accept cash
132 payments.

133 2. The examiner should process the application in accordance with K.C.C.
134 20.22.100; and

Ordinance 19639

135 3. If the retailer is granted an exemption, the retailer shall place a conspicuous
136 sign in the retail establishment indicating that the retailer has been exempted from the
137 requirement to accept cash payments.

138 NEW SECTION. SECTION 5. To ensure effective implementation and
139 enforcement of this ordinance, the executive shall analyze implementation and
140 enforcement mechanisms and shall transmit to the council an implementation and
141 enforcement plan recommending an enforcement mechanism and implementation
142 measures, as well as any legislation needed to implement the recommended actions. The
143 executive shall electronically file the implementation and enforcement plan and any
144 associated legislation no later than December 1, 2024, with the clerk of the council, who
145 shall retain an electronic copy and provide an electronic copy to all councilmembers, the
146 council chief of staff, and the lead staff for the local services and land use committee or
147 its successor.

148 SECTION 6. This ordinance takes effect July 1, 2025.

149 SECTION 7. If any provision of this ordinance of its application to any person or

Ordinance 19639

- 150 circumstance is held invalid, the remainder of the ordinance or the application of the
- 151 provision to other persons or circumstances is not affected.

Ordinance 19639 was introduced on 1/10/2023 and passed as amended by the Metropolitan King County Council on 6/27/2023, by the following vote:

Yes: 5 - Dembowski, Kohl-Welles, Upthegrove, von Reichbauer and Zahilay

No: 4 - Balducci, Dunn, Perry and McDermott

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

DocuSigned by:

E76CE01F07B14EF...

Dave Upthegrove, Chair

ATTEST:

DocuSigned by:

8DE1BB375AD3422...

Melani Pedroza, Clerk of the Council

APPROVED this ____ day of _____, ____.

Deemed enacted without the executive's signature on July 10, 2023.

Dow Constantine, County Executive

Attachments: None

Certificate Of Completion

Envelope Id: B25C46221E0247169A800FBE85E78500
 Subject: Complete with DocuSign: Ordinance 19639.docx
 Source Envelope:
 Document Pages: 8
 Certificate Pages: 5
 AutoNav: Enabled
 Envelope Stamping: Enabled
 Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Status: Sent

Envelope Originator:
 Gavin Muller
 401 5TH AVE
 SEATTLE, WA 98104
 gavin.muller@kingcounty.gov
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Signer Events

Dave Upthegrove
 dave.upthegrove@kingcounty.gov
 Chair
 Security Level: Email, Account Authentication
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Signature

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Signature Adoption: Uploaded Signature Image
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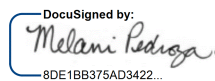
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 Signed: 6/30/2023 9:02:20 AM

Electronic Record and Signature Disclosure:

Accepted: 6/30/2023 9:01:05 AM
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Melani Pedroza
 melani.pedroza@kingcounty.gov
 Clerk of the Council
 King County Council
 Security Level: Email, Account Authentication
 (None)

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In Person Signer Events**Signature****Timestamp****Editor Delivery Events****Status****Timestamp****Agent Delivery Events****Status****Timestamp****Intermediary Delivery Events****Status****Timestamp****Certified Delivery Events****Status****Timestamp****Carbon Copy Events****Status****Timestamp**

Kaitlyn Wiggins
 kwiggins@kingcounty.gov
 Executive Legislative Coordinator
 King County Executive Office
 Security Level: Email, Account Authentication
 (None)

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cherie camp
cherie.camp@kingcounty.gov
Legislative Clerk - Ccl
King County Council
Security Level: Email, Account Authentication (None)

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Witness Events	Signature	Timestamp

Notary Events	Signature	Timestamp

Envelope Summary Events	Status	Timestamps

Envelope Sent	Hashed/Encrypted	6/28/2023 2:57:53 PM
Envelope Updated	Security Checked	7/12/2023 12:15:34 PM
Certified Delivered	Security Checked	6/30/2023 9:34:06 AM
Signing Complete	Security Checked	6/30/2023 9:34:22 AM

Payment Events	Status	Timestamps

Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, King County-Department of 02 (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact King County-Department of 02:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: cipriano.dacanay@kingcounty.gov

To advise King County-Department of 02 of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at cipriano.dacanay@kingcounty.gov and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from King County-Department of 02

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to cipriano.dacanay@kingcounty.gov and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with King County-Department of 02

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

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Unincorporated King County Retailer Cash Requirement Implementation and Enforcement Plan

November 27, 2024



King County

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II. Proviso Text

Of this appropriation, \$50,000 shall not be expended or encumbered until the executive transmits an unincorporated King County retailer cash requirement implementation and enforcement plan to enforce Ordinance 19639, per this Proviso. To ensure effective implementation and enforcement of Ordinance 19639, the executive shall analyze implementation and enforcement mechanisms and shall transmit to the council an implementation and enforcement plan recommending an enforcement mechanism and implementation measures, as well as any legislation needed to implement the recommended actions.

The executive shall electronically file the implementation and enforcement plan and any associated legislation no later than December 1, 2024, with the clerk of the council, who shall retain an electronic copy and provide an electronic copy to all councilmembers, the council chief of staff, and the lead staff for the local services and land use committee or its successor.

Ordinance 19712, Section 64, Department of Local Services, P3.¹

¹ [Link to Ordinance 19712](#)

III. Executive Summary

In the United States, the recent trend for businesses and consumers has been to increasingly use credit cards, debit cards, and Internet-based mobile applications to complete financial transactions, rather than cash.² When considering socioeconomic differences, this move to cashless purchasing is not evenly distributed. Those with less means may not have access to traditional financial services such as bank accounts, credit cards, or personal checks, which could inhibit the ability to obtain basic food and consumer goods if cash were not accepted. To address the concerns of unbanked and underbanked people, the King County Council enacted Ordinance 19639 establishing King County Code which requires retail establishments in unincorporated King County (UKC) to accept payment in cash for food and consumer goods for single transactions up to \$200.³ This is the first consumer protection law enacted for UKC residents.

King County does not have consumer protection staff to implement and enforce the acceptance of cash at food and consumer goods retail establishments. Although responsible for King County Code enforcement, the Permitting Code Enforcement Unit Section in the Department of Local Services (DLS) investigates complaints regarding violations of the King County Code as it relates to zoning, building, property maintenance, shorelines, and critical areas.

The Department of Local Services conducted a review of jurisdictions currently implementing laws like Ordinance 19639 to understand implementation and enforcement mechanisms. The following jurisdictions were approached for information:

- City of New York, NY
- City and County of San Francisco
- City of Philadelphia
- Washington, District of Columbia
- Commonwealth of Massachusetts

These jurisdictions were asked a series of questions to understand the successes and failures of each program. This information, augmented with information found on the jurisdiction websites, was used to inform the implementation and enforcement mechanisms proposed for King County. For San Francisco, Washington, D.C., and the City of Philadelphia, this inquiry consisted of a phone call interview with staff. City of New York staff responded to a list of questions via email. Massachusetts was not able to respond due to pending litigation. Most jurisdictions reported that cash acceptance requirement laws have helped to guarantee cash acceptance, though no data is currently available to indicate actual success.

Common lessons learned from these inquiries were:

- All jurisdictions have existing staff and programming to address multiple consumer protection laws.
- No jurisdictions have staff solely dedicated to implementing and enforcing cash acceptance requirement laws.

² Link to [Share of Americans who go 'cashless' in typical week continues to grow | Pew Research Center](#), accessed on August 5, 2024.

³ Link to [Ordinance 19639](#), accessed on August 5, 2024.

- All jurisdictions use complaint-based education and enforcement systems, whereby consumers report potential violators to the jurisdiction upon which further action is taken.
- No jurisdiction is proactively identifying violators.
- Ongoing education is considered largely effective at obtaining compliance.
- Increased resources are needed to implement new consumer protection laws when they are enacted.
- Unless field officers have the authority to impose fines, applying monetary penalties is complicated or not possible.

By analyzing information gathered from the abovementioned jurisdictions and King County's internal capabilities and resources, implementation and enforcement options were developed. These options build upon each other and are:

- Building awareness
- Targeted, complaint-based education
- Complaint-based enforcement

Building Awareness

Building awareness through a communications campaign would include informing all businesses in UKC of cash acceptance requirements in the seven most used languages. Communications materials would be shared with community-based organizations or chambers of commerce, which would be given small grants to help disseminate cash-requirement information to local retail businesses. The estimated cost of \$360,000 includes funding for a nine-month term-limited temporary employee, a grant program for community-based organizations to assist in disseminating information about the Ordinance, consultation with the Prosecuting Attorney's Office to interpret the Ordinance, focus groups to identify questions, and materials translation and production. Ongoing annual estimated expenses of \$10,000 would cover updating and translating the frequently asked questions (FAQ) document and website information as questions arise.

Targeted Education

This level of implementation would include targeted education sent in the form of a letter and educational materials to businesses that are reported as being out of compliance. In addition to the costs for "building awareness," "targeted education" includes the cost of adding a full-time Administrator I to triage and respond to complaints with education materials and to update those materials as more questions and scenarios are identified. The total start-up cost is estimated at \$360,000 with an ongoing annual cost of \$190,000 to fund the Administrator position.

Enforcement

An enforcement process could include visiting the retail business to explain the requirements and assess penalties if corrective action was not taken after targeted education. Setting up a new consumer protection unit or office within the Department of Local Services, Permitting Division is estimated to cost \$490,000 with an ongoing annual cost of \$770,000. In addition to all the costs included in "building awareness" and "targeted education," "enforcement" includes the one-time implementation of a technical solution or system to track and document enforcement actions and penalties, and the ongoing annual cost of adding two full-time code enforcement officers, a per-visit cost, and system maintenance.

The recommended implementation level is “Building Awareness.” This approach aligns with the King County values of “We focus on the customer” and “We are responsible stewards.”⁴ The General Fund faces severe constraints; discretionary funding available for non-mandatory services is increasingly limited. This option is the most cost-effective given the General Fund constraints. The additional options of adding focused complaint-driven education and enforcement would require additional funding.

⁴ Link to [True North and Values - King County, Washington](#)

IV. Background

Department Overview – Department of Local Services:

King County is the local service provider for the estimated 250,000 people who live in the unincorporated areas of King County.⁵ The Department of Local Services (DLS), created in 2018 by Ordinance 18791, is dedicated to improving local services for unincorporated areas by strengthening coordination and collaboration between County agencies, communities, and other entities.⁶ The mission of DLS is to promote the well-being of residents and communities in UKC by seeking to understand their needs and delivering responsive local government services.⁷

DLS has two divisions:

- The Permitting Division (Permitting) provides infrastructure and land use planning services; land use, building, and fire regulatory and operating permits; code enforcement; and a limited number of business licenses in unincorporated areas of the county.
 - The Permitting Code Enforcement Section investigates complaints regarding violations of the King County Code related to zoning, building, property maintenance, shorelines, and critical areas.
- The Roads Services Division (Roads) is responsible for all County-owned roads, bridges, and related infrastructure in the unincorporated areas of the County.

Key Historical Context

In the United States, the business and consumer trend has been to increasingly use credit cards, debit cards, and Internet-based mobile applications to complete financial transactions rather than cash. This trend continued through the COVID-19 pandemic.⁸ This move towards cashless purchasing is not evenly distributed throughout the population, varying when income and race are taken into consideration. According to a 2022 survey by the Pew Research Center, 59 percent of American consumers with an annual income at or above \$100,000 per year indicated they did not use cash; this was compared to only 24 percent of consumers who have an annual income under \$30,000 per year. There are racial disparities as well; 26 percent of Black and 21 percent of Hispanic adults stated that they used cash for almost all purchases, compared with 12 percent of White adults.⁹ A person may also be using cash for purchases based on personal choice or due to a lack of access to credit and banking services.

Advocacy organization Bank On Washington estimates that three percent of Washington state residents are unbanked, meaning that they do not use or have access to traditional financial services such as bank accounts, credit cards, or personal checks. More than 17 percent of Washington residents are underbanked, meaning that they may have a bank account but rely on other services like money orders, check-cashing services, or payday loans.¹⁰ If these statewide averages are applied to UKC, 7,400 unincorporated residents could potentially be unbanked and 42,000 could potentially be underbanked.

⁵ Link to [Demographics - King County, Washington](#), accessed on July 30, 2024.

⁶ Link to [Ordinance 18791, p. 25](#), accessed on July 30, 2024.

⁷ Link to [2023-2024 Budget Book](#), accessed on Oct. 10, 2024

⁸ Link to [Share of Americans who go 'cashless' in typical week continues to grow | Pew Research Center](#), accessed on August 5, 2024.

⁹ Link to [Share of Americans who go 'cashless' in typical week continues to grow | Pew Research Center](#), accessed on August 5, 2024.

¹⁰ Link to [bankonwashington](#), accessed on August 5, 2024.

Key Current Conditions

On June 27, 2023, the Metropolitan King County Council enacted Ordinance 19639, establishing King County Code which requires retail establishments in UKC to accept payment in cash.¹¹ King County Code (KCC) 12.26 prohibits retail establishments selling food and consumer goods in UKC from refusing to accept cash for transactions less than \$200.¹²

Report Methodology

This report was developed by DLS between May and October 2024.

Information from the following jurisdictions is reflected in the document:

- City of New York, NY;
- City and County of San Francisco, CA;
- City of Philadelphia, PA;
- Washington, D.C., and
- State of Massachusetts.

These jurisdictions were selected because they have implemented similar or related retail cash requirement laws. These five jurisdictions vary in size and number of businesses. They also have varying consumer and worker protection laws.

To obtain information from these jurisdictions, each representative was given a set of standard questions to respond to and return to DLS. A qualitative analysis was then conducted by DLS staff synthesizing the interview results to understand lessons learned. The data, information, and experiences provided by these jurisdictions helped guide the development of implementation and enforcement recommendations within this report.

V. Report Requirements

A. Analyze Implementation and Enforcement Mechanisms

This section consists of a review of information from the jurisdictions are currently implementing laws that require retail businesses to accept cash. This review includes the results of virtual interviews and email responses from representatives of the programs that implement these laws in each jurisdiction.

1. Review of Jurisdictions Implementing Similar Ordinances

King County's Ordinance 19639 implemented KCC standards such as those adopted by other local and state governments in the United States. The laws implemented by each jurisdiction are listed in Table 2 and are described below.

¹¹ Link to [Ordinance 19639](#), accessed on August 5, 2024.

¹² [King County Code 12.26](#)

Table 1: Retailer Cash Requirement Laws and Enforcement Agency by Jurisdiction

Jurisdiction	Retailer Cash Requirement Law	Year Enacted	Enforcing Agency
New York	Local Law 34 of 2020	2020	Department of Consumer and Worker Protection
San Francisco	Article 55 of the San Francisco Police Code	2019	County Agricultural Commissioner-Sealer of Weights and Measures
Philadelphia	Law 9-1132	2019	Philadelphia Commission on Human Relations
Washington, D.C.	Law 23-187 of 2020	2020	Office of Enforcement in the Department of Licensing and Consumer Protection
Massachusetts	General Law Part III, Title IV, Chapter 255D, Section 10A	1978	Consumer Protection Division of the Attorney General's Office

City of New York, NY

In early 2020, the City Council of New York City adopted Local Law 34 of 2020, requiring businesses such as food stores and retail establishments to accept cash or to provide a device on the business premises to convert cash into a cashless form of payment.¹³ This law does not apply to phone, mail, or Internet transactions. This law does not apply to foreign currencies or payments made with bill denominations greater than \$20. The law prohibits retailers from charging a higher price to a customer paying cash. The department enforcing this law is the Department of Consumer and Worker Protection (NYC DCWP), which supports businesses and consumers through equitable enforcement of multiple consumer protection and worker protection laws.¹⁴

City and County of San Francisco, CA

In 2019, the San Francisco Board of Supervisors approved Article 55 of the San Francisco Police Code, which requires the acceptance of cash by any “brick and mortar business,” meaning any business operating at fixed permanent physical premises if the customer is physically present in the place of business. Internet stores, vehicles, temporary business locations such as pop-ups and food trucks, or professional services are not included in the application of this law.¹⁵ Enforcement of the law is done by the County Agricultural Commissioner-Sealer of Weights and Measures, within the San Francisco Department of Health.¹⁶

City of Philadelphia, PA

In 2019, the City Council of Philadelphia adopted Law 9-1132, a requirement to accept cash that applies to consumer goods or services offered at retail establishments.¹⁷ It applies to retail transactions conducted in person but excludes telephone, mail, or Internet transactions; parking lots and garages; transactions at wholesale clubs or other retail stores that use a membership model and require payment through a membership application; transactions for the rental of goods, services, or accommodations,

¹³ Link to [LOCAL LAWS OF THE CITY OF NEW YORK FOR THE YEAR 2020, No. 34](#), accessed on July 30, 2024.

¹⁴ Link to [DCWP - About - Overview \(nyc.gov\)](#), accessed on July 30, 2024.

¹⁵ Link to [ARTICLE 55: ACCEPTANCE OF CASH BY BRICK-AND-MORTAR BUSINESSES \(amlegal.com\)](#), accessed on July 30, 2024.

¹⁶ Link to [Weights and Measures Program \(sfdph.org\)](#), accessed on July 30, 2024.

¹⁷ Link to [§ 9-1132. Cashless Retail Prohibition. \(amlegal.com\)](#), accessed on July 30, 2024.

for which a security deposit is often required; and goods or services provided exclusively to employees. The law requires that U.S. currency be accepted, and that the retailer may not charge a higher price for cash payments. The law is enforced by the Philadelphia Commission on Human Relations (Philadelphia CHR).¹⁸

Washington, District of Columbia

In 2020, the Council of the District of Columbia adopted Law 23-187, the Cashless Retailers Prohibition Act of 2020, which applies to any retailer holding a basic business license engaged in retail sales.¹⁹ The law does not apply during a declared public health emergency; to sales made by mail, phone, or Internet; at parking facilities that did not accept cash as of December 1, 2020; or at establishments that provide a device on premises that converts cash into a prepaid card. Implementation of this law falls under the Office of Enforcement in the Department of Licensing and Consumer Protection (DC DLCP).²⁰ Washington, D.C. has temporarily ceased to enforce this law.

Commonwealth of Massachusetts

The Commonwealth of Massachusetts has the oldest cash requirement law of the jurisdictions contacted. Enacted in 1978, General Law Part III, Title IV, Chapter 255D, Section 10A applies to most retailers with a physical store.²¹ The law is implemented by the Consumer Protection Division of the Attorney General's Office.²² The Division Chief of the Consumer Protection Division of the Massachusetts Attorney General's Office declined to discuss the law and its implementation in any detail due to pending litigation.

Interview Results

All five of the abovementioned jurisdictions were contacted for interviews. The interviewees were presented with a standard set of questions to yield comparable results. The responses ranged from brief emails providing links to web pages, to an hour-long free-flowing conversation with an appointed commissioner. The questions posed were:

- *What is the process of addressing Ordinance violations?*
- *How many staff are dedicated to enforcing this Ordinance? What other standards are they enforcing?*
- *What do you estimate is the additional cost of enforcing this Ordinance? (A rough estimate or range is acceptable and will be noted as such in King County's report.)*
- *Has enforcing this Ordinance helped guarantee the acceptance of cash in transactions throughout your jurisdiction?*
- *Were there any unanticipated issues with implementing a cash requirement Ordinance?*

¹⁸ Link to [Philadelphia Commission on Human Relations | Homepage | City of Philadelphia](#), accessed on July 30, 2024.

¹⁹ Link to [D.C. Law 23-187. Cashless Retailers Prohibition Amendment Act of 2020. | D.C. Law Library \(dccouncil.gov\)](#), accessed on July 30, 2024.

²⁰ Link to [dlcp \(dc.gov\)](#)

²¹ Link to [General Law - Part III, Title IV, Chapter 255D, Section 10A \(malegisature.gov\)](#), accessed on August 12, 2024.

²² Microsoft Teams interview with Yael Shavit, Division Chief, Attorney General's Office, Commonwealth of Massachusetts, conducted on August 9, 2024.

- *Is there anything you would add as worthy information for a fellow jurisdiction that will be implementing and enforcing a new cashless Ordinance soon?*

The section below summarizes the interview results from the four responding jurisdictions, organized by question. As mentioned above, the Commonwealth of Massachusetts declined to participate.

What is the process of addressing Ordinance violations?

Most of the jurisdictions interviewed do not have the resources to proactively look for violations. This means the process is complaint-based as shown in Table 2 below.

Table 2: Summary of Enforcement Processes and Penalties

Jurisdiction	Enforcement Process	Penalties
New York City	Complaint-based, private right of action	First violation: \$1,000 Second and subsequent violations: \$1,500
San Francisco	Complaint-based, warning letters then fines	First violation: \$50 to \$100 Second violation within 12 months: \$100 to \$200 Third violation within 12 months: \$500 to \$1,000
Philadelphia	Complaint-based	First violation: \$0 Second violation: not more than \$2,000
Washington, D.C.	Complaint-based	Undecided at the time of the interview

In New York City, the DCWP utilizes an education-first approach with businesses. Its enforcement focuses on businesses that have received complaints and/or prior violations for any number of consumer concerns. Enforcement is done through complaint-based enforcement, through which consumer complaints can be filed online, by mail, or by fax.²³ In response, NYC DCWP investigates and then imposes penalties, as shown in Table 2, where violations have been verified.

In San Francisco, the Agricultural Commissioner/Sealer of Weights and Measures receives a complaint and then provides a notice of violation to the business through a letter.²⁴ If after 30 days the business is still violating the cash acceptance requirement law when an officer visits the business, the officer sends a second violation letter. After the second violation, the Commissioner involves the City attorney because it does not currently have the authority to assess fines.

In the Philadelphia model, potential violations are received through complaints from consumers.²⁵ If an individual is denied the ability to purchase with cash, they can file a complaint with the Philadelphia CHR.²⁶ The Philadelphia CHR allows the violating business to correct its error; the business must then

²³ Link to [DCWP - Consumers - File Complaint \(nyc.gov\)](https://dcwp.nyc.gov/consumers-file-complaint), accessed on July 30, 2024.

²⁴ Phone interview with Cree Morgan, Agricultural Commissioner/Sealer of Weights and Measures, City and County of San Francisco, conducted on June 24, 2024.

²⁵ Phone interview with Pamela Gwaltney, Deputy Director, Commission on Human Relations, City of Philadelphia, conducted on July 25, 2024.

²⁶ Link to [Philadelphia Commission on Human Relations | Homepage | City of Philadelphia](https://phila.gov/philadelphia-commission-on-human-relations/homepage), accessed on July 30, 2024.

inform the Philadelphia CHR when it has added the ability to accept cash. If another complaint is filed, violations can lead to fines of not more than \$2,000, or imprisonment for not more than 90 days.²⁷

In Washington, D.C., when a cash acceptance complaint is received, it is triaged and assigned to an investigator.²⁸ The investigator visits the location where the complaint originated and attempts to buy something using cash, documenting everything that occurs during the visit. If the store does not accept cash but refers the investigator to an alternative like a reverse ATM, which turns cash into a card that can be used to purchase the item, that is acceptable. If a store does not accept cash and does not have an alternative for accepting cash, the investigator explains the law to the manager and/or owner of the business. Washington, D.C. is currently using an education-only model through the end of 2024. Starting in January 2025 there will be a mechanism for issuing civil infractions, with an option for the violating business to contest the infraction through a hearing process.

How many staff are dedicated to enforcing this Ordinance? What other standards are they enforcing?

None of the jurisdictions interviewed have staff solely dedicated to implementing and enforcing their cash requirement laws, but most have a team of labor and/or consumer protection law enforcement officers who address such laws in addition to a suite of other existing laws, as shown in Table 3. Response data does not suggest a correlation between the number of laws and staff nor the number of staff and population.

Table 3: Number of Laws, Staff, and Population per Jurisdiction

Jurisdiction	Number of Consumer and Worker Protection Laws	Staff Dedicated to Implementing Consumer and Worker Protection Laws	Population²⁹
New York ³⁰	20	33	8,804,190
San Francisco ³¹	3	13	873,965
Philadelphia ³²	11	7	1,603,797
Washington, D.C. ³³	16	33	689,545

For the NYC DCWP, enforcement is conducted by the 33 enforcement staff dedicated to general enforcement operations across the five boroughs, along with assistance from some of the attorneys in

²⁷ Link to [§ 9-1121. Penalties. \(amlegal.com\)](#), accessed on July 30, 2024.

²⁸ Phone interview with Anisah Crosby, Acting Chief of Compliance & Christopher Johnson, Consumer Protection Program Manager, Office of Enforcement, Department of Licensing and Consumer Protection, City of Washington, D.C., conducted on July 2, 2024.

²⁹ Link to [2020 Census](#). The population for UKC was calculated from 2020 Census data. Link to [Demographics - King County, Washington](#).

³⁰ Number of laws and dedicated staff was obtained by an email from Karlene Jung, City of New York Department of Consumer and Worker Protection, received on July 18, 2024.

³¹ All data except population was obtained during a phone interview with Cree Morgan, Agricultural Commissioner/Sealer of Weights and Measures, City and County of San Francisco, conducted on June 24, 2024.

³² Worker and law data was obtained during a phone interview with Pamela Gwaltney, Deputy Director, Commission on Human Relations, City of Philadelphia, conducted on July 25, 2024.

³³ All data except population was obtained during a phone interview with Anisah Crosby, Acting Chief of Compliance & Christopher Johnson, Consumer Protection Program Manager, Office of Enforcement, Department of Licensing and Consumer Protection, City of Washington, D.C., conducted on July 2, 2024.

the General Counsel division.³⁴ Enforcement officers have an inspection checklist they use when visiting brick-and-mortar businesses, which covers 20 separate consumer protection laws, including laws that cover price listing, pricing of goods, signs, receipts, price accuracy, layaway plans, and expired over-the-counter medication.³⁵ These laws are in addition to their prohibition of cashless establishments.

In San Francisco, the Agricultural Commissioner/Sealer of Weights and Measures has a program that tests and approves cash registers and scales, as well as other measurement tools.³⁶ Because the program inspectors are already visiting businesses to test and approve equipment, the San Francisco Board of Directors assigned the implementation of its cash acceptance requirement law to this team, which consists of eight inspectors and five supervisors.

The Philadelphia CHR has no staff dedicated to enforcing its cash acceptance law but currently has five investigators and two supervisors enforcing 11 human relations laws.³⁷ The Philadelphia CHR recommends that if King County anticipates receiving many complaints, funding and dedicating staff for enforcement would be beneficial.

The D.C. DLCP enforces 16 consumer and worker protection laws, including laws that pertain to auto repair services, unlicensed businesses and businesses that operate outside of their licensed scope, cashless retailers, certificate of occupancy, electronic smoking devices, flavored tobacco sales, gas-powered leaf blowers, home improvement services and warranty claims, COVID-19, motor vehicle sales, occupational and professional licensing, rental property, tow trucks, trash noise, unfair and deceptive trade practices, and vending.³⁸ The DC DLCP has 33 employees: 27 investigators, four program managers who manage the investigation team, and two administrative employees who triage cases.³⁹ There is a separate team that processes and serves notices of infractions.

What do you estimate is the additional cost of enforcing this Ordinance? (A rough estimate or range is acceptable and will be noted as such in King County's report.)

Most jurisdictions that implement and enforce cash acceptance requirement laws also implement other laws relating to consumer protection, making it difficult for the jurisdictions interviewed to estimate the cost of implementing cash acceptance laws alone. For example, NYC DCWP inspectors cover a total of 20 consumer protection laws when visiting brick-and-mortar stores.⁴⁰ This is also the case with Philadelphia and San Francisco.⁴¹

³⁴ Email from Karlene Jung, City of New York Department of Consumer and Worker Protection, received on July 18, 2024.

³⁵ Link to [DCWP - Consumers - File Complaint \(nyc.gov\)](https://dcwp.consumers-filecomplaint.nyc.gov), accessed on July 30, 2024.

³⁶ Phone interview with Cree Morgan, Agricultural Commissioner/Sealer of Weights and Measures, City and County of San Francisco, conducted on June 24, 2024.

³⁷ Phone interview with Pamela Gwaltney, Deputy Director, Commission on Human Relations, City of Philadelphia, conducted on July 25, 2024.

³⁸ Link to [Consumer Protection Complaint Request \(kustomer.help\)](https://consumerprotection.complaintrequest.kustomer.help), accessed on July 30, 2024

³⁹ Phone interview with Anisah Crosby, Acting Chief of Compliance & Christopher Johnson, Consumer Protection Program Manager, Office of Enforcement, Department of Licensing and Consumer Protection, City of Washington, D.C., conducted on July 2, 2024.

⁴⁰ Email from Karlene Jung, City of New York Department of Consumer and Worker Protection, received on July 18, 2024.

⁴¹ Phone interview with Pamela Gwaltney, Deputy Director, Commission on Human Relations, City of Philadelphia, conducted on July 25, 2024.

In November 2020, Washington, D.C. published a fiscal impact statement on the Cashless Retailers Prohibition Act of 2020, by the Washington, D.C. Office of the Chief Financial Officer.⁴² The statement assigned the cost of \$171,000 in fiscal year 2021 and \$685,000 over the four-year financial plan (2021 through 2025). This cost assumed 720 shops would be visited per year, at \$42 per visit. Enforcement of the law ceased on March 11, 2024, due to an increase in robberies of businesses, but is expected to continue again in 2025 potentially with new administrative rules aimed to support businesses.⁴³

Has enforcing this Ordinance helped guarantee the acceptance of cash in transactions throughout your jurisdiction?

In general, the jurisdictions interviewed indicated that their cash acceptance laws have helped guarantee the ability to use cash in transactions, but none has supporting data. For Philadelphia CHR, staff concluded that the law has generally helped guarantee the acceptance of cash as they no longer receive many complaints, but some outlier cases contradict this conclusion.⁴⁴ For example, one business refuses to accept cash despite repeated warnings and enforcement actions. Most businesses are aware of and in compliance with the law in Philadelphia. Initially, there was pushback, specifically from business establishments like fitness centers. This group of businesses successfully advocated to amend the law and no longer needed to comply.

In San Francisco, officers find that often when businesses do not accept cash, they are simply not aware of the cash acceptance requirement law.⁴⁵ According to the San Francisco Agricultural Commissioner/Sealer of Weights and Measures, most new businesses in San Francisco do not want to handle cash because it is uncommon and comes with added risks and costs in terms of safety, such as registers, safes, and services from armored vehicles. However, staff indicated that overall San Francisco's cash acceptance requirement law has helped with cash acceptance, but implementation has not been comprehensive.

Washington, D.C. does not have any concrete data, but the staff's impression was that cashless businesses were amenable to compliance.⁴⁶ Some businesses obtained cash registers, safes, and other means for accepting cash. Overall, they concluded that there was a positive effect on businesses and people who want to use cash. To date, the primary implementation of the law has solely been education.

Were there any unanticipated issues with implementing a cash requirement Ordinance?

⁴² Link to [FISCAL IMPACT STATEMENT \(dcccouncil.gov\)](https://dcccouncil.gov/fiscal-impact-statement), accessed on July 30, 2024.

⁴³ Phone interview with Anisah Crosby, Acting Chief of Compliance & Christopher Johnson, Consumer Protection Program Manager, Office of Enforcement, Department of Licensing and Consumer Protection, City of Washington, D.C., conducted on July 2, 2024.

⁴⁴ Phone interview with Pamela Gwaltney, Deputy Director, Commission on Human Relations, City of Philadelphia, conducted on July 25, 2024.

⁴⁵ Phone interview with Cree Morgan, Agricultural Commissioner/Sealer of Weights and Measures, City and County of San Francisco, conducted on June 24, 2024.

⁴⁶ Phone interview with Anisah Crosby, Acting Chief of Compliance & Christopher Johnson, Consumer Protection Program Manager, Office of Enforcement, Department of Licensing and Consumer Protection, City of Washington, D.C., conducted on July 2, 2024.

Some unanticipated issues were mentioned by the jurisdictions interviewed. Philadelphia's cash acceptance law was adopted quickly, and from this experience, Philadelphia CHR recommended determining enforcement mechanisms before complaints begin to arrive.⁴⁷

One issue with the cash acceptance requirement law in Philadelphia and San Francisco is that both jurisdictions have a small group of community members who file most of the complaints.^{48, 49} Twenty percent of all the complaints in San Francisco have come from one individual.

The officers within the City and County of San Francisco Agricultural Commissioner/Sealer of Weights and Measures Program do not have citation authority, unlike a police officer in parking enforcement who has the power to conduct a self-executing court judgment in the form of a parking ticket.⁵⁰ An officer can visit a business after receiving a complaint but cannot issue a citation. This lack of authority was not considered when the legislation was developed. The City and County have thus determined that a new position, such as a transaction inspector, should be created on this team.

There were unanticipated issues reported for some businesses in San Francisco. For example, there are complexities with implementation in such venues as stadiums, concert halls, and ballparks that have gone cashless because entities such as Major League Baseball decided to no longer accept cash.⁵¹ Businesses without stationary locations, such as temporary events like fairs and festivals, as well as door-to-door salespeople, have also presented challenges for the enforcement of San Francisco's cash acceptance requirement law. In these cases, the lack of location created difficulties with enforcement. Additionally, there are chain stores in San Francisco that do not accept cash as a business model, where the Commissioner worked with the company to change their protocols to accept cash. Washington, D.C. had a similar issue where a system is being figured out to address those who patronize with only cash.⁵²

Other companies have chosen to remain non-compliant. One business in San Francisco decided to become non-compliant with the cash acceptance requirement law because its bank had merged with another bank and no longer provided free courier service for cash. A well-documented example of noncompliance with a cashless ban law in New York City and an ice cream franchise, where a legal settlement was needed to obtain compliance (more details on this settlement are in the following section).⁵³

⁴⁷ Phone interview with Pamela Gwaltney, Deputy Director, Commission on Human Relations, City of Philadelphia, conducted on July 25, 2024.

⁴⁸ Phone interview with Pamela Gwaltney, Deputy Director, Commission on Human Relations, City of Philadelphia, conducted on July 25, 2024.

⁴⁹ Phone interview with Cree Morgan, Agricultural Commissioner/Sealer of Weights and Measures, City and County of San Francisco, conducted on June 24, 2024.

⁵⁰ Phone interview with Cree Morgan, Agricultural Commissioner/Sealer of Weights and Measures, City and County of San Francisco, conducted on June 24, 2024.

⁵¹ Phone interview with Cree Morgan, Agricultural Commissioner/Sealer of Weights and Measures, City and County of San Francisco, conducted on June 24, 2024.

⁵² Phone interview with Anisah Crosby, Acting Chief of Compliance & Christopher Johnson, Consumer Protection Program Manager, Office of Enforcement, Department of Licensing and Consumer Protection, City of Washington, D.C., conducted on July 2, 2024.

⁵³ Link to [Consent Order - Van Leeuwen Icecream \(nyc.gov\)](https://www.nyc.gov/consent-order-van-leeuwen-icecream), accessed on July 31, 2024.

A major unanticipated issue noted in Washington, D.C. was a notable increase in robberies after their cash acceptance requirement law was enacted.⁵⁴ For this reason, enforcement of the law ceased on March 11, 2024, but it will continue again in 2025. In the meantime, Washington, D.C. is exploring ways to reduce this risk. The nexus of cash acceptance requirement laws and increased robberies was mentioned by other local governments but under varying contexts. In Philadelphia, there was no demonstrable link between the law's adoption and increased crime, although crime was cited as a reason to not accept cash by businesses that did not want to comply.⁵⁵ In San Francisco, there was one business that got robbed three times after the cash acceptance requirement law was adopted, but it is unclear whether the law led to these crimes or if there was an increase in robberies overall.

Is there anything you would add as worthy information for a fellow jurisdiction that will be implementing and enforcing a new cashless ordinance soon?

There were a variety of considerations and ideas mentioned by the jurisdictions interviewed when asked this final question.

- Washington, D.C.:
 - Be aware of potential links between cash acceptance requirements and safety.
- Philadelphia:
 - Develop a compelling problem statement, backed by location-specific data.
- New York:
 - Consider the size and scale of violating businesses when enforcing the ordinance.
 - Consider penalties of different sizes for different-sized businesses.
- San Francisco:
 - Focus efforts on new businesses and let them know the requirements when they open.
 - Because most businesses have annual fire inspections, fire departments could be asked to check for cash acceptance, since staff will be visiting these businesses routinely anyway.
 - Consider how fees would be collected if violations occur.
 - Explore ways for unbanked community members to get cash cards.

Philadelphia CHR mentioned the need to have data that demonstrates why a cash acceptance requirement law is important for a jurisdiction.⁵⁶ It advised that a compelling problem statement, backed by location-specific data, needs to be articulated by those who would benefit from such laws because, in their staff's experience, most of the businesses that don't accept cash are places unbanked community members rarely visit. In Philadelphia, the two main violators of its cash acceptance law are an expensive salad franchise and a high-end coffee shop franchise.

Staff from the DC DLCP found that the size and scale of the business should be considered during enforcement investigations. They found many businesses are under the same ownership and the same payment model or are part of a franchise, so staff try to conduct due diligence on such connections

⁵⁴ Phone interview with Anisah Crosby, Acting Chief of Compliance & Christopher Johnson, Consumer Protection Program Manager, Office of Enforcement, Department of Licensing and Consumer Protection, City of Washington, D.C., conducted on July 2, 2024.

⁵⁵ Phone interview with Pamela Gwaltney, Deputy Director, Commission on Human Relations, City of Philadelphia, conducted on July 25, 2024.

⁵⁶ Phone interview with Pamela Gwaltney, Deputy Director, Commission on Human Relations, City of Philadelphia, conducted on July 25, 2024.

before exploring violations. By being more comprehensive in their investigation, they hope to lessen redundancy.⁵⁷ They also mentioned considering enforcement penalties relative to the scale of the businesses; small stores generally comply because of the cost of a violation, whereas bigger retailers easily ignore violations because the fine is relatively insignificant to them. The issue is being explored further by DC DLCP.

NYC DCWP experienced an extreme example of noncompliance by a large-scale business. NYC DCWP and Van Leeuwen Ice Cream entered a settlement agreement in 2022 after Van Leeuwen repeatedly refused to comply with the City's cashless ban, adopted in November 2020.⁵⁸ Van Leeuwen has 19 locations in New York City.⁵⁹ In response to dozens of consumer complaints, NYC DCWP brought more than 90 violations against Van Leeuwen for violating the cashless ban law. NYC DCWP was preparing to pursue a court order to force the ice cream company to comply, which prompted Van Leeuwen to finally pay \$33,000 in outstanding civil penalties and comply with the cashless ban law at all New York City locations.

2. Lessons Learned from Other Jurisdictions' Implementation and Enforcement of Similar Laws

Lessons that consistently came up during jurisdiction interviews included the following:

- All jurisdictions have existing staff and programming that address some form of consumer protection.
- No jurisdictions have staff solely dedicated to implementing and enforcing cash acceptance requirement laws but have added this law to the suite of laws their office/department already implements.
- No jurisdictions are proactively looking for violations.
- All jurisdictions feel increased resources are needed to implement new consumer protection laws when they are enacted.
- Unless field officers have the authority to impose fines, applying monetary penalties is complicated or not possible.
- In general, the jurisdictions indicated that cash acceptance requirement laws have helped guarantee cash acceptance, though no data is currently available to showcase such successes.

All the jurisdictions interviewed have existing programs involving field officers dedicated to enforcing suites of consumer protection laws; however, no jurisdiction is proactively looking for violations. These programs are complaint-based, meaning a consumer filing a complaint initiates a field visit by jurisdiction staff. Common resources include the following:

- A system through which consumers can file a complaint.
- Administrative staff dedicated to reviewing and triaging complaints.
- Field staff dedicated to visiting potentially violating businesses.
- A set procedure or checklist for examining potential violations while at businesses.
- Management staff to oversee the program.

⁵⁷ Phone interview with Anisah Crosby, Acting Chief of Compliance & Christopher Johnson, Consumer Protection Program Manager, Office of Enforcement, Department of Licensing and Consumer Protection, City of Washington, D.C., conducted on July 2, 2024.

⁵⁸ Link to [Consent Order - Van Leeuwen Icecream \(nyc.gov\)](#), accessed on July 31, 2024.

⁵⁹ Link to [DCWP Settles With Van Leeuwen Ice Cream as Company Agrees To Comply With the Cashless Ban Law | City of New York \(nyc.gov\)](#), accessed on July 31, 2024.

Some jurisdictions noted equity concerns with having a complaint-based system because they have experienced large numbers of complaints coming from a small group of people who were not those intended to benefit from the laws. For example, San Francisco noted that 20 percent of their complaints come from one person, and the person has the means to purchase goods and services regardless of retail cash acceptance requirements.⁶⁰

The mechanism by which the interviewed jurisdictions apply fines varies, with some having set systems with procedural and financial elements. Some jurisdictions often start with a warning and then apply escalating monetary fines for every subsequent violation. Others are either not set up for fining businesses and are in the process of creating procedures, need to involve an attorney's office to implement fines, or have yet to create and implement a system to penalize violators. Unless a system is already in place to fine businesses for violations of various consumer protection law infractions, creating one requires additional technology and staffing.

Interviewed jurisdictions were unable to identify the cost of implementing and enforcing their cash acceptance requirement laws in terms of technology, staffing, and communications because they also implement other consumer protection laws under the same program with field officers investigating multiple potential violations in a single visit. Washington, D.C. does have a fiscal impact statement from 2020, which estimates the cost of their cash acceptance law and is detailed in Table 4.

In general, the interviewed jurisdictions indicated that cash acceptance laws have helped guarantee cash transactions, although there are outliers. The outliers are mostly franchise businesses with existing payment models that accept only non-cash payments. Some exceptions to cash acceptance law compliance include experience- or service-based businesses such as stadiums, concert halls, and gyms, and areas where robberies are common.

3. Analysis of Implementation

The findings outlined in this subsection reflect feedback from other jurisdictions' experience. This section explores:

- Actions that led to effective implementation
- Mechanisms that were successful in obtaining compliance from businesses
- Unintended consequences
- Approximate costs of implementing and enforcing such laws

An effective approach to implementing a cash acceptance requirement law is to start with education and warnings to violating businesses, subsequently issuing violations to businesses that remain non-compliant. Both New York and Washington, D.C. found this education-first approach effective for achieving compliance.^{61,62} Staff from these jurisdictions observed that education of the business community is largely effective as a mechanism to obtain business compliance, though some businesses

⁶⁰ Phone interview with Cree Morgan, Agricultural Commissioner/Sealer of Weights and Measures, City and County of San Francisco, conducted on June 24, 2024.

⁶¹ Email from Karlene Jung, City of New York Department of Consumer and Worker Protection, received on July 18, 2024.

⁶² Phone interview with Anisah Crosby, Acting Chief of Compliance & Christopher Johnson, Consumer Protection Program Manager, Office of Enforcement, Department of Licensing and Consumer Protection, City of Washington D.C., conducted on July 2, 2024.

need penalties or legal action to comply.⁶³ As noted above, proactively searching for violators is not common among jurisdictions with similar statutes. Analysis for this report finds that addressing complaints uses fewer resources to administer as staff work only with businesses that have been reported to the agency.

If issuing violations is part of the enforcement strategy, experience in San Francisco shows that giving field officers the authority to do so is considered the simplest approach.⁶⁴ For most businesses in noncompliance with cash acceptance requirement laws, in particular the smaller businesses, fines worked to encourage and achieve compliance.⁶⁵ However, for larger businesses, where fines could be more easily absorbed, more enforcement work was necessary.⁶⁶ Some businesses needed to work with the jurisdictions to develop systems for cash-only customers, as was the case in San Francisco.⁶⁷ In the most extreme case, litigation was needed to gain compliance.⁶⁸

Some unintended consequences of implementing cash acceptance requirement laws as conveyed by the jurisdictions interviewed include:

- A small group of community members reporting most violations. Often these community members were not the intended beneficiaries of the law, meaning enforcement resources might not reach the businesses serving the intended beneficiaries of the law.
- The complexity of bringing businesses and venues that are associated with larger organizations, or which have no fixed location, into compliance.
- The inability to issue citations due to the lack of authority.
- The need to create new processes and tools to accept cash in new businesses and franchises whose business models are cashless.
- Increased crime.

It was not possible for the jurisdictions interviewed to provide a cost analysis of solely implementing their respective cash acceptance requirement laws, since implementation and enforcement of such laws are intertwined with the business processes of implementing other consumer protection laws. A basic qualitative summary of the cost of implementation is that the more resources available, the higher business compliance will be.

One available data point, specific to the implementation of a cash acceptance requirement law, is the table below from a fiscal impact statement created by Washington, D.C. in 2020.⁶⁹

⁶³ Link to [Consent Order - Van Leeuwen Icecream \(nyc.gov\)](#), accessed on July 31, 2024.

⁶⁴ Phone interview with Cree Morgan, Agricultural Commissioner/Sealer of Weights and Measures, City and County of San Francisco, conducted on June 24, 2024.

⁶⁵ Phone interview with Pamela Gwaltney, Deputy Director, Commission on Human Relations, City of Philadelphia, conducted on July 25, 2024.

⁶⁶ Phone interview with Pamela Gwaltney, Deputy Director, Commission on Human Relations, City of Philadelphia, conducted on July 25, 2024.

⁶⁷ Phone interview with Cree Morgan, Agricultural Commissioner/Sealer of Weights and Measures, City and County of San Francisco, conducted on June 24, 2024.

⁶⁸ Link to [Consent Order - Van Leeuwen Icecream \(nyc.gov\)](#), accessed on July 31, 2024.

⁶⁹ Link to [Fiscal Impact Statement \(dccouncil.gov\)](#), accessed on July 30, 2024.

Table 4: Washington, D.C. Cashless Retailers Prohibition Act of 2020, Fiscal Impact Statement Costs

	2021	2022	2023	2024
Enforcement Staff (1 FTE) *	\$140,000	\$141,000	\$141,000	\$142,000
Proactive Investigation Compliance**	\$30,000	\$30,000	\$30,000	\$30,000
Total Cost	\$171,000	\$171,000	\$172,000	\$172,000

*Assumes Manager Grade 13 midpoint salary and fringe (Washington D.C. labor rates)

**Estimated 720 shops reviewed per year for \$42 per visit.

This is the additional cost to Washington, D.C. of adding one code enforcement officer to implement a new consumer protection law to an already-established Consumer Protection Assistance program.⁷⁰

B. Implementation and Enforcement Plan Recommending an Enforcement Mechanism and Implementation Measures

Although King County has a Code Enforcement Section in DLS, this agency mainly enforces building and land-use codes, which are fundamentally different from consumer protection laws. Building and land-use code enforcement addresses unpermitted structures or uses and nuisances, such as noise, pollution, and excessive quantities of stored garbage, that are considered to be incompatible with neighboring properties within the land-use zone. Consumer protection laws are oriented more toward the protection of the individual, in this case the individual's access to goods and services.

Adding consumer protection enforcement would create a new body of work for the Department. This new body of work requires funding, as DLS has no established or funded consumer protection program.

1. List of Potential Implementation and Enforcement Mechanisms

Possible mechanisms for implementing and enforcing the KCC statutes of Ordinance 19639 in UKC include building awareness, targeted education after implementation to businesses reported as non-compliant (complaint-based targeted education), and complaint-based enforcement. These elements are outlined below in Table 5.

Table 5: Summary of Potential Implementation and Enforcement Mechanisms

Implementation levels	Building Awareness	Targeted Education	Enforcement
Basic pre-implementation awareness/communications campaign	Yes	Yes	Yes
Community-led awareness/communications campaign (grant program for community-based organizations/chambers of commerce)	Yes	Yes	Yes
Complaint response	None	Complaint-based educational response	Complaint-based enforcement and penalty system

⁷⁰ Link to [Consumer Protection Assistance | dlcp](#), accessed on August 2, 2024.

Implementation levels	Building Awareness	Targeted Education	Enforcement
Estimated one-time startup cost (see Appendix) ⁷¹	\$360,000	\$360,000	\$490,000
Estimated ongoing annual cost (see Appendix)	\$10,000	\$180,000	\$770,000

For a detailed cost breakdown, refer to the Appendix.

These levels of implementation build upon each other. Building awareness is foundational for implementation so that retail businesses are aware of the law. Education before enforcement was emphasized in the interviews with jurisdictions as being largely effective in obtaining business compliance.

Building Awareness

Building awareness through a communications campaign would include informing all businesses in UKC of cash acceptance requirements in the seven most used languages by developing and releasing:

- Answers to frequently asked questions (FAQ)
- A website with information for both UKC retail businesses and customers
- A video emphasizing the need for cash acceptance to support unbanked customers
- Advertising in languages other than English
- Press releases
- Flyers
- Newsletter postings
- Paid social media posts

These materials would also be shared with community-based organizations and chambers of commerce. Small grants would be available to help disseminate cash-requirement information to local retail businesses. The estimated cost includes funding for a nine-month term-limited temporary (TLT) employee to develop educational materials and provide businesses with education on the Ordinance; a grant program for community-based organizations to assist in disseminating information about the law; consultation with the Prosecuting Attorney's Office to interpret the Ordinance; focus groups to identify questions; and production and translation of materials. Ongoing expenses include updating the FAQ and website information as questions arise.

Targeted Education

This level of implementation would include targeted education sent in the form of a letter and educational materials to businesses that are reported as out of compliance. In addition to the costs for building awareness, targeted education includes the cost of adding a full-time Administrator I to triage and respond to complaints with education materials and to update those materials as more questions and scenarios are identified.

Enforcement

Complaint-based enforcement could be implemented after targeted educational materials have been sent out. An enforcement process could include visiting the retail business to explain the requirements and assess penalties if corrective action was not taken. In addition to all the costs included in building awareness and targeted education, enforcement includes the cost of adding two full-time code

⁷¹ All cost estimates in this report are estimated in 2024 dollars, unless otherwise noted.

enforcement officers, a per-visit cost, and the implementation of a technical solution or system to track and document enforcement actions and penalties.

2. Recommended Implementation and Enforcement Plan

Implementing the cash requirement Ordinance by focusing on building awareness of the requirement is the lowest cost, and therefore the recommended, option to support implementation of the Ordinance. Other jurisdictions indicated that educating businesses on the requirement to accept cash in retail establishments was effective at gaining compliance. The General Fund faces severe constraints because of Washington state's one percent annual revenue growth limit for property taxes. Additionally, much of the General Fund goes to services mandated by the State, such as courts, property assessments, public defense, and corrections. Consequently, discretionary funding that can be put toward non-mandatory services is increasingly limited. Building awareness of Ordinance 19639 is possible with some cost, but creating an enforcement program for this Ordinance would require a significant financial investment.

DLS estimates the communications campaign to build awareness to cost \$360,000, which includes \$100,000 in small grants to local chambers of commerce and community-based organizations that support small businesses to help disseminate information. The grants would cover staff, marketing, and materials reproduction costs. Ongoing expenses for this option would be roughly \$10,000 per year to update the FAQ and website with new questions and answers. See the Appendix for a detailed cost breakdown. Building initial awareness of the Ordinance amongst retail businesses is the most important step leading to compliance.

C. Analysis and Determination of Whether Legislation is Needed to Implement the Recommended Actions

Because education to build awareness is the only element of implementation and enforcement of Ordinance 19639's King County Code statute and the Executive is not recommending additional actions, no legislation is necessary to be provided with this report. Notably, if funding is made available to support enforcement activities beyond awareness, further code changes would be necessary to provide the code enforcement staff with the authority to enforce this law and issue monetary penalties. In addition, an appeal process established, and policies developed through coordination with multiple agencies for such tasks as creating a fund to house the revenues collected from citations.

VI. Conclusion

Providing education to build awareness is the cost-effective way to implement this Ordinance. Enforcement of this Ordinance would involve the creation of a small consumer protection enforcement program with three staff and a system to track complaints and enforcement actions. The current DLS Code Enforcement Section solely focuses on building, land use, and zoning violations. If King County determines that compliance is not being met after raising awareness about the Ordinance and that an enforcement program would be beneficial, resources to support the development of a consumer protection program would be needed.

VII. Appendix

A. Estimated Cost of Implementation and Enforcement Options

All cost estimates in this appendix are estimated in 2024 dollars unless otherwise noted. The estimated totals are rounded up to the nearest \$10,000. Where no dollar amounts are given, the deliverable is considered to have no added expense.

Table 1: Estimated One-Time and Ongoing Annual Cost of Building Awareness

Deliverable for Building Awareness	Scope	One-Time Expense	Ongoing Annual Expense
Communications plan and implementation management	Develop a communications plan and all associated content such as an FAQ document, website text, newsletter text, etc. • Manage implementation. • Escalate additional questions to The Prosecuting Attorney's Office (PAO) as needed. • Run small grant program for chambers of commerce. Estimated at a nine-month TLT.	\$170,000	
Phone, supplies, mileage, etc.		\$1,000	
Prosecuting Attorney Consultation (PAO)	Code interpretation for FAQs	\$20,000	\$5,000
Translation	Translation of FAQ and other materials into seven top languages. Estimated at 10 pages of text x seven languages x \$150/page	\$10,500	\$1,000
Focus Groups for FAQ Development	• Facilitate two focus groups with businesses to identify FAQ. • Develop FAQ responses with PAO. • Layout. • Printing.	\$2,500	

Appendix

Estimated Cost of Implementation and Enforcement Options

Deliverable for Building Awareness	Scope	One-Time Expense	Ongoing Annual Expense
	Estimated at two focus groups x ten participants x two hours x \$50/hour		
Business Support (community partners to spread the word)	Grants for ten or more chambers and community-based organizations to support communication to businesses.	\$100,000	
Postcard/mailer	Send postcards to all UKC businesses, to ensure word is spread to retail businesses. Estimated at \$1/postcard.	\$45,000	
Posters/flyers	Develop and print posters for community gathering spaces and business districts.	\$1,000	
In-language advertising	Paid ads in chosen four primary languages (translation).	\$5,000	
Video	Video production costs.	\$3,000	
Social media and social media advertising	Create and post creative content on multiple platforms.	\$2,000	
Email Announcement	GovDelivery email to all retail businesses provided through a paid vendor service.		
Graphics	Develop branding and graphics.		
Website page for retail business owners	Develop layout, text, and graphics.		
Website page retail business customers	Develop layout, text, and graphics.		
Newsletters	Create content for sharing with multiple newsletters (King County and non-profits, chambers, etc.).		
Press release	Develop and release press releases.		
Estimated total cost		\$360,000	\$10,000

Appendix

Estimated Cost of Implementation and Enforcement Options

Table 2: Estimated One-Time and Ongoing Annual Cost Targeted Education

Deliverable for Targeted Education	Scope	One-Time Expense	Ongoing Annual Expense
Building awareness		\$360,000	\$10,000
Targeted education	Tracking complaints, sending out educational letters, answering questions (1 FTE Administrator I)		\$170,000
Estimated total cost		\$360,000	\$180,000

Table 3: Estimated One-Time and Ongoing Annual Cost of Enforcement

Deliverable for Enforcement	Scope	One-Time Expense	Ongoing Annual Expense
Building awareness and targeted education		\$360,000	\$180,000
Enforcement system	Enforcement system modifications or implementation and integration of a new system with ongoing system maintenance expenses.	\$125,000	\$20,000
Enforce retail cash requirement	Visit locations based on complaints, educate, and assess penalties for repeat violators (2 FTE Enforcement Officers) ⁷²		\$540,000
500 investigations	\$53.31 per investigation x 500 investigations ^{73, 74}		\$27,000
Estimated total cost		\$490,000	\$770,000

⁷² Wage assumed for both positions as Code Enforcement Officer III, mid-step Range 64, using the Office of Performance, Strategy and Budget's Benefit Rate Calculator on October 10, 2024.

⁷³ In Washington, D.C.'s fiscal impact statement, the cost of a single visit was assigned \$42 in 2020. With inflation, this is \$53.31 in 2024. Inflation was calculated using the 12-month percentages between 2020 and 2024 from the [Consumer Price Index, Seattle area — June 2024 : Western Information Office : U.S. Bureau of Labor Statistics \(bls.gov\)](https://www.bls.gov/charts/consumer-price-index/seattle-area-june-2024-western-information-office-u-s-bureau-of-labor-statistics). The regional price parity of King County and Washington, D.C. are similar.

⁷⁴ In Washington, D.C.'s fiscal impact statement an estimation of 720 shops were reviewed per year. Unincorporated King County has approximately 70 percent as many businesses as Washington, D.C., thus a multiplier of 0.7 was applied to the 720 visits used in Washington, D.C.'s fiscal impact statement. That number was then rounded down from 504 to 500.



King County

Metropolitan King County Council Committee of the Whole

STAFF REPORT

Agenda Item:	7	Name:	Olivia Brey
Proposed No.:	2026-0080	Date:	May 26, 2026

SUBJECT

Proposed Motion 2026-0080 would confirm the appointment of Dr. Sandra Valenciano as director of the Public Health – Seattle & King County.

SUMMARY

King County Code (K.C.C.) 2.16.110 defines the process for appointment and confirmation of exempt public officials, including the director of Public Health—Seattle & King County (PHSKC).¹ Dr. Valenciano was nominated for appointment by King County Executive Girmay Zahilay and Seattle Mayor Katie Wilson on March 25, 2026.² Dr. Valenciano has served as health officer since August 4, 2025, and as acting director for the department since December 12, 2025.

Staff has prepared an amendment and title amendment to change the name of the department in recognition of the combined city-county health department.

BACKGROUND

Governed by K.C.C. 2.35A and the 2011 Interlocal Agreement,³ PHSKC is responsible for managing an integrated set of services and programs that are responsive to urban, suburban city and unincorporated communities. The department has multiple divisions and programs, including child and youth health, emergency medical services, environmental health, injury prevention, community health, communicable disease and prevention and the Medical Examiner's Office. PHSKC also administers the King County Board of Health.⁴

Executive Zahilay appointed Dr. Sandra Valenciano to serve as acting director of PHSKC on December 15, 2025, according to Executive Staff. Under Section 5 of the

¹ K.C.C. 2.16.110

² King County Executive Girmay Zahilay and Seattle Mayor Katie Wilson appoint Dr. Sandra Valenciano to lead Public Health – Seattle & King County, <https://publichealthinsider.com/2026/03/25/king-county-executive-girmay-zahilay-and-seattle-mayor-katie-wilson-appoint-dr-sandra-valenciano-to-lead-public-health-seattle-a/>

³ Ordinance 17151 [King County – File #:2011-0228](#)

⁴ K.C.C. chapter 2.35

Interlocal Agreement and K.C.C. 2.35A.010.B, the director of public health must be jointly appointed by both the County Executive and the Seattle Mayor, subject to confirmation by both the county and city councils. Executive Zahilay and Mayor Wilson jointly appointed Dr. Valenciano on March 25, 2026. As of May 19, 2025, the City of Seattle has not introduced a motion confirming Dr. Valenciano's appointment.

APPOINTEE INFORMATION

Prior to Dr. Valenciano's role as the Health Officer for PHSKC, she served as the District Health Director and Chief Executive Officer for DeKalb County Board of Health. According to the confirmation packet, Dr. Valenciano was responsible for overseeing all operations and delivering public health services for over 780,000 residents, including serving as Incident Commander throughout the COVID-19 pandemic.

Dr. Valenciano holds a Bachelor of Arts from Brown University, a Master of Public Health from Tulane University, and a Doctor of Medicine from Boston University. Dr. Valenciano completed postdoctoral training through a residency in Yale's Internal Medicine program, followed by a two-year fellowship with the Center for Disease Control and Prevention's Epidemic Intelligence Service Program.

ANALYSIS

The proposed motion would confirm the appointment of Dr. Sandra Valenciano as director of the PHSKC.

K.C.C. 2.16.110 outlines timeframes and criteria for the appointment and confirmation of exempt public officials. Under K.C.C., the Executive is authorized to appoint a person to serve in an acting capacity to fill a position requiring council confirmation for a period of no greater than 150 days. Executive Zahilay appointed Dr. Sandra Valenciano to serve as Interim Director on December 15, 2025, according to Executive staff. The Council passed a motion on May 5, 2026, to extend Dr. Valenciano's appointment as acting director until July 13, 2026.⁵

Additionally, K.C.C. 2.16.110 requires the Executive to transmit written notice of an appointment within seven calendar days of an appointment being made. Executive Zahilay and Mayor Wilson jointly appointed Dr. Valenciano on March 25, 2026. The transmittal letter and proposed motion were transmitted on April 6, 2026.

K.C.C. 2.16.110.E.1.c states that the Council must act to consider confirmation within 90 days of receipt of notification and a proposed motion. Proposed Motion 2026-0080 was received on April 6, 2026.⁶

Staff has not identified any issues with the proposed appointment. It appears to be consistent with King County Code requirements.

AMENDMENTS

⁵ [King County - File #: 2026-0109](#)

⁶ In accordance with the 90-day time limit, the Council has until July 5, 2026, to act on the motion to confirm Dr. Valenciano's appointment.

Amendment 1 would change the name of the department in recognition of the combined city-county health department.

Title Amendment T1 would conform the title of the proposed motion to Amendment 1.

INVITED

- Dr. Sandra Valenciano, Director Designee, Public Health – Seattle & King County
- Hyeok Kim, Chief Operating Officer, Office of the Executive
- Garrett Holbrook, Council Relations Manager, Office of the Executive

ATTACHMENTS

1. Proposed Motion 2026-0080
2. Amendment 1
3. Title Amendment T1
4. Transmittal Letter
5. Confirmation Packet (distributed separately)



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Motion

Proposed No. 2026-0080.1

Sponsors Mosqueda

- 1 A MOTION confirming the appointment of Sandra
- 2 Valenciano as director of the King County department of
- 3 public health.
- 4 BE IT MOVED by the Council of King County:
- 5 The appointment of Sandra Valenciano as director of the King County department

6 of public health is hereby confirmed.

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

1

05/12/2026

Department Name

Sponsor: Mosqueda

[O. Brey]

Proposed No.: 2026-00801 **AMENDMENT TO PROPOSED MOTION 2026-0080, VERSION 1**

2 On page 1, beginning on line 5, strike "the King County department of public health" and

3 insert "public health - Seattle & King County"

4 **EFFECT prepared by *O. Brey: The amendment would change the name of the***5 ***department in recognition of the combined city-county health department.***

T1

05/12/2026

Title Amendment for Dept
Name

[O.Brey]

Sponsor: MosquedaProposed No.: 2026-00801 **TITLE AMENDMENT TO PROPOSED MOTION 2026-0080, VERSION 1**

2 On page 1, beginning on line 1, strike lines 1 through 3, and insert:

3 "A MOTION confirming the appointment of Sandra

4 Valenciano as director of public health - Seattle & King

5 County."

6 **EFFECT prepared by *O.Brey: Would conform the title of the proposed motion to***7 ***Amendment 1.***



Executive Girmay Zahilay

Chinook Building, CNK-EX-0800
401 Fifth Avenue, Suite 800
Seattle, WA 98104-2391

April 20, 2026

The Honorable Sarah Perry
Chair, King County Council
Room 1200
C O U R T H O U S E

Dear Councilmember Perry:

On April 6, 2026, I transmitted a proposed Motion that would, if enacted, confirm my appointment of Sandra Valenciano as director of Public Health – Seattle & King County. I appointed Dr. Valenciano to serve as public health director starting March 30, 2026. This letter transmits the enclosed materials that comprise the full set of confirmation documents as established by King County Code and practice.

Dr. Valenciano has been serving successfully as both acting director of Public Health – Seattle & King County and as King County's health officer since December 12, 2025. Prior to her acting appointment, she served as the King County health officer. In that role, she served as the department's primary medical expert, providing leadership on scientific and medical matters that shaped department policy and practice, while fostering strong relationships with the healthcare community.

Dr. Valenciano is a board-certified physician in internal medicine and holds a master's degree in Public Health from Tulane University. Prior to arriving at Public Health – Seattle & King County, Dr. Valenciano served as medical director and district health director/chief executive officer for DeKalb Public Health, overseeing all operations and delivering public health services for over 780,000 residents in DeKalb County, Georgia.

It is my pleasure to request the Council's confirmation of Dr. Sandra Valenciano as director of Public Health – Seattle & King County. If your staff have questions, please contact Hyeok Kim, Chief Operating Officer, Office of the Executive, at 206-532-0773.

The Honorable Sarah Perry
April 20, 2026
Page 2

Sincerely,



Girmay Zahilay
King County Executive

cc: King County Councilmembers
 ATTN: Stephanie Cirkovich, Chief of Staff, King County Council
 Melani Hay, Clerk of the Council
The Honorable Katie Wilson, Mayor of Seattle
 ATTN: Brian Surratt, Deputy Mayor
Kimberly Loving, Director, Department of Human Resources, City of Seattle
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
Megan Pedersen, Chief People Officer, Office of the Executive
Sandra Valenciano, Director Designee, Public Health – Seattle & King County



King County

Committee of the Whole

May 26, 2026

**Agenda Item No. 8
Briefing No. 2026-B0067**

Harborview Bond Project Update

**Any materials for this item will be available at or after
the meeting.**



King County

Committee of the Whole

May 26, 2026

**Agenda Item No. 9
Briefing No. 2026-B0068**

Harborview Labor and Leadership Panel

**Any materials for this item will be available at or after
the meeting.**



King County

Metropolitan King County Council Committee of the Whole

STAFF REPORT

Agenda Item:	10	Name:	Sam Porter Nick Bowman
Proposed No.:	2026-0070	Date:	May 26, 2026

SUBJECT

Proposed Motion 2026-0070 would approve a letter regarding a staffing plan for the Harborview Construction and Infrastructure Division (HCID) in response to a budget proviso included in the 2026-2027 Budget.

SUMMARY

The Harborview Construction and Infrastructure Division was newly created in 2025. In response, the Council included a proviso on the 2026-2027 biennial budget that withholds \$1,083,000 from the HCID budget until the Executive transmits a letter containing a staffing plan, and a motion that should approve the letter, and a motion approving the letter is passed by the Council.

Proposed Motion 2026-0070 would approve the letter (Attachment A, Staffing Plan Report), which was transmitted on April 1, 2026. The relevant materials are included in the transmittal letter and in a report attached to the motion. Both provide detail on the HCID's staffing plan including:

- 26 full-time equivalent (FTE) King County employees, and
- 13 Harborview Medical Center (HMC) staff supported by the Bond Program and County Hospital Levy (CHL) funded projects through reimbursement.

The transmittal letter and Attachment A to Proposed Motion 2026-0070, attempt to address the requirements of the proviso, however the transmitted staffing plan in Attachment A does not reflect the current HCID organizational chart shown in the transmittal letter. This is discussed in more detail in the Analysis section of this staff report.

Council passage of the proposed motion would approve the letter and release the withheld \$1,083,000 in appropriation authority.

BACKGROUND

Harborview. Harborview serves as the Level 1 trauma center in the four-state region of Washington, Alaska, Idaho, and Montana. Harborview prioritizes serving the “mission

population” including the non-English speaking poor, uninsured or underinsured, people who experience domestic violence, sexual assault, or are incarcerated in King County’s jails, among others. Harborview is owned by King County, governed by a 13-member County-appointed Board of Trustees, and operated by the University of Washington.

Harborview Construction and Infrastructure Division. The Harborview Construction and Infrastructure Division (HCID) was newly created in 2025 within the Department of Executive Services to be responsible for managing all county capital projects at HMC and serving as the lead agency in directing and coordinating capital budget requests from HMC. The new division would be funded by the Harborview Bond Program and the County Hospital Levy. Since the implementation of the \$1.74 billion Harborview Proposition 1 Bond in 2020, and the councilmanic County Hospital Levy¹ in 2025, County workload related to Harborview within the Department of Executive Services has increased significantly resulting in the approval of the creation of this new division through Ordinance 20020 in Fall 2025.

2026-2027 HCID Budget. In the 2026-2027 Annual Budget, the HCID budget included funding for 27 full time equivalent positions and \$13,497,000 of appropriation authority.² The appropriation unit is funded through a combination of revenue from the HMC Bond and the County Hospital Levy. While the staffing plan does not provide a budget, Executive staff provided the breakdown of the staffing cost for the HCID appropriation unit as shown in Table 1. This staffing breakdown is based on the organizational chart which differs from the staffing plan.

Table 1. HCID Classifications, FTEs, and Salary and Benefits for 2026-2027³

Classification	FTE	Salary and Benefits
New Tower – Program Management		
Special Project Manager III (vacant)	1	\$275,877
Special Project Manager III	0.5	\$218,627
Special Project Manager III	0.5	\$218,627
Infrastructure/Backfill/Renovation – Program Management		
Special Projects Manager IV	1	\$528,601
Special Projects Manager IV	1	\$492,296
Special Projects Manager III	1	\$379,280
Special Projects Manager III	0.25	\$109,311
County Hospital Levy Infrastructure – Program Management		
Special Projects Manager III	.5	\$218,627
Capital Projects Manager IV	1	\$480,757
Capital Projects Manager IV	1	\$458,485
Capital Projects Manager III (vacant)	1	\$406,894
Program Management Office – Program Management		
Special Projects Manager IV	1	\$492,298

¹ The County Hospital Levy generated \$87 million in revenue in 2025 and is anticipated to generate \$275 million in 2026-2027.

² 2026-2027 Adopted Budget <https://cdn.kingcounty.gov/-/media/king-county/depts/council/budget/2026/2026-2027-adopted-budget-book.pdf>

³ This table is structured based on the organizational chart provided in the transmittal letter for PM 2026-0070 which, according to Executive staff, reflects the most current FTE breakdown for the HCID.

Special Projects Manager III	1	\$437,240
Special Projects Manager III	0.25	\$109,311
Special Projects Manager III (vacant)	1	\$443,333
Finance & Budget – Program Support		
Finance & Admin Services Manager	1	\$423,312
Business & Finance Officer IV (vacant)	1	\$399,050
Business & Finance Officer III	1	\$379,251
Business & Finance Officer II (vacant)	1	\$322,463
Communications – Program Support		
Communications Specialist IV	1	\$361,682
Communications Specialist III	1	\$321,240
Procurement – Program Support		
Project/Program Manager IV	1	\$310,507
Other – Program Support		
Project/Program Manager III	1	\$285,312
Administrator II	1	\$310,507
Director's Office		
Division Director	1	\$737,742
Division Deputy Director	1	\$554,281
Division Deputy Director	1	\$504,114
Executive Assistant	1	\$337,295
Administrator II	1	\$285,312
Total	26	\$10,516,320

2026-2027 Budget Proviso. The 2026-2027 Adopted Budget included a proviso⁴ that withheld \$1,083,000 in appropriation authority from the HCID budget:

"P1 PROVIDED THAT:

Of this appropriation, \$1,083,000 shall not be expended or encumbered until the executive transmits a letter containing a staffing plan, and a motion that should approve the letter, and a motion approving the letter is passed by the council. The motion should reference the subject matter, the proviso's ordinance, ordinance section, and proviso number in both the title and body of the motion.

The executive should electronically file the letter and a motion required by this proviso by April 1, 2026, with the clerk of the council, who shall retain an electronic copy and provide an electronic copy to all councilmembers, the council chief of staff, and the lead staff for the board of health or its successor."

ANALYSIS

The proviso requires that Executive staff provide a letter containing a staffing plan but did not define what the staffing plan should include. Proposed Motion 2026-0070 was transmitted on April 1, 2026, in response to Proviso P1, Section 103, in the 2026-2027

⁴ Ordinance 20023, Section 103, Proviso P1,
<https://mkcclegisearch.kingcounty.gov/LegislationDetail.aspx?ID=7680373&GUID=B4E9E09C-A982-4A8C-A0DA-6CC195D69EE0&Options=Advanced&Search=&FullText=1>

Biennial Budget. In addition to approving a letter regarding a staffing plan for the HCID, Council passage of the proposed motion would release the \$1,083,000 in restricted appropriation.

The transmitted letter, which appears as Attachment A to Proposed Motion 2026-0070, attempts to address the requirements of the proviso, however it does not reflect the current HCID organizational chart shown in the transmittal letter. The organizational chart shows different FTE allocations for Project Manager positions under multiple projects than described in Attachment A to the Proposed Motion (0.75 fewer FTE under New Tower, 0.25 FTE fewer under Infrastructure, 0.5 FTE more under Program Management, 0.5 FTE fewer under Hospital Levy projects). Additionally, Executive Staff provided a corrected organizational chart (dated May 18, 2026) due to an omitted vacant Finance position which is also not reflected in the staffing plan. This corrected organizational chart is Attachment 3 to this staff report. Executive staff state that the discrepancies between the staffing plan and the organizational chart were the result of more recent adjustments necessary to update assumptions made in the development of the staffing plan and that the organizational chart reflects the current allocation of resources within the HCID.

Staffing Plan in Attachment A. HCID's staffing plan includes 26 full-time employees (FTEs), allocated as follows:

- 13 FTEs to program management
- 8 FTEs to program support
- 5 FTEs for the Director's Office

HCID's budget also reimburses Harborview staff for their time allocated to the Bond Program and County Hospital Levy-funded projects.

Program Management Staff. There are 13 FTEs assigned to program management allocated to four lines of business as follows:

- New tower construction (2.75 FTEs): Responsible for supervising the design-build team's work. These project managers will be responsible for participating in the design process, monitoring and reviewing submittals, and working with the program management office to ensure this aspect of the contract stays in compliance.
- Infrastructure and renovation/backfill (3.5 FTEs): Responsible for managing the infrastructure project and make-ready projects that need to occur prior to construction of the new tower. They also manage the backfill/renovation project, including renovations of county spaces funded primarily by the Harborview Bond Program.
- County Hospital Levy infrastructure (4 FTEs): Responsible for implementation of major maintenance and other projects funded by the CHL, including the buildout of the Pioneer Square Clinic. One senior project manager oversees three capital project managers. One of the three capital project manager positions is currently vacant.
- Program Management Office (2.75 FTEs): Responsible for administration of the design build contract, assuring compliance in cooperation with procurement and processing pay applications and contract amendments. This team includes the

PMO lead and the program risk manager responsible for maintaining program's risk register. It also includes the project control officer, who reports directly to procurement but is funded by bond revenue. One special project manager for medical equipment procurement and information technology is currently vacant and the work is being fulfilled with existing resources.

Program Support Staff. There are 8 FTEs assigned to program support staff across four primary areas:

- Finance and budgeting (3 FTEs): This section is led by a senior finance position working solely on capital projects. There are also two business and finance officer positions, with one being held vacant until work ramps up toward peak construction and full implementation of the CHL.
- Communications (2 FTEs): Bond communications are complex requiring two FTEs responsible for coordinating project-related communications to the broader community and Harborview including employees, patients and the public. These staff are also responsible for the program's community outreach including business outreach efforts. Lastly, these staff also help prepare monthly reports provided to Council, the Harborview Board of Trustees (BoT), the BoT's Capital Project Oversight Committee, and the Real Estate Major Project Oversight Committee.
- Procurement (1 FTE): This section is led by a program manager supervising all procurement activities. HCID's procurement function is resource intensive, as HCID executes amendments related to the Bond Program and builds out the procurement rosters necessary to implement numerous CHL-funded maintenance projects. HCID expects to begin procurement for approximately 35 new projects in 2026. Roughly 25 of which will be contained in amendments to the design-build contract, with the additional projects being funded by the CHL. Two additional positions report directly to procurement but are funded by the Bond Program and CHL funds.
- Other program support (2 FTEs): These FTEs are responsible for management and maintenance of HCID's IT systems, managing information sharing between partners and preparing legislation and other items for publication. This work currently involves a significant amount of information sharing between staff from the County, Harborview, the owner's advisor, and the design-build team.

Director's Office Staff. The Director's Office consists of 5 FTEs responsible for implementation of the policy direction of the Council and Executive and execution of the Bond Projects and those funded by the CHL. The Director's Office consists of:

- Division director,
- Executive assistant to the division director,
- Two deputy division directors, with one supervising project management and one supervising program support staff, and
- Administrator II who coordinates Bond and County Hospital Levy meetings across the large group of stakeholders and manages both deputy directors' calendars.

University of Washington and Harborview Staff Reimbursement. Figure 2⁵ in the report outlines thirteen UW and Harborview staff positions that are funded through a reimbursement model. These positions are reimbursed because they provide consultation on the development of clinical spaces, technical guidance on building and life safety codes, and the perspective of clinical staff on design development. The report states the employees include, "clinicians and hospital staff who will advise HCID during the design phase as well as design managers and executive-level staff needed to execute the project on the hospital's side." Figure 2 shows \$283,050 in reimbursements each month for the first quarter and Executive staff estimate approximately \$3.4 million of these personnel costs will be reimbursed to HMC in 2026.

Scale of Staffing Plan. In response to Council staff questions about how this staffing plan compares in size and structure to those of other similar capital projects, Executive staff stated that there are industry standard expectations for project management costs associated with large projects, and "those estimates can range from 4-15% of the total project cost." According to Executive staff, HCID serves both the 2020 Bond Program and County Hospital Levy-funded projects and is currently tracking to charge the Bond approximately 8% of total Bond costs. Executive staff provided the following breakdown:

- 1.5% - Incurred to date, as of January 2026
- 2.0% - HMC Staff focusing on clinical development
- 3.0% - KC Staff focusing on project management and construction administration
- 1.5% - Costs associated with the Owner's Representative

Executive staff report that while this calculation assumes most HCID costs are allocated to the Bond Program, they are in the process of aligning a cost-allocation model between the County Hospital Levy and the Bond funds. As can be seen in Attachment 5 to the staff report, most positions are charged to the County Hospital Levy at 25% although there are two specifically dedicated to CHL work and one that does not work on CHL projects at all.

Next steps. Council action on the transmitted HCID Staffing Plan Proviso (Proposed Motion 2026-0070) would approve the report and release \$1,083,000 that the budget ordinance encumbered from HCID's budget. As noted above, the transmitted report attempts to satisfy the requirements in the budget proviso but does not reflect the current staffing structure of the HCID. It is a policy choice for the Council whether the transmitted letter and the additional information provided in this staff report is sufficient to release the encumbered appropriation authority.

INVITED

- Tony Wright, Director, HCID
- Patrick Hamacher, Deputy Director, HCID

ATTACHMENTS

1. Proposed Motion 2026-0070

⁵ These positions can be seen more easily in Attachment 4 to the staff report which reproduces Figure 2.

- a. Attachment A Ordinance 20023 Section 103 Proviso 1: Staffing Plan Report, dated March 2026
2. Transmittal Letter
3. HCID Organizational Chart – Corrected, May 18, 2026
4. PDF of Figure 2: 2026 Q1 Hospital Staff Reimbursements
5. PDF of Staffing Plan Cost Allocation and Division Between Revenue Source



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Ordinance

Proposed No. 2026-0070.1

Sponsors Barón

1 A MOTION approving a letter regarding a staffing plan for
2 the Harborview construction and infrastructure division, as
3 called for in the 2026-2027 Biennial Budget Ordinance,
4 Ordinance 20023, Section 103, Proviso P1.

5 WHEREAS, in 2026, the Harborview construction and infrastructure division
6 within the department of executive services was created by ordinance, and

7 WHEREAS, as part of its mandate the new division is responsible for partnering
8 with Harborview medical center to:

- 9 1. Implement the 2020 bond program;
- 10 2. Implement projects funded by the county hospital levy; and
- 11 3. Implement other project subject to the hospital services agreement between
- 12 King County and the University of Washington. and

13 WHEREAS, the 2026-2027 Budget Ordinance, Ordinance 20023, included
14 Section 103, Proviso P1, which called for the executive to submit a staffing plan for the

15 new division;

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

17 Attachment A to this motion, HCID Division Staffing Letter, is hereby approved.

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. HCID Division Staffing Proviso Report

Ordinance 20023 Section 103 Proviso 1: Staffing Plan Report

March 2026



King County

Executive Summary

The Harborview Construction and Infrastructure Division (HCID) manages the Harborview Bond Program, funded by \$1.74 billion in bond funding for expansion and infrastructure improvements to Harborview Medical Center (HMC). Harborview is owned by King County and operated by the University of Washington (UW). HCID works closely with staff from UW Medicine to manage the Bond Program. The County Hospital Levy (CHL) provides further support for hospital improvements.

The King County Council in November 2025 passed Ordinance 20023, adopting the County's 2026-2027 biennial budget. Section 103 Proviso 1 of this ordinance requires a letter containing HCID's staffing plan to be presented to the King County Council for passage. HCID's staffing plan includes 26 full-time employees (FTEs), allocated as follows:

- 13 FTEs to program management
- 8 FTEs to program support
- 5 FTEs for the Director's Office

HCID's budget also reimburses HMC staff for their time allocated to the Bond Program and CHL-funded projects.

Introduction

Harborview Medical Center (HMC) is the region's major trauma center, serving patients from 5 states across the Pacific Northwest. The medical center is owned by King County, overseen by an independent Board of Trustees and operated by the University of Washington (UW) through a hospital services agreement. In 2020, King County voters approved issuing up to \$1.74 billion in bonds for expansion and improvements to Harborview Medical Center¹. King County's Harborview Construction and Infrastructure Division (HCID) manages bond projects in close collaboration with UW Medicine.

In 2024, the Washington State Legislature expanded property tax authority to support public hospitals, enabling King County to levy a councilmanic property tax to support capital and operating costs at HMC. This brought in \$87 million in 2025 and is expected to bring in \$275 million in 2026-2027, as the tax rate increased from 10 cents to 15 cents per \$1,000 of assessed value. This funding will also support ongoing improvements on the HMC campus².

The King County Council in November 2025 passed Ordinance 20023, adopting the County's 2026-2027 biennial budget. Section 103 Proviso 1 of this ordinance (Appendix A) requires a letter containing HCID's staffing plan to be presented to the King County Council for passage. Ordinance 20023 Section 103 Proviso 1 states:

Of this appropriation, \$1,083,000 shall not be encumbered or expended until the Executive submits a letter containing a staffing plan, and a motion that should approve the letter, and that motion approving the letter is passed by the council. The motion should reference the subject matter, the proviso's ordinance, ordinance section, and proviso number in both the title and the body of the motion.

The executive should electronically file the letter and motion required by this proviso by April 1, 2026, with the clerk of the council, who shall retain an electronic copy and provide an electronic copy to all councilmembers, the council chief of staff, and the lead staff for the board of health, or its successor.

HCID staffing overview

HCID's staffing plan includes 26 full-time employees (FTEs), dedicating 13 FTEs to program management, 8 to program support, and 5 FTEs to the Director's Office.

HCID is organized around its 2 different funding streams: the Harborview Bond Program and the County Hospital Levy (CHL). The Bond Program supports the main capital expansions on campus while the CHL supports ongoing major maintenance projects. There is also a group of employees who support both funding streams, and this includes HCID leadership. Some of these positions are budgeted within HCID and others are reimbursed by HCID but report to a different County agency.

Due to the size and complexity of the project, both streams also fund numerous positions on the HMC workforce. These positions are reimbursed by their respective funding sources, and more details are available in this report.

Figure 1: HCID staffing plan

Program management			
New tower construction		FTEs	
Special Projects Manager III		1	
Special Projects Manager III		0.5	
Special Project Manager III		0.25	
Special Project Manager III		1	
Infrastructure/backfill/renovation		FTEs	
Special Projects Manager IV		1	
Special Projects Manager IV		1	
Special Projects Manager III		1	
Special Projects Manager III		0.5	
County Hospital Levy - infrastructure		FTEs	
Special Projects Manager III		1	
Capital Project Manager IV (PTE L17)		1	
Capital Project Manager IV (PTE L17)		1	
Capital Project Manager III (PTE L17)		1	
Program Management Office		FTEs	
Special Projects Manager IV		1	
Special Projects Manager III		0.75	
Special Project manager III - Medical		1	
Equipment & IT			
Program support			
Finance and budget		FTEs	
Finance and Admin Services Mgr		1	
Business & Finance Officer IV		1	
Business & Finance Officer III		1	
Communications		FTEs	
Communications Specialist IV		1	
Communications Specialist III		1	
Other program support		FTEs	
Project/Program Manager III		1	
Administrator II		1	
Procurement		FTEs	
Project/Program Manager IV		1	
Director's Office		FTEs	
Division Director		1	
Division Deputy Director		1	
Division Deputy Director		1	
Executive Assistant		1	
Administrator II		1	
Total FTEs: 26			

Program management staff

HCID has 13 FTEs assigned to program management. This work is led by one of the division's deputy directors who leads professional project managers spread across 4 distinct business lines. All project managers in this section are classified as either special project managers or capital project managers, with the key distinction being that capital project managers are represented by a union and responsible for ongoing major maintenance projects primarily funded by the CHL.

The 4 business lines are:

- **New tower construction (2.75 FTEs):** This line of business is responsible for the supervision of the design-build team's work. These project managers will be responsible for participating in the design process, monitoring and reviewing submittals, and working with the program management office to ensure this aspect of the contract stays in compliance.
- **Infrastructure and renovation/backfill (3.5 FTEs):** This line of business is responsible for managing the infrastructure project and make-ready projects that need to occur prior to construction of the new tower. They also manage the backfill/renovation project, including renovations of county spaces. These projects will be largely funded by the Harborview Bond Program.
- **County Hospital Levy infrastructure (4 FTEs):** This line of business is responsible for implementation of major maintenance and other projects funded by the CHL, including the

buildout of the Pioneer Square Clinic. One senior project manager oversees 3 capital project managers. Only 2 of the capital project manager positions have been filled, with the third to be filled later as HCID begins to build out its workload.

- **Program Management Office (2.75 FTEs):** The program management office is responsible for administration of the design build contract, assuring compliance in cooperation with procurement and processing pay applications and contract amendments. This line of business includes 2.75 FTEs, which includes the PMO lead and the program risk manager, who is responsible for maintaining program's risk register. It also includes the project control officer, who reports directly to procurement but is funded by bond revenue. One special project manager for medical equipment procurement and information technology is currently being staffed with existing resources, though this position will likely be filled as construction nears.

Program support staff

HCID has 8 FTEs on its support staff. This section is led by the other HCID deputy director and also covers 4 distinct activities. Due to the nature of support work, these responsibilities are much more divergent than those of the program management staff. Several additional support staff are not budgeted in HCID and report directly to other County offices, such as Procurement & Payables or the Executive's Office. These positions are not included in this report.

The areas of work are:

- **Finance and budgeting (3 FTEs):** This section is led by a senior finance position that has been modified to reflect the fact that HCID works almost entirely on capital projects. There are also 2 business and finance officer positions, with one being held vacant while HCID continues to grow toward peak construction and full implementation of the CHL.
- **Communications (2 FTEs):** Bond communications duties are more complicated than one may anticipate. Harborview has a diverse set of stakeholders, including employees, patients, and members of the public. The contracting community is also interested in County business and projects. This line of work is responsible for coordinating project-related communications to the broader community with the hospital's more specific needs.
- **Procurement (1 FTE):** HCID's procurement function is incredibly resource intensive, as HCID executes amendments related to the Bond Program and builds out the procurement rosters necessary to implement numerous CHL-funded maintenance projects. HCID expects to begin procurement for approximately 35 new projects in 2026. Roughly 25 of these projects will be contained in amendments to the design-build contract, with the additional projects being funded by the CHL. Two additional positions report directly to procurement but are funded by the Bond Program and CHL funds. A program manager will supervise all procurement activities and reports directly to HCID.
- **Other program support (2 FTEs):** These employees are responsible for management and maintenance of HCID's IT systems, managing information sharing between partners and preparing legislation and other items for publication. This work currently involves a tremendous amount of information sharing between staff from the County, Harborview, the owner's advisor, and the design-build team.

Director's Office

The Director's Office is responsible for implementation of the policy direction the County Council and executive provide, as well as the overall execution of the Bond Program and projects funded by the CHL. The Director's Office consists of 5 FTEs, including:

- Division director
- Executive assistant to the division director
- Two deputy division directors, with 1 supervising project management and 1 supervising program support
- Administrator II who coordinates Bond and County Hospital Levy meetings across the large group of stakeholders and manages both deputy directors' calendars

Hospital Bond support

The Bond Program and CHL also fund several positions necessary to implement the overall program. These employees include clinicians and hospital staff who will advise HCID during the design phase as well as design managers and executive-level staff needed to execute the project on the hospital's side.

We expect this reimbursement model to change throughout the project, with peak reimbursement occurring during the schematic design process in 2028. The HCID director and hospital project executive review the upcoming staffing reimbursement requests each quarter, with the first quarter of the agreed-upon reimbursements in figure 2.

Figure 2: 2026 Q1 hospital staff reimbursements

Updated: January 5, 2026		HMC FY26 Proposed	HMC Reimbursement				
Role	FTE	Monthly Salary	HMC Billing	Benefits (32.3%)	Overhead (44.38%)	HMC Total Reimburse	Job Description
Sr. Director of Capital Development	1.00	21,103	21,103	6,816	9,367	37,285.82	Provides guidance and direction to ensure HMC's operational and facility needs are integrated from project development to occupancy; Staff Member for CPOC
Healthcare Architect	1.00	15,481	15,481	5,000	6,871	27,352.59	Advises and guides A&E consultants in the development of campus architecture, specifically clinical spaces. Provides technical guidance on building and life safety codes, along with DOH coordination and reviews.
Accountant	0.50	8,462	4,231	1,367	1,878	7,475.54	Ensures that project related expenditures are recorded appropriately on HMC's balance sheet, assists with asset tracking.
Sr. Program Director, Major Projects and Bond	0.80	15,481	12,385	4,000	5,497	21,882.08	Provides program and project management support of all Bond program functions.
MEP Project Manager	0.75	15,481	11,611	3,750	5,153	20,514.45	Provides MEP technical guidance for developing the infrastructure master plan, and prepares MEP related reports.
Associate CNO/Clinical Nurse Liaison to Bond	0.60	26,351	15,811	5,107	7,018	27,934.95	Provides clinical guidance for the design and development of the Bond Program, insuring that clinical spaces are designed to meet the clinical operations of the hospital.
Program Manager (Gap Manager)	0.60	14,010	8,406	2,715	3,731	14,852.14	Provides project management support for Bond program pre-development work and actual construction projects.
Design Managers	1.00	13,542	13,542	4,374	6,010	23,926.09	Manages design process for the bond
Design Managers	1.00	13,542	13,542	4,374	6,010	23,926.09	Manages design process for the bond
Physician Lead	0.10	57,572	5,757			5,757.20	This role will help synergize and advocate for the operational needs of clinical staff during the planning and execution of construction and renovation initiatives.
Administrative Specialist	1.00	6,667	6,667	2,153	2,959	11,779.58	Provides administrative support for the Bond team.
Director-Program Operations	1.00	17,331	17,331	5,598	7,692	30,621.27	Leads in aligning frontline clinical expertise with the design and construction process.
IT Director for Capital Projects	1.00	16,834	16,834	5,437	7,472	29,743.14	IT Leader to identify and work through IT related work on major projects
Monthly Reimbursement	10.35		162,700	50,692	69,659	283,050.93	

Conclusion and next steps

This letter contains the staffing plan for HCID, which is required to be submitted to the King County Council per Ordinance 20023, Section 103, Proviso 1. Per the proviso, a member of the Council must make a motion to approve the plan contained within. The motion should reference the subject matter, the proviso's ordinance, ordinance section, and proviso number in both the title and the body of the motion.

Following Council approval of this motion, the executive should electronically file the letter and motion by April 1, 2026, with the clerk of the council, who shall retain an electronic copy and provide an electronic copy to all councilmembers, the council chief of staff, and the lead staff for the Board of Health, or its successor.

¹ King County Proposition No. 1 (November 3, 2020)

² Enacted by King County Ordinance 19861 (2025)

Appendix A: Ordinance 20023 Section 103

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Ordinance 20023

2742 should reference the subject matter, the proviso's ordinance, ordinance section, and
2743 proviso number in both the title and body of the motion.

2744 The plan shall include, but not be limited to, the following:

2745 A. A proposal regarding the feasibility and utility of expediting the expansion of
2746 respite bed capacity in connection with Harborview Medical Center;

2747 B. A cost estimate for various development scenarios to increase respite bed
2748 capacity including the renovation or adaptive reuse of Harborview Hall, construction or
2749 renovation of other space on the Harborview Medical Center campus for use as a respite
2750 facility, or a proposal for leasing, acquiring, or constructing a respite facility in the
2751 neighborhood of Harborview Medical Center within a one mile radius; and

2752 C. A financial proposal for the scenarios identified in subsection B. of this
2753 proviso using any combination of federal, state, local, or philanthropic dollars to increase
2754 respite bed capacity for Harborview Medical Center.

2755 The executive should electronically file the plan and a motion required by this
2756 proviso by August 1, 2026, with the clerk of the council, who shall retain an electronic
2757 copy and provide an electronic copy to all councilmembers, the council chief of staff, and
2758 the lead staff for the health, housing, and human services committee or its successor.

2759 SECTION 103. HARBORVIEW CONSTRUCTION AND INFRASTRUCTURE

2760 - From the Harborview construction and infrastructure fund there is hereby appropriated
2761 to:

2762 Harborview construction and infrastructure \$13,497,000

2763 The maximum number of FTEs for Harborview construction and infrastructure

2764 shall be: 27.0

Ordinance 20023

2765 ER1 EXPENDITURE RESTRICTION:

2766 Of this appropriation, \$100,000 shall be expended or encumbered solely to
2767 contract for government relations services, if needed. The government relations
2768 contractor shall have experience working with the city of Seattle and King County.

2769 P1 PROVIDED THAT:

2770 Of this appropriation, \$1,083,000 shall not be expended or encumbered until the
2771 executive transmits a letter containing a staffing plan, and a motion that should approve
2772 the letter, and a motion approving the letter is passed by the council. The motion should
2773 reference the subject matter, the proviso's ordinance, ordinance section, and proviso
2774 number in both the title and body of the motion.

2775 The executive should electronically file the letter and a motion required by this
2776 proviso by April 1, 2026, with the clerk of the council, who shall retain an electronic
2777 copy and provide an electronic copy to all councilmembers, the council chief of staff, and
2778 the lead staff for the board of health or its successor.

2779 SECTION 104. PUBLIC HEALTH - From the public health fund there is hereby
2780 appropriated to:

2781	Public health	\$630,402,000

2782	The maximum number of FTEs for public health shall be:	987.2

2783 ER1 EXPENDITURE RESTRICTION:

2784 Of this appropriation, \$140,000 shall be expended or encumbered solely to
2785 support at least two suicide prevention voluntary safe firearm and ammunition return
2786 events per year throughout the 2026-2027 biennium. The events shall be held in
2787 collaboration with the sheriff's office.

Appendix B: About Harborview Medical Center

Harborview Medical Center is a 540-licensed-bed hospital owned by King County and operated by UW Medicine through a hospital services agreement between King County and the University of Washington (UW). The hospital is overseen by a 13-member board of trustees appointed by King County. Harborview's unique mission statement identifies and prioritizes services to the most vulnerable residents of King County. Harborview is the only adult and pediatric Level I trauma center serving a 5-state region (Alaska, Idaho, Montana, Wyoming, and Washington). It provides centers of emphasis and specialized comprehensive emergency services to a broad range of patients throughout the region. Harborview is also the disaster preparedness and disaster control location for the City of Seattle and King County.

For nearly 100 years, Harborview provided medical services from its location on Seattle's First Hill. It is distinctive in its consistent provision of care to King County residents regardless of their race, religion, ethnic origins, or ability to pay. As stewards of the campus facilities, King County regularly provides facility improvements and expansions through voter-approved financing, generally occurring every 15-20 years. The original center tower was constructed with bonds in 1930 and through the ensuing years, the voters continued to entrust King County with funding approvals on behalf of Harborview.

Appendix C: Harborview Medical Center Mission Statement

Harborview Medical Center Mission Statement

Harborview Medical Center is a comprehensive healthcare facility dedicated to the control of illness and the promotion and restoration of health. Its primary mission is to provide healthcare for the most vulnerable residents of King County; to provide and teach exemplary patient care; to provide care for a broad spectrum of patients from throughout the region; and to develop and maintain leading-edge centers of emphasis. As the only Level I Adult and Pediatric Trauma Center in Washington, Harborview Medical Center provides specialized, comprehensive emergency services to patients throughout the region and serves as the disaster preparedness and disaster control hospital for Seattle and King County.

The following groups of patients and programs will be given priority for care:

- Persons who are non-English speaking poor
- Persons who are uninsured or underinsured
- Persons who experience domestic violence
- Persons who experience sexual assault
- Persons incarcerated in King County's Jails
- Persons with mental illness, particularly those treated involuntarily
- Persons with substance abuse
- Persons with sexually transmitted diseases
- Persons who require specialized emergency care
- Persons who require trauma care
- Persons who require burn care

Harborview's patient care mission is accomplished by assuming and maintaining a strong leadership position in the Pacific Northwest and the local community. This leadership role is nurtured through the delivery of health services of the highest quality to all patients and through effective use of its resources as determined by the Harborview Board of Trustees.

Harborview, in cooperation with UW Medicine, plans and coordinates with Public Health Seattle and King County, other County agencies, community providers, and area hospitals, to provide programs and services.

Harborview fulfills its educational mission through commitment to the support of undergraduate, graduate, post-graduate, and continuing education programs of the health professions of the University of Washington and other educational institutions, as well as programs relating to patient education.

Harborview recognizes that the delivery of the highest quality of healthcare is enhanced by a strong commitment to teaching, community service and research.

Appendix D: About the Harborview Bond Program and County Hospital Levy

King County Council Motion 15183 called for the establishment of a planning group to identify hospital and community needs, and to make recommendations regarding a capital program. The resulting Harborview Leadership Group (HLG) was comprised of representatives from Harborview administration, the Board of Trustees, UW Medicine, labor partners, the First Hill Improvement Association, the mission population, the King County Council, and the King County Executive Office. The HLG provided a report making recommendations for health and safety improvements at Harborview. The recommendations included building a new inpatient tower to increase critical care capacity and meet modern infection control standards, as well as making seismic improvements to older structures on the campus to increase surge capacity, expand flexibility for hospital operations, and save lives in the event of a major earthquake.

Since the approval of the \$1.74 billion bond funding, the Facilities Management Division (FMD) of the Department of Executive Services (DES) focused on establishing structures and processes and created essential milestones for the Bond Program.

As part of Bond planning, King County requested that the Bond Program's project management consulting firm, Vanir, review and update the 2019 cost assumptions used to establish the Bond. A significant impact to cost assumptions was the Coronavirus Disease 2019 (COVID-19) global pandemic, and associated impacts on supply chains and workforce. The King County Council passed Ordinance 19583, which called for the creation of a workgroup to identify a program plan for the allocation of voter-approved bond funds within the escalated pricing for health and safety improvements at the medical center.

The updated program plan was approved by Motion 16435. It has three key components: 1) construction of a new multi-story medical tower; 2) renovation of essential services currently located in older hospital spaces; and 3) expansion of County spaces located in older hospital facilities. The updated program plan was determined after considering the operational needs of Harborview and the shared priorities of King County, the Board of Trustees, and UW Medicine.

In 2024, the Washington State Legislature expanded property tax authority to support the public hospitals, enabling King County to levy a councilmanic property tax to support capital and operating costs at HMC. The King County Council set the annual tax rate for 2025 at 10 cents per \$1,000 of assessed value, which is half of the maximum allowed rate, raising \$87 million. The executive's 2026-2027 budget set the 2026 annual tax rate at 15 cents per \$1,000 of assessed value, which is three-quarters of the allowed rate and is expected to raise \$275 million over the biennium.

In November 2025, the King County Council approved the transformation of the FMD Bond Program Office into the Harborview Construction and Infrastructure Division (HCID) through Ordinance 20020. HCID's work includes coordinating and managing the Harborview Bond Program budget and projects as well as the King County Hospital Levy budget and projects.

HCID continues with key elements of the program scope that aligns with the Bond Program's mission. Tasks associated include:

- Collaborating with King County and UW Medicine departments to understand new and modified space needs
- Updating the request for proposal (RFP) procurement processes and pre-bid work activities needed to accomplish the Bond Program goals
- Coordinating with the design-builder and subconsultants on building the new tower and related projects
- Managing the capital improvement project budget and expenditures
- Coordinating and conducting stakeholder engagement, meetings, and mailings
- Developing the Bond Program to become a division under King County's Department of Executive Services in 2026 with King County Executive and King County Council approval
- Identifying key milestones, risks, and realized risks for the program plan



King County | Office of the Executive

Executive Girmay Zahilay

Chinook Building, CNK-EX-0800
401 Fifth Avenue, Suite 800
Seattle, WA 98104-2391

April 1, 2026

The Honorable Sarah Perry
Chair, King County Council
Room 1200
C O U R T H O U S E

Dear Councilmember Perry:

This letter contains the Harborview Construction and Infrastructure Division (HCID) Staffing Plan, pursuant to Ordinance 20023, Section 103, Proviso 1, and a proposed Motion that would, if passed, approve the letter.

HCID, a division of the Department of Executive Services, oversees construction and infrastructure efforts for the County's hospital, Harborview Medical Center (HMC). As part of these duties, the division manages the Harborview Bond Program, which is funded by \$1.74 billion in voter approved bond funding for County hospital facility improvements. The County Hospital Levy (CHL) also funds HMC facility improvements. Harborview is owned by King County and operated by the University of Washington (UW).

Over the next year, several facility projects will roll out on the HMC campus: 1) bond-funded projects to support the future new tower, known as critical-make-ready projects; 2) infrastructure and maintenance projects funded by the CHL; and 3) smaller maintenance projects managed by HMC.

HCID works closely with staff from UW Medicine to implement the Bond Program. Notably, each time a project interrupts building systems or clinical spaces, it is necessary to institute a shutdown process to safely continue the provision of vital medical care on the 24/7 HMC campus. Because the HMC campus is significantly space constrained with no vacant clinical or mechanical spaces, and multiple contractors will be working on multiple projects, collaboration and communication between HMC and County staff and projects and teams are essential.

Because HCID partners closely with HMC, particularly in the areas of project design, implementation and coordination of shutdowns, a description of HMC staffing provided to facility projects is included in this letter. HMC staff provides critical hospital specific expertise and operational management. Providing HMC staffing for bond funded projects offers a complete overview of the management of projects on the HMC campus.

HCID's staffing plan includes 26 full-time employees (FTEs), as shown in the tables below.

Program Management Section - New Tower Construction Program	
FTE Classification	FTE
Special Project Manager III	1
Special Project Manager III	.5
Special Project Manager III	.25
Special Project Manager III	1
Program Management Section - Infrastructure/Backfill/Renovation Program	
FTE Classification	FTE
Special Project Manager IV	1
Special Project Manager IV	1
Special Project Manager III	1
Special Project Manager III	.5
Program Management Section - County Hospital Levy Infrastructure Program	
FTE Classification	FTE
Special Project Manager III	1
Capital Project Manager IV*	1
Capital Project Manager IV*	1
Capital Project Manager III *	1
Program Management Section - Program Management Office	
FTE Classification	FTE
Special Project Manager IV	1
Special Project Manager III	.75
Special Project Manager III – Medical Equipment & IT	1

*Represented

Program Support Section – Finance and Budget Services	
FTE Classification	FTE
Finance and Administrative Manager	1
Business and Finance Officer IV	1
Business and Finance Officer III	1
Program Support Section – Communications	
FTE Classification	FTE
Communications Specialist IV	1
Communications Specialist III	1
Program Support Section – Other Services	
FTE Classification	FTE
Project/Program Manager III	1
Administrator II	1
Program Support Section - Procurement Services	
FTE Classification	FTE
Project/Program Manager IV	1

Director's Office Section	
FTE Classification	FTE

Deputy Division Director	2
Executive Assistant	1
Administrator II	1

HCID Program Management Section - Led by one of the division's two deputy directors, this section has 13 professional project managers spread across four distinct business lines described below. Each project manager in this section is classified as special project manager or capital project manager, with the key distinction being that capital project managers are represented and responsible for ongoing major maintenance projects primarily funded by the CHL.

- HCID Program Management Business Lines:
 - *New tower construction* (2.75 FTEs) - responsible for supervising the design-build team's work. The design-build team is the construction firm Mortenson and architecture firm Perkins & Will retained by King County for the bond project. The FTE project managers participate in the design process, monitoring and reviewing design submittals, and working with the program management office to ensure the contract administration compliance.
 - *Infrastructure and renovation/backfill* (3.5 FTEs) - responsible for managing the infrastructure and make-ready projects that need to occur prior to construction of the new tower, such as utility upgrades needed to support the new tower. FTEs also manage the backfill/renovation project, including renovations of County used spaces on the HMC campus.
 - *County Hospital Levy infrastructure* (4 FTEs) - responsible for implementation of major maintenance and other projects funded by the CHL, including buildout of the replacement Pioneer Square Clinic in the Duncan Building. One senior project manager oversees three capital project managers. As of writing this letter, two capital project manager positions have been filled, with the third filled pending workload.
 - *Program management office* (2.75 FTEs): - responsible for administering the design build contract, assuring contract compliance in cooperation with procurement, and managing contract administration. The 2.75 FTEs included the PMO lead and the program risk manager (the employee responsible for maintaining program's risk register). It also includes the project control officer, who reports directly to Procurement and is funded by bond revenue. A project controls officer assists in verifying that the contract terms are followed by the parties. One special project manager for medical equipment procurement and information technology is currently being staffed with existing resources, though this position will likely be filled as construction nears.

Program Support Section - Led by one of the two HCID deputy directors, this section has 8.0 support staff FTEs who cover four distinct areas of work described below. This support work is diffuse in nature covering an array of tasks across program work.

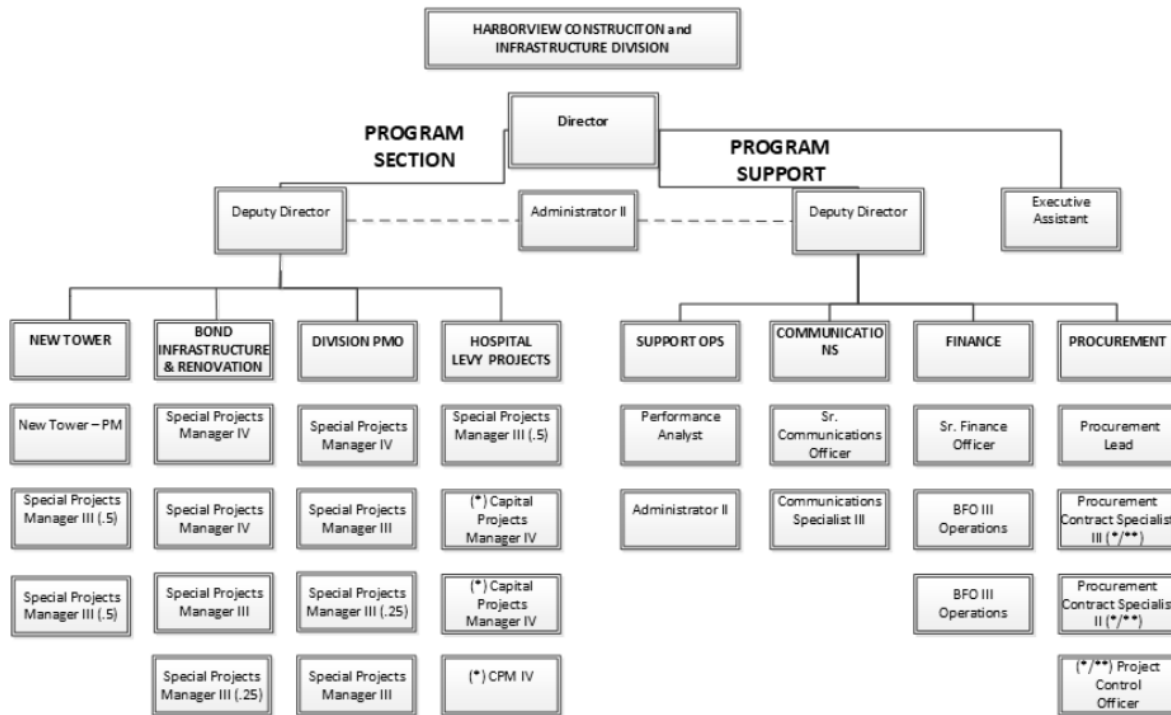
- HCID Support Staff Areas of Work:
 - *Finance and budget services* (3 FTEs) – responsible for all financial and accounting functions in accordance with King County's financial management policies, procedures, and systems led by a senior finance position that has been modified to reflect the fact that HCID works almost entirely on capital projects; also includes 2.0 FTE business and finance

officer (BFO) positions. One of the BFO positions is vacant while for anticipated future expansion of HCID workload during peak construction and full implementation of the CHL.

- *Communications* (2 FTEs) - responsible for developing and coordinating project-related communications to diverse sets of stakeholders, including County and hospital employees, patients, neighbors, the public, and contracting community. Communication demands around HMC's facility work are significant given the 24/7 operations of the hospital and constrained campus spaces.
- *Procurement services* (1 FTE) – responsible for executing procurement services related to the bond program, including handling contract amendments and procurement rosters necessary to implement numerous CHL-funded maintenance projects. Procurement rosters consist of pre-screened firms qualified to work in a hospital setting. HCID expects to begin procurement for approximately 35 new projects in 2026. Roughly 25 of these projects will be in amendments to the design-build contract, with additional projects funded by the CHL. Two positions funded by the Bond Program and CHL funds report directly to Procurement section of Finance and Business Operations Division (DES).
- *Other program support* (2 FTEs) - responsible for managing and maintaining HCID's IT systems and data, managing information sharing between County staff, Harborview, the owner's advisor, and the design-build team.

Director's Office Section - Responsible for overall execution of the Bond Program and projects funded by the CHL as well as for implementing policy direction the County Council and Executive. The Director's Office consists of five FTEs, including a division director, an executive assistant, an administrator, and two deputy division directors.

In addition to the tables provided above, an HCID organizational chart is provided below.



(*) Represented Positions
(**) On Loan & Reports to DES
(***) Staff Assigned to HCID

As noted, the County positions do not include the specific hospital and clinical subject matter expertise necessary to effectively plan, design, and execute the hospital’s facility projects. For the HMC projects, that expertise is provided by HMC staff and reimbursed by the appropriate revenue source supporting each project. Absent this expertise provided by HMC, the County would need to hire additional staff and/or contract for the specific hospital and clinical expertise. These costs are treated as project costs in the same way that a consultant or design manager would be directly billed to a project. HMC and the HCID leadership review these planned reimbursements and verify that the personnel allocations can be properly allocated to specific HCID managed projects.

A summary table showing the Q1 2026 current allocations is included below.

University of Washington and Harborview staff		
FTE Classification	FTE	Job Description
Sr. Director of Capital Development	1	Provides guidance and direction to ensure HMC’s operational and facility needs are integrated from project development to occupancy.
Healthcare Architect	1	Advises and guides A&E consultants in the development of campus architecture, specifically clinical spaces. Provides technical guidance on

University of Washington and Harborview staff		
		building and life safety codes, along with DOH coordination and reviews.
Accountant	.5	Ensures that project related expenditures are recorded appropriately on HMC's balance sheet, assists with asset tracking.
Sr. Program Director, Major Projects and Bond	.8	Provides program and project management support for all Bond Program functions.
MEP Project Manager	.75	Provides mechanical, electrical, and plumbing (MEP) technical guidance for developing the infrastructure master plan and prepares MEP related reports.
Associate CNO/Clinical Nurse Liaison to Bond	.60	Provides clinical guidance for the design and development of the Bond Program, ensuring that clinical spaces are designed to meet the clinical operations of the hospitals.
Program Manager (Capital Manager)	.5	Provides project management support for Bond Program pre-development work and construction projects.
Design Manager	2	Manages design process for the bond and infrastructure.
Physician Lead	.10	Advocate for the operational needs of clinical staff during the planning and execution of construction and renovation initiatives.
Administrative Specialist	1	Provides administrative support for the Bond.
Director – Program Operations	1	Leads alignment of front-line clinical expertise with the design and construction process.
IT Director for Capital Projects	1	IT leader to assure integration on major projects and the Bond Project work.

The information in this letter provides a staffing plan that implements facility renovations and improvement activities to HMC funded by the 2020 voter approved HMC levy as well as CHL funded improvements, and large capital projects funded by HMC operating dollars.

Thank you for your consideration of this staffing plan and the proposed Motion.

If your staff have questions, please contact Anthony Wright, Director of Harborview Construction and Infrastructure, at 206-477-9352.

The Honorable Sarah Perry

April 1, 2026

Page 7

Sincerely,

A handwritten signature in black ink, appearing to read "Girmay Zahilay".

for

Girmay Zahilay

King County Executive

cc: King County Councilmembers

ATTN: Stephanie Cirkovich, Chief of Staff, King County Council

Melani Hay, Clerk of the Council

Karan Gill, Deputy King County Executive, Office of the Executive

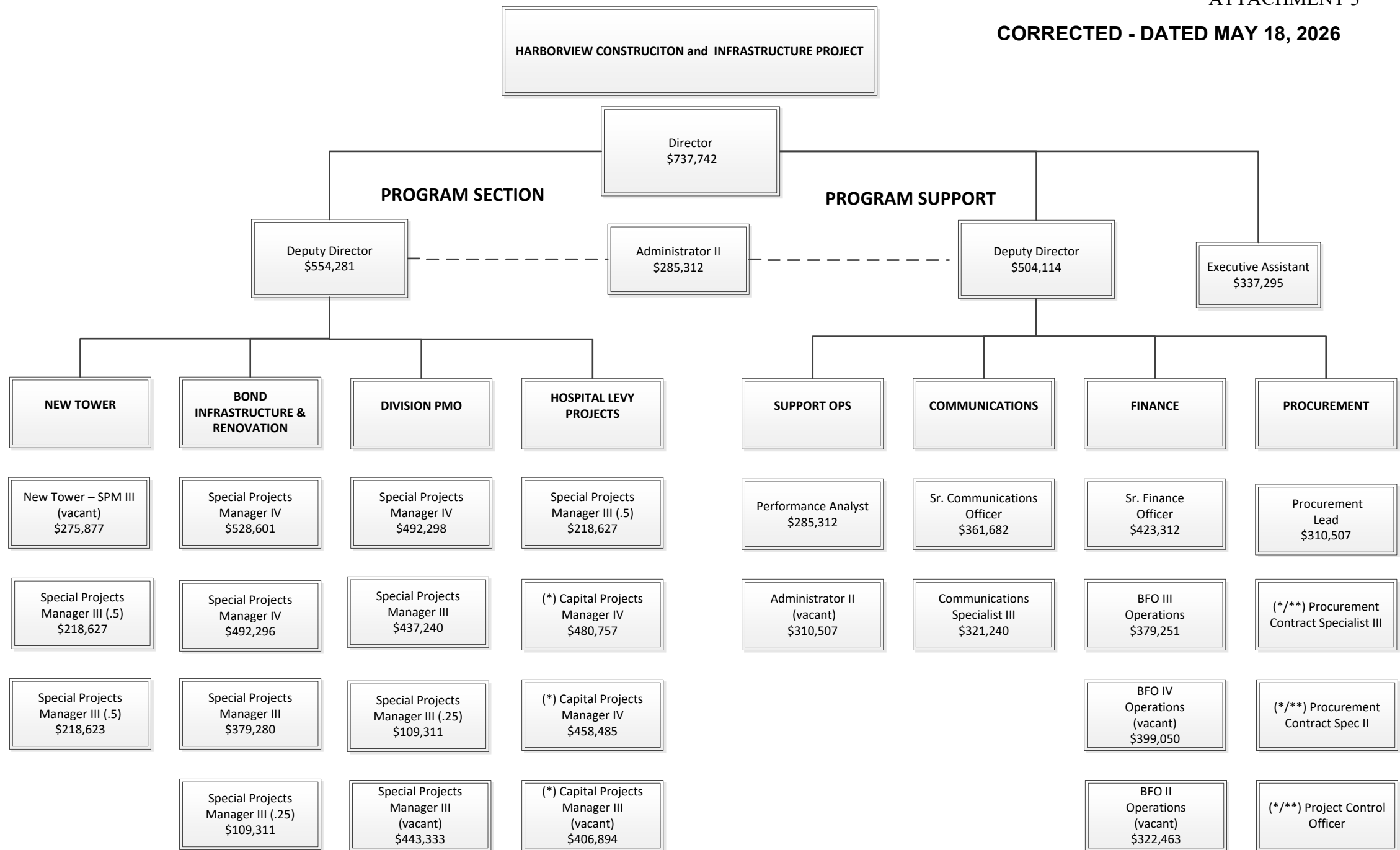
Jasmine Weaver, Chief of Staff, Office of the Executive

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

Lorraine Patterson-Harris, County Administrative Officer, Department of Executive Services (DES)

CORRECTED - DATED MAY 18, 2026**Total Employee Costs 2026-2027****(*) Represented Positions****(**) On Loan & Report to DES**

Updated: January 5, 2026	FY 26 Proposed		HMC Reimbursement				
Role	FTE	Monthly Salary	HMC Billing	Benefits (32.3%)	Overhead (44.38%)	HMC Total Reimburse	Job Description
Sr. Director of Capital Development	1.00	21,103	21,103	6,816	9,367	37,285.82	Provides guidance and direction to ensure HMC's operational and facility needs are integrated from project development to occupancy; Staff Member for CPOC
Healthcare Architect	1.00	15,481	15,481	5,000	6,871	27,352.59	Advises and guides A&E consultants in the development of campus architecture, specifically clinical spaces. Provides technical guidance on building and life safety codes, along with DOH coordination and reviews.
Accountant	0.50	8,462	4,231	1,367	1,878	7,475.54	Ensures that project related expenditures are recorded appropriately on HMC's balance sheet, assists with asset tracking.
Sr. Program Director, Major Projects and Bond	0.80	15,481	12,385	4,000	5,497	21,882.08	Provides program and project management support of all Bond program functions.
MEP Project Manager	0.75	15,481	11,611	3,750	5,153	20,514.45	Provides MEP technical guidance for developing the infrastructure master plan, and prepares MEP related reports.
Associate CNO/Clinical Nurse Liaison to Bond	0.60	26,351	15,811	5,107	7,018	27,934.95	Provides clinical guidance for the design and development of the Bond Program, insuring that clinical spaces are designed to meet the clinical operations of the hospital.
Program Manager (Gap Manager)	0.60	14,010	8,406	2,715	3,731	14,852.14	Provides project management support for Bond program pre-development work and actual construction projects.
Design Managers	1.00	13,542	13,542	4,374	6,010	23,926.09	Manages design process for the bond
Design Managers	1.00	13,542	13,542	4,374	6,010	23,926.09	Manages design process for the bond
Physician Lead	0.10	57,572	5,757			5,757.20	This role will help synergize and advocate for the operational needs of clinical staF during the planning and execution of construction and renovation initiatives.
Administrative Specialist	1.00	6,667	6,667	2,153	2,959	11,779.58	Provides administrative support for the Bond team.
Director-Program Operations	1.00	17,331	17,331	5,598	7,692	30,621.27	Leads in aligning frontline clinical expertise with the design and construction process.
IT Director for Capital Projects	1.00	16,834	16,834	5,437	7,472	29,743.14	IT Leader to identify and work through IT related work on major projects
SUBTOTAL PROJECTED EXPENSE	10.35		162,700	50,692	69,659	283,050.93	

Position Classifications	2026 Total	2027 Total	26-27 Biennial Total	% Charged to Bond	% Charged to CHL	\$ Charged to Bond	\$ Charged to CHL
Division Director	359,203	378,539	737,742	0.75	0.25	553,306	184,435
Deputy Division Director	269,877	284,404	554,281	0.75	0.25	415,711	138,570
Chief of Staff I	245,451	258,663	504,114	0.75	0.25	378,086	126,029
Executive Assistant I	164,230	173,065	337,295	0.75	0.25	252,971	84,324
Business and Finance Officer III	184,656	194,595	379,251	0.75	0.25	284,438	94,813
Administrator II	138,920	146,392	285,312	0.75	0.25	213,984	71,328
Project Program Manager III	138,920	146,392	285,312	0.75	0.25	213,984	71,328
Special Project Manager IV	257,373	271,227	528,601	0.75	0.25	396,451	132,150
Special Project Manager IV	212,890	224,350	437,240	0.50	0.50	218,620	218,620
Special Project Manager IV	239,698	252,600	492,298	1.00	0.00	492,298	-
Special Project Manager IV	239,697	252,599	492,296	0.50	0.50	246,148	246,148
Special Project Manager III	212,892	224,352	437,245	0.75	0.25	327,933	109,311
Special Project Manager III	184,670	194,610	379,280	0.75	0.25	284,460	94,820
Special Project Manager III	212,897	224,357	437,254	0.75	0.25	327,941	109,314
Capital Project Manager IV	234,078	246,678	480,757	0.00	1.00	-	480,757
Communication Specialist III	156,410	164,830	321,240	0.75	0.25	240,930	80,310
Communications Specialist IV	176,101	185,581	361,682	0.75	0.25	271,261	90,420
Capital Project Manager IV	223,234	235,250	458,485	0.00	1.00	-	458,485
Business and Finance Officer III	158,946	163,517	322,463	0.75	0.25	241,847	80,616
Business and Finance Officer IV (vacant)	196,600	202,450	399,050			-	-
Project Manager IV	153,068	157,439	310,507	0.75	0.25	232,880	77,627
Finance and Administrative Services Manager	208,545	214,768	423,312	0.75	0.25	317,484	105,828
Special Project Manager III (.25 for 2026)(vacant)	50,915	224,962	275,877				
Special Project Manager III (vacant)	218,371	224,962	443,333				
Capital Project Manager III (vacant)	181,932	224,962	406,894				
Administrator II (vacant)	153,068	157,439	310,507				
	5,172,643	5,628,984	10,801,626			5,910,733	3,055,232



King County

Metropolitan King County Council Committee of the Whole

STAFF REPORT

Agenda Item:	11	Name:	Sam Porter
Proposed No.:	2026-0073	Date:	May 26, 2026

SUBJECT

Proposed Ordinance 2026-0073 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 (K.C.C.) 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 and Racial and Social Justice;
- Office of Labor Relations; and
- Office of Performance, Strategy and Budget (including the Regional Land Use Division).

The general functions of these standalone offices would either continue in the Executive Office or in other departments. The position of Internal Auditor in the Executive's Office does not appear in King County Code and therefore is not addressed in this Proposed Ordinance. The position would be repealed in the proposed budget omnibus ordinance, discussed below.

The changes proposed by this legislation have budget implications, which are addressed in the budget omnibus ordinance (Proposed Ordinance 2026-0071). The Proposed Ordinance has a net zero change to appropriation and FTE authority in the 2026-2027 biennium. Proposed Ordinance 2026-0071 would shift approximately \$69.3 million and 119 FTE positions from the affected appropriation units for each office into the Executive Office. Approximately \$4.7 million and 4 FTE's 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 and 2 FTE's to the Department of Local Services to continue work previously performed by the Land Use Division of the Office of Performance, Strategy, and Budget.

BACKGROUND

The five offices proposed for dissolution by the Proposed Ordinance 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 **Office of Climate** (K.C.C. 2.16.025.D.) coordinates climate action initiatives in coordination with cities, communities, and residents, and manages the Strategic Climate Action Plan (SCAP). 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.¹ The office is funded through a Climate Cost Share,² which is a central rate that pays for countywide climate change-related costs like developing and updating the SCAP. The Executive has suspended collecting the Climate Cost Share revenue in the current biennium.

The **Office of Performance, Strategy, and Budget** (K.C.C. 2.16.025.B.) prepares and manages the County's operating and capital budgets, monitors revenues, expenditures, and work programs, formulating financial policies, provides performance management, accountability, and measurement, coordinates executive initiatives with departments and agencies, leads participation in regional planning efforts including regional councils, manages the County's comprehensive planning efforts, tracks demographic and growth forecasting, and facilitates annexations and joint planning efforts budgeting.³

The **Office of Equity and Racial and Social Justice** (K.C.C. 2.15.025.F.) develops the County's equity and racial and social justice outcomes, develops the County's strategies, practices, and processes to address outcomes, provides consultation and assistance to agencies and communities, provides resources and coordination efforts for King County's equity and race and social justice initiatives including the Stop Hate Hotline, annual celebration of Dr. Martin Luther King Jr.'s life and legacy, and operates the Civil Rights Program, the Human and Civil Rights and Immigrant and Refugee Commission, and the ADA and Disability Equity Program.⁴

The **Office of Economic Opportunity and Creative Economy** (K.C.C. 2.16.025.E.) 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

The **Office of Labor Relations** (K.C.C. 2.16.025.C.) represents county agencies in labor arbitration and appeals, and during the collective bargaining process, including

¹ <https://web.archive.org/web/20251213162134/https://kingcounty.gov/en/dept/executive/governance-leadership/climate-office/about>

² According to Executive staff, the Climate Cost Share will not be collected and deposited into the General Fund in 2026-2027.

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>

negotiating, implementing and administering 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 that provided recommendations on 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 the proposed restructuring of the Executive's Office.

ANALYSIS

The Proposed Ordinance would dissolve the five offices described in this staff report as shown in Table 1, which 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.

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 (PSB)	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 (OERSJ)	The Proposed Ordinance would remove OERSJ from King County Code. According to Executive staff, the Performance and Accountability Team in the Executive's Office will continue to house the Civil Rights Program, ADA, and Language Access Teams previously under the umbrella of the OERSJ.
Office of Climate (ECO)	The work of the Executive's Climate Office (ECO) 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 (OEOCE)	Code changes would remove reference to this office in Section 5. Executive staff state that the responsibilities of this office would continue in the Executive Office Strategic Initiatives Team.
Office of Labor Relations (OLR)	Code changes would remove OLR and establish a Director of Labor Relations in the Executive's Office which would be responsible for negotiations and 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 red text in the staff report indicates new information and analysis since the April 28, 2026 staff report was produced.

The Executive's Office would be restructured with new teams to replace the offices previously described in King County Code. Table 2 shows a crosswalk provided by Executive staff of the new teams.

Executive staff provided the following descriptions of the new teams listed in Table 2:

1. The Budget Team would manage the County's operating and capital budgets and lead the County's financial management.

2. The Grants Team would oversee and provide fiscal management of external grants.
3. The Labor Relations Team would represent County agencies in the collective bargaining process, administer labor contracts, and support agencies regarding the terms and implementation of negotiated labor agreements.
4. The Strategic Initiatives Team would focus on regional and land use planning (in coordination with the Department of Local Services), arts and culture, and economic development. Demographic analysis would move to the Department of Local Services.
5. The Policy Team would have staff leads in policy areas that impact the County. The Policy Team is intended to lead and coordinate policy direction across all agencies. In partnership with the Chief Operating Officer, they would also serve as another liaison to the departments. This team remains under development and will likely have leads for behavioral health and public health, climate, public safety, immigrant and refugee issues, childcare and early learning, and other policy areas. Criminal justice work will be led by the Policy Team.
6. The new Community Service and Response Team reflects the Executive's 'Be in community' priority and includes four regional leads areas of North, South, East, and Central King County. The team includes a volunteer and civic engagement lead, youth initiatives lead, public safety outreach lead, equity impact assessment lead, rural relations lead, and community navigators.
7. The Performance and Accountability Team would provide the services previously offered through the Continuous Improvement, Strategy, and Performance functions of PSB including sharing data with the public and working on process improvement. This team will have a new Internal Audit Director and Deputy Director of Performance and Accountability.
8. The Civil Rights Program, ADA, and Language Access Teams will continue to provide support for their subject areas including the Civil Rights Program and related services, the Americans with Disabilities Act compliance, and Language Access programs.

Table 2.
Executive Office Crosswalk from Former Offices to New Teams

Former Office	Office Function	Proposed Executive Office Team(s) or Agencies
PSB	Budget	Executive Office: Budget Team and Grants Team
	Grants	
	Continuous Improvement	Executive Office: Performance and Accountability Team
	Strategy	
	Performance	
	Criminal Justice	Executive Office: Policy Team and Community Service and Response Team
	Regional Planning and Comprehensive Planning	Executive Office: Strategic Initiatives Team; and Department of Local Services

OLR	Labor Relations	Executive Office: Labor Relations Team
OERSJ	Civil Rights Investigations	Executive Office: Civil Rights, ADA, and Language Access Teams
	Language Access	
	ADA & Disability Equity	
OEOCE	Economic Opportunity	Executive Office: Strategic Initiatives Team
	Creative Economy	
ECO	Policy Direction and SCAP Implementation	Executive Office: Policy Team
	Building Decarbonization	Department of Local Services
	Green Building & Infrastructure	Department of Natural Resources and Parks
	Greenhouse Gas Reduction	Department of Natural Resources and Parks; Department of Executive Services; King County Metro Department
	EV Planning	Department of Executive Services and King County Metro
	Climate Preparedness	Department of Natural Resources and Parks
	Climate Equity	
EO	Government Relations	Executive Office: Government Relations Team
	External Relations	
	Communications	Executive Office: Communications Team
	Customer Service	Executive Office: Community Service and Response Team; Department of Executive Services
	Counsel	Executive Office: Leadership and Legal
	Strategic Partnerships	Executive Office: Strategic Initiatives Team
	Exec Finance & Administration	Executive Office: Finance and Administration

Executive staff provided a breakdown of how many FTEs and TLTs are estimated for the Executive's Office as shown in Table 3. The net increase to the Executive's Office in the proposed omnibus (Proposed Ordinance 2026-0071) would be 118.9 for a total of 139.9 FTEs in the 2026-2027 biennium.

Table 3.
Executive's Office Estimated FTEs and TLTs⁸

Team	FTE/TLT Estimate
Leadership/Legal/Support	8-10
Policy	10-12
Community Service and Response	14-16
Communications	5-7
Government Relations	6-8

⁸ Executive staff indicate that this is the current plan but it will be adjusted based on identified needs throughout the year.

Strategic Initiatives	4-6
Budget and Grants	30-32
Performance and Accountability	16-22
Labor Relations	14-16
Administrative	12-14
Total	119-143

County Executive Code Section. Section 5⁹ of the Proposed Ordinance would remove the five offices described in this staff report from King County Code while retaining various functions from each office. The remaining sections of the Proposed Ordinance would conform King County Code with the changes made in Section 5. In response to Council staff questions about the proposed removal of some language pertaining to the responsibilities of each office, Executive staff stated that, "Much of this work will continue in the Executive Office; similarly much of the work in the Executive Office is not detailed in code. The proposed code changes present an opportunity to simplify code and to update code to reflect operations." It is a policy choice for Councilmembers to what extent Executive Office functions and responsibilities should be detailed in code and whether all of the language is removed from Code as it appears in the Proposed Ordinance.

The Office of Performance, Strategy, and Budget. Section 5 would remove PSB from King County Code while retaining the County Executive's responsibility to manage and be fiscally accountable for planning, preparing, and managing the County's operating and capital budgets, revenues, and performing other budget-related responsibilities. The Proposed Ordinance would remove language related to the Executive's current responsibilities to overseeing the development of strategic plans, monitoring performance management and accountability, overseeing an annual performance report of the Executive branch, and performing interagency coordination. Under the proposed reorganization the Budget and Grants Team is estimated to be 30-32 FTE/TLTs.

Office of Equity and Racial and Social Justice. The Proposed Ordinance would remove the OERSJ from the King County Code while retaining references to the County's Civil Rights Program and the responsibility to coordinate the county's response to issues involving the Americans with Disabilities Act and the Civil Rights Act Title VI. The proposed changes would remove reference to coordinator positions for these purposes. It is a policy choice as to whether to remove these positions from King County Code. Executive staff state that the new Community Service and Response team would continue the work through a 14-member team including four regional leads focused on North, South, East, and Central parts of King County, and a volunteer and civic engagement lead, youth initiatives lead, public safety outreach lead, equity impact assessment lead, rural relations lead, and community navigators.

Office of Climate. The Proposed Ordinance also removes the Office of Climate from King County Code while retaining the responsibility for the Executive to coordinate the integration of climate change into county operations. The Proposed Ordinance would remove reference to working in partnership with Executive branch departments, cities, partners, communities, and residents, and advising the Executive and Council on

⁹ Section 6 in the striking amendment.

climate-related policies, programs, and activities. According to Executive staff, there will be a Climate Lead position retained in the Executive's Office to coordinate the implementation of the SCAP and future climate policy development. Executive staff indicate that 26 positions are transitioning from the Climate Office into agencies including County-funded and grant-funded TLT positions shown in Table 4. Executive staff state that "County-funded positions were moved into cabinet agencies as TLTs and are covered using existing appropriation in those agencies. Grant-funded positions were also moved into cabinet agencies as TLTs and will continue to be grant-backed using appropriation authority in the Grants Fund. The 1st Omnibus includes a proposal to convert the four asterisked County-funded positions to FTEs in the DNRP Director's Office." Of note, while these positions are proposed to be TLT conversions, Executive staff indicate that the Executive's Office is reducing its total size from 145.9 FTEs to 139.9 FTEs to reflect the movement of these 4 positions to DNRP, and 2 land use positions to DLS.

Table 4.
Climate Office Positions Transferred Out

Host Department	Body of Work & Position Count	County-Funded	Grant-Funded
DNRP	Climate Preparedness (3 total positions)	2 positions*	1 position
	Climate Equity (4 total positions)	2 positions*	2 positions
	Building Decarbonization (11 total positions)	0.5 position	10.5 positions
	Puget Sound Climate Preparedness Collective Fellows (5 positions)		5 positions (not County employees)
DES	Electric Vehicles (1 position)	1 position	
Metro	Greenhouse Gas Emissions Reduction (1 position)	1 position	
EXEC	Climate Policy Lead (1 position)	1 position	
	Totals	7.5 positions	18.5 positions

The fiscal note transmitted with the legislation indicates that the ongoing biennial net impact to the General Fund for the Executive's Office will be approximately -\$3.5 million due to the loss of the Climate Cost Share revenue which the Executive will no longer be collecting. This amount was previously supporting Climate positions in the Climate Office. Executive staff report that in the 2026-2027 biennium this amount would be covered by vacancy savings underspend. For more information about the effect of the Climate Cost Share revenue change please refer to the staff report for the proposed omnibus, Proposed Ordinance 2026-0071.

Office of Economic Opportunity and Creative Economy. The Proposed Ordinance also removes the Office of Economic Opportunity and Creative Economy. Executive staff state that this work would be fulfilled by the Strategic Initiatives Team and led by the Economic Opportunity and Activation Lead and the Arts and Culture Manager with an emphasis on Unincorporated King County and economic justice. According to Executive staff, these positions would work in "coordination with broader policy, budget and government relations teams in the Executive Office to drive economic development strategies." Under the proposed reorganization the Strategic Initiatives Team is estimated to be 4-6 FTE/TLTs.

Office of Labor Relations. The Office of Labor Relations is also proposed to be removed while retaining the responsibilities of representing county agencies in collective bargaining as required by state law, representing agencies in labor arbitration proceedings, administering labor contracts and providing consultation to county agencies regarding the terms, and implementation of labor agreements. Although language is proposed to be removed from code pertaining to providing advice to the Executive and Council on overall county labor policies, Executive staff state that the Executive would still provide support to Council as it did with the Office of Labor Relations in place. Under the proposed reorganization there would be a Labor Relations Director leading a team of labor relations staff estimated to be 14-16 FTE/TLTs.

Regional and Comprehensive Planning. The Proposed Ordinance moves the responsibility for managing updates to the comprehensive plan and long-range planning from the Executive's Office into the Department of Local Services which also houses subarea planners and current planners. The Executive's Office retains a Regional Planning Lead responsible for leading policy for the Executive's Office. Additionally, the Executive's Office would replace the Equity Planner position with equity outreach work performed by the Community Service and Response Team. Under the changes to the Executive Office, temporary contract or surge support would be added to DLS or the Executive's Office as needed, and the demographer and government relations positions would be transferred to DLS in the first proposed omnibus (Proposed Ordinance 2026-0071).

Board Responsibilities. The Proposed Ordinance would replace participation for various boards and commissions throughout Code from the directors of offices proposed for dissolution to the subsequent representative in the Executive's Office. A selection of replacement representatives are as follows:

- Replacing the Director of PSB on the Risk Management Committee with a representative in the Executive's Office.
- Replacing the Director of PSB on the Central Business Systems Steering Committee with the Budget Director in the Executive's Office.
- Replacing the Director of PSB on the King County Rural Forest Commission with a representative in the Executive's Office.

Budget Implications. The proposed omnibus (Proposed Ordinance 2026-0071) would effectuate net zero total changes of \$69,345,000 and add 118.9 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 5 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 5. The cumulative impact is a net-zero change in appropriation and FTE authority in the 2026-2027 biennium.

Table 5.
Office of the Executive Proposed Reorganization –Appropriation and FTE
Changes Proposed in the Proposed Omnibus 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) ¹⁰	(19.00)
4. Office of Climate	(\$13,761,000) ¹¹	(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)
<i>7. Dissolved Offices Subtotal</i>	<i>(\$75,444,000)</i>	<i>(124.9)</i>
8. DLS Director's Office (transferred from Exec Office)	\$1,420,000	2.0
9. Transfer from Executive to DNRP (transferred from Exec Office)	\$4,679,000	4.0
<i>10. Executive Agency's Subtotal</i>	<i>\$6,099,000</i>	<i>6.0</i>
11. Office of the Executive	\$69,340,000	118.9

TIMING & NOTICING

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

¹⁰ The fiscal note for this line item was \$1,000 less than the actual appropriation, \$12,895,000, in the 2026-2027 budget.

¹¹ The fiscal note for this line item was \$1,000 less than the actual appropriation, \$13,762,000, in the 2026-2027 budget.

the Committee of the Whole, the public hearing notice must be published at least 30 days prior to final action by Council.

After the April 28, 2026, Committee of the Whole meeting, it was requested that Council staff issue the public hearing notice prior to action planned for the Committee of the Whole meeting on May 26, 2026. The notice was issued on May 15, 2026, and the 30-day period will end June 16, 2026. Therefore, the Committee of the Whole may take action as planned at the May 26, 2026 meeting on the Proposed Ordinance and place the legislation on the Full Council agenda for June 16, 2026.

AMENDMENT

A technical striking amendment, Striking Amendment S1, incorporates 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, make technical changes, and make corrections to the legislative markup. The technical striker was distributed to Councilmembers on May 20, 2026.

Title Amendment T1 was drafted to conform the title to Striking Amendment S1.

Council's legal counsel has reviewed the legislation and amendments.

INVITED

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

ATTACHMENTS

1. Proposed Ordinance 2026-0073
2. Striking Amendment S1
3. Title Amendment T1
4. Transmittal Letter
5. Fiscal Note
6. Department of Commerce confirmation letter, dated April 3, 2026
7. 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,

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

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,

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.

PREAMBLE:

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

Under K.C.C. 2.16.025, the county executive manages the office of performance, strategy and budget, the office of labor relations, the office of climate, the office of economic opportunity and creative economy, and 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

shall include representatives of a broad range of county departments and elected agencies, including at a minimum the following:

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

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

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

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

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

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

SECTION 4. Ordinance 18665, Section 8, as amended, and K.C.C. 2.15.100 are 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 ~~c. 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 (~~(d.))~~ b. providing staff support to the county civil rights commission(~~(;~~
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;

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

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

4. Overseeing the county's unemployment compensation program;

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

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

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

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

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

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

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

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

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

2. Each community needs list shall:

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

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

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

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

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

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

(1) review by the department whether and to what extent the request meets or strengthens the community vision, guiding principles, and policies established in the 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

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

(1) reviewed and reported on annually; and

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

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

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

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

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

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

~~((D-))~~ E.1. The department shall also manage the community service area framework adopted by Ordinance 17139, which shall be called the community service area program. The community service area program shall develop and implement 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

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

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

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

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

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

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

~~((e.))~~ d. pursuing and resolving code violations, including preparing for 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;

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

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

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

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

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

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

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

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

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

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

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

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

1. Purpose, objectives and intent;
2. Definitions;
3. Preemployment administration:
 - a. role of the director and the department;
 - b. recruitment procedures;
 - c. application procedures;
 - d. examinations;
 - e. employment lists;
 - f. appointment; and
 - g. process requirements of equal employment opportunity;
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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

B. The council shall:

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

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

3. Adopt an appropriation ordinance granting authority to make expenditures and to incur obligations upon completion of the budget hearings and at least thirty days before the end of the current fiscal period. The council may attach an accompanying 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

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

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

A. The following reports shall be prepared:

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

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

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

4. Quarterly budget management reports.

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

(1) present current financial plans for operating and capital funds that have
gone through the ~~((office of performance, strategy, and budget's))~~ financial monitoring
process 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.

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

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

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

A. The ~~((director of the office of performance, strategy and))~~ budget director in the executive's office, ~~((its))~~ successor, shall maintain a fiscal note process and shall 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.

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

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

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

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

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

and

3. Ask an order of the court to compel the witness to appear and testify or

cooperate in the investigation of the unfair contracting practice.

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

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

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

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

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

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

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

2. A settlement agreement shall be reduced to writing and signed by the respondent and the charging party and shall be approved by the (~~office of equity and racial and social justice~~) civil rights program. An order shall then be entered by the (~~office of equity and racial and social justice~~) civil rights program setting forth the terms of the agreement. Copies of the order shall be delivered to all affected parties and 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

discussions may not be made public or used as evidence in a subsequent proceeding under this chapter without the written consent of the persons concerned. A prefinding settlement agreement arising out of the settlement discussions must be an agreement between the respondent and the charging party and is subject to approval by the ~~((office of equity and racial and social justice))~~ civil rights program. Each prefinding settlement agreement is a public record. Failure to comply with the prefinding settlement agreement may be enforced under K.C.C. 12.18.080.

E. The ~~((office of equity and racial and social justice))~~ civil rights program shall seek the voluntary cooperation of all persons: to obtain access to premises, records, documents, individuals, and other possible sources of information; to examine, record, and copy necessary materials; and to take and record testimony or statements of persons reasonably necessary for the furtherance of the investigation. The ~~((office of equity and racial and social justice))~~ civil rights program may conduct discovery in aid of the investigation by the following methods or others: deposition upon oral examination or written questions; written interrogatories; requests for the production of documents or other evidence, for inspection and other purposes; physical and mental examinations; and requests for admissions. The ~~((office of equity and racial and social justice))~~ civil rights program may sign and issue subpoenas requiring the attendance and testimony of witnesses and the production of or access to evidence including books, records, correspondence, e-mail, or documents in the possession or under the control of the person subpoenaed as are necessary for the investigation. The ~~((office of equity and racial and social justice))~~ civil rights program shall consult with the prosecuting attorney before 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

conduct of the hearing as are specified by K.C.C. chapter 20.22. The ~~((office of equity and racial and social justice))~~ civil rights program shall not be presumed correct. The hearing examiner's decision shall be based upon a preponderance of the evidence. The hearing shall be conducted within a reasonable time after receipt of the request for appeal. Written notice of the time and place of the hearing shall be given at least ten days before the date of the hearing to each affected party and to the ~~((office of equity and racial and social justice))~~ civil rights program.

C. Each party may, among exercising other rights:

1. Call and examine witnesses on any matter relevant to the issues of the complaint;
2. Introduce documentary and physical evidence;
3. Cross-examine opposing witnesses on any matter relevant to the issues of the complaint;
4. Impeach any witness regardless of which party first called the witness to testify;
5. Rebut evidence against the party; and
6. Self-represent or be represented by anyone of the party's choice who is lawfully permitted to do so.

D. Following review of the evidence submitted, the hearing examiner presiding at the hearing shall enter written findings and conclusions and shall affirm or modify the order previously issued if the hearing examiner finds that a violation occurred. The hearing examiner shall reverse the order if the hearing examiner finds that a violation did 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

reopen a previously filed case. Upon such a request, (~~office of equity and racial and social justice~~) civil rights program may reopen a case that was administratively closed upon the filing of a civil action. If the (~~office of equity and racial and social justice~~) civil rights program closes a case based on a "no reasonable cause" finding, the case shall not be reopened except as provided through reconsideration under K.C.C. 12.18.050.

E. A charging party or aggrieved person may not secure relief from more than one governmental agency, instrumentality, or tribunal for the same harm or injury.

F. An aggrieved person may not commence a civil action under this section with respect to an alleged unfair employment practice that forms the basis of a complaint if a hearing on the complaint has been convened under K.C.C. 12.18.070.

G. In a civil action under this section, if the court finds that an unfair practice occurred, the court may grant such relief as is available for violations of the Washington state Law Against Discrimination, chapter 49.60 RCW.

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

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

SECTION 59. Ordinance 7430, Section 9, as amended, and K.C.C. 12.18.090 are hereby amended to read as follows:

The (~~office of equity and racial and social justice~~) civil rights program may implement such forms, administrative processes, and operational procedures as are

necessary to comply with this chapter. The forms, processes, and procedures shall be adopted in compliance with K.C.C. chapter 2.98.

SECTION 60. Ordinance 13263, Section 52, and K.C.C. 12.18.097 are hereby amended to read as follows:

A. If a complaint is filed under this chapter, the ~~((office of equity and racial and social justice))~~ civil rights program shall initiate an investigation under this chapter.

B. If the ~~((office of equity and racial and social justice))~~ civil rights program determines that a violation of this chapter or any rules and regulations adopted under this chapter occurred, the ~~((office of equity and racial and social justice))~~ civil rights program shall issue an order in accordance with this chapter. For the enforcement of this chapter, if a conflict exists between this chapter and K.C.C. Title 23, this chapter controls over K.C.C. Title 23.

SECTION 61. Ordinance 19762, Section 12, and K.C.C. 12.18B.030 are hereby amended to read as follows:

A. Beginning January 1, 2026, the ~~((manager of the office of performance, strategy, and budget, or its designee,))~~ representative of the executive's office shall annually convene a workgroup to: evaluate whether the current hourly minimum wage rate as established by this chapter is sufficient to meet the basic needs of working households in King County; and analyze the current hourly minimum wage rate's impact to the region's economy. The workgroup's evaluation and analysis shall include, but not 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

of the date of receipt of the complaint, unless it is impracticable to do so. If the ~~((office of equity and racial and social justice))~~ civil rights program is unable to do so, the ~~((office of equity and racial and social justice))~~ civil rights program shall notify the charging party and respondent, in writing, of the reasons for not doing so.

C. During the investigation, the ~~((office of equity and racial and social justice))~~ civil rights program shall consider any statement of position or evidence with respect to the allegations of the complaint that the charging party or the respondent wishes to submit.

D. A person who is not named as a respondent in a complaint, but who is identified as a respondent in the course of investigation, may be joined as an additional or substitute respondent upon written notice, under subsection A. of this section, to the person from the ~~((office of equity and racial and social justice))~~ civil rights program. The notice, in addition to meeting the requirements of subsection A. of this section, shall explain the basis for the belief of the ~~((office of equity and racial and social justice))~~ civil rights program that the person to whom the notice is addressed is properly joined as a respondent.

E. During the period beginning with the filing of the complaint and ending with the issuance of the findings of fact, the ~~((office of equity and racial and social justice))~~ civil rights program shall, to the extent feasible, engage in settlement discussions with respect to the complaint. Nothing said or done in the course of the settlement discussions may be made public or used as evidence in a subsequent proceeding under this chapter without the written consent of the persons concerned. A prefinding settlement agreement 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, respondent₂, 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, respondent₂, and aggrieved person on whose behalf the finding was made

with information regarding how to make the election. This election must be made not later than thirty days after the receipt by the electing person of service of the order. The person making the election shall give notice of the election stating which forum is elected to the ~~((office of equity and racial and social justice))~~ civil rights program and to all other charging parties and respondents to whom the complaint relates. The notice of election should identify clearly and specifically:

- a. the errors that the appellant believes were made in the action or decision that is being appealed, or the procedural irregularities associated with that action or decision;
- b. specific reasons by the county's action should be reversed or modified; and
- c. the desired outcome of the appeal.

2. Any order issued by the ~~((office of equity and racial and social justice))~~ civil rights program under K.C.C. 12.20.090.B. becomes final thirty days after service of the order unless a written notice of election is filed with the ~~((office of equity and racial and social justice))~~ civil rights program within the thirty-day period. If the order becomes final, parties violating the order are subject to the enforcement provisions of K.C.C. 12.20.120.

B. If no election of civil action is made, and an election for hearing is made, the complaint, any and all findings made and either affirmative action measures or civil penalties, or both, required shall be certified by the ~~((office of equity and racial and social justice))~~ civil rights program to the office of the hearing examiner for hearing.

C. A hearing shall be conducted by the office of the hearing examiner for the purpose of affirming, denying or modifying the order. There shall be a verbatim record 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

under this chapter or similar law, the ~~((office of equity and racial and social justice))~~ civil rights program may administratively close a complaint of an unfair housing practice.

E. If a court dismisses a private cause of action without reaching the merits and on grounds that would not preclude pursuit of a complaint under this chapter, the charging party may request, within ninety days of the entry of the court's order of dismissal, that the ~~((office of equity and racial and social justice))~~ civil rights program reopen a previously filed case. Upon such a request, the ~~((office of equity and racial and social justice))~~ civil rights program may reopen a case that was administratively closed upon the filing of a civil action. If the ~~((office of equity and racial and social justice))~~ civil rights program closes a case based on a "no reasonable cause" finding, the case shall not be reopened except as provided through reconsideration under K.C.C. 12.20.080. A charging party or aggrieved person may not secure relief from more than one governmental agency, instrumentality, or tribunal for the same harm or injury.

F. An aggrieved person may not commence a civil action under this section with respect to an alleged discriminatory housing practice that forms the basis of a complaint if a hearing on the complaint has been convened by the office of the hearing examiner.

G. In a civil action under subsection A., of this section, if the court finds that a discriminatory practice occurred or is about to occur, the court may order remedies as allowed by 42 U.S.C. 3613 (c) as it exists on April 16, 2006, including punitive damages as provided in 42 U.S.C. 3613(c), and, subject to the restrictions of subsection H. of this section, may grant as relief, as the court deems appropriate, any permanent or temporary injunction, temporary restraining order or other order, including an order enjoining the 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~~

justice)) civil rights program shall issue an order in accordance with this chapter. For enforcement of this chapter, if a conflict exists between this chapter and K.C.C. Title 23, this chapter controls over K.C.C. Title 23.

SECTION 73. Ordinance 8625, Section 2, as amended, and K.C.C. 12.22.020 are hereby amended to read as follows:

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

A. "Aggrieved person" includes any person who claims to have been injured by an act of discrimination in a place of public accommodation;

B. "Charging party" means any person alleging an act of discrimination in a place of public accommodation under this chapter by filing a complaint with the ~~((office of equity and racial and social justice))~~ civil rights program.

C. "Discrimination" or "discriminatory practice or act" means any action or failure to act, whether by a single act or part of a practice, the effect of which is to adversely affect or differentiate between or among individuals, because of one or more of the protected classes as defined in K.C.C. chapter 3.12D.

D. "Gender identity or expression" means an individual's gender-related identity, appearance, or expression, whether or not associated with the individual's sex assigned at birth, and includes an individual's attitudes, preferences, beliefs, and practices pertaining to the individual's own gender identity or expression.

E. "Owner" includes a person who owns, leases, subleases, rents, operates, manages, has charge of, controls, or has the right of ownership, possession, management, 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.

I. "Respondent" means a person who is alleged or found to have discriminated in a place of public accommodation.

J. "Senior citizen" means an individual as old or older than an age set for a senior category. The minimum age for the senior category is fifty-five years.

K. "Settlement discussions" or "conference, conciliation, and persuasion" means the attempted resolution of issues raised by a complaint, or by the investigation of a complaint, through informal negotiations involving the charging party, the respondent and the ~~((office of equity and racial and social justice))~~ civil rights program.

SECTION 74. Ordinance 8625, Section 4, as amended, and K.C.C. 12.22.040 are hereby amended to read as follows:

A. A complaint alleging discrimination in a place of public accommodation may be filed by:

1. Any aggrieved person; or
2. Any state, local, or federal agency concerned with discrimination in places of public accommodation, including the ~~((office of equity and racial and social justice))~~ civil rights program, if the agency has reason to believe that a discriminatory act or practice has been or is being committed.

B. A complaint alleging discrimination in a place of public accommodation shall be in writing and signed by the charging party. The complaint must be filed with the ~~((office of equity and racial and social justice))~~ civil rights program within one hundred eighty days of the occurrence of the alleged discrimination or within one hundred eighty days of when the charging party, through exercise of due diligence, should have had notice or been aware of the occurrence. The complaint must describe with particularity

the practice complained of and the location of the practice and must identify the person being charged with committing the discrimination. However, the ~~((office of equity and racial and social justice))~~ civil rights program shall not reject a complaint as insufficient because of failure to include all required information, if the ~~((office of equity and racial and social justice))~~ civil rights program determines that the complaint substantially meets the informational requirements necessary for processing.

C. Upon the receipt of a complaint, the ~~((office of equity and racial and social justice))~~ civil rights program shall serve notice upon the charging party acknowledging the fling.

D. The charging party or the ~~((office of equity and racial and social justice))~~ civil rights program may amend a complaint: to cure technical defects or omissions; to clarify and amplify allegations made in the complaint; or to add allegations related to or arising out of the subject matter set forth, or attempted to be set forth, in the original complaint. For jurisdictional purposes, the amendments relate back to the date the original complaint was first filed. Either the charging party or the ~~((office of equity and racial and social justice))~~ civil rights program, or both, may amend a complaint for these reasons as a matter of right before service of notice of hearing on the matter as provided under K.C.C. 12.22.070, and thereafter may amend a complaint only with the permission of the hearing examiner, which permission shall be granted if justice will be served by the permission, and all parties shall be allowed time to prepare their cases with respect to additional or expanded allegations that the parties did not and could not have reasonably foreseen would be an issue at the hearing.

E. The charging party may also amend a complaint to include allegations of additional unrelated discriminatory acts that arose after filing of the original complaint. The charging party must file any amendments adding the allegations within one hundred eighty days of the occurrence of the alleged discrimination or within one hundred eighty days of when the charging party, through exercise of due diligence, should have had notice or been aware of the additional discriminatory act, and before the issuance of findings of fact and a determination with respect to the original complaint by the ~~((office of equity and racial and social justice))~~ civil rights program. The amendments may be made at any time during the investigation of the original complaint if the ~~((office of equity and racial and social justice))~~ civil rights program will have adequate time to investigate the additional allegations and the parties will have adequate time to present the ~~((office of equity and racial and social justice))~~ civil rights program with evidence concerning the allegations before the issuance of findings of fact and a determination.

SECTION 75. Ordinance 8625, Section 5, as amended, and K.C.C. 12.22.050 are hereby amended to read as follows:

A. After the filing of a complaint, the ~~((office of equity and racial and social justice))~~ civil rights program shall serve notice of the complaint and a copy of the complaint on the respondent within twenty days after the filing of the complaint. Each respondent may file an answer to the complaint not later than twenty days after receipt of notice from the ~~((office of equity and racial and social justice))~~ civil rights program. If a respondent is unable to file a response within twenty days, the respondent may request an extension of time from the ~~((office of equity and racial and social justice))~~ civil rights program. The extension may be granted by the ~~((office of equity and racial and social~~

justice)) civil rights program if good cause is shown. The (~~(office of equity and racial and social justice))~~ civil rights program shall commence the investigation of the complaint promptly.

B. The (~~(office of equity and racial and social justice))~~ civil rights program shall direct the investigation to ascertain the facts concerning the discrimination in public accommodations alleged in the complaint and shall conduct the investigation in an objective and impartial manner. During the investigation, the (~~(office of equity and racial and social justice))~~ civil rights program shall consider any statement of position or evidence with respect to the allegations of the complaint that the charging party or the respondent wishes to submit. A person who is not named as a respondent in a complaint, but who is identified as a respondent in the course of the investigation, may be joined as an additional or substitute respondent upon written notice, as provided under subsection A. of this section, to the person from the (~~(office of equity and racial and social justice))~~ civil rights program. The notice, in addition to meeting the requirements of subsection A. of this section, must explain the basis for the belief of the (~~(office of equity and racial and social justice))~~ civil rights program that the person to whom the notice is addressed is properly joined as a respondent.

C. During the period beginning with the filing of the complaint and ending with the issuance of the findings of fact, the (~~(office of equity and racial and social justice))~~ civil rights program, to the extent feasible, engage in settlement discussions with respect to the complaint. Anything said or done in the course of the settlement discussions may not be made public or used as evidence in a subsequent proceeding under this chapter 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

finding. The ~~((office of equity and racial and social justice))~~ civil rights program shall furnish the charging party with information regarding how to request reconsideration. The ~~((office of equity and racial and social justice))~~ civil rights program shall respond in writing within a reasonable time by granting or denying the request.

SECTION 76. Ordinance 8625, Section 6, as amended, and K.C.C. 12.22.060 are hereby amended to read as follows:

A.1. If the ~~((office of equity and racial and social justice))~~ civil rights program makes the finding initially or on request for reconsideration that reasonable cause exists to believe that discrimination in a place of public accommodation occurred, the ~~((office of equity and racial and social justice))~~ civil rights program shall endeavor to eliminate the discriminatory practice by conference, conciliation, and persuasion, which may include as a condition of settlement:

- a. elimination of the discriminatory practice;
- b. payment of refunds or credits not in excess of the amount of monetary damage actually incurred;
- c. payment of other actual damages, including damages caused by emotional distress, humiliation and embarrassment;
- d. payment of attorneys' fees and costs;
- e. participation in training on public accommodations laws; and
- f. such other requirements as may lawfully be agreed upon by the parties and the ~~((office of equity and racial and social justice))~~ civil rights program.

2. Any postfinding settlement agreement shall be reduced to writing and signed 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

after service of the order unless a written request for hearing is filed with the ~~((office of equity and racial and social justice))~~ civil rights program within the thirty-day period.

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

D. Each party may, among exercising other rights:

1. Call and examine witnesses on any matter relevant to the issues of the complaint;
2. Introduce documentary and physical evidence;
3. Cross-examine opposing witnesses on any matter relevant to the issues of the complaint;
4. Impeach any witness regardless of which party first called the witness to testify;
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	P14	P14	P14	P14	P1 5	P1 5	P15	P15	P
*	Commuter Parking Lot				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 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

	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	P
*	Transit Comfort Facility				P26		P26	P26	P26	P26	P26	P26	P26	P26
*	School Bus Base				C5 S20	C5 S	C5 S	C5 S	C5 S	S	S	S	S	P
7948	Racetrack				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;

(3) The maximum water surface area at any existing dam or diversion shall not be increased;

(4) An exceedance flow of no greater than fifty percent in mainstream reach shall be maintained;

(5) Any transmission line shall comply with the following:

(a) be limited to right-of-way of five miles or less; and

(b) be limited to capacity of two hundred thirty KV or less;

(6) Any new, permanent access road shall be limited to five miles or less; and

(7) The facility shall only be located above any portion of the stream used by anadromous fish.

b. The applicant shall submit an equity impact review of the proposal using tools developed by the ~~((office of equity and racial and social justice))~~ executive's office. Until the tools have been developed and made publicly available by the ~~((office))~~ executive's office, the equity impact review is not required. The results from the equity impact review shall be used to assess equity impacts and opportunities during county permit review and may be used to inform determinations of project approval.

15. For I-zoned sites located outside the urban area, uses shown as a conditional or special use in K.C.C. 21A.08.100.A., except for wastewater treatment facilities and racetracks, shall be prohibited. All other uses, including wastewater treatment facilities, shall be subject to the provisions for rural industrial uses in K.C.C.21A.09T.020.

16. The operator of such a facility shall provide verification to the department of natural resources and parks or its successor organization that the facility meets or exceeds 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

f. As part of application submittal, the applicant shall submit verification that preliminary fire safety and evacuation plans have been shared with the local fire protection district. The final plans shall be shared with the local fire protection district before final inspection approval.

31.a. For all search and rescue facilities:

(1) the minimum lot size is four and one half acres;

(2) structures and parking areas for search and rescue facilities shall maintain a minimum distance of seventy-five feet from interior lot lines that adjoin RA, UR, and R zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

(3) use of the search and rescue facility is limited to activities directly relating to the search and rescue organization, except that the facility may be used by law enforcement and other public emergency responders for training and operations related to search and rescue activities; and

(4) the applicant shall demonstrate the absence of existing search and rescue facilities that are adequate to conduct search and rescue operations in the rural area.

b. A special use permit is required when helicopter fueling, maintenance, or storage is proposed.

SECTION 86. Ordinance 14045, Section 30, as amended, and K.C.C. 21A.14.225 are hereby amended to read as follows:

A. Tracts and easements containing hazardous liquid and gas transmission pipelines and required setbacks from such pipelines may include the following uses, subject to other regulations applicable to each use and approval of the holder of the

easement: utility structures that are not normally occupied and that are necessary for the operation of the pipeline, landscaping, trails, open space, keeping of animals, agriculture, forestry, commercial signage, minor communication facilities and utility structures that are not normally occupied and that are necessary for the operation of the minor communication facility, and other compatible uses as specified on the face of the recorded plat or short plat; however, structures designed for human occupancy shall never be allowed within pipeline tracts, easements, or setbacks.

B. Hazardous liquid and gas transmission pipelines shall not be located in aquifer recharge areas, landslide hazard areas, or erosion hazard areas. When it is impractical to avoid such areas, special engineering precautions should be taken to protect public health, safety, and welfare.

C. As part of an application for the new, modified, or expanded gas or hazardous liquid transmission pipelines, the applicant shall submit an equity impact review of the proposal using tools developed by the ~~((office of equity and racial and social justice))~~ executive's office. Until the tools have been developed and made publicly available by the ~~((office))~~ executive's office, the equity impact review is not required. The results from the equity impact review shall be used to assess equity impacts and opportunities during county permit review and may be used to inform determinations of project approval.

SECTION 87. Ordinance 16267, Section 62, as amended, and K.C.C. 21A.28.154 are hereby amended to read as follows:

A. There is hereby created the school technical review committee consisting of 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.

J. The master planning proposal shall include site designs and features to reduce the level of noise impacts upon nearby residential neighborhoods.

K. The department shall:

1. Schedule and conduct a preapplication meeting with applicant within thirty days of the request for such a meeting by the applicant in order to identify the full range of potential issues related to the proposed expansion of Pacific Raceways and to specifically list information or studies needed to adequately evaluate the listed issues.

2. Provide to the applicant a detailed listing of all project issues and necessary information or studies required under subsection D. of this section within thirty days after the date of the preapplication meeting;

3. Accept for filing a master planning proposal application submitted by the applicant only if it provides the information and studies required by subsection K.2. of this section;

4. Determine whether the master planning proposal is a complete application under this section and K.C.C. 20.20.050;

5. Provide a notice of a complete application under K.C.C. 20.20.060.B. In addition to notice required under K.C.C. 20.20.060.B, the department shall provide mailed notice to:

a. all parties of record, including community groups or organizations, established during the review of Conditional Use Permit File Nos. A-71-0-81 and L08CU006, Proposed Ordinance 2010-0189, or Ordinance 17287;

b. persons requesting notification of any county land use action regarding 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

consistent with this section. The department shall provide notice of the proposed development and operating agreement in the same manner as it provided the notice of application under subsection K.5. of this section. The department shall present the proposed development and operating agreement at a public meeting within fourteen days after the notice is provided under this subsection K.9.; and

10. Within sixty days after the public meeting required by subsection K.9. of this section:

a. transmit to the hearing examiner the department's recommended development and operating agreement, together with a proposed ordinance authorizing the executive to execute the development and operating agreement;

b. publish its recommended development and operating agreement on the department's website; and

c. provide notice of its recommended development and operating agreement in the same manner as it provided the notice of application under subsection K.5.a. through c. of this section and to those governmental agencies listed in K.C.C. 20.20.090.A. The notice shall also advise:

(1) that the department's recommendation is subject to an open record public hearing before the hearing examiner;

(2) the date that the department's recommendation has been transmitted to the hearing examiner; and

(3) that interested persons may appear as parties at the open record public hearing by filing a notice of appearance with the hearing examiner within fourteen days 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

or oral summary, or both, of the appeal record, issues, and arguments presented in an appeal and may provide answers, based on the record, to questions with respect to issues raised in an appeal asked by council members at the appeal hearing. Nothing in this subsection shall be construed as limiting the ability of the council to seek and receive legal advice regarding a pending appeal from the office of the prosecuting attorney or other county legal counsel either within or outside of the hearing.

8. If, after consideration of the record, written appeal statements and any oral argument the council determines that:

a. An error in fact or procedure may exist or additional information or clarification is desired, the council shall remand the matter to the hearing examiner for further hearing to receive additional information or further consideration; or

b. The recommendation of the hearing examiner is based on an error in judgment or conclusion, the council may modify or reverse the recommendation of the hearing examiner.

9. a. The council's final action on any recommendation of the hearing examiner shall be by ordinance, which shall include findings of fact and conclusions from the record of the hearing examiner's public hearings. The findings and conclusions shall set forth and demonstrate the manner in which the council's decision is consistent with, carries out, and helps implement applicable state laws, the regulations, the policies, objectives, and goals of the comprehensive plan, and Ordinance 17287. The council may adopt as its own all or portions of the hearing examiner's findings and conclusions.

b. Any ordinance also may contain reasonable conditions, in accordance with state law and county ordinances, which must be satisfied before the ordinance becomes

effective. The ordinance shall also designate the time period within which any such conditions must be satisfied. All authority pursuant to such ordinance shall expire if any of the conditions are not satisfied within the designated time period and the property shall continue to be subject to all laws, regulations, and zoning as if the ordinance had not been adopted. The council may extend the period for satisfaction of the conditions if, after a public hearing by the examiner, the council finds an extension will be in the public interest and the extension was requested by the applicant within the initial time period.

N. If the hearing examiner's recommendation is not appealed pursuant to subsection M. of this section:

1. The clerk of the council shall place a proposed ordinance that implements the examiner's recommended action on the agenda of the next available council meeting for adoption;

2. No final action to amend or reverse the hearing examiner's recommendation shall be taken at that meeting and notice to parties shall be given before the adoption of a substitute or amended ordinance that amends or reverses the examiner's recommendation;

3. The council may either:

a. Refer the matter to the transportation, economy and environment or its successor for further consideration deemed necessary before the council takes final action on the matter or remand the matter to the hearing examiner for further hearing to receive additional information or further consideration; or

b. Adopt the hearing examiner's recommendation by an ordinance satisfying 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 ~~((d-))~~ 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.

V. A preapplication meeting shall be required for the interim use permit. The applicant shall submit the following information to the department with a request to schedule a preapplication meeting:

1. Affidavit of application, on a form approved by the department;
2. Project narrative and questions for department staff;
3. Preliminary site plan, which shall include:
 - a. location of the property, with a vicinity map showing cross street;
 - b. address, if an address has been assigned;
 - c. parcel number or numbers;
 - d. zoning of parcel or parcels and adjacent parcel or parcels;
 - e. north arrow and scaled dimensions;
 - f. existing and proposed building footprints, with overhangs and projections;
 - g. existing and proposed grade contours;
 - h. site area in square feet or acres of the project site;
 - i. area of either disturbance or development, or both, including utilities, septic and internal circulation, as needed;
 - j. existing and proposed easements, including ingress, egress, utilities, or drainage; and
 - k. critical areas and their buffers; and

4. Preliminary building plan.

W. An interim use permit application shall be considered complete when the following information and studies have been submitted and are adequate to review the 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

recommended option will produce a review that complies with this chapter and other applicable laws, regulations, and adopted policies.

Z.1. In reviewing the interim use permit, the department shall:

a. process the interim use permit as a Type 3 land use permit, except as provided in subsection DD. of this section. K.C.C. chapter 20.20 shall apply, except as modified by this section;

b. conduct a mandatory preapplication meeting within fourteen days of the applicant's request for a preapplication meeting;

c. within twenty one days of the preapplication meeting, provide a detailed listing of the required information or studies required for review of the interim permit, in conformance with this section, the other building, construction and environmental permits that will be required, and an estimate of cost for review of the interim use permit;

d. accept the interim use permit application if the applicant provides the information and studies required by the detailed listing provided in subsection Z.1.c. of this section;

e. determine whether the interim use permit application is complete within seven days of filing by the applicant, pursuant to K.C.C. 20.20.050, and subject to the application requirements in subsection W. of this section;

f. provide a notice of complete application under K.C.C. 20.20.050, within seven days of determining that the application is complete;

g. provide a notice of application under K.C.C. 20.20.060 within fourteen days of providing the notice of complete application. In addition to the notice required by 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

before the scheduled hearing, the department shall file the report with the hearing examiner and mail copies to those identified in subsection Z.1.g. of this section.

2. The exceptions to permit review timelines described in K.C.C. 20.20.100.C. shall apply to the review period deadlines outlined in subsection Z. of this section. If the department is unable to meet the time limits established by this section, it shall provide written notice of this fact to the applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of the notice of recommendation to the hearing examiner. In no case shall the review of the interim use permit, from the date a complete application is filed through the date the department issues the recommendation to the hearing examiner, excluding the timeframes outlined in K.C.C. 20.20.100.C., exceed one hundred twenty days, unless the parties agree to an extension.

AA.1. The hearing examiner shall:

a. within fourteen days of receiving the department's recommendation on the interim use permit, set the date for the prehearing conference and notify the interested parties.

b. within seven days of the prehearing conference, issue a prehearing order that includes a tentative schedule and order of proceedings for the hearing required under this subsection.

c. conduct an open record public hearing within thirty days of the prehearing conference.

d. within ten days of the public hearing, issue a decision on the interim use 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

notice on the King County website of the opportunity to apply to the county for a share of the annual allocation of the conservation futures tax levy proceeds available for that year.

The department shall also provide notice by email to all agencies, nonprofit organizations, nongovernmental organizations, and individuals anticipated to have potential interest in conservation futures funding. The department shall maintain and update a list of parties anticipated to be interested in conservation futures funding.

B. No later than March 1, the county council may adopt a motion that provides direction to the advisory committee on priorities for evaluating the applications within the open space criteria identified in K.C.C. 26.12.025.

C.1. The advisory committee shall make project recommendations and recommend funding allocations for each project to the executive, including:

- a. a description of each project including project location and acreage;
- b. a report on how each project meets the county open space selection criteria, contained in K.C.C. 26.12.025;
- c. the amount of funding requested in each project application;
- d. any additional relevant criteria of the jurisdiction in which the potential acquisition is located; and
- e. a description of how projects contain a demonstrable regional visibility, use, ecological, cultural, historical, or other natural resource significance.

2. The executive shall transmit the advisory committee's project and funding recommendations for the following year to the council. The report shall be filed 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

its changed status or use, and not based upon its value as open space, and the replacement land or payment amount must be acceptable to King County. Before the conversion of conservation futures land to another use, the department of natural resources and parks shall provide written notification to the council. If the proposal is to convert one-half acre or more of conservation futures land, or if the conservation futures land to be converted is valued at more than fifty thousand dollars, and the proposal is either for a cash reimbursement or for proposed equivalent lands that are not within the same jurisdiction as the conservation futures land proposed to be converted to another use, the executive shall, at least sixty days before taking action on the proposal, submit the written notification to the council. Unless the council passes a motion rejecting the proposal within sixty days of receiving the notification, the executive may proceed with the proposal. The sixty-day waiting period shall not apply when the conservation futures land proposed to be converted, as well as the proposed equivalent lands, are within the same trail corridor or part of the same contiguous open space area.

J. The written notification required by this section shall include, but not be limited to, the acreage and specific location of both the conservation futures land proposed to be converted and the proposed equivalent lands, if any, the reason for the conversion of land and, if cash reimbursement is proposed, a copy of the appraisal for the conservation futures land to be converted and the amount of the cash reimbursement proposed. The notification shall be filed electronically with the clerk of the council, who will retain an electronic copy and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff to the mobility and environment committee or its 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

S1

April 6, 2026
Technical Striking

[S. Porter] Sponsor: Dembowski
 Proposed No.: 2026-0073

1 **STRIKING AMENDMENT TO PROPOSED ORDINANCE 2026-0073, VERSION**

2 **1**

3 On page 1, beginning on line 103, strike lines 103 through 5199, and insert:

4 "PREAMBLE:

5 The King County charter bestows on the executive the authority and the

6 duty of supervising all administrative offices and executive

7 departments established by the charter or created by the county council.

8 Under K.C.C. 2.16.025, the county executive manages the office of

9 performance, strategy and budget, the office of labor relations, the office of

10 climate, the office of economic opportunity and creative economy, and

11 the office of equity and racial and social justice.

12 King County executive Girmay Zahilay was sworn in on November 25,

13 2025, with a stated commitment to strengthen how King County delivers

14 important services.

15 As part of that commitment, the county executive's office is being

16 reorganized to eliminate the office of performance, strategy and budget,

17 the office of labor relations, the office of climate, the office of economic

18 opportunity and creative economy, and the office of equity and racial and
19 social justice.

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

24 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

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

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

33 B. The executive's office ~~((of performance, strategy and budget))~~ shall apply the
34 following criteria in evaluating a proposal for an intergovernmental financing partnership
35 for the development and construction of civic or cultural facilities as provided for in
36 subsection A. of this section:

- 37 1. Only municipalities in King County are eligible to be a partner city;
38 2. The proposed project must be located in the partner city;
39 3. The proposed project must serve a county purpose and be determined to have
40 broad regional benefit;

41 4. The partner city must establish and identify the available secured revenue
42 sources for the proposed project;

43 5. The county's contribution shall be limited to an amount that can reasonably
44 be supported by the established or identified available tax revenues or other secured
45 revenues identified by the partner city, and shall be in an amount that is appropriate for
46 the specific circumstances of the proposal. County debt shall be used only if the county
47 has determined that its participation in the project with the partner city project would be
48 consistent with the county's debt policies and would not adversely impact the county's
49 bond rating or finances;

50 6. The partner city must enter into an interlocal agreement with the county. The
51 interlocal agreement may further establish the roles and responsibilities of the partner city
52 and the county, including the financing, management, ownership, communication,
53 oversight and accountability mechanisms that may be required by the county as the basis
54 for its participation in the partner city's project;

55 7. The proceeds from the county bond issuance may only be used for the
56 project's development and construction. The bond proceeds may not be used for a
57 facility's operations;

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

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

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

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

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

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

70 B. A public records committee is hereby established. The public records
71 committee shall:

- 72 1. Advise the council and the executive on county public records policies,
73 including both paper and electronic records; these policies must include policies for
74 posting records on county web sites;
- 75 2. Provide guidance on the planning and implementation of a countywide
76 records storage management plan and a countywide electronic records management
77 system;
- 78 3. Advise county agencies on their use of digital communication technology and
79 serve as a forum for sharing and discussing information about the county's use of such
80 technology; and
- 81 4. Submit a report containing the following information by August 15 of each
82 year in the form of a paper original and an electronic copy to the clerk of the council,
83 who shall retain the original and provide an electronic copy of the report to all
84 councilmembers, the council chief of staff, and the lead staff for the council's government
85 accountability and oversight committee or its successor. The report shall include:

- 86 a. a description of the forms of digital communication that are in use by each
87 county agency;
- 88 b. for each form of digital communication that is in use by an agency, a
89 description of the methods used by the agency to retain records of digital communication
90 to meet applicable record retention requirements; and
- 91 c. for each form of digital communication that is in use by an agency, a
92 description of the methods used by the agency to search records of digital communication
93 to meet applicable public record disclosure requirements;
- 94 d. the report required by the public records committee charter adopted by
95 Motion 12511, which provides a summary of the activities of the public records
96 committee in relation to the charter goals, and programmatic and policy
97 recommendations as to how King County can best manage, preserve and provide access
98 to its public records; and
- 99 e. all agency reports submitted to the chair of the public records committee
100 required by K.C.C. 2.12.300 that describe each agency's performance in responding to
101 public records requests during the preceding calendar year.

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

- 106 1. The council;
- 107 2. The prosecuting attorney's office;
- 108 3. The sheriff's office;

- 109 4. The assessor's office;
- 110 5. The department of elections;
- 111 6. (~~(Office of performance, strategy and budget)~~) The executive's office;
- 112 7. The executive branch's senior public records officer;
- 113 8. The department of information technology's director of web-based services
- 114 technology; and
- 115 9. Each executive department.

116 SECTION 3. Ordinance 18665, Section 6, and K.C.C. 2.15.030 are hereby

117 amended to read as follows:

118 A.1. King County and all its contractors shall provide free interpretation and

119 translation services as required by this chapter to limited-English-proficient persons.

120 When a limited-English-proficient person seeks or receives benefits or services from a

121 local agency, office, or contractor, the agency, office, or contractor shall make reasonable

122 efforts provide prompt interpretation services in all interactions with the person, whether

123 the interaction is done remotely or in person. King County agencies and offices shall

124 either employ sufficient qualified bilingual employees or contract with remote language

125 services to provide interpretation services in languages spoken by limited-English-

126 proficient county residents.

127 2. The agency, office or contractor shall meet its obligation to provide prompt

128 interpretation services for purposes of this subdivision by ensuring that limited-English-

129 proficient persons do not have to wait unreasonably longer to receive assistance than

130 persons who do not require interpretation services. King County agencies shall provide

131 support to contractors to meet the requirements of this section.

132 3. Where an application or form administered by King County requires
133 completion in English by a limited-English-proficient person for submission to a local,
134 state, or federal authority, King County or its contractor shall make reasonable efforts to
135 provide oral interpretation of the application or form as well as acknowledgement by the
136 limited-English-proficient person that the form was translated and completed by an
137 interpreter. King County agencies shall provide support to contractors to meet the
138 requirements of this section.

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

148 SECTION 4. Ordinance 20048, Section 6, and K.C.C. 2.15.060 are hereby
149 amended to read as follows:

150 A.1. The executive shall design clear signage or templates for stating: "This
151 property shall not be used for civil immigration enforcement staging, operations, or
152 processing."

153 2. The executive shall work with county agencies to identify county-owned and
154 county-controlled properties that are at high risk for being used as civil immigration

enforcement related areas. Agencies responsible for such properties shall, wherever practicable, post the signage referenced above and develop strategies to increase security measures for such properties, including using physical barriers such as locked gates to limit access. Agencies may add the sign statement referenced above to existing signs.

B.1. Within thirty days of the date of enactment of this ordinance, county departments and agencies shall develop the procedures necessary to implement this ordinance. The implementing procedures shall provide that any county employee who becomes aware of the attempted or actual use of a county-owned and county-controlled property as a civil immigration enforcement related area shall immediately report the attempted or actual use to the department or agency director or their designee responsible for the operation of the property who shall report it to the executive. The executive shall notify all councilmembers of reports of the attempted or actual use of a county-owned and county-controlled property as a civil immigration enforcement related area.

2. The executive's office shall work with ~~((the office of equity and racial and social justice, or its successor in carrying out the duties of the office, and))~~ county staff in relevant agencies to implement training for county employees on this chapter or incorporate training on this chapter into existing training for relevant staff in relevant agencies. This requirement is not intended to duplicate existing training.

C. This section does not apply to property that is subject to an existing lease or concession agreement to which the county is a party. This section is not intended to, and shall not be interpreted to, interfere with any such lease or agreement.

D. Nothing in this section shall be construed as restricting or interfering with the execution of lawful judicial warrants, court orders, or the enforcement of criminal law,

nor as limiting the rights of any person or entity under state or federal law. This section does not prohibit the lawful use of county-owned and controlled property for purposes other than a civil immigration enforcement related area, nor does it restrict any person or entity from carrying out functions unrelated to those purposes on such property.

SECTION 5. Ordinance 18665, Section 8, as amended, and K.C.C. 2.15.100 are hereby amended to read as follows:

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

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

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

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

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

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

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

200 4.)) Developing and preparing expenditure plans and ordinances to manage the
201 implementation of the operating and capital ((project)) budgets throughout the fiscal
202 period;

203 ((5.)) 4. Formulating and implementing financial policies regarding revenues
204 and expenditures for the county and other applicable agencies;

205 ((6. Performing program analysis, and contract and performance evaluation
206 review;

207 7. Developing and transmitting to the council, concurrent with the proposed
208 budget for the fiscal period, supporting materials consistent with K.C.C. chapter 4A.100;

209 8. Performance management and accountability;

210 a.)) 5. ((p)) Providing leadership, guidance, and coordination of the executive
211 branch performance management and accountability system;

212 ((b. overseeing the development of strategic plans and operational plans for
213 each executive branch department and office;

214 c. overseeing monitoring of the performance management and accountability
215 system, including review of operational and budgetary performance;

216 d. developing and using community level indicators and agency performance
217 measures to monitor and evaluate the effectiveness and efficiency of each executive
218 branch department and office; and

219 e. overseeing the production of an annual performance report for the executive
220 branch;

221 9. Interagency coordination;

222 ~~a. coordinating and staffing executive initiatives across departments and~~
223 ~~agencies;~~

224 ~~b. facilitating interdepartmental, interagency and interbranch teams on~~
225 ~~multidisciplinary issues;~~

226 ~~c. negotiating interlocal agreements as designated by the executive; and~~
227 ~~d. serving as the liaison to the boundary review board for King County;~~

228 ~~10. Leading the county's continuous improvement activities;~~

229 ~~11. Leading the county's regional planning work, including:~~

230 ~~a.) 6. ((e)) Coordinating the county's participation in multicounty planning at~~
231 ~~the Puget Sound Regional Council, including serving on the Puget Sound Regional~~
232 ~~Council's regional staff committee;~~

233 ~~((b.)) 7. ((e)) Coordinating countywide planning at the Growth Management~~
234 ~~Planning Council consistent with the Washington state Growth Management Act,~~
235 ~~including leading the Growth Management Planning Council's interjurisdictional staff~~
236 ~~team in accordance with the interlocal agreement authorized by King County Motion~~
237 ~~8495;~~

238 ~~((c. Managing updates to the county's Comprehensive Plan in coordination~~
239 ~~with the department of local services in accordance with K.C.C. Title 20;~~

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

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

~~f. coleading with the department of local services's permitting division, an interbranch regional planning team that supports the council and executive through the provision of information and data, development of policy proposals and options for regional issues related to growth management, economic development, and transportation. Participation in the interbranch regional planning team shall include executive, department, and council staff as designated by the respective branches; and~~

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

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

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

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

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

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

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

268 4.)) 8. Representing county agencies in the collective bargaining process as
269 required by chapter 41.56 RCW;

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

272 3.)) 9. Representing county agencies in labor arbitrations, appeals, and hearings
273 including those in chapter 41.56 RCW and required by K.C.C. Title 3, in collaboration
274 with the department of human resources;

275 ~~((4.))~~ 10. Administering labor contracts and providing consultation to county
276 agencies regarding the terms and implementation of negotiated labor agreements, in
277 collaboration with the department of human resources;

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

279 ~~6. Providing resources for labor relations training for county agencies, the
280 executive, the council, and others, in collaboration with the department of human
281 resources.~~

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

283 4.)) 11. Coordinating the integration of climate change into county operations

284 ~~((in partnership with executive branch departments and offices, King County cities,~~

285 ~~partners, communities, and residents;~~

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

288 ~~3. Leading))~~ and fostering climate innovation among county agencies~~((:))~~;

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

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

293 ~~2.)) 12. Developing and implementing strategies to promote economic~~
294 ~~revitalization ((and)), equitable development((;-and)),~~
295 ~~((3. Assisting communities and businesses in creating economic opportunities,~~
296 ~~promoting)) a diversified economy, and ((promoting)) family-wage job creation((-)); and~~
297 ~~((F. The office of equity and racial and social justice functions and~~
298 ~~responsibilities shall include:~~

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

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

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

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

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

308 ~~a.)) 13. Operating the county's civil rights program, which includes:~~

309 ~~a. enforcing the county's nondiscrimination ordinances as codified in K.C.C.~~
310 ~~chapters 12.17, 12.18, 12.20, and 12.22, and coordinating county responses to issues~~
311 ~~involving the Americans with Disabilities Act of 1990, the Civil Rights Act Title VI, and~~
312 ~~investigating complaints filed under the Civil Rights Act Title VI;~~

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

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

~~d.)) providing staff support to the county civil rights commission((;~~

~~e. serving as the county federal Civil Rights Act Title VI coordinator; and~~

~~f. coordinating county responses to federal Civil Rights Act Title VI issues and investigating complaints filed under Title VI)).~~

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

a. liquor licenses under chapter 66.20 RCW; and

b. licenses for marijuana producers, processors, or retailers under chapter 69.50 RCW.

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

3. For each application reviewed under subsection ~~((G.))~~ B.1.b. of this section, the executive shall transmit to the county council a copy of the application received with

the applicant's name and proposed license application location, a copy of all comments received under subsection ~~((G.))~~ B.2. of this section, and the executive's recommendation to the Washington state Liquor and Cannabis board.

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

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

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

2. For the purposes of this subsection C.:

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

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

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

359 SECTION 7. Ordinance 18793, Section 3, as amended, and K.C.C. 2.16.036 are
360 hereby amended to read as follows:

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

365 B. The duties of the department shall include:

- 366 1. Developing, administering, and monitoring human resources policy;
- 367 2. Developing, administering, and monitoring diversity management programs
368 including equal employment opportunity affirmative action plan development and
369 integration of equity and social justice concepts into plans and programs;
- 370 3. Advising the executive and council on overall county employment policies;
- 371 4. Developing and disseminating communications to employees regarding
372 issues related to human resources; and
- 373 5. Providing labor relations training for county agencies, the executive, the
374 council, and others, in collaboration with the ~~((office of))~~ labor relations director in the
375 executive's office.

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

- 377 1. Developing proposed and administering policies and procedures for:
- 378 a. employment, including recruitment, examination, and selection;
- 379 b. classification and compensation; and
- 380 c. salary administration;
- 381 2. Providing technical and human resources information services support;

382 3. Coordinating individual employee performance review programs in executive
383 departments;

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

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

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

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

392 1. Developing and administering training and organizational development
393 programs, including centralized employee and supervisory training, conflict resolution
394 training, and other employee development programs;

395 2. Developing and administering programs to minimize detrimental workplace
396 conflict;

397 3. Developing and administering programs that promote employee engagement;
398 and

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

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

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

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

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

4. Overseeing the county's unemployment compensation program;

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

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

SECTION 8. Ordinance 11955, Section 5, as amended, and K.C.C. 2.16.055 are hereby amended to read as follows:

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

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

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

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

431 a. improving the coordination of local services by county agencies through
432 increased collaboration;

433 b. strengthening partnerships between the county, communities, and other
434 entities;

435 c. improving the delivery, responsiveness, and quality of local services to the
436 people, businesses, and communities of unincorporated King County through unified
437 accountability;

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

440 e. strengthening unincorporated communities by supporting local planning and
441 community initiatives; and

442 f. pursuing innovative funding strategies.

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

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

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

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

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

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

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

461 a. be based on a scope of work established with the community;
462 b. establish a long-range vision, guiding principles, and policies to implement
463 that vision. Policies in the subarea plan shall be consistent with and not redundant to
464 policy direction in the Comprehensive Plan;

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

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

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

474 d. use the tools and resources developed by the executive's office ~~((of equity~~
475 ~~and racial and social justice))~~ to develop the scope of work and to develop, review,
476 amend, adopt, and implement the subarea plan, including, but not limited to, community
477 engagement, language access, and equity impact review tools. The county shall use, at
478 minimum, the ~~((("County and community work together" levels))~~ "Co-Create" level of
479 engagement as outlined in the ~~((office of equity and racial and social justice's))~~
480 Community Engagement Guide published by the executive's office for the scoping,
481 development, review, amendment, adoption, and implementation of the subarea plan.
482 The county shall include as an appendix to the subarea plan information detailing the
483 community engagement completed during the development of the subarea plan and how
484 the community engagement meets the requirements of this subsection ~~((B))~~C.2.d.;

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

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

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

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

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

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

2. Each community needs list shall:

a. be consistent with and implement the subarea plan described in subsection ~~((B-))~~ C. of this section and other county plans;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) reviewed and reported on annually; and

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

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

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

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

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

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

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

582 knowledgeable of, better served by and heard by King County departments and agencies.

583 The community service area program shall work with all county departments and
584 agencies whose services, programs, and projects are of interest to unincorporated area
585 residents, to promote successful public engagement.

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

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

591 b. address the required elements in Ordinance 17139;

592 c. list potential action items for the area;

593 d. list known planning activities for the area;

594 e. identify public meetings for the area;

595 f. include the current adopted community needs list as required in subsection
596 ~~((C-))~~ D. of this section; and

597 g. establish an ongoing communications and community engagement plan
598 using tools and resources developed by the executive's office ~~((of equity and racial and~~
599 ~~social justice))~~, including, but not limited to, community engagement, language access,
600 and equity impact review tools. The county shall use, at minimum, the ~~((County and~~
601 ~~community work together"))~~ "Co-Create" level of engagement as outlined in the ~~((office~~
602 ~~of equity and racial and social justice's))~~ Community Engagement Guide published by the
603 executive's office for the development, review, amendment, adoption, and
604 implementation of the community needs list; and

605 h. establish performance metrics to monitor the implementation of the work
606 program.

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

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

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

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

617 a. for transmitting a report to the council:

618 (1) for subarea geographies that have a subarea plan adopted as of December
619 2022, reviewed and jointly reported on by December 30, 2024, and every two years
620 thereafter; and

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

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

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

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

2. Service partnerships agreements shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

694 compliance with King County rules and regulations, and designing measures to improve
695 compliance;

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

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

703 2. The permitting division manager shall be the:

704 a. county planning director;

705 b. zoning adjuster;

706 c. responsible official for purposes of administering the State Environmental
707 Policy Act;

708 d. county building official; and

709 e. county fire marshal.

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

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

- 717 1. Designing, constructing, and maintaining county roads, bridges, and
718 associated drainage facilities;
- 719 2. Designing, installing, and maintaining county traffic signs, markings, and
720 signals;
- 721 3. Designing, installing, and maintaining roadway active transportation
722 facilities;
- 723 4. Managing intergovernmental contracts or agreements for services related to
724 road maintenance and construction and to other transportation programs supporting the
725 transportation plan;
- 726 5. Inspecting utilities during construction and upon completion for compliance
727 with standards and specifications, and ensuring that public facilities disturbed due to
728 construction are restored;
- 729 6. Performing detailed project development of roads capital improvement
730 projects that are consistent with the transportation element of the county's Comprehensive
731 Plan, and coordinating such programming with other county departments and divisions
732 assigned responsibilities for Comprehensive Plan implementation;
- 733 7. Incorporating into the roads capital improvement program those projects
734 identified in the transportation needs report, related functional plans and elsewhere
735 consistent with the county's Comprehensive Plan;
- 736 8. Preparing, maintaining, and administering the county road standards;
- 737 9. Preparing and administering multiyear roads maintenance and capital
738 construction plans and periodic updates;

739 10. Administering the transportation concurrency and mitigation payment
740 programs; and

741 11.a. Performing the duties of the office of the county road engineer, which is
742 hereby established as an administrative office of the road services division. The office of
743 the county road engineer shall be an office of record, supervised by the county road
744 engineer hired in accordance with RCW 36.80.010 and reporting to the manager of the
745 road services division. The office of the county road engineer shall be located within the
746 corporate limits of the county seat.

747 b. The county road engineer shall carry out all duties assigned to the county
748 road engineer as prescribed by state statute, except as modified by the county executive
749 as authorized in subsection ~~((1-))~~11.c. of this section.

750 c. The county executive may assign professional engineering duties of the
751 county road engineer to someone other than the county road engineer, except as
752 otherwise assigned by the King County Code, and only if the individual assigned those
753 duties shall be qualified as required under RCW 36.80.020. The executive shall provide
754 to the county council and the Washington state County Road Administration Board, in
755 writing, those specific professional engineering duties not assigned to the county road
756 engineer, the name and position of each person responsible for carrying out those
757 assigned duties, the specific reporting and working relationships with the county road
758 engineer, and the duration for which those duties have been assigned.

759 SECTION 9. Ordinance 18086, Section 2, as amended, and K.C.C. 2.16.136 are
760 hereby amended to read as follows:

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

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

- 774 a. voter registration notices, voter registration forms, and voter registration
775 instructions, to the extent not already provided by the Office of the Washington state
776 Secretary of State;
- 777 b. ballots and ballot instructions; and
- 778 c. local voters' pamphlets, in conformity with K.C.C. chapter 1.10 and chapter
779 29A.32 RCW.

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

784 single language that has ten thousand or more limited-English-proficient King County
785 residents. The director of elections shall make this determination by referring to the best
786 available data from the United States Census Bureau or other source the director
787 considers relevant and reliable. The director of elections shall file a report of this
788 determination, including a list of all languages that meet the threshold of ten thousand or
789 more limited-English-proficient residents, and the supporting analysis by January 30,
790 2017, and at least every five years after the first report is filed. The director of elections
791 shall electronically file the report with the clerk of the council, who shall retain a copy
792 and provide an electronic copy to all councilmembers, the council chief of staff, the
793 council chief policy office, and the director of elections.

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

- 796 1. Spanish;
 - 797 2. Chinese;
 - 798 3. Vietnamese;
 - 799 4. Korean;
 - 800 5. Russian;
 - 801 6. Somali;
 - 802 7. Any languages identified by the director in a report required by subsection B.
- 803 of this section as having ten thousand or more limited-English-proficient King County
804 residents, unless an ordinance is enacted within forty-five days of the filing of that report
805 requiring otherwise, beginning with the first general election after that report is filed with
806 the clerk of the council; and

807 8. Any other languages required under Section 203 of the Voting Rights Act of
808 1965, P.L. 94-73, 42 U.S.C. 1973aa-1a.

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

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

823 SECTION 10. Ordinance 12076, Section 38, as amended, and K.C.C. 2.21.040
824 are hereby amended to read as follows:

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

829 B. The risk management committee shall:

- 830 1. Make recommendations to the council and executive regarding risk
831 management policy;
- 832 2. Advise the risk manager on matters concerning the purchase of insurance
833 policies and advise on the design of insurance and funded self-insurance programs; and
- 834 3. Advise the risk manager concerning matters of risk management policy.

835 SECTION 11. Ordinance 19770, Section 4, and K.C.C. 2.31.030 are hereby
836 amended to read as follows:

837 The commission shall have the following duties:

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

- 841 1. Human and civil rights protections that strengthen county antidiscrimination
842 ordinances and support the county's equity, racial, and social justice goals;
- 843 2. Human and civil rights protections to address issues of concern for county
844 residents;
- 845 3. Policies to proactively prevent discrimination and address inequalities at the
846 front end with an explicit focus on racial justice and equitable outcomes that would
847 benefit communities who have historically lacked power in the community;
- 848 4. Policies related to affirmative action and updates to the county's list of
849 protected classes based on robust engagement with community members, in particular
850 those individuals with a vested interest in policies related to affirmative action and
851 protected classes;

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

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

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

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

860 B. Conduct and prioritize a robust and ongoing engagement process with
861 community members and county entities to consider their input in implementing and
862 carrying out the purposes and provisions of this chapter. Engagement shall be prioritized
863 for historically disadvantaged communities who have historically lacked power to
864 influence policies for the community. County entities should include, but not be limited
865 to, the office of law enforcement oversight, the community advisory committee for law
866 enforcement oversight, the immigrant and refugee commission, the women's advisory
867 board, 504/ADA advisory committee, the veterans, seniors and human services levy
868 advisory board, the executive's office (~~(of equity and racial and social justice)~~), the
869 legislative branch's director of equity and social justice, the county auditor, the hearing
870 examiner, the office of public complaints, and the various King County unincorporated
871 area councils;

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

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

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

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

881 D. Monitor and review the procedures and processes of antidiscrimination
882 ordinances and affirmative action policies to determine compliance and effectiveness.
883 The monitoring and reviewing may include, but not be limited to, reviewing any
884 complaints filed under the antidiscrimination ordinances with a finding of no reasonable
885 cause and request for reconsideration by the complainant was denied. In conducting its
886 review, the commission may hold informal fact finding sessions with respect to processes
887 and procedures and any findings may result in recommendations to the executive;

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

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

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

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

911 SECTION 12. Ordinance 17699, Section 2, as amended, and K.C.C. 2.36.100 are
912 hereby amended to read as follows:

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

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

919 B. The members of the committee shall be:

- 920 1. The deputy county executive or designee;

921 2. (~~((The assistant deputy county executive;~~
922 3.)) The county administrative officer;
923 (~~((4. The director of the office of performance, strategy, and budget))~~) 3. The
924 budget director in the executive's office; and
925 (~~((5.))~~) 4. The chief information officer.
926 C. The committee shall:
927 1. Make recommendations to the executive;
928 2. Coordinate work, set priorities, and guide how technical and business process
929 issues with the countywide system are addressed to achieve the proper functioning and
930 integration of the countywide policies, business processes, and systems for human
931 resources, payroll, time, and labor, finance, and budget. The committee shall also align
932 and integrate work plans for allocation of resources and budget;
933 3. Create a structured process for regular end-user engagement, involvement,
934 communication, and training;
935 4. Promote continued business process improvements and business rule
936 standardization, and eliminate obstacles to adopting best practices; and
937 5. Maximize benefits of the integrated enterprise system through business
938 process and system standardization, optimization and transformation, and monitor
939 performance measurement and reporting including benefit realization.

940 SECTION 13. Ordinance 12901, Section 3, as amended, and K.C.C. 2.41.030 are
941 hereby amended to read as follows:

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

944 B. The voting members of the commission shall serve without compensation.
945 The members shall represent the diversity of rural forestry interests and the different
946 geographic regions of rural King County.

947 C. Commission membership shall include an equitable representation of the
948 following interests:

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

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

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

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

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

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

961 3. The Washington Department of Natural Resources;

962 4. Affected Indian tribes;

963 5. Consumers or users of local forest products, such as mills, lumber
964 suppliers, craftspeople, artisans, florist suppliers, or users of other alternative forest
965 products;

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

967 7. Rural cities.

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

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

980 SECTION 14. Ordinance 18811, Section 1, and K.C.C. 2.42.150 are hereby
981 amended to read as follows:

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

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

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

- 989 2. The warrants shall be issued in a manner consistent with any written
990 procedures established by either the finance and business operations division or the
991 executive's office (~~(of performance, strategy and budget)~~), or both;
- 992 3. The medical center shall coordinate with the finance and business operations
993 division to ensure fiscal responsibility, accountability and auditing as needed;
- 994 4. The administrator may not issue warrants for medical center capital projects
995 administered and managed by King County, except that warrants for medical center
996 capital projects managed and administered by the University of Washington under the
997 terms of the Hospital Services Agreement dated February 25, 2016, may be issued by the
998 administrator; and
- 999 5. The administrator must be the signatory on the warrants.

1000 SECTION 15. Ordinance 18798, Section 2, as amended, and K.C.C. 2.47.010 are
1001 hereby amended to read as follows:

- 1002 A. The (~~county's office of equity and social justice~~) executive's office shall
1003 invite representatives from all branches, departments, agencies, and offices of county
1004 government to form an interbranch team to plan the Reverend Dr. Martin Luther King,
1005 Jr., annual gathering celebrating the life and legacy of the Reverend Dr. Martin Luther
1006 King, Jr.
- 1007 B. The interbranch team shall reach out to community representatives to receive
1008 ideas for the planning of the Reverend Dr. Martin Luther King, Jr., annual gathering, and
1009 receive feedback during the planning of the Reverend Dr. Martin Luther King, Jr., annual
1010 gathering.

1011 C. The ((~~county's office of equity and social justice~~)) executive's office in
1012 collaboration with the interbranch team shall each year convene an annual gathering
1013 celebrating the life and legacy of the Reverend Dr. Martin Luther King, Jr. The intent of
1014 the gathering shall be to:

1015 1. Provide a countywide gathering for all members of the public to celebrate the
1016 life and legacy of the Reverend Dr. Martin Luther King, Jr.;

1017 2. Recognize the impact that the Reverend Dr. Martin Luther King, Jr. has on
1018 our community and our nation and bring to attention the Reverend Dr. Martin Luther
1019 King Jr.'s message of equity, social justice, and ((~~non-violence~~)) nonviolence and his
1020 political and social philosophies; and

1021 3. Inspire county residents to strive in a ((~~non-violent~~)) nonviolent manner for
1022 the human rights, civil liberties, and economic guarantees rightfully due to all peoples.

1023 D. The gathering shall be held in the second week of the month of January.

1024 E. The gathering shall be open to all county employees that are available to
1025 attend. Separately elected officials, department directors, and division managers shall
1026 make an effort to accommodate all county employees that request to attend the gathering.

1027 F. The gathering shall be open to the public.

1028 G. The ((~~county's office of equity and social justice~~)) executive's office in
1029 collaboration with the interbranch team should widely publicize the gathering. Publicity
1030 methods shall include, but not be limited to, the official county newspaper, newspapers of
1031 general circulation within each council district, King County civic television, television
1032 news outlets, social media platforms, non-English language newspapers and periodicals
1033 distributed in the county, and the county's website.

1034 H. The gathering shall be held in a King County venue that would accommodate
1035 all attendees.

1036 I. The gathering shall consider including:

1037 1. Presentation of the King County Medal of Distinguished Service awards;

1038 2. Keynote addresses from invited guests and county elected officials;

1039 3. Performances by award winning artists, local artists, or both;

1040 4. Recognition of the Reverend Dr. Martin Luther King Jr. essay contest

1041 winners; and

1042 5. Readings of excerpts from Dr. King's speeches.

1043 J. Costs of the gathering are hereby authorized, subject to availability of funds in
1044 the county general fund.

1045 K. The executive shall include a proposed budget that will cover the costs of each
1046 annual gathering as part of the executive's proposed budget to council.

1047 SECTION 16. Ordinance 12058, Section 9, as amended, and K.C.C. 2.55.010 are
1048 hereby amended to read as follows:

1049 A. There is hereby created a King County Section 504 of the Rehabilitation Act
1050 of 1973/Americans with Disabilities Act of 1990 advisory committee, referred to in this
1051 section as the 504/ADA committee.

1052 B. The 504/ADA committee shall be composed of not less than three individuals,
1053 subject to confirmation by the county council, including the chair of the committee. The
1054 executive shall appoint the chair of the committee.

1055 C. The 504/ADA committee shall serve in an advisory capacity to the executive
1056 in developing strategies, systems, and guidelines in implementing the 504/ADA

1057 Compliance Workplan. The functions of the 504/ADA committee shall include, but not
1058 be limited to, the following:

1059 1. Review the 504/ADA Compliance Workplan and make recommendations
1060 towards improving its effectiveness;

1061 2. Review and monitor the progress of the 504/ADA Compliance Workplan;
1062 and

1063 3. Review and monitor the progress of affirmative action made in the
1064 employment of individuals with disabilities in the county's workforce.

1065 D. Appropriate staff to the 504/ADA committee shall be provided by the
1066 executive, including the Section 504 of the Rehabilitation Act of 1973/Americans with
1067 Disabilities Act of 1990 compliance specialist in the executive's office (~~of equity and~~
1068 ~~racial and social justice~~). The Section 504 of the Rehabilitation Act of 1973/Americans
1069 with Disabilities Act of 1990 compliance specialist is the designated county employee to
1070 coordinate the county's effort to comply with and carry out its responsibilities under
1071 Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of
1072 1990 and its implementing regulations.

1073 SECTION 17. Ordinance 18653, Section 3, and K.C.C. 2.78.020 are hereby
1074 amended to read as follows:

1075 The commission shall:

1076 A. Act as a central point of contact, communication and coordination to
1077 encourage coordination and efficient intersection of the work of stakeholders serving and
1078 engaging immigrant and refugee residents to achieve greater impact. As the hub, the
1079 commission shall act as the focal point for connecting a broad group of stakeholders to

1080 identify, elevate, and develop shared strategies and solutions, streamline and strengthen
1081 efforts, and bring more resources to the most pressing issues affecting immigrant and
1082 refugee communities. To achieve this purpose, the commission's duties shall include, but
1083 not be limited to, the following:

1084 1. Assist and advise the council, council administration, and independent offices
1085 of the legislative branch, the executive branch, including departments, divisions and
1086 offices, the sheriff, the assessor, the department of elections, the prosecuting attorney,
1087 superior court, district court, and the office of economic and financial analysis on issues,
1088 programs, and policies impacting immigrant and refugee communities;

1089 2. Collaborate with all levels of government to ensure effective outreach to and
1090 engagement of immigrant and refugee communities and advise on the county's role with
1091 other government entities;

1092 3. Coordinate with the executive's office (~~of equity and racial and social~~
1093 ~~justice~~) to develop and review core principles and strategies on equity as they relate to
1094 immigrant and refugee communities in the context of county services, programs, and
1095 policies;

1096 4. Assist with the development and implementation of county services,
1097 programs, and policies that impact immigrant and refugee communities;

1098 5. Evaluate county services, programs, and policies from the perspective of
1099 immigrant and refugee communities;

1100 6. Assist with the development and review of major county plans to ensure that
1101 the interests and priorities of immigrants and refugees are incorporated in those plans;

1102 7. Promote civic participation and government representation, which shall
1103 include, but not be limited to, encouraging application for employment within the county
1104 workforce by immigrant and refugee residents and representation of immigrant and
1105 refugee residents on boards and commissions;

1106 8. Promote naturalization as a path toward civic and economic integration;

1107 9. Collaborate with organizations that implement programs to enhance
1108 integration, naturalization, and English-language learning;

1109 10. Increase public awareness of immigrants and refugees and their
1110 contributions to our community;

1111 11. Collaborate with all levels of government to invest in the capacity of
1112 organizations that serve the immigrant and refugee communities;

1113 12. Continually review the need for appropriate resourcing and support for
1114 issues affecting immigrant and refugee communities;

1115 13. Recommend and advocate for increased funding, identify new funding
1116 sources and leverage existing funding that include county funds to address the needs of
1117 the immigrant and refugee communities and support the commission's activities; and

1118 14. Convene workgroups made up of stakeholders serving and engaging
1119 immigrant and refugee communities to build a shared countywide strategy to address the
1120 top issues surfaced through community input and/or work with the appropriate programs,
1121 boards/commissions, and task forces such as in housing and homelessness, employment
1122 and small business, barriers to accessing services, human trafficking, and criminal justice
1123 and safety;

1124 B. Focus on understanding and addressing challenges faced by immigrant and
1125 refugee communities living in suburban cities and unincorporated areas of the county.
1126 The commission should complement the work engaged by the city of Seattle but with
1127 emphasis on communities outside of the city of Seattle. To achieve this purpose, the
1128 commission's duties shall include, but not be limited to:

1129 1. Advocating for the county to act as a regional partner with cities to
1130 investigate the need for increased investment in the development of neighborhood centers
1131 or meeting hubs for youth and families, with an emphasis on serving the needs of
1132 immigrant and refugee populations;

1133 2. Working with county departments, cities, service providers, and the Sound
1134 Cities Association, to create a strategic plan, to be adopted by the commission, for
1135 addressing immigrant and refugee issues in suburban cities and unincorporated areas;

1136 3. Investigating whether immigrants and refugees are able to adequately access
1137 county services such as district courts, public health clinics, parks, transit in suburban
1138 cities, and exploring the potential and need for opening a multilingual, culturally-
1139 responsive satellite office in a suburban city if it is determined by the commission that a
1140 satellite office would help to increase access;

1141 4. Working with county departments to collaborate with businesses to increase
1142 economic opportunities for immigrants and refugees living in unincorporated areas to
1143 have access to living wage jobs; and

1144 5. Working with county departments to gather, share, and disaggregate data
1145 related to immigrants and refugees in unincorporated areas to determine unmet needs,

1146 such as the number of substandard houses, and prevalence of income gaps to understand
1147 intersections between place-based challenges for immigrants and refugees; and

1148 C. Adopt goals directed towards the purposes and responsibilities of this section.

1149 SECTION 18. Ordinance 18653, Section 8, and K.C.C. 2.78.070 are hereby
1150 amended to read as follows:

1151 An employee from the executive's office (~~of equity and racial and social justice~~)
1152 and one council employee shall staff the commission.

1153 SECTION 19. Ordinance 16077, Section 4, as amended, and K.C.C. 2.130.010
1154 are hereby amended to read as follows:

1155 A. There is hereby established a King County mental illness and drug
1156 dependency advisory committee.

1157 B.1. The advisory committee shall act as an advisory body to the county
1158 executive and council. The advisory committee shall conduct reviews, provide comment
1159 on and make recommendations on the mental illness and drug dependency tax-funded
1160 initiatives, services, programs and policy goals outlined in Ordinance 15949, Section 3,
1161 as amended, and K.C.C. 4A.500.340 and consistent with the mental illness and drug
1162 dependency service improvement plan that is approved in accordance with Ordinance
1163 17998. The advisory committee shall provide ongoing review, comments and
1164 recommendations on mental illness and drug dependency tax-funded programs until all
1165 sales tax revenues have been expended and the final evaluation of the mental illness and
1166 drug dependency programs and services has been submitted to the council.

1167 2. The advisory committee shall:

1168 a. review and provide written recommendations to the executive and the
1169 council on the implementation and effectiveness of the county's sales tax funded
1170 programs in meeting the goals established in Ordinance 15949, Section 3, as amended,
1171 and K.C.C. 4A.500.300 through 4A.500.340;

1172 b. review and report to the executive and the council on annual evaluation
1173 reports as required by Ordinance 15949, Section 3, as amended, and K.C.C. 4A.500.300
1174 through 4A.500.340;

1175 c. review and make comment on emerging and evolving priorities for the use
1176 of the mental illness and drug dependency sales tax revenue;

1177 d. serve as a forum to promote coordination and collaboration between entities
1178 involved with sales tax programs;

1179 e. educate the public, policymakers and stakeholders on mental illness and
1180 drug dependency sales tax funded programs; and

1181 f. coordinate and share information with other related efforts and groups.

1182 C. The advisory committee shall be composed of one representative from each of
1183 the following:

1184 1. The council;
1185 2. The executive;
1186 3. The superior court;
1187 4. The district court;
1188 5. The prosecuting attorney's office;
1189 6. The sheriff's office;
1190 7. The department of public health;

- 1191 8. The department of judicial administration;
- 1192 9. The department of adult and juvenile detention;
- 1193 10. The department of community and human services;
- 1194 11. A provider of both mental health and chemical dependency services in King
- 1195 County;
- 1196 12. A provider of culturally specific mental health services in King County;
- 1197 13. A provider of culturally specific chemical dependency services in King
- 1198 County;
- 1199 14. A representative of an organization with expertise in helping individuals
- 1200 with behavioral health needs in King County get jobs and live independent lives;
- 1201 15. A provider of domestic violence prevention services in King County;
- 1202 16. A provider of sexual assault victim services in King County;
- 1203 17. An agency providing mental health and chemical dependency services to
- 1204 youth;
- 1205 18. Harborview Medical Center;
- 1206 19. All Home;
- 1207 20. King County systems integration initiative, which is an ongoing work group
- 1208 established by the executive for addressing juvenile justice matters;
- 1209 21. The Community Health Council;
- 1210 22. The Washington State Hospital Association, representing King County
- 1211 hospitals;
- 1212 23. The Sound Cities Association;
- 1213 24. The city of Seattle;

1214 25. The city of Bellevue;

1215 26. Labor representing a bona fide labor organization;

1216 27. The office of the public defender;

1217 28. The National Alliance on Mental Illness;

1218 29. Puget Sound educational services district;

1219 30. A representative of a philanthropic organization;

1220 31. The King County behavioral health advisory board;

1221 32. A representative of an organization with expertise in recovery;

1222 33. A representative of the five managed care organizations operating in King

1223 County;

1224 34. An individual representing behavioral health consumer interests from the

1225 mental illness and drug dependency advisory committee's consumers and communities ad

1226 hoc work group;

1227 35. An individual representing community interests from the mental illness and

1228 drug dependency advisory committee's consumers and communities ad hoc work group;

1229 36. A representative of a grassroots organization serving a cultural population or

1230 cultural populations; and

1231 37. A representative of unincorporated King County.

1232 D.1. Separately elected officials and King County agency directors or their

1233 designees are not required to be appointed or confirmed.

1234 2. A member of the advisory committee who has been confirmed to serve on

1235 another county board or commission is not required to be confirmed to serve on the

1236 advisory committee.

1237 3. All other members of the advisory committee are subject to appointment by
1238 the county executive and confirmation by the county council.

1239 4. The executive shall appoint advisory committee members to staggered terms
1240 in accordance with K.C.C. 2.28.010.C.

1241 E.1. The advisory committee shall adopt rules governing its operations at its first
1242 meeting.

1243 2. The committee shall elect a chair or cochair.

1244 3. Subcommittees and workgroups may be formed at the discretion of the
1245 advisory committee.

1246 4. At each meeting of the advisory committee, the advisory committee shall
1247 provide an open comment period.

1248 F. The advisory committee shall coordinate with other county groups including,
1249 but not limited to, the All Home coordinating board, the regional human services levy
1250 citizen oversight board, the veterans levy citizen oversight board, the children and youth
1251 advisory board, the behavioral health and recovery board, the board of health and the
1252 adult and juvenile justice operational master plan advisory groups, or their successors, to
1253 ensure that information is shared and, when appropriate, efforts are coordinated and not
1254 duplicated.

1255 G. The ~~((office of performance, strategy and budget and the))~~ behavioral health
1256 and recovery division of the department of community and human services shall provide
1257 staffing of the advisory committee.

1258 H. Members of the advisory committee who are not full-time county employees
1259 may be reimbursed for parking expenses in the King County parking garage when
1260 attending meetings of the committee.

1261 SECTION 20. Ordinance 19008, Section 7, as amended, and K.C.C. 2.150.050
1262 are hereby amended to read as follows:

1263 The duties of the commission include the following:

1264 A. Provide information, advice and counsel to the council, the executive, the
1265 department of community and human services, ~~((the office of equity and social justice,))~~
1266 and other county departments on issues and policies affecting renters, including housing
1267 affordability and the intersection of renters with their access to transportation, green and
1268 other public spaces, renter protections, public health and safety, education, and economic
1269 growth as they relate to renters in unincorporated King County;

1270 B. Monitor the enforcement and effectiveness of legislation related to renters and
1271 renter protections;

1272 C. Provide periodic advice on priorities, policies, and strategies for strengthening
1273 and enhancing the enforcement and effectiveness of renter protections;

1274 D. Adopt an annual work plan. The plan shall include a briefing on the
1275 commission's public involvement process for soliciting community and citizen input in
1276 developing the commission's annual work plan and updates on the work plan; and

1277 E. Collaborate and consult with other county commissions and committees,
1278 departments, the King County housing authority board of commissioners, the affordable
1279 housing committee of the King County growth management planning council, the Seattle
1280 renters' commission, and other community groups and associations, including those

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

SECTION 21. Ordinance 12014, Section 32, as amended, and K.C.C. 3.12.350 are hereby amended to read as follows:

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

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

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

1. Purpose, objectives and intent;
2. Definitions;
3. Preemployment administration:
 - a. role of the director and the department;
 - b. recruitment procedures;
 - c. application procedures;
 - d. examinations;
 - e. employment lists;
 - f. appointment; and
 - g. process requirements of equal employment opportunity;
4. Postemployment administration:

1304 a. role of the department of human resources;
1305 b. probationary periods;
1306 c. classification system;
1307 d. employee performance evaluation;
1308 e. disciplinary procedures;
1309 f. separation, including reductions in force;
1310 g. employee relations; and
1311 h. process requirements of equal employment opportunity;
1312 5. Special duty;
1313 6. Grievance and appeals procedures:
1314 a. role of the department of human resources and other departments, including
1315 relationship and processes of the equal employment program;
1316 b. role of the director;
1317 c. grievance procedures;
1318 d. appeals procedures; and
1319 e. role of the personnel board;
1320 7. Conditions of employment;
1321 8. Employee benefits;
1322 9. Procedures for leaves of absence; and
1323 10. Procedures for salary and administration.
1324 SECTION 22. Ordinance 12943, Section 14, as amended, and K.C.C. 3.12A.020
1325 are hereby amended to read as follows:

1326 The definitions set forth in K.C.C. chapter 3.12 are hereby incorporated in this
1327 chapter. Words not defined in K.C.C. chapter 3.12 or in this chapter shall have their
1328 ordinary and usual meanings. In the event of conflict, the specific definitions set forth in
1329 this chapter shall presumptively, but not conclusively, prevail.

1330 A. "Committee" means the career service review committee, which shall consist
1331 of:

1332 1. The following three permanent members:

1333 a. ~~((the county executive or designee))~~ two executive's office representatives
1334 designated by the executive; and

1335 b. ~~((the chief officer of the office of performance, strategy, and budget or~~
1336 ~~successor organizational unit or designee; and~~

1337 c.)) the director of the department of human resources or successor
1338 organizational unit or designee; and

1339 2. One member representing the department whose body of work or employees
1340 are then under review.

1341 SECTION 23. Ordinance 18757, Section 4, as amended, and K.C.C. 3.12D.020
1342 are hereby amended to read as follows:

1343 The executive, assessor, director of elections, council, and prosecuting attorney
1344 shall report biennially on the number of workplace discrimination and harassment
1345 complaints, including sexual harassment, and inappropriate conduct complaints and,
1346 when possible, informal inquiries, received by each department each year. The report
1347 shall indicate the basis or bases of the complaint, which may be one or more of the
1348 protected classes as defined in K.C.C. chapter 3.12D, pregnancy, domestic violence

1349 victimization, or any other status protected by federal, state, or local law. The executive's
1350 office (~~((of equity and racial and social justice))~~) shall report on the number of unfair
1351 employment practice complaints filed, the basis or bases of the complaint, the number of
1352 investigations of unfair employment practices in the reporting year, and the number of
1353 findings that reasonable cause exists to believe that an unfair employment practice
1354 occurred. The first report shall be transmitted to the council by December 31, 2019. All
1355 reports under this section shall be electronically filed with the clerk of the council who
1356 shall retain an electronic copy and provide an electronic copy to all councilmembers, the
1357 council chief of staff and the council chief policy officer.

1358 SECTION 24. Ordinance 8658, Section 1, as amended, and K.C.C. 3.16.040 are
1359 hereby amended to read as follows:

1360 A. Any collective bargaining agreement between King County and a recognized
1361 bargaining representative as defined in RCW 41.56.030 which has been signed by the
1362 union shall be transmitted to the King County council no later than fourteen days after
1363 receipt by the executive's office (~~((of labor relations))~~).

1364 B. Failure to meet the deadline in subsection A. of this section shall result in the
1365 payment of interest on the retroactive amount of any negotiated salary or wage increase
1366 equal to interest earned on federal ninety-day treasury bills from the first day following
1367 the deadline through the date the signed agreement is transmitted to the King County
1368 council, unless the fourteen days have been extended by mutual agreement by both
1369 parties in writing.

1370 C. The interest accrued, if any, shall be divided among the county employees
1371 represented by the collective bargaining unit, based upon each employee's individual

1372 retroactive wage rate increase. The computed interest shall be included in the first
1373 paycheck that pays out the rate of pay negotiated in the tentative collective bargaining
1374 agreement.

1375 SECTION 25. Ordinance 14287, Section 5, as amended, and K.C.C. 3.16.055 are
1376 hereby amended to read as follows:

1377 A.1. A bargaining representative may at any time during negotiations forward to
1378 the ((~~manager of the office of~~)) labor relations director in the executive's office, or ((~~its~~))
1379 successor, a written complaint that the collective bargaining process is not being
1380 conducted in a timely manner or is not being conducted in a manner consistent with good
1381 faith bargaining. The ((~~manager of the office of~~)) labor relations director in the
1382 executive's office shall, within fifteen calendar days, respond in writing to the complaint
1383 and propose such remedies as may address the complaint.

1384 2. If the bargaining representative is not satisfied with the written response of
1385 the director, or if a written response to the complaint is not received within fifteen
1386 calendar days, the bargaining representative may forward the written complaint to the
1387 King County executive, as the bargaining agent, who shall, within fifteen calendar days,
1388 respond to it in writing and propose such remedies as may address the complaint.

1389 3. If the bargaining representative is not satisfied with the written response of
1390 the bargaining agent, or if a written response is not received from the bargaining agent
1391 within fifteen calendar days, the bargaining representative may request that the
1392 bargaining agent forward the written complaint to the council.

1393 4. If the bargaining agent receives a written request to have the complaint
1394 forwarded to the council, including an explanation of reasons for the request, the

1395 bargaining agent shall forward the request, together with the bargaining agent's written
1396 response, to the council within five calendar days from the receipt of the request. These
1397 materials or any discussion thereof shall remain confidential to the extent allowed by law.

1398 5. The council may request that the bargaining agent meet with the council for
1399 the purpose of reviewing the status of negotiations with regard to the principles contained
1400 in this chapter and the overall policy direction established by the labor policy committee,
1401 but the council shall take no action that would interfere with the lawful role of the
1402 bargaining agent.

1403 B. By June 30 of each year, the prosecuting attorney, in conjunction with
1404 bargaining agent, shall report to the council on all pending unfair labor practice charges
1405 and all pending arbitration involving represented employees.

1406 C. By June 30 of each year, or, in the case of agreements expiring other than
1407 December 31, at least ninety days before the commencement of negotiations, in
1408 preparation for collective bargaining the bargaining agent shall report to the council the
1409 agreements expiring that calendar year. The bargaining agent shall also generally explain
1410 existing policies that, if changed, would further the principles and intent established by
1411 this chapter. County department management concerned with the collective bargaining
1412 process, with the advice of other relevant county departments, shall assist the bargaining
1413 agent in reporting to the council.

1414 D. By June 30 of each year or, for agreements expiring other than December 31,
1415 at least ninety days before commencing negotiations, the council shall meet with the
1416 bargaining agent to review the schedule of collective bargaining agreements expiring in
1417 that calendar year and the key issues related to the collective bargaining process.

1418 Methods of consultation with unions, management rights and eliminating the causes of
1419 employee grievances shall also be considered.

1420 E. For the purpose of maintaining an effective collective bargaining process, the
1421 strategies and related information presented by the bargaining agent shall be maintained
1422 as confidential. The council shall develop guidelines to assist in accomplishing such
1423 confidentiality.

1424 SECTION 26. Ordinance 12076, Section 2, as amended, and K.C.C. 4.04.020 are
1425 hereby amended to read as follows:

1426 The definitions in this section apply throughout this chapter unless the context
1427 clearly requires otherwise.

1428 A. "Acquisition phase" means the time during which activities associated with
1429 acquisition or surplus and sale of real property, property rights or the acquisition of
1430 improvements through direct purchase or capitalized lease agreements occur.

1431 B. "Adopted" means approval by council motion or ordinance.

1432 C. "Agency" means a county office, officer, institution whether educational,
1433 correctional or other, department, division, board commission, except as otherwise
1434 provided in this chapter.

1435 D. "Allocation" means a part of a lump sum appropriation that is designated for
1436 expenditure by either a specific organization unit or for specific purposes, or both.

1437 E. "Allotment" means a part of an appropriation that may be encumbered or
1438 expended during an allotment period.

1439 F. "Allotment period" means a period of less than a fiscal year in length during
1440 which an allotment is effective.

1441 G. "Allotment plan" means a fiscal management plan that divides a county
1442 agency's program element budget into quarterly increments, reflecting the cyclical or
1443 seasonal pattern of expenditures, for the purpose of identifying over and under
1444 expenditures throughout the year.

1445 H. "Appropriations" means an authorization granted by the council to make
1446 expenditures and to incur obligations for specific purposes.

1447 I. "Appropriation ordinance" means the ordinance that establishes the legal level
1448 of appropriation for a fiscal year.

1449 J. "Art" means funds budgeted for the one percent for art program under K.C.C.
1450 chapter 4.40 or as otherwise provided by ordinance for a public art program.

1451 K. "Budget" means a proposed plan of expenditures for a given period or purpose
1452 and the proposed means for financing these expenditures.

1453 L. "Budget detail plan" means the council's proposed spending plan for the
1454 operational budgets of all agencies detailed at the section level and attached to the
1455 adopted appropriation ordinance or as modified by the most-recent supplemental
1456 appropriation ordinance.

1457 M. "Budget document" means a formal, written, comprehensive financial
1458 program presented by the executive to the council, including an electronic database with
1459 revenues and expenditures for all county agencies at the lowest organization levels and
1460 all summary levels provided in the general ledger system, balanced to the financial plans
1461 and the appropriation ordinance, fee ordinances, motions related to proposed levy rates to
1462 comply with chapter 36.40 RCW and cost-of-living adjustment ordinance proposed by
1463 the executive.

1464 N. "Budget message" means a formal oral presentation by the executive to the
1465 council that explains the budget in terms of goals to be accomplished and how the budget
1466 relates to the Comprehensive Plan.

1467 O. "Capital improvement plan" means a plan that establishes the capital
1468 improvements required to implement an approved operational master plan. This plan
1469 should extend over a minimum period of six years to define long-range capital
1470 improvement requirements and the annual capital improvements budget for a user
1471 agency.

1472 1. The capital improvement plan shall include the following elements, where
1473 applicable:

1474 a. general program requirements that define the development scope for specific
1475 sites or facilities;

1476 b. general space and construction standards;

1477 c. prototype floor plans and prototype facility designs for standard
1478 improvements;

1479 d. space requirements based on the adopted county space plan;

1480 e. initial, and life-cycle cost, of alternative facilities and locations including
1481 lease and lease/purchase approaches;

1482 f. approximate location of planned capital improvements;

1483 g. general scope and estimated cost of infrastructure; and

1484 h. a schedule, that extends over a minimum of six years, for the
1485 implementation of projects included in capital improvement plans, based on overall user
1486 agency priorities and projected available revenue((§)).

1487 2. The user agency shall prepare the elements of the plan in subsection O.1.a.,
1488 d., f., and h. of this section. The implementing agency shall prepare the elements of this
1489 plan in subsection O.1.b., c., e., and g. of this section.

1490 3. The six-year budget schedule included in the capital improvement plan shall
1491 be updated annually in conjunction with the capital budget adoption process.

1492 P. "Capital project" means a project with a scope that includes one or more of the
1493 following elements, all related to a capital asset: acquisition of either a site or existing
1494 structure, or both; program or site master planning; design and environmental analysis;
1495 construction; major equipment acquisition; reconstruction; demolition; or major
1496 alteration. "Capital project" includes a: project program plan; scope; budget by phase;
1497 and schedule. The project budget and phases of a project shall be prepared or managed
1498 by the implementing agency.

1499 Q. "CIP" means capital improvement program.

1500 R. "CIP exceptions notification" means, except for major maintenance reserve
1501 fund, roads, solid waste, surface water management and wastewater CIP projects, a letter
1502 filed with the clerk of the council for distribution to the chair of the budget and fiscal
1503 management committee, or its successor committee, which describes changes to an
1504 adopted CIP project's scope or schedule, or both, or total project cost and, with the
1505 exception of schedule changes, shall be sent in advance of any action. For major
1506 maintenance reserve fund CIP projects, "exceptions notification" means a letter filed with
1507 the clerk of the council for distribution to the chair of the budget and fiscal management
1508 committee, or its successor committee, that describes changes of fifteen percent or more
1509 to an adopted CIP project's scope or schedule, or both, or total project costs and, with the

1510 exception of schedule changes, shall be sent in advance of any action. For road CIP
1511 projects, "exceptions notification" means a letter filed with the clerk of the council for
1512 distribution to the chair of the transportation committee, or its successor committee, that
1513 describes changes of fifteen percent or more to an adopted CIP project's scope or
1514 schedule, or both, or total project costs and, with the exception of schedule changes, shall
1515 be sent in advance of any action. For wastewater, solid waste and surface water
1516 management CIP projects, "exceptions notification" means a letter filed with the clerk of
1517 the council for distribution to the chair of the budget and fiscal management committee,
1518 or its successor committee, and to the chair of the utilities committee, or its successor
1519 committee, which describes changes of fifteen percent or more to an adopted CIP
1520 project's scope or schedule, or both, or total project costs and, with the exception of
1521 schedule changes, shall be sent in advance of any action.

1522 S. "Close-out phase" means the time during which the administrative processes
1523 and associated accounting activities to close out all contracts occurs. The close-out phase
1524 follows final acceptance and may include multiyear monitoring.

1525 T. "Council" means the metropolitan King County council.

1526 U. "Deficit" means the excess of expenditures over revenues during an
1527 accounting period, or an accumulation of such excesses over a period of years.

1528 V. "Director" means the ~~((director of the office of performance, strategy and))~~
1529 budget director in the executive's office.

1530 W. "Executive" means the King County executive, as defined by Article 3 of the
1531 King County Charter.

1532 X. "Expenditures" means, where the accounts are kept on the accrual basis or the
1533 modified accrual basis, the cost of goods delivered or services rendered, whether paid or
1534 unpaid, including expenses, provisions for debt retirement not reported as a liability of
1535 the fund from which retired, and capital outlays. Where the accounts are kept on the cash
1536 basis, "expenditures" means actual cash disbursements for these purposes.

1537 Y. "Final design phase" means the time during which design is completed,
1538 permits and other permissions are secured so that the project, or staged elements of the
1539 project consistent with the project management plan, can proceed to implementation.
1540 Final design phase also includes development of a final cost estimate, plans,
1541 specifications and a bid package.

1542 Z. "Financial plan" means a summary by fund of planned revenues and
1543 expenditures, reserves and undesignated fund balance.

1544 AA. "Fiscal period" means a calendar year or a biennium.

1545 BB. "Fund" an independent fiscal and accounting entity with a self-balancing set
1546 of accounts recording either cash or other resources, or both, together with related
1547 liabilities, obligations, reserves and equities that are segregated for the purpose of
1548 carrying on specific activities or attaining certain objectives in accordance with special
1549 regulations, restrictions or limitations.

1550 CC. "Fund balance" means the excess of the assets of a fund over its liabilities
1551 and reserves except in the case of funds subject to budgetary accounting where, before
1552 the end of a fiscal period, it represents the excess of the fund assets and estimated
1553 revenues for the period over its liabilities, reserves and appropriations for the fiscal
1554 period.

1555 DD. "General facility major maintenance emergent need contingency project"
1556 means an appropriation to provide contingent budget authority for emergent needs within
1557 major maintenance reserve fund CIP projects.

1558 EE. "Implementation phase" means the time during which a project is
1559 constructed or implemented. "Implementation phase" also includes the testing,
1560 inspection, adjustment, correction and certification of facilities and systems to ensure that
1561 the project performs as specified. The implementation phase begins with the notice to
1562 proceed for the construction contract and ends with final acceptance of the project, unless
1563 otherwise specified in grant or regulatory requirements.

1564 FF. "Implementing agency" means the appropriate department and division
1565 responsible for the administration of CIP projects.

1566 GG. "Lapse" of an appropriation means an automatic termination of an
1567 appropriation.

1568 HH. "Major maintenance reserve fund CIP project" means any major
1569 maintenance reserve fund CIP project that is allocated in the adopted six-year major
1570 maintenance reserve fund CIP and is appropriated at the major maintenance reserve fund
1571 level in accordance with K.C.C. 4.04.265 or is a high-risk project under K.C.C. 4.04.245.

1572 II. "Major widening project" means any roads CIP project adding at least one
1573 through lane in each direction.

1574 JJ. "Object of expenditure" means a grouping of expenditures on the basis of
1575 goods and services purchased, such as salary and wages.

1576 KK. "Open space non-bond fund project" means an open space project that is
1577 allocated in the adopted six-year open space CIP and is appropriated at the open space
1578 non-bond fund number 3522 level in accordance with K.C.C. 4.04.300.

1579 LL. "Operational master plan" means a comprehensive plan for an agency setting
1580 forth how the organization will operate now and in the future. An operational master
1581 plan shall include the analysis of alternatives and their life cycle costs to accomplish
1582 defined goals and objectives, performance measures, projected workload, needed
1583 resources, implementation schedules and general cost estimates. The operational master
1584 plan shall also address how the organization would respond in the future to changed
1585 conditions.

1586 MM. "Planning phase" means the time during which identification and
1587 development of project need and potential alternatives, evaluation of technical and
1588 economic feasibility and development of a rough-order-of-magnitude total project cost
1589 estimate occurs.

1590 NN. "Preliminary design phase" means the time during which when evaluation
1591 and analysis of potential project alternatives occurs, and the preferred alternative is
1592 selected and designed sufficiently to establish a project baseline, at thirty to forty percent
1593 design.

1594 OO. "Program" means the definition of resources and efforts committed to
1595 satisfying a public need. The extent to which the public need is satisfied is measured by
1596 the effectiveness of the process in fulfilling the needs as expressed in explicit objectives.

1597 PP. "Project program plan" means a plan, primarily in written narrative form, that
1598 describes the overall development concept and scope of work for a building, group of

1599 buildings or other facilities at a particular site. The complexity of the project program
1600 plan will vary based upon the size and difficulty of the program for a particular site.
1601 When the plan includes projects that are phased over time, each phase shall have an
1602 updated project program plan prepared by the user agency before project implementation.
1603 The project program plan shall be prepared by the user agency with assistance from the
1604 implementing agency. The program plan describes the user agency program
1605 requirements for a specific building or site; provides the basis for these requirements; and
1606 identifies when funds for the implementation of the capital projects will be provided.
1607 The program plan shall elaborate on the general program information provided in the
1608 operational master plan and the capital improvement plan. The plan shall also describe
1609 user agency programs, how these programs would fit and function on the site, and the
1610 general recommendation of the user agency regarding the appearance of the building or
1611 site. The plan shall indicate when a site master plan is required for a project.

1612 QQ. "Public need" means those public services found to be required to maintain
1613 the health, safety and well-being of the general citizenry.

1614 RR. "Quarterly management and budget report" means a report prepared
1615 quarterly by the director for major operating and capital funds, that:

- 1616 1. Presents executive revisions to the adopted financial plan or plans;
- 1617 2. Identifies significant deviations in agency workload from approved levels;
- 1618 3. Identifies potential future supplemental appropriations with a brief discussion
1619 of the rationale for each potential supplemental;
- 1620 4. Identifies significant variances in revenue estimates;

1621 5. Reports information for each appropriation unit on the number of filled and
1622 vacant full-time equivalent and term-limited temporary positions and the number of
1623 temporary employees;

1624 6. Includes the budget allotment plan information required under K.C.C.
1625 4.04.060; and

1626 7. Describes progress towards transitioning potential annexation areas to cities.

1627 SS. "Reappropriation" means authorization granted by the council to expend the
1628 appropriation for the previous fiscal year for capital programs only.

1629 TT. "Regulations" means the policies, standards and requirements, stated in
1630 writing, designed to carry out the purposes of this chapter, as issued by the executive and
1631 having the force and effect of law.

1632 UU. "Revenue" means the addition to assets that does not increase any liability,
1633 does not represent the recovery of an expenditure, does not represent the cancellation of
1634 certain liabilities on a decrease in assets and does not represent a contribution to fund
1635 capital in enterprise and intragovernmental service funds.

1636 VV. "Roads CIP project" means roads capital projects that are allocated in the
1637 adopted six-year roads CIP and are appropriated at the roads CIP fund level in
1638 accordance with K.C.C. 4.04.270 or a high-risk project under K.C.C. 4.04.245.

1639 WW. "Scope change" means, except for major maintenance reserve fund, roads,
1640 solid waste, surface water management, and wastewater CIP projects, that a CIP project's
1641 total project cost increases by ten percent or by fifty thousand dollars, whichever is less.

1642 For major maintenance reserve fund, roads, solid waste, surface water management, or

1643 wastewater CIP projects, "scope change" means the total project cost increases by fifteen
1644 percent.

1645 XX. "Section" means an agency's budget unit comprised of a particular project,
1646 program or line of business as described in Ordinance 16445, Section 5, for the 2010
1647 budget or for all subsequent budgets as described in the budget detail plan for the
1648 previous fiscal period as attached to the adopted appropriation ordinance or as modified
1649 by the most-recent supplemental appropriation ordinance. This definition is not intended
1650 to create an organizational structure for any agency.

1651 YY. "Site master plan" means a plan prepared by the implementing agency, with
1652 input from the user agency, that describes, illustrates and defines the capital
1653 improvements required to provide user agency program elements.

1654 1. The site master plan shall include preliminary information regarding, at a
1655 minimum:

- 1656 a. site analysis, including environmental constraints;
- 1657 b. layout, illustration, and description of all capital improvements;
- 1658 c. project scopes and budgets;
- 1659 d. project phasing; and
- 1660 e. operating and maintenance requirements.

1661 2. The site master plan shall be approved by the user agency and the
1662 implementing agency before submittal to the executive and council for approval.

1663 ZZ. "Solid waste CIP project" means a solid waste project that is allocated in the
1664 adopted six-year solid waste CIP and is appropriated at the solid waste CIP fund level in
1665 accordance with K.C.C. 4.04.273 or is a high-risk project under K.C.C. 4.04.245.

1666 AAA. "Surface water management CIP project" means a surface water
1667 management project that is allocated in the adopted six-year surface water management
1668 CIP and is appropriated at the surface water management CIP fund level in accordance
1669 with K.C.C. 4.04.275 or is a high-risk project under K.C.C. 4.04.245.

1670 BBB. "User agency" means the appropriate department, division, office, or
1671 section to be served by any proposed CIP project.

1672 CCC. "Wastewater asset management projects" means the wastewater capital
1673 projects identified and intended by the wastewater treatment division to extend and
1674 optimize the useful life of wastewater treatment assets, including facilities, structures,
1675 pipelines, and equipment.

1676 DDD. "Wastewater CIP project" means wastewater capital projects that are
1677 allocated in the adopted six-year wastewater CIP and are appropriated at the wastewater
1678 CIP fund level in accordance with K.C.C. 4.04.280 or is a high-risk project under K.C.C.
1679 4.04.245.

1680 SECTION 27. Ordinance 12076, Section 35, as amended, and K.C.C. 4.10.050
1681 are hereby amended to read as follows:

1682 The executive finance committee is hereby confirmed as being the "county
1683 finance committee," referred to in RCW 36.29.020 and RCW 36.48.070, and shall be
1684 composed of the following: ~~((the county executive;))~~ the manager of the finance and
1685 business operations division; ~~((the director of the office of performance, strategy and
1686 budget))~~ a representative of the executive's office; the director of department of executive
1687 services; and the chair of the county council. The executive finance committee shall be
1688 responsible for directing the manager of the finance and business operations division in

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

SECTION 28. Ordinance 17293, Section 90, as amended, and K.C.C. 4A.10.495 are hereby amended to read as follows:

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

SECTION 29. Ordinance 12045, Section 23, as amended, and K.C.C. 4A.100.040 are hereby amended to read as follows:

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

2. At least one hundred fifty-five days before the end of the fiscal period, all agencies shall submit to the executive information necessary to prepare the budget. Agencies shall submit their budget information at the lowest organization and account levels unless accompanied by a notice explaining the reasons for not doing so.

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

1712 submittals to the executive shall be the preliminary economic and revenue forecast
1713 adopted by the forecast council.

1714 4. Before presentation to the council, the executive may provide for hearings on
1715 all agency requests for expenditures and revenues to enable the executive to make
1716 determinations as to the need, value, or usefulness of activities or programs requested by
1717 agencies. The executive may require the attendance of agency officials at the hearings
1718 and the agency officials shall disclose any information required to enable the executive to
1719 arrive at final determinations.

1720 5. The executive shall transmit a budget for the fiscal period and deliver a
1721 budget message to the council no later than ninety-five days before the end of the current
1722 fiscal period. The budget message shall explain the budget in fiscal terms and in terms of
1723 goals to be accomplished and shall relate the requested appropriations to the
1724 comprehensive plans of the county. Copies of the budget and budget message shall be
1725 delivered to the clerk of the council for distribution to councilmembers and legislative
1726 staff.

1727 6. The updated economic and revenue forecast adopted by the forecast council
1728 shall be used as the basis for the budget.

1729 7. Seven days before the presentation of the budget and budget message to the
1730 council, the ~~((director of the office of performance, strategy, and))~~ budget director in the
1731 executive's office ~~((or its successor))~~ shall submit to the council copies of all agency and
1732 departmental budget requests, departmental and divisional work programs.

1733 8. The executive shall prepare and present a proposed appropriation ordinance
1734 not later than ninety-five days before the end of the current fiscal period. The proposed

1735 appropriation ordinance shall specify by any combination of fund, program, project, or
1736 agency, the expenditure levels and maximum number of full time equivalent employees
1737 for the fiscal period.

1738 9. The executive shall make available to the public on the county's website, at
1739 no charge, an electronic copy of the budget and other summary documents.

1740 10. The ~~((director of the office of performance, strategy, and))~~ budget director in
1741 the executive's office ((or its successor)) shall be responsible for the distribution of the
1742 budget, either in electronic or printed formats, and posting on the Internet. The director
1743 shall also be responsible for updating the electronic database to reflect the adopted
1744 appropriations ordinance and posting on the Internet.

1745 11. If the fiscal period is a biennium, then the executive shall conduct a
1746 midbiennium review of the budget and propose adjustments during the adopted fiscal
1747 period, including any changes in the adopted overhead methodology.

1748 B. The council shall:

1749 1. Review the proposed appropriation ordinances and make any changes or
1750 additions it deems necessary except the council shall not change the form of the proposed
1751 appropriation ordinance submitted by the executive;

1752 2. Announce and hold public hearings as it deems necessary;

1753 3. Adopt an appropriation ordinance granting authority to make expenditures
1754 and to incur obligations upon completion of the budget hearings and at least thirty days
1755 before the end of the current fiscal period. The council may attach an accompanying
1756 statement specifying legislative intent;

1757 4. Adopt tax and revenue ordinances as may be necessary to implement the
1758 adopted appropriation ordinance; and

1759 5. Review any proposed midbiennium adjustments proposed by the executive
1760 during the adopted fiscal period, including any changes in the adopted overhead
1761 methodology.

1762 SECTION 30. Ordinance 17929, Section 20, as amended, and K.C.C.
1763 4A.100.070 are hereby amended to read as follows:

1764 A.1. Any departments or agencies, except the council, with unanticipated
1765 expenditures shall submit to the executive a statement of unanticipated expenditures. The
1766 statement shall specify any request for supplemental appropriation by program, project,
1767 object of expenditure, or any combination thereof. The executive shall review the
1768 requests in accordance with the department's or agency's work plan and determine
1769 whether to submit a supplemental appropriation request.

1770 2. If during the fiscal period the executive determines that revenues will be less
1771 than the expenditure amounts included in the appropriations ordinance, the executive
1772 shall revise the expenditures of departments or agencies funded from those revenue
1773 sources to prevent the making of expenditures in excess of revenues. If the executive
1774 determines that the fund has unrestricted reserves, the executive may use these reserves to
1775 avoid making expenditure reductions; however, the use of reserves may not reduce the
1776 fund balances below target reserve amounts. If the use of reserves exceeds five percent
1777 of the total appropriation, the council shall be notified in the quarterly management and
1778 budget report. An expenditure shall not be made from any portion of an appropriation
1779 that has been assigned to a reserve status except as provided in this section.

1780 B. All unexpended appropriations in noncapital appropriation ordinances lapse at
1781 the end of the fiscal period.

1782 C. The executive may transfer appropriation authority from an emergent need
1783 contingency project to support a cost increase for a capital project in the same fund in
1784 accordance with the procedures in K.C.C. 4A.100.080.

1785 D.1. Except as provided in this subsection, an agency shall not expend or contract
1786 to expend any money in excess of amounts appropriated. A contract made in violation of
1787 this subsection is null and void. An officer, agent, or employee of the county knowingly
1788 responsible for such a contract is personally liable to anyone, including the county,
1789 damaged by the officer, agent, or employee's action.

1790 2. An agency may contract to expend money in excess of existing
1791 appropriations when:

1792 a. the contract commits the county to expend funds beyond the fiscal period
1793 and the contract includes a cancellation clause that provides:

1794 (1) the contract may be unilaterally terminated by the county for lack of
1795 appropriation; and

1796 (2) the costs associated with such a termination, if any, shall not exceed the
1797 appropriation for the fiscal period in which termination occurs;

1798 b. the contract commits the county to expend funds beyond the fiscal period
1799 and the council, at the request of the executive, adopts an ordinance permitting the county
1800 to enter into the contract;

1801 c. the contract implements a grant awarded to the county before the
1802 appropriation of grant funds, including appropriations that must be made in future years,

1803 if the council has received prior notice of the grant application and if either of the
1804 following conditions are met: all of the funds to be appropriated under the contract will
1805 be from the granting agency; or all financial obligations of the county under the contract
1806 are subject to appropriation; or

1807 d. the contract is an emergency contract as authorized by K.C.C. 2.93.080.

1808 3. In accordance with Section 495 of the King County Charter, real property
1809 shall not be leased to the county for more than one year unless it is included in a capital
1810 budget appropriation ordinance.

1811 4.a. Any lease or license for the possession or use of real property by the county
1812 with a term, including any potential options, extensions, or renewals, longer than five
1813 years must be approved by the council before execution by the executive.

1814 b. Any decision to extend a lease or license for the possession or use of real
1815 property by the county beyond a cumulative total of five years, whether memorialized
1816 through an option, extension, amendment, or new lease or license, must be approved by
1817 the council before execution by the executive.

1818 c. Any lease or license for the possession or use of real property by the county
1819 that requires more than fifty thousand dollars in tenant improvement or other alterations
1820 to the real property for the benefit of the county must be approved by the council before
1821 execution by the executive.

1822 d. Any lease or license for the possession or use of real property by the county
1823 shall comply with the requirements of K.C.C. 18.17.050.C.

1824 5. Any lease or license or extension of a lease or license for the possession or
1825 use of real property by the county entered into for the purpose of implementing the Puget

1826 Sound emergency radio network project as described in Ordinance 17993 and approved
1827 by the voters at the election held on April 28, 2015, may commit the county to expend
1828 funds in excess of amounts appropriated, and may be executed by the executive without
1829 council approval.

1830 E. A capital project budget and phases of a capital project shall be prepared by
1831 the user agency. The capital project shall be managed by the implementing agency.

1832 F. Ongoing review of capital projects for which moneys have been appropriated
1833 shall be coordinated by the executive's office (~~(of performance, strategy and budget or its~~
1834 ~~successor)~~). For capital projects involving more than one agency, representatives from
1835 the agencies shall consult with the executive's office (~~(of performance, strategy and~~
1836 ~~budget or its successor)~~). The executive's office (~~(of performance, strategy and budget or~~
1837 ~~its successor)~~) shall review capital projects for compliance with scope, budget, and
1838 schedule.

1839 SECTION 31. Ordinance 17929, Section 21, as amended, and K.C.C.
1840 4A.100.080 are hereby amended to read as follows:

1841 A. An emergent need contingency project may be included in any capital
1842 improvement program fund under K.C.C. 4A.100.030.

1843 B. Emergent need contingency projects must be included in the proposed capital
1844 fund's six year capital improvement program and be consistent with the proposed fund
1845 financial plan.

1846 C. An emergent need contingency project amount shall not exceed either twenty
1847 percent of the total unexpended appropriation in a capital fund as of July 1 of the final

1848 year of the fiscal period plus the total adopted appropriations for the capital fund for the
1849 upcoming fiscal period or fifty million dollars, whichever is less.

1850 D.1. For capital projects other than risk monitored projects, expenditure authority
1851 may be transferred from an emergent need contingency project to another capital project
1852 within the same fund to address costs not anticipated at the time of budget adoption.
1853 Capital projects requiring a transfer of less than twenty-five percent of total project costs,
1854 a scope change or a schedule deviation must be reported in the quarterly budget
1855 management report under K.C.C. 4A.100.100.

1856 2. For transfers of twenty-five percent or more of total project costs, the
1857 ~~((director of the office of performance, strategy and))~~ budget ~~((or its successor))~~ director
1858 in the executive's office shall be responsible for electronically filing a capital project
1859 exception notification with the clerk of the council, who shall retain an electronic copy
1860 and provide an electronic copy to all councilmembers and the lead staff for the budget
1861 and fiscal management committee or its successor. The notification must be sent and
1862 authorized as set forth in subsection E. of this section in accordance with this section
1863 before any transfer may occur.

1864 E. When the clerk of the council receives a capital project exception notification,
1865 the clerk of the council shall list the capital project exception notification under other
1866 business on the next two council agenda. Councilmembers may object to the proposed
1867 transfer of emergent need contingency expenditure authority to another project in the
1868 same fund at either of those two council meetings. If an objection is not made at either
1869 council meeting, the transfer may proceed. If an objection to the transfer of emergent
1870 need contingency is made at a council meeting, the transfer may not proceed. The clerk

1871 of the council shall notify the ~~((director of the office of performance, strategy and))~~
1872 budget director in the executive's office ~~((or its successor))~~ of the council's action.

1873 SECTION 32. Ordinance 620, Section 4, as amended, and K.C.C. 4A.100.100
1874 are hereby amended to read as follows:

1875 A. The following reports shall be prepared:

1876 1. A comprehensive annual financial report. The executive shall annually
1877 prepare and publish a comprehensive financial report covering all funds and financial
1878 transactions of the county during the preceding fiscal period;

1879 2. Internal county audit reports. The county auditor shall periodically prepare
1880 and publish the results of examinations performed by the county auditor's office of the
1881 effectiveness, efficiency, and equity of the operation of county agencies. The examination
1882 report and any departmental response to the audit shall be made available by the county
1883 auditor, either electronically or in print formats, and by posting on the Internet;

1884 3. A state audit report. The examination report of the county's financial affairs
1885 and transactions issued annually by the Office of the State Auditor and the county
1886 response to the audit shall be made available to the State Auditor annually, either
1887 electronically or in print formats, and by posting on the Internet; and

1888 4. Quarterly budget management reports.

1889 a. The executive shall submit to the council a report detailing the results of
1890 actual revenue collections and expenditures for each fund. The report shall:

1891 (1) present current financial plans for operating and capital funds that have
1892 gone through the ~~((office of performance, strategy, and budget's))~~ financial monitoring
1893 process of the executive's office, as described in the current comprehensive financial

1894 management policies adopted by council motion during the current quarter, including
1895 actual expenditures and revenues;

1896 (2) identify significant variances in revenue and expenditure estimates for the
1897 general fund;

1898 (3) list any transfer of emergent need contingency expenditure authority that
1899 would increase the total budget of a capital project, identifying those increases that are
1900 greater than fifteen percent;

1901 (4) list any transfer of grant contingency expenditure authority;

1902 (5) list any capital budget appropriations that have lapsed because the project
1903 has been completed or abandoned, or because no encumbrance or expenditure has been
1904 made for three years;

1905 (6) report scope, schedule, and budget status for capital projects that has a
1906 baseline with total estimated cost greater than one million dollars;

1907 (7) summarize the risks included in the risk assessment register for baselined
1908 risk monitored projects in the design phase, the acquisition phase, and the implementation
1909 phase, summarize change orders and amendments, explain change orders and
1910 amendments that have the cumulative potential to carry the project over project baseline,
1911 and summarize the results of the latest earned value analysis;

1912 (8) report on all incremental changes to sections and attachments to the
1913 budget appropriations ordinance made during the quarter, including the ordinance
1914 numbers making the changes; and

1915 (9) report on waivers to the regulations of K.C.C. chapter 18.17, in
1916 compliance with K.C.C. 18.17.060.

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

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

SECTION 33. Ordinance 12076, Section 4, as amended, and K.C.C. 4A.110.010 are hereby amended to read as follows:

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

1940 adopted comprehensive financial management policies, and any other information
1941 required by the council.

1942 B. A fiscal note shall identify the incremental fiscal impact of a motion or
1943 ordinance that would directly or indirectly increase or decrease revenues or expenditures
1944 incurred by the county. A fiscal note shall include the estimated revenue and expenditure
1945 impact of any legislation for the current fiscal period, for the prior biennium and for the
1946 two subsequent biennia.

1947 C. If proposed legislation authorizes the execution of a contract or interlocal
1948 agreement that extends beyond two subsequent biennia, the legislation's fiscal note shall
1949 document the impact through the end of the term of the proposed contract or interlocal
1950 agreement, either in fiscal terms or by using a narrative regarding the long term impacts.
1951 A fiscal note shall accompany any request for expenditure authority transmitted by the
1952 executive, but a fiscal note may be omitted when the executive certifies in writing with
1953 the transmittal that the legislation has no significant fiscal impact on either the operating
1954 budget or the capital budget, or both.

1955 D. All fiscal notes shall include:

1956 1. A brief descriptive title of the proposed legislation;

1957 2. An explanation of how the revenue or expenditure impacts were developed.

1958 The explanation shall include, but not be limited to, quantifiable data that illustrates a
1959 significant workload increase or decrease caused by adoption of the proposed legislation
1960 major assumptions made in preparing the fiscal note;

1961 3. For a program anticipated to be funded by any dedicated non-general fund
1962 revenue source, the fiscal note shall denote anticipated collection schedules for the non

1963 general fund revenue. For a new fee or a fee change, in addition to the requirements of
1964 K.C.C. 2.99.030, the fiscal note shall identify the fee and include the rates proposed. For
1965 a regulatory fee, the fiscal note shall include an analysis of the county costs associated
1966 with performing the regulatory function;

1967 4. An updated financial plan or plans shall accompany the fiscal note if the
1968 expenditure impact of the proposal results in a positive or negative change of five percent
1969 or more in the fund financial plan.

1970 E. The ~~((director of the office of performance, strategy and))~~ budget ~~((, or its~~
1971 ~~successor))~~ director in the executive's office shall provide a fiscal note on any proposed
1972 legislation whenever a fiscal note is requested by a councilmember. In addition, the
1973 director shall provide additional fiscal impact information regarding the proposed
1974 legislation upon request by a councilmember. The requested fiscal note or information
1975 shall be returned within five working days of the request to the requesting
1976 councilmember and shall be filed with the clerk of the council's office for distribution to
1977 all councilmembers, for distribution to lead staff of the budget and fiscal management
1978 committee, or its successor committee, and for inclusion with the legislation.

1979 SECTION 34. Ordinance 17930, Section 13, as amended, and K.C.C.

1980 4A.130.020 are hereby amended to read as follows:

1981 A. The executive shall ensure that capital projects required to undergo a risk
1982 assessment receive an annual risk assessment score using a risk assessment scoring
1983 instrument developed by the county auditor. Except as provided in subsection D.2. of
1984 this section, at least annually, the executive shall notify the county auditor of those capital
1985 projects undergoing a risk assessment.

1986 B. The risk assessment scoring instrument shall use information such as
1987 complexity of regulatory requirements, interdependencies with other projects and
1988 programs, schedule constraints, implementing agency resources, project delivery method,
1989 complexity of property acquisition issues, public impact, risks inherent to the likely
1990 construction technology or any other issues that could have a significant impact on the
1991 ability of the project to meet its project baseline scope, schedule or budget.

1992 C. The risk assessment scoring instrument shall be completed by the
1993 implementing agency. The implementing agency director shall ensure that the risk
1994 assessment scoring instrument is reviewed and signed by agency staff who does not
1995 report to the project's project manager, to anyone who reports to that project manager or
1996 to anyone to whom that project manager directly reports. The implementing agency shall
1997 submit the completed risk assessment scoring instrument to the executive by a deadline
1998 set by the county auditor. The executive shall compile all completed risk assessment
1999 scoring instruments and submit the compilation to the county auditor.

2000 D.1. For existing capital projects and anticipated capital project expenditure
2001 authority requests, by June 30 of each year the county auditor shall electronically file risk
2002 assessment score results, if required by K.C.C. 4A.130.010, and a letter recommending
2003 which capital projects should be designated risk monitored projects with the clerk of the
2004 council, who shall retain an electronic copy and distribute electronic copies to all
2005 councilmembers and the lead staff for the budget and fiscal management committee, or
2006 its successor. The county auditor shall also transmit an electronic copy of its
2007 recommendation letter required by this subsection to the ~~((director of the office of~~
2008 ~~performance, strategy and))~~ budget ~~((, or its successor))~~ director in the executive's office.

2009 2. For each capital project expenditure authority request included in a proposed
2010 supplemental capital budget appropriation ordinance, the executive shall transmit a risk
2011 assessment score, if required by K.C.C. 4A.130.010, to the county auditor. Within a
2012 reasonable time after receipt of such a risk assessment score, the county auditor shall
2013 determine whether the project has significant potential risk such that it warrants being
2014 designated a risk monitored project. The county auditor shall file a letter listing all
2015 projects that it recommends for designation as risk monitored projects under this
2016 subsection with the clerk of the council, who shall retain an electronic copy and distribute
2017 electronic copies to all councilmembers and the lead staff for the budget and fiscal
2018 management committee or its successor. The county auditor shall also transmit an
2019 electronic copy of its recommendation letter required by this subsection to the ~~((director~~
2020 ~~of the office of performance, strategy and))~~ budget ~~((, or its successor))~~ director in the
2021 executive's office.

2022 E.1. The council may designate a capital project as a risk monitored project by
2023 motion or the executive may designate a capital project as a risk monitored project by
2024 letter to the council if:

- 2025 a. the capital project is recommended by the county auditor;
- 2026 b. the capital project has not submitted a completed risk assessment scoring
2027 instrument as required by this chapter; or
- 2028 c. the capital project is otherwise determined to have characteristics that
2029 increase its likelihood of being completed late or over budget at a potentially significant
2030 financial cost or other significant impact to the county.

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

SECTION 35. Ordinance 15556, Section 3, as amended, and K.C.C. 4A.200.190 are hereby amended to read as follows:

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

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

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

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

SECTION 36. Ordinance 19841, Section 1, and K.C.C. 4A.200.213 are hereby amended to read as follows:

2054 A. There is hereby created the county hospital levy fund.

2055 B. The fund shall be a first-tier fund. It is a special revenue fund.

2056 C. The ~~((director of the office of performance, strategy and))~~ budget director in

2057 the executive's office shall be the manager of the fund.

2058 D. The fund shall account for the proceeds of the property tax levy authorized by

2059 RCW 36.62.090. The levy proceeds are for the express purpose of the operation,

2060 maintenance, and capital expenses of the hospital, and any outpatient clinics operated by

2061 the hospital, and for the payment of principal and interest on bonds issued for such

2062 purposes.

2063 SECTION 37. Ordinance 19786, Section 1, and K.C.C. 4A.200.266 are hereby

2064 amended to read as follows:

2065 A. There is hereby created the Doors Open Program fund.

2066 B. The fund shall be a first tier fund. It is a special revenue fund.

2067 C. The ~~((director of the office of performance strategy and))~~ budget director in

2068 the executive's office shall be the manager of the fund.

2069 D. The fund shall receive all proceeds of an additional one-tenth of one percent

2070 sales and use tax imposed by the county as authorized in chapter 36.160 RCW.

2071 E. Proceeds of the sales tax shall be used to support cultural organizations

2072 consistent with RCW 36.160.110 and Ordinance 19710, including transfer of proceeds to

2073 the cultural development authority, as the county's designated public agency under RCW

2074 36.160.070, to perform its functions under Ordinance 19710.

2075 SECTION 38. Ordinance 18662, Section 5, and K.C.C. 4A.200.317 are hereby

2076 amended to read as follows:

2077 A. There is hereby created the general fund technology capital fund.

2078 B. The fund shall be a second tier fund. It is a capital projects fund.

2079 C. The ~~((director of the office of performance strategy and))~~ budget director in

2080 the executive's office shall be the manager of the fund.

2081 D. The fund shall account for the proceeds of receipts from transfers from

2082 operating funds, bond proceeds, grants, and other revenues identified in the budget

2083 process to support approved technology projects. Receipts will be transferred into the

2084 capital fund on a reimbursable or scheduled basis.

2085 E. The fund shall be used to support technology capital projects which support

2086 the operations of the general fund.

2087 F. Any subfund of the fund created to hold and manage bond proceeds shall be

2088 treated as a first tier fund.

2089 SECTION 39. Ordinance 18938, Section 1, and K.C.C. 4A.200.405 are hereby

2090 amended to read as follows:

2091 A. There is hereby created the lodging tax fund.

2092 B. The fund shall be a first tier fund. It is a special revenue fund.

2093 C. The ~~((director of the office of performance strategy and))~~ budget director in

2094 the executive's office shall be the manager of the fund.

2095 D. All revenues from the lodging tax shall be deposited into the fund beginning

2096 January 1, 2021.

2097 E. The fund shall distribute lodging tax revenues consistent with the requirements

2098 of Washington state law and Ordinance 18788. Moneys in the fund shall only be used for

2099 the following purposes:

- 2100 1. Transit oriented development projects that preserve or develop affordable
2101 workforce housing;
- 2102 2. Services that support homeless youth;
- 2103 3. For art museums, cultural museums, heritage museums, the arts and the
2104 performing arts; and
- 2105 4. Capital or operating programs that promote tourism.

2106 SECTION 40. Ordinance 15961, Section 1, as amended, and K.C.C. 4A.200.570
2107 are hereby amended to read as follows:

2108 A. There is hereby created the rainy day reserve fund.

2109 B. The fund shall be a first tier fund. It is a subfund of the general fund.

2110 C. The ~~((director of the office of performance strategy and))~~ budget director in
2111 the executive's office shall be the manager of the fund.

2112 D. The fund shall receive revenue when available in an annual or supplemental
2113 budget ordinance.

2114 E. The fund shall be used in the event of an emergency, as declared by a vote of
2115 the county council for the following purposes:

2116 1. Maintenance of essential county services in the event that current expense
2117 fund revenue collections in a given fiscal year are less than ninety-seven percent of
2118 adopted estimates;

2119 2. Payment of current expense fund legal settlements or judgments in excess of
2120 the county's ability to pay from other sources;

2121 3. Catastrophic losses in excess of the county's other insurances against such
2122 losses; and

2123 4. Other emergencies, as determined by the council.

2124 SECTION 41. Ordinance 17527, Section 69, and K.C.C. 4A.200.580 are hereby
2125 amended to read as follows:

2126 A. There is hereby created the real estate excise tax, number 1 fund.

2127 B. The fund shall be a first tier fund. It is a capital projects fund.

2128 C. The ~~((director of the office of performance strategy and))~~ budget director in
2129 the executive's office shall be the manager of the fund.

2130 D. The fund may only be used for capital needs of the unincorporated area of the
2131 county.

2132 SECTION 42. Ordinance 12076, Section 27, as amended, and K.C.C.
2133 4A.200.590 are hereby amended to read as follows:

2134 A. There is hereby created the real estate excise tax, number 2 fund.

2135 B. The fund shall be a first tier fund. It is a capital projects fund.

2136 C. The ~~((director of the department of performance, strategy and))~~ budget ~~((lead))~~
2137 director in the executive's office shall be the manager of the fund.

2138 D. All receipts from K.C.C. 4A.510.120 shall be deposited in the fund.

2139 E. The fund may only be used:

2140 1. For the planning, construction, reconstruction, repair, rehabilitation or
2141 improvement of parks located in or providing a benefit and open to residents of the
2142 unincorporated area of King County; or

2143 2. For the planning, acquisition, construction, reconstruction, repair,
2144 replacement, rehabilitation, or improvement of roads and bridges in the unincorporated
2145 area of King County necessary to respond to, or mitigate damages resulting from, an

2146 emergency proclaimed by the county executive. The uses specified in this subsection E.2.
2147 expire March 31, 2027.

2148 SECTION 43. Ordinance 14596, Section 1, as amended, and K.C.C. 4A.200.620
2149 are hereby amended to read as follows:

2150 A. There is hereby created the risk abatement fund.

2151 B. The fund shall be a second tier fund. It is a special revenue fund.

2152 C. The ~~((director of the office of performance strategy and))~~ budget director in
2153 the executive's office shall be the manager of the fund.

2154 D. The fund shall be used to process administrative and related costs associated
2155 with fund activity.

2156 SECTION 44. Ordinance 10159, Section 14, as amended, and K.C.C. 6.27A.120
2157 are hereby amended to read as follows:

2158 A. A franchisee or applicant for a franchise shall not deny cable service, or
2159 otherwise discriminate against any subscriber, access programmer, or resident on the
2160 basis of one or more of the protected classes as defined in K.C.C. chapter 3.12D, political
2161 affiliation, or income of the residents of the area in which the person resides. The
2162 franchisee shall comply at all times with all other applicable federal, state, and local laws,
2163 rules and regulations relating to nondiscrimination.

2164 B. A franchisee shall not refuse to employ, nor discharge from employment, nor
2165 discriminate against any person in compensation or in terms, conditions, or privileges of
2166 employment because of one or more of the protected classes as defined in K.C.C. chapter
2167 3.12D, political affiliation, or income.

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

D. The franchisee shall establish, maintain, and execute an equal employment opportunity plan and a minority/women's business procurement program, which shall be consistent with the intent of the county's affirmative action and minority/women's business procurement policies. Upon request, the franchisee shall file with the cable office a copy of their equal employment opportunity report submitted annually to the FCC and shall file with ~~((King County office of equity and racial and social justice))~~ the executive's office an annual compliance report detailing its progress with its minority/women's business procurement program during the previous year. The franchisee must also provide the cable office, upon request, copies of all other reports and information filed with federal, state, or local agencies concerning equal employment opportunity or employment discrimination laws. This subsection shall apply only to franchise agreements entered into after December 2, 1991.

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

SECTION 45. Ordinance 13981, Section 2, as amended, and K.C.C. 12.17.010 are hereby amended to read as follows:

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

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

2191 B. "Charging party" means the person aggrieved by an alleged unfair contracting
2192 practice or the person making a complaint on another person's behalf, or the executive's
2193 office ~~((of equity and racial and social justice))~~ when the civil rights program office ~~((of~~
2194 ~~equity and racial and social justice))~~ files a complaint.

2195 C. "Commercially significant contract" means a contract for the provision of
2196 services, including, but not limited to, construction services, consulting services or
2197 bonding or other financial services, or the sale of goods that exceeds five thousand
2198 dollars.

2199 D. "Contract" means an agreement to perform a service or provide goods that
2200 entails a legally binding obligation and that is performed or intended to be wholly or
2201 partly performed within unincorporated King County or that includes King County as a
2202 party. "Contract" does not include the following: a contract for the purchase and sale of
2203 residential real estate; a contract for employment; and a collective bargaining agreement.

2204 E. "Contracting agency" means a person who for compensation engages in
2205 recruiting, procuring, referral, or placement of contracts with a contractor, and that is
2206 doing business in King County.

2207 F. "Contractor" means a business enterprise, including, but not limited to, a
2208 company, partnership, corporation, or other legal entity, excluding real property lessors
2209 and lessees, contracting to do business within the county. "Contractor" includes, but is
2210 not limited to, a public works contractor, a consultant contractor, a provider of
2211 professional services, a service agency, a vendor, and a supplier selling or furnishing
2212 materials, equipment, goods, or services, but does not include a governmental agency
2213 other than King County.

2214 G. "Discriminate," "discrimination," and "discriminatory act" mean an action,
2215 other than an action taken in accordance with a lawful affirmative action program, or
2216 failure to act, whether by itself or as part of a practice, the effect of which is to adversely
2217 affect or differentiate between or among individuals or groups of individuals, by reasons
2218 of one or more of the protected classes as defined in K.C.C. chapter 3.12D unless based
2219 upon a bona fide contractual qualification.

2220 H. "Party" includes the person making a complaint alleging an unfair contracting
2221 practice and the person alleged to have committed an unfair contracting practice.

2222 I. "Person" includes one or more individuals, partnerships, business enterprises,
2223 associations, organizations, corporations, cooperatives, legal representatives, trustees,
2224 trustees in bankruptcy, receivers, or group of persons, and includes King County.

2225 J. "Respondent" means a person who has been alleged or found to have
2226 committed an unfair contracting practice prohibited by this chapter.

2227 K. "Retaliate" means to take action against any person because that person has:

- 2228 1. Opposed any practice forbidden by this chapter;
2229 2. Complied or proposed to comply with this chapter or any order issued under
2230 this chapter; or
2231 3. Filed a complaint, testified or assisted in any manner in any investigation,
2232 proceeding, or hearing initiated under this chapter.

2233 L. "Trade association" means an association of businesses organizations engaged
2234 in similar fields of business that is formed for mutual protection, the interchange of ideas,
2235 information, and statistics or the maintenance of standards within their industry.

2236 SECTION 46. Ordinance 13981, Section 4, as amended, and K.C.C. 12.17.030

2237 are hereby amended to read as follows:

2238 A. An individual complaint alleging an unfair contracting practice in connection
2239 with a commercially significant contract may be filed with the ~~((office of equity and~~
2240 ~~racial and social justice))~~ civil rights program by or on behalf of any person who claims
2241 to be aggrieved by that unfair contracting practice.

2242 B. A complaint alleging that a group is being subjected to an unfair contracting
2243 practice in connection with a commercially significant contract may be filed by:

2244 1. Any member of the group;

2245 2. The ~~((office of equity and racial and social justice))~~ civil rights program;

2246 3. A state or federal agency concerned with discrimination in contracting
2247 whenever the agency has reason to believe that an unfair contracting practice has been or
2248 is being committed; or

2249 4. A trade association that has reason to believe that an unfair contracting
2250 practice has been or is being committed against any of its members.

2251 C. A complaint alleging an unfair contracting practice shall be in writing on a
2252 form or in a format determined by the ~~((office of equity and racial and social justice))~~
2253 civil rights program, shall be signed by the charging party, shall describe with
2254 particularity the unfair contracting practice complained of and shall include a statement
2255 of the dates, places and circumstances and the persons responsible for the acts and
2256 practices. The complaint must be filed within one hundred eighty days of the time of the
2257 alleged unfair contracting practice or within one hundred eighty days of when the
2258 charging party, through exercise of due diligence, should have had notice or been aware

2259 of the occurrence. However, the (~~((office of equity and racial and social justice))~~) civil
2260 rights program shall not reject a complaint as insufficient because of failure to include all
2261 required information, if the (~~((office of equity and racial and social justice))~~) civil rights
2262 program determines that the complaint substantially meets the informational
2263 requirements necessary for processing.

2264 D. If a complaint has been filed in accordance with this chapter, the (~~((office of~~
2265 ~~equity and racial and social justice))~~) civil rights program shall initiate an investigation
2266 under this chapter. If the (~~((office of equity and racial and social justice))~~) civil rights
2267 program determines that a violation of this chapter or a rule or regulation adopted under
2268 this chapter has occurred, the office shall issue an order in accordance with this chapter.
2269 With respect to violations of this chapter, the notice, service and hearings provisions in
2270 this chapter control over K.C.C. Title 23.

2271 E. The charging party or the (~~((office of equity and racial and social justice))~~) civil
2272 rights program may amend a complaint: to cure technical defects or omissions; to clarify
2273 and amplify allegations made in the complaint; or to add allegations related to or arising
2274 out of the subject matter set forth, or attempted to be set forth, in the original complaint.
2275 For jurisdictional purposes, the amendments shall relate back to the date the original
2276 complaint was first filed. Either the charging party or the (~~((office of equity and racial and~~
2277 ~~social justice))~~) civil rights program, or both, may amend a complaint for these reasons as
2278 a matter of right before service of notice of hearing on the matter, as provided under
2279 K.C.C. 12.17.070, and thereafter may amend a complaint only with permission of the
2280 hearing examiner, which permission shall be granted if justice will be served by the
2281 permission. All parties must be allowed time to prepare their cases with respect to

2282 additional or expanded allegations that the parties did not and could not have reasonably
2283 foreseen would be an issue at the hearing.

2284 F. The charging party may also amend a complaint to include allegations of
2285 additional unrelated unfair contracting practices that arose after filing of the original
2286 complaint. The amendment must be filed within one hundred eighty days after the
2287 occurrence of the additional alleged unfair contracting practices and before the issuance
2288 of findings of fact and a determination with respect to the original complaint by ~~((office~~
2289 ~~of equity and racial and social justice))~~ civil rights program. The amendments may be
2290 made at any time during the investigation of the original complaint if the ~~((office of~~
2291 ~~equity and racial and social justice))~~ civil rights program will have adequate time to
2292 investigate the additional allegations and the parties will have adequate time to present
2293 the ~~((office of equity and racial and social justice))~~ civil rights program with evidence
2294 concerning the allegations before the issuance of findings of fact and a determination.

2295 G. Upon the receipt of a complaint, the ~~((office of equity and racial and social~~
2296 ~~justice))~~ civil rights program shall serve notice upon the charging party acknowledging
2297 the filing.

2298 SECTION 47. Ordinance 13981, Section 5, as amended, and K.C.C. 12.17.040
2299 are hereby amended to read as follows:

2300 A. Upon receipt of a complaint meeting the requirements of K.C.C. 12.17.030,
2301 the ~~((office of equity and racial and social justice))~~ civil rights program shall, within
2302 twenty days, cause to be served or mailed to the respondent by certified mail, return
2303 receipt requested, a copy of the complaint along with a notice advising of procedural
2304 rights and obligations of respondents under this chapter, and shall promptly make an

2305 investigation of the complaint. Each respondent may file an answer to the complaint, not
2306 later than twenty days after receipt of notice from the ((office of equity and racial and
2307 social justice)) civil rights program. If the respondent is unable to file a response within
2308 twenty days, the respondent may request an extension of time from the ((office of equity
2309 and racial and social justice)) civil rights program. The extension may be granted if good
2310 cause is shown.

2311 B. The investigation shall be commenced promptly. It shall be directed to
2312 ascertain the facts concerning the discriminatory practice alleged in the complaint and
2313 shall be conducted in an objective and impartial manner.

2314 C. During the investigation, the ((office of equity and racial and social justice))
2315 civil rights program shall consider any statement of position or evidence with respect to
2316 the allegations of the complaint which the charging party or the respondent wishes to
2317 submit. A person who is not named as a respondent in a complaint, but who is identified
2318 as a respondent in the course of the investigation, may be joined as an additional or
2319 substitute respondent upon written notice to the person from the ((office of equity and
2320 racial and social justice)) civil rights program. The notice, in addition to meeting the
2321 requirements of subsection A. of this section, shall explain the basis for the belief of the
2322 ((office of equity and racial and social justice)) civil rights program that the person to
2323 whom the notice is addressed is properly joined as a respondent.

2324 D. During the period beginning with the filing of the complaint and ending with
2325 the issuance of the findings of fact, the ((office of equity and racial and social justice))
2326 civil rights program shall, to the extent feasible, engage in settlement discussions with
2327 respect to the complaint. Nothing said or done in the course of the settlement discussions

2328 may be used as evidence in a subsequent proceeding under this chapter without the
2329 written consent of the persons concerned. A prefinding settlement agreement arising out
2330 of the settlement discussions shall be an agreement between the respondent and the
2331 charging party, and is subject to approval by the ~~((office of equity and racial and social~~
2332 ~~justice))~~ civil rights program. Failure to comply with the prefinding settlement
2333 agreement may be enforced under K.C.C. 12.17.070.

2334 E. The ~~((office of equity and racial and social justice))~~ civil rights program shall
2335 seek the voluntary cooperation of all persons: to obtain access to premises, records,
2336 documents, individuals, and other possible sources of information; to examine, record,
2337 and copy necessary materials; and to take and record testimony or statements of persons
2338 reasonably necessary for the furtherance of the investigation. The ~~((office of equity and~~
2339 ~~racial and social justice))~~ civil rights program may conduct discovery in aid of the
2340 investigation by the following methods or others: deposition upon oral examination or
2341 written questions; written interrogatories; requests for the production of documents or
2342 evidence; inspection and physical and mental examinations; and requests for admissions.
2343 The ~~((office of equity and racial and social justice))~~ civil rights program may sign and
2344 issue subpoenas requiring the attendance and testimony of witnesses, the production of
2345 evidence including, but not limited to, books, records, correspondence, e-mail, or
2346 documents in the possession or under the control of the person subpoenaed, access to
2347 evidence for the purpose of examination and copying as are necessary for the
2348 investigation. The ~~((office of equity and racial and social justice))~~ civil rights program
2349 shall consult with the prosecuting attorney before issuing any subpoena under this
2350 section.

2351 F. If an individual fails to obey a subpoena, or obeys a subpoena but refuses to
2352 testify when requested concerning any matter under investigation, the ~~((office of equity~~
2353 ~~and racial and social justice))~~ civil rights program may invoke the aid of the King County
2354 prosecuting attorney who may petition the King County superior court for an order or
2355 other appropriate action necessary to secure enforcement of the subpoena. The petition
2356 shall:

- 2357 1. Be accompanied by a copy of the subpoena and proof of service;
2358 2. Set forth in what specific manner the subpoena has not been complied with;
2359 and
2360 3. Ask an order of the court to compel the witness to appear and testify or
2361 cooperate in the investigation of the unfair contracting practice.

2362 G. If the ~~((office of equity and racial and social justice))~~ civil rights program
2363 concludes after the filing of a complaint that prompt judicial action is necessary to carry
2364 out the purposes of this chapter, the ~~((office of equity and racial and social justice))~~ civil
2365 rights program may invoke the aid of the prosecuting attorney who may file a civil action
2366 for appropriate temporary, injunctive or preliminary relief pending final disposition of the
2367 complaint.

2368 H. The results of the investigation shall be reduced to written findings of fact and
2369 a finding shall be made that there either is or is not reasonable cause for believing that an
2370 unfair contracting practice has been or is being committed.

2371 I. If a finding is made that there is no reasonable cause, the finding shall be
2372 served on the charging party and respondent. Within thirty days after service of the
2373 negative finding, the charging party may file a written request with the ~~((office of equity~~

2374 ~~and racial and social justice))~~ civil rights program asking for reconsideration of the
2375 finding. The ~~((office of equity and racial and social justice))~~ civil rights program shall
2376 furnish the charging party with information regarding how to request reconsideration.
2377 The ~~((office of equity and racial and social justice))~~ civil rights program shall respond in
2378 writing within a reasonable time by granting or denying the request.

2379 SECTION 48. Ordinance 13981, Section 6, as amended, and K.C.C. 12.17.050
2380 are hereby amended to read as follows:

2381 A.1. If the finding is made initially or on request for reconsideration that
2382 reasonable cause exists to believe that an unfair contracting practice occurred, the ~~((office~~
2383 ~~of equity and racial and social justice))~~ civil rights program shall endeavor to eliminate
2384 the unfair practice by conference, conciliation, and persuasion, which may include as a
2385 condition of settlement:

2386 a. elimination of the unfair contracting practice;
2387 b. payment of actual damages including payment of lost profits not in excess
2388 of the amount of monetary damage actually incurred;
2389 c. payment of damages caused by emotional distress, humiliation, and
2390 embarrassment;
2391 d. payment of attorneys' fees and costs; and
2392 e. such other requirements as may be agreed upon by the parties and the
2393 ~~((office of equity and racial and social justice))~~ civil rights program.

2394 2. A settlement agreement shall be reduced to writing and signed by the
2395 respondent and the charging party and shall be approved by the ~~((office of equity and~~
2396 ~~racial and social justice))~~ civil rights program. An order shall then be entered by the

2397 ~~((office of equity and racial and social justice))~~ civil rights program setting forth the
2398 terms of the agreement. Copies of the order shall be delivered to all affected parties and
2399 the original of the order filed with the records and licensing services division. Failure to
2400 comply with the postfinding settlement agreement or order may be enforced under
2401 K.C.C. 12.17.070. Each postfinding settlement agreement is a public record.

2402 B.1. If the parties cannot reach agreement, the ~~((office of equity and racial and~~
2403 ~~social justice))~~ civil rights program shall make a finding to that effect, incorporate the
2404 findings in the order and furnish a copy of the order to all affected parties. The order
2405 shall also include:

2406 a. a finding that an unfair contracting practice has occurred;
2407 b. the basis for the finding; and
2408 c. an order requiring the respondent to cease and desist from the unfair practice
2409 and to take appropriate affirmative measures, which may include:

2410 (1) payment of actual damages including payment of lost profits not in excess
2411 of the amount of monetary damages actually incurred;

2412 (2) payment of damages caused by emotional distress, humiliation and
2413 embarrassment;

2414 (3) payment of attorneys' fees and costs; and

2415 (4) such other action as in the judgment of the ~~((office of equity and racial~~
2416 ~~and social justice))~~ civil rights program will effectuate the purposes of this chapter, which
2417 may include the requirement for a report on the matter of compliance.

2418 2. If the ~~((office of equity and racial and social justice))~~ civil rights program
2419 finds the respondent willfully or knowingly committed any unfair contracting practice,

2420 the (~~((office of equity and racial and social justice))~~) civil rights program may further order
2421 the respondent to pay a civil penalty of up to one thousand dollars per violation, which
2422 penalty shall be paid to the King County treasury for deposit in the county general fund.

2423 C. If there is a failure to reach an agreement for the elimination of any unfair
2424 contracting practice where the respondent is an executive department, division, or office
2425 of the county, the (~~((office of equity and racial and social justice))~~) civil rights program
2426 may compel compliance by the executive department, division, or office with any
2427 settlement agreement agreed to between the complainant and the (~~((office of equity and~~
2428 ~~racial and social justice))~~) civil rights program.

2429 SECTION 49. Ordinance 13981, Section 7, as amended, and K.C.C. 12.17.060
2430 are hereby amended to read as follows:

2431 A. A party aggrieved by an order of the (~~((office of equity and racial and social~~
2432 ~~justice))~~) civil rights program may appeal in accordance with K.C.C. 20.22.080.

2433 B. If the order of the (~~((office of equity and racial and social justice))~~) civil rights
2434 program is appealed, the office of the hearing examiner shall conduct a hearing for the
2435 purpose of affirming, denying or modifying the order. There shall be a verbatim record
2436 kept of the hearing and the hearing examiner shall have such rule-making and other
2437 power necessary for the conduct of the hearing as are specified by K.C.C. chapter 20.22.
2438 The order of the (~~((office of equity and racial and social justice))~~) civil rights program shall
2439 not be presumed correct. The hearing examiner's decision shall be based upon a
2440 preponderance of the evidence. The hearing shall be conducted within a reasonable time
2441 after receipt of the request for appeal. Written notice of the time and place of the hearing

2442 shall be given at least ten days before the date of the hearing to each affected party and to
2443 the ((office of equity and racial and social justice)) civil rights program.

2444 C. Each party has the following rights, among others:

2445 1. To call and examine witnesses on any matter relevant to the issues of the
2446 complaint;

2447 2. To introduce documentary and physical evidence;

2448 3. To cross-examine opposing witnesses on any matter relevant to the issues of
2449 the complaint;

2450 4. To impeach any witness regardless of which party first called the witness to
2451 testify;

2452 5. To rebut evidence against the party; and

2453 6. To self-represent or to be represented by anyone of the party's choice who is
2454 lawfully permitted to do so.

2455 D. Following review of the evidence submitted, the hearing examiner presiding at
2456 the hearing shall enter written findings and conclusions and shall affirm or modify the
2457 order previously issued if the hearing examiner finds that a violation has occurred. The
2458 hearing examiner shall reverse the order if the hearing examiner finds that a violation did
2459 not occur. The hearing examiner may grant any relief that the ((office of equity and
2460 racial and social justice)) civil rights program could grant under K.C.C. 12.17.050.B. A
2461 copy of the hearing examiner's decision shall be delivered to all affected parties. The
2462 order of the hearing examiner is final unless reviewed by a court under K.C.C.
2463 20.22.270.B.

2464 SECTION 50. Ordinance 13981, Section 8, as amended, and K.C.C. 12.17.070

2465 are hereby amended to read as follows:

2466 A. If the ((~~office of equity and racial and social justice~~)) civil rights program has
2467 reasonable cause to believe that a respondent has breached a prefinding or postfinding
2468 settlement agreement executed under K.C.C. 12.17.040 or 12.17.050 or violated an order
2469 of the ((~~office of equity and racial and social justice~~)) civil rights program issued under
2470 K.C.C. 12.17.050 or an order of the hearing examiner issued under K.C.C. 12.17.060, the
2471 ((~~office of equity and racial and social justice~~)) civil rights program shall refer the matter
2472 to the prosecuting attorney for the filing of a civil action under subsection B. of this
2473 section for the enforcement of the agreement.

2474 B. The prosecuting attorney may commence a civil action in King County
2475 superior court for appropriate relief with respect to a breach of a prefinding or postfinding
2476 settlement agreement or violation of an order of the ((~~office of equity and racial and~~
2477 ~~social justice~~)) civil rights program issued under K.C.C. 12.17.050 or an order of the
2478 hearing examiner issued under K.C.C. 12.17.060. The action may be commenced no
2479 later than ninety days after the referral of the alleged break underlying the referral under
2480 subsection A. of this section.

2481 SECTION 51. Ordinance 13981, Section 9, as amended, and K.C.C. 12.17.080

2482 are hereby amended to read as follows:

2483 A. An aggrieved person may commence a civil action in King County superior
2484 court not later than one year after the occurrence or the termination of an alleged unfair
2485 contracting practice, whichever occurs last, to obtain appropriate relief with respect to the
2486 unfair contracting practice.

2487 B. The computation of the one-year period does not include time during which an
2488 administrative proceeding under this chapter was pending with respect to a complaint or
2489 charge under this chapter based upon the discriminatory contracting practices.

2490 C. An aggrieved person may commence a civil action under this section whether
2491 or not a complaint has been filed under K.C.C. 12.17.030 and without regard to the status
2492 of any such a complaint, except as provided in subsection D. of this section, but if a
2493 settlement or conciliation agreement has been reached with the consent of an aggrieved
2494 person, an action may not be filed under this subsection by the aggrieved person with
2495 respect to the alleged unfair contracting practice that forms the basis for the complaint
2496 except for the purpose of enforcing the terms of the agreement.

2497 D. An aggrieved person may not commence a civil action under this section with
2498 respect to an alleged unfair contracting practice which forms the basis of a complaint if a
2499 hearing on the complaint has been convened by the office of the King County hearing
2500 examiner.

2501 E. In a civil action under this section, if the court finds that an unfair contracting
2502 practice has occurred or is about to occur, the court may grant as relief any relief that the
2503 ~~((office of equity and racial and social justice))~~ civil rights program could grant under
2504 K.C.C. 12.17.050.B.

2505 F. Relief granted under this section does not affect any contract, sale,
2506 encumbrance or lease consummated before the granting of the relief and involving a bona
2507 fide purchaser, encumbrances or tenant, without actual notice of the filing of a complaint
2508 with the ~~((office of equity and racial and social justice))~~ civil rights program or civil
2509 action under this title.

2510 G. Upon timely application, the prosecuting attorney may intervene in the civil
2511 action if the prosecuting attorney determines that the case is of general public importance.

2512 H. This section is intended to provide private judicial remedies for violations of
2513 this chapter that are expansive as the powers granted by the Constitution and laws of the
2514 state of Washington.

2515 SECTION 52. Ordinance 13981, Section 10, as amended, and K.C.C. 12.17.090
2516 are hereby amended to read as follows:

2517 The executive's office (~~((of equity and racial and social justice))~~) may implement
2518 such forms, administrative processes and operational procedures as are necessary to
2519 implement this chapter. The forms, processes, and procedures shall be adopted in
2520 compliance with K.C.C. chapter 2.98. The (~~((office of equity and racial and social~~
2521 ~~justice))~~) civil rights program shall further assist other county agencies and departments
2522 upon request in effectuating and promoting the purposes of this chapter.

2523 SECTION 53. Ordinance 7430, Section 2, as amended, and K.C.C. 12.18.020 are
2524 hereby amended to read as follows:

2525 The definitions in this section apply throughout this chapter unless the context
2526 clearly requires otherwise:

2527 A. "Aggrieved person" includes a person who claims to have been injured by an
2528 unfair employment practice.

2529 B. "Charging party" means any person alleging an unfair employment practice
2530 under this chapter by filing a complaint with the (~~((office of equity and racial and social~~
2531 ~~justice))~~) civil rights program.

2532 C. "Discriminate," "discrimination," or "discriminatory act" means any action or
2533 failure to act, whether by itself or as part of a practice, the effect of which is to adversely
2534 affect or differentiate between or among, individuals or groups of individuals, by reasons
2535 of one or more of the protected classes as defined in K.C.C. chapter 3.12D unless based
2536 upon a bona fide occupational qualification.

2537 D. "Employee" means any person who works for another in return for financial
2538 or other compensation, and does not include any individual employed by the individual's
2539 parents, spouse, or child, or in the domestic service of any person.

2540 E. "Employer" means King County or any person acting in the interest of an
2541 employer, directly or indirectly, who employs eight or more persons in unincorporated
2542 King County, and includes neither any religious or sectarian organization not organized
2543 for private profit nor any governmental body other than King County.

2544 F. "Employment agency" means any person who for compensation engages in
2545 recruiting, procuring, referral, or placement of employees with an employer.

2546 G. "Gender identity or expression" means an individual's gender-related identity,
2547 appearance, or expression, whether or not associated with the individual's sex assigned at
2548 birth, and includes an individual's attitudes, preferences, beliefs, and practices pertaining
2549 to the individual's own gender identity or expression.

2550 H. "Labor organization" means any organization existing for the purpose of:

2551 1. Dealing with employers concerning grievances, terms or conditions of
2552 employment; or

2553 2. Providing other mutual aid or protection in connection with employment.

2554 I. "Party" includes the person making a complaint or upon whose behalf a
2555 complaint is made alleging an unfair employment practice, the person alleged or found to
2556 have committed an unfair employment practice, and the ~~((office of equity and racial and~~
2557 ~~social justice))~~ civil rights program.

2558 J. "Person" includes one or more individuals, partnerships, associations,
2559 organizations, corporations, cooperatives, legal representatives, trustees, trustees in
2560 bankruptcy, receivers, or groups of persons, and includes King County.

2561 K. "Respondent" means any person who is alleged to or found to have committed
2562 an unfair employment practice prohibited by this chapter.

2563 L. "Settlement discussions" or "conference, conciliation, and persuasion" means
2564 the attempted resolution of issues raised by a complaint, or by the investigation of a
2565 complaint, through informal negotiations involving the charging party, the respondent
2566 and the ~~((office of equity and racial and social justice))~~ civil rights program.

2567 SECTION 54. Ordinance 7430, Section 4, as amended, and K.C.C. 12.18.040 are
2568 hereby amended to read as follows:

2569 A. A complaint alleging an unfair employment practice may be filed by:

2570 1. Any aggrieved person;

2571 2. A state, local, or federal agency concerned with discrimination in
2572 employment, including the ~~((office of equity and racial and social justice))~~ civil rights
2573 program, if the agency has reason to believe that an unfair employment practice has been
2574 or is being committed; or

2575 3. Any labor organization that has reason to believe that an unfair employment
2576 practice has been or is being committed.

2577 B. A complaint alleging an unfair employment practice shall be in writing and
2578 signed by the charging party, and shall describe with particularity the unfair employment
2579 practice complained of, the location of the practice and the person alleged to have
2580 committed the unfair employment practice. The complaint must be filed with the ((office
2581 of equity and racial and social justice)) civil rights program within two years of the time
2582 of the alleged unfair employment practice or within two years of when the charging
2583 party, through exercise of due diligence, should have had notice or been aware of the
2584 occurrence. However, the ((office of equity and racial and social justice)) civil rights
2585 program shall not reject a complaint as insufficient because of failure to include all
2586 required information, if the ((office of equity and racial and social justice)) civil rights
2587 program determines that the complaint substantially meets the informational
2588 requirements necessary for processing.

2589 C. Upon the receipt of a complaint, the ((office of equity and racial and social
2590 justice)) civil rights program shall serve upon the charging party notice acknowledging
2591 the filing.

2592 D. The charging party or the ((office of equity and racial and social justice)) civil
2593 rights program may amend a complaint: to cure technical defects or omissions; to clarify
2594 and amplify allegations made in the complaint; or to add allegations related to or arising
2595 out of the subject matter set forth, or attempted to be set forth, in the original complaint.
2596 For jurisdictional purposes, the amendments relate back to the date the original complaint
2597 was first filed. Either the charging party or the ((office of equity and racial and social
2598 justice)) civil rights program, or both, may amend a complaint for these reasons as a
2599 matter of right before service of notice of hearing on the matter, as provided under

2600 K.C.C. 12.18.070, and thereafter may amend a complaint only with permission of the
2601 hearing examiner, which permission shall be granted if justice will be served by the
2602 permission. All parties must be allowed time to prepare their cases with respect to
2603 additional or expanded allegations that the parties did not and could not have reasonably
2604 foreseen would be an issue at the hearing.

2605 E. The charging party may also amend a complaint to include allegations of
2606 additional unrelated unfair employment practices that arose after filing of the original
2607 complaint. The charging party must file any amendments adding the allegations within
2608 two years of the time of the additional unfair employment practice or within two years of
2609 when the charging party, through exercise of due diligence, should have had notice or
2610 been aware of the additional discriminatory act, and before the issuance of findings of
2611 fact and a determination with respect to the original complaint by the ~~((office of equity~~
2612 ~~and racial and social justice))~~ civil rights program. The amendments may be made at any
2613 time during the investigation of the original complaint if the ~~((office of equity and racial~~
2614 ~~and social justice))~~ civil rights program will have adequate time to investigate the
2615 additional allegations and the parties will have adequate time to present the ~~((office of~~
2616 ~~equity and racial and social justice))~~ civil rights program with evidence concerning the
2617 allegations before the issuance of findings of fact and a determination.

2618 SECTION 55. Ordinance 7430, Section 5, as amended, and K.C.C. 12.18.050 are
2619 hereby amended to read as follows:

2620 A. Upon receipt of a complaint meeting the requirements of K.C.C. 12.18.040.C.,
2621 the ~~((office of equity and racial and social justice))~~ civil rights program shall cause to be
2622 served or mailed, by certified mail, return receipt requested, a copy of the complaint to

2623 the respondent within twenty days after the filing of the complaint and shall promptly
2624 make an investigation of the complaint. Each respondent may file an answer to the
2625 complaint not later than twenty days after receipt of notice from the ((~~office of equity and~~
2626 ~~racial and social justice~~)) civil rights program. If a respondent is unable to file a response
2627 within twenty days, the respondent may request an extension of time from the((~~office of~~
2628 ~~equity and racial and social justice~~)) civil rights program. The ((~~office of equity and~~
2629 ~~racial and social justice~~)) civil rights program may grant the extension if good cause is
2630 shown.

2631 B. The ((~~office of equity and racial and social justice~~)) civil rights program shall
2632 direct the investigation to ascertain the facts concerning the unfair employment practice
2633 alleged in the complaint and shall conduct the investigation in an objective and impartial
2634 manner.

2635 C. During the investigation, the ((~~office of equity and racial and social justice~~))
2636 civil rights program shall consider any statement of position or evidence with respect to
2637 the allegations of the complaint which the charging party or the respondent wishes to
2638 submit. A person who is not named as a respondent in a complaint, but who is identified
2639 as a respondent in the course of investigation, may be joined as an additional or substitute
2640 respondent upon written notice, under subsection A. of this section, to the person from
2641 the ((~~office of equity and racial and social justice~~)) civil rights program. The notice, in
2642 addition to meeting the requirements of subsection A. of this section, must explain the
2643 basis for the ((~~office of equity and racial and social justice~~)) civil rights program belief
2644 that the person to whom the notice is addressed is properly joined as a respondent.

2645 D. During the period beginning with the filing of the complaint and ending with
2646 the issuance of the findings of fact, the ((~~office of equity and racial and social justice~~))
2647 civil rights program shall, to the extent feasible, engage in settlement discussions with
2648 respect to the complaint. Anything said or done in the course of the settlement
2649 discussions may not be made public or used as evidence in a subsequent proceeding
2650 under this chapter without the written consent of the persons concerned. A prefinding
2651 settlement agreement arising out of the settlement discussions must be an agreement
2652 between the respondent and the charging party and is subject to approval by the ((~~office~~
2653 ~~of equity and racial and social justice~~)) civil rights program. Each prefinding settlement
2654 agreement is a public record. Failure to comply with the prefinding settlement agreement
2655 may be enforced under K.C.C. 12.18.080.

2656 E. The ((~~office of equity and racial and social justice~~)) civil rights program shall
2657 seek the voluntary cooperation of all persons: to obtain access to premises, records,
2658 documents, individuals, and other possible sources of information; to examine, record,
2659 and copy necessary materials; and to take and record testimony or statements of persons
2660 reasonably necessary for the furtherance of the investigation. The ((~~office of equity and~~
2661 ~~racial and social justice~~)) civil rights program may conduct discovery in aid of the
2662 investigation by the following methods or others: deposition upon oral examination or
2663 written questions; written interrogatories; requests for the production of documents or
2664 other evidence, for inspection and other purposes; physical and mental examinations; and
2665 requests for admissions. The ((~~office of equity and racial and social justice~~)) civil rights
2666 program may sign and issue subpoenas requiring the attendance and testimony of
2667 witnesses and the production of or access to evidence including books, records,

2668 correspondence, e-mail, or documents in the possession or under the control of the person
2669 subpoenaed as are necessary for the investigation. The ~~((office of equity and racial and~~
2670 ~~social justice))~~ civil rights program shall consult with the prosecuting attorney before
2671 issuing a subpoena under this section.

2672 F. If an individual fails to obey a subpoena, or obeys a subpoena but refuses to
2673 testify if requested concerning any matter under investigation, the ~~((office of equity and~~
2674 ~~racial and social justice))~~ civil rights program may invoke the aid of the prosecuting
2675 attorney, who may petition to the superior court for an order or other appropriate action
2676 necessary to secure enforcement of the subpoena. The petition shall:

- 2677 1. Be accompanied by a copy of the subpoena and proof of service;
- 2678 2. Set forth in what specific manner the subpoena has not been complied with;
- 2679 and
- 2680 3. Ask for an order of the court to compel the witness to appear and testify or
2681 cooperate in the investigation of the unfair employment practice.

2682 G. If the ~~((office of equity and racial and social justice))~~ civil rights program
2683 concludes at any time after the filing of a complaint that prompt judicial action is
2684 necessary to carry out the purposes of this chapter, the ~~((office of equity and racial and~~
2685 ~~social justice))~~ civil rights program may invoke the aid of the prosecuting attorney, who
2686 may file a civil action for appropriate temporary, injunctive, or preliminary relief pending
2687 final disposition of the case.

2688 H. The ~~((office of equity and racial and social justice))~~ civil rights program shall
2689 reduce the results of the investigation to written findings of fact and make a finding that

there either is or is not reasonable cause for believing that an unfair employment practice has been or is being committed.

I. If a finding is made that there is no reasonable cause, the finding shall be served on the charging party and respondent. Within thirty days after service of such a negative finding, the charging party may file a written request with the ~~((office of equity and racial and social justice))~~ civil rights program asking for reconsideration of the finding. The ~~((office of equity and racial and social justice))~~ civil rights program shall furnish the charging party with information regarding how to request reconsideration. The ~~((office of equity and racial and social justice))~~ civil rights program shall respond in writing within a reasonable time by granting or denying the request.

SECTION 56. Ordinance 7430, Section 6, as amended, and K.C.C. 12.18.060 are hereby amended to read as follows:

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

- a. elimination of the unfair employment practice;
- b. payment of back pay not in excess of the amount of monetary damage actually incurred;
- c. payment of other actual damages, including damages caused by emotional distress, humiliation and embarrassment;
- d. reinstatement;

2713 e. payment of attorneys' fees and costs;

2714 f. participation in training on fair employment laws; and

2715 g. such other requirements as may lawfully be agreed upon by the parties and

2716 the ~~((office of equity and racial and social justice))~~ civil rights program.

2717 2. Any postfinding settlement agreement shall be reduced to writing and signed

2718 by all parties, with the approval of the ~~((office of equity and racial and social justice))~~

2719 civil rights program. The ~~((office of equity and racial and social justice))~~ civil rights

2720 program shall then enter an order setting forth the agreement and furnish copies of the

2721 order to all affected parties. Each postfinding settlement agreement is a public record.

2722 Failure to comply with the postfinding agreement or order may be enforced under K.C.C.

2723 12.18.080.

2724 B.1. If the parties cannot reach agreement, the ~~((office of equity and racial and~~

2725 ~~social justice))~~ civil rights program shall make a finding to that effect, incorporate the

2726 finding in the order and furnish a copy of the order to all affected parties. The order shall

2727 also include:

2728 a. a finding that an unfair employment practice occurred;

2729 b. the basis for the finding; and

2730 c. an order requiring the respondent to cease and desist from the unfair practice

2731 and to take appropriate affirmative measures, which may include:

2732 (1) payment of back pay not in excess of the amount of monetary damage

2733 actually incurred;

2734 (2) payment of other actual damages, including damages caused by emotional

2735 distress, humiliation, and embarrassment;

2736 (3) reinstatement;
2737 (4) payment of attorneys' fees and costs;
2738 (5) participation in training on fair employment laws; and
2739 (6) such other action as in the judgment of the ~~((office of equity and racial~~
2740 ~~and social justice))~~ civil rights program will effectuate the purposes of this chapter, which
2741 may include the requirement for a report on the matter of compliance.

2742 2. If the ~~((office of equity and racial and social justice))~~ civil rights program
2743 finds the respondent willfully or knowingly committed any unfair employment practice,
2744 the ~~((office of equity and racial and social justice))~~ civil rights program may further order
2745 the respondent to pay a civil penalty of up to ~~((s))~~ one thousand dollars per violation,
2746 which penalty shall be paid to the King County treasury for deposit in the county general
2747 fund.

2748 C. If the parties fail to reach an agreement for the elimination of any unfair
2749 employment practice in which the respondent is an executive department, division or
2750 office of the county, the King County executive may compel compliance by the executive
2751 department, division or office with any settlement agreement agreed to between any
2752 charging party and the ~~((office of equity and racial and social justice))~~ civil rights
2753 program.

2754 SECTION 57. Ordinance 7430, Section 7, as amended, and K.C.C. 12.18.070 are
2755 hereby amended to read as follows:

2756 A. Any respondent or charging party, after ~~((by))~~ an order of the ~~((office of~~
2757 ~~equity and racial and social justice))~~ civil rights program is made in accordance with
2758 K.C.C. 12.18.060.B., may appeal that order in accordance with K.C.C. 20.22.080.

2759 B. If the order of the (~~(office of equity and racial and social justice)~~) civil rights
2760 program is appealed, the hearing examiner shall conduct a hearing for the purpose of
2761 affirming, denying, or modifying the order. There shall be a verbatim record kept of the
2762 hearing. The hearing examiner has such rule-making and other powers necessary for the
2763 conduct of the hearing as are specified by K.C.C. chapter 20.22. The (~~(office of equity~~
2764 ~~and racial and social justice)~~) civil rights program shall not be presumed correct. The
2765 hearing examiner's decision shall be based upon a preponderance of the evidence. The
2766 hearing shall be conducted within a reasonable time after receipt of the request for
2767 appeal. Written notice of the time and place of the hearing shall be given at least ten days
2768 before the date of the hearing to each affected party and to the (~~(office of equity and~~
2769 ~~racial and social justice)~~) civil rights program.

2770 C. Each party may, among exercising other rights:

- 2771 1. Call and examine witnesses on any matter relevant to the issues of the
2772 complaint;
- 2773 2. Introduce documentary and physical evidence;
- 2774 3. Cross-examine opposing witnesses on any matter relevant to the issues of the
2775 complaint;
- 2776 4. Impeach any witness regardless of which party first called the witness to
2777 testify;
- 2778 5. Rebut evidence against the party; and
- 2779 6. Self-represent or be represented by anyone of the party's choice who is
2780 lawfully permitted to do so.

2781 D. Following review of the evidence submitted, the hearing examiner presiding at
2782 the hearing shall enter written findings and conclusions and shall affirm or modify the
2783 order previously issued if the hearing examiner finds that a violation occurred. The
2784 hearing examiner shall reverse the order if the hearing examiner finds that a violation did
2785 not occur. The hearing examiner may grant as relief any relief that the civil rights
2786 program ((office of equity and racial and social justice)) could grant under K.C.C.
2787 12.18.060.B. A copy of the hearing examiner's decision shall be delivered to all affected
2788 parties. The order of the hearing examiner is final unless reviewed by a court under
2789 K.C.C. 20.22.270.B.

2790 SECTION 58. Ordinance 7430, Section 8, as amended, and K.C.C. 12.18.080 are
2791 hereby amended to read as follows:

2792 A. If the ((office of equity and racial and social justice)) civil rights program has
2793 reasonable cause to believe that a respondent breached a prefinding or postfinding
2794 settlement agreement executed under K.C.C. 12.18.050 or 12.18.060, or violated an order
2795 of the ((office of equity and racial and social justice)) civil rights program issued under
2796 K.C.C. 12.18.060 or an order of the hearing examiner issued in accordance with K.C.C.
2797 12.18.070, the ((office of equity and racial and social justice)) civil rights program shall
2798 refer the matter to the prosecuting attorney for the filing of a civil action under subsection
2799 B. of this section for the enforcement of the agreement.

2800 B. The prosecuting attorney may commence a civil action in superior court for
2801 appropriate relief with respect to a breach of a prefinding or postfinding settlement
2802 agreement executed under K.C.C. 12.18.050 or 12.18.060, or a violation of an order of
2803 the ((office of equity and racial and social justice)) civil rights program issued under

2804 K.C.C. 12.18.060 or an order of the hearing examiner issued under K.C.C. 12.18.070.
2805 This action may be commenced no later than ninety days after the referral of the alleged
2806 breach under subsection A. of this section.

2807 SECTION 59. Ordinance 15399, Section 17, as amended, and K.C.C. 12.18.085
2808 are hereby amended to read as follows:

2809 A. An aggrieved person may commence a civil action in superior court not later
2810 than three years after the occurrence or termination of an alleged unfair employment
2811 practice or ninety days after a determination of reasonable cause is issued by the ((office
2812 of equity and racial and social justice)) civil rights program, whichever occurs last, to
2813 obtain appropriate relief with respect to the unfair employment practice.

2814 B. A civil action may be filed under this section whether or not an administrative
2815 complaint has been filed under K.C.C. 12.18.040 and without regard to the status of such
2816 a complaint. However, if ((office of equity and racial and social justice)) civil rights
2817 program obtained a prefinding or postfinding settlement or conciliation agreement with
2818 the consent of the aggrieved person, an action may not be filed under this section by the
2819 aggrieved person with respect to the alleged unfair employment practice that forms the
2820 basis for the complaint except for the purpose of enforcing the agreement. To preclude
2821 such a filing, the prefinding or postfinding settlement or conciliation agreement must
2822 include language that the aggrieved person knowingly waives any right to file a civil
2823 action based on the same alleged unfair employment practice.

2824 C. Subject to subsection D. of this section, after the filing of a civil action
2825 involving the same claim or arising from the same facts and circumstances, whether

2826 under this chapter or similar law, the ~~((office of equity and racial and social justice))~~ civil
2827 rights program may administratively close a complaint of an unfair employment practice.

2828 D. If a court dismisses a private cause of action without reaching the merits and
2829 on grounds that would not preclude pursuit of a complaint under this chapter, the
2830 charging party may request, within ninety days of the entry of the court's order of
2831 dismissal, that the ~~((office of equity and racial and social justice))~~ civil rights program
2832 reopen a previously filed case. Upon such a request, ~~((office of equity and racial and~~
2833 ~~social justice))~~ civil rights program may reopen a case that was administratively closed
2834 upon the filing of a civil action. If the ~~((office of equity and racial and social justice))~~
2835 civil rights program closes a case based on a "no reasonable cause" finding, the case shall
2836 not be reopened except as provided through reconsideration under K.C.C. 12.18.050.

2837 E. A charging party or aggrieved person may not secure relief from more than
2838 one governmental agency, instrumentality, or tribunal for the same harm or injury.

2839 F. An aggrieved person may not commence a civil action under this section with
2840 respect to an alleged unfair employment practice that forms the basis of a complaint if a
2841 hearing on the complaint has been convened under K.C.C. 12.18.070.

2842 G. In a civil action under this section, if the court finds that an unfair practice
2843 occurred, the court may grant such relief as is available for violations of the Washington
2844 state Law Against Discrimination, chapter 49.60 RCW.

2845 H. Upon timely application, the prosecuting attorney may intervene in the civil
2846 action if the prosecuting attorney determines that the case is of general public importance.

2847 I. This section is intended to provide private judicial remedies for violations of
2848 this chapter that are as expansive as the powers granted by the Constitution and laws of
2849 the state of Washington.

2850 SECTION 60. Ordinance 7430, Section 9, as amended, and K.C.C. 12.18.090 are
2851 hereby amended to read as follows:

2852 The (~~office of equity and racial and social justice~~) civil rights program may
2853 implement such forms, administrative processes, and operational procedures as are
2854 necessary to comply with this chapter. The forms, processes, and procedures shall be
2855 adopted in compliance with K.C.C. chapter 2.98.

2856 SECTION 61. Ordinance 13263, Section 52, and K.C.C. 12.18.097 are hereby
2857 amended to read as follows:

2858 A. If a complaint is filed under this chapter, the (~~office of equity and racial and~~
2859 ~~social justice~~) civil rights program shall initiate an investigation under this chapter.

2860 B. If the (~~office of equity and racial and social justice~~) civil rights program
2861 determines that a violation of this chapter or any rules and regulations adopted under this
2862 chapter occurred, the (~~office of equity and racial and social justice~~) civil rights program
2863 shall issue an order in accordance with this chapter. For the enforcement of this chapter,
2864 if a conflict exists between this chapter and K.C.C. Title 23, this chapter controls over
2865 K.C.C. Title 23.

2866 SECTION 62. Ordinance 19762, Section 12, and K.C.C. 12.18B.030 are hereby
2867 amended to read as follows:

2868 A. Beginning January 1, 2026, the (~~manager of the office of performance,~~
2869 ~~strategy, and budget, or its designee,~~) executive or designee shall annually convene a

2870 workgroup to: evaluate whether the current hourly minimum wage rate as established by
2871 this chapter is sufficient to meet the basic needs of working households in King County;
2872 and analyze the current hourly minimum wage rate's impact to the region's economy.

2873 The workgroup's evaluation and analysis shall include, but not be limited to, the
2874 following considerations:

- 2875 1. The Self-Sufficiency Standard for Washington State, developed in
2876 partnership with the University of Washington's Center for Women's Welfare and the
2877 Workforce Development Council of Seattle-King County;
- 2878 2. Impacts to the county labor market including, but not limited to, employment
2879 rates, small business labor costs, and ability to attract new businesses to the region;
- 2880 3. Impacts on the number of county residents that receive the federal Earned
2881 Income Tax Credit, the Washington State Working Families Tax Credit, and any other
2882 government benefits that are provided to low- and middle-income households; and
- 2883 4. Disproportionate impacts to Black, Indigenous, and People of Color
2884 communities, if any.

2885 B. Workgroup membership shall include, but not be limited to, the following:

- 2886 1. The ~~((manager of the office of performance, strategy, and budget, or~~
2887 ~~designee))~~ executive or designee;
- 2888 2. The county's chief economist, or designee;
- 2889 3. The manager of the finance and business operations division, or designee;
- 2890 4. The director of the department of local services, or designee;
- 2891 5. The director of the department of human resources, or designee; and

2892 6. The chair of the budget and fiscal management committee, or its successor, or
2893 designee.

2894 C. The workgroup shall seek input from the community on its evaluation and
2895 analysis work as described in subsection A. of this section. The community shall include,
2896 but not be limited to, the following:

2897 1. Economists and wage experts from accredited colleges and universities in the
2898 state of Washington;

2899 2. Representatives from the King County Coalition of Unions;

2900 3. Employers that contract with the county or have showed interest in
2901 contracting with the county; and

2902 4. Organizations that represent employees and employers in unincorporated
2903 King County.

2904 D. On behalf of the workgroup, the executive shall transmit a report of its
2905 findings and a recommendation, if any, to modify the hourly minimum wage rate
2906 established by this chapter. The executive shall electronically file the report and any
2907 proposed ordinance that would amend this chapter and any other chapters related to the
2908 hourly minimum wage rate of county employees and county contractors to implement the
2909 hourly minimum wage rate as recommended by the workgroup no later than June 30 of
2910 each year with the clerk of the council, who shall retain an electronic copy and provide an
2911 electronic copy to all councilmembers, the council chief of staff, and the lead staff for the
2912 transportation, economy, and environment committee, or its successor. The executive
2913 shall electronically distribute the report to all government entities in the county and to

2914 relevant state and federal agencies, including, but not limited to, the Washington state
2915 Department of Labor and Industries, or its successor.

2916 SECTION 63. Ordinance 5280, Section 2, as amended, and K.C.C. 12.20.020 are
2917 hereby amended to read as follows:

2918 The definitions in this section apply throughout this chapter unless the context
2919 clearly requires otherwise.

2920 A. "Aggrieved person" includes a person who:

- 2921 1. Claims to have been injured by an unfair housing practice; or
2922 2. Believes that the person will be injured by an unfair housing practice that is
2923 about to occur.

2924 B. "Alternative source of income" means lawful, verifiable income derived from
2925 sources other than wages, salaries, or other compensation for employment. It includes
2926 but is not limited to moneys derived from Social Security benefits, other retirement
2927 programs, supplemental security income, unemployment benefits, child support, the state
2928 Aged, Blind or Disabled Cash Assistance Program, state Refugee Cash Assistance, and
2929 any other federal, state, local government, private, or nonprofit-administered cash benefit
2930 program.

2931 C. "Charging party" means any person alleging an unfair housing practice under
2932 this chapter by filing a complaint with the ~~((office of equity and racial and social justice))~~
2933 civil rights program.

2934 D.1. "Disability" means:

- 2935 a. a physical or mental impairment that substantially limits one or more of a
2936 person's major life activities, either temporarily or permanently;

2937 b. a person is regarded as having such an impairment; or

2938 c. a person has a disability under the Washington state Law Against

2939 Discrimination, chapter 49.60 RCW.

2940 2. "Disability" does not include current, illegal use of a controlled substance, as

2941 defined in section 102 of 21 U.S.C. Sec. 802 as it exists on April 16, 2006.

2942 E. "Discriminate" means any action or failure to act, whether by single act or as

2943 part of a practice, the effect of which is to adversely affect or differentiate between or

2944 among individuals or groups of individuals, because of one or more of the protected

2945 classes as defined in K.C.C. chapter 3.12D, participation in the Section 8 program or

2946 other housing subsidy program, or alternative source of income.

2947 F. "Dwelling" or "dwelling unit" mean any building, structure, or portion of a

2948 building or structure that is occupied as, or designed or intended for occupancy as, a

2949 residence by one or more families or individuals, and any vacant land that is offered for

2950 sale or lease for the construction or location thereon of any such a building, structure, or

2951 portion of a building or structure.

2952 G. "Gender identity or expression" means an individual's gender-related identity,

2953 appearance, or expression, whether or not associated with the individual's sex assigned at

2954 birth, and includes an individual's attitudes, preferences, beliefs, and practices pertaining

2955 to the individual's own gender identity or expression.

2956 H. "Housing accommodations" means any dwelling or dwelling unit, rooming

2957 unit, rooming house, lot, or parcel of land in unincorporated King County that is used,

2958 intended to be used or arranged or designed to be used as, or improved with, a residential

2959 structure for one or more human beings.

2960 I.1. "Parental status" means one or more individuals, who have not attained the
2961 age of eighteen years, being domiciled with:

2962 a. a parent or another person having legal custody of the individual or
2963 individuals; or

2964 b. the designee of such a parent or other person having the custody, with the
2965 written permission of the parent or other person.

2966 2. The protections afforded against discrimination on the basis of familial status
2967 apply to a person who is pregnant or is in the process of securing legal custody of an
2968 individual who has not attained the age of eighteen years.

2969 J. "Participation in the Section 8 program or other housing subsidy program"
2970 means participating in a short- or long-term federal, state, or local government, private,
2971 nonprofit, or other assistance program in which a tenant's rent is paid either partially or
2972 completely by the program, through a direct arrangement between the program and the
2973 owner or lessor of the real property. Other housing subsidy programs include, but are not
2974 limited to, the federal Veteran Affairs Supportive Housing vouchers, state Housing and
2975 Essential Needs funds and short-term rental assistance provided by rapid rehousing
2976 subsidies.

2977 K. "Party" includes the person charging or making a complaint or upon whose
2978 behalf a complaint is made alleging an unfair practice, the person alleged or found to
2979 have committed an unfair practice and the ~~((office of equity and racial and social justice))~~
2980 civil rights program.

2981 L. "Person" means one or more individuals, partnerships, associations,
2982 organizations, corporations, cooperatives, legal representatives, trustees and receivers, or

2983 any group of persons; including any owner, lessee, proprietor, housing manager, agent or
2984 employee whether one or more natural persons. "Person" also includes any political or
2985 civil subdivisions of the state and any agency or instrumentality of the state or of any
2986 political or civil subdivision of the state.

2987 M. "Real estate transaction" includes, but is not limited to, the sale, conveyance,
2988 exchange, purchase, rental, lease, or sublease of real property.

2989 N. "Real estate-related transaction" means any of the following:

2990 1. The making or purchasing of loans or providing other financial assistance:

2991 a. for purchasing, constructing, improving, repairing, or maintaining real
2992 property; or

2993 b. secured by real property; or

2994 2. The selling, brokering, or appraising of real property.

2995 O. "Real property" includes, but is not limited to, buildings, structures, real
2996 estate, lands, tenements, leaseholds, interests in real estate cooperatives, condominiums,
2997 and hereditaments, corporeal and incorporeal, or any interest therein.

2998 P. "Respondent" means any person who is alleged or found to have committed an
2999 unfair practice prohibited by this chapter.

3000 Q. "Senior citizens" means persons who are sixty-two years of age or older.

3001 R. "Settlement discussions" and "conference, conciliation, and persuasion" mean
3002 the attempted resolution of issues raised by a complaint, or by the investigation of a
3003 complaint, through informal negotiations involving the charging party, the respondent,
3004 and the ~~((office of equity and racial and social justice))~~ civil rights program.

3005 S. "Verifiable" means the source of income can be confirmed as to its amount or
3006 receipt.

3007 SECTION 64. Ordinance 5280, Section 4, as amended, and K.C.C. 12.20.070 are
3008 hereby amended to read as follows:

3009 A. A complaint alleging an unfair housing practice may be filed by:

3010 1. Any aggrieved person; or

3011 2. Any state, local, or federal agency concerned with discrimination in housing,
3012 including the ~~((office of equity and racial and social justice))~~ civil rights program has
3013 reason to believe that an unfair housing practice has been or is being committed.

3014 B. A complaint alleging an unfair housing practice shall be in writing and signed
3015 by the charging party. The complaint must be filed by the charging party with the
3016 ~~((office of equity and racial and social justice))~~ civil rights program within three hundred
3017 sixty-five days after the occurrence or termination of the alleged unfair housing practice.

3018 The complaint must describe with particularity the practice complained of and the
3019 location of the practice and must identify the person being charged with committing an
3020 unfair housing practice. However, the ~~((office of equity and racial and social justice))~~
3021 civil rights program shall not reject a complaint as insufficient because of failure to
3022 include all required information, if the ~~((office of equity and racial and social justice))~~
3023 civil rights program determines that the complaint substantially meets the informational
3024 requirements necessary for processing.

3025 C. Upon the receipt of a complaint alleging an unfair housing practice, the
3026 ~~((office of equity and racial and social justice))~~ civil rights program shall serve notice
3027 upon the charging party acknowledging the filing and advising the charging party of the

time limits provided under this chapter and of the choice of forums provided by this chapter.

D. The charging party or the ~~((office of equity and racial and social justice))~~ civil rights program may amend a complaint: to cure technical defects or omissions; to clarify and amplify allegations made in the complaint; or to add allegations related to or arising out of the subject matter set forth, or attempted to be set for, in the original complaint. For jurisdictional purposes, the amendments relate back to the date the original complaint was first filed. Either the charging party or the ~~((office of equity and racial and social justice))~~ civil rights program, or both, may amend a complaint for these reasons as a matter of right before service of notice of hearing on the matter, as provided under K.C.C. 12.20.100, and thereafter may amend a complaint only with permission of the hearing examiner, which permission shall be granted if justice will be served by the permission, and all parties shall be allowed time to prepare their case with respect to additional or expanded allegations they did not and could not have reasonably foreseen would be an issue at the hearing.

E. The charging party may also amend a complaint to include allegations of additional unrelated discriminatory practices that arose after the filing of the original complaint. The charging party must file any amendments adding the allegations within three hundred sixty-five days after the occurrence or termination of the additional discriminatory practices and before the issuance of findings of fact and a determination with respect to the original complaint by the ~~((office of equity and racial and social justice))~~ civil rights program. The amendments may be made at any time during the investigation of the original complaint if the ~~((office of equity and racial and social~~

justice)) civil rights program will have adequate time to investigate the additional allegations and the parties will have adequate time to present the ((~~office of equity and racial and social justice~~)) civil rights program with evidence concerning the allegations before the issuance of findings of fact and a determination.

SECTION 65. Ordinance 5280, Section 5, as amended, and K.C.C. 12.20.080 are hereby amended to read as follows:

A. After the filing of a complaint, the ((~~office of equity and racial and social justice~~)) civil rights program shall cause to be served on or mailed to the respondent, by certified mail, return receipt requested, a copy of the complaint, along with a notice advising of procedural rights and obligations of respondents under this chapter promptly and in no case longer than twenty days after the filing the complaint. Each respondent may file an answer to the complaint, not later than ten days after receipt of notice from the ((~~office of equity and racial and social justice~~)) civil rights program. If the respondent is unable to file a response within ten days, the respondent may request an extension of time from the ((~~office of equity and racial and social justice~~)) civil rights program not to exceed five days. The ((~~office of equity and racial and social justice~~)) civil rights program may grant the extension if good cause is shown.

B. The investigation shall be commenced promptly and in no event later than thirty days after receipt of the complaint. It shall be directed to ascertain the facts concerning the unfair practice alleged in the complaint and shall be conducted in an objective and impartial manner. The investigation shall be completed within one hundred days after the filing of the complaint, unless it is impracticable to do so. If the ((~~office of equity and racial and social justice~~)) civil rights program is unable to complete the

3074 investigation within the one hundred days, the ~~((office of equity and racial and social~~
3075 ~~justice))~~ civil rights program shall notify the charging party and respondent, in writing, of
3076 the reasons for not doing so. The ~~((office of equity and racial and social justice))~~ civil
3077 rights program shall make final administrative disposition of a complaint within one year
3078 of the date of receipt of the complaint, unless it is impracticable to do so. If the ~~((office~~
3079 ~~of equity and racial and social justice))~~ civil rights program is unable to do so, the ~~((office~~
3080 ~~of equity and racial and social justice))~~ civil rights program shall notify the charging
3081 party and respondent, in writing, of the reasons for not doing so.

3082 C. During the investigation, the ~~((office of equity and racial and social justice))~~
3083 civil rights program shall consider any statement of position or evidence with respect to
3084 the allegations of the complaint that the charging party or the respondent wishes to
3085 submit.

3086 D. A person who is not named as a respondent in a complaint, but who is
3087 identified as a respondent in the course of investigation, may be joined as an additional or
3088 substitute respondent upon written notice, under subsection A. of this section, to the
3089 person from the ~~((office of equity and racial and social justice))~~ civil rights program. The
3090 notice, in addition to meeting the requirements of subsection A. of this section, shall
3091 explain the basis for the belief of the ~~((office of equity and racial and social justice))~~ civil
3092 rights program that the person to whom the notice is addressed is properly joined as a
3093 respondent.

3094 E. During the period beginning with the filing of the complaint and ending with
3095 the issuance of the findings of fact, the ~~((office of equity and racial and social justice))~~
3096 civil rights program shall, to the extent feasible, engage in settlement discussions with

3097 respect to the complaint. Nothing said or done in the course of the settlement discussions
3098 may be made public or used as evidence in a subsequent proceeding under this chapter
3099 without the written consent of the persons concerned. A prefinding settlement agreement
3100 arising out of the settlement discussions shall be an agreement between the respondent
3101 and the charging party, and is subject to approval by the ((office of equity and racial and
3102 social justice)) civil rights program. Each prefinding settlement agreement is a public
3103 record. Failure to comply with the prefinding settlement agreement may be enforced
3104 under K.C.C. 12.20.120.

3105 F. The ((office of equity and racial and social justice)) civil rights program shall
3106 seek the voluntary cooperation of all persons to: obtain access to premises, records,
3107 documents, individuals, and other possible sources of information; examine, record, and
3108 copy necessary materials; and take and record testimony or statements of persons
3109 reasonably necessary for the furtherance of the investigation. The ((office of equity and
3110 racial and social justice)) civil rights program may conduct discovery in aid of the
3111 investigation by the following methods or others: deposition upon oral examination or
3112 written questions; written interrogatories; requests for the production of documents or
3113 evidence, for inspection and other purposes; physical and mental examinations; and
3114 requests for admissions. The ((office of equity and racial and social justice)) civil rights
3115 program may sign and issue subpoenas requiring the attendance and testimony of
3116 witnesses, the production of evidence including books, records, correspondence, e-mail,
3117 or documents in the possession or under the control of the person subpoenaed and access
3118 to evidence for the purpose of examination and copying as are necessary for the
3119 investigation. The ((office of equity and racial and social justice)) civil rights program

3120 shall consult with the prosecuting attorney before issuing any subpoena under this
3121 section.

3122 G. If an individual fails to obey a subpoena, or obeys a subpoena but refuses to
3123 testify when requested concerning any matter under investigation, the ~~((office of equity~~
3124 ~~and racial and social justice))~~ civil rights program may invoke the aid of the prosecuting
3125 attorney, who shall petition to the superior court for an order or other appropriate action
3126 necessary to secure enforcement of the subpoena. The petition shall:

- 3127 1. Be accompanied by a copy of the subpoena and proof of service;
3128 2. Set forth in what specific manner the subpoena has not been complied with;
3129 and
3130 3. Ask for an order of the court to compel the witness to appear and testify or
3131 cooperate in the investigation of the unfair housing practice.

3132 H. If the ~~((office of equity and racial and social justice))~~ civil rights program
3133 concludes at any time after the filing of a complaint that prompt judicial action is
3134 necessary to carry out the purposes of this chapter, the ~~((office of equity and racial and~~
3135 ~~social justice))~~ civil rights program may invoke the aid of the prosecuting attorney, who
3136 shall file a civil action for appropriate temporary, injunctive or preliminary relief pending
3137 final disposition of the case.

3138 I. The ~~((office of equity and racial and social justice))~~ civil rights program shall
3139 reduce the results of the investigation to written findings of fact and make a finding that
3140 there either is or is not reasonable cause for believing that an unfair housing practice has
3141 been or is being committed.

3142 J. If a finding is made that there is no reasonable cause, the finding shall be
3143 served on the charging party and respondent. Within thirty days after service of such a
3144 negative finding, the charging party may file a written request with the ~~((office of equity~~
3145 ~~and racial and social justice))~~ civil rights program asking for reconsideration of the
3146 finding. The ~~((office of equity and racial and social justice))~~ civil rights program shall
3147 furnish the charging party with information regarding how to request reconsideration.
3148 The ~~((office of equity and racial and social justice))~~ civil rights program shall respond in
3149 writing within a reasonable time by granting or denying the request.

3150 SECTION 66. Ordinance 5280, Section 6, as amended, and K.C.C. 12.20.090 are
3151 hereby amended to read as follows:

3152 A.1. If the ~~((office of equity and racial and social justice))~~ civil rights program
3153 makes the finding initially or on request for reconsideration that reasonable cause exists
3154 to believe that an unfair housing practice occurred or is about to occur, the ~~((office of~~
3155 ~~equity and racial and social justice))~~ civil rights program shall endeavor to eliminate the
3156 unfair practice by conference, conciliation and persuasion, which may include as a
3157 condition of settlement the:

- 3158 a. elimination of the unfair housing practice;
- 3159 b. payment of actual damages, including damages caused by emotional
3160 distress, humiliation and embarrassment;
- 3161 c. reinstatement to tenancy;
- 3162 d. payment of attorneys' fees and costs;

e. payment of a civil penalty to vindicate the public interest up to the limits in 42 U.S.C. Sec. 3612(g)(3) and 24 C.F.R. 180.671(2003), as they exist on April 16, 2006, which penalty shall be paid to King County for deposit in the county general fund;

f. participation in training on fair housing laws; and

g. such other requirements as may lawfully be agreed upon by the parties and the ~~((office of equity and racial and social justice))~~ civil rights program.

2. Any postfinding settlement agreement shall be reduced to writing and signed by all parties, with the approval of the ~~((office of equity and racial and social justice))~~ civil rights program. The ~~((office of equity and racial and social justice))~~ civil rights program shall then enter an order setting forth the agreement and furnish copies of the order to all affected parties. Failure to comply with the postfinding agreement or order may be enforced under K.C.C. 12.20.120. Each postfinding settlement agreement is a public record.

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

- a. a finding that an unfair housing practice is about to occur or has occurred;
- b. the basis for the finding; and
- c. an order requiring the respondent to cease and desist from such unfair practice and to take appropriate affirmative action, including:
 - (1) payment of actual damages, including damages caused by emotional distress, humiliation and embarrassment;

3186 (2) reinstatement to tenancy;
3187 (3) payment of attorneys' fees and costs;
3188 (4) participation in training on fair housing laws; and
3189 (5) such other action as in the judgment of the ((~~office of equity and racial~~
3190 ~~and social justice~~)) civil rights program will effectuate the purposes of this chapter, which
3191 may include the requirement for report on the matter of compliance, injunctive relief and
3192 the payment of a civil penalty to vindicate the public interest up to the limits set out in 42
3193 U.S.C. Sec. 3612(g)(3) as it exists on April 16, 2006.

3194 SECTION 67. Ordinance 10469, Section 11, as amended, and K.C.C. 12.20.095
3195 are hereby amended to read as follows:

3196 In the case of an order with respect to a discriminatory housing practice that
3197 occurred in the course of a business subject to a licensing or regulation by a
3198 governmental agency, the ((~~office of equity and racial and social justice~~)) civil rights
3199 program shall, not later than thirty days after the date of the issuance of the order or, if
3200 the order is appealed pursuant to K.C.C. 12.20.100, thirty days after the order is in
3201 substance affirmed upon the review:

3202 A. Send copies of the findings of fact, conclusions of law and the order, to that
3203 governmental agency; and

3204 B. Recommend to that governmental agency appropriate disciplinary action
3205 including, if appropriate, the suspension or revocation of the license of the respondent.

3206 SECTION 68. Ordinance 5280, Section 7, as amended, and K.C.C. 12.20.100 are
3207 hereby amended to read as follows:

3208 A.1. Any charging party, respondent, or aggrieved person on whose behalf the
3209 finding was made, after an order of the ~~((office of equity and racial and social justice))~~
3210 civil rights program is made in accordance with K.C.C. 12.20.090.B., may appeal the
3211 order by electing to have the claims on which reasonable cause was found decided in a
3212 civil action under K.C.C. 12.20.124 or in a hearing before the hearing examiner. The
3213 ~~((office of equity and racial and social justice))~~ civil rights program shall provide the
3214 charging party, respondent, and aggrieved person on whose behalf the finding was made
3215 with information regarding how to make the election. This election must be made not
3216 later than thirty days after the receipt by the electing person of service of the order. The
3217 person making the election shall give notice of the election stating which forum is elected
3218 to the ~~((office of equity and racial and social justice))~~ civil rights program and to all other
3219 charging parties and respondents to whom the complaint relates. The notice of election
3220 should identify clearly and specifically:

- 3221 a. the errors that the appellant believes were made in the action or decision that
3222 is being appealed, or the procedural irregularities associated with that action or decision;
3223 b. specific reasons by the county's action should be reversed or modified; and
3224 c. the desired outcome of the appeal.

3225 2. Any order issued by the ~~((office of equity and racial and social justice))~~ civil
3226 rights program under K.C.C. 12.20.090.B. becomes final thirty days after service of the
3227 order unless a written notice of election is filed with the ~~((office of equity and racial and~~
3228 ~~social justice))~~ civil rights program within the thirty-day period. If the order becomes
3229 final, parties violating the order are subject to the enforcement provisions of K.C.C.
3230 12.20.120.

3231 B. If no election of civil action is made, and an election for hearing is made, the
3232 complaint, any and all findings made and either affirmative action measures or civil
3233 penalties, or both, required shall be certified by the ((office of equity and racial and social
3234 justice)) civil rights program to the office of the hearing examiner for hearing.

3235 C. A hearing shall be conducted by the office of the hearing examiner for the
3236 purpose of affirming, denying or modifying the order. There shall be a verbatim record
3237 kept of the hearing. The hearing examiner shall have such rule-making and other powers
3238 necessary for conduct of the hearing as are specified by K.C.C. chapter 20.22. The
3239 ((office of equity and racial and social justice)) civil rights program shall maintain the
3240 action and the order of the ((office of equity and racial and social justice)) civil rights
3241 program shall not be presumed correct. The hearing examiner's decision shall be based
3242 upon a preponderance of the evidence. The hearing shall be conducted within a
3243 reasonable time after receipt of the certification. Written notice of the time and place of
3244 the hearing shall be given at least ten days before the date of the hearing to each affected
3245 party and to the ((office of equity and racial and social justice)) civil rights program.

3246 D. Each party may, among exercising other rights:

- 3247 1. Call and examine witnesses on any matter relevant to the issues of the
3248 complaint;
- 3249 2. Introduce documentary and physical evidence;
- 3250 3. Cross-examine opposing witnesses on any matter relevant to the issues of the
3251 complaint;
- 3252 4. Impeach any witness regardless of which party first called the witness to
3253 testify;

3254 5. Rebut evidence against the party; and

3255 6. Self-represent or be represented by anyone of the party's choice who is

3256 lawfully permitted to do so.

3257 E. Following review of the evidence submitted, the hearing examiner presiding at

3258 the hearing shall enter written findings and conclusions and shall affirm or modify the

3259 order previously issued if the hearing examiner finds that a violation is about to occur or

3260 occurred. The hearing examiner shall reverse the order if the hearing examiner finds that

3261 a violation is not about to occur or did not occur. The hearing examiner may grant as

3262 relief any relief that the ~~((office of equity and racial and social justice))~~ civil rights

3263 program could grant under K.C.C. 12.20.090.B. A copy of the hearing examiner's

3264 findings, conclusions, and decision shall be served on all affected parties. The order of

3265 the hearing examiner is final unless reviewed by a court under K.C.C. 20.22.270.B.

3266 SECTION 69. Ordinance 5280, Section 9, as amended, and K.C.C. 12.20.120 are

3267 hereby amended to read as follows:

3268 A. If the ~~((office of equity and racial and social justice))~~ civil rights program has

3269 reasonable cause to believe that a respondent breached a prefinding or postfinding

3270 settlement agreement executed under K.C.C. 12.20.080 or 12.20.090 or violated an order

3271 of the ~~((office of equity and racial and social justice))~~ civil rights program issued under

3272 K.C.C. 12.20.090 or an order of the hearing examiner issued under K.C.C. 12.20.100, the

3273 ~~((office of equity and racial and social justice))~~ civil rights program shall refer the matter

3274 to the prosecuting attorney for the filing of a civil action under subsection B. of this

3275 section for the enforcement of the agreement.

3276 B. The prosecuting attorney may commence a civil action in superior court for
3277 appropriate relief with respect to breach of a prefinding or postfinding settlement
3278 agreement executed under K.C.C. 12.20.080 or 12.20.090, or violation of an order of the
3279 ~~((office of equity and racial and social justice))~~ civil rights program issued under K.C.C.
3280 12.20.090 or an order of the hearing examiner issued under K.C.C. 12.20.100. This
3281 action may be commenced no later than ninety days after the referral of the alleged
3282 breach under subsection A. of this section.

3283 SECTION 70. Ordinance 10469, Section 13, as amended, and K.C.C. 12.20.122
3284 are hereby amended to read as follows:

3285 A. An aggrieved person may commence a civil action in superior court not later
3286 than one year after the occurrence or the termination of an alleged discriminatory housing
3287 practice, whichever occurs last, to obtain appropriate relief with respect to such
3288 discriminatory housing practice.

3289 B. The computation of the one-year period shall not include any time during
3290 which an administrative proceeding under this chapter was pending with respect to a
3291 complaint or charge under this chapter based upon the discriminatory housing practices.

3292 C. An aggrieved person may commence a civil action under this section whether
3293 or not a complaint has been filed under K.C.C. 12.20.070 and without regard to the status
3294 of any such complaint. However, if the ~~((office of equity and racial and social justice))~~
3295 civil rights program or the United States Department of Housing and Urban Development
3296 has obtained a prefinding or postfinding settlement or conciliation agreement with the
3297 consent of an aggrieved person, an action may not be filed under this section by the
3298 aggrieved person with respect to the alleged discriminatory housing practice that forms

3299 the basis for the complaint except for the purpose of enforcing the agreement. To
3300 preclude such a filing, the prefinding or postfinding settlement or conciliation agreement
3301 must include language that the charging party knowingly waives any right to file a civil
3302 action based on the same alleged unfair housing practice.

3303 D. Subject to subsection E. of this section, after the filing of a civil action
3304 involving the same claim or arising from the same facts and circumstances, whether
3305 under this chapter or similar law, the ~~((office of equity and racial and social justice))~~ civil
3306 rights program may administratively close a complaint of an unfair housing practice.

3307 E. If a court dismisses a private cause of action without reaching the merits and
3308 on grounds that would not preclude pursuit of a complaint under this chapter, the
3309 charging party may request, within ninety days of the entry of the court's order of
3310 dismissal, that the ~~((office of equity and racial and social justice))~~ civil rights program
3311 reopen a previously filed case. Upon such a request, the ~~((office of equity and racial and~~
3312 ~~social justice))~~ civil rights program may reopen a case that was administratively closed
3313 upon the filing of a civil action. If the ~~((office of equity and racial and social justice))~~
3314 civil rights program closes a case based on a "no reasonable cause" finding, the case shall
3315 not be reopened except as provided through reconsideration under K.C.C. 12.20.080. A
3316 charging party or aggrieved person may not secure relief from more than one
3317 governmental agency, instrumentality, or tribunal for the same harm or injury.

3318 F. An aggrieved person may not commence a civil action under this section with
3319 respect to an alleged discriminatory housing practice that forms the basis of a complaint
3320 if a hearing on the complaint has been convened by the office of the hearing examiner.

3321 G. In a civil action under subsection A., of this section, if the court finds that a
3322 discriminatory practice occurred or is about to occur, the court may order remedies as
3323 allowed by 42 U.S.C. 3613 (c) as it exists on April 16, 2006, including punitive damages
3324 as provided in 42 U.S.C. 3613(c), and, subject to the restrictions of subsection H. of this
3325 section, may grant as relief, as the court deems appropriate, any permanent or temporary
3326 injunction, temporary restraining order or other order, including an order enjoining the
3327 defendant from engaging in the practice or ordering such affirmative action as might be
3328 appropriate. The court may also allow reasonable attorneys' fees and costs to the
3329 prevailing party.

3330 H. Relief granted under this section shall not affect any contract, sale,
3331 encumbrance or lease consummated before the granting of the relief and involving a bona
3332 fide purchaser, encumbrances or tenant, without actual notice of the filing of a complaint
3333 with the ((office of equity and racial and social justice)) civil rights program or civil
3334 action under this chapter.

3335 I. Upon timely application, the prosecuting attorney may intervene in the civil
3336 action if the prosecuting attorney determines that the case is of general public importance.

3337 J. This section is intended to provide private judicial remedies for violations of
3338 this chapter that are as expansive as the powers granted by the Constitution of laws of the
3339 state of Washington.

3340 SECTION 71. Ordinance 10469, Section 14, as amended, and K.C.C. 12.20.124
3341 are hereby amended to read as follows:

3342 A. If an election is made under K.C.C. 12.20.100 for the claims to be decided in a
3343 civil action, the ((office of equity and racial and social justice)) civil rights program shall

3344 authorize and, not later than thirty days after the election is made, shall commence, on
3345 behalf of the charging party, a civil action in superior court to affirm or modify the order
3346 of the ((office of equity and racial and social justice)) civil rights program issued under
3347 K.C.C. 12.20.090.

3348 B. Any aggrieved person with respect to the issues to be determined in a civil
3349 action under this section may intervene as of right in that civil action.

3350 C. In a civil action under this section, if the court finds that a discriminatory
3351 housing practice has occurred, or is about to occur, the court may grant as relief any relief
3352 which a court could grant with respect to such discriminatory housing practice in a civil
3353 action under K.C.C. 12.20.122. Any relief so granted that would accrue to an aggrieved
3354 person in a civil action commenced by that aggrieved person under K.C.C. 12.20.122 also
3355 accrues to that aggrieved person in a civil action under this section. If monetary relief is
3356 sought for the benefit of an aggrieved person who does not intervene in that civil action,
3357 the court shall not award the monetary relief if that aggrieved person has not complied
3358 with discovery orders entered by the court.

3359 SECTION 72. Ordinance 10469, Section 16, as amended, and K.C.C. 12.20.133
3360 are hereby amended to read as follows:

3361 The ((office of equity and racial and social justice)) civil rights program may
3362 implement such forms, administrative processes, and operational procedures as are
3363 necessary to comply with this chapter. The forms, processes and procedures shall be
3364 adopted in compliance with K.C.C. chapter 2.98.

3365 SECTION 73. Ordinance 13263, Section 53, as amended, and K.C.C. 12.20.150
3366 are hereby amended to read as follows:

3367 A. If a complaint has been filed under this chapter, the ((~~office of equity and~~
3368 ~~racial and social justice~~)) civil rights program shall initiate an investigation under this
3369 chapter.

3370 B. If the ((~~office of equity and racial and social justice~~)) civil rights program
3371 determines that a violation of this chapter or any rules and regulations adopted under this
3372 chapter is about to occur or has occurred the ((~~office of equity and racial and social~~
3373 ~~justice~~)) civil rights program shall issue an order in accordance with this chapter. For
3374 enforcement of this chapter, if a conflict exists between this chapter and K.C.C. Title 23,
3375 this chapter controls over K.C.C. Title 23.

3376 SECTION 74. Ordinance 8625, Section 2, as amended, and K.C.C. 12.22.020 are
3377 hereby amended to read as follows:

3378 The definitions in this section apply throughout this chapter unless the context
3379 clearly requires otherwise.

3380 A. "Aggrieved person" includes any person who claims to have been injured by
3381 an act of discrimination in a place of public accommodation;

3382 B. "Charging party" means any person alleging an act of discrimination in a place
3383 of public accommodation under this chapter by filing a complaint with the ((~~office of~~
3384 ~~equity and racial and social justice~~)) civil rights program.

3385 C. "Discrimination" or "discriminatory practice or act" means any action or
3386 failure to act, whether by a single act or part of a practice, the effect of which is to
3387 adversely affect or differentiate between or among individuals, because of one or more of
3388 the protected classes as defined in K.C.C. chapter 3.12D.

3389 D. "Gender identity or expression" means an individual's gender-related identity,
3390 appearance, or expression, whether or not associated with the individual's sex assigned at
3391 birth, and includes an individual's attitudes, preferences, beliefs, and practices pertaining
3392 to the individual's own gender identity or expression.

3393 E. "Owner" includes a person who owns, leases, subleases, rents, operates,
3394 manages, has charge of, controls, or has the right of ownership, possession, management,
3395 charge, or control of real property on the person's own behalf or on behalf of another.

3396 F. "Party" includes a person making a complaint or upon whose behalf a
3397 complaint is made alleging an unfair public accommodations practice, a person alleged or
3398 found to have committed an unfair public accommodations practice, and the ~~((office of~~
3399 ~~equity and racial and social justice))~~ civil rights program.

3400 G. "Person" means one or more individuals, partnerships, associations,
3401 organizations, corporations, cooperatives, legal representatives, trustees, trustees in
3402 bankruptcy, receivers, or any group of persons, and includes King County but no
3403 governmental body other than King County. "Person" also includes any owner, lessee,
3404 proprietor, manager, agent, or employee whether one or more natural persons.

3405 H. "Place of public accommodation" means any place, store, or other
3406 establishment, either licensed or unlicensed, that supplies goods or services to the general
3407 public. "Place of public accommodation" includes, but is not limited to, the following
3408 types of services or facilities: hotels, or other establishments provide lodging to transient
3409 guests; restaurants, cafeterias, lunchrooms, lunch counters, soda fountains, or other
3410 facilities principally engaged in selling or offering for sale food for consumption upon the
3411 premises; motion picture houses, theatres, concert halls, convention halls, sport arenas,

3412 stadiums, or other places of exhibition or entertainment; bowling alleys and amusement
3413 parks; retail establishments; transportation carriers; barber shops; beauty shops; bars or
3414 taverns or other facilities engaged in selling or offering for sale alcoholic beverages for
3415 consumption upon the premises; food banks, senior citizens centers, and other social
3416 service organizations and establishments; places of public accommodation operated by
3417 King County; and public burial facilities if the facilities are owned and operated by any
3418 cemetery corporation or burial association.

3419 I. "Respondent" means a person who is alleged or found to have discriminated in
3420 a place of public accommodation.

3421 J. "Senior citizen" means an individual as old or older than an age set for a senior
3422 category. The minimum age for the senior category is fifty-five years.

3423 K. "Settlement discussions" or "conference, conciliation, and persuasion" means
3424 the attempted resolution of issues raised by a complaint, or by the investigation of a
3425 complaint, through informal negotiations involving the charging party, the respondent
3426 and the ~~((office of equity and racial and social justice))~~ civil rights program.

3427 SECTION 75. Ordinance 8625, Section 4, as amended, and K.C.C. 12.22.040 are
3428 hereby amended to read as follows:

3429 A. A complaint alleging discrimination in a place of public accommodation may
3430 be filed by:

3431 1. Any aggrieved person; or

3432 2. Any state, local, or federal agency concerned with discrimination in places of
3433 public accommodation, including the ~~((office of equity and racial and social justice))~~ civil

3434 rights program, if the agency has reason to believe that a discriminatory act or practice
3435 has been or is being committed.

3436 B. A complaint alleging discrimination in a place of public accommodation shall
3437 be in writing and signed by the charging party. The complaint must be filed with the
3438 ~~((office of equity and racial and social justice))~~ civil rights program within one hundred
3439 eighty days of the occurrence of the alleged discrimination or within one hundred eighty
3440 days of when the charging party, through exercise of due diligence, should have had
3441 notice or been aware of the occurrence. The complaint must describe with particularity
3442 the practice complained of and the location of the practice and must identify the person
3443 being charged with committing the discrimination. However, the ~~((office of equity and~~
3444 ~~racial and social justice))~~ civil rights program shall not reject a complaint as insufficient
3445 because of failure to include all required information, if the ~~((office of equity and racial~~
3446 ~~and social justice))~~ civil rights program determines that the complaint substantially meets
3447 the informational requirements necessary for processing.

3448 C. Upon the receipt of a complaint, the ~~((office of equity and racial and social~~
3449 ~~justice))~~ civil rights program shall serve notice upon the charging party acknowledging
3450 the filing.

3451 D. The charging party or the ~~((office of equity and racial and social justice))~~ civil
3452 rights program may amend a complaint: to cure technical defects or omissions; to clarify
3453 and amplify allegations made in the complaint; or to add allegations related to or arising
3454 out of the subject matter set forth, or attempted to be set forth, in the original complaint.
3455 For jurisdictional purposes, the amendments relate back to the date the original complaint
3456 was first filed. Either the charging party or the ~~((office of equity and racial and social~~

justice)) civil rights program, or both, may amend a complaint for these reasons as a matter of right before service of notice of hearing on the matter as provided under K.C.C. 12.22.070, and thereafter may amend a complaint only with the permission of the hearing examiner, which permission shall be granted if justice will be served by the permission, and all parties shall be allowed time to prepare their cases with respect to additional or expanded allegations that the parties did not and could not have reasonably foreseen would be an issue at the hearing.

E. The charging party may also amend a complaint to include allegations of additional unrelated discriminatory acts that arose after filing of the original complaint. The charging party must file any amendments adding the allegations within one hundred eighty days of the occurrence of the alleged discrimination or within one hundred eighty days of when the charging party, through exercise of due diligence, should have had notice or been aware of the additional discriminatory act, and before the issuance of findings of fact and a determination with respect to the original complaint by the ((office of equity and racial and social justice)) civil rights program. The amendments may be made at any time during the investigation of the original complaint if the ((office of equity and racial and social justice)) civil rights program will have adequate time to investigate the additional allegations and the parties will have adequate time to present the ((office of equity and racial and social justice)) civil rights program with evidence concerning the allegations before the issuance of findings of fact and a determination.

SECTION 76. Ordinance 8625, Section 5, as amended, and K.C.C. 12.22.050 are hereby amended to read as follows:

3479 A. After the filing of a complaint, the ((office of equity and racial and social
3480 justice)) civil rights program shall serve notice of the complaint and a copy of the
3481 complaint on the respondent within twenty days after the filing of the complaint. Each
3482 respondent may file an answer to the complaint not later than twenty days after receipt of
3483 notice from the ((office of equity and racial and social justice)) civil rights program. If a
3484 respondent is unable to file a response within twenty days, the respondent may request an
3485 extension of time from the ((office of equity and racial and social justice)) civil rights
3486 program. The extension may be granted by the ((office of equity and racial and social
3487 justice)) civil rights program if good cause is shown. The ((office of equity and racial
3488 and social justice)) civil rights program shall commence the investigation of the
3489 complaint promptly.

3490 B. The ((office of equity and racial and social justice)) civil rights program shall
3491 direct the investigation to ascertain the facts concerning the discrimination in public
3492 accommodations alleged in the complaint and shall conduct the investigation in an
3493 objective and impartial manner. During the investigation, the ((office of equity and racial
3494 and social justice)) civil rights program shall consider any statement of position or
3495 evidence with respect to the allegations of the complaint that the charging party or the
3496 respondent wishes to submit. A person who is not named as a respondent in a complaint,
3497 but who is identified as a respondent in the course of the investigation, may be joined as
3498 an additional or substitute respondent upon written notice, as provided under subsection
3499 A. of this section, to the person from the ((office of equity and racial and social justice))
3500 civil rights program. The notice, in addition to meeting the requirements of subsection A.
3501 of this section, must explain the basis for the belief of the ((office of equity and racial and

3502 ~~social justice~~)) civil rights program that the person to whom the notice is addressed is
3503 properly joined as a respondent.

3504 C. During the period beginning with the filing of the complaint and ending with
3505 the issuance of the findings of fact, the ((~~office of equity and racial and social justice~~))
3506 civil rights program, to the extent feasible, engage in settlement discussions with respect
3507 to the complaint. Anything said or done in the course of the settlement discussions may
3508 not be made public or used as evidence in a subsequent proceeding under this chapter
3509 without the written consent of the persons concerned. A prefinding settlement agreement
3510 arising out of the settlement discussions must be an agreement between the respondent
3511 and the charging party, and is subject to approval by the ((~~office of equity and racial and~~
3512 ~~social justice~~)) civil rights program. Each prefinding settlement agreement is a public
3513 record. Failure to comply with the prefinding settlement agreement may be enforced
3514 under K.C.C. 12.22.080.

3515 D. The ((~~office of equity and racial and social justice~~)) civil rights program shall
3516 seek the voluntary cooperation of all persons to obtain access to premises, records,
3517 documents, individuals and other possible sources of information; to examine, record and
3518 copy necessary materials; and to take and record testimony or statements of persons
3519 reasonably necessary for the furtherance of the investigation. The ((~~office of equity and~~
3520 ~~racial and social justice~~)) civil rights program may conduct discovery in aid of the
3521 investigation by the following methods or others: deposition upon oral examination or
3522 written questions; written interrogatories; requests for the production of documents or
3523 other evidence, inspection and other purposes; physical and mental examinations; and
3524 requests for admissions. The ((~~office of equity and racial and social justice~~)) civil rights

3525 program may sign and issue subpoenas requiring the attendance and testimony of
3526 witnesses and the production of or access to evidence including books, records,
3527 correspondence, e-mail or documents in the possession or under the control of the person
3528 subpoenaed as are necessary for the investigation. The ((~~office of equity and racial and~~
3529 ~~social justice~~)) civil rights program shall consult with the prosecuting attorney before
3530 issuing a subpoena under this section.

3531 E. If an individual fails to obey a subpoena issued under this section, or obeys the
3532 subpoena but refuses to testify if requested concerning a matter under investigation under
3533 this section, the ((~~office of equity and racial and social justice~~)) civil rights program may
3534 invoke the aid of the prosecuting attorney who may petition to the superior court for an
3535 order or other appropriate action necessary to secure enforcement of the subpoena. The
3536 petition shall:

- 3537 1. Be accompanied by a copy of the subpoena and proof of service;
3538 2. Set forth in what specific manner the subpoena has not been complied with;
3539 and
3540 3. Ask for an order of the court to compel the witness to appear and testify or
3541 cooperate in the investigation of the discrimination in public accommodations.

3542 F. If the ((~~office of equity and racial and social justice~~)) civil rights program
3543 concludes at any time after the filing of a complaint that prompt judicial action is
3544 necessary to carry out the purposes of this chapter, the ((~~office of equity and racial and~~
3545 ~~social justice~~)) civil rights program may invoke the aid of the prosecuting attorney who
3546 may file a civil action for appropriate temporary, injunctive, or preliminary relief pending
3547 final disposition of the case.

3548 G. The ~~((office of equity and racial and social justice))~~ civil rights program shall
3549 reduce the results of the investigation to written findings of fact make and a finding that
3550 there either is or is not reasonable cause for believing that an act of discrimination in a
3551 place of public accommodations has been or is being committed.

3552 H. If a finding is made that there is no reasonable cause, the finding shall be
3553 served on the charging party and respondent. Within thirty days after service of such a
3554 negative finding, the charging party may file a written request with the ~~((office of equity
3555 and racial and social justice))~~ civil rights program asking for reconsideration of the
3556 finding. The ~~((office of equity and racial and social justice))~~ civil rights program shall
3557 furnish the charging party with information regarding how to request reconsideration.
3558 The ~~((office of equity and racial and social justice))~~ civil rights program shall respond in
3559 writing within a reasonable time by granting or denying the request.

3560 SECTION 77. Ordinance 8625, Section 6, as amended, and K.C.C. 12.22.060 are
3561 hereby amended to read as follows:

3562 A.1. If the ~~((office of equity and racial and social justice))~~ civil rights program
3563 makes the finding initially or on request for reconsideration that reasonable cause exists
3564 to believe that discrimination in a place of public accommodation occurred, the ~~((office
3565 of equity and racial and social justice))~~ civil rights program shall endeavor to eliminate
3566 the discriminatory practice by conference, conciliation, and persuasion, which may
3567 include as a condition of settlement:

- 3568 a. elimination of the discriminatory practice;
- 3569 b. payment of refunds or credits not in excess of the amount of monetary
3570 damage actually incurred;

3571 c. payment of other actual damages, including damages caused by emotional
3572 distress, humiliation and embarrassment;
3573 d. payment of attorneys' fees and costs;
3574 e. participation in training on public accommodations laws; and
3575 f. such other requirements as may lawfully be agreed upon by the parties and
3576 the ((office of equity and racial and social justice)) civil rights program.

3577 2. Any postfinding settlement agreement shall be reduced to writing and signed
3578 by all parties, with the approval of the ((office of equity and racial and social justice))
3579 civil rights program. The ((office of equity and racial and social justice)) civil rights
3580 program shall then enter an order setting forth the agreement and furnish copies of the
3581 order to all affected parties. Each postfinding settlement agreement is a public record.
3582 Failure to comply with the postfinding settlement agreement or order may be enforced
3583 under K.C.C. 12.22.080.

3584 B.1. If the parties cannot reach agreement, the ((office of equity and racial and
3585 social justice)) civil rights program shall make a finding to that effect, incorporate the
3586 finding in the order and furnish a copy of the order to all affected parties. The order shall
3587 also include:

3588 a. a finding that discrimination in a place of public accommodation occurred;
3589 b. the basis for the finding;
3590 c. an order requiring the respondent to cease and desist from such
3591 discriminatory practice and to take appropriate affirmative measures, which may include:
3592 (1) payment of refunds or credit or other damages not to exceed monetary
3593 damage actually incurred;

(2) payment of other actual damages, including damages caused by emotional distress, humiliation, and embarrassment;

(3) payment of attorneys' fees and costs;

(4) participation in training in public accommodations laws; or

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

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

SECTION 78. Ordinance 8625, Section 7, as amended, and K.C.C. 12.22.070 are hereby amended to read as follows:

A.1. Any respondent or charging party, after an order of the ~~((office of equity and racial and social justice))~~ civil rights program is made in accordance with K.C.C. 12.22.060.B., may request an appeal hearing before the hearing examiner by filing a written request for hearing within thirty days of the service of the order. The request for hearing shall be filed with the ~~((office of equity and racial and social justice))~~ civil rights program. The request for hearing must identify clearly and specifically:

a. the errors that the appellant believes were made in the action or decision that is being appealed, or the procedural irregularities associated with that action or decision;

3617 b. specific reasons why the county's action should be reversed or modified; and
3618 c. the desired outcome of the appeal.

3619 2. Unless the hearing examiner authorizes an amendment to the statement of
3620 appeal, the identification of errors and the statement of reasons for reversal or
3621 modification defines and limits the issues that the examiner may consider.

3622 B. Any order issued by the (~~office of equity and racial and social justice~~) civil
3623 rights program in accordance with procedures in this chapter becomes final thirty days
3624 after service of the order unless a written request for hearing is filed with the (~~office of~~
3625 ~~equity and racial and social justice~~) civil rights program within the thirty-day period.

3626 C. If the order of the (~~office of equity and racial and social justice~~) civil rights
3627 program is appealed, the hearing examiner shall conduct a hearing for the purpose of
3628 affirming, denying or modifying the order. There shall be a verbatim record kept of the
3629 hearing. The hearing examiner has such rule-making and other powers necessary for the
3630 conduct of the hearing as are specified by K.C.C. chapter 20.22. The order of the (~~office~~
3631 ~~of equity and racial and social justice~~) civil rights program shall not be presumed
3632 correct. The hearing examiner's decision shall be based upon a preponderance of the
3633 evidence. The hearing shall be conducted within a reasonable time after receipt of the
3634 request for appeal. Written notice of the time and place of the hearing shall be given at
3635 least ten days before the date of the hearing to each affected party and to the (~~office of~~
3636 ~~equity and racial and social justice~~) civil rights program.

3637 D. Each party may, among exercising other rights:

3638 1. Call and examine witnesses on any matter relevant to the issues of the
3639 complaint;

3640 2. Introduce documentary and physical evidence;
3641 3. Cross-examine opposing witnesses on any matter relevant to the issues of the
3642 complaint;
3643 4. Impeach any witness regardless of which party first called the witness to
3644 testify;
3645 5. Rebut evidence against the party; and
3646 6. Self-represent or be represented by anyone of the party's choice who is
3647 lawfully permitted to do so.

3648 E. Following review of the evidence submitted, the hearing examiner presiding at
3649 the hearing shall enter written findings and conclusions and shall affirm or modify the
3650 order previously issued if the hearing examiner finds that a violation occurred. The
3651 hearing examiner shall reverse the order if the hearing examiner finds that a violation did
3652 not occur. The hearing examiner may grant as relief any relief that ((~~office of equity and~~
3653 ~~racial and social justice~~)) civil rights program could grant under K.C.C. 12.22.060.B. A
3654 copy of the hearing examiner's decision shall be delivered to all affected parties. The
3655 order of the hearing examiner is final unless reviewed by a court under K.C.C.
3656 20.22.270.B.

3657 SECTION 79. Ordinance 8625, Section 8, as amended, and K.C.C. 12.22.080 are
3658 hereby amended to read as follows:

3659 A. If the ((~~office of equity and racial and social justice~~)) civil rights program has
3660 reasonable cause to believe that a respondent breached a prefinding or postfinding
3661 settlement agreement executed under K.C.C. 12.22.050 or 12.22.060, or violated an order
3662 of the ((~~office of equity and racial and social justice~~)) civil rights program issued under

3663 K.C.C. 12.22.060 or an order of the hearing examiner issued under K.C.C. 12.22.070, the
3664 ((office of equity and racial and social justice)) civil rights program shall refer the matter
3665 to the prosecuting attorney for the filing of a civil action under subsection B. of this
3666 section for the enforcement of the agreement.

3667 B. The prosecuting attorney may commence a civil action in superior court for
3668 appropriate relief with respect to a breach of a prefinding or postfinding settlement
3669 agreement executed under K.C.C. 12.22.050 or 12.22.060, or violation of an order of the
3670 ((office of equity and racial and social justice)) civil rights program issued under K.C.C.
3671 12.22.060 or an order of the hearing examiner issued under K.C.C. 12.22.070. The action
3672 may be commenced no later than ninety days after the referral of the alleged breach
3673 underlying the referral under subsection A. of this section.

3674 SECTION 80. Ordinance 15399, Section 59, as amended, and K.C.C. 12.22.085
3675 are hereby amended to read as follows:

3676 A. An aggrieved person may commence a civil action in superior court not later
3677 than one year after the occurrence or termination of alleged discrimination in a place of
3678 public accommodation or ninety days after a determination of reasonable cause is issued
3679 by the ((office of equity and racial and social justice)) civil rights program, whichever
3680 occurs last, to obtain appropriate relief with respect to the discrimination in public
3681 accommodations.

3682 B. A civil action may be filed under this section whether or not an administrative
3683 complaint has been filed under K.C.C. 12.22.040 and without regard to the status of the
3684 complaint. However, if the ((office of equity and racial and social justice)) civil rights
3685 program obtained a prefinding or postfinding settlement or conciliation agreement with

the consent of the aggrieved person, an action may not be filed by the aggrieved person with respect to the alleged discrimination in public accommodations that forms the basis for the complaint except for the purpose of enforcing the agreement. To preclude such a filing, the prefinding or postfinding settlement or conciliation agreement must include language that the aggrieved person knowingly waives any right to file a civil action under this section based on the same alleged discrimination in public accommodations.

C. Subject to subsection D. of this section, after the filing of a civil action involving the same claim or arising from the same facts and circumstances, whether under this chapter or similar law, the ~~((office of equity and racial and social justice))~~ civil rights program may administratively close a complaint of discrimination in public accommodations.

D. If a court dismisses a private cause of action without reaching the merits and on grounds that would not preclude pursuit of a complaint under this chapter, the charging party may request, within ninety days of the entry of the court's order of dismissal, that the ~~((office of equity and racial and social justice))~~ civil rights program reopen a previously filed case. Upon such a request, the ~~((office of equity and racial and social justice))~~ civil rights program may reopen a case that was administratively closed upon the filing of a civil action. If the ~~((office of equity and racial and social justice))~~ civil rights program closes a case based on a "no reasonable cause" finding, the case may not be reopened except as provided through reconsideration under K.C.C. 12.22.050.

E. A charging party or aggrieved person may not secure relief from more than one governmental agency, instrumentality, or tribunal for the same harm or injury.

3708 F. An aggrieved person may not commence a civil action under this section with
3709 respect to an alleged discrimination in public accommodations practice that forms the
3710 basis of a complaint if a hearing on the complaint has been convened under K.C.C.
3711 12.22.070.

3712 G. In a civil action under this section, if the court finds that discrimination in
3713 public accommodations occurred, the court may grant such relief as is available for
3714 violations of the Washington state Law Against Discrimination, chapter 49.60 RCW.

3715 H. Upon timely application, the prosecuting attorney may intervene in the civil
3716 action, if the prosecuting attorney determines that the case is of general public
3717 importance.

3718 I. This section is intended to provide private judicial remedies for violations of
3719 this chapter that are as expansive as the powers granted by the Constitution and laws of
3720 the state of Washington.

3721 SECTION 81. Ordinance 8625, Section 9, as amended, and K.C.C. 12.22.090 are
3722 hereby amended to read as follows:

3723 The ~~((office of equity and racial and social justice))~~ civil rights program may
3724 implement such forms, administrative processes, and operational procedures as are
3725 necessary to comply with this chapter. The forms, processes and procedures shall be
3726 adopted in compliance with K.C.C. chapter 2.98.

3727 SECTION 82. Ordinance 15399, Section 54, as amended, and K.C.C. 12.22.095
3728 are hereby amended to read as follows:

3729 A. If a complaint has been filed under this chapter, the ((~~office of equity and~~
3730 ~~racial and social justice~~)) civil rights program shall initiate an investigation under the
3731 provisions of this chapter.

3732 B. If the ((~~office of equity and racial and social justice~~)) civil rights program
3733 determines that a violation of this chapter or any rules and regulations adopted under this
3734 chapter occurred, the office shall issue an order under this chapter. For violations of this
3735 chapter, if a conflict exists between this chapter and K.C.C. Title 23, this chapter controls
3736 over K.C.C. Title 23.

3737 SECTION 83. Ordinance 13147, Section 27, as amended, and K.C.C. 20.18.110
3738 are hereby amended to read as follows:

3739 A. Notice of the time, place, and purpose of a public hearing before the council to
3740 consider amendments to the Comprehensive Plan or development regulations shall at a
3741 minimum be given at least thirty days before the hearing by the following methods:

3742 1. One publication in a newspaper of general circulation in the county.

3743 2. For land use designation and zoning classification proposals only:

3744 a. one additional publication in the area for which the area zoning is proposed,
3745 if available;

3746 b. mailed to affected property owners, appropriate to the scope of the proposal,
3747 whose names appear on the rolls of the King County assessor and shall at a minimum
3748 include owners of properties within five hundred feet of affected property, at least twenty
3749 property owners in the vicinity of the property, and to any individuals or organizations
3750 that have formally requested to the department of local services, permitting division,
3751 ((~~department of performance, strategy and budget, regional planning section~~)) the

3752 executive's office, or the council, to be kept informed of applications in an identified area.

3753 If the additional publication referenced in subsection A.2.a. of this section is not
3754 available, the mailing radius shall be extended to one thousand feet, and at least forty
3755 property owners in the vicinity of the property. The mail shall be postmarked at least
3756 thirty days before the hearing. If the county sends the mailed notice by bulk mail, the
3757 certificate of mailing shall qualify as a postmark. Failure to notify any specific property
3758 owner shall not invalidate an area zoning proceeding or any resulting reclassification of
3759 land; and

3760 c. posted on the county website.

3761 B. Notice for site-specific land use map amendments shall also be provided in
3762 accordance with K.C.C. 20.18.050.

3763 C. The county shall endeavor to provide notices required by this section in
3764 nontechnical language. The notice shall indicate how the detailed description of the
3765 ordinance required by K.C.C. 20.18.100 can be obtained by a member of the public.

3766 SECTION 84. Ordinance 4461, Section 2, as amended, and K.C.C. 20.22.040 are
3767 hereby amended to read as follows:

3768 The examiner makes decisions on:

3769 A. Appeals of orders of the ombuds under the lobbyist disclosure code under
3770 K.C.C. chapter 1.07;

3771 B. Appeals of sanctions of the finance and business operations division in the
3772 department of executive services under K.C.C. chapter 2.97;

3773 C. Appeals of career service review committee conversion decisions for part-time
3774 and temporary employees under K.C.C. chapter 3.12A;

3775 D. Appeals of electric vehicle recharging station penalties by the Metro transit
3776 department under K.C.C. 4A.700.700;

3777 E. Appeals of notice and orders of the manager of records and licensing services
3778 or the department of local services permitting division manager under K.C.C. chapter
3779 6.01;

3780 F. Appeals of adult entertainment license denials, suspensions, and revocations
3781 under K.C.C. chapter 6.09;

3782 G. Appeals of the fire marshal's decisions on fireworks permits under K.C.C.
3783 chapter 17.11;

3784 H. Appeals of cable franchise nonrenewals under K.C.C. 6.27A.060 and notices
3785 and orders under K.C.C. 6.27A.240;

3786 I. Appeals of notice and orders of the department of natural resources and parks
3787 under K.C.C. chapter 7.09;

3788 J. Appeals of decisions of the director of the department of natural resources and
3789 parks on surface water drainage enforcement under K.C.C. chapter 9.04;

3790 K. Appeals of decisions of the director of the department of natural resources and
3791 parks on requests for rate adjustments to surface and storm water management rates and
3792 charges under K.C.C. chapter 9.08;

3793 L. Appeals of decisions on water quality enforcement under K.C.C. chapter 9.12;

3794 M. Appeals of notice and orders of the manager of regional animal services under
3795 K.C.C. chapter 11.04;

3796 N. Certifications by the finance and business operations division of the
3797 department of executive services under K.C.C. chapter 12.16;

3798 O. Appeals of orders of the (~~office of equity and racial and social justice~~) civil
3799 rights program under K.C.C. chapter 12.17, K.C.C. chapter 12.18, K.C.C chapter 12.20,
3800 and K.C.C. chapter 12.22;

3801 P. Appeals of noise-related orders and citations of the department of local
3802 services, permitting division, under K.C.C. chapter 12.86;

3803 Q. A decision on a request for exemption under K.C.C. 12.25.020.F.;

3804 R. Appeals of utilities technical review committee determinations on water
3805 service availability under K.C.C. 13.24.090;

3806 S. Appeals of decisions regarding mitigation payment system, commute trip
3807 reduction, and intersection standards under K.C.C. Title 14;

3808 T. Appeals of changes to speed limits under K.C.C. chapter 14.06;

3809 U. Appeals related to road designations and redesignations under K.C.C. chapter
3810 16.08;

3811 V. Appeals of suspensions, revocations, or limitations of plumbing permits under
3812 K.C.C. chapter 16.32;

3813 W. Appeals from denials of C-PACER applications under K.C.C. chapter 18.19;

3814 X. Appeals of all Type 2 decisions under K.C.C. chapter 20.20, with the
3815 exception of appeals of shoreline permits, including shoreline substantial development
3816 permits, shoreline variances, and shoreline conditional uses, which are appealable to the
3817 state Shoreline Hearings Board;

3818 Y. Type 3 decisions under K.C.C. chapter 20.20;

3819 Z. Appeals of SEPA decisions under K.C.C. 20.44.120 and public rules adopted
3820 under K.C.C. 20.44.075;

3821 AA. Appeals of completed farm management plans under K.C.C. 21A.30.045;
3822 BB. Appeals of decisions of the interagency review committee created under
3823 K.C.C. 21A.37.070 regarding sending site applications for certification under K.C.C.
3824 chapter 21A.37;
3825 CC. Appeals of citations, notices and orders, notices of noncompliance, and stop
3826 work orders issued under K.C.C. Title 23 or King County Board of Health Code BOH
3827 chapter 1.08 (~~(of the code of the King County board of health code)~~);
3828 DD. Appeals of notices and certifications of junk vehicles to be removed as a
3829 public nuisance under K.C.C. Title 21A and K.C.C. chapter 23.10;
3830 EE. Appeals of decisions not to issue a citation or a notice and order under
3831 K.C.C. 23.36.010;
3832 FF. Appeals of fee waiver decisions by the department of local services,
3833 permitting division under K.C.C. 27.02.040;
3834 GG. Appeals from decisions of the department of natural resources and parks
3835 related to permits, discharge authorizations, violations, and penalties under K.C.C.
3836 28.84.050 and 28.84.060, civil infractions and penalties under K.C.C. 7.12.650, and
3837 suspensions of park privileges under K.C.C. 7.12.700.B.;
3838 HH. Appeals of transit rider suspensions under K.C.C. 28.96.430;
3839 II. Appeals of department of public safety seizures and intended forfeitures, when
3840 properly designated by the chief law enforcement officer of the department of public
3841 safety under RCW 69.50.505; and
3842 JJ. Other applications or appeals prescribed by ordinance.

3843 SECTION 85. Ordinance 19881, Section 164, and K.C.C. 21A.08.055 are hereby

3844 amended to read as follows:

3845 A. Government and education land uses.

SI C#	SPECIFIC LAND USE	A	F	M	RA (1)	UR	R-1	R-4 – R- 8	R-12 – R- 48	N B	CB	RB	O	I
	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	P 1	P 1	P10 C11	P10 C11	P10 C11	P10 C11	P10 C11	P	P	P	P	P

		C1 1	0 C 1 1	0 C 1 1										
*	Private Stormwater Management Facility	P1 3	P 1 3	P 1 3	P13	P13	P13	P13	P13	P1 3	P1 3	P13	P13	P1 3
*	Vactor Waste Receiving Facility	P	P	P	P14	P14	P14	P14	P14	P1 5	P1 5	P15	P15	P
*	Commuter Parking Lot				P29 C	P29 C		P29 C	P29 C	P	P	P	P	P3 0
	EDUCATIO N SERVICES:													
*	Elementary School				P16 P18	P	P	P	P		P1 7 P1 8	P17 P18	P17 P18	
*	Middle/Junio r 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	P17 C19	P17	

											9			
822	College/Univ	P2	P		P22	P22	P22	P22	P22	P2	P	P	P	P
1-	ersity(26)	2	2		C23	C23	C23	C23	C23	2				
822			2		S24	S24	S	S	S	C2				
2										3				
										S				
*	Vocational					P25	P25	P25	P25			P19	P27	P
	School					C	C	C	C					
*	School					P28	P28	P28	P28	C1	P1	P19	P19	P1
	District					C	C	C	C	9	9			9
	Support													
	Facility													

3846 B. Development conditions.

3847 1. Subject to review and approval of conditions to comply with trail corridor
3848 provisions of K.C.C. chapter 21A.14.

3849 2.a. Only as a reuse of a public school facility or a surplus nonresidential facility
3850 subject to K.C.C. chapter 21A.32; or

3851 b. only when accessory to a fire facility and the office is no greater than one
3852 thousand five hundred square feet of floor area.

3853 3. Only as an accessory use to another permitted use.

3854 4. New utility office locations only if there is no commercial/industrial zoning
3855 in the utility district, and not in the RA-10 or RA-20 zones unless it is demonstrated that
3856 no feasible alternative location is possible.

3857 5a. Utility yards only on sites with utility district offices; or

3858 b. Public agency yards are limited to material storage for road maintenance
3859 facilities.

3860 6. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter
3861 21A.32.

3862 7. Limited to storefront police offices. Such offices shall not have:

3863 a. holding cells;

3864 b. suspect interview rooms (except in the NB zone); or

3865 c. long-term storage of stolen properties.

3866 8.a. All buildings and structures shall maintain a minimum distance of twenty
3867 feet from property lines adjoining RA, UR, and R zones;

3868 b. Any buildings from which fire-fighting equipment emerges onto a street
3869 shall maintain a distance of thirty-five feet from such street;

3870 c. No outdoor storage; and

3871 d. Excluded from the RA-10 and RA-20 zones unless it is demonstrated that no
3872 feasible alternative location is possible.

3873 10. Excluding local distribution gas storage tanks.

3874 11. Limited to local distribution gas storage tanks that pipe to individual
3875 residences but excluding liquefied natural gas storage tanks.

3876 12. As part of an application for construction of new electric transmission lines
3877 in regional utility corridors, or for the construction or siting of new, modified, or
3878 expanded gas or hazardous liquid transmission pipelines, the applicant shall submit an
3879 equity impact review of the proposal using tools developed by the executive's office ((~~of~~
3880 ~~equity and racial and social justice~~)). Until the tools have been developed and made

3881 publicly available by the executive's office, the equity impact review is not required. The
3882 results from the equity impact review shall be used to assess equity impacts and
3883 opportunities during county permit review and may be used to inform determinations of
3884 project approval.

3885 13. Private stormwater management facilities serving development proposals
3886 located on commercial/industrial zoned lands shall also be located on
3887 commercial/industrial lands, unless participating in an approved shared facility drainage
3888 plan. Such facilities serving development within an area designated urban in the King
3889 County Comprehensive Plan shall only be located in the urban area.

3890 14. Only as an accessory use to a public agency or utility yard, or to a transfer
3891 station.

3892 15. Vactor waste treatment, storage, and disposal shall be limited to liquid
3893 materials. Materials shall be disposed of directly into a sewer system or shall be stored in
3894 tanks, covered structures, or enclosed buildings.

3895 16. A school may be located outside of the Urban Growth Area only if allowed
3896 under King County Comprehensive Plan policies. New high school sites shall abut or be
3897 accessible from a public street functioning as an arterial per the King County Design
3898 Standards.

3899 17. If located outside of the urban area, shall be designed to primarily serve the
3900 rural area and natural resource lands and shall be located within a rural town. In CB, RB,
3901 and O zones, only for K-12 schools, and limited to a maximum of one hundred students.

3902 18. Only as a reuse of an existing public school.

3903 19. If located outside of the urban area, limited to projects that are of a size and
3904 scale designed to primarily serve the rural area and natural resource lands and shall be
3905 located within a rural town.

3906 20. A high school may be allowed as a reuse of an existing public school if
3907 allowed under King County Comprehensive Plan policies.

3908 21.a. New high schools permitted in the RA, UR, and R zones shall be subject
3909 to the review process in K.C.C. 21A.42.140.

3910 b. Renovation, expansion, modernization, or reconstruction of a school, or the
3911 addition of relocatable facilities, is allowed.

3912 22. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.

3913 23. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter
3914 21A.32.

3915 24. Only for facilities related to resource-based research.

3916 25. Only as a reuse of a public school facility or surplus nonresidential facility
3917 subject to K.C.C. chapter 21A.32. Before filing an application with the department, the
3918 applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

3919 26. Except technical institutions, which are classified as vocational schools.

3920 27. All instruction shall occur within an enclosed structure.

3921 28. Only if adjacent to an existing or proposed school.

3922 29. Limited to new commuter parking lots designed for thirty or fewer parking
3923 spaces or commuter parking lots located on existing parking lots for religious facilities,
3924 schools, or other allowed nonresidential uses that have excess capacity available during

3925 commuting, but only if the new or existing lot is adjacent to a designated arterial that has
 3926 been improved to a standard acceptable to the department of local services.

3927 30. Allowed as a primary or accessory use to an allowed industrial-zoned land
 3928 use.

3929 SECTION 86. Ordinance 10870, Section 337, as amended, and K.C.C.

3930 21A.08.100 are hereby amended to read as follows:

3931 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	C12	C12	C12	C1	C1	C1	C1	C1	C1	C1	C12	C1	P12

	Generation Facility	S29	S29	S29	2 S29	2 S29	2 S29	2 S29	2 S29	2 S29	2 S29	S29	2 S29	S29
*	Renewable Energy Generation Facility	C28	C28	C	C	C	C	C	C	C	C	C	C	C
*	Fossil Fuel Facility													S27
*	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				C3									

	Rescue Facility				1 S31									
*	Regional Transit Authority Facility						P25							
*	Rural Public Infrastructure Maintenance Facility				C2 3									P
*	Transit Bus Base						S	S	S	S	S	S	S	P
*	Transit Comfort Facility				P26		P26	P26	P26	P26	P26	P26	P26	P26
*	School Bus Base				C5 S20	C5 S	C5 S	C5 S	C5 S	S	S	S	S	P
7948	Racetrack				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									

3932 B. Development conditions.

3933 1. Repealed.

- 3934 2. Except arboretum.
- 3935 3. Except weapons armories and outdoor shooting ranges.
- 3936 4. Except outdoor shooting range.
- 3937 5. Only in conjunction with an existing or proposed school.
- 3938 6.a. Limited to no more than three satellite dish antennae.
- 3939 b. Limited to one satellite dish antenna.
- 3940 c. Limited to tower consolidations.
- 3941 7. Limited to landing field for aircraft involved in forestry or agricultural
- 3942 practices or for emergency landing sites.
- 3943 8. Except racing of motorized vehicles.
- 3944 9. Limited to wildlife exhibit.
- 3945 10. Repealed
- 3946 11. Repealed
- 3947 12.a. Limited to gas extraction as an accessory use to a waste management
- 3948 process, such as wastewater treatment, landfill waste management, livestock manure, and
- 3949 composting processes, and excluding anaerobic digesters.
- 3950 b. an equity impact review of the proposal using tools developed by the
- 3951 executive's office (~~(of equity and racial and social justice)~~). Until the tools have been
- 3952 developed and made publicly available by the executive's office, the equity impact review
- 3953 is not required. The results from the equity impact review shall be used to assess equity
- 3954 impacts and opportunities during county permit review and may be used to inform
- 3955 determinations of project approval.
- 3956 13. Excluding impoundment of water using a dam.

3957 14.a. Limited to facilities that comply with the following:

3958 (1)(~~2~~) Any new diversion structure shall not:

3959 (a) exceed a height of eight feet as measured from the streambed; or

3960 (b) impound more than three surface acres of water at the normal maximum

3961 surface level;

3962 (2) There shall be no active storage;

3963 (3) The maximum water surface area at any existing dam or diversion shall not

3964 be increased;

3965 (4) An exceedance flow of no greater than fifty percent in mainstream reach

3966 shall be maintained;

3967 (5) Any transmission line shall comply with the following:

3968 (a) be limited to right-of-way of five miles or less; and

3969 (b) be limited to capacity of two hundred thirty KV or less;

3970 (6) Any new, permanent access road shall be limited to five miles or less; and

3971 (7) The facility shall only be located above any portion of the stream used by

3972 anadromous fish.

3973 b. The applicant shall submit an equity impact review of the proposal using

3974 tools developed by the executive's office (~~(of equity and racial and social justice)~~). Until

3975 the tools have been developed and made publicly available by the executive's office, the

3976 equity impact review is not required. The results from the equity impact review shall be

3977 used to assess equity impacts and opportunities during county permit review and may be

3978 used to inform determinations of project approval.

3979 15. For I-zoned sites located outside the urban area, uses shown as a conditional
3980 or special use in K.C.C. 21A.08.100.A., except for wastewater treatment facilities and
3981 racetracks, shall be prohibited. All other uses, including wastewater treatment facilities,
3982 shall be subject to the provisions for rural industrial uses in K.C.C.21A.09T.020.

3983 16. The operator of such a facility shall provide verification to the department of
3984 natural resources and parks or its successor organization that the facility meets or exceeds
3985 the standards of the Animal and Plant Health Inspection Service of the United States
3986 Department of Agriculture and the accreditation guidelines of the American Zoo and
3987 Aquarium Association.

3988 17. The following provisions of the table apply only to major communication
3989 facilities. Minor communication facilities shall be reviewed in accordance with the
3990 processes and standard outlined in K.C.C. chapter 21A.27.

3991 18. Repealed.

3992 19. Limited to work release facilities associated with natural resource-based
3993 activities.

3994 20. Limited to projects that do not require or result in an expansion of sewer
3995 service outside the Urban Growth Area boundary, unless a finding is made that no cost-
3996 effective alternative technologies are feasible, in which case a tightline sewer sized only
3997 to meet the needs of the school bus base and serving only the school bus base may be
3998 used. Renovation, expansion, modernization, or reconstruction of a school bus base is
3999 allowed but shall not require or result in an expansion of sewer service outside the Urban
4000 Growth Area boundary, unless a finding is made that no cost-effective alternative

4001 technologies are feasible, in which case a tightline sewer sized only to meet the needs of
4002 the school bus base.

4003 21.((a:)) Only in conformance with the King County Fairgrounds Site
4004 Development Plan Attachment A to Ordinance 14808. Modifications to the plan of up to
4005 ten percent are allowed for the following:

4006 a. building square footage;

4007 b. landscaping;

4008 c. parking;

4009 d. building height; or

4010 e. impervious surface as established in the King County Fairgrounds Site

4011 Development Plan Environmental Checklist, dated September 21, 1999, Attachment B to
4012 Ordinance 14808.

4013 22. A special use permit shall be required for any modification or expansion of
4014 the King County fairgrounds facility that is not in conformance with the King County
4015 Site Development Plan Report or that exceeds the allowed modifications to the plan
4016 identified in subsection B.21. of this section.

4017 23. The facility shall be primarily devoted to rural public infrastructure
4018 maintenance and is subject to the following conditions:

4019 a. The minimum site area shall be ten acres, unless:

4020 (1) the facility is a reuse of a public agency yard; or

4021 (2) the site is separated from a county park by a street or utility right-of-way;

4022 b. Type 1 landscaping as provided in K.C.C. chapter 21A.16 shall be provided
4023 between any stockpiling or grinding operations and adjacent R or UR zoned property;

4024 c. Type 2 landscaping as provided in K.C.C. chapter 21A.16 shall be provided
4025 between any office and parking lots and adjacent R or UR zoned property;
4026 d. Access to the site does not use local access streets that abut R or UR zoned
4027 property, unless the facility is a reuse of a public agency yard;
4028 e. Structural setbacks from property lines shall be as follows:
4029 (1) Buildings, structures, and stockpiles used in the processing of materials
4030 shall be no closer than:
4031 (a) one hundred feet from any R or UR zoned properties, except that the
4032 setback may be reduced to fifty feet when the grade where the building or structures are
4033 proposed is fifty feet or greater below the grade of the R or UR zoned property;
4034 (b) fifty feet from any other zoned property, except when adjacent to a
4035 mineral extraction or materials processing site;
4036 (c) the greater of fifty feet from the edge of any public street or the setback
4037 from R or UR zoned property on the far side of the street; and
4038 (2) Offices, scale facilities, equipment storage buildings, and stockpiles shall
4039 not be closer than fifty feet from any property line except when adjacent to M or F zoned
4040 property or when a reuse of an existing building. Facilities necessary to control access to
4041 the site, when demonstrated to have no practical alternative, may be located closer to the
4042 property line;
4043 f. On-site clearing, grading, or excavation, excluding that necessary for
4044 required access, roadway, or storm drainage facility construction, shall not be allowed
4045 within fifty feet of any property line except along any portion of the perimeter adjacent to
4046 M or F zoned property. If native vegetation is restored, temporary disturbance resulting

4047 from construction of noise attenuation features located closer than fifty feet shall be
4048 allowed; and

4049 g. Sand and gravel extraction shall be limited to forty thousand yards per year.

4050 24. The following accessory uses to a motor race track operation are allowed if
4051 approved as part of the special use permit:

4052 a. motocross;

4053 b. autocross;

4054 c. skidpad;

4055 d. garage;

4056 e. driving school; and

4057 f. fire station.

4058 25. Regional transit authority facilities shall be exempt from setback and height
4059 requirements.

4060 26. Transit comfort facility shall:

4061 a. only be located outside of the urban area;

4062 b. be exempt from street setback requirements; and

4063 c. be no more than two hundred square feet in size.

4064 27.a. Required for all new, modified, or expanded fossil fuel facilities.

4065 Modification or expansion includes, but is not limited to:

4066 (1) new uses or fuel types within existing facilities;

4067 (2) changes to the type of refining, manufacturing, or processing;

4068 (3) changes in the methods or volumes of storage or transport of raw
4069 materials or processed products;

4070 (4) changes in the location of the facilities on-site;

4071 (5) replacement of existing facilities;

4072 (6) increases in power or water demands; or

4073 (7) increases in production capacity.

4074 b. Before filing an application with the department, the applicant shall hold a
4075 community meeting in accordance with K.C.C. 20.20.035.

4076 c. As part of permit application submittal for new, modified, or expanded fossil
4077 fuel facilities, the applicant shall submit the following documentation:

4078 (1) an inventory of similar existing facilities in King County and neighboring
4079 counties, including their locations and capacities;

4080 (2) a forecast of the future needs for the facility;

4081 (3) an equity impact review of the proposal using tools developed by the
4082 executive's office (~~of equity and racial and social justice~~). Until the tools have been
4083 developed and made publicly available by the executive's office, the equity impact review
4084 is not required. The results from the equity impact review shall be used to assess equity
4085 impacts and opportunities during county permit review and may be used to inform
4086 determinations of project approval;

4087 (4) an analysis of alternatives to the facility, including location, conservation,
4088 demand management and other strategies;

4089 (5) an analysis of economic and environmental impacts, including mitigation,
4090 of any similar existing facilities and of any new site or sites under consideration as an
4091 alternative to expansion of an existing facility;

4092 (6) an extensive public involvement strategy that strives to effectively engage
4093 a wide range of racial, ethnic, cultural, and socioeconomic groups, including
4094 communities that are the most impacted;

4095 (7) considered evaluation of any applicable prior review conducted by a
4096 public agency, local government, or interested party; and

4097 (8) a greenhouse gas impact analysis prepared by the applicant((-)), the results
4098 of which shall be used to identify and mitigate the impacts of such facilities.

4099 d. As part of permit application submittal, the applicant shall demonstrate
4100 financial responsibility meeting the requirements of K.C.C. chapter 21A.49. The
4101 financial responsibility shall be reviewed as part of the facility's periodic review under
4102 K.C.C. 21A.22.050.

4103 e. New, modified or expanded fossil fuel facilities shall:

4104 (1) not be located within one thousand feet from any schools, medical care
4105 facilities, or places of assembly that have occupancies of greater than one thousand
4106 persons;

4107 (2) not be located within two hundred fifty feet from a regulated wetland or
4108 aquatic area, except when a larger buffer is required under K.C.C. chapter 21A.24, the
4109 buffer in K.C.C. chapter 21A.24 shall apply;

4110 (3) maintain an interior setback of at least two hundred feet;

4111 (4) store fossil fuels completely within enclosed structures, tanks, or similar
4112 facilities;

4113 (5) be accessed directly to and from an arterial roadway; and

4114 (6) comply with all applicable regulations in K.C.C. chapter 21A.22.

4115 f. Proposals shall only be approved when the following conditions are met:

4116 (1) the proposed facility can confine or mitigate all operational impacts;

4117 (2) the facility can adequately mitigate conflicts with adjacent land uses;

4118 (3) the full scope of environmental impacts, including life cycle greenhouse

4119 gas emissions and public health, have been evaluated and appropriately conditioned or

4120 mitigated as necessary, consistent with the County's substantive State Environmental

4121 Policy Act authority;

4122 (4) the applicant can comply with applicable federal and state regulations,

4123 including the Clean Water Act, Clean Air Act, and Endangered Species Act;

4124 (5) the applicant has demonstrated early, meaningful, and robust consultation

4125 with Indian tribes, the public, and surrounding property owners to assess impacts to

4126 Indian tribal treaty-protected cultural and fisheries resources; and

4127 (6) risks to public health and public safety can be mitigated.

4128 28. Limited to uses that will not convert more than two acres of farmland or

4129 forestland, or two and one-half percent of the farmland or forestland, whichever is less.

4130 29.a. Before filing an application with the department, the applicant shall hold a

4131 community meeting in accordance with K.C.C. 20.20.035.

4132 b. As part of permit application submittal for nonhydroelectric generation

4133 facilities, the applicant shall submit the following documentation:

4134 (1) an inventory of similar existing facilities in King County and neighboring

4135 counties, including their locations and capacities;

4136 (2) a report demonstrating that the facility would serve a significant portion

4137 of the county or metropolitan region, or is part of a statewide or national system;

4138 (3) a forecast of the future needs for the facility;

4139 (4) an equity impact review of the proposal using tools developed by the

4140 executive's office (~~(of equity and racial and social justice)~~). Until the tools have been

4141 developed and made publicly available by the executive's office, the equity impact review

4142 is not required. The results from the equity impact review shall be used to assess equity

4143 impacts and opportunities during county permit review and may be used to inform

4144 determinations of project approval;

4145 (5) an analysis of alternatives to the facility, including location, conservation,

4146 demand management, and other strategies;

4147 (6) 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 (7) 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 (8) considered evaluation of any applicable prior review conducted by a

4154 public agency, local government, or interested party; and

4155 (9) a greenhouse gas impact analysis prepared by the applicant, the results of

4156 which shall be used to identify and mitigate the impacts of such facilities.

4157 c. As part of permit application submittal, an applicant shall demonstrate

4158 financial responsibility meeting the requirements of K.C.C. chapter 21A.49.

4159 d. Nonhydroelectric generation facilities shall be subject to a periodic review

4160 meeting the same standards given in K.C.C. 21A.22.050. The financial responsibility

4161 required by subsection B.29.c. of this section shall be reviewed as part of the periodic
4162 review.

4163 30. Battery energy storage systems, except those defined as an accessory use
4164 under K.C.C. 21A.06.015, 21A.06.020, or 21A.06.025, are subject to the applicable
4165 permit requirements of subsection A. of this section and the following conditions:

4166 a. A minimum separation of ten feet shall be maintained between rooms or
4167 enclosures containing battery energy storage systems and landscaping or other
4168 vegetation;

4169 b. As part of building permit application submittal, battery energy storage
4170 systems shall demonstrate financial responsibility for public liability and environmental
4171 risks in accordance with K.C.C. chapter 21A.49 if the total system capacity is more than
4172 two megawatts and all three of the following apply:

4173 (1) the battery technology requires thermal runaway compliance under WAC
4174 51-54A-1207.6;

4175 (2) any individual room, cabinet, container, or other enclosure containing the
4176 system has an energy rating greater than two megawatt-hours, or any two enclosures are
4177 less than ten feet apart; and

4178 (3) the system does not qualify as a remote installation under IFC 1207.8.1.;

4179 c. As part of building permit application submittal, battery energy storage
4180 systems with a total system capacity more than two megawatts shall demonstrate
4181 financial responsibility for decommissioning in accordance with K.C.C. chapter 21A.49;

4182 d. If financial responsibility is required by subsection B.30.b. or c. of this
4183 section, the applicant shall submit verification of financial responsibility to the
4184 department every five years, beginning five years from the date of permit issuance;

4185 e. The findings and recommendations of studies, analyses, and testing required
4186 by K.C.C. Title 17, WAC 51-54A-1207, and the International Fire Code should be
4187 incorporated into the permit conditions for the facility; and

4188 f. As part of application submittal, the applicant shall submit verification that
4189 preliminary fire safety and evacuation plans have been shared with the local fire
4190 protection district. The final plans shall be shared with the local fire protection district
4191 before final inspection approval.

4192 31.a. For all search and rescue facilities:

4193 (1) the minimum lot size is four and one half acres;

4194 (2) structures and parking areas for search and rescue facilities shall maintain
4195 a minimum distance of seventy-five feet from interior lot lines that adjoin RA, UR, and R
4196 zones, unless located in a building designated as historic resource under K.C.C. chapter
4197 20.62;

4198 (3) use of the search and rescue facility is limited to activities directly relating
4199 to the search and rescue organization, except that the facility may be used by law
4200 enforcement and other public emergency responders for training and operations related to
4201 search and rescue activities; and

4202 (4) the applicant shall demonstrate the absence of existing search and rescue
4203 facilities that are adequate to conduct search and rescue operations in the rural area.

4204 b. A special use permit is required when helicopter fueling, maintenance, or
4205 storage is proposed.

4206 SECTION 87. Ordinance 14045, Section 30, as amended, and K.C.C.
4207 21A.14.225 are hereby amended to read as follows:

4208 A. Tracts and easements containing hazardous liquid and gas transmission
4209 pipelines and required setbacks from such pipelines may include the following uses,
4210 subject to other regulations applicable to each use and approval of the holder of the
4211 easement: utility structures that are not normally occupied and that are necessary for the
4212 operation of the pipeline, landscaping, trails, open space, keeping of animals, agriculture,
4213 forestry, commercial signage, minor communication facilities and utility structures that
4214 are not normally occupied and that are necessary for the operation of the minor
4215 communication facility, and other compatible uses as specified on the face of the
4216 recorded plat or short plat; however, structures designed for human occupancy shall
4217 never be allowed within pipeline tracts, easements, or setbacks.

4218 B. Hazardous liquid and gas transmission pipelines shall not be located in aquifer
4219 recharge areas, landslide hazard areas, or erosion hazard areas. When it is impractical to
4220 avoid such areas, special engineering precautions should be taken to protect public health,
4221 safety, and welfare.

4222 C. As part of an application for the new, modified, or expanded gas or hazardous
4223 liquid transmission pipelines, the applicant shall submit an equity impact review of the
4224 proposal using tools developed by the executive's office (~~(of equity and racial and social~~
4225 ~~justice)~~). Until the tools have been developed and made publicly available by the
4226 executive's office, the equity impact review is not required. The results from the equity

4227 impact review shall be used to assess equity impacts and opportunities during county
4228 permit review and may be used to inform determinations of project approval.

4229 SECTION 88. Ordinance 16267, Section 62, as amended, and K.C.C.

4230 21A.28.154 are hereby amended to read as follows:

4231 A. There is hereby created the school technical review committee consisting of
4232 the following representatives:

4233 1. One from the department of local services;

4234 2. One from the ~~((regional planning unit of the office of performance, strategy,~~
4235 ~~and budget))~~ executive's office;

4236 3. One from the housing, homelessness, and community development division
4237 of the department of community and human services; and

4238 4. One from the county council staff, as a nonvoting ex officio member.

4239 B. The representative from the department of local services shall serve as the
4240 chair of the committee.

4241 C. The committee shall be charged with reviewing each school district's: capital
4242 facilities plan; enrollment projections; standard of service; overall capacity for the next
4243 six years to ensure consistency with the Growth Management Act, King County
4244 Comprehensive Plan, and adopted subarea plans; calculation and rationale for proposed
4245 impact fees; and evaluation of potential impacts of the proposed impact fee on housing
4246 production.

4247 D. Committee meetings shall be open to the public. The chair of the committee
4248 shall post on the county's website a public notice of the time and place of a committee
4249 meeting least two weeks in advance of the meeting. Materials submitted under K.C.C.

4250 21A.28.152.A. shall be posted on the county's website at the same time as the meeting
4251 notice.

4252 E. At the meeting where the committee will review or act upon the school
4253 district's documents, school district representatives may attend and present testimony to
4254 the committee.

4255 F. In its review, the committee shall consider the following factors:

4256 1. Whether the school district's forecasting system for enrollment projections
4257 has been demonstrated to be reliable and reasonable;

4258 2. The historic levels of funding and voter support for bond issues in the school
4259 district;

4260 3. The inability of the school district to obtain the anticipated state funding or to
4261 receive voter approval for school district bond issues;

4262 4. An emergency or emergencies in the school district that required the closing
4263 of a school facility or facilities resulting in a sudden and unanticipated decline in
4264 districtwide capacity;

4265 5. The standards of service set by school districts in similar types of
4266 communities. While community differences will be allowed, the standard established by
4267 the school district should be reasonably consistent with the standards set by other school
4268 districts in communities of similar socioeconomic profile;

4269 6. The standards identified by the state concerning the ratios of certificated
4270 instructional staff to students; and

4271 7. The potential impacts of the proposed impact fee on housing production
4272 within the school district.

4273 G. In the event that the school district's standard of service reveals a deficiency in
4274 its current facilities, the committee shall review the school district's capital facilities plan
4275 to determine whether the school district has identified all sources of funding necessary to
4276 achieve the standard of service.

4277 H. The school district in developing the financing plan component of the capital
4278 facilities plan shall plan on a six-year horizon and shall document that it took the
4279 following steps:

4280 1. Establish a six-year financing plan, and propose the necessary bond issues
4281 and levies required by and consistent with that plan and as approved by the school board
4282 and consistent with RCW 28A.53.020, 84.52.052 and 84.52.056, as amended; and

4283 2. Apply to the state for funding, and comply with the state requirement for
4284 eligibility to the best of the school district's ability.

4285 I. The committee may request that a school district review and resubmit its
4286 capital facilities plan, establish a different standard of service, or review its capacity for
4287 accommodating new students, or any combination thereof, under any of the following
4288 circumstances:

4289 1. The standard of service established by the school district is not reasonable in
4290 light of the factors in subsection F. of this section;

4291 2. The committee finds that the school district's standard of service cannot
4292 reasonably be achieved in light of the secured financial commitments and the historic
4293 levels of support in the school district; or

4294 3. Any other basis that is consistent with this section.

4295 J. If a school district fails to submit its capital facilities plan for review by the
4296 committee, King County shall assume the school district has adequate capacity to
4297 accommodate growth for the following six years.

4298 K. The chair of the committee shall document the outcome of the committee
4299 meeting each school district's capital facility plan and associated proposed impact fees in
4300 a report. The report shall include analysis consistent with subsections F. through J. of
4301 this section and the evaluation by each school district of the potential impact of the
4302 proposed impact fee on housing production within the school district required by
4303 subsection C. of this section. The chair of the committee shall submit copies of its report
4304 to the director, hearing examiner, and school districts and shall post the report on the
4305 county's website.

4306 L. In accordance with K.C.C. 20.18.060 and 20.18.070 and based on committee
4307 input, the chair of the committee shall recommend to the executive, and the executive
4308 shall transmit to the council, a proposed Comprehensive Plan amendment adopting the
4309 school district's capital facilities plan as part of the Comprehensive Plan, for any plan that
4310 the committee concludes accurately reflects the school district's facilities status. The
4311 transmittal shall include the report required by subsection K. of this section.

4312 M. In the event that after reviewing a school district's capital facilities plan and
4313 other documents, the committee is unable to recommend adoption of the school district's
4314 capital facilities plan, the chair of the committee shall submit a statement to the council,
4315 director, hearing examiner, and school district stating the committee's findings. The
4316 committee shall then recommend to the executive, and the executive shall transmit to the
4317 council, consistent with the school capital facility plan timelines established in K.C.C.

4318 20.18.060 and 20.18.070, either proposed amendments to the land use element of the
4319 King County Comprehensive Plan or proposed amendments to the development
4320 regulations implementing the plan, or both, to more closely conform county land use
4321 plans and school district capital facilities plans, including, but not limited to, requiring
4322 mandatory phasing of plats or multiunit development located within the school district's
4323 boundary.

4324 SECTION 89. Ordinance 17287, Section 3, as amended, and K.C.C. 21A.55.105
4325 are hereby amended to read as follows:

4326 A. The purpose of the master planning demonstration project is to:

4327 1. Create a comprehensive but streamlined process for the review of major land
4328 use proposals that will be developed over the course of several years by:

4329 a. utilizing a concise timeline for project review that incorporates a process for
4330 public outreach and input during project review and facility operation to ensure a timely
4331 and efficient review;

4332 b. executing a development agreement, pursuant to RCW 36.70B.170 that
4333 establishes:

4334 (1) a clearly defined project through a master development plan, which shall
4335 include a master site plan; and

4336 (2) requirements that must be met before approval of each phase of
4337 development; and

4338 c. executing an operating agreement that establishes operating standards
4339 governing all aspects of the project's operation;

4340 2. Utilize a special project manager to oversee the master planning
4341 demonstration process from negotiation of the development agreement and operating
4342 agreements through monitoring of and reporting on the executed agreements;
4343 3. Utilize the hearing examiner, as authorized in K.C.C. 20.22.190, to conduct
4344 fact finding and make recommendations on the development agreement and operating
4345 agreement to the council; and
4346 4. Provide for ongoing monitoring of the executed development agreement and
4347 operating agreement by the council to ensure continued future compliance with the
4348 executed development agreement and operating agreement.

4349 B.1. The master planning process demonstration project shall be implemented
4350 only for a regional motor sports facility only on the Pacific Raceways property as
4351 described in Attachment A to Ordinance 17287.

4352 2. The department of local services, permitting division, shall administer the
4353 demonstration project.

4354 3.a. The executive shall appoint a special project manager for the master
4355 planning demonstration project, who shall be agreed to by the county and the applicant,
4356 and could be a consultant hired by the director's office of the department of local services
4357 or the permitting division's managed accounts team project manager or equivalent.

4358 b. The special project manager will lead the negotiation of the development
4359 agreement and operating agreement, coordinate reviews of the agreements and
4360 subsequent land use and construction permit application review with the permitting
4361 division and other agencies, be the primary point of contact for the applicant and
4362 interested parties, ensure that the timelines established for review in this section are met;

4363 and oversee monitoring of the executed development agreement and operating agreement
4364 over time.

4365 4. The hearing examiner assigned to the master planning demonstration project
4366 shall have experience reviewing development agreements and large, complex projects
4367 developed over several phases.

4368 C. The master planning demonstration project shall be initiated by the applicant
4369 making a written request to the permitting division for a preapplication meeting to
4370 identify the requirements necessary for a complete application under this section. The
4371 applicant shall submit the following information to the permitting division with a request
4372 to schedule a preapplication meeting:

4373 1. A preapplication request form, on a form approved by the permitting
4374 division;

4375 2. Project narrative and questions for county review staff;

4376 3. Preliminary proposed development agreement that incorporates the
4377 requirements for the development agreement outlined in this section; and

4378 4. Preliminary proposed operating agreement that incorporates the requirements
4379 for the operating agreement outlined in this section.

4380 D. An application for a master planning demonstration project shall be
4381 considered complete when the following information and studies have been submitted
4382 and are adequate to review the proposal:

4383 1. A proposed development agreement that incorporates the requirements for the
4384 development agreement outlined in this section and describes the nature, size and scope
4385 and phasing of all proposed activities;

- 4386 2. A proposed site plan that identifies the location and dimensions of proposed
4387 racing surfaces, access roadways, parking areas, buildings, stormwater facilities, sewage
4388 treatment or holding facilities, and any off-site traffic improvements;
- 4389 3. A proposed master drainage plan under the surface water design manual;
- 4390 4. A proposed grading plan that identifies or includes:
- 4391 a. existing and proposed land contours;
- 4392 b. soil types; and
- 4393 c. phasing, including proposed contours by phase;
- 4394 5. Proposed development conditions relating to:
- 4395 a. on-site vehicle circulation and off-site traffic control measures;
- 4396 b. protection for critical areas, especially adjacent to Soosette creek;
- 4397 c. stormwater flow control and water quality treatment;
- 4398 d. visual screening from adjoining residential properties;
- 4399 e. ongoing monitoring and reporting to measure compliance with the
4400 development agreement and operating agreement;
- 4401 f. fire protection; and
- 4402 g. water supply and service;
- 4403 6. A proposed operating agreement that includes conditions that specify:
- 4404 a. days and hours of operation;
- 4405 b. frequency of events;
- 4406 c. types of activities, including types of motor vehicles;
- 4407 d. maximum noise levels, except that noise levels for existing and approved
4408 uses and activities shall be no more restrictive than noise levels allowed by Conditional

4409 Use Permit Files Nos. A-71-0-81 and Interim Use Permit File No. LUT417-0003; if those
4410 uses or activities are expanded in scope or size, the impacts created by the expanded
4411 scope or size may be subject to additional conditions;

4412 7. A State Environmental Policy Act Checklist; and

4413 8. Any necessary information identified through the preapplication process.

4414 E.1. The development agreement shall contain development standards related to
4415 the development of the site. For existing and approved uses and activities, the
4416 development standards included in the development agreement shall not be more
4417 restrictive than the current permits for the site. If those uses or activities are expanded in
4418 scope or size, the impacts created by the expanded scope or size may be subject to
4419 additional conditions. Development standards shall include, but shall not be limited to:

4420 a. A master site plan and detailed conditions establishing the:

4421 (1) location and scope of proposed land uses;

4422 (2) location and size of buildings and structures such as grandstands;

4423 (3) layout and dimensions of racing surfaces and circulation roadways;

4424 (4) site elevations and contours established by a master grading plan;

4425 (5) excavation and processing of materials, including dust control, during

4426 construction of the facilities;

4427 (6) location and dimensions parking areas;

4428 (7) location of stormwater facilities, sewage treatment facilities, water, and

4429 related features; and

4430 (8) vegetative screening required in subsection F.1. of this section;

4431 b. a master drainage plan consistent with the surface water design manual.

4432 However, the lower part of the road course, specifically turn 2 through turn 7, which has

4433 been in place since 1959, shall be allowed to operate with the existing surface water

4434 drainage facilities, as long as no improvements are made to this portion of the road

4435 course, unless required by federal or state law;

4436 c. a project phasing plan, including threshold requirements that must be met

4437 before approval of the next phase of development;

4438 d. specified development conditions to ensure that alterations provided for in

4439 subsection G. of this section achieve the appropriate level of protections;

4440 e. specified development conditions to ensure that stormwater flow control and

4441 water quality treatment provided for in subsection H. of this section is achieved;

4442 f. specified enforcement mechanisms to address any violations of the

4443 conditions of the development agreement, including, but not limited to, the following:

4444 (1) a process for monitoring conditions and for review of complaints;

4445 (2) a process for expedited review and remedy of possible violations; and

4446 (3) a penalty schedule for violations that recognizes the nature and impact of

4447 the violation and is sufficient to deter violations that otherwise result in financial benefit

4448 to the facility, including, but not limited to, revocation of the operating agreement and

4449 right to operate or loss of specific days of operation; and

4450 g. a process to approve modifications to the development agreement requested

4451 by the applicant, that includes criteria for when modifications are considered minor and

4452 require approval by the permitting division, and when modifications are considered major

4453 and require approval by ordinance by the council following a public hearing by the

4454 hearing examiner. The process shall also specify any required public notice for
4455 modifications, and an option for the applicant to ask the council to make decisions on
4456 minor modifications proposed by the applicant.

4457 2. The operating agreement shall contain operating conditions related to the
4458 operation of the site. The operating conditions included in the operating agreement:

4459 a. shall not be more restrictive than the current permit restrictions for the site
4460 for existing and approved uses and activities, unless an existing or approved use or
4461 activity is expanded in scope or size, in which case the impacts created by the expanded
4462 scope or size may be subject to additional conditions;

4463 b. shall consider flexibility to adapt as the racing industry and other on-site
4464 activities evolve in the future; and

4465 c. shall include, but shall not be limited to:

4466 (1) types of racing and nonracing activities, and where on the site the activities
4467 can occur;

4468 (2) days and times for all racing and nonracing uses, including that, during
4469 the racing season of May 1 to August 31, two-stroke vehicles on the kart track shall be
4470 operated only one weekend, defined as Friday through Sunday, per month;

4471 (3) specified noise levels for racing and nonracing uses, including but not
4472 limited to, how noise levels will be measured and mitigated but only if, for existing and
4473 approved uses and activities, maximum noise levels are no more restrictive than noise
4474 levels allowed by Conditional Use Permit Files No. A-71-0-81 and Interim Use Permit
4475 File No. LUT417-0003; if those uses or activities are expanded in scope or size, the

4476 impacts created by the expanded scope or size may be subject to additional conditions;
4477 and

4478 (4) specified on-site vehicle circulation and other traffic control measures to
4479 reduce the impact of congestion on roadways in the vicinity of Pacific Raceways;

4480 (5) specified regular ongoing monitoring and reporting to measure
4481 compliance with the development agreement and operating agreement requirements; and

4482 (6) specified process for the receipt and evaluation by the permitting division
4483 of inquiries and complaints relating to the operation of the facility, in order to allow for
4484 review by the hearing examiner as provided in subsection S. of this section.

4485 3. Uses, activities, or conditions that the permitting division determine are
4486 development and operational in nature may be placed in both the development agreement
4487 and operating agreement.

4488 4. The special project manager shall take the lead to negotiate the development
4489 agreement and operating agreement between the county and the applicant. This includes
4490 drafting proposals, coordinating the review of the permitting division and other agencies,
4491 facilitating all meetings between the county and the applicant, coordinating the
4492 development and review of the State Environmental Policy Act process, attending and
4493 participating in public meetings and public hearings, ensuring all timelines identified in
4494 this section are met, and shall be the point of contact for the applicant and interested
4495 parties.

4496 F. All development under the master plan shall be subject to the following
4497 standards relating to screening and building setbacks: as provided in K.C.C.
4498 21A.16.030.F., to the maximum extent practical, buildings and other structures shall be

4499 constructed on the project to be shielded from view from adjoining residential properties
4500 using methods that may include, but are not limited to:

4501 1. Retention of existing vegetation; and

4502 2. Placement of new vegetation to augment existing vegetation.

4503 G.1. Except as otherwise provided in this subsection G.2. of this section, all
4504 development under the master plan shall comply with K.C.C. chapter 21A.24.

4505 2. The permitting division may approve alterations to critical areas, critical areas
4506 buffers and critical area setbacks that are not otherwise allowed as an alteration under
4507 K.C.C. 21A.24.045 when the applicant demonstrates that:

4508 a. the proposal does not pose an unreasonable threat to the public health, safety
4509 or welfare on or off the site;

4510 b. for proposed alterations within steep slope or landslide hazard areas:

4511 (1) the alterations are necessary to bring existing racing or access road
4512 surfaces into compliance with applicable racing association safety standards, to construct
4513 noise barriers, for the terracing and placement of spectator seating, or to create or
4514 improve sight lines on the interior portion of the road course; and

4515 (2) the alterations can be constructed to maintain the stability of the hazard
4516 area through the use of structural mitigations identified through a geotechnical analysis
4517 by a licensed and qualified geotechnical professional; and

4518 c. for proposed alterations to wetlands, aquatic areas, wetland buffers, and
4519 riparian areas:

4520 (1) the alterations are necessary to comply with applicable racing association
4521 safety standards either for existing racing surfaces, for providing access for emergency

4522 vehicles to the existing racing surfaces, for the terracing and placement of spectator
4523 seating, or to create or improve sight lines on the interior portion of the road course;
4524 (2) the alteration is the minimum necessary to accommodate the development
4525 proposal;
4526 (3) the alteration has the least adverse impact on the critical area and critical
4527 area buffer;
4528 (4) the critical area is not used as a salmonid spawning area;
4529 (5) alterations to a category I or II wetland shall not be allowed; and
4530 (6) the alterations to any wetland shall be mitigated in accordance with an
4531 approved mitigation plan in accordance with K.C.C. 21A.24.340 based on the type of
4532 mitigation measures proposed.

4533 H. The proposal shall comply with the King County surface water design manual,
4534 including allowed adjustments, deviations, or waivers from the requirements, and shall
4535 develop and implement a water quality monitoring plan for the points of discharge for on-
4536 site surface water drainage, groundwater discharges, and infiltration points to determine
4537 that copper, other metals, hydrocarbons, and other contaminants are not elevated in down
4538 gradient groundwater on-site and in Big Soos and Soosette creeks.

4539 I. Site development that entails extraction and grading of soils to achieve the final
4540 site contours for development shall be subject to the following limits:

4541 1. The amount of materials that may be extracted during any specific phase of
4542 project construction shall be the minimum necessary to achieve final grades for that
4543 phase of the project approved for construction; and

4544 2. The on-site processing of the extracted materials shall be limited to the
4545 sorting and crushing of the material into separate dirt, sand, and gravel components.

4546 J. The master planning proposal shall include site designs and features to reduce
4547 the level of noise impacts upon nearby residential neighborhoods.

4548 K. The permitting division shall, in close coordination with the special project
4549 manager:

4550 1. Complete the preapplication conference with applicant within thirty days of
4551 the request for such a meeting by the applicant in order to identify the full range of
4552 potential issues related to the proposed modernization of Pacific Raceways and to
4553 specifically list information or studies needed to adequately evaluate the listed issues. At
4554 the preapplication conference, the permitting division shall((:)) provide to the applicant a
4555 detailed listing of all project issues and necessary information or studies required under
4556 subsection D. of this section;

4557 ((3-)) 2. Accept for filing a master planning proposal application submitted by
4558 the applicant only if it provides the information and studies required by subsection
4559 K.((2-))1. of this section;

4560 ((4-)) 3. Determine whether the master planning proposal is a complete
4561 application under this section and K.C.C. 20.20.033;

4562 ((5-)) 4. Provide a notice of a complete application under K.C.C. 20.20.060.B.
4563 In addition to notice of application required under K.C.C. 20.20.060.B., the permitting
4564 division shall provide mailed notice to:

4565 a. all parties of record, including community groups or organizations,
4566 established during the review of Conditional Use Permit File No. A-71-0-81, Interim Use

4567 Permit File No. LUT417-0003, Proposed Ordinance 2010-0189, or Ordinance 17287,
4568 Ordinance 18184, or Ordinance 20047;

4569 b. persons requesting notification of any county land use action regarding
4570 Pacific Raceways; and

4571 c. residents or property owners of parcels located within twenty-five hundred
4572 feet of the boundaries of the Pacific Raceways site;

4573 ~~((6.))~~ 5. Issue a threshold determination under WAC 197-11-310. If a
4574 determination of nonsignificance or a mitigated determination of nonsignificance is to be
4575 issued, the Optional DNS process in WAC 197-11-355 shall be used as provided in WAC
4576 197-11-310(6)(d). Subject to the requirements and limitations of chapter 197-11 WAC,
4577 the State Environmental Policy Act review shall analyze the potential new impacts that
4578 may occur over and above those impacts currently allowed under the conditions of CUP
4579 File No. A-71-0-81 and Interim Use Permit File No. LUT417-0003 and potential
4580 cumulative impacts;

4581 ~~((7.))~~ 6. Conduct two public meetings on the master planning proposal
4582 application to gather information and public input on all aspects of the master planning
4583 proposal. The first meeting shall be held within thirty days after the applicant has filed
4584 its complete master planning proposal application with the permitting division. At that
4585 public meeting, the applicant shall present its master planning proposal. At the public
4586 meeting, the public shall be provided an opportunity to comment on the master planning
4587 proposal. The permitting division shall record the public meeting and make a written
4588 summary of the meeting available on its website within fourteen days after the meeting.
4589 The permitting division may hold an additional public meeting as it conducts its review

4590 of the master planning proposal application and shall provide an opportunity for the
4591 applicant to respond to questions at each public meeting;

4592 ~~((8-))~~ 7. If a determination of significance is issued, issue the final
4593 environmental impact statement within eighteen months of either issuing to the applicant
4594 a notice of complete application or the master planning proposal is deemed a complete
4595 application under K.C.C. 20.20.033. The consultant for the ~~((EIS))~~ environmental impact
4596 statement may request up to three months of additional time to prepare the final
4597 environmental impact statement;

4598 ~~((9-))~~ 8. Within one hundred twenty days after issuance of a determination of
4599 nonsignificance or mitigated determination of nonsignificance or not later than thirty
4600 days after issuance of the final environmental impact statement, depending upon the
4601 threshold determination, propose for public review and comment a development
4602 agreement and operating agreement consistent with this section. The permitting division
4603 shall provide notice of the proposed development agreement and operating agreement in
4604 the same manner as it provided the notice of application under subsection K.~~((5-))~~4.a.
4605 through c. of this section. The permitting division shall present the proposed
4606 development agreement and operating agreement at a public meeting within fourteen
4607 days after the notice is provided under this subsection K.~~((9-))~~ 8.; and

4608 ~~((10-))~~ 9. Within sixty days after the public meeting required by subsection
4609 K.~~((9-))~~8. of this section:

4610 a. transmit to the hearing examiner the permitting division's recommended
4611 development agreement and operating agreement, together with a proposed ordinance

4612 authorizing the executive to execute the development agreement and operating
4613 agreement;

4614 b. publish its recommended development agreement and operating agreement
4615 on the permitting division's website. As part of the recommended development
4616 agreement and operating agreement, the permitting division shall coordinate and
4617 assemble the reviews of other departments and governmental agencies having an interest
4618 in the application and shall prepare a report summarizing the factors involved and the
4619 permitting division's recommendation; and

4620 c. provide notice of its recommended development agreement and operating
4621 agreement in the same manner as it provided the notice of application under subsection
4622 K.~~((5-))~~4.a. through c. of this section and to those governmental agencies listed in K.C.C.
4623 20.20.090.A. The notice shall also advise:

4624 (1) that the permitting division's recommendation is subject to an open record
4625 public hearing before the hearing examiner;

4626 (2) the date that the permitting division's recommendation has been
4627 transmitted to the hearing examiner; and

4628 (3) that interested persons may appear as parties at the open record public
4629 hearing by filing a notice of appearance with the hearing examiner within fourteen days
4630 of the date that the permitting division's recommendation has been transmitted to the
4631 hearing examiner. The applicant will be presumed to be a party without having to file a
4632 notice of appearance.

4633 L.1. Before the transmittal of the permitting division's recommended
4634 development agreement and operating agreement to the hearing examiner, the local

4635 services and land use committee or its successor may request reports or briefings from the
4636 permitting division and applicant regarding how the demonstration project is proceeding.
4637 The permitting division shall solicit input from those identified in subsection K.~~((5-))~~4.a.
4638 through c. of section to inform the committee in the report and briefing.

4639 2. If the permitting division or the applicant is unable to meet a timeline
4640 established by this section as part of the process for review of the master planning
4641 proposal, the permitting division shall provide written notice to the council within
4642 fourteen days after the missed deadline in the form of a letter to the chair of local services
4643 and land use committee or its successor describing the causes for the delay, and the steps
4644 or actions needed to be taken by the permitting division or the applicant to continue
4645 timely processing of the proposal.

4646 M.1. Unless otherwise agreed to by those that appear as parties, the hearing
4647 examiner shall conduct an open record public hearing within ninety days of the issuance
4648 of the permitting division's recommended development agreement and operating
4649 agreement and, if necessary, shall hold the public hearing over consecutive days.

4650 2. The hearing examiner's recommendation may be to approve or reject the
4651 permitting division's recommended development agreement and operating agreement, or
4652 the examiner may recommend that the council adopt the permitting division's
4653 recommended development agreement and operating agreement with such conditions,
4654 modifications, and restrictions as the examiner finds necessary to carry out applicable
4655 state laws and regulations and the regulations, including chapter 43.21C RCW, K.C.C.
4656 Title 21A and other laws of King County.

4657 3. Within fourteen days after the conclusion of the open record public hearing,
4658 the hearing examiner shall issue a written recommendation and shall, consistent with
4659 K.C.C. 20.20.220 transmit a copy thereof to the council and to all persons who appeared
4660 as parties in the open record public hearing. The recommendation shall include findings
4661 of fact and conclusions from the record that support the decision and the findings and
4662 conclusions shall set forth and demonstrate the manner in which the recommendation is
4663 consistent with, carries out, and helps implement applicable state laws and regulations,
4664 the regulations of King County, and this section.

4665 4. To appeal the hearing examiner's recommendation, an aggrieved party shall
4666 file an appeal with the clerk of the council within fourteen days of the date the hearing
4667 examiner's recommendation is transmitted to the council in conformance with K.C.C.
4668 20.20.230, except that any written responsive statements or arguments to the appeal,
4669 together with proof of service on the other parties, must be filed with the clerk of the
4670 council within fourteen days after the filing of the appeal statement. The clerk of the
4671 council shall cause to have these responsive statements and arguments posted on the
4672 council's webpage.

4673 5. At least fourteen days before the closed record hearing by the council of the
4674 appeal, the clerk of the council will provide the parties of record with written notice of
4675 the hearing time and date. The council's consideration of the appeal shall be based upon
4676 the record as presented to the hearing examiner at the open record public hearing and
4677 upon written appeal statements and arguments submitted by the parties that are based on
4678 the open record public meeting. The council may allow the parties to the appeal a period
4679 of time for oral argument based on the record. Consistent with RCW 36.70B.020(1),

4680 before or at the appeal hearing and upon the request of the council, county staff may
4681 provide a written or oral summary, or both, of the appeal record, issues, and arguments
4682 presented in an appeal and may provide answers, based on the record, to questions with
4683 respect to issues raised in an appeal asked by council members at the appeal hearing.
4684 Nothing in this subsection shall be construed as limiting the ability of the council to seek
4685 and receive legal advice regarding a pending appeal from the office of the prosecuting
4686 attorney or other county legal counsel either within or outside of the hearing.

4687 6. If, after consideration of the record, written appeal statements and any oral
4688 argument the council determines that:

4689 a. an error in fact or procedure may exist or additional information or
4690 clarification is desired, the council shall remand the matter to the hearing examiner for
4691 further hearing to receive additional information or further consideration; or

4692 b. the recommendation of the hearing examiner is based on an error in
4693 judgment or conclusion, the council may modify or reverse the recommendation of the
4694 hearing examiner.

4695 7.a. The council's final action on any recommendation of the hearing examiner
4696 shall be by ordinance, which shall include findings of fact and conclusions from the
4697 record of the hearing examiner's public hearings. The findings and conclusions shall set
4698 forth and demonstrate the manner in which the council's decision is consistent with,
4699 carries out, and helps implement applicable state laws, the regulations of King County,
4700 and this section. The council may adopt as its own all or portions of the hearing
4701 examiner's findings and conclusions.

4702 b. Any ordinance also may contain reasonable conditions, in accordance with
4703 state law and county ordinances, which must be satisfied before the ordinance becomes
4704 effective. The ordinance shall also designate the time period within which any such
4705 conditions must be satisfied. All authority pursuant to such ordinance shall expire if any
4706 of the conditions are not satisfied within the designated time period and the property shall
4707 continue to be subject to all laws, regulations, and zoning as if the ordinance had not been
4708 adopted. The council may extend the period for satisfaction of the conditions if, after a
4709 public hearing by the examiner, the council finds an extension will be in the public
4710 interest and the extension was requested by the applicant within the initial time period.

4711 N. If the hearing examiner's recommendation is not appealed pursuant to
4712 subsection M. of this section:

4713 1. The clerk of the council shall place a proposed ordinance that implements the
4714 examiner's recommended action on the agenda of the next available council meeting for
4715 adoption;

4716 2. No final action to amend or reverse the hearing examiner's recommendation
4717 shall be taken at that meeting and notice to parties shall be given before the adoption of a
4718 substitute or amended ordinance that amends or reverses the examiner's recommendation;

4719 3. The council may either:

4720 a. Refer the matter to the local services and land use committee or its successor
4721 for further consideration deemed necessary before the council takes final action on the
4722 matter or remand the matter to the hearing examiner for further hearing to receive
4723 additional information or further consideration; or

4724 b. Adopt the hearing examiner's recommendation by an ordinance satisfying
4725 the requirements of subsection M.9. of this section.

4726 4. Any final action by the county council may be reconsidered by the council
4727 pursuant to K.C.C. 20.22.280; and

4728 5. Any appeal of the council's final action shall comply with the requirements of
4729 K.C.C 20.22.270.A.

4730 O.1. The development and operating conditions specified in any development
4731 agreement or operating agreement adopted and executed pursuant to the process
4732 established in this section shall control the development and operations for the site and
4733 supersede the development and operating conditions established under Conditional Use
4734 Permit File No. A-71-0-81 and Interim Use Permit File No. LUT417-0003.

4735 2.a. A master plan development agreement approved by the council shall be in
4736 effect for a period of ten years from the effective date of the ordinance approving the
4737 master plan development agreement and authorizing the executive to execute the
4738 development agreement.

4739 b. A master plan operating agreement approved by the council shall govern on-
4740 site operations, so long as the operating conditions have been met by the applicant,
4741 property owner, and operator.

4742 3.a. An approved master plan development agreement may be renewed one time
4743 for not more than ten years.

4744 b. The applicant shall apply to the permitting division for renewal of the
4745 development agreement at least twelve months before the agreement expires. The
4746 permitting division shall provide a notice of the renewal request under subsection K.5.a.

4747 through c. of this section and shall conduct at least one public meeting on the request as
4748 provided in subsection K.7. of this section.

4749 c. The permitting division shall make its recommendation to the council on the
4750 proposed renewal together with any recommended changes to the development
4751 agreement not later than ninety days before the development agreement expires.

4752 d. If the development agreement is not renewed by the council any subsequent
4753 development permit application shall be subject to laws in effect at the time the
4754 subsequent application is filed.

4755 P. During the period a development agreement is in effect, any subsequent
4756 development on the site shall be consistent with the approved development agreement.

4757 Q.1. Except as otherwise provided in subsection Q.2. of this section, the laws in
4758 effect on the date the council adopts the ordinance authorizing the execution of the
4759 development agreement shall apply to subsequent permits necessary for the uses
4760 authorized by the development agreement.

4761 2. The following regulations in effect on the date of a complete application for
4762 any permits necessary for a use authorized by the development agreement shall apply:

4763 a. surface water management standards under K.C.C. Title 9;

4764 b. public health and safety codes under K.C.C. Title 13;

4765 c. road standards under K.C.C. Title 14;

4766 ~~((e.))~~ d. building codes under K.C.C. Title 16; and

4767 ~~((f.))~~ e. fire codes under K.C.C. Title 17.

4768 R.1. During the effective period of the development agreement, the applicant
4769 may request in writing one or more modifications to the development agreement. For

4770 those requests where the permitting division determines the modification is a major
4771 modification to the development agreement that requires council approval, they shall be
4772 considered no more than once per year, starting one year after the effective date of this
4773 ordinance. On June 1 of each year, the permitting division shall consolidate all of the
4774 major modification requests into a single proposed modification and within fourteen days
4775 shall provide notice of the proposed modification as provided in subsection K.~~((5-))~~4.a.
4776 through c. of this section. The permitting division shall submit to the hearing examiner
4777 its recommendation on the proposed modification requests not later than August 1 of that
4778 same year. The hearing examiner shall conduct a public hearing on the proposed
4779 modification no later than October 15 of that same year, and make a recommendation to
4780 council no later than December 31 of that same year.

4781 2. The applicant may request in writing modifications to the operating
4782 agreement. For those requests where the permitting division determines it is a major
4783 modification to the operating agreement that requires council approval, they shall be
4784 considered no more than once per year, starting one year after the effective date of this
4785 ordinance. On June 1 of each year, the permitting division shall consolidate all of the
4786 major modification requests into a single proposed modification and within fourteen days
4787 provide notice of the proposed modification as provided in subsection K.5.a. through c.
4788 of this section. The permitting division shall submit to the hearing examiner its
4789 recommendation on the proposed modification not later than August 1 of that same year.
4790 The hearing examiner shall conduct a public hearing on the proposed modification no
4791 later than October 15 of that same year, and make a recommendation to council no later
4792 than December 31 of that same year.

4793 3. The proposed modifications to the development agreement and operating
4794 agreement described in this subsection R. may be considered as part of one ordinance or
4795 as multiple ordinances.

4796 S. The hearing examiner shall conduct the following annual monitoring and
4797 reporting activities for the council:

4798 1. No later than October 15 of each year, the hearing examiner shall conduct a
4799 public meeting in the vicinity of the project site for the purpose of gathering community
4800 input on the operation of facility during the preceding year. The permitting division shall
4801 provide a notice of the meeting as provided in subsection K.~~((5-))~~4.a. through c. of this
4802 section.

4803 2. Beginning on December 31 of the year after the effective date of the
4804 ordinance authorizing the execution of the development agreement and operating
4805 agreement, and for each subsequent year, the hearing examiner shall prepare and submit
4806 to the council a report that:

- 4807 a. describes the current status of the phases of the development;
- 4808 b. evaluates compliance with development agreement and operation agreement
4809 conditions during the preceding year;
- 4810 c. identifies issues and concerns that have been brought forward by the
4811 community, applicant, and the permitting division;
- 4812 d. evaluates proposed modifications to the development agreement and
4813 operating agreement; and
- 4814 e. outlines potential steps to ensure compliance with the development
4815 agreement and operating agreement.

4816 3. The report shall be presented in a briefing by the hearing examiner to the
4817 local services and land use committee or its successor, at which the permitting division
4818 and project operator shall be present.

4819 T. The director shall submit a report on the master planning demonstration
4820 project to the council within sixty days of the council's adoption of the ordinance
4821 approving the development agreement and operating agreement. The report shall
4822 evaluate the efficacy of the master planning process and may include recommended
4823 changes to the master planning process to address problems or deficiencies in the process
4824 identified by the permitting division. The permitting division shall solicit comments
4825 from the applicant, the hearing examiner, and the public, identified in subsection
4826 K.~~((5-))~~4.a. through c. of this section, on the master planning process and include a
4827 synopsis of those comments in the report. The report shall be filed electronically with the
4828 clerk of the council, who shall retain an electronic copy and provide an electronic copy to
4829 each councilmember, the council chief of staff, and the lead staff for the local services
4830 and land use committee or its successor.

4831 U.1. Before the application for a master planning proposal application, the
4832 applicant shall be allowed to undertake the following activities, subject to an interim use
4833 permit:

4834 a. construct up to four hundred thousand square feet of buildings, including
4835 required excavation and processing of materials, for uses allowed for a regional motor
4836 sports facility as set forth in K.C.C. 21A.06.973.C., and associated required site
4837 improvements;

4838 b. add paved impervious surface area, including, but not limited to, parking, a
4839 new vehicular access point to SE 304th Street, modifications to the road course, and
4840 internal access roads, with total impervious surface area not to exceed thirty-three and
4841 one-third percent of the site that is subject to the property-specific development condition
4842 known as P-suffix SC-P02;

4843 c. add grandstands to accommodate up to twenty-five thousand persons, and
4844 replace existing grandstand seating; and

4845 d. conduct any of the uses allowed under KCC 21A.06.973C, including that
4846 nonracing driving schools may operate on Mondays and Tuesdays.

4847 2. Excavation and processing of materials under an interim use permit shall be
4848 subject to the following limits:

4849 a. The amount of materials shall be only as is necessary to undertake the
4850 activities allowed by subsection U.1. of this section, subject to review by the permitting
4851 division;

4852 b. The on-site processing of the extracted materials shall be limited to the
4853 sorting of the materials into separate dirt, sand and gravel components, and crushing and
4854 washing of those components that will be used for on-site construction and required site
4855 improvements; and

4856 c. The on-site processing shall be limited to 9:00 a.m. to 5:00 p.m. Monday
4857 through Friday.

4858 V. A preapplication meeting shall be required for the interim use permit. The
4859 applicant shall submit the following information to the permitting division with a request
4860 to schedule a preapplication meeting:

- 4861 1. Affidavit of application, on a form approved by the permitting division;
4862 2. Project narrative and questions for permitting division staff;
4863 3. Preliminary site plan, which shall include:
4864 a. location of the property, with a vicinity map showing cross street;
4865 b. address, if an address has been assigned;
4866 c. parcel number or numbers;
4867 d. zoning of parcel or parcels and adjacent parcel or parcels;
4868 e. north arrow and scaled dimensions;
4869 f. existing and proposed building footprints, with overhangs and projections;
4870 g. existing and proposed grade contours;
4871 h. site area in square feet or acres of the project site;
4872 i. area of either disturbance or development, or both, including utilities, septic
4873 and internal circulation, as needed;
4874 j. existing and proposed easements, including ingress, egress, utilities, or
4875 drainage; and
4876 k. critical areas and their buffers; and
4877 4. Preliminary building plan.

4878 W. An interim use permit application shall be considered complete when the
4879 following information and studies have been submitted and are adequate to review the
4880 proposal:

- 4881 1. A proposed site plan that identifies the location and dimensions of the
4882 proposed buildings, structures, and paving, vehicular circulation and parking areas,
4883 critical areas and buffers, landscaping, stormwater facilities, utilities, and fire protection;

4884 2. A proposed drainage plan under the surface water design manual for the
4885 improvements proposed under the interim use permit;

4886 3. A proposed grading plan that complies with the submittal, operating, and
4887 performance requirements in K.C.C. chapter 16.82;

4888 4. A proposed restoration plan that complies with this section;

4889 5. A deposit as required by K.C.C. 27.02.210 for review of the interim use
4890 permit; and

4891 6. Any necessary information identified through the preapplication process.

4892 X. The interim use permit shall contain development conditions related to the
4893 grading activities and buildings and shall include, but not be limited to:

4894 1. An approved site plan and conditions that establish:

4895 a. location, size, and proposed uses of the buildings;

4896 b. location and dimensions of vehicular circulation and parking, including
4897 required parking for the existing uses;

4898 c. location of stormwater facilities, sewage treatment facilities, water, and
4899 related features;

4900 d. landscaping requirements, as required by K.C.C. chapter 21A.16;

4901 e. location of on-site critical areas. Development or operations are not allowed
4902 within critical areas or their buffers, and alterations of critical areas or their buffers are
4903 not permitted, as part of the activities allowed with the interim use permit or related
4904 construction permits; and

4905 f. necessary on-site and off-site traffic control for construction impacts on
4906 vehicular circulation and on roadways in the vicinity of the project site;

4907 2. An approved grading plan in compliance with the requirements of K.C.C.
4908 chapter 16.82;

4909 3. A preliminary drainage plan in compliance with the surface water design
4910 manual; and

4911 4. A restoration plan in compliance with the following requirements:

4912 a. Final grades shall generally conform to standards in K.C.C. 16.82.100 and
4913 the following:

4914 (1) be such so as to encourage the uses permitted within the primarily
4915 surrounding zone or, if applicable, the underlying or potential zone classification; and

4916 (2) result in drainage patterns that reestablish natural conditions of aquifer
4917 recharge, water velocity, volume, and turbidity within six months of restoration and that
4918 precludes water from collecting or becoming stagnant. Suitable drainage systems
4919 approved by the permitting division shall be constructed or installed where natural
4920 drainage conditions are not possible or where necessary to control erosion. All
4921 constructed drainage systems shall be designed consistent with the Surface Water Design
4922 Manual; and

4923 b. All areas subject to clearing, grading or backfilling shall:

4924 (1) be planted with a variety of trees, shrubs, legumes, and grasses indigenous
4925 to the surrounding area and appropriate for the soil, moisture, and exposure conditions;
4926 and

4927 (2) except for roads and areas incorporated into drainage facilities, be
4928 surfaced with soil of a quality at least equal to the topsoil of the land areas immediately

4929 surrounding, and to a depth of the topsoil of land area immediately surrounding six
4930 inches, whichever is greater.

4931 Y. For the interim use permit, the executive shall appoint a special project
4932 manager.

4933 1. For the initial interim use permit, the special project manager shall either be
4934 an employee of, or hired as a consultant by, the ~~((regional planning unit of the office of~~
4935 ~~performance, strategy, and budget))~~ executive's office. For any modifications to the
4936 interim use permit, the special project manager~~((s))~~ shall be agreed to by the county and
4937 the applicant and could either be a consultant hired by the director's office of the
4938 department of local services or the permitting division's managed account team project
4939 manager or equivalent.

4940 2. The Pacific Raceways property has been designated as a project of statewide
4941 significance under chapter 43.157 RCW.

4942 3. The special project manager will coordinate the reviews within the permitting
4943 division and other agencies, be the primary point of contact for the applicant and
4944 interested parties, and ensure that the timelines established for review of the interim use
4945 permit in this section are met.

4946 4. The special project manager shall evaluate, and provide a recommendation to
4947 the executive, regarding the efficacy of options, such as review by another jurisdiction or
4948 using outside staff to complete the substantive review, for expediting the permit review
4949 process. As part of this review, the special project manager shall ensure that any
4950 recommended option will produce a review that complies with this chapter and other
4951 applicable laws, regulations, and adopted policies.

4952 Z.1. In reviewing the interim use permit, the permitting division shall:

4953 a. process the interim use permit as a Type 3 land use permit, except as

4954 provided in subsection DD. of this section. K.C.C. chapter 20.20 shall apply, except as

4955 modified by this section;

4956 b. conduct a mandatory preapplication meeting within fourteen days of the

4957 applicant's request for a preapplication meeting;

4958 c. within twenty one days of the preapplication meeting, provide a detailed

4959 listing of the required information or studies required for review of the interim permit, in

4960 conformance with this section, the other building, construction and environmental

4961 permits that will be required, and an estimate of cost for review of the interim use permit;

4962 d. accept the interim use permit application if the applicant provides the

4963 information and studies required by the detailed listing provided in subsection Z.1.c. of

4964 this section;

4965 e. determine whether the interim use permit application is complete within

4966 seven days of filing by the applicant, pursuant to K.C.C. 20.20.033, and subject to the

4967 application requirements in subsection W. of this section;

4968 f. provide a notice of complete application under K.C.C. 20.20.033, within

4969 seven days of determining that the application is complete;

4970 g. provide a notice of application under K.C.C. 20.20.060 within fourteen days

4971 of providing the notice of complete application. In addition to the notice required by

4972 these two sections, the permitting division shall provide mailed notice to:

4973 (1) all parties of record, including community groups or organizations,

4974 established during the review of Conditional Use Permit File Nos. A-71-0-81, Interim

4975 Use Permit File No. LUT417-0003, Proposed Ordinance 2010-0189, Ordinance 17287,
4976 Ordinance 18184, and Ordinance 20047;

4977 (2) persons requesting notification of any county land use action regarding
4978 Pacific Raceways; and

4979 (3) residents or property owners of parcels located within twenty-five
4980 hundred feet of the boundaries of the Pacific Raceways site;

4981 h. complete environmental review on the interim use and activities authorized
4982 by the interim use permit;

4983 i. transmit to the hearing examiner the permitting division's recommendation
4984 on the interim use permit and provide notice of the recommendation under K.C.C.
4985 20.20.090. The recommendation shall be based on the conformance of the proposal with
4986 the requirements of this section((;)), and:

4987 (1) for a determination of nonsignificance or mitigated determination of
4988 nonsignificance, transmit the recommendation within forty-five days of the end of the
4989 comment period on threshold determination;

4990 (2) for a determination of significance, transmit the recommendation within
4991 forty five days of the end of the appeal period for the final environmental impact
4992 statement; and

4993 j. coordinate and assemble the reviews of other departments and governmental
4994 agencies having an interest in the application and shall prepare a report summarizing the
4995 factors involved and the permitting division's recommendation. At least seven calendar
4996 days before the scheduled hearing, the permitting division shall file the report with the
4997 hearing examiner and mail copies to those identified in subsection Z.1.g. of this section.

4998 2. The exceptions to permit review timelines described in K.C.C. 20.20.100.C.
4999 shall apply to the review period deadlines outlined in subsection Z. of this section. If the
5000 permitting division is unable to meet the time limits established by this section, it shall
5001 provide written notice of this fact to the applicant. The notice shall include a statement of
5002 reasons why the time limits have not been met and an estimated date for issuance of the
5003 notice of recommendation to the hearing examiner. In no case shall the review of the
5004 interim use permit, from the date a complete application is filed through the date the
5005 permitting division issues the recommendation to the hearing examiner, excluding the
5006 timeframes outlined in K.C.C. 20.20.100.C., exceed one hundred twenty days, unless the
5007 parties agree to an extension.

5008 AA.1. The hearing examiner shall:

5009 a. within fourteen days of receiving the permitting division's recommendation
5010 on the interim use permit, set the date for the prehearing conference and notify the
5011 interested parties.

5012 b. within seven days of the prehearing conference, issue a prehearing order that
5013 includes a tentative schedule and order of proceedings for the hearing required under this
5014 subsection.

5015 c. conduct an open record public hearing within thirty days of the prehearing
5016 conference.

5017 d. within ten days of the public hearing, issue a decision on the interim use
5018 permit. The examiner's determination may be to grant or deny the application, and may
5019 include any conditions, modifications, and restrictions as the examiner finds necessary to

5020 carry out the provisions of this section. The examiner's decision may be appealed to the
5021 council according to K.C.C. 20.22.220.

5022 2. When reasonably required to enable the attendance of all necessary parties at
5023 the hearing, or the production of evidence or to otherwise assure that due process is
5024 afforded and the objectives of this chapter are met, the periods in subsection AA.1. of this
5025 section may be extended by the examiner at the examiner's discretion for an additional
5026 thirty days. With the consent of all parties, the periods may be extended indefinitely.
5027 The reason for the deferral shall be stated in the examiner's decision. Failure to complete
5028 the hearing process within the stated time shall not terminate the jurisdiction of the
5029 examiner.

5030 BB. Issuance of the interim use permit by the county under this section does not
5031 relieve the applicant of its obligations to obtain other approvals required under state and
5032 federal law.

5033 CC. The applicant shall pay fees to the county to cover the actual cost of
5034 providing project management, review, and inspection services for the interim use
5035 permits and including environmental review, in accordance with K.C.C. 27.02.100.

5036 DD. Upon issuance of an interim use permit, the permitting division may review
5037 and approve, in accordance with the code compliance process in K.C.C. chapter 21A.42,
5038 an expansion of, modification to, or addition to the development authorized by the
5039 interim use permit. If the proposed development, taken together with any previously
5040 approved development under the interim use permit, is within the limitations of
5041 subsection U.1. of this section, the development proposal shall be processed as a Type 1
5042 land use decision, subject to all other applicable state and local standards. Subject to the

5043 requirements and limitations of chapter 197-11 WAC, the State Environmental Policy
5044 Act review shall analyze the potential new impacts that may occur over and above those
5045 impacts currently allowed under the conditions of CUP File No. A-71-0-81 and Interim
5046 Use Permit File No. LUT417-0003 and potential cumulative impacts.

5047 EE. Establishment of the use or activity authorized by an interim use permit shall
5048 occur within ten years of the effective date of the decision for the interim use permit or
5049 subsequent amendment to the interim use permit under subsection DD. of this section.
5050 Upon written request to the permitting division made by the applicant before the
5051 expiration of an interim use permit or subsequent amendment, the permitting division
5052 shall extend the permit for one or more one-year period, up to a total of five consecutive
5053 years, if site conditions have not significantly changed in a manner that would have
5054 affected the original permit approval and the applicant pays applicable permit extension
5055 fees. Any use or structure established during the term of the interim use permit or an
5056 extension of the term may continue to operate after the expiration of the interim use
5057 permit, in accordance with K.C.C. chapter 21A.32 and any applicable p-suffix conditions.

5058 FF. The additional uses allowed by the P-suffix condition, in K.C.C.
5059 21A.06.973C, and this section may be allowed in areas over the square footage
5060 limitations in LUT417-0003 if approved via the permit process and environmental review
5061 required by K.C.C. 21A.55.105.

5062 SECTION 90. Ordinance 8867, Section 1, as amended, and K.C.C. 26.12.010 are
5063 hereby amended to read as follows:

5064 A process is hereby established for the annual allocation of the conservation
5065 futures tax levy proceeds to acquire open space lands, including greenspaces, greenbelts,

5066 wildlife habitat, and trail rights-of-way proposed for preservation for public use by either
5067 agencies or nonprofit organizations within the county. Agencies, nonprofit organizations,
5068 nongovernmental organizations, and individuals may make application for proceeds in
5069 this allocation process. In accordance with chapter 84.34 RCW, only agencies and
5070 nonprofit organizations are eligible to receive conservation futures funding to acquire
5071 property.

5072 A. The department of natural resources and parks shall determine the deadline for
5073 submission of applications for use of conservation futures tax levy proceeds. At least one
5074 month before the application submission deadline date, the department shall provide
5075 notice on the King County website of the opportunity to apply to the county for a share of
5076 the annual allocation of the conservation futures tax levy proceeds available for that year.
5077 The department shall also provide notice by email to all agencies, nonprofit
5078 organizations, nongovernmental organizations, and individuals anticipated to have
5079 potential interest in conservation futures funding. The department shall maintain and
5080 update a list of parties anticipated to be interested in conservation futures funding.

5081 B. No later than March 1, the county council may adopt a motion that provides
5082 direction to the advisory committee on priorities for evaluating the applications within the
5083 open space criteria identified in K.C.C. 26.12.025.

5084 C.1. The advisory committee shall make project recommendations and
5085 recommend funding allocations for each project to the executive, including:

- 5086 a. a description of each project including project location and acreage;
- 5087 b. a report on how each project meets the county open space selection criteria,
5088 contained in K.C.C. 26.12.025;

5089 c. the amount of funding requested in each project application;
5090 d. any additional relevant criteria of the jurisdiction in which the potential
5091 acquisition is located; and
5092 e. a description of how projects contain a demonstrable regional visibility, use,
5093 ecological, cultural, historical, or other natural resource significance.

5094 2. The executive shall transmit the advisory committee's project and funding
5095 recommendations for the following year to the council. The report shall be filed
5096 electronically with the clerk of the council, who will retain an electronic copy and
5097 provide an electronic copy to all councilmembers, the council chief of staff, and the lead
5098 staff to the mobility and environment committee or its successor.

5099 3. The committee's recommendations are solely advisory and either the
5100 executive or the council, or both, may adopt, alter, add to, or decline to adopt all or part
5101 of the committee's recommendations in the budget process.

5102 D. The executive's project and funding recommendation shall be transmitted with
5103 the applicable appropriation ordinance.

5104 E. Except for acquisitions of property interests in opportunity areas, the agency
5105 or nonprofit organization receiving conservation futures tax levy proceeds shall commit
5106 to providing a matching contribution no less than twenty-five percent of the total project
5107 costs, and conservation futures shall represent no more than seventy-five percent of the
5108 total project costs. The matching contribution shall be provided before conservation
5109 futures tax levy proceeds are reimbursed to that agency or nonprofit organization. The
5110 contribution may consist of cash, land match with a valuation verified by a reviewed
5111 appraisal or the cash value, excluding King County conservation futures contributions, of

5112 other open spaces acquired within the previous two years from the date of the submittal
5113 of the application by the agency or nonprofit organization. Properties considered as land
5114 match or cash value of other open space acquisitions should be directly linked to the
5115 property under application.

5116 F.1. If an application by an agency other than King County is funded by this
5117 process, the agency shall enter into an interlocal agreement with the county.

5118 2. If an application by a nonprofit organization is funded by this process, the
5119 organization shall enter into an agreement with the county. Before a funding award is
5120 paid to a nonprofit organization, the organization shall obtain a letter of intent from an
5121 agency or a separate nonprofit organization that indicates that if in the future the
5122 acquiring organization ceases to exist, the agency or the separate organization is willing
5123 to be identified on title to the acquired property as an owner. If the property is in the
5124 unincorporated area and the nonprofit organization seeks an agency letter, the
5125 organization shall request the letter from the King County department of natural
5126 resources and parks, or a metropolitan park district within the boundaries of which the
5127 property is located. If the property is in an incorporated area and the nonprofit
5128 organization seeks an agency letter, the organization shall request the letter from the
5129 agency of the jurisdiction in which the project is located, or a metropolitan park district
5130 within the boundaries of which the property is located. If the property is in an
5131 incorporated area, in the event that the legislative body of the agency of the incorporated
5132 area or the park district indicates in writing or through a formal vote that it is not willing
5133 to provide the letter, the nonprofit organization may request a letter from King County.
5134 For any acquisition by a nonprofit organization, King County shall ensure a restriction is

5135 recorded on the chain of title to preserve the conservation values of the property in
5136 perpetuity.

5137 3. If an application by a nongovernmental organization or individual is funded
5138 by this process, the award shall be made either to a nonprofit organization or an agency.
5139 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
5140 an award to a nonprofit organization.

5141 G. If the King County transfer of development rights program bank, as
5142 established by K.C.C. chapter 21A.37, is awarded conservation futures levy proceeds in
5143 order to purchase development rights and thereby preserve open space in accordance with
5144 purposes and provisions of this chapter, the bank is authorized to sell those development
5145 rights and to use the proceeds from that sale to acquire additional development rights,
5146 thereby preserving additional open space lands in accordance with the terms and
5147 provisions of this chapter. When transferrable development rights are purchased by the
5148 bank in accordance with K.C.C. chapter 21A.37 using conservation futures tax levy
5149 proceeds allocated to a project under K.C.C. 26.12.003.I., and there are subsequent sales
5150 of the transferable development rights, the bank may use sale proceeds as a match to new
5151 projects.

5152 H. Conservation futures tax levy proceeds shall be deposited in the conservation
5153 futures fund for the purpose of administering, disbursing, and accounting for
5154 conservation futures tax levy proceeds authorized by King County. Conservation futures
5155 tax levy proceeds shall be disbursed to projects previously approved by King County
5156 upon receipt and verification by King County of properly completed requests for payment
5157 of the proceeds. ((The office of performance, strategy and budget shall prescribe the

5158 ~~form for the requests.))~~ The disbursement requests shall be made only for capital project
5159 expenditures that include all costs of acquiring real property, including interests in real
5160 property, and the following costs, though it shall not include the cost of preparing grant
5161 applications for conservation futures moneys: related relocation of eligible occupants;
5162 appraisal; appraisal review; title insurance; closing costs; pro rata real estate taxes;
5163 compensating tax; recording fees; environmental due diligence; survey; boundary line
5164 adjustment; and directly related staff, legal, and administrative costs. Requests may also
5165 include costs for initial site stabilization activities associated with acquisition, which are
5166 limited to signage, fencing, or demolition of structures necessary to secure real property
5167 interests acquired with conservation futures tax levy proceeds for public safety or
5168 resource protection purposes. Approved disbursements for site stabilization activities
5169 shall not exceed in any particular year twenty-five percent of the conservation futures tax
5170 levy moneys raised in the preceding year and shall not be used to supplant existing
5171 funding. The department shall annually review and determine the maximum allowable
5172 per-parcel award for site stabilization, taking inflation into consideration. The agency or
5173 nonprofit organization shall have the property valued by a reviewed appraisal, except in
5174 situations where the department of natural resources and parks determines that an
5175 appraisal is unnecessary because the process for valuing the property is established by
5176 statute, code, or regulation. The agency or nonprofit organization is responsible for the
5177 accuracy of the payment requests and the propriety and timeliness of its disbursements
5178 following receipt of conservation futures tax levy proceeds. Conservation futures tax
5179 levy proceeds may not be used to acquire any property or interest therein through the
5180 exercise of the power of eminent domain.

5181 I. Projects carried out in whole or part with conservation futures tax levy
5182 proceeds shall not be transferred or conveyed except to an agency or nonprofit
5183 organization by written agreement providing that the land or interest in land shall be
5184 continued to be used for the purposes of K.C.C. chapter 26.12 and in strict conformance
5185 with the uses authorized under chapter 84.34 RCW. The land or interest in land shall not
5186 be converted to a different use unless other equivalent lands within King County are
5187 received in exchange for the lands or interest in lands, or cash reimbursement is made, or
5188 a combination of land and cash reimbursement is provided. The land shall be valued in
5189 its changed status or use, and not based upon its value as open space, and the replacement
5190 land or payment amount must be acceptable to King County. Before the conversion of
5191 conservation futures land to another use, the department of natural resources and parks
5192 shall provide written notification to the council. If the proposal is to convert one-half
5193 acre or more of conservation futures land, or if the conservation futures land to be
5194 converted is valued at more than fifty thousand dollars, and the proposal is either for a
5195 cash reimbursement or for proposed equivalent lands that are not within the same
5196 jurisdiction as the conservation futures land proposed to be converted to another use, the
5197 executive shall, at least sixty days before taking action on the proposal, submit the written
5198 notification to the council. Unless the council passes a motion rejecting the proposal
5199 within sixty days of receiving the notification, the executive may proceed with the
5200 proposal. The sixty-day waiting period shall not apply when the conservation futures
5201 land proposed to be converted, as well as the proposed equivalent lands, are within the
5202 same trail corridor or part of the same contiguous open space area.

5203 J. The written notification required by this section shall include, but not be
5204 limited to, the acreage and specific location of both the conservation futures land
5205 proposed to be converted and the proposed equivalent lands, if any, the reason for the
5206 conversion of land and, if cash reimbursement is proposed, a copy of the appraisal for the
5207 conservation futures land to be converted and the amount of the cash reimbursement
5208 proposed. The notification shall be filed electronically with the clerk of the council, who
5209 will retain an electronic copy and provide an electronic copy to all councilmembers, the
5210 council chief of staff and the lead staff to the mobility and environment committee or its
5211 successor. Information on conversions of properties to another use, including a
5212 description of the proposed replacement land or payment amount, shall be included with
5213 the advisory committee's project progress reporting to council as provided in K.C.C.
5214 26.12.035.B. This section does not prevent the grant of easements or franchises or the
5215 making of joint use agreements or other operations compatible with the use of a project
5216 as provided for in this section and authorized under chapter 84.34 RCW.

5217 K. The department of natural resources and parks shall identify and update
5218 opportunity areas as defined by K.C.C. 26.12.003.J.1. at least every three years.

5219 SECTION 91. Ordinance 15378, Section 6, as amended, and K.C.C. 1.36.060 are
5220 hereby repealed."

5221 **EFFECT prepared by *S. Porter: The striking amendment:***

- 5222 • *Engrosses changes made by Ordinance 20047*
- 5223 • *Engrosses changes made by Ordinance 20048 and removes reference to OERSJ*
- 5224 • *Engrosses changes made by Ordinance 20051*
- 5225 • *Makes technical changes, update outdated phrasing, and make corrections to*
5226 *the legislative markup.*

T1

May 13, 2026

Title Amend

[S. Porter]

Sponsor: DembowskiProposed No.: 2026-0073

1 **TITLE AMENDMENT TO PROPOSED ORDINANCE 2026-0073, VERSION 1**

2 On page 1, beginning on line 1, strike lines 1 through 102, and insert:

3 "AN ORDINANCE relating to organization of administrative
 4 offices and executive departments; and amending Ordinance
 5 17402, Section 1, and K.C.C. 2.10.400, Ordinance 12550,
 6 Section 2, as amended, and K.C.C. 2.14.020, Ordinance
 7 18665, Section 6, and K.C.C. 2.15.030, Ordinance 20048,
 8 Section 6, and K.C.C. 2.15.060, Ordinance 18665, Section 8,
 9 as amended, and K.C.C. 2.15.100, Ordinance 12075, Section
 10 3, as amended, and K.C.C. 2.16.025, Ordinance 18793,
 11 Section 3, as amended, and K.C.C. 2.16.036, Ordinance
 12 11955, Section 5, as amended, and K.C.C. 2.16.055,
 13 Ordinance 18086, Section 2, as amended, and K.C.C.
 14 2.16.136, Ordinance 12076, Section 38, as amended, and
 15 K.C.C. 2.21.040, Ordinance 19770, Section 4, and K.C.C.
 16 2.31.030, Ordinance 17699, Section 2, as amended, and
 17 K.C.C. 2.36.100, Ordinance 12901, Section 3, as amended,
 18 and K.C.C. 2.41.030, Ordinance 18811, Section 1, and

19 K.C.C. 2.42.150, Ordinance 18798, Section 2, as amended,
20 and K.C.C. 2.47.010, Ordinance 12058, Section 9, as
21 amended, and K.C.C. 2.55.010, Ordinance 18653, Section 3,
22 and K.C.C. 2.78.020, Ordinance 18653, Section 8, and
23 K.C.C. 2.78.070, Ordinance 16077, Section 4, as amended,
24 and K.C.C. 2.130.010, Ordinance 19008, Section 7, as
25 amended, and K.C.C. 2.150.050, Ordinance 12014, Section
26 32, as amended, and K.C.C. 3.12.350, Ordinance 12943,
27 Section 14, as amended, and K.C.C. 3.12A.020, Ordinance
28 18757, Section 4, as amended, and K.C.C. 3.12D.020,
29 Ordinance 8658, Section 1, as amended, and K.C.C.
30 3.16.040, Ordinance 14287, Section 5, as amended, and
31 K.C.C. 3.16.055, Ordinance 12076, Section 2, as amended,
32 and K.C.C. 4.04.020, Ordinance 12076, Section 35, as
33 amended, and K.C.C. 4.10.050, Ordinance 17293, Section
34 90, as amended, and K.C.C. 4A.10.495, Ordinance 12045,
35 Section 23, as amended, and K.C.C. 4A.100.040, Ordinance
36 17929, Section 20, as amended, and K.C.C. 4A.100.070,
37 Ordinance 17929, Section 21, as amended, and K.C.C.
38 4A.100.080, Ordinance 620, Section 4, as amended, and
39 K.C.C. 4A.100.100, Ordinance 12076, Section 4, as
40 amended, and K.C.C. 4A.110.010, Ordinance 17930, Section
41 13, as amended, and K.C.C. 4A.130.020, Ordinance 15556,

42 Section 3, as amended, and K.C.C. 4A.200.190, Ordinance
43 19841, Section 1, and K.C.C. 4A.200.213, Ordinance 19786,
44 Section 1, and K.C.C. 4A.200.266, Ordinance 18662, Section
45 5, and K.C.C. 4A.200.317, Ordinance 18938, Section 1, and
46 K.C.C. 4A.200.405, Ordinance 15961, Section 1, as
47 amended, and K.C.C. 4A.200.570, Ordinance 17527, Section
48 69, and K.C.C. 4A.200.580, Ordinance 12076, Section 27, as
49 amended, and K.C.C. 4A.200.590, Ordinance 14596, Section
50 1, as amended, and K.C.C. 4A.200.620, Ordinance 10159,
51 Section 14, as amended, and K.C.C. 6.27A.120, Ordinance
52 13981, Section 2, as amended, and K.C.C. 12.17.010,
53 Ordinance 13981, Section 4, as amended, and K.C.C.
54 12.17.030, Ordinance 13981, Section 5, as amended, and
55 K.C.C. 12.17.040, Ordinance 13981, Section 6, as amended,
56 and K.C.C. 12.17.050, Ordinance 13981, Section 7, as
57 amended, and K.C.C. 12.17.060, Ordinance 13981, Section
58 8, as amended, and K.C.C. 12.17.070, Ordinance 13981,
59 Section 9, as amended, and K.C.C. 12.17.080, Ordinance
60 13981, Section 10, as amended, and K.C.C. 12.17.090,
61 Ordinance 7430, Section 2, as amended, and K.C.C.
62 12.18.020, Ordinance 7430, Section 4, as amended, and
63 K.C.C. 12.18.040, Ordinance 7430, Section 5, as amended,
64 and K.C.C. 12.18.050, Ordinance 7430, Section 6, as

65 amended, and K.C.C. 12.18.060, Ordinance 7430, Section 7,
66 as amended, and K.C.C. 12.18.070, Ordinance 7430, Section
67 8, as amended, and K.C.C. 12.18.080, Ordinance 15399,
68 Section 17, as amended, and K.C.C. 12.18.085, Ordinance
69 7430, Section 9, as amended, and K.C.C. 12.18.090,
70 Ordinance 13263, Section 52, as amended, and K.C.C.
71 12.18.097, Ordinance 19762, Section 12, and K.C.C.
72 12.18B.030, Ordinance 5280, Section 2, as amended, and
73 K.C.C. 12.20.020, Ordinance 5280, Section 4, as amended,
74 and K.C.C. 12.20.070, Ordinance 5280, Section 5, as
75 amended, and K.C.C. 12.20.080, Ordinance 5280, Section 6,
76 as amended, and K.C.C. 12.20.090, Ordinance 10469,
77 Section 11, as amended, and K.C.C. 12.20.095, Ordinance
78 5280, Section 7, as amended, and K.C.C. 12.20.100,
79 Ordinance 5280, Section 9, as amended, and K.C.C.
80 12.20.120, Ordinance 10469, Section 13, as amended, and
81 K.C.C. 12.20.122, Ordinance 10469, Section 14, as amended,
82 and K.C.C. 12.20.124, Ordinance 10469, Section 16, as
83 amended, and K.C.C. 12.20.133, Ordinance 13263, Section
84 53, as amended, and K.C.C. 12.20.150, Ordinance 8625,
85 Section 2, as amended, and K.C.C. 12.22.020, Ordinance
86 8625, Section 4, as amended, and K.C.C. 12.22.040,
87 Ordinance 8625, Section 5, as amended, and K.C.C.

88 12.22.050, Ordinance 8625, Section 6, as amended, and
89 K.C.C. 12.22.060, Ordinance 8625, Section 7, as amended,
90 and K.C.C. 12.22.070, Ordinance 8625, Section 8, as
91 amended, and K.C.C. 12.22.080, Ordinance 15399, Section
92 59, as amended, and K.C.C. 12.22.085, Ordinance 8625,
93 Section 9, as amended, and K.C.C. 12.22.090, Ordinance
94 15399, Section 54, as amended, and K.C.C. 12.22.095,
95 Ordinance 13147, Section 27, as amended, and K.C.C.
96 20.18.110, Ordinance 4461, Section 2, as amended, and
97 K.C.C. 20.22.040, Ordinance 19881, Section 164, and K.C.C.
98 21A.08.055, Ordinance 10870, Section 337, as amended, and
99 K.C.C. 21A.08.100, Ordinance 14045, Section 30, as
100 amended, and K.C.C. 21A.14.225, Ordinance 16267, Section
101 62, as amended, and K.C.C. 21A.28.154, Ordinance 17287,
102 Section 3, as amended, and K.C.C. 21A.55.105, and
103 Ordinance 8867, Section 1, as amended, and K.C.C.
104 26.12.010 and repealing Ordinance 15378, Section 6, as
105 amended, and K.C.C. 1.36.060."
106 **EFFECT prepared by S. Porter: Conforms the title to Striking Amendment S1.**



King County | Office of the Executive

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
C O U R T H O U S E

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,

A handwritten signature in black ink, appearing to read 'G. Zahilay', with a stylized, cursive script.

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					
DNR 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

