



King County

1200 King County
Courthouse
516 Third Avenue
Seattle, WA 98104

Meeting Agenda

Metropolitan King County Council

*Councilmembers: Sarah Perry, Chair;
Jorge Barón, Vice Chair of Policy Development and Review;
Reagan Dunn, Vice Chair of Regional Coordination;
Claudia Balducci, Rod Dembowski, Steffanie Fain,
Rhonda Lewis, Teresa Mosqueda, Pete von Reichbauer*

1:30 PM

Tuesday, June 16, 2026

Hybrid Meeting

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

HOW TO PROVIDE PUBLIC TESTIMONY: The Council values community input and looks forward to hearing from you. Testimony must be limited to items listed on the agenda for council action, unless it's the fourth Tuesday of the month, when the Council will hear general comment on matters relating to county government. You are not required to sign up in advance.

There are three ways to provide public testimony:

1. In person: You may attend the meeting in person in Council Chambers.
2. By email: You may testify by submitting a COMMENT email. If your testimony is submitted before 10:00 a.m. on the day of the Council meeting, your email testimony will be distributed to the Councilmembers and appropriate staff prior to the meeting. Please submit your testimony by emailing clerk@kingcounty.gov.
3. Remote attendance on the Zoom Webinar: You may provide oral public testimony at the meeting by connecting to the meeting via phone or computer using the ZOOM application at <https://zoom.us/>, and entering the Webinar ID below.

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

Webinar ID: 873 0459 1515



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.

You have the right to language access services at no cost to you. To request these services, please contact our Equity and Social Justice Coordinator, Tera Chea at (206) 477 9259 or Tera.Chea2@kingcounty.gov, three (3) days prior to the meeting.

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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. **Flag Salute and Pledge of Allegiance**

Councilmember Balducci

4. **Approval of Minutes of June 9, 2026**

Pg. 11

Councilmember Barón

5. **Additions to the Council Agenda**



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Hearing and Second Reading of Ordinances from Standing Committees and Regional Committees, and of Ordinances related to Collective Bargaining

There will be one public hearing on Items 6-11

Committee of the Whole

Councilmember Barón





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6. [Proposed Substitute Ordinance No. 2026-0073.2](#) Pg. 20

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 20048, Section 6, and K.C.C. 2.15.060, 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, Ordinance 7430, Section 4, as amended, and K.C.C. 12.18.040, Ordinance 7430, Section 5, as amended, and K.C.C. 12.18.050, Ordinance 7430, Section 6, as amended, and K.C.C. 12.18.060, Ordinance 7430, Section 7, as amended, and K.C.C. 12.18.070, Ordinance 7430, Section 8, as amended, and K.C.C. 12.18.080, Ordinance 15399, Section 17, as amended, and K.C.C. 12.18.085, Ordinance 7430, Section 9, as amended, and K.C.C. 12.18.090, Ordinance 13263, Section 52, as amended, and K.C.C. 12.18.097, Ordinance 19762, Section 12, and K.C.C. 12.18B.030, Ordinance 5280, Section 2, as amended, and K.C.C. 12.20.020, Ordinance 5280, Section 4, as amended, and K.C.C. 12.20.070, Ordinance 5280, Section 5, as amended, and K.C.C. 12.20.080, Ordinance 5280, Section 6, as amended, and K.C.C. 12.20.090, Ordinance 10469, Section 11, as amended, and

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K.C.C. 12.20.095, Ordinance 5280, Section 7, as amended, and K.C.C. 12.20.100, Ordinance 5280, Section 9, as amended, and K.C.C. 12.20.120, Ordinance 10469, Section 13, as amended, and K.C.C. 12.20.122, Ordinance 10469, Section 14, as amended, and K.C.C. 12.20.124, Ordinance 10469, Section 16, as amended, and K.C.C. 12.20.133, Ordinance 13263, Section 53, as amended, and K.C.C. 12.20.150, Ordinance 8625, Section 2, as amended, and K.C.C. 12.22.020, Ordinance 8625, Section 4, as amended, and K.C.C. 12.22.040, Ordinance 8625, Section 5, as amended, and K.C.C. 12.22.050, Ordinance 8625, Section 6, as amended, and K.C.C. 12.22.060, Ordinance 8625, Section 7, as amended, and K.C.C. 12.22.070, Ordinance 8625, Section 8, as amended, and K.C.C. 12.22.080, Ordinance 15399, Section 59, as amended, and K.C.C. 12.22.085, Ordinance 8625, Section 9, as amended, and K.C.C. 12.22.090, Ordinance 15399, Section 54, as amended, and K.C.C. 12.22.095, Ordinance 13147, Section 27, as amended, and K.C.C. 20.18.110, Ordinance 4461, Section 2, as amended, and K.C.C. 20.22.040, Ordinance 19881, Section 164, and K.C.C. 21A.08.055, Ordinance 10870, Section 337, as amended, and K.C.C. 21A.08.100, Ordinance 14045, Section 30, as amended, and K.C.C. 21A.14.225, Ordinance 16267, Section 62, as amended, and K.C.C. 21A.28.154, Ordinance 17287, Section 3, as amended, and K.C.C. 21A.55.105, and Ordinance 8867, Section 1, as amended, and K.C.C. 26.12.010 and repealing Ordinance 15378, Section 6, as amended, and K.C.C. 1.36.060.

Sponsors: Dembowski

On 4/21/2026, the Metropolitan King County Council Introduced and Referred to Committee of the Whole.

On 4/28/2026, the Committee of the Whole Deferred.

On 5/26/2026, the Committee of the Whole Passed Out of Committee Without a Recommendation.

Public Hearing Required

Motions, from Standing Committees and Regional Committees and Motions related to Collective Bargaining, for Council Action

Consent Items 7-9

Councilmember Barón



- 7. [Proposed Motion No. 2026-0081](#) Pg. 274

A MOTION confirming the appointment of Susan McLaughlin as director of the King County department of community and human services.

Sponsors: Mosqueda and Dembowski

On 4/21/2026, the Metropolitan King County Council Introduced and Referred to Committee of the Whole.

On 6/8/2026, the Committee of the Whole Recommended Do Pass Consent.

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8. [Proposed Substitute Motion No. 2026-0129.2](#) Pg. 276

A MOTION confirming the appointment of Cynthia McNabb to the citizens' elections oversight committee as a representative sponsored by a junior taxing district or a city with a population of under twenty thousand.

Sponsors: Perry

On 5/26/2026, the Metropolitan King County Council Introduced and Referred to Employment and Administration Committee.

On 6/2/2026, the Employment and Administration Committee Recommended Do Pass Substitute Consent.

9. [Proposed Substitute Motion No. 2026-0130.2](#) Pg. 279

A MOTION confirming the appointment of Steve Cho to the citizens' elections oversight committee as a representative of the Korean-speaking community.

Sponsors: Perry

On 5/26/2026, the Metropolitan King County Council Introduced and Referred to Employment and Administration Committee.

On 6/2/2026, the Employment and Administration Committee Recommended Do Pass Substitute Consent.

Health, Housing, and Human Services

Councilmember Mosqueda



10. [Proposed Motion No. 2026-0111](#) Pg. 281

A MOTION acknowledging receipt of a report on maintaining Medicaid retention in King County, in accordance with the 2026-2027 Biennial Budget Ordinance, Ordinance 20023, Section 17, Proviso P9.

Sponsors: Mosqueda

On 5/26/2026, the Metropolitan King County Council Introduced and Referred to Health, Housing, and Human Services Committee.

On 6/2/2026, the Health, Housing, and Human Services Committee Recommended Do Pass.

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Reappointment Consent Agenda Item 11

Councilmember Barón

- 11. [Proposed Motion No. 2026-0140](#) Pg. 291

A MOTION confirming the executive's reappointment of Leah Tischler, who resides in council district four, to the King County solid waste advisory committee, representing a public interest group.

Sponsors: Barón

First Reading and Referral of Ordinances

- 12. [Proposed Ordinance No. 2026-0147](#)

AN ORDINANCE adopting the King County 2026-2029 Equal Employment Opportunity/Affirmative Action Plan.

Sponsors: Barón

First Reading and Referral to the Committee of the Whole

- 13. [Proposed Ordinance No. 2026-0151](#)

AN ORDINANCE approving an application for current use assessment for public benefit rating system, submitted by Jeremy and Kristin Tinder, Meredith Mullaley and Gregory Bilisland and Kathleen King for properties located at 6505, 6603 and 6515 282nd Avenue SE, Issaquah, WA 98027, designated department of natural resources and parks, water and land resources division file no. E25CT024.

Sponsors: Perry



First Reading and Referral to the Hearing Examiner

- 14. [Proposed Ordinance No. 2026-0154](#)

AN ORDINANCE approving and adopting the Coalition Labor Agreement negotiated by and between King County and the King County Coalition of Unions representing employees in the King County sheriff's office; and establishing the effective date of the agreements.

Sponsors: Perry

First Reading and Referral to the Metropolitan King County Council

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First Reading and Referral of Motions

15. [Proposed Motion No. 2026-0122](#)

A MOTION confirming the executive's appointment of Sandra Pailca, who resides in council district four, to the board of ethics, filling an executive-nominated position.

Sponsors: Barón

First Reading and Referral to the Government Accountability and Oversight Committee

16. [Proposed Motion No. 2026-0123](#)

A MOTION confirming the executive's appointment of Nancy Salguero McKay, who resides in council district seven, to the King County cultural development authority (4Culture), as an executive at-large representative.

Sponsors: von Reichbauer



First Reading and Referral to the Committee of the Whole

17. [Proposed Motion No. 2026-0124](#)

A MOTION confirming the executive's appointment of Ranil Herath, who resides in council district nine, to the King County Library System board of trustees.

Sponsors: Dunn

First Reading and Referral to the Government Accountability and Oversight Committee

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18. [Proposed Motion No. 2026-0139](#)

A MOTION authorizing the King County executive to accept a donation of real property, appraised by the King County department of assessments at one hundred ninety-nine thousand dollars, located near Newaukum creek in unincorporated King County, for fish, wildlife, and wetland habitat preservation and restoration purposes.

Sponsors: Dunn

First Reading and Referral to the Local Services and Land Use Committee

19. [Proposed Motion No. 2026-0155](#)

A MOTION approving the county legislative authority consultation form in support of the proposed opioid treatment program facility in council district 5.

Sponsors: Fain

First Reading and Referral to the Committee of the Whole

20. Reports on Special and Outside Committees

Other Business

Adjournment



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Meeting Minutes

Metropolitan King County Council

*Councilmembers: Sarah Perry, Chair;
Jorge Barón, Vice Chair of Policy Development and Review;
Reagan Dunn, Vice Chair of Regional Coordination;
Claudia Balducci, Rod Dembowski, Steffanie Fain,
Rhonda Lewis, Teresa Mosqueda, Pete von Reichbauer*

1:30 PM

Tuesday, June 9, 2026

Hybrid Meeting

DRAFT MINUTES

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1. Call to Order

The meeting was called to order at 1:31 p.m.

2. Roll Call

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

3. Flag Salute and Pledge of Allegiance

Councilmember Barón led the flag salute and Pledge of Allegiance.

4. Approval of Minutes of the May 29, 2026, special meeting and the June 2, 2026, regular meeting

Councilmember Barón moved to approve the minutes of the May 29, 2026, special meeting, and the June 2, 2026, regular meeting, as presented. Seeing no objection, the Chair so ordered.

5. Additions to the Council Agenda

There were no additions.

6. Special Item**Proclamation of June 2026 as LGBTQ+ Pride Month in King County**

Councilmember Barón; DeAunt'e Damper, Grand Marshal, Pride Parade; and Evelyn Chow, Community Service Response Team, made remarks and presented the proclamation to Jose Vazquez, Deputy Executive Director, Entre Hermanos. Jose Vazquez made remarks and thanked the Council.

Proclamation of June 19, 2026, as Juneteenth in King County

Councilmember Lewis made remarks and presented the proclamation to Sherry Williams, Vice Chair, Northwest African Museum; and Eric Greer, Boardmember, Northwest African Museum. Sherry Williams made remarks and thanked the Council.

Motions, from Standing Committees and Regional Committees and Motions related to Collective Bargaining, for Council Action

There will be one public hearing on Items 6-10

The following people spoke:

Alex Tsimerman

Kevin Altheimer

Yvette Dinish

Joe Kunzler

David Ames

Committee of the Whole

7. [Proposed Substitute Motion No. 2026-0080.2](#)

A MOTION confirming the appointment of Sandra Valenciano as director of public health - Seattle & King County.

Sponsors: Mosqueda

The enacted number is 16976.

A Public Hearing was held and closed. A motion was made by Councilmember Barón that this Motion be Passed. The motion carried by the following vote:

Yes: 8 - Balducci, Barón, Dunn, Fain, Lewis, Mosqueda, Perry, and von Reichbauer

No: 1 - Dembowski

Hearing and Second Reading of Ordinances from Standing Committees and Regional Committees, and of Ordinances related to Collective Bargaining

Regional Water Quality

8. [Proposed Substitute Ordinance No. 2026-0066.2](#)

AN ORDINANCE updating the capacity charge methodology; amending Ordinance 13680, Section 16, as amended, and K.C.C. 28.86.160 and adding a report requirement.

Sponsors: Balducci

The enacted number is 20081.

A Public Hearing was held and closed. A motion was made by Councilmember Balducci that this Ordinance be Passed. The motion carried by the following vote:

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

Reappointment Consent Agenda 9-10

9. [Proposed Motion No. 2026-0136](#)

A MOTION confirming the executive's reappointment of Brandon Graham, who resides in council district six, to the King County board for developmental disabilities.

Sponsors: Balducci

The enacted number is 16977.

A Public Hearing was held and closed. This matter passed on the Consent Agenda.

10. [Proposed Motion No. 2026-0137](#)

A MOTION confirming the executive's reappointment of Devony Boyle, who resides in council district two, to the King County board for developmental disabilities.

Sponsors: Lewis

The enacted number is 16978.

A Public Hearing was held and closed. This matter passed on the Consent Agenda.

Passed On The Consent Agenda

A motion was made by Councilmember Barón that the Consent Agenda be passed. The motion carried by the following vote:

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

First Reading and Referral of Ordinances

11. [Proposed Ordinance No. 2026-0097](#)

AN ORDINANCE relating to the sale of the surplus property parcel 152104-9016, located near South 328th Street and Military Road South, Federal Way, Washington, in council district seven.

Sponsors: von Reichbauer

This matter had its first reading and was referred to the Budget and Fiscal Management Committee.

12. [Proposed Ordinance No. 2026-0120](#)

AN ORDINANCE authorizing the vacation of a portion of County Road No. 393/SJ Twiss Rd, V-2776; Petitioners: Devin and Alexis Jones, Garth Cook, and Casey and Melody Olson.

Sponsors: Perry

This matter had its first reading and was referred to the Hearing Examiner.

13. [Proposed Ordinance No. 2026-0128](#)

AN ORDINANCE relating to the sale of the surplus property located at 8923 Fauntleroy Way SW, Seattle, Washington, in council district eight.

Sponsors: Dembowski

This matter had its first reading and was referred to the Budget and Fiscal Management Committee.

14. [Proposed Ordinance No. 2026-0134](#)

AN ORDINANCE authorizing the King County executive to enter into a license agreement with the Washington state Department of Transportation, Ferries Division, as owner of the Vashon Island Ferry Terminal located at 10800 North Vashon Highway, Vashon, Washington, in council district eight.

Sponsors: Mosqueda

This matter had its first reading and was referred to the Transportation, Economy, and Environment Committee.

15. [Proposed Ordinance No. 2026-0148](#)

AN ORDINANCE approving an application for current use assessment for public benefit rating system, submitted by Justin and Michelle Vanhulle for property located at 16519 300th Avenue NE, Duvall, WA 98019, designated department of natural resources and parks, water and land resources division file no. E26CT002.

Sponsors: Perry

This matter had its first reading and was referred to the Hearing Examiner.

16. [Proposed Ordinance No. 2026-0149](#)

AN ORDINANCE approving an application for current use assessment for public benefit rating system, submitted by Justin and Michelle Vanhulle for property located at 16501 300th Avenue NE, Duvall, WA 98019, designated department of natural resources and parks, water and land resources division file no. E26CT001.

Sponsors: Perry

This matter had its first reading and was referred to the Hearing Examiner.

17. [Proposed Ordinance No. 2026-0150](#)

AN ORDINANCE authorizing the executive to enter into an amendment to the amended and restated solid waste interlocal agreement with the city of Bothell related to solid waste management services in areas of Snohomish County annexed to the city of Bothell after December 31, 2012.

Sponsors: Fain

This matter had its first reading and was referred to the Transportation, Economy, and Environment Committee.

First Reading and Referral of Motions

18. [Proposed Motion No. 2026-0125](#)

A MOTION confirming the executive's appointment of Liz Callahan, who resides in council district five, to the King County Library System board of trustees.

Sponsors: Fain

This matter had its first reading and was referred to the Government Accountability and Oversight Committee.

19. [Proposed Motion No. 2026-0131](#)

A MOTION confirming the executive's appointment of Luis Navarro, who resides in council district six, to the King County board of appeals and equalization.

Sponsors: Balducci

This matter had its first reading and was referred to the Government Accountability and Oversight Committee.

20. [Proposed Motion No. 2026-0141](#)

A MOTION confirming the executive's appointment of Kevin Kelly, who resides in council district three, to the King County solid waste advisory committee, as a representative from the waste management industry.

Sponsors: Perry

This matter had its first reading and was referred to the Transportation, Economy, and Environment Committee.

21. [Proposed Motion No. 2026-0143](#)

A MOTION confirming the executive's appointment of Jamie Fleming, who resides in council district five, to the King County solid waste advisory committee, as a representative from a bargaining unit representing the greatest number of solid waste division employees.

Sponsors: Fain

This matter had its first reading and was referred to the Transportation, Economy, and Environment Committee.

22. [Proposed Motion No. 2026-0144](#)

A MOTION accepting the office of law enforcement oversight's annual report for the year 2025.

Sponsors: Lewis

This matter had its first reading and was referred to the Law and Justice Committee.

Rereferral

23. [Proposed Ordinance No. 2026-0047](#)

AN ORDINANCE correcting the legal description in Ordinance 19723, which authorized the vacation of a portion of 152nd Ave SE, File V-2745; Petitioners: Micah and Florine Palmer; amending Ordinance 19723, Section 1, and repealing Ordinance 19723, Section 2.

Sponsors: Dunn

This matter was Re-referred to the Local Services and Land Use Committee

24. **Reports on Special and Outside Committees**

No reports were given.

Other Business

Chair Perry announced the names of the nominees to fill the Women's Advisory Board vacancies. The nominees include: Hend Alhinnawi, Hafsa Azaz, Leslie Hamada, and Allison O'Mahoney. These names will be forwarded to Executive Zahilay for consideration.

Chair Perry announced the deadline related to the Kent Opioid Treatment Facility has been extended to July 8, 2026.

Adjournment

The meeting was adjourned in honor of Magdaleno Rose-Avila at 2:23 p.m.

Approved this _____ day of _____

Clerk's Signature



Signature Report

Ordinance

Proposed No. 2026-0073.2

Sponsors Dembowski

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 20048,
6 Section 6, and K.C.C. 2.15.060, Ordinance 18665, Section 8,
7 as amended, and K.C.C. 2.15.100, Ordinance 12075, Section
8 3, as amended, and K.C.C. 2.16.025, Ordinance 18793,
9 Section 3, as amended, and K.C.C. 2.16.036, Ordinance
10 11955, Section 5, as amended, and K.C.C. 2.16.055,
11 Ordinance 18086, Section 2, as amended, and K.C.C.
12 2.16.136, Ordinance 12076, Section 38, as amended, and
13 K.C.C. 2.21.040, Ordinance 19770, Section 4, and K.C.C.
14 2.31.030, Ordinance 17699, Section 2, as amended, and
15 K.C.C. 2.36.100, Ordinance 12901, Section 3, as amended,
16 and K.C.C. 2.41.030, Ordinance 18811, Section 1, and
17 K.C.C. 2.42.150, Ordinance 18798, Section 2, as amended,
18 and K.C.C. 2.47.010, Ordinance 12058, Section 9, as
19 amended, and K.C.C. 2.55.010, Ordinance 18653, Section 3,
20 and K.C.C. 2.78.020, Ordinance 18653, Section 8, and

21 K.C.C. 2.78.070, Ordinance 16077, Section 4, as amended,
22 and K.C.C. 2.130.010, Ordinance 19008, Section 7, as
23 amended, and K.C.C. 2.150.050, Ordinance 12014, Section
24 32, as amended, and K.C.C. 3.12.350, Ordinance 12943,
25 Section 14, as amended, and K.C.C. 3.12A.020, Ordinance
26 18757, Section 4, as amended, and K.C.C. 3.12D.020,
27 Ordinance 8658, Section 1, as amended, and K.C.C.
28 3.16.040, Ordinance 14287, Section 5, as amended, and
29 K.C.C. 3.16.055, Ordinance 12076, Section 2, as amended,
30 and K.C.C. 4.04.020, Ordinance 12076, Section 35, as
31 amended, and K.C.C. 4.10.050, Ordinance 17293, Section
32 90, as amended, and K.C.C. 4A.10.495, Ordinance 12045,
33 Section 23, as amended, and K.C.C. 4A.100.040, Ordinance
34 17929, Section 20, as amended, and K.C.C. 4A.100.070,
35 Ordinance 17929, Section 21, as amended, and K.C.C.
36 4A.100.080, Ordinance 620, Section 4, as amended, and
37 K.C.C. 4A.100.100, Ordinance 12076, Section 4, as
38 amended, and K.C.C. 4A.110.010, Ordinance 17930, Section
39 13, as amended, and K.C.C. 4A.130.020, Ordinance 15556,
40 Section 3, as amended, and K.C.C. 4A.200.190, Ordinance
41 19841, Section 1, and K.C.C. 4A.200.213, Ordinance 19786,
42 Section 1, and K.C.C. 4A.200.266, Ordinance 18662, Section
43 5, and K.C.C. 4A.200.317, Ordinance 18938, Section 1, and

44 K.C.C. 4A.200.405, Ordinance 15961, Section 1, as
45 amended, and K.C.C. 4A.200.570, Ordinance 17527, Section
46 69, and K.C.C. 4A.200.580, Ordinance 12076, Section 27, as
47 amended, and K.C.C. 4A.200.590, Ordinance 14596, Section
48 1, as amended, and K.C.C. 4A.200.620, Ordinance 10159,
49 Section 14, as amended, and K.C.C. 6.27A.120, Ordinance
50 13981, Section 2, as amended, and K.C.C. 12.17.010,
51 Ordinance 13981, Section 4, as amended, and K.C.C.
52 12.17.030, Ordinance 13981, Section 5, as amended, and
53 K.C.C. 12.17.040, Ordinance 13981, Section 6, as amended,
54 and K.C.C. 12.17.050, Ordinance 13981, Section 7, as
55 amended, and K.C.C. 12.17.060, Ordinance 13981, Section
56 8, as amended, and K.C.C. 12.17.070, Ordinance 13981,
57 Section 9, as amended, and K.C.C. 12.17.080, Ordinance
58 13981, Section 10, as amended, and K.C.C. 12.17.090,
59 Ordinance 7430, Section 2, as amended, and K.C.C.
60 12.18.020, Ordinance 7430, Section 4, as amended, and
61 K.C.C. 12.18.040, Ordinance 7430, Section 5, as amended,
62 and K.C.C. 12.18.050, Ordinance 7430, Section 6, as
63 amended, and K.C.C. 12.18.060, Ordinance 7430, Section 7,
64 as amended, and K.C.C. 12.18.070, Ordinance 7430, Section
65 8, as amended, and K.C.C. 12.18.080, Ordinance 15399,
66 Section 17, as amended, and K.C.C. 12.18.085, Ordinance

67 7430, Section 9, as amended, and K.C.C. 12.18.090,
68 Ordinance 13263, Section 52, as amended, and K.C.C.
69 12.18.097, Ordinance 19762, Section 12, and K.C.C.
70 12.18B.030, Ordinance 5280, Section 2, as amended, and
71 K.C.C. 12.20.020, Ordinance 5280, Section 4, as amended,
72 and K.C.C. 12.20.070, Ordinance 5280, Section 5, as
73 amended, and K.C.C. 12.20.080, Ordinance 5280, Section 6,
74 as amended, and K.C.C. 12.20.090, Ordinance 10469,
75 Section 11, as amended, and K.C.C. 12.20.095, Ordinance
76 5280, Section 7, as amended, and K.C.C. 12.20.100,
77 Ordinance 5280, Section 9, as amended, and K.C.C.
78 12.20.120, Ordinance 10469, Section 13, as amended, and
79 K.C.C. 12.20.122, Ordinance 10469, Section 14, as amended,
80 and K.C.C. 12.20.124, Ordinance 10469, Section 16, as
81 amended, and K.C.C. 12.20.133, Ordinance 13263, Section
82 53, as amended, and K.C.C. 12.20.150, Ordinance 8625,
83 Section 2, as amended, and K.C.C. 12.22.020, Ordinance
84 8625, Section 4, as amended, and K.C.C. 12.22.040,
85 Ordinance 8625, Section 5, as amended, and K.C.C.
86 12.22.050, Ordinance 8625, Section 6, as amended, and
87 K.C.C. 12.22.060, Ordinance 8625, Section 7, as amended,
88 and K.C.C. 12.22.070, Ordinance 8625, Section 8, as
89 amended, and K.C.C. 12.22.080, Ordinance 15399, Section

90 59, as amended, and K.C.C. 12.22.085, Ordinance 8625,
91 Section 9, as amended, and K.C.C. 12.22.090, Ordinance
92 15399, Section 54, as amended, and K.C.C. 12.22.095,
93 Ordinance 13147, Section 27, as amended, and K.C.C.
94 20.18.110, Ordinance 4461, Section 2, as amended, and
95 K.C.C. 20.22.040, Ordinance 19881, Section 164, and K.C.C.
96 21A.08.055, Ordinance 10870, Section 337, as amended, and
97 K.C.C. 21A.08.100, Ordinance 14045, Section 30, as
98 amended, and K.C.C. 21A.14.225, Ordinance 16267, Section
99 62, as amended, and K.C.C. 21A.28.154, Ordinance 17287,
100 Section 3, as amended, and K.C.C. 21A.55.105, and
101 Ordinance 8867, Section 1, as amended, and K.C.C.
102 26.12.010 and repealing Ordinance 15378, Section 6, as
103 amended, and K.C.C. 1.36.060.

104 PREAMBLE:

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

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

112 King County executive Girmay Zahilay was sworn in on November 25,
113 2025, with a stated commitment to strengthen how King County delivers
114 important services.

115 As part of that commitment, the county executive's office is being
116 reorganized to eliminate the office of performance, strategy and budget,
117 the office of labor relations, the office of climate, the office of economic
118 opportunity and creative economy, and the office of equity and racial and
119 social justice.

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

124 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

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

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

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

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

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

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

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

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

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

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

166 1. Is efficient and economical;

167 2. Promotes open government and an informed citizenry;

168 3. Protects individual privacy; and

169 4. Meets county record retention and disposition standards.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

248 SECTION 4. Ordinance 20048, Section 6, and K.C.C. 2.15.060 are hereby
249 amended to read as follows:

250 A.1. The executive shall design clear signage or templates for stating: "This
251 property shall not be used for civil immigration enforcement staging, operations, or
252 processing."

253 2. The executive shall work with county agencies to identify county-owned and
254 county-controlled properties that are at high risk for being used as civil immigration
255 enforcement related areas. Agencies responsible for such properties shall, wherever
256 practicable, post the signage referenced above and develop strategies to increase security
257 measures for such properties, including using physical barriers such as locked gates to
258 limit access. Agencies may add the sign statement referenced above to existing signs.

259 B.1. Within thirty days of the date of enactment of this ordinance, county
260 departments and agencies shall develop the procedures necessary to implement this
261 ordinance. The implementing procedures shall provide that any county employee who
262 becomes aware of the attempted or actual use of a county-owned and county-controlled
263 property as a civil immigration enforcement related area shall immediately report the
264 attempted or actual use to the department or agency director or their designee responsible
265 for the operation of the property who shall report it to the executive. The executive shall
266 notify all councilmembers of reports of the attempted or actual use of a county-owned
267 and county-controlled property as a civil immigration enforcement related area.

268 2. The executive's office shall work with ~~((the office of equity and racial and~~
269 ~~social justice, or its successor in carrying out the duties of the office, and))~~ county staff in
270 relevant agencies to implement training for county employees on this chapter or
271 incorporate training on this chapter into existing training for relevant staff in relevant
272 agencies. This requirement is not intended to duplicate existing training.

273 C. This section does not apply to property that is subject to an existing lease or
274 concession agreement to which the county is a party. This section is not intended to, and
275 shall not be interpreted to, interfere with any such lease or agreement.

276 D. Nothing in this section shall be construed as restricting or interfering with the
277 execution of lawful judicial warrants, court orders, or the enforcement of criminal law,
278 nor as limiting the rights of any person or entity under state or federal law. This section
279 does not prohibit the lawful use of county-owned and controlled property for purposes
280 other than a civil immigration enforcement related area, nor does it restrict any person or
281 entity from carrying out functions unrelated to those purposes on such property.

282 SECTION 5. Ordinance 18665, Section 8, as amended, and K.C.C. 2.15.100 are
283 hereby amended to read as follows:

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

287 SECTION 6. Ordinance 12075, Section 3, as amended, and K.C.C. 2.16.025 are
288 hereby amended to read as follows:

289 A. The county executive shall manage and be fiscally accountable for ~~((the office
290 of performance, strategy, and budget, the office of labor relations, the office of climate,
291 the office of economic opportunity and creative economy, and the office of equity and
292 racial and social justice.))~~ the executive's office and the following functions:

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

- 295 1. Planning, preparing, and ~~((managing, with emphasis on fiscal management~~
296 ~~and control aspects,))~~ managing the county's operating and capital ~~((project))~~ budgets;
- 297 2. Monitoring revenues and preparing forecasts not produced by the office of
298 economic and financial analysis expenditures;
- 299 3. Monitoring expenditures and work programs;
- 300 4. Developing and preparing expenditure plans and ordinances to manage the
301 implementation of the operating and capital ~~((project))~~ budgets throughout the fiscal
302 period;
- 303 5. Formulating and implementing financial policies regarding revenues and
304 expenditures for the county and other applicable agencies;
- 305 ~~((6. Performing program analysis, and contract and performance evaluation~~
306 ~~review;~~
- 307 ~~7.))~~ 6. Developing and transmitting to the council, concurrent with the proposed
308 budget for the fiscal period, supporting materials consistent with K.C.C. chapter 4A.100;
- 309 ~~((8. Performance management and accountability:~~
- 310 ~~a.))~~ 7. ~~((p))~~ Providing leadership, guidance, and coordination of the executive
311 branch performance management and accountability system;
- 312 ~~((b. overseeing the development of strategic plans and operational plans for~~
313 ~~each executive branch department and office;~~
- 314 ~~e. overseeing))~~ 8. Overseeing monitoring of the performance management and
315 accountability system, including review of operational and budgetary performance;

316 ~~((d. developing))~~ 9. Developing and using community-level indicators and
317 agency performance measures to monitor and evaluate the effectiveness and efficiency of
318 each executive branch department and office; and

319 ~~((e. overseeing the production of an annual performance report for the executive
320 branch;~~

321 ~~9. Interagency coordination:~~

322 ~~a. coordinating and staffing executive initiatives across departments and
323 agencies;~~

324 ~~b. facilitating interdepartmental, interagency and interbranch teams on
325 multidisciplinary issues;~~

326 ~~c. negotiating interlocal agreements as designated by the executive; and~~

327 ~~d. serving as the liaison to the boundary review board for King County;~~

328 ~~10. Leading the county's continuous improvement activities;~~

329 ~~11. Leading the county's regional planning work, including:~~

330 ~~a.)~~ 10. ~~((e))~~Coordinating the county's participation in multicounty planning at
331 the Puget Sound Regional Council, including serving on the Puget Sound Regional
332 Council's regional staff committee;

333 ~~((b.))~~ 9. ~~((e))~~Coordinating countywide planning at the Growth Management
334 Planning Council consistent with the Washington state Growth Management Act,
335 including leading the Growth Management Planning Council's interjurisdictional staff
336 team in accordance with the interlocal agreement authorized by King County Motion
337 8495;

338 ~~((e. Managing updates to the county's Comprehensive Plan in coordination~~
339 ~~with the department of local services in accordance with K.C.C. Title 20;~~

340 ~~d. coordinating the development of demographic and growth forecasting data~~
341 ~~and information including census data, growth targets, and buildable lands;~~

342 ~~e. facilitating annexations and joint planning with cities, including developing~~
343 ~~annexation proposals, drafting interlocal agreements, and serving as the liaison to the~~
344 ~~boundary review board for King County; and~~

345 ~~f. colending with the department of local services's permitting division, an~~
346 ~~interbranch regional planning team that supports the council and executive through the~~
347 ~~provision of information and data, development of policy proposals and options for~~
348 ~~regional issues related to growth management, economic development, and~~
349 ~~transportation. Participation in the interbranch regional planning team shall include~~
350 ~~executive, department, and council staff as designated by the respective branches; and~~

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

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

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

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

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

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

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

368 ~~1.)~~ 11. Representing county agencies in the collective bargaining process as
369 required by chapter 41.56 RCW;

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

372 ~~3.)~~ 12. Representing county agencies in labor arbitrations, appeals, and
373 hearings including those in chapter 41.56 RCW and required by K.C.C. Title 3, in
374 collaboration with the department of human resources;

375 ~~((4.))~~ 13. Administering labor contracts and providing consultation to county
376 agencies regarding the terms and implementation of negotiated labor agreements, in
377 collaboration with the department of human resources;

378 ~~((5.))~~ 14. Advising the ~~((executive and))~~ council on overall county labor
379 policies; ~~((and))~~

380 ~~((6-))~~ 15. Providing resources for labor relations training for county agencies(~~(;~~
381 ~~the executive~~)), the council, and others, in collaboration with the department of human
382 resources(~~(.)~~);

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

384 ~~1.))~~ 16. Coordinating the integration of climate change into county operations
385 ~~((in partnership with executive branch departments and offices, King County cities,~~
386 ~~partners, communities, and residents;~~

387 ~~2.))~~ 17. Advising the ~~((executive and~~) council on climate-related policies,
388 programs, and activities(~~(; and~~

389 ~~3. Leading~~) and fostering climate innovation among county agencies(~~(-)~~);

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

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

394 ~~2.))~~ 18. Developing and implementing strategies to promote economic
395 revitalization (~~(and)~~), equitable development(~~(; and~~

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

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

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

- 402 2. ~~Developing the county's strategies, practices, systems, and processes to~~
403 ~~achieve equity and racial and social justice outcomes;~~
- 404 3. ~~Providing strategic consultation to county agencies, and the communities they~~
405 ~~serve, to achieve equity and racial and social justice outcomes;~~
- 406 4. ~~Assisting county agencies to fulfill their responsibility to achieve equity and~~
407 ~~racial and social justice outcomes; and~~
- 408 5. ~~Operating the civil rights program, which shall include the following duties:~~
- 409 ~~a.)~~ 19. Operating the county's civil rights program, which includes:
- 410 a. enforcing the county's nondiscrimination ordinances as codified in K.C.C.
411 chapters 12.17, 12.18, 12.20, and 12.22, and coordinating county responses to issues
412 involving the Americans with Disabilities Act of 1990, the Civil Rights Act Title VI, and
413 investigating complaints filed under the Civil Rights Act Title VI;
- 414 b. assisting departments in complying with the federal Americans with
415 Disabilities Act of 1990, the federal Rehabilitation Act of 1973, Section 504, and other
416 legislation and rules regarding access to county programs, facilities, and services for
417 people with disabilities; and
- 418 c. ~~((serving as the county Americans with Disabilities Act Title II coordinator~~
419 ~~relating to public access;~~
- 420 ~~d.)~~ providing staff support to the county civil rights commission(~~(;~~
- 421 ~~e. serving as the county federal Civil Rights Act Title VI coordinator; and~~
- 422 ~~f. coordinating county responses to federal Civil Rights Act Title VI issues and~~
423 ~~investigating complaints filed under Title VI)).~~

424 ~~((G-))~~ B.1. The county council hereby delegates to the executive or the
425 executive's designee authority to request a hearing before the Washington state Liquor
426 and Cannabis Board and make written recommendations and objections regarding
427 applications relating to:

- 428 a. liquor licenses under chapter 66.20 RCW; and
- 429 b. licenses for marijuana producers, processors, or retailers under chapter
430 69.50 RCW.

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

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

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

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

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

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

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

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

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

460 SECTION 7. Ordinance 18793, Section 3, as amended, and K.C.C. 2.16.036 are
461 hereby amended to read as follows:

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

466 B. The duties of the department shall include:

467 1. Developing, administering, and monitoring human resources policy;

468 2. Developing, administering, and monitoring diversity management programs
469 including equal employment opportunity affirmative action plan development and
470 integration of equity and social justice concepts into plans and programs;

471 3. Advising the executive and council on overall county employment policies;

472 4. Developing and disseminating communications to employees regarding
473 issues related to human resources; and

474 5. Providing labor relations training for county agencies, the executive, the
475 council, and others, in collaboration with the ~~((office of))~~ labor relations director in the
476 executive's office.

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

478 1. Developing proposed and administering policies and procedures for:

479 a. employment, including recruitment, examination, and selection;

480 b. classification and compensation; and

481 c. salary administration;

482 2. Providing technical and human resources information services support;

483 3. Coordinating individual employee performance review programs in executive
484 departments;

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

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

488 6. Collecting and reporting to the executive's office ~~((of performance, strategy,~~
489 ~~and budget))~~ on a quarterly basis information on the numbers of filled and vacant full-

490 time equivalent and term-limited temporary positions and the number of emergency
491 employees for each appropriation unit.

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

493 1. Developing and administering training and organizational development
494 programs, including centralized employee and supervisory training, conflict resolution
495 training, and other employee development programs;

496 2. Developing and administering programs to minimize detrimental workplace
497 conflict;

498 3. Developing and administering programs that promote employee engagement;
499 and

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

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

502 1. Developing and managing insured and noninsured benefits programs,
503 including proposing policy recommendations, negotiating benefits plan designs with
504 unions, preparing legally mandated communications materials, and providing employee
505 assistance and other work and family programs;

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

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

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

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

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

516 SECTION 8. Ordinance 11955, Section 5, as amended, and K.C.C. 2.16.055 are
517 hereby amended to read as follows:

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

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

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

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

532 a. improving the coordination of local services by county agencies through
533 increased collaboration;

534 b. strengthening partnerships between the county, communities, and other
535 entities;

536 c. improving the delivery, responsiveness, and quality of local services to the
537 people, businesses, and communities of unincorporated King County through unified
538 accountability;

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

541 e. strengthening unincorporated communities by supporting local planning and
542 community initiatives; and

543 f. pursuing innovative funding strategies.

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

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

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

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

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

555 C.1. The department shall also manage the development and implementation of
556 subarea plans for the six rural community service area and five urban unincorporated
557 potential annexation area geographies (~~in coordination with the regional planning~~

558 ~~function in K.C.C. 2.16.025 and~~) in accordance with the King County Comprehensive
559 Plan and the Growth Management Act.

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

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

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

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

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

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

574 (2) informed and monitored by the community and the council;

575 d. use the tools and resources developed by the executive's office ~~((of equity
576 and racial and social justice))~~ to develop the scope of work and to develop, review,
577 amend, adopt, and implement the subarea plan, including, but not limited to, community
578 engagement, language access, and equity impact review tools. The county shall use, at
579 minimum, the ~~((("County and community work together" levels))~~ "Co-Create" level of
580 engagement as outlined in the ~~((office of equity and racial and social justice's))~~

581 Community Engagement Guide published by the executive's office for the scoping,
582 development, review, amendment, adoption, and implementation of the subarea plan.
583 The county shall include as an appendix to the subarea plan information detailing the
584 community engagement completed during the development of the subarea plan and how
585 the community engagement meets the requirements of this subsection ((B))C.2.d.;

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

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

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

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

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

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

613 2. Each community needs list shall:

614 a. be consistent with and implement the subarea plan described in subsection
615 ~~((B-))~~ C. of this section and other county plans;

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

619 c. be developed, reviewed, prioritized, amended, adopted, and implemented
620 using tools and resources developed by the executive's office ~~((of equity and racial and
621 social justice))~~, including, but not limited to, community engagement, language access,
622 and equity impact review tools. The county shall use, at minimum, the ~~(("County and
623 community work together"))~~ "Co-Create" level of engagement as outlined in the ~~((office
624 of equity and racial and social justice's))~~ Community Engagement Guide published by the
625 executive's office for the development, review, amendment, adoption, and
626 implementation of the community needs list. The county shall include as an appendix to

627 the community needs list information detailing the community engagement completed
628 during the development of the community needs list and how the community engagement
629 meets the requirements of this subsection (~~(C.)~~) D.2.c.

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

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

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

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

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

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

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

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

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

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

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

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

664 (1) reviewed and reported on annually; and

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

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

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

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

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

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

679 ~~((D:))~~ E.1. The department shall also manage the community service area
680 framework adopted by Ordinance 17139, which shall be called the community service
681 area program. The community service area program shall develop and implement
682 programs and services to help all residents of unincorporated King County be more
683 knowledgeable of, better served by and heard by King County departments and agencies.
684 The community service area program shall work with all county departments and
685 agencies whose services, programs, and projects are of interest to unincorporated area
686 residents, to promote successful public engagement.

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

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

692 b. address the required elements in Ordinance 17139;

693 c. list potential action items for the area;

694 d. list known planning activities for the area;

- 695 e. identify public meetings for the area;
- 696 f. include the current adopted community needs list as required in subsection
- 697 ~~((C-))~~ D. of this section; and
- 698 g. establish an ongoing communications and community engagement plan
- 699 using tools and resources developed by the executive's office ~~((of equity and racial and~~
- 700 ~~social justice))~~, including, but not limited to, community engagement, language access,
- 701 and equity impact review tools. The county shall use, at minimum, the ~~((“County and~~
- 702 ~~community work together”))~~ “Co-Create” level of engagement as outlined in the ~~((office~~
- 703 ~~of equity and racial and social justice’s))~~ Community Engagement Guide published by the
- 704 executive's office for the development, review, amendment, adoption, and
- 705 implementation of the community needs list; and
- 706 h. establish performance metrics to monitor the implementation of the work
- 707 program.
- 708 3. The community service area program shall provide regular updates to the
- 709 councilmember or councilmembers who represent the subarea geography on the progress
- 710 of the work program throughout the year and shall publish regular reports on the work
- 711 program to its website at least once per quarter.
- 712 4. The work program shall be updated on an annual basis.
- 713 ~~((E-))~~ F.1. The department of local services shall monitor and report on
- 714 performance metrics for subarea plans described in subsection ~~((B-))~~ C. of this section,
- 715 for community needs lists described in subsection ~~((C-))~~ D. of this section, and for the
- 716 work program described in this subsection ~~((D-))~~ E. of this section.
- 717 2. The timing for reporting on performance metrics and monitoring shall be:

718 a. for transmitting a report to the council:

719 (1) for subarea geographies that have a subarea plan adopted as of December
720 2022, reviewed and jointly reported on by December 30, 2024, and every two years
721 thereafter; and

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

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

728 3. Performance monitoring shall be informed and monitored by the community
729 and the council.

730 ~~((F-))~~ G.1. The department shall also establish service partnership agreements
731 with each executive branch agency that provides programs, services, or facilities in the
732 unincorporated area, including those agencies that provide regional services to
733 unincorporated area residents and businesses. The service partnership agreements shall
734 inform budget development for programs, services, or facilities in the unincorporated
735 area.

736 2. Service partnerships agreements shall:

737 a. be consistent with and implement the subarea plans in subsection ~~((B-))~~ C.
738 of this section, the community needs lists in subsection ~~((C-))~~ D. of this section, the
739 community service area work programs in subsection ~~((D-))~~ E. of this section, and other
740 county plans;

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

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

745 a. roles and responsibilities for the department of local services and the partner
746 agency;

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

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

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

753 and

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

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

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

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

762 4. The service partnership agreements, after they are established, shall be
763 updated concurrent with the development of the annual or biennial budget and shall be

764 transmitted to the council as part of the supporting material for the executive's proposed
765 annual or biennial budget. In addition to the requirements for service partnership
766 agreements described in this subsection F., the updates shall include evaluation and
767 reporting on the goals and performance metrics identified in the previous service
768 partnership agreement and in the community needs list.

769 ~~((G.))~~ H. Until an ordinance that makes changes to the King County Code
770 required in Ordinance 18791, Section 217, is effective, the permitting division shall be
771 considered the successor agency to the department of permitting and environmental
772 review. Therefore, upon effectiveness of Ordinance 18791 and until an ordinance
773 required by Ordinance 18791, Section 217, is effective, where the code states or intends a
774 decision to be made or action to be implemented by the department of permitting and
775 environmental review, those decisions or actions shall be performed by the permitting
776 division.

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

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

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

783 e.)) administering the State Environmental Policy Act and acting as lead
784 agency, including making the threshold determinations, determining the amount of
785 environmental impact and reasonable mitigation measures, and coordinating with other

786 departments and divisions in the preparation of county environmental documents or in
787 response to environmental documents from other agencies;

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

793 ~~((e.))~~ d. pursuing and resolving code violations, including preparing for
794 administrative or legal actions, evaluating the department's success in obtaining
795 compliance with King County rules and regulations, and designing measures to improve
796 compliance;

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

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

- 804 2. The permitting division manager shall be the:
- 805 a. county planning director;
- 806 b. zoning adjuster;
- 807 c. responsible official for purposes of administering the State Environmental
808 Policy Act;

809 d. county building official; and

810 e. county fire marshal.

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

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

818 1. Designing, constructing, and maintaining county roads, bridges, and
819 associated drainage facilities;

820 2. Designing, installing, and maintaining county traffic signs, markings, and
821 signals;

822 3. Designing, installing, and maintaining roadway active transportation
823 facilities;

824 4. Managing intergovernmental contracts or agreements for services related to
825 road maintenance and construction and to other transportation programs supporting the
826 transportation plan;

827 5. Inspecting utilities during construction and upon completion for compliance
828 with standards and specifications, and ensuring that public facilities disturbed due to
829 construction are restored;

830 6. Performing detailed project development of roads capital improvement
831 projects that are consistent with the transportation element of the county's Comprehensive

832 Plan, and coordinating such programming with other county departments and divisions
833 assigned responsibilities for Comprehensive Plan implementation;

834 7. Incorporating into the roads capital improvement program those projects
835 identified in the transportation needs report, related functional plans and elsewhere
836 consistent with the county's Comprehensive Plan;

837 8. Preparing, maintaining, and administering the county road standards;

838 9. Preparing and administering multiyear roads maintenance and capital
839 construction plans and periodic updates;

840 10. Administering the transportation concurrency and mitigation payment
841 programs; and

842 11.a. Performing the duties of the office of the county road engineer, which is
843 hereby established as an administrative office of the road services division. The office of
844 the county road engineer shall be an office of record, supervised by the county road
845 engineer hired in accordance with RCW 36.80.010 and reporting to the manager of the
846 road services division. The office of the county road engineer shall be located within the
847 corporate limits of the county seat.

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

851 c. The county executive may assign professional engineering duties of the
852 county road engineer to someone other than the county road engineer, except as
853 otherwise assigned by the King County Code, and only if the individual assigned those
854 duties shall be qualified as required under RCW 36.80.020. The executive shall provide

855 to the county council and the Washington state County Road Administration Board, in
856 writing, those specific professional engineering duties not assigned to the county road
857 engineer, the name and position of each person responsible for carrying out those
858 assigned duties, the specific reporting and working relationships with the county road
859 engineer, and the duration for which those duties have been assigned.

860 SECTION 9. Ordinance 18086, Section 2, as amended, and K.C.C. 2.16.136 are
861 hereby amended to read as follows:

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

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

875 a. voter registration notices, voter registration forms, and voter registration
876 instructions, to the extent not already provided by the Office of the Washington state
877 Secretary of State;

878 b. ballots and ballot instructions; and
879 c. local voters' pamphlets, in conformity with K.C.C. chapter 1.10 and chapter
880 29A.32 RCW.

881 B. In 2016 and at least every five years thereafter, the director of elections shall
882 review data on limited-English-proficient populations in King County and shall
883 determine, in consultation with community leaders of limited-English-proficient
884 populations and the executive's office (~~(of performance, strategy and budget)~~), each
885 single language that has ten thousand or more limited-English-proficient King County
886 residents. The director of elections shall make this determination by referring to the best
887 available data from the United States Census Bureau or other source the director
888 considers relevant and reliable. The director of elections shall file a report of this
889 determination, including a list of all languages that meet the threshold of ten thousand or
890 more limited-English-proficient residents, and the supporting analysis by January 30,
891 2017, and at least every five years after the first report is filed. The director of elections
892 shall electronically file the report with the clerk of the council, who shall retain a copy
893 and provide an electronic copy to all councilmembers, the council chief of staff, the
894 council chief policy office, and the director of elections.

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

- 897 1. Spanish;
- 898 2. Chinese;
- 899 3. Vietnamese;
- 900 4. Korean;

901 5. Russian;

902 6. Somali;

903 7. Any languages identified by the director in a report required by subsection B.

904 of this section as having ten thousand or more limited-English-proficient King County

905 residents, unless an ordinance is enacted within forty-five days of the filing of that report

906 requiring otherwise, beginning with the first general election after that report is filed with

907 the clerk of the council; and

908 8. Any other languages required under Section 203 of the Voting Rights Act of

909 1965, P.L. 94-73, 42 U.S.C. 1973aa-1a.

910 D. The director of elections shall also ensure the provision of targeted outreach to

911 all language communities identified under subsection C. of this section to promote

912 awareness of and requests for translated voting materials. The outreach may include, but

913 not be limited to, engagement of community leaders from and outreach to community

914 organizations serving limited-English-proficient populations, minority language media

915 purchases, such as advertising, attendance and materials distribution at large limited-

916 English-proficient community events, and recruitment of bilingual election workers. The

917 director of elections shall maintain and make available to the public at least one hundred

918 twenty days before each primary and general election a list of the languages other than

919 English in which the department will provide translated material and assistance, and the

920 specific form of that assistance.

921 E. The cost of providing the materials and services described in subsections A.,

922 C., and D. of this section shall be considered a cost of elections, of which a pro rata share

923 shall be recovered from constituent jurisdictions and the state.

924 SECTION 10. Ordinance 12076, Section 38, as amended, and K.C.C. 2.21.040
925 are hereby amended to read as follows:

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

930 B. The risk management committee shall:

931 1. Make recommendations to the council and executive regarding risk
932 management policy;

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

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

936 SECTION 11. Ordinance 19770, Section 4, and K.C.C. 2.31.030 are hereby
937 amended to read as follows:

938 The commission shall have the following duties:

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

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

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

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

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

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

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

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

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

961 B. Conduct and prioritize a robust and ongoing engagement process with
962 community members and county entities to consider their input in implementing and
963 carrying out the purposes and provisions of this chapter. Engagement shall be prioritized
964 for historically disadvantaged communities who have historically lacked power to
965 influence policies for the community. County entities should include, but not be limited
966 to, the office of law enforcement oversight, the community advisory committee for law
967 enforcement oversight, the immigrant and refugee commission, the women's advisory
968 board, 504/ADA advisory committee, the veterans, seniors and human services levy

969 advisory board, the executive's office (~~(of equity and racial and social justice)~~), the
970 legislative branch's director of equity and social justice, the county auditor, the hearing
971 examiner, the office of public complaints, and the various King County unincorporated
972 area councils;

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

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

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

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

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

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

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

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

995 G. Beginning in 2026, provide an annual report to the executive and council that
996 shall include, but not be limited to, a quantitative and qualitative summary of completed
997 and ongoing commission activities as required in this chapter, progress on the work
998 program outlined in the prior calendar year annual report, and a work program for the
999 following calendar year. On behalf of the commission, the executive shall electronically
1000 file the report by April 15 of each year with the clerk of the council, who shall retain an
1001 electronic copy and provide an electronic copy to all councilmembers, the council chief
1002 of staff, and the lead staff for the law and justice committee or its successor. The report
1003 shall be publicized widely, in particular to those historically disadvantaged communities
1004 who have historically lacked power to influence policies for the community. Publicity
1005 methods shall include, but not be limited to, the official county newspaper, newspapers of
1006 general circulation within each council district, King County civic television, television
1007 news outlets, social media platforms, non-English language newspapers and periodicals
1008 distributed in the county, and the county's website. The commission should provide
1009 annual briefings to media and elected officials representing cities, the county, and the
1010 state to ensure that the commission's lessons learned and achievements are shared with
1011 the public and policy makers.

1012 SECTION 12. Ordinance 17699, Section 2, as amended, and K.C.C. 2.36.100 are
1013 hereby amended to read as follows:

- 1014 A. The central business systems steering committee is hereby created. The
1015 committee's purpose shall be to:
- 1016 1. Maximize benefits from the accountable business transformation program;
1017 2. Achieve the proper functioning and integration of the countywide systems for
1018 human resources, payroll, time, and labor, finance, and budget; and
1019 3. Provide for communication and accountability.
- 1020 B. The members of the committee shall be:
- 1021 1. The deputy county executive or designee;
1022 2. ~~((The assistant deputy county executive;~~
1023 3.)) The county administrative officer;
1024 ~~((4. The director of the office of performance, strategy, and budget))~~ 3. The
1025 budget director in the executive's office; and
1026 ~~((5.))~~ 4. The chief information officer.
- 1027 C. The committee shall:
- 1028 1. Make recommendations to the executive;
1029 2. Coordinate work, set priorities, and guide how technical and business process
1030 issues with the countywide system are addressed to achieve the proper functioning and
1031 integration of the countywide policies, business processes, and systems for human
1032 resources, payroll, time, and labor, finance, and budget. The committee shall also align
1033 and integrate work plans for allocation of resources and budget;
1034 3. Create a structured process for regular end-user engagement, involvement,
1035 communication, and training;

1036 4. Promote continued business process improvements and business rule
1037 standardization, and eliminate obstacles to adopting best practices; and

1038 5. Maximize benefits of the integrated enterprise system through business
1039 process and system standardization, optimization and transformation, and monitor
1040 performance measurement and reporting including benefit realization.

1041 SECTION 13. Ordinance 12901, Section 3, as amended, and K.C.C. 2.41.030 are
1042 hereby amended to read as follows:

1043 A. The commission shall consist of thirteen voting members; the members shall
1044 serve terms of three years as specified in K.C.C. chapter 2.28.

1045 B. The voting members of the commission shall serve without compensation.
1046 The members shall represent the diversity of rural forestry interests and the different
1047 geographic regions of rural King County.

1048 C. Commission membership shall include an equitable representation of the
1049 following interests:

1050 1. At least five members representing private rural forest landowners, with at
1051 least one from each of the following ownership categories:

1052 a. forest landowners with greater than five hundred acres of rural forest land in
1053 King County;

1054 b. forest landowners with forty to five hundred acres of rural forest land in
1055 King County, and for whom income from forestry is an important component of total
1056 income;

1057 c. residential forest landowners with greater than twenty acres of rural forest
1058 land enrolled in the Forest Land Designation (chapter 84.33 RCW) program; and

- 1059 d. residential forest landowners with less than twenty acres of rural forest land;
1060 2. Advocates of nontimber values of forest land, such as environmental
1061 protection, recreation, and open space;
1062 3. The Washington Department of Natural Resources;
1063 4. Affected Indian tribes;
1064 5. Consumers or users of local forest products, such as mills, lumber
1065 suppliers, craftspeople, artisans, florist suppliers, or users of other alternative forest
1066 products;
1067 6. Academic or professional foresters, or forestry associations; and
1068 7. Rural cities.
- 1069 D. The directors of the departments of natural resources and parks and executive
1070 services, (~~the chief officer of the office of performance, strategy and budget~~) a
1071 representative of the executive's office, the department of local services permitting
1072 division manager, a representative of the King County council (~~planning, rural service~~
1073 ~~and environment~~) local services and land use committee, or its successor, a
1074 representative of the Mount Baker-Snoqualmie National Forest, a representative of the
1075 Washington State University Extension, and the director of the King Conservation
1076 District may serve as nonvoting ex officio members of the commission.
- 1077 E. All appointees should have a working knowledge of King County forestry, a
1078 strong commitment to promote forestry in the rural area, the ability to work with differing
1079 viewpoints to find solutions to complex problems, and a willingness to commit the time
1080 necessary to attend commission meetings and activities.

1081 SECTION 14. Ordinance 18811, Section 1, and K.C.C. 2.42.150 are hereby
1082 amended to read as follows:

1083 A. The administrator is authorized to issue warrants for the medical center,
1084 subject to the requirements and limitations in RCW 36.62.252 and in subsection B. of this
1085 section.

1086 B. All warrants issued by the administrator shall comply with the following:

1087 1. The warrants shall be issued from the county hospital fund and drawn on an
1088 account maintained with the financial institution with which the county has its banking
1089 services agreement;

1090 2. The warrants shall be issued in a manner consistent with any written
1091 procedures established by either the finance and business operations division or the
1092 executive's office (~~(of performance, strategy and budget)~~), or both;

1093 3. The medical center shall coordinate with the finance and business operations
1094 division to ensure fiscal responsibility, accountability and auditing as needed;

1095 4. The administrator may not issue warrants for medical center capital projects
1096 administered and managed by King County, except that warrants for medical center
1097 capital projects managed and administered by the University of Washington under the
1098 terms of the Hospital Services Agreement dated February 25, 2016, may be issued by the
1099 administrator; and

1100 5. The administrator must be the signatory on the warrants.

1101 SECTION 15. Ordinance 18798, Section 2, as amended, and K.C.C. 2.47.010 are
1102 hereby amended to read as follows:

1103 A. The (~~county's office of equity and social justice~~) executive's office shall
1104 invite representatives from all branches, departments, agencies, and offices of county
1105 government to form an interbranch team to plan the Reverend Dr. Martin Luther King,
1106 Jr., annual gathering celebrating the life and legacy of the Reverend Dr. Martin Luther
1107 King, Jr.

1108 B. The interbranch team shall reach out to community representatives to receive
1109 ideas for the planning of the Reverend Dr. Martin Luther King, Jr., annual gathering, and
1110 receive feedback during the planning of the Reverend Dr. Martin Luther King, Jr., annual
1111 gathering.

1112 C. The (~~county's office of equity and social justice~~) executive's office in
1113 collaboration with the interbranch team shall each year convene an annual gathering
1114 celebrating the life and legacy of the Reverend Dr. Martin Luther King, Jr. The intent of
1115 the gathering shall be to:

1116 1. Provide a countywide gathering for all members of the public to celebrate the
1117 life and legacy of the Reverend Dr. Martin Luther King, Jr.;

1118 2. Recognize the impact that the Reverend Dr. Martin Luther King, Jr. has on
1119 our community and our nation and bring to attention the Reverend Dr. Martin Luther
1120 King Jr.'s message of equity, social justice, and (~~non-violence~~) nonviolence and his
1121 political and social philosophies; and

1122 3. Inspire county residents to strive in a (~~non-violent~~) nonviolent manner for
1123 the human rights, civil liberties, and economic guarantees rightfully due to all peoples.

1124 D. The gathering shall be held in the second week of the month of January.

1125 E. The gathering shall be open to all county employees that are available to
1126 attend. Separately elected officials, department directors, and division managers shall
1127 make an effort to accommodate all county employees that request to attend the gathering.

1128 F. The gathering shall be open to the public.

1129 G. The (~~county's office of equity and social justice~~) executive's office in
1130 collaboration with the interbranch team should widely publicize the gathering. Publicity
1131 methods shall include, but not be limited to, the official county newspaper, newspapers of
1132 general circulation within each council district, King County civic television, television
1133 news outlets, social media platforms, non-English language newspapers and periodicals
1134 distributed in the county, and the county's website.

1135 H. The gathering shall be held in a King County venue that would accommodate
1136 all attendees.

1137 I. The gathering shall consider including:

- 1138 1. Presentation of the King County Medal of Distinguished Service awards;
- 1139 2. Keynote addresses from invited guests and county elected officials;
- 1140 3. Performances by award winning artists, local artists, or both;
- 1141 4. Recognition of the Reverend Dr. Martin Luther King Jr. essay contest
1142 winners; and
- 1143 5. Readings of excerpts from Dr. King's speeches.

1144 J. Costs of the gathering are hereby authorized, subject to availability of funds in
1145 the county general fund.

1146 K. The executive shall include a proposed budget that will cover the costs of each
1147 annual gathering as part of the executive's proposed budget to council.

1148 SECTION 16. Ordinance 12058, Section 9, as amended, and K.C.C. 2.55.010 are
1149 hereby amended to read as follows:

1150 A. There is hereby created a King County Section 504 of the Rehabilitation Act
1151 of 1973/Americans with Disabilities Act of 1990 advisory committee, referred to in this
1152 section as the 504/ADA committee.

1153 B. The 504/ADA committee shall be composed of not less than three individuals,
1154 subject to confirmation by the county council, including the chair of the committee. The
1155 executive shall appoint the chair of the committee.

1156 C. The 504/ADA committee shall serve in an advisory capacity to the executive
1157 in developing strategies, systems, and guidelines in implementing the 504/ADA
1158 Compliance Workplan. The functions of the 504/ADA committee shall include, but not
1159 be limited to, the following:

1160 1. Review the 504/ADA Compliance Workplan and make recommendations
1161 towards improving its effectiveness;

1162 2. Review and monitor the progress of the 504/ADA Compliance Workplan;
1163 and

1164 3. Review and monitor the progress of affirmative action made in the
1165 employment of individuals with disabilities in the county's workforce.

1166 D. Appropriate staff to the 504/ADA committee shall be provided by the
1167 executive, including the Section 504 of the Rehabilitation Act of 1973/Americans with
1168 Disabilities Act of 1990 compliance specialist in the executive's office (~~of equity and~~
1169 ~~racial and social justice~~). The Section 504 of the Rehabilitation Act of 1973/Americans
1170 with Disabilities Act of 1990 compliance specialist is the designated county employee to

1171 coordinate the county's effort to comply with and carry out its responsibilities under
1172 Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of
1173 1990 and its implementing regulations.

1174 SECTION 17. Ordinance 18653, Section 3, and K.C.C. 2.78.020 are hereby
1175 amended to read as follows:

1176 The commission shall:

1177 A. Act as a central point of contact, communication and coordination to
1178 encourage coordination and efficient intersection of the work of stakeholders serving and
1179 engaging immigrant and refugee residents to achieve greater impact. As the hub, the
1180 commission shall act as the focal point for connecting a broad group of stakeholders to
1181 identify, elevate, and develop shared strategies and solutions, streamline and strengthen
1182 efforts, and bring more resources to the most pressing issues affecting immigrant and
1183 refugee communities. To achieve this purpose, the commission's duties shall include, but
1184 not be limited to, the following:

1185 1. Assist and advise the council, council administration, and independent offices
1186 of the legislative branch, the executive branch, including departments, divisions and
1187 offices, the sheriff, the assessor, the department of elections, the prosecuting attorney,
1188 superior court, district court, and the office of economic and financial analysis on issues,
1189 programs, and policies impacting immigrant and refugee communities;

1190 2. Collaborate with all levels of government to ensure effective outreach to and
1191 engagement of immigrant and refugee communities and advise on the county's role with
1192 other government entities;

1193 3. Coordinate with the executive's office (~~(of equity and racial and social~~
1194 ~~justice))~~ to develop and review core principles and strategies on equity as they relate to
1195 immigrant and refugee communities in the context of county services, programs, and
1196 policies;

1197 4. Assist with the development and implementation of county services,
1198 programs, and policies that impact immigrant and refugee communities;

1199 5. Evaluate county services, programs, and policies from the perspective of
1200 immigrant and refugee communities;

1201 6. Assist with the development and review of major county plans to ensure that
1202 the interests and priorities of immigrants and refugees are incorporated in those plans;

1203 7. Promote civic participation and government representation, which shall
1204 include, but not be limited to, encouraging application for employment within the county
1205 workforce by immigrant and refugee residents and representation of immigrant and
1206 refugee residents on boards and commissions;

1207 8. Promote naturalization as a path toward civic and economic integration;

1208 9. Collaborate with organizations that implement programs to enhance
1209 integration, naturalization, and English-language learning;

1210 10. Increase public awareness of immigrants and refugees and their
1211 contributions to our community;

1212 11. Collaborate with all levels of government to invest in the capacity of
1213 organizations that serve the immigrant and refugee communities;

1214 12. Continually review the need for appropriate resourcing and support for
1215 issues affecting immigrant and refugee communities;

1216 13. Recommend and advocate for increased funding, identify new funding
1217 sources and leverage existing funding that include county funds to address the needs of
1218 the immigrant and refugee communities and support the commission's activities; and

1219 14. Convene workgroups made up of stakeholders serving and engaging
1220 immigrant and refugee communities to build a shared countywide strategy to address the
1221 top issues surfaced through community input and/or work with the appropriate programs,
1222 boards/commissions, and task forces such as in housing and homelessness, employment
1223 and small business, barriers to accessing services, human trafficking, and criminal justice
1224 and safety;

1225 B. Focus on understanding and addressing challenges faced by immigrant and
1226 refugee communities living in suburban cities and unincorporated areas of the county.
1227 The commission should complement the work engaged by the city of Seattle but with
1228 emphasis on communities outside of the city of Seattle. To achieve this purpose, the
1229 commission's duties shall include, but not be limited to:

1230 1. Advocating for the county to act as a regional partner with cities to
1231 investigate the need for increased investment in the development of neighborhood centers
1232 or meeting hubs for youth and families, with an emphasis on serving the needs of
1233 immigrant and refugee populations;

1234 2. Working with county departments, cities, service providers, and the Sound
1235 Cities Association, to create a strategic plan, to be adopted by the commission, for
1236 addressing immigrant and refugee issues in suburban cities and unincorporated areas;

1237 3. Investigating whether immigrants and refugees are able to adequately access
1238 county services such as district courts, public health clinics, parks, transit in suburban

1239 cities, and exploring the potential and need for opening a multilingual, culturally-
1240 responsive satellite office in a suburban city if it is determined by the commission that a
1241 satellite office would help to increase access;

1242 4. Working with county departments to collaborate with businesses to increase
1243 economic opportunities for immigrants and refugees living in unincorporated areas to
1244 have access to living wage jobs; and

1245 5. Working with county departments to gather, share, and disaggregate data
1246 related to immigrants and refugees in unincorporated areas to determine unmet needs,
1247 such as the number of substandard houses, and prevalence of income gaps to understand
1248 intersections between place-based challenges for immigrants and refugees; and

1249 C. Adopt goals directed towards the purposes and responsibilities of this section.

1250 SECTION 18. Ordinance 18653, Section 8, and K.C.C. 2.78.070 are hereby
1251 amended to read as follows:

1252 An employee from the executive's office (~~(of equity and racial and social justice)~~)
1253 and one council employee shall staff the commission.

1254 SECTION 19. Ordinance 16077, Section 4, as amended, and K.C.C. 2.130.010
1255 are hereby amended to read as follows:

1256 A. There is hereby established a King County mental illness and drug
1257 dependency advisory committee.

1258 B.1. The advisory committee shall act as an advisory body to the county
1259 executive and council. The advisory committee shall conduct reviews, provide comment
1260 on and make recommendations on the mental illness and drug dependency tax-funded
1261 initiatives, services, programs and policy goals outlined in Ordinance 15949, Section 3,

1262 as amended, and K.C.C. 4A.500.340 and consistent with the mental illness and drug
1263 dependency service improvement plan that is approved in accordance with Ordinance
1264 17998. The advisory committee shall provide ongoing review, comments and
1265 recommendations on mental illness and drug dependency tax-funded programs until all
1266 sales tax revenues have been expended and the final evaluation of the mental illness and
1267 drug dependency programs and services has been submitted to the council.

1268 2. The advisory committee shall:

1269 a. review and provide written recommendations to the executive and the
1270 council on the implementation and effectiveness of the county's sales tax funded
1271 programs in meeting the goals established in Ordinance 15949, Section 3, as amended,
1272 and K.C.C. 4A.500.300 through 4A.500.340;

1273 b. review and report to the executive and the council on annual evaluation
1274 reports as required by Ordinance 15949, Section 3, as amended, and K.C.C. 4A.500.300
1275 through 4A.500.340;

1276 c. review and make comment on emerging and evolving priorities for the use
1277 of the mental illness and drug dependency sales tax revenue;

1278 d. serve as a forum to promote coordination and collaboration between entities
1279 involved with sales tax programs;

1280 e. educate the public, policymakers and stakeholders on mental illness and
1281 drug dependency sales tax funded programs; and

1282 f. coordinate and share information with other related efforts and groups.

1283 C. The advisory committee shall be composed of one representative from each of
1284 the following:

- 1285 1. The council;
- 1286 2. The executive;
- 1287 3. The superior court;
- 1288 4. The district court;
- 1289 5. The prosecuting attorney's office;
- 1290 6. The sheriff's office;
- 1291 7. The department of public health;
- 1292 8. The department of judicial administration;
- 1293 9. The department of adult and juvenile detention;
- 1294 10. The department of community and human services;
- 1295 11. A provider of both mental health and chemical dependency services in King
1296 County;
- 1297 12. A provider of culturally specific mental health services in King County;
- 1298 13. A provider of culturally specific chemical dependency services in King
1299 County;
- 1300 14. A representative of an organization with expertise in helping individuals
1301 with behavioral health needs in King County get jobs and live independent lives;
- 1302 15. A provider of domestic violence prevention services in King County;
- 1303 16. A provider of sexual assault victim services in King County;
- 1304 17. An agency providing mental health and chemical dependency services to
1305 youth;
- 1306 18. Harborview Medical Center;
- 1307 19. All Home;

- 1308 20. King County systems integration initiative, which is an ongoing work group
1309 established by the executive for addressing juvenile justice matters;
- 1310 21. The Community Health Council;
- 1311 22. The Washington State Hospital Association, representing King County
1312 hospitals;
- 1313 23. The Sound Cities Association;
- 1314 24. The city of Seattle;
- 1315 25. The city of Bellevue;
- 1316 26. Labor representing a bona fide labor organization;
- 1317 27. The office of the public defender;
- 1318 28. The National Alliance on Mental Illness;
- 1319 29. Puget Sound educational services district;
- 1320 30. A representative of a philanthropic organization;
- 1321 31. The King County behavioral health advisory board;
- 1322 32. A representative of an organization with expertise in recovery;
- 1323 33. A representative of the five managed care organizations operating in King
1324 County;
- 1325 34. An individual representing behavioral health consumer interests from the
1326 mental illness and drug dependency advisory committee's consumers and communities ad
1327 hoc work group;
- 1328 35. An individual representing community interests from the mental illness and
1329 drug dependency advisory committee's consumers and communities ad hoc work group;

1330 36. A representative of a grassroots organization serving a cultural population or
1331 cultural populations; and

1332 37. A representative of unincorporated King County.

1333 D.1. Separately elected officials and King County agency directors or their
1334 designees are not required to be appointed or confirmed.

1335 2. A member of the advisory committee who has been confirmed to serve on
1336 another county board or commission is not required to be confirmed to serve on the
1337 advisory committee.

1338 3. All other members of the advisory committee are subject to appointment by
1339 the county executive and confirmation by the county council.

1340 4. The executive shall appoint advisory committee members to staggered terms
1341 in accordance with K.C.C. 2.28.010.C.

1342 E.1. The advisory committee shall adopt rules governing its operations at its first
1343 meeting.

1344 2. The committee shall elect a chair or cochairs.

1345 3. Subcommittees and workgroups may be formed at the discretion of the
1346 advisory committee.

1347 4. At each meeting of the advisory committee, the advisory committee shall
1348 provide an open comment period.

1349 F. The advisory committee shall coordinate with other county groups including,
1350 but not limited to, the All Home coordinating board, the regional human services levy
1351 citizen oversight board, the veterans levy citizen oversight board, the children and youth
1352 advisory board, the behavioral health and recovery board, the board of health and the

1353 adult and juvenile justice operational master plan advisory groups, or their successors, to
1354 ensure that information is shared and, when appropriate, efforts are coordinated and not
1355 duplicated.

1356 G. The (~~office of performance, strategy and budget and the~~) behavioral health
1357 and recovery division of the department of community and human services shall provide
1358 staffing of the advisory committee.

1359 H. Members of the advisory committee who are not full-time county employees
1360 may be reimbursed for parking expenses in the King County parking garage when
1361 attending meetings of the committee.

1362 SECTION 20. Ordinance 19008, Section 7, as amended, and K.C.C. 2.150.050
1363 are hereby amended to read as follows:

1364 The duties of the commission include the following:

1365 A. Provide information, advice and counsel to the council, the executive, the
1366 department of community and human services, (~~the office of equity and social justice,~~)
1367 and other county departments on issues and policies affecting renters, including housing
1368 affordability and the intersection of renters with their access to transportation, green and
1369 other public spaces, renter protections, public health and safety, education, and economic
1370 growth as they relate to renters in unincorporated King County;

1371 B. Monitor the enforcement and effectiveness of legislation related to renters and
1372 renter protections;

1373 C. Provide periodic advice on priorities, policies, and strategies for strengthening
1374 and enhancing the enforcement and effectiveness of renter protections;

1375 D. Adopt an annual work plan. The plan shall include a briefing on the
1376 commission's public involvement process for soliciting community and citizen input in
1377 developing the commission's annual work plan and updates on the work plan; and

1378 E. Collaborate and consult with other county commissions and committees,
1379 departments, the King County housing authority board of commissioners, the affordable
1380 housing committee of the King County growth management planning council, the Seattle
1381 renters' commission, and other community groups and associations, including those
1382 representing rental property landlords, to gather information, feedback, and
1383 recommendations related to the King County renters' commission's work.

1384 SECTION 21. Ordinance 12014, Section 32, as amended, and K.C.C. 3.12.350
1385 are hereby amended to read as follows:

1386 A. The director may adopt personnel guidelines for the purpose of implementing
1387 the directives, policies, and standards contained in this chapter and in Article 5 of the
1388 charter.

1389 After adoption, amendment, or repeal of any guideline, the department shall post
1390 the updated guidelines to the Internet, and the department will notify each department and
1391 the executive's office (~~(of labor relations)~~) may notify the collective bargaining units.

1392 B. The personnel guidelines may include, but not be limited to, the following
1393 subjects:

- 1394 1. Purpose, objectives and intent;
- 1395 2. Definitions;
- 1396 3. Preemployment administration:
 - 1397 a. role of the director and the department;

- 1398 b. recruitment procedures;
- 1399 c. application procedures;
- 1400 d. examinations;
- 1401 e. employment lists;
- 1402 f. appointment; and
- 1403 g. process requirements of equal employment opportunity;
- 1404 4. Postemployment administration:
 - 1405 a. role of the department of human resources;
 - 1406 b. probationary periods;
 - 1407 c. classification system;
 - 1408 d. employee performance evaluation;
 - 1409 e. disciplinary procedures;
 - 1410 f. separation, including reductions in force;
 - 1411 g. employee relations; and
 - 1412 h. process requirements of equal employment opportunity;
- 1413 5. Special duty;
- 1414 6. Grievance and appeals procedures:
 - 1415 a. role of the department of human resources and other departments, including
 - 1416 relationship and processes of the equal employment program;
 - 1417 b. role of the director;
 - 1418 c. grievance procedures;
 - 1419 d. appeals procedures; and
 - 1420 e. role of the personnel board;

- 1421 7. Conditions of employment;
- 1422 8. Employee benefits;
- 1423 9. Procedures for leaves of absence; and
- 1424 10. Procedures for salary and administration.

1425 SECTION 22. Ordinance 12943, Section 14, as amended, and K.C.C. 3.12A.020
1426 are hereby amended to read as follows:

1427 The definitions set forth in K.C.C. chapter 3.12 are hereby incorporated in this
1428 chapter. Words not defined in K.C.C. chapter 3.12 or in this chapter shall have their
1429 ordinary and usual meanings. In the event of conflict, the specific definitions set forth in
1430 this chapter shall presumptively, but not conclusively, prevail.

1431 A. "Committee" means the career service review committee, which shall consist
1432 of:

1433 1. The following three permanent members:

1434 a. ~~((the county executive or designee))~~ two executive's office representatives
1435 designated by the executive; and

1436 b. ~~((the chief officer of the office of performance, strategy, and budget or~~
1437 ~~successor organizational unit or designee; and~~

1438 e-)) the director of the department of human resources or successor
1439 organizational unit or designee; and

1440 2. One member representing the department whose body of work or employees
1441 are then under review.

1442 SECTION 23. Ordinance 18757, Section 4, as amended, and K.C.C. 3.12D.020
1443 are hereby amended to read as follows:

1444 The executive, assessor, director of elections, council, and prosecuting attorney
1445 shall report biennially on the number of workplace discrimination and harassment
1446 complaints, including sexual harassment, and inappropriate conduct complaints and,
1447 when possible, informal inquiries, received by each department each year. The report
1448 shall indicate the basis or bases of the complaint, which may be one or more of the
1449 protected classes as defined in K.C.C. chapter 3.12D, pregnancy, domestic violence
1450 victimization, or any other status protected by federal, state, or local law. The executive's
1451 office (~~(of equity and racial and social justice)~~) shall report on the number of unfair
1452 employment practice complaints filed, the basis or bases of the complaint, the number of
1453 investigations of unfair employment practices in the reporting year, and the number of
1454 findings that reasonable cause exists to believe that an unfair employment practice
1455 occurred. The first report shall be transmitted to the council by December 31, 2019. All
1456 reports under this section shall be electronically filed with the clerk of the council who
1457 shall retain an electronic copy and provide an electronic copy to all councilmembers, the
1458 council chief of staff and the council chief policy officer.

1459 SECTION 24. Ordinance 8658, Section 1, as amended, and K.C.C. 3.16.040 are
1460 hereby amended to read as follows:

1461 A. Any collective bargaining agreement between King County and a recognized
1462 bargaining representative as defined in RCW 41.56.030 which has been signed by the
1463 union shall be transmitted to the King County council no later than fourteen days after
1464 receipt by the executive's office (~~(of labor relations)~~).

1465 B. Failure to meet the deadline in subsection A. of this section shall result in the
1466 payment of interest on the retroactive amount of any negotiated salary or wage increase

1467 equal to interest earned on federal ninety-day treasury bills from the first day following
1468 the deadline through the date the signed agreement is transmitted to the King County
1469 council, unless the fourteen days have been extended by mutual agreement by both
1470 parties in writing.

1471 C. The interest accrued, if any, shall be divided among the county employees
1472 represented by the collective bargaining unit, based upon each employee's individual
1473 retroactive wage rate increase. The computed interest shall be included in the first
1474 paycheck that pays out the rate of pay negotiated in the tentative collective bargaining
1475 agreement.

1476 SECTION 25. Ordinance 14287, Section 5, as amended, and K.C.C. 3.16.055 are
1477 hereby amended to read as follows:

1478 A.1. A bargaining representative may at any time during negotiations forward to
1479 the ~~((manager of the office of))~~ labor relations director in the executive's office, or ~~((its))~~
1480 successor, a written complaint that the collective bargaining process is not being
1481 conducted in a timely manner or is not being conducted in a manner consistent with good
1482 faith bargaining. The ~~((manager of the office of))~~ labor relations director in the
1483 executive's office shall, within fifteen calendar days, respond in writing to the complaint
1484 and propose such remedies as may address the complaint.

1485 2. If the bargaining representative is not satisfied with the written response of
1486 the director, or if a written response to the complaint is not received within fifteen
1487 calendar days, the bargaining representative may forward the written complaint to the
1488 King County executive, as the bargaining agent, who shall, within fifteen calendar days,
1489 respond to it in writing and propose such remedies as may address the complaint.

1490 3. If the bargaining representative is not satisfied with the written response of
1491 the bargaining agent, or if a written response is not received from the bargaining agent
1492 within fifteen calendar days, the bargaining representative may request that the
1493 bargaining agent forward the written complaint to the council.

1494 4. If the bargaining agent receives a written request to have the complaint
1495 forwarded to the council, including an explanation of reasons for the request, the
1496 bargaining agent shall forward the request, together with the bargaining agent's written
1497 response, to the council within five calendar days from the receipt of the request. These
1498 materials or any discussion thereof shall remain confidential to the extent allowed by law.

1499 5. The council may request that the bargaining agent meet with the council for
1500 the purpose of reviewing the status of negotiations with regard to the principles contained
1501 in this chapter and the overall policy direction established by the labor policy committee,
1502 but the council shall take no action that would interfere with the lawful role of the
1503 bargaining agent.

1504 B. By June 30 of each year, the prosecuting attorney, in conjunction with
1505 bargaining agent, shall report to the council on all pending unfair labor practice charges
1506 and all pending arbitration involving represented employees.

1507 C. By June 30 of each year, or, in the case of agreements expiring other than
1508 December 31, at least ninety days before the commencement of negotiations, in
1509 preparation for collective bargaining the bargaining agent shall report to the council the
1510 agreements expiring that calendar year. The bargaining agent shall also generally explain
1511 existing policies that, if changed, would further the principles and intent established by
1512 this chapter. County department management concerned with the collective bargaining

1513 process, with the advice of other relevant county departments, shall assist the bargaining
1514 agent in reporting to the council.

1515 D. By June 30 of each year or, for agreements expiring other than December 31,
1516 at least ninety days before commencing negotiations, the council shall meet with the
1517 bargaining agent to review the schedule of collective bargaining agreements expiring in
1518 that calendar year and the key issues related to the collective bargaining process.

1519 Methods of consultation with unions, management rights and eliminating the causes of
1520 employee grievances shall also be considered.

1521 E. For the purpose of maintaining an effective collective bargaining process, the
1522 strategies and related information presented by the bargaining agent shall be maintained
1523 as confidential. The council shall develop guidelines to assist in accomplishing such
1524 confidentiality.

1525 SECTION 26. Ordinance 12076, Section 2, as amended, and K.C.C. 4.04.020 are
1526 hereby amended to read as follows:

1527 The definitions in this section apply throughout this chapter unless the context
1528 clearly requires otherwise.

1529 A. "Acquisition phase" means the time during which activities associated with
1530 acquisition or surplus and sale of real property, property rights or the acquisition of
1531 improvements through direct purchase or capitalized lease agreements occur.

1532 B. "Adopted" means approval by council motion or ordinance.

1533 C. "Agency" means a county office, officer, institution whether educational,
1534 correctional or other, department, division, board commission, except as otherwise
1535 provided in this chapter.

1536 D. "Allocation" means a part of a lump sum appropriation that is designated for
1537 expenditure by either a specific organization unit or for specific purposes, or both.

1538 E. "Allotment" means a part of an appropriation that may be encumbered or
1539 expended during an allotment period.

1540 F. "Allotment period" means a period of less than a fiscal year in length during
1541 which an allotment is effective.

1542 G. "Allotment plan" means a fiscal management plan that divides a county
1543 agency's program element budget into quarterly increments, reflecting the cyclical or
1544 seasonal pattern of expenditures, for the purpose of identifying over and under
1545 expenditures throughout the year.

1546 H. "Appropriations" means an authorization granted by the council to make
1547 expenditures and to incur obligations for specific purposes.

1548 I. "Appropriation ordinance" means the ordinance that establishes the legal level
1549 of appropriation for a fiscal year.

1550 J. "Art" means funds budgeted for the one percent for art program under K.C.C.
1551 chapter 4.40 or as otherwise provided by ordinance for a public art program.

1552 K. "Budget" means a proposed plan of expenditures for a given period or purpose
1553 and the proposed means for financing these expenditures.

1554 L. "Budget detail plan" means the council's proposed spending plan for the
1555 operational budgets of all agencies detailed at the section level and attached to the
1556 adopted appropriation ordinance or as modified by the most-recent supplemental
1557 appropriation ordinance.

1558 M. "Budget document" means a formal, written, comprehensive financial
1559 program presented by the executive to the council, including an electronic database with
1560 revenues and expenditures for all county agencies at the lowest organization levels and
1561 all summary levels provided in the general ledger system, balanced to the financial plans
1562 and the appropriation ordinance, fee ordinances, motions related to proposed levy rates to
1563 comply with chapter 36.40 RCW and cost-of-living adjustment ordinance proposed by
1564 the executive.

1565 N. "Budget message" means a formal oral presentation by the executive to the
1566 council that explains the budget in terms of goals to be accomplished and how the budget
1567 relates to the Comprehensive Plan.

1568 O. "Capital improvement plan" means a plan that establishes the capital
1569 improvements required to implement an approved operational master plan. This plan
1570 should extend over a minimum period of six years to define long-range capital
1571 improvement requirements and the annual capital improvements budget for a user
1572 agency.

1573 1. The capital improvement plan shall include the following elements, where
1574 applicable:

1575 a. general program requirements that define the development scope for specific
1576 sites or facilities;

1577 b. general space and construction standards;

1578 c. prototype floor plans and prototype facility designs for standard
1579 improvements;

1580 d. space requirements based on the adopted county space plan;

1581 e. initial, and life-cycle cost, of alternative facilities and locations including
1582 lease and lease/purchase approaches;
1583 f. approximate location of planned capital improvements;
1584 g. general scope and estimated cost of infrastructure; and
1585 h. a schedule, that extends over a minimum of six years, for the
1586 implementation of projects included in capital improvement plans, based on overall user
1587 agency priorities and projected available revenue((;)).

1588 2. The user agency shall prepare the elements of the plan in subsection O.1.a.,
1589 d., f., and h. of this section. The implementing agency shall prepare the elements of this
1590 plan in subsection O.1.b., c., e., and g. of this section.

1591 3. The six-year budget schedule included in the capital improvement plan shall
1592 be updated annually in conjunction with the capital budget adoption process.

1593 P. "Capital project" means a project with a scope that includes one or more of the
1594 following elements, all related to a capital asset: acquisition of either a site or existing
1595 structure, or both; program or site master planning; design and environmental analysis;
1596 construction; major equipment acquisition; reconstruction; demolition; or major
1597 alteration. "Capital project" includes a: project program plan; scope; budget by phase;
1598 and schedule. The project budget and phases of a project shall be prepared or managed
1599 by the implementing agency.

1600 Q. "CIP" means capital improvement program.

1601 R. "CIP exceptions notification" means, except for major maintenance reserve
1602 fund, roads, solid waste, surface water management and wastewater CIP projects, a letter
1603 filed with the clerk of the council for distribution to the chair of the budget and fiscal

1604 management committee, or its successor committee, which describes changes to an
1605 adopted CIP project's scope or schedule, or both, or total project cost and, with the
1606 exception of schedule changes, shall be sent in advance of any action. For major
1607 maintenance reserve fund CIP projects, "exceptions notification" means a letter filed with
1608 the clerk of the council for distribution to the chair of the budget and fiscal management
1609 committee, or its successor committee, that describes changes of fifteen percent or more
1610 to an adopted CIP project's scope or schedule, or both, or total project costs and, with the
1611 exception of schedule changes, shall be sent in advance of any action. For road CIP
1612 projects, "exceptions notification" means a letter filed with the clerk of the council for
1613 distribution to the chair of the transportation committee, or its successor committee, that
1614 describes changes of fifteen percent or more to an adopted CIP project's scope or
1615 schedule, or both, or total project costs and, with the exception of schedule changes, shall
1616 be sent in advance of any action. For wastewater, solid waste and surface water
1617 management CIP projects, "exceptions notification" means a letter filed with the clerk of
1618 the council for distribution to the chair of the budget and fiscal management committee,
1619 or its successor committee, and to the chair of the utilities committee, or its successor
1620 committee, which describes changes of fifteen percent or more to an adopted CIP
1621 project's scope or schedule, or both, or total project costs and, with the exception of
1622 schedule changes, shall be sent in advance of any action.

1623 S. "Close-out phase" means the time during which the administrative processes
1624 and associated accounting activities to close out all contracts occurs. The close-out phase
1625 follows final acceptance and may include multiyear monitoring.

1626 T. "Council" means the metropolitan King County council.

1627 U. "Deficit" means the excess of expenditures over revenues during an
1628 accounting period, or an accumulation of such excesses over a period of years.

1629 V. "Director" means the ~~((director of the office of performance, strategy and))~~
1630 budget director in the executive's office.

1631 W. "Executive" means the King County executive, as defined by Article 3 of the
1632 King County Charter.

1633 X. "Expenditures" means, where the accounts are kept on the accrual basis or the
1634 modified accrual basis, the cost of goods delivered or services rendered, whether paid or
1635 unpaid, including expenses, provisions for debt retirement not reported as a liability of
1636 the fund from which retired, and capital outlays. Where the accounts are kept on the cash
1637 basis, "expenditures" means actual cash disbursements for these purposes.

1638 Y. "Final design phase" means the time during which design is completed,
1639 permits and other permissions are secured so that the project, or staged elements of the
1640 project consistent with the project management plan, can proceed to implementation.
1641 Final design phase also includes development of a final cost estimate, plans,
1642 specifications and a bid package.

1643 Z. "Financial plan" means a summary by fund of planned revenues and
1644 expenditures, reserves and undesignated fund balance.

1645 AA. "Fiscal period" means a calendar year or a biennium.

1646 BB. "Fund" an independent fiscal and accounting entity with a self-balancing set
1647 of accounts recording either cash or other resources, or both, together with related
1648 liabilities, obligations, reserves and equities that are segregated for the purpose of

1649 carrying on specific activities or attaining certain objectives in accordance with special
1650 regulations, restrictions or limitations.

1651 CC. "Fund balance" means the excess of the assets of a fund over its liabilities
1652 and reserves except in the case of funds subject to budgetary accounting where, before
1653 the end of a fiscal period, it represents the excess of the fund assets and estimated
1654 revenues for the period over its liabilities, reserves and appropriations for the fiscal
1655 period.

1656 DD. "General facility major maintenance emergent need contingency project"
1657 means an appropriation to provide contingent budget authority for emergent needs within
1658 major maintenance reserve fund CIP projects.

1659 EE. "Implementation phase" means the time during which a project is
1660 constructed or implemented. "Implementation phase" also includes the testing,
1661 inspection, adjustment, correction and certification of facilities and systems to ensure that
1662 the project performs as specified. The implementation phase begins with the notice to
1663 proceed for the construction contract and ends with final acceptance of the project, unless
1664 otherwise specified in grant or regulatory requirements.

1665 FF. "Implementing agency" means the appropriate department and division
1666 responsible for the administration of CIP projects.

1667 GG. "Lapse" of an appropriation means an automatic termination of an
1668 appropriation.

1669 HH. "Major maintenance reserve fund CIP project" means any major
1670 maintenance reserve fund CIP project that is allocated in the adopted six-year major

1671 maintenance reserve fund CIP and is appropriated at the major maintenance reserve fund
1672 level in accordance with K.C.C. 4.04.265 or is a high-risk project under K.C.C. 4.04.245.

1673 II. "Major widening project" means any roads CIP project adding at least one
1674 through lane in each direction.

1675 JJ. "Object of expenditure" means a grouping of expenditures on the basis of
1676 goods and services purchased, such as salary and wages.

1677 KK. "Open space non-bond fund project" means an open space project that is
1678 allocated in the adopted six-year open space CIP and is appropriated at the open space
1679 non-bond fund number 3522 level in accordance with K.C.C. 4.04.300.

1680 LL. "Operational master plan" means a comprehensive plan for an agency setting
1681 forth how the organization will operate now and in the future. An operational master
1682 plan shall include the analysis of alternatives and their life cycle costs to accomplish
1683 defined goals and objectives, performance measures, projected workload, needed
1684 resources, implementation schedules and general cost estimates. The operational master
1685 plan shall also address how the organization would respond in the future to changed
1686 conditions.

1687 MM. "Planning phase" means the time during which identification and
1688 development of project need and potential alternatives, evaluation of technical and
1689 economic feasibility and development of a rough-order-of-magnitude total project cost
1690 estimate occurs.

1691 NN. "Preliminary design phase" means the time during which when evaluation
1692 and analysis of potential project alternatives occurs, and the preferred alternative is

1693 selected and designed sufficiently to establish a project baseline, at thirty to forty percent
1694 design.

1695 OO. "Program" means the definition of resources and efforts committed to
1696 satisfying a public need. The extent to which the public need is satisfied is measured by
1697 the effectiveness of the process in fulfilling the needs as expressed in explicit objectives.

1698 PP. "Project program plan" means a plan, primarily in written narrative form, that
1699 describes the overall development concept and scope of work for a building, group of
1700 buildings or other facilities at a particular site. The complexity of the project program
1701 plan will vary based upon the size and difficulty of the program for a particular site.

1702 When the plan includes projects that are phased over time, each phase shall have an
1703 updated project program plan prepared by the user agency before project implementation.

1704 The project program plan shall be prepared by the user agency with assistance from the
1705 implementing agency. The program plan describes the user agency program

1706 requirements for a specific building or site; provides the basis for these requirements; and
1707 identifies when funds for the implementation of the capital projects will be provided.

1708 The program plan shall elaborate on the general program information provided in the
1709 operational master plan and the capital improvement plan. The plan shall also describe
1710 user agency programs, how these programs would fit and function on the site, and the
1711 general recommendation of the user agency regarding the appearance of the building or
1712 site. The plan shall indicate when a site master plan is required for a project.

1713 QQ. "Public need" means those public services found to be required to maintain
1714 the health, safety and well-being of the general citizenry.

1715 RR. "Quarterly management and budget report" means a report prepared
1716 quarterly by the director for major operating and capital funds, that:

- 1717 1. Presents executive revisions to the adopted financial plan or plans;
- 1718 2. Identifies significant deviations in agency workload from approved levels;
- 1719 3. Identifies potential future supplemental appropriations with a brief discussion
1720 of the rationale for each potential supplemental;
- 1721 4. Identifies significant variances in revenue estimates;
- 1722 5. Reports information for each appropriation unit on the number of filled and
1723 vacant full-time equivalent and term-limited temporary positions and the number of
1724 temporary employees;
- 1725 6. Includes the budget allotment plan information required under K.C.C.
1726 4.04.060; and
- 1727 7. Describes progress towards transitioning potential annexation areas to cities.

1728 SS. "Reappropriation" means authorization granted by the council to expend the
1729 appropriation for the previous fiscal year for capital programs only.

1730 TT. "Regulations" means the policies, standards and requirements, stated in
1731 writing, designed to carry out the purposes of this chapter, as issued by the executive and
1732 having the force and effect of law.

1733 UU. "Revenue" means the addition to assets that does not increase any liability,
1734 does not represent the recovery of an expenditure, does not represent the cancellation of
1735 certain liabilities on a decrease in assets and does not represent a contribution to fund
1736 capital in enterprise and intragovernmental service funds.

1737 VV. "Roads CIP project" means roads capital projects that are allocated in the
1738 adopted six-year roads CIP and are appropriated at the roads CIP fund level in
1739 accordance with K.C.C. 4.04.270 or a high-risk project under K.C.C. 4.04.245.

1740 WW. "Scope change" means, except for major maintenance reserve fund, roads,
1741 solid waste, surface water management, and wastewater CIP projects, that a CIP project's
1742 total project cost increases by ten percent or by fifty thousand dollars, whichever is less.
1743 For major maintenance reserve fund, roads, solid waste, surface water management, or
1744 wastewater CIP projects, "scope change" means the total project cost increases by fifteen
1745 percent.

1746 XX. "Section" means an agency's budget unit comprised of a particular project,
1747 program or line of business as described in Ordinance 16445, Section 5, for the 2010
1748 budget or for all subsequent budgets as described in the budget detail plan for the
1749 previous fiscal period as attached to the adopted appropriation ordinance or as modified
1750 by the most-recent supplemental appropriation ordinance. This definition is not intended
1751 to create an organizational structure for any agency.

1752 YY. "Site master plan" means a plan prepared by the implementing agency, with
1753 input from the user agency, that describes, illustrates and defines the capital
1754 improvements required to provide user agency program elements.

1755 1. The site master plan shall include preliminary information regarding, at a
1756 minimum:

- 1757 a. site analysis, including environmental constraints;
- 1758 b. layout, illustration, and description of all capital improvements;
- 1759 c. project scopes and budgets;

1760 d. project phasing; and

1761 e. operating and maintenance requirements.

1762 2. The site master plan shall be approved by the user agency and the
1763 implementing agency before submittal to the executive and council for approval.

1764 ZZ. "Solid waste CIP project" means a solid waste project that is allocated in the
1765 adopted six-year solid waste CIP and is appropriated at the solid waste CIP fund level in
1766 accordance with K.C.C. 4.04.273 or is a high-risk project under K.C.C. 4.04.245.

1767 AAA. "Surface water management CIP project" means a surface water
1768 management project that is allocated in the adopted six-year surface water management
1769 CIP and is appropriated at the surface water management CIP fund level in accordance
1770 with K.C.C. 4.04.275 or is a high-risk project under K.C.C. 4.04.245.

1771 BBB. "User agency" means the appropriate department, division, office, or
1772 section to be served by any proposed CIP project.

1773 CCC. "Wastewater asset management projects" means the wastewater capital
1774 projects identified and intended by the wastewater treatment division to extend and
1775 optimize the useful life of wastewater treatment assets, including facilities, structures,
1776 pipelines, and equipment.

1777 DDD. "Wastewater CIP project" means wastewater capital projects that are
1778 allocated in the adopted six-year wastewater CIP and are appropriated at the wastewater
1779 CIP fund level in accordance with K.C.C. 4.04.280 or is a high-risk project under K.C.C.
1780 4.04.245.

1781 SECTION 27. Ordinance 12076, Section 35, as amended, and K.C.C. 4.10.050
1782 are hereby amended to read as follows:

1783 The executive finance committee is hereby confirmed as being the "county
1784 finance committee," referred to in RCW 36.29.020 and RCW 36.48.070, and shall be
1785 composed of the following: ~~((the county executive;))~~ the manager of the finance and
1786 business operations division; ~~((the director of the office of performance, strategy and
1787 budget))~~ a representative of the executive's office; the director of department of executive
1788 services; and the chair of the county council. The executive finance committee shall be
1789 responsible for directing the manager of the finance and business operations division in
1790 determining the maximum prudent extent to which residual treasury cash shall be
1791 invested pursuant to RCW 36.29.020 and this chapter. Actions of the committee shall be
1792 by majority vote except when the chair of the council determines such action constitutes a
1793 policy determination, as opposed to an administrative determination, which should be
1794 referred to the council. The chair of the council may defer action on the proposal until
1795 the council makes such policy determination regarding the proposed action.

1796 SECTION 28. Ordinance 17293, Section 90, as amended, and K.C.C. 4A.10.495
1797 are hereby amended to read as follows:

1798 "Quarterly management and budget report" means a report prepared quarterly by
1799 the ~~((director of the office of performance, strategy and))~~ budget director in the
1800 executive's office, ~~((or its successor,))~~ that details revisions and variances for revenue
1801 collections and expenditures for major operating and capital funds under K.C.C.
1802 4A.100.100.

1803 SECTION 29. Ordinance 12045, Section 23, as amended, and K.C.C.
1804 4A.100.040 are hereby amended to read as follows:

1805 A.1. The executive shall prepare and distribute the budget in accordance with this
1806 subsection.

1807 2. At least one hundred fifty-five days before the end of the fiscal period, all
1808 agencies shall submit to the executive information necessary to prepare the budget.

1809 Agencies shall submit their budget information at the lowest organization and account
1810 levels unless accompanied by a notice explaining the reasons for not doing so.

1811 3. The basis for the executive's preliminary budget preparation of the pro forma
1812 budget, budget instructions to departments and preliminary review of departmental
1813 submittals to the executive shall be the preliminary economic and revenue forecast
1814 adopted by the forecast council.

1815 4. Before presentation to the council, the executive may provide for hearings on
1816 all agency requests for expenditures and revenues to enable the executive to make
1817 determinations as to the need, value, or usefulness of activities or programs requested by
1818 agencies. The executive may require the attendance of agency officials at the hearings
1819 and the agency officials shall disclose any information required to enable the executive to
1820 arrive at final determinations.

1821 5. The executive shall transmit a budget for the fiscal period and deliver a
1822 budget message to the council no later than ninety-five days before the end of the current
1823 fiscal period. The budget message shall explain the budget in fiscal terms and in terms of
1824 goals to be accomplished and shall relate the requested appropriations to the
1825 comprehensive plans of the county. Copies of the budget and budget message shall be
1826 delivered to the clerk of the council for distribution to councilmembers and legislative
1827 staff.

1828 6. The updated economic and revenue forecast adopted by the forecast council
1829 shall be used as the basis for the budget.

1830 7. Seven days before the presentation of the budget and budget message to the
1831 council, the ~~((director of the office of performance, strategy, and))~~ budget director in the
1832 executive's office ~~((or its successor))~~ shall submit to the council copies of all agency and
1833 departmental budget requests, departmental and divisional work programs.

1834 8. The executive shall prepare and present a proposed appropriation ordinance
1835 not later than ninety-five days before the end of the current fiscal period. The proposed
1836 appropriation ordinance shall specify by any combination of fund, program, project, or
1837 agency, the expenditure levels and maximum number of full time equivalent employees
1838 for the fiscal period.

1839 9. The executive shall make available to the public on the county's website, at
1840 no charge, an electronic copy of the budget and other summary documents.

1841 10. The ~~((director of the office of performance, strategy, and))~~ budget director in
1842 the executive's office ~~((or its successor))~~ shall be responsible for the distribution of the
1843 budget, either in electronic or printed formats, and posting on the Internet. The director
1844 shall also be responsible for updating the electronic database to reflect the adopted
1845 appropriations ordinance and posting on the Internet.

1846 11. If the fiscal period is a biennium, then the executive shall conduct a
1847 midbiennium review of the budget and propose adjustments during the adopted fiscal
1848 period, including any changes in the adopted overhead methodology.

1849 B. The council shall:

1850 1. Review the proposed appropriation ordinances and make any changes or
1851 additions it deems necessary except the council shall not change the form of the proposed
1852 appropriation ordinance submitted by the executive;

1853 2. Announce and hold public hearings as it deems necessary;

1854 3. Adopt an appropriation ordinance granting authority to make expenditures
1855 and to incur obligations upon completion of the budget hearings and at least thirty days
1856 before the end of the current fiscal period. The council may attach an accompanying
1857 statement specifying legislative intent;

1858 4. Adopt tax and revenue ordinances as may be necessary to implement the
1859 adopted appropriation ordinance; and

1860 5. Review any proposed midbiennium adjustments proposed by the executive
1861 during the adopted fiscal period, including any changes in the adopted overhead
1862 methodology.

1863 SECTION 30. Ordinance 17929, Section 20, as amended, and K.C.C.

1864 4A.100.070 are hereby amended to read as follows:

1865 A.1. Any departments or agencies, except the council, with unanticipated
1866 expenditures shall submit to the executive a statement of unanticipated expenditures. The
1867 statement shall specify any request for supplemental appropriation by program, project,
1868 object of expenditure, or any combination thereof. The executive shall review the
1869 requests in accordance with the department's or agency's work plan and determine
1870 whether to submit a supplemental appropriation request.

1871 2. If during the fiscal period the executive determines that revenues will be less
1872 than the expenditure amounts included in the appropriations ordinance, the executive

1873 shall revise the expenditures of departments or agencies funded from those revenue
1874 sources to prevent the making of expenditures in excess of revenues. If the executive
1875 determines that the fund has unrestricted reserves, the executive may use these reserves to
1876 avoid making expenditure reductions; however, the use of reserves may not reduce the
1877 fund balances below target reserve amounts. If the use of reserves exceeds five percent
1878 of the total appropriation, the council shall be notified in the quarterly management and
1879 budget report. An expenditure shall not be made from any portion of an appropriation
1880 that has been assigned to a reserve status except as provided in this section.

1881 B. All unexpended appropriations in noncapital appropriation ordinances lapse at
1882 the end of the fiscal period.

1883 C. The executive may transfer appropriation authority from an emergent need
1884 contingency project to support a cost increase for a capital project in the same fund in
1885 accordance with the procedures in K.C.C. 4A.100.080.

1886 D.1. Except as provided in this subsection, an agency shall not expend or contract
1887 to expend any money in excess of amounts appropriated. A contract made in violation of
1888 this subsection is null and void. An officer, agent, or employee of the county knowingly
1889 responsible for such a contract is personally liable to anyone, including the county,
1890 damaged by the officer, agent, or employee's action.

1891 2. An agency may contract to expend money in excess of existing
1892 appropriations when:

1893 a. the contract commits the county to expend funds beyond the fiscal period
1894 and the contract includes a cancellation clause that provides:

1895 (1) the contract may be unilaterally terminated by the county for lack of
1896 appropriation; and

1897 (2) the costs associated with such a termination, if any, shall not exceed the
1898 appropriation for the fiscal period in which termination occurs;

1899 b. the contract commits the county to expend funds beyond the fiscal period
1900 and the council, at the request of the executive, adopts an ordinance permitting the county
1901 to enter into the contract;

1902 c. the contract implements a grant awarded to the county before the
1903 appropriation of grant funds, including appropriations that must be made in future years,
1904 if the council has received prior notice of the grant application and if either of the
1905 following conditions are met: all of the funds to be appropriated under the contract will
1906 be from the granting agency; or all financial obligations of the county under the contract
1907 are subject to appropriation; or

1908 d. the contract is an emergency contract as authorized by K.C.C. 2.93.080.

1909 3. In accordance with Section 495 of the King County Charter, real property
1910 shall not be leased to the county for more than one year unless it is included in a capital
1911 budget appropriation ordinance.

1912 4.a. Any lease or license for the possession or use of real property by the county
1913 with a term, including any potential options, extensions, or renewals, longer than five
1914 years must be approved by the council before execution by the executive.

1915 b. Any decision to extend a lease or license for the possession or use of real
1916 property by the county beyond a cumulative total of five years, whether memorialized

1917 through an option, extension, amendment, or new lease or license, must be approved by
1918 the council before execution by the executive.

1919 c. Any lease or license for the possession or use of real property by the county
1920 that requires more than fifty thousand dollars in tenant improvement or other alterations
1921 to the real property for the benefit of the county must be approved by the council before
1922 execution by the executive.

1923 d. Any lease or license for the possession or use of real property by the county
1924 shall comply with the requirements of K.C.C. 18.17.050.C.

1925 5. Any lease or license or extension of a lease or license for the possession or
1926 use of real property by the county entered into for the purpose of implementing the Puget
1927 Sound emergency radio network project as described in Ordinance 17993 and approved
1928 by the voters at the election held on April 28, 2015, may commit the county to expend
1929 funds in excess of amounts appropriated, and may be executed by the executive without
1930 council approval.

1931 E. A capital project budget and phases of a capital project shall be prepared by
1932 the user agency. The capital project shall be managed by the implementing agency.

1933 F. Ongoing review of capital projects for which moneys have been appropriated
1934 shall be coordinated by the executive's office (~~(of performance, strategy and budget or its~~
1935 ~~successor)~~). For capital projects involving more than one agency, representatives from
1936 the agencies shall consult with the executive's office (~~(of performance, strategy and~~
1937 ~~budget or its successor)~~). The executive's office (~~(of performance, strategy and budget or~~
1938 ~~its successor)~~) shall review capital projects for compliance with scope, budget, and
1939 schedule.

1940 SECTION 31. Ordinance 17929, Section 21, as amended, and K.C.C.

1941 4A.100.080 are hereby amended to read as follows:

1942 A. An emergent need contingency project may be included in any capital
1943 improvement program fund under K.C.C. 4A.100.030.

1944 B. Emergent need contingency projects must be included in the proposed capital
1945 fund's six year capital improvement program and be consistent with the proposed fund
1946 financial plan.

1947 C. An emergent need contingency project amount shall not exceed either twenty
1948 percent of the total unexpended appropriation in a capital fund as of July 1 of the final
1949 year of the fiscal period plus the total adopted appropriations for the capital fund for the
1950 upcoming fiscal period or fifty million dollars, whichever is less.

1951 D.1. For capital projects other than risk monitored projects, expenditure authority
1952 may be transferred from an emergent need contingency project to another capital project
1953 within the same fund to address costs not anticipated at the time of budget adoption.
1954 Capital projects requiring a transfer of less than twenty-five percent of total project costs,
1955 a scope change or a schedule deviation must be reported in the quarterly budget
1956 management report under K.C.C. 4A.100.100.

1957 2. For transfers of twenty-five percent or more of total project costs, the
1958 ~~((director of the office of performance, strategy and))~~ budget ~~((or its successor))~~ director
1959 in the executive's office shall be responsible for electronically filing a capital project
1960 exception notification with the clerk of the council, who shall retain an electronic copy
1961 and provide an electronic copy to all councilmembers and the lead staff for the budget
1962 and fiscal management committee or its successor. The notification must be sent and

1963 authorized as set forth in subsection E. of this section in accordance with this section
1964 before any transfer may occur.

1965 E. When the clerk of the council receives a capital project exception notification,
1966 the clerk of the council shall list the capital project exception notification under other
1967 business on the next two council agenda. Councilmembers may object to the proposed
1968 transfer of emergent need contingency expenditure authority to another project in the
1969 same fund at either of those two council meetings. If an objection is not made at either
1970 council meeting, the transfer may proceed. If an objection to the transfer of emergent
1971 need contingency is made at a council meeting, the transfer may not proceed. The clerk
1972 of the council shall notify the ~~((director of the office of performance, strategy and))~~
1973 budget director in the executive's office ~~((or its successor))~~ of the council's action.

1974 SECTION 32. Ordinance 620, Section 4, as amended, and K.C.C. 4A.100.100
1975 are hereby amended to read as follows:

1976 A. The following reports shall be prepared:

1977 1. A comprehensive annual financial report. The executive shall annually
1978 prepare and publish a comprehensive financial report covering all funds and financial
1979 transactions of the county during the preceding fiscal period;

1980 2. Internal county audit reports. The county auditor shall periodically prepare
1981 and publish the results of examinations performed by the county auditor's office of the
1982 effectiveness, efficiency, and equity of the operation of county agencies. The examination
1983 report and any departmental response to the audit shall be made available by the county
1984 auditor, either electronically or in print formats, and by posting on the Internet;

1985 3. A state audit report. The examination report of the county's financial affairs
1986 and transactions issued annually by the Office of the State Auditor and the county
1987 response to the audit shall be made available to the State Auditor annually, either
1988 electronically or in print formats, and by posting on the Internet; and

1989 4. Quarterly budget management reports.

1990 a. The executive shall submit to the council a report detailing the results of
1991 actual revenue collections and expenditures for each fund. The report shall:

1992 (1) present current financial plans for operating and capital funds that have
1993 gone through the ~~((office of performance, strategy, and budget's))~~ financial monitoring
1994 process of the executive's office, as described in the current comprehensive financial
1995 management policies adopted by council motion during the current quarter, including
1996 actual expenditures and revenues;

1997 (2) identify significant variances in revenue and expenditure estimates for the
1998 general fund;

1999 (3) list any transfer of emergent need contingency expenditure authority that
2000 would increase the total budget of a capital project, identifying those increases that are
2001 greater than fifteen percent;

2002 (4) list any transfer of grant contingency expenditure authority;

2003 (5) list any capital budget appropriations that have lapsed because the project
2004 has been completed or abandoned, or because no encumbrance or expenditure has been
2005 made for three years;

2006 (6) report scope, schedule, and budget status for capital projects that has a
2007 baseline with total estimated cost greater than one million dollars;

2008 (7) summarize the risks included in the risk assessment register for baselined
2009 risk monitored projects in the design phase, the acquisition phase, and the implementation
2010 phase, summarize change orders and amendments, explain change orders and
2011 amendments that have the cumulative potential to carry the project over project baseline,
2012 and summarize the results of the latest earned value analysis;

2013 (8) report on all incremental changes to sections and attachments to the
2014 budget appropriations ordinance made during the quarter, including the ordinance
2015 numbers making the changes; and

2016 (9) report on waivers to the regulations of K.C.C. chapter 18.17, in
2017 compliance with K.C.C. 18.17.060.

2018 b. The report shall be electronically filed with the clerk of the council, who
2019 shall retain an electronic copy and provide and an electronic copy to all councilmembers
2020 and the lead staff of the budget and fiscal management committee, or its successor, no
2021 later than June 1 for the first quarterly report, September 1 for the second quarterly
2022 report, December 1 for the third quarterly report and March 1 for the fourth quarterly
2023 report. The ~~((director of performance, strategy, and))~~ budget director in the executive's
2024 office shall also be responsible for posting the report on the Internet.

2025 B. The King County project control officer is requested to report annually on the
2026 process used to ensure that all departments and divisions adhere to King County's
2027 construction management policies and procedures, the compliance rate for following the
2028 county's construction management policies and procedures, and the steps being taken to
2029 increase compliance with King County's construction management policies and
2030 procedures. Additionally, the report shall summarize all findings in regards to any

2031 changes in a contract's scope, schedule, or budget. The King County project control
2032 officer shall electronically file the report by June 1 of each calendar year with the clerk of
2033 the council, who shall retain an electronic copy and provide an electronic copy to all
2034 councilmembers, the lead staff for the budget and fiscal management committee or its
2035 successor and the county auditor's office.

2036 SECTION 33. Ordinance 12076, Section 4, as amended, and K.C.C. 4A.110.010
2037 are hereby amended to read as follows:

2038 A. The ~~((director of the office of performance, strategy and))~~ budget ~~((or its~~
2039 ~~successor))~~ director in the executive's office shall maintain a fiscal note process and shall
2040 update formats for fiscal notes as needed to provide for the requirements of this section,
2041 adopted comprehensive financial management policies, and any other information
2042 required by the council.

2043 B. A fiscal note shall identify the incremental fiscal impact of a motion or
2044 ordinance that would directly or indirectly increase or decrease revenues or expenditures
2045 incurred by the county. A fiscal note shall include the estimated revenue and expenditure
2046 impact of any legislation for the current fiscal period, for the prior biennium and for the
2047 two subsequent biennia.

2048 C. If proposed legislation authorizes the execution of a contract or interlocal
2049 agreement that extends beyond two subsequent biennia, the legislation's fiscal note shall
2050 document the impact through the end of the term of the proposed contract or interlocal
2051 agreement, either in fiscal terms or by using a narrative regarding the long term impacts.
2052 A fiscal note shall accompany any request for expenditure authority transmitted by the
2053 executive, but a fiscal note may be omitted when the executive certifies in writing with

2054 the transmittal that the legislation has no significant fiscal impact on either the operating
2055 budget or the capital budget, or both.

2056 D. All fiscal notes shall include:

2057 1. A brief descriptive title of the proposed legislation;

2058 2. An explanation of how the revenue or expenditure impacts were developed.

2059 The explanation shall include, but not be limited to, quantifiable data that illustrates a
2060 significant workload increase or decrease caused by adoption of the proposed legislation
2061 major assumptions made in preparing the fiscal note;

2062 3. For a program anticipated to be funded by any dedicated non-general fund
2063 revenue source, the fiscal note shall denote anticipated collection schedules for the non
2064 general fund revenue. For a new fee or a fee change, in addition to the requirements of
2065 K.C.C. 2.99.030, the fiscal note shall identify the fee and include the rates proposed. For
2066 a regulatory fee, the fiscal note shall include an analysis of the county costs associated
2067 with performing the regulatory function;

2068 4. An updated financial plan or plans shall accompany the fiscal note if the
2069 expenditure impact of the proposal results in a positive or negative change of five percent
2070 or more in the fund financial plan.

2071 E. The ~~((director of the office of performance, strategy and))~~ budget ~~((, or its~~
2072 ~~successor))~~ director in the executive's office shall provide a fiscal note on any proposed
2073 legislation whenever a fiscal note is requested by a councilmember. In addition, the
2074 director shall provide additional fiscal impact information regarding the proposed
2075 legislation upon request by a councilmember. The requested fiscal note or information
2076 shall be returned within five working days of the request to the requesting

2077 councilmember and shall be filed with the clerk of the council's office for distribution to
2078 all councilmembers, for distribution to lead staff of the budget and fiscal management
2079 committee, or its successor committee, and for inclusion with the legislation.

2080 SECTION 34. Ordinance 17930, Section 13, as amended, and K.C.C.

2081 4A.130.020 are hereby amended to read as follows:

2082 A. The executive shall ensure that capital projects required to undergo a risk
2083 assessment receive an annual risk assessment score using a risk assessment scoring
2084 instrument developed by the county auditor. Except as provided in subsection D.2. of
2085 this section, at least annually, the executive shall notify the county auditor of those capital
2086 projects undergoing a risk assessment.

2087 B. The risk assessment scoring instrument shall use information such as
2088 complexity of regulatory requirements, interdependencies with other projects and
2089 programs, schedule constraints, implementing agency resources, project delivery method,
2090 complexity of property acquisition issues, public impact, risks inherent to the likely
2091 construction technology or any other issues that could have a significant impact on the
2092 ability of the project to meet its project baseline scope, schedule or budget.

2093 C. The risk assessment scoring instrument shall be completed by the
2094 implementing agency. The implementing agency director shall ensure that the risk
2095 assessment scoring instrument is reviewed and signed by agency staff who does not
2096 report to the project's project manager, to anyone who reports to that project manager or
2097 to anyone to whom that project manager directly reports. The implementing agency shall
2098 submit the completed risk assessment scoring instrument to the executive by a deadline

2099 set by the county auditor. The executive shall compile all completed risk assessment
2100 scoring instruments and submit the compilation to the county auditor.

2101 D.1. For existing capital projects and anticipated capital project expenditure
2102 authority requests, by June 30 of each year the county auditor shall electronically file risk
2103 assessment score results, if required by K.C.C. 4A.130.010, and a letter recommending
2104 which capital projects should be designated risk monitored projects with the clerk of the
2105 council, who shall retain an electronic copy and distribute electronic copies to all
2106 councilmembers and the lead staff for the budget and fiscal management committee, or
2107 its successor. The county auditor shall also transmit an electronic copy of its
2108 recommendation letter required by this subsection to the ~~((director of the office of~~
2109 ~~performance, strategy and))~~ budget ~~((, or its successor))~~ director in the executive's office.

2110 2. For each capital project expenditure authority request included in a proposed
2111 supplemental capital budget appropriation ordinance, the executive shall transmit a risk
2112 assessment score, if required by K.C.C. 4A.130.010, to the county auditor. Within a
2113 reasonable time after receipt of such a risk assessment score, the county auditor shall
2114 determine whether the project has significant potential risk such that it warrants being
2115 designated a risk monitored project. The county auditor shall file a letter listing all
2116 projects that it recommends for designation as risk monitored projects under this
2117 subsection with the clerk of the council, who shall retain an electronic copy and distribute
2118 electronic copies to all councilmembers and the lead staff for the budget and fiscal
2119 management committee or its successor. The county auditor shall also transmit an
2120 electronic copy of its recommendation letter required by this subsection to the ~~((director~~

2121 ~~of the office of performance, strategy and)) budget ((, or its successor)) director in the
2122 executive's office.~~

2123 E.1. The council may designate a capital project as a risk monitored project by
2124 motion or the executive may designate a capital project as a risk monitored project by
2125 letter to the council if:

2126 a. the capital project is recommended by the county auditor;

2127 b. the capital project has not submitted a completed risk assessment scoring
2128 instrument as required by this chapter; or

2129 c. the capital project is otherwise determined to have characteristics that
2130 increase its likelihood of being completed late or over budget at a potentially significant
2131 financial cost or other significant impact to the county.

2132 2. The executive shall file an electronic copy of a risk monitored project
2133 designation letter with the clerk of the council, who shall retain an electronic copy and
2134 provide electronic copies to all councilmembers, the lead staff for the budget and fiscal
2135 management committee or its successor and the county auditor.

2136 SECTION 35. Ordinance 15556, Section 3, as amended, and K.C.C. 4A.200.190
2137 are hereby amended to read as follows:

2138 A. There is hereby created the Climate Exchange fund, classified as a special
2139 revenue fund, for the purpose of accounting for any revenue generated by the sale of
2140 carbon credits and other emission credits, and the expenditures incurred for the purchase
2141 of carbon credits or other emission credits, in accordance with the rules of emissions
2142 trading programs in which the county may participate. Carbon credits include but are not
2143 limited to those credits sold or purchased through the Chicago Climate Exchange. This

2144 fund may also be used for the purpose of accounting for the sale or purchase of other
2145 emission credits as the county may develop.

2146 B. Any financial benefit that accrues to the county from the sale of carbon or
2147 other emissions credits shall be appropriately invested in actions that either reduce
2148 emissions or address global warming impacts, or both.

2149 C. The ~~((office of performance, strategy and))~~ budget director in the executive's
2150 office shall be the fund manager for the Climate Exchange fund.

2151 D. For investment purposes, the Climate Exchange fund shall be considered a
2152 first tier fund.

2153 SECTION 36. Ordinance 19841, Section 1, and K.C.C. 4A.200.213 are hereby
2154 amended to read as follows:

2155 A. There is hereby created the county hospital levy fund.

2156 B. The fund shall be a first-tier fund. It is a special revenue fund.

2157 C. The ~~((director of the office of performance, strategy and))~~ budget director in
2158 the executive's office shall be the manager of the fund.

2159 D. The fund shall account for the proceeds of the property tax levy authorized by
2160 RCW 36.62.090. The levy proceeds are for the express purpose of the operation,
2161 maintenance, and capital expenses of the hospital, and any outpatient clinics operated by
2162 the hospital, and for the payment of principal and interest on bonds issued for such
2163 purposes.

2164 SECTION 37. Ordinance 19786, Section 1, and K.C.C. 4A.200.266 are hereby
2165 amended to read as follows:

2166 A. There is hereby created the Doors Open Program fund.

2167 B. The fund shall be a first tier fund. It is a special revenue fund.

2168 C. The (~~director of the office of performance strategy and~~) budget director in
2169 the executive's office shall be the manager of the fund.

2170 D. The fund shall receive all proceeds of an additional one-tenth of one percent
2171 sales and use tax imposed by the county as authorized in chapter 36.160 RCW.

2172 E. Proceeds of the sales tax shall be used to support cultural organizations
2173 consistent with RCW 36.160.110 and Ordinance 19710, including transfer of proceeds to
2174 the cultural development authority, as the county's designated public agency under RCW
2175 36.160.070, to perform its functions under Ordinance 19710.

2176 SECTION 38. Ordinance 18662, Section 5, and K.C.C. 4A.200.317 are hereby
2177 amended to read as follows:

2178 A. There is hereby created the general fund technology capital fund.

2179 B. The fund shall be a second tier fund. It is a capital projects fund.

2180 C. The (~~director of the office of performance strategy and~~) budget director in
2181 the executive's office shall be the manager of the fund.

2182 D. The fund shall account for the proceeds of receipts from transfers from
2183 operating funds, bond proceeds, grants, and other revenues identified in the budget
2184 process to support approved technology projects. Receipts will be transferred into the
2185 capital fund on a reimbursable or scheduled basis.

2186 E. The fund shall be used to support technology capital projects which support
2187 the operations of the general fund.

2188 F. Any subfund of the fund created to hold and manage bond proceeds shall be
2189 treated as a first tier fund.

2190 SECTION 39. Ordinance 18938, Section 1, and K.C.C. 4A.200.405 are hereby
2191 amended to read as follows:

2192 A. There is hereby created the lodging tax fund.

2193 B. The fund shall be a first tier fund. It is a special revenue 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. All revenues from the lodging tax shall be deposited into the fund beginning
2197 January 1, 2021.

2198 E. The fund shall distribute lodging tax revenues consistent with the requirements
2199 of Washington state law and Ordinance 18788. Moneys in the fund shall only be used for
2200 the following purposes:

2201 1. Transit oriented development projects that preserve or develop affordable
2202 workforce housing;

2203 2. Services that support homeless youth;

2204 3. For art museums, cultural museums, heritage museums, the arts and the
2205 performing arts; and

2206 4. Capital or operating programs that promote tourism.

2207 SECTION 40. Ordinance 15961, Section 1, as amended, and K.C.C. 4A.200.570
2208 are hereby amended to read as follows:

2209 A. There is hereby created the rainy day reserve fund.

2210 B. The fund shall be a first tier fund. It is a subfund of the general fund.

2211 C. The (~~director of the office of performance strategy and~~) budget director in
2212 the executive's office shall be the manager of the fund.

2213 D. The fund shall receive revenue when available in an annual or supplemental
2214 budget ordinance.

2215 E. The fund shall be used in the event of an emergency, as declared by a vote of
2216 the county council for the following purposes:

2217 1. Maintenance of essential county services in the event that current expense
2218 fund revenue collections in a given fiscal year are less than ninety-seven percent of
2219 adopted estimates;

2220 2. Payment of current expense fund legal settlements or judgments in excess of
2221 the county's ability to pay from other sources;

2222 3. Catastrophic losses in excess of the county's other insurances against such
2223 losses; and

2224 4. Other emergencies, as determined by the council.

2225 SECTION 41. Ordinance 17527, Section 69, and K.C.C. 4A.200.580 are hereby
2226 amended to read as follows:

2227 A. There is hereby created the real estate excise tax, number 1 fund.

2228 B. The fund shall be a first tier fund. It is a capital projects fund.

2229 C. The ~~((director of the office of performance strategy and))~~ budget director in
2230 the executive's office shall be the manager of the fund.

2231 D. The fund may only be used for capital needs of the unincorporated area of the
2232 county.

2233 SECTION 42. Ordinance 12076, Section 27, as amended, and K.C.C.
2234 4A.200.590 are hereby amended to read as follows:

2235 A. There is hereby created the real estate excise tax, number 2 fund.

- 2236 B. The fund shall be a first tier fund. It is a capital projects fund.
- 2237 C. The ~~((director of the department of performance, strategy and))~~ budget ~~((lead))~~
- 2238 director in the executive's office shall be the manager of the fund.
- 2239 D. All receipts from K.C.C. 4A.510.120 shall be deposited in the fund.
- 2240 E. The fund may only be used:
- 2241 1. For the planning, construction, reconstruction, repair, rehabilitation or
- 2242 improvement of parks located in or providing a benefit and open to residents of the
- 2243 unincorporated area of King County; or
- 2244 2. For the planning, acquisition, construction, reconstruction, repair,
- 2245 replacement, rehabilitation, or improvement of roads and bridges in the unincorporated
- 2246 area of King County necessary to respond to, or mitigate damages resulting from, an
- 2247 emergency proclaimed by the county executive. The uses specified in this subsection E.2.
- 2248 expire March 31, 2027.
- 2249 SECTION 43. Ordinance 14596, Section 1, as amended, and K.C.C. 4A.200.620
- 2250 are hereby amended to read as follows:
- 2251 A. There is hereby created the risk abatement fund.
- 2252 B. The fund shall be a second tier fund. It is a special revenue fund.
- 2253 C. The ~~((director of the office of performance strategy and))~~ budget director in
- 2254 the executive's office shall be the manager of the fund.
- 2255 D. The fund shall be used to process administrative and related costs associated
- 2256 with fund activity.
- 2257 SECTION 44. Ordinance 10159, Section 14, as amended, and K.C.C. 6.27A.120
- 2258 are hereby amended to read as follows:

2259 A. A franchisee or applicant for a franchise shall not deny cable service, or
2260 otherwise discriminate against any subscriber, access programmer, or resident on the
2261 basis of one or more of the protected classes as defined in K.C.C. chapter 3.12D, political
2262 affiliation, or income of the residents of the area in which the person resides. The
2263 franchisee shall comply at all times with all other applicable federal, state, and local laws,
2264 rules and regulations relating to nondiscrimination.

2265 B. A franchisee shall not refuse to employ, nor discharge from employment, nor
2266 discriminate against any person in compensation or in terms, conditions, or privileges of
2267 employment because of one or more of the protected classes as defined in K.C.C. chapter
2268 3.12D, political affiliation, or income.

2269 C. A franchisee shall comply with all applicable federal, state, and local equal
2270 employment opportunity requirements.

2271 D. The franchisee shall establish, maintain, and execute an equal employment
2272 opportunity plan and a minority/women's business procurement program, which shall be
2273 consistent with the intent of the county's affirmative action and minority/women's
2274 business procurement policies. Upon request, the franchisee shall file with the cable
2275 office a copy of their equal employment opportunity report submitted annually to the
2276 FCC and shall file with ~~((King County office of equity and racial and social justice))~~ the
2277 executive's office an annual compliance report detailing its progress with its
2278 minority/women's business procurement program during the previous year. The
2279 franchisee must also provide the cable office, upon request, copies of all other reports and
2280 information filed with federal, state, or local agencies concerning equal employment

2281 opportunity or employment discrimination laws. This subsection shall apply only to
2282 franchise agreements entered into after December 2, 1991.

2283 E. Despite the other provisions of this section, no provision of this section shall
2284 invalidate any other section of this chapter.

2285 SECTION 45. Ordinance 13981, Section 2, as amended, and K.C.C. 12.17.010
2286 are hereby amended to read as follows:

2287 The definitions in this section apply throughout this chapter unless the context
2288 clearly requires otherwise.

2289 A. "Business enterprise" means a licensed business organization located in or
2290 doing business in unincorporated King County or that is required to comply with this
2291 chapter by the terms of an agreement with King County under K.C.C. 12.17.100.

2292 B. "Charging party" means the person aggrieved by an alleged unfair contracting
2293 practice or the person making a complaint on another person's behalf, or the executive's
2294 office (~~((of equity and racial and social justice))~~) when the civil rights program office (~~((of~~
2295 ~~equity and racial and social justice))~~) files a complaint.

2296 C. "Commercially significant contract" means a contract for the provision of
2297 services, including, but not limited to, construction services, consulting services or
2298 bonding or other financial services, or the sale of goods that exceeds five thousand
2299 dollars.

2300 D. "Contract" means an agreement to perform a service or provide goods that
2301 entails a legally binding obligation and that is performed or intended to be wholly or
2302 partly performed within unincorporated King County or that includes King County as a

2303 party. "Contract" does not include the following: a contract for the purchase and sale of
2304 residential real estate; a contract for employment; and a collective bargaining agreement.

2305 E. "Contracting agency" means a person who for compensation engages in
2306 recruiting, procuring, referral, or placement of contracts with a contractor, and that is
2307 doing business in King County.

2308 F. "Contractor" means a business enterprise, including, but not limited to, a
2309 company, partnership, corporation, or other legal entity, excluding real property lessors
2310 and lessees, contracting to do business within the county. "Contractor" includes, but is
2311 not limited to, a public works contractor, a consultant contractor, a provider of
2312 professional services, a service agency, a vendor, and a supplier selling or furnishing
2313 materials, equipment, goods, or services, but does not include a governmental agency
2314 other than King County.

2315 G. "Discriminate," "discrimination," and "discriminatory act" mean an action,
2316 other than an action taken in accordance with a lawful affirmative action program, or
2317 failure to act, whether by itself or as part of a practice, the effect of which is to adversely
2318 affect or differentiate between or among individuals or groups of individuals, by reasons
2319 of one or more of the protected classes as defined in K.C.C. chapter 3.12D unless based
2320 upon a bona fide contractual qualification.

2321 H. "Party" includes the person making a complaint alleging an unfair contracting
2322 practice and the person alleged to have committed an unfair contracting practice.

2323 I. "Person" includes one or more individuals, partnerships, business enterprises,
2324 associations, organizations, corporations, cooperatives, legal representatives, trustees,
2325 trustees in bankruptcy, receivers, or group of persons, and includes King County.

2326 J. "Respondent" means a person who has been alleged or found to have
2327 committed an unfair contracting practice prohibited by this chapter.

2328 K. "Retaliate" means to take action against any person because that person has:

2329 1. Opposed any practice forbidden by this chapter;

2330 2. Complied or proposed to comply with this chapter or any order issued under
2331 this chapter; or

2332 3. Filed a complaint, testified or assisted in any manner in any investigation,
2333 proceeding, or hearing initiated under this chapter.

2334 L. "Trade association" means an association of businesses organizations engaged
2335 in similar fields of business that is formed for mutual protection, the interchange of ideas,
2336 information, and statistics or the maintenance of standards within their industry.

2337 SECTION 46. Ordinance 13981, Section 4, as amended, and K.C.C. 12.17.030
2338 are hereby amended to read as follows:

2339 A. An individual complaint alleging an unfair contracting practice in connection
2340 with a commercially significant contract may be filed with the ~~((office of equity and
2341 racial and social justice))~~ civil rights program by or on behalf of any person who claims
2342 to be aggrieved by that unfair contracting practice.

2343 B. A complaint alleging that a group is being subjected to an unfair contracting
2344 practice in connection with a commercially significant contract may be filed by:

2345 1. Any member of the group;

2346 2. The ~~((office of equity and racial and social justice))~~ civil rights program;

2347 3. A state or federal agency concerned with discrimination in contracting
2348 whenever the agency has reason to believe that an unfair contracting practice has been or
2349 is being committed; or

2350 4. A trade association that has reason to believe that an unfair contracting
2351 practice has been or is being committed against any of its members.

2352 C. A complaint alleging an unfair contracting practice shall be in writing on a
2353 form or in a format determined by the ~~((office of equity and racial and social justice))~~
2354 civil rights program, shall be signed by the charging party, shall describe with
2355 particularity the unfair contracting practice complained of and shall include a statement
2356 of the dates, places and circumstances and the persons responsible for the acts and
2357 practices. The complaint must be filed within one hundred eighty days of the time of the
2358 alleged unfair contracting practice or within one hundred eighty days of when the
2359 charging party, through exercise of due diligence, should have had notice or been aware
2360 of the occurrence. However, the ~~((office of equity and racial and social justice))~~ civil
2361 rights program shall not reject a complaint as insufficient because of failure to include all
2362 required information, if the ~~((office of equity and racial and social justice))~~ civil rights
2363 program determines that the complaint substantially meets the informational
2364 requirements necessary for processing.

2365 D. If a complaint has been filed in accordance with this chapter, the ~~((office of~~
2366 ~~equity and racial and social justice))~~ civil rights program shall initiate an investigation
2367 under this chapter. If the ~~((office of equity and racial and social justice))~~ civil rights
2368 program determines that a violation of this chapter or a rule or regulation adopted under
2369 this chapter has occurred, the office shall issue an order in accordance with this chapter.

2370 With respect to violations of this chapter, the notice, service and hearings provisions in
2371 this chapter control over K.C.C. Title 23.

2372 E. The charging party or the (~~office of equity and racial and social justice~~) civil
2373 rights program may amend a complaint: to cure technical defects or omissions; to clarify
2374 and amplify allegations made in the complaint; or to add allegations related to or arising
2375 out of the subject matter set forth, or attempted to be set forth, in the original complaint.
2376 For jurisdictional purposes, the amendments shall relate back to the date the original
2377 complaint was first filed. Either the charging party or the (~~office of equity and racial and~~
2378 ~~social justice~~) civil rights program, or both, may amend a complaint for these reasons as
2379 a matter of right before service of notice of hearing on the matter, as provided under
2380 K.C.C. 12.17.070, and thereafter may amend a complaint only with permission of the
2381 hearing examiner, which permission shall be granted if justice will be served by the
2382 permission. All parties must be allowed time to prepare their cases with respect to
2383 additional or expanded allegations that the parties did not and could not have reasonably
2384 foreseen would be an issue at the hearing.

2385 F. The charging party may also amend a complaint to include allegations of
2386 additional unrelated unfair contracting practices that arose after filing of the original
2387 complaint. The amendment must be filed within one hundred eighty days after the
2388 occurrence of the additional alleged unfair contracting practices and before the issuance
2389 of findings of fact and a determination with respect to the original complaint by (~~office~~
2390 ~~of equity and racial and social justice~~) civil rights program. The amendments may be
2391 made at any time during the investigation of the original complaint if the (~~office of~~
2392 ~~equity and racial and social justice~~) civil rights program will have adequate time to

2393 investigate the additional allegations and the parties will have adequate time to present
2394 the ((office of equity and racial and social justice)) civil rights program with evidence
2395 concerning the allegations before the issuance of findings of fact and a determination.

2396 G. Upon the receipt of a complaint, the ((office of equity and racial and social
2397 justice)) civil rights program shall serve notice upon the charging party acknowledging
2398 the filing.

2399 SECTION 47. Ordinance 13981, Section 5, as amended, and K.C.C. 12.17.040
2400 are hereby amended to read as follows:

2401 A. Upon receipt of a complaint meeting the requirements of K.C.C. 12.17.030,
2402 the ((office of equity and racial and social justice)) civil rights program shall, within
2403 twenty days, cause to be served or mailed to the respondent by certified mail, return
2404 receipt requested, a copy of the complaint along with a notice advising of procedural
2405 rights and obligations of respondents under this chapter, and shall promptly make an
2406 investigation of the complaint. Each respondent may file an answer to the complaint, not
2407 later than twenty days after receipt of notice from the ((office of equity and racial and
2408 social justice)) civil rights program. If the respondent is unable to file a response within
2409 twenty days, the respondent may request an extension of time from the ((office of equity
2410 and racial and social justice)) civil rights program. The extension may be granted if good
2411 cause is shown.

2412 B. The investigation shall be commenced promptly. It shall be directed to
2413 ascertain the facts concerning the discriminatory practice alleged in the complaint and
2414 shall be conducted in an objective and impartial manner.

2415 C. During the investigation, the ~~((office of equity and racial and social justice))~~
2416 civil rights program shall consider any statement of position or evidence with respect to
2417 the allegations of the complaint which the charging party or the respondent wishes to
2418 submit. A person who is not named as a respondent in a complaint, but who is identified
2419 as a respondent in the course of the investigation, may be joined as an additional or
2420 substitute respondent upon written notice to the person from the ~~((office of equity and
2421 racial and social justice))~~ civil rights program. The notice, in addition to meeting the
2422 requirements of subsection A. of this section, shall explain the basis for the belief of the
2423 ~~((office of equity and racial and social justice))~~ civil rights program that the person to
2424 whom the notice is addressed is properly joined as a respondent.

2425 D. During the period beginning with the filing of the complaint and ending with
2426 the issuance of the findings of fact, the ~~((office of equity and racial and social justice))~~
2427 civil rights program shall, to the extent feasible, engage in settlement discussions with
2428 respect to the complaint. Nothing said or done in the course of the settlement discussions
2429 may be used as evidence in a subsequent proceeding under this chapter without the
2430 written consent of the persons concerned. A prefinding settlement agreement arising out
2431 of the settlement discussions shall be an agreement between the respondent and the
2432 charging party, and is subject to approval by the ~~((office of equity and racial and social
2433 justice))~~ civil rights program. Failure to comply with the prefinding settlement
2434 agreement may be enforced under K.C.C. 12.17.070.

2435 E. The ~~((office of equity and racial and social justice))~~ civil rights program shall
2436 seek the voluntary cooperation of all persons: to obtain access to premises, records,
2437 documents, individuals, and other possible sources of information; to examine, record,

2438 and copy necessary materials; and to take and record testimony or statements of persons
2439 reasonably necessary for the furtherance of the investigation. The ((office of equity and
2440 racial and social justice)) civil rights program may conduct discovery in aid of the
2441 investigation by the following methods or others: deposition upon oral examination or
2442 written questions; written interrogatories; requests for the production of documents or
2443 evidence; inspection and physical and mental examinations; and requests for admissions.
2444 The ((office of equity and racial and social justice)) civil rights program may sign and
2445 issue subpoenas requiring the attendance and testimony of witnesses, the production of
2446 evidence including, but not limited to, books, records, correspondence, e-mail, or
2447 documents in the possession or under the control of the person subpoenaed, access to
2448 evidence for the purpose of examination and copying as are necessary for the
2449 investigation. The ((office of equity and racial and social justice)) civil rights program
2450 shall consult with the prosecuting attorney before issuing any subpoena under this
2451 section.

2452 F. If an individual fails to obey a subpoena, or obeys a subpoena but refuses to
2453 testify when requested concerning any matter under investigation, the ((office of equity
2454 and racial and social justice)) civil rights program may invoke the aid of the King County
2455 prosecuting attorney who may petition the King County superior court for an order or
2456 other appropriate action necessary to secure enforcement of the subpoena. The petition
2457 shall:

- 2458 1. Be accompanied by a copy of the subpoena and proof of service;
 - 2459 2. Set forth in what specific manner the subpoena has not been complied with;
- 2460 and

2461 3. Ask an order of the court to compel the witness to appear and testify or
2462 cooperate in the investigation of the unfair contracting practice.

2463 G. If the (~~office of equity and racial and social justice~~) civil rights program
2464 concludes after the filing of a complaint that prompt judicial action is necessary to carry
2465 out the purposes of this chapter, the (~~office of equity and racial and social justice~~) civil
2466 rights program may invoke the aid of the prosecuting attorney who may file a civil action
2467 for appropriate temporary, injunctive or preliminary relief pending final disposition of the
2468 complaint.

2469 H. The results of the investigation shall be reduced to written findings of fact and
2470 a finding shall be made that there either is or is not reasonable cause for believing that an
2471 unfair contracting practice has been or is being committed.

2472 I. If a finding is made that there is no reasonable cause, the finding shall be
2473 served on the charging party and respondent. Within thirty days after service of the
2474 negative finding, the charging party may file a written request with the (~~office of equity~~
2475 ~~and racial and social justice~~) civil rights program asking for reconsideration of the
2476 finding. The (~~office of equity and racial and social justice~~) civil rights program shall
2477 furnish the charging party with information regarding how to request reconsideration.
2478 The (~~office of equity and racial and social justice~~) civil rights program shall respond in
2479 writing within a reasonable time by granting or denying the request.

2480 SECTION 48. Ordinance 13981, Section 6, as amended, and K.C.C. 12.17.050
2481 are hereby amended to read as follows:

2482 A.1. If the finding is made initially or on request for reconsideration that
2483 reasonable cause exists to believe that an unfair contracting practice occurred, the (~~office~~

2484 ~~of equity and racial and social justice))~~ civil rights program shall endeavor to eliminate
2485 the unfair practice by conference, conciliation, and persuasion, which may include as a
2486 condition of settlement:

- 2487 a. elimination of the unfair contracting practice;
- 2488 b. payment of actual damages including payment of lost profits not in excess
2489 of the amount of monetary damage actually incurred;
- 2490 c. payment of damages caused by emotional distress, humiliation, and
2491 embarrassment;
- 2492 d. payment of attorneys' fees and costs; and
- 2493 e. such other requirements as may be agreed upon by the parties and the
2494 ~~((office of equity and racial and social justice))~~ civil rights program.

2495 2. A settlement agreement shall be reduced to writing and signed by the
2496 respondent and the charging party and shall be approved by the ~~((office of equity and
2497 racial and social justice))~~ civil rights program. An order shall then be entered by the
2498 ~~((office of equity and racial and social justice))~~ civil rights program setting forth the
2499 terms of the agreement. Copies of the order shall be delivered to all affected parties and
2500 the original of the order filed with the records and licensing services division. Failure to
2501 comply with the postfinding settlement agreement or order may be enforced under
2502 K.C.C. 12.17.070. Each postfinding settlement agreement is a public record.

2503 B.1. If the parties cannot reach agreement, the ~~((office of equity and racial and
2504 social justice))~~ civil rights program shall make a finding to that effect, incorporate the
2505 findings in the order and furnish a copy of the order to all affected parties. The order
2506 shall also include:

2507 a. a finding that an unfair contracting practice has occurred;
2508 b. the basis for the finding; and
2509 c. an order requiring the respondent to cease and desist from the unfair practice
2510 and to take appropriate affirmative measures, which may include:

2511 (1) payment of actual damages including payment of lost profits not in excess
2512 of the amount of monetary damages actually incurred;

2513 (2) payment of damages caused by emotional distress, humiliation and
2514 embarrassment;

2515 (3) payment of attorneys' fees and costs; and

2516 (4) such other action as in the judgment of the ~~((office of equity and racial
2517 and social justice))~~ civil rights program will effectuate the purposes of this chapter, which
2518 may include the requirement for a report on the matter of compliance.

2519 2. If the ~~((office of equity and racial and social justice))~~ civil rights program
2520 finds the respondent willfully or knowingly committed any unfair contracting practice,
2521 the ~~((office of equity and racial and social justice))~~ civil rights program may further order
2522 the respondent to pay a civil penalty of up to one thousand dollars per violation, which
2523 penalty shall be paid to the King County treasury for deposit in the county general fund.

2524 C. If there is a failure to reach an agreement for the elimination of any unfair
2525 contracting practice where the respondent is an executive department, division, or office
2526 of the county, the ~~((office of equity and racial and social justice))~~ civil rights program
2527 may compel compliance by the executive department, division, or office with any
2528 settlement agreement agreed to between the complainant and the ~~((office of equity and
2529 racial and social justice))~~ civil rights program.

2530 SECTION 49. Ordinance 13981, Section 7, as amended, and K.C.C. 12.17.060
2531 are hereby amended to read as follows:

2532 A. A party aggrieved by an order of the ((~~office of equity and racial and social~~
2533 ~~justice~~)) civil rights program may appeal in accordance with K.C.C. 20.22.080.

2534 B. If the order of the ((~~office of equity and racial and social justice~~)) civil rights
2535 program is appealed, the office of the hearing examiner shall conduct a hearing for the
2536 purpose of affirming, denying or modifying the order. There shall be a verbatim record
2537 kept of the hearing and the hearing examiner shall have such rule-making and other
2538 power necessary for the conduct of the hearing as are specified by K.C.C. chapter 20.22.
2539 The order of the ((~~office of equity and racial and social justice~~)) civil rights program shall
2540 not be presumed correct. The hearing examiner's decision shall be based upon a
2541 preponderance of the evidence. The hearing shall be conducted within a reasonable time
2542 after receipt of the request for appeal. Written notice of the time and place of the hearing
2543 shall be given at least ten days before the date of the hearing to each affected party and to
2544 the ((~~office of equity and racial and social justice~~)) civil rights program.

2545 C. Each party has the following rights, among others:

2546 1. To call and examine witnesses on any matter relevant to the issues of the
2547 complaint;

2548 2. To introduce documentary and physical evidence;

2549 3. To cross-examine opposing witnesses on any matter relevant to the issues of
2550 the complaint;

2551 4. To impeach any witness regardless of which party first called the witness to
2552 testify;

2553 5. To rebut evidence against the party; and

2554 6. To self-represent or to be represented by anyone of the party's choice who is

2555 lawfully permitted to do so.

2556 D. Following review of the evidence submitted, the hearing examiner presiding at

2557 the hearing shall enter written findings and conclusions and shall affirm or modify the

2558 order previously issued if the hearing examiner finds that a violation has occurred. The

2559 hearing examiner shall reverse the order if the hearing examiner finds that a violation did

2560 not occur. The hearing examiner may grant any relief that the ~~((office of equity and~~

2561 ~~racial and social justice))~~ civil rights program could grant under K.C.C. 12.17.050.B. A

2562 copy of the hearing examiner's decision shall be delivered to all affected parties. The

2563 order of the hearing examiner is final unless reviewed by a court under K.C.C.

2564 20.22.270.B.

2565 SECTION 50. Ordinance 13981, Section 8, as amended, and K.C.C. 12.17.070

2566 are hereby amended to read as follows:

2567 A. If the ~~((office of equity and racial and social justice))~~ civil rights program has

2568 reasonable cause to believe that a respondent has breached a prefinding or postfinding

2569 settlement agreement executed under K.C.C. 12.17.040 or 12.17.050 or violated an order

2570 of the ~~((office of equity and racial and social justice))~~ civil rights program issued under

2571 K.C.C. 12.17.050 or an order of the hearing examiner issued under K.C.C. 12.17.060, the

2572 ~~((office of equity and racial and social justice))~~ civil rights program shall refer the matter

2573 to the prosecuting attorney for the filing of a civil action under subsection B. of this

2574 section for the enforcement of the agreement.

2575 B. The prosecuting attorney may commence a civil action in King County
2576 superior court for appropriate relief with respect to a breach of a prefinding or postfinding
2577 settlement agreement or violation of an order of the (~~office of equity and racial and~~
2578 ~~social justice~~) civil rights program issued under K.C.C. 12.17.050 or an order of the
2579 hearing examiner issued under K.C.C. 12.17.060. The action may be commenced no
2580 later than ninety days after the referral of the alleged break underlying the referral under
2581 subsection A. of this section.

2582 SECTION 51. Ordinance 13981, Section 9, as amended, and K.C.C. 12.17.080
2583 are hereby amended to read as follows:

2584 A. An aggrieved person may commence a civil action in King County superior
2585 court not later than one year after the occurrence or the termination of an alleged unfair
2586 contracting practice, whichever occurs last, to obtain appropriate relief with respect to the
2587 unfair contracting practice.

2588 B. The computation of the one-year period does not include time during which an
2589 administrative proceeding under this chapter was pending with respect to a complaint or
2590 charge under this chapter based upon the discriminatory contracting practices.

2591 C. An aggrieved person may commence a civil action under this section whether
2592 or not a complaint has been filed under K.C.C. 12.17.030 and without regard to the status
2593 of any such a complaint, except as provided in subsection D. of this section, but if a
2594 settlement or conciliation agreement has been reached with the consent of an aggrieved
2595 person, an action may not be filed under this subsection by the aggrieved person with
2596 respect to the alleged unfair contracting practice that forms the basis for the complaint
2597 except for the purpose of enforcing the terms of the agreement.

2598 D. An aggrieved person may not commence a civil action under this section with
2599 respect to an alleged unfair contracting practice which forms the basis of a complaint if a
2600 hearing on the complaint has been convened by the office of the King County hearing
2601 examiner.

2602 E. In a civil action under this section, if the court finds that an unfair contracting
2603 practice has occurred or is about to occur, the court may grant as relief any relief that the
2604 ~~((office of equity and racial and social justice))~~ civil rights program could grant under
2605 K.C.C. 12.17.050.B.

2606 F. Relief granted under this section does not affect any contract, sale,
2607 encumbrance or lease consummated before the granting of the relief and involving a bona
2608 fide purchaser, encumbrances or tenant, without actual notice of the filing of a complaint
2609 with the ~~((office of equity and racial and social justice))~~ civil rights program or civil
2610 action under this title.

2611 G. Upon timely application, the prosecuting attorney may intervene in the civil
2612 action if the prosecuting attorney determines that the case is of general public importance.

2613 H. This section is intended to provide private judicial remedies for violations of
2614 this chapter that are expansive as the powers granted by the Constitution and laws of the
2615 state of Washington.

2616 SECTION 52. Ordinance 13981, Section 10, as amended, and K.C.C. 12.17.090
2617 are hereby amended to read as follows:

2618 The executive's office ~~((of equity and racial and social justice))~~ may implement
2619 such forms, administrative processes and operational procedures as are necessary to
2620 implement this chapter. The forms, processes, and procedures shall be adopted in

2621 compliance with K.C.C. chapter 2.98. The (~~office of equity and racial and social~~
2622 ~~justice~~) civil rights program shall further assist other county agencies and departments
2623 upon request in effectuating and promoting the purposes of this chapter.

2624 SECTION 53. Ordinance 7430, Section 2, as amended, and K.C.C. 12.18.020 are
2625 hereby amended to read as follows:

2626 The definitions in this section apply throughout this chapter unless the context
2627 clearly requires otherwise:

2628 A. "Aggrieved person" includes a person who claims to have been injured by an
2629 unfair employment practice.

2630 B. "Charging party" means any person alleging an unfair employment practice
2631 under this chapter by filing a complaint with the (~~office of equity and racial and social~~
2632 ~~justice~~) civil rights program.

2633 C. "Discriminate," "discrimination," or "discriminatory act" means any action or
2634 failure to act, whether by itself or as part of a practice, the effect of which is to adversely
2635 affect or differentiate between or among, individuals or groups of individuals, by reasons
2636 of one or more of the protected classes as defined in K.C.C. chapter 3.12D unless based
2637 upon a bona fide occupational qualification.

2638 D. "Employee" means any person who works for another in return for financial
2639 or other compensation, and does not include any individual employed by the individual's
2640 parents, spouse, or child, or in the domestic service of any person.

2641 E. "Employer" means King County or any person acting in the interest of an
2642 employer, directly or indirectly, who employs eight or more persons in unincorporated

2643 King County, and includes neither any religious or sectarian organization not organized
2644 for private profit nor any governmental body other than King County.

2645 F. "Employment agency" means any person who for compensation engages in
2646 recruiting, procuring, referral, or placement of employees with an employer.

2647 G. "Gender identity or expression" means an individual's gender-related identity,
2648 appearance, or expression, whether or not associated with the individual's sex assigned at
2649 birth, and includes an individual's attitudes, preferences, beliefs, and practices pertaining
2650 to the individual's own gender identity or expression.

2651 H. "Labor organization" means any organization existing for the purpose of:

2652 1. Dealing with employers concerning grievances, terms or conditions of
2653 employment; or

2654 2. Providing other mutual aid or protection in connection with employment.

2655 I. "Party" includes the person making a complaint or upon whose behalf a
2656 complaint is made alleging an unfair employment practice, the person alleged or found to
2657 have committed an unfair employment practice, and the ~~((office of equity and racial and
2658 social justice))~~ civil rights program.

2659 J. "Person" includes one or more individuals, partnerships, associations,
2660 organizations, corporations, cooperatives, legal representatives, trustees, trustees in
2661 bankruptcy, receivers, or groups of persons, and includes King County.

2662 K. "Respondent" means any person who is alleged to or found to have committed
2663 an unfair employment practice prohibited by this chapter.

2664 L. "Settlement discussions" or "conference, conciliation, and persuasion" means
2665 the attempted resolution of issues raised by a complaint, or by the investigation of a

2666 complaint, through informal negotiations involving the charging party, the respondent
2667 and the ~~((office of equity and racial and social justice))~~ civil rights program.

2668 SECTION 54. Ordinance 7430, Section 4, as amended, and K.C.C. 12.18.040 are
2669 hereby amended to read as follows:

2670 A. A complaint alleging an unfair employment practice may be filed by:

2671 1. Any aggrieved person;

2672 2. A state, local, or federal agency concerned with discrimination in
2673 employment, including the ~~((office of equity and racial and social justice))~~ civil rights
2674 program, if the agency has reason to believe that an unfair employment practice has been
2675 or is being committed; or

2676 3. Any labor organization that has reason to believe that an unfair employment
2677 practice has been or is being committed.

2678 B. A complaint alleging an unfair employment practice shall be in writing and
2679 signed by the charging party, and shall describe with particularity the unfair employment
2680 practice complained of, the location of the practice and the person alleged to have
2681 committed the unfair employment practice. The complaint must be filed with the ~~((office~~
2682 ~~of equity and racial and social justice))~~ civil rights program within two years of the time
2683 of the alleged unfair employment practice or within two years of when the charging
2684 party, through exercise of due diligence, should have had notice or been aware of the
2685 occurrence. However, the ~~((office of equity and racial and social justice))~~ civil rights
2686 program shall not reject a complaint as insufficient because of failure to include all
2687 required information, if the ~~((office of equity and racial and social justice))~~ civil rights

2688 program determines that the complaint substantially meets the informational
2689 requirements necessary for processing.

2690 C. Upon the receipt of a complaint, the ~~((office of equity and racial and social~~
2691 ~~justice))~~ civil rights program shall serve upon the charging party notice acknowledging
2692 the filing.

2693 D. The charging party or the ~~((office of equity and racial and social justice))~~ civil
2694 rights program may amend a complaint: to cure technical defects or omissions; to clarify
2695 and amplify allegations made in the complaint; or to add allegations related to or arising
2696 out of the subject matter set forth, or attempted to be set forth, in the original complaint.
2697 For jurisdictional purposes, the amendments relate back to the date the original complaint
2698 was first filed. Either the charging party or the ~~((office of equity and racial and social~~
2699 ~~justice))~~ civil rights program, or both, may amend a complaint for these reasons as a
2700 matter of right before service of notice of hearing on the matter, as provided under
2701 K.C.C. 12.18.070, and thereafter may amend a complaint only with permission of the
2702 hearing examiner, which permission shall be granted if justice will be served by the
2703 permission. All parties must be allowed time to prepare their cases with respect to
2704 additional or expanded allegations that the parties did not and could not have reasonably
2705 foreseen would be an issue at the hearing.

2706 E. The charging party may also amend a complaint to include allegations of
2707 additional unrelated unfair employment practices that arose after filing of the original
2708 complaint. The charging party must file any amendments adding the allegations within
2709 two years of the time of the additional unfair employment practice or within two years of
2710 when the charging party, through exercise of due diligence, should have had notice or

2711 been aware of the additional discriminatory act, and before the issuance of findings of
2712 fact and a determination with respect to the original complaint by the ~~((office of equity
2713 and racial and social justice))~~ civil rights program. The amendments may be made at any
2714 time during the investigation of the original complaint if the ~~((office of equity and racial
2715 and social justice))~~ civil rights program will have adequate time to investigate the
2716 additional allegations and the parties will have adequate time to present the ~~((office of
2717 equity and racial and social justice))~~ civil rights program with evidence concerning the
2718 allegations before the issuance of findings of fact and a determination.

2719 SECTION 55. Ordinance 7430, Section 5, as amended, and K.C.C. 12.18.050 are
2720 hereby amended to read as follows:

2721 A. Upon receipt of a complaint meeting the requirements of K.C.C. 12.18.040.C.,
2722 the ~~((office of equity and racial and social justice))~~ civil rights program shall cause to be
2723 served or mailed, by certified mail, return receipt requested, a copy of the complaint to
2724 the respondent within twenty days after the filing of the complaint and shall promptly
2725 make an investigation of the complaint. Each respondent may file an answer to the
2726 complaint not later than twenty days after receipt of notice from the ~~((office of equity and
2727 racial and social justice))~~ civil rights program. If a respondent is unable to file a response
2728 within twenty days, the respondent may request an extension of time from the ~~((office of
2729 equity and racial and social justice))~~ civil rights program. The ~~((office of equity and
2730 racial and social justice))~~ civil rights program may grant the extension if good cause is
2731 shown.

2732 B. The ~~((office of equity and racial and social justice))~~ civil rights program shall
2733 direct the investigation to ascertain the facts concerning the unfair employment practice

2734 alleged in the complaint and shall conduct the investigation in an objective and impartial
2735 manner.

2736 C. During the investigation, the ~~((office of equity and racial and social justice))~~
2737 civil rights program shall consider any statement of position or evidence with respect to
2738 the allegations of the complaint which the charging party or the respondent wishes to
2739 submit. A person who is not named as a respondent in a complaint, but who is identified
2740 as a respondent in the course of investigation, may be joined as an additional or substitute
2741 respondent upon written notice, under subsection A. of this section, to the person from
2742 the ~~((office of equity and racial and social justice))~~ civil rights program. The notice, in
2743 addition to meeting the requirements of subsection A. of this section, must explain the
2744 basis for the ~~((office of equity and racial and social justice))~~ civil rights program belief
2745 that the person to whom the notice is addressed is properly joined as a respondent.

2746 D. During the period beginning with the filing of the complaint and ending with
2747 the issuance of the findings of fact, the ~~((office of equity and racial and social justice))~~
2748 civil rights program shall, to the extent feasible, engage in settlement discussions with
2749 respect to the complaint. Anything said or done in the course of the settlement
2750 discussions may not be made public or used as evidence in a subsequent proceeding
2751 under this chapter without the written consent of the persons concerned. A prefinding
2752 settlement agreement arising out of the settlement discussions must be an agreement
2753 between the respondent and the charging party and is subject to approval by the ~~((office~~
2754 ~~of equity and racial and social justice))~~ civil rights program. Each prefinding settlement
2755 agreement is a public record. Failure to comply with the prefinding settlement agreement
2756 may be enforced under K.C.C. 12.18.080.

2757 E. The (~~office of equity and racial and social justice~~) civil rights program shall
2758 seek the voluntary cooperation of all persons: to obtain access to premises, records,
2759 documents, individuals, and other possible sources of information; to examine, record,
2760 and copy necessary materials; and to take and record testimony or statements of persons
2761 reasonably necessary for the furtherance of the investigation. The (~~office of equity and
2762 racial and social justice~~) civil rights program may conduct discovery in aid of the
2763 investigation by the following methods or others: deposition upon oral examination or
2764 written questions; written interrogatories; requests for the production of documents or
2765 other evidence, for inspection and other purposes; physical and mental examinations; and
2766 requests for admissions. The (~~office of equity and racial and social justice~~) civil rights
2767 program may sign and issue subpoenas requiring the attendance and testimony of
2768 witnesses and the production of or access to evidence including books, records,
2769 correspondence, e-mail, or documents in the possession or under the control of the person
2770 subpoenaed as are necessary for the investigation. The (~~office of equity and racial and
2771 social justice~~) civil rights program shall consult with the prosecuting attorney before
2772 issuing a subpoena under this section.

2773 F. If an individual fails to obey a subpoena, or obeys a subpoena but refuses to
2774 testify if requested concerning any matter under investigation, the (~~office of equity and
2775 racial and social justice~~) civil rights program may invoke the aid of the prosecuting
2776 attorney, who may petition to the superior court for an order or other appropriate action
2777 necessary to secure enforcement of the subpoena. The petition shall:

2778 1. Be accompanied by a copy of the subpoena and proof of service;

2779 2. Set forth in what specific manner the subpoena has not been complied with;
2780 and

2781 3. Ask for an order of the court to compel the witness to appear and testify or
2782 cooperate in the investigation of the unfair employment practice.

2783 G. If the (~~office of equity and racial and social justice~~) civil rights program
2784 concludes at any time after the filing of a complaint that prompt judicial action is
2785 necessary to carry out the purposes of this chapter, the (~~office of equity and racial and~~
2786 ~~social justice~~) civil rights program may invoke the aid of the prosecuting attorney, who
2787 may file a civil action for appropriate temporary, injunctive, or preliminary relief pending
2788 final disposition of the case.

2789 H. The (~~office of equity and racial and social justice~~) civil rights program shall
2790 reduce the results of the investigation to written findings of fact and make a finding that
2791 there either is or is not reasonable cause for believing that an unfair employment practice
2792 has been or is being committed.

2793 I. If a finding is made that there is no reasonable cause, the finding shall be
2794 served on the charging party and respondent. Within thirty days after service of such a
2795 negative finding, the charging party may file a written request with the (~~office of equity~~
2796 ~~and racial and social justice~~) civil rights program asking for reconsideration of the
2797 finding. The (~~office of equity and racial and social justice~~) civil rights program shall
2798 furnish the charging party with information regarding how to request reconsideration.
2799 The (~~office of equity and racial and social justice~~) civil rights program shall respond in
2800 writing within a reasonable time by granting or denying the request.

2801 SECTION 56. Ordinance 7430, Section 6, as amended, and K.C.C. 12.18.060 are
2802 hereby amended to read as follows:

2803 A.1. If the (~~office of equity and racial and social justice~~) civil rights program
2804 makes the finding initially or on request for reconsideration that reasonable cause exists
2805 to believe that an unfair employment practice occurred, the (~~office of equity and racial~~
2806 ~~and social justice~~) civil rights program shall endeavor to eliminate the unfair practice by
2807 conference, conciliation and persuasion which may include as a condition of settlement:

- 2808 a. elimination of the unfair employment practice;
- 2809 b. payment of back pay not in excess of the amount of monetary damage
2810 actually incurred;
- 2811 c. payment of other actual damages, including damages caused by emotional
2812 distress, humiliation and embarrassment;
- 2813 d. reinstatement;
- 2814 e. payment of attorneys' fees and costs;
- 2815 f. participation in training on fair employment laws; and
- 2816 g. such other requirements as may lawfully be agreed upon by the parties and
2817 the (~~office of equity and racial and social justice~~) civil rights program.

2818 2. Any postfinding settlement agreement shall be reduced to writing and signed
2819 by all parties, with the approval of the (~~office of equity and racial and social justice~~)
2820 civil rights program. The (~~office of equity and racial and social justice~~) civil rights
2821 program shall then enter an order setting forth the agreement and furnish copies of the
2822 order to all affected parties. Each postfinding settlement agreement is a public record.

2823 Failure to comply with the postfinding agreement or order may be enforced under K.C.C.
2824 12.18.080.

2825 B.1. If the parties cannot reach agreement, the ~~((office of equity and racial and~~
2826 ~~social justice))~~ civil rights program shall make a finding to that effect, incorporate the
2827 finding in the order and furnish a copy of the order to all affected parties. The order shall
2828 also include:

- 2829 a. a finding that an unfair employment practice occurred;
- 2830 b. the basis for the finding; and
- 2831 c. an order requiring the respondent to cease and desist from the unfair practice
2832 and to take appropriate affirmative measures, which may include:

2833 (1) payment of back pay not in excess of the amount of monetary damage
2834 actually incurred;

2835 (2) payment of other actual damages, including damages caused by emotional
2836 distress, humiliation, and embarrassment;

2837 (3) reinstatement;

2838 (4) payment of attorneys' fees and costs;

2839 (5) participation in training on fair employment laws; and

2840 (6) such other action as in the judgment of the ~~((office of equity and racial~~
2841 ~~and social justice))~~ civil rights program will effectuate the purposes of this chapter, which
2842 may include the requirement for a report on the matter of compliance.

2843 2. If the ~~((office of equity and racial and social justice))~~ civil rights program
2844 finds the respondent willfully or knowingly committed any unfair employment practice,
2845 the ~~((office of equity and racial and social justice))~~ civil rights program may further order

2846 the respondent to pay a civil penalty of up to ((s)) one thousand dollars per violation,
2847 which penalty shall be paid to the King County treasury for deposit in the county general
2848 fund.

2849 C. If the parties fail to reach an agreement for the elimination of any unfair
2850 employment practice in which the respondent is an executive department, division or
2851 office of the county, the King County executive may compel compliance by the executive
2852 department, division or office with any settlement agreement agreed to between any
2853 charging party and the ((office of equity and racial and social justice)) civil rights
2854 program.

2855 SECTION 57. Ordinance 7430, Section 7, as amended, and K.C.C. 12.18.070 are
2856 hereby amended to read as follows:

2857 A. Any respondent or charging party, after ((by)) an order of the ((office of
2858 equity and racial and social justice)) civil rights program is made in accordance with
2859 K.C.C. 12.18.060.B., may appeal that order in accordance with K.C.C. 20.22.080.

2860 B. If the order of the ((office of equity and racial and social justice)) civil rights
2861 program is appealed, the hearing examiner shall conduct a hearing for the purpose of
2862 affirming, denying, or modifying the order. There shall be a verbatim record kept of the
2863 hearing. The hearing examiner has such rule-making and other powers necessary for the
2864 conduct of the hearing as are specified by K.C.C. chapter 20.22. The ((office of equity
2865 and racial and social justice)) civil rights program shall not be presumed correct. The
2866 hearing examiner's decision shall be based upon a preponderance of the evidence. The
2867 hearing shall be conducted within a reasonable time after receipt of the request for
2868 appeal. Written notice of the time and place of the hearing shall be given at least ten days

2869 before the date of the hearing to each affected party and to the ~~((office of equity and~~
2870 ~~racial and social justice))~~ civil rights program.

2871 C. Each party may, among exercising other rights:

2872 1. Call and examine witnesses on any matter relevant to the issues of the
2873 complaint;

2874 2. Introduce documentary and physical evidence;

2875 3. Cross-examine opposing witnesses on any matter relevant to the issues of the
2876 complaint;

2877 4. Impeach any witness regardless of which party first called the witness to
2878 testify;

2879 5. Rebut evidence against the party; and

2880 6. Self-represent or be represented by anyone of the party's choice who is
2881 lawfully permitted to do so.

2882 D. Following review of the evidence submitted, the hearing examiner presiding at
2883 the hearing shall enter written findings and conclusions and shall affirm or modify the
2884 order previously issued if the hearing examiner finds that a violation occurred. The
2885 hearing examiner shall reverse the order if the hearing examiner finds that a violation did
2886 not occur. The hearing examiner may grant as relief any relief that the civil rights
2887 program ~~((office of equity and racial and social justice))~~ could grant under K.C.C.

2888 12.18.060.B. A copy of the hearing examiner's decision shall be delivered to all affected
2889 parties. The order of the hearing examiner is final unless reviewed by a court under
2890 K.C.C. 20.22.270.B.

2891 SECTION 58. Ordinance 7430, Section 8, as amended, and K.C.C. 12.18.080 are
2892 hereby amended to read as follows:

2893 A. If the (~~office of equity and racial and social justice~~) civil rights program has
2894 reasonable cause to believe that a respondent breached a prefinding or postfinding
2895 settlement agreement executed under K.C.C. 12.18.050 or 12.18.060, or violated an order
2896 of the (~~office of equity and racial and social justice~~) civil rights program issued under
2897 K.C.C. 12.18.060 or an order of the hearing examiner issued in accordance with K.C.C.
2898 12.18.070, the (~~office of equity and racial and social justice~~) civil rights program shall
2899 refer the matter to the prosecuting attorney for the filing of a civil action under subsection
2900 B. of this section for the enforcement of the agreement.

2901 B. The prosecuting attorney may commence a civil action in superior court for
2902 appropriate relief with respect to a breach of a prefinding or postfinding settlement
2903 agreement executed under K.C.C. 12.18.050 or 12.18.060, or a violation of an order of
2904 the (~~office of equity and racial and social justice~~) civil rights program issued under
2905 K.C.C. 12.18.060 or an order of the hearing examiner issued under K.C.C. 12.18.070.
2906 This action may be commenced no later than ninety days after the referral of the alleged
2907 breach under subsection A. of this section.

2908 SECTION 59. Ordinance 15399, Section 17, as amended, and K.C.C. 12.18.085
2909 are hereby amended to read as follows:

2910 A. An aggrieved person may commence a civil action in superior court not later
2911 than three years after the occurrence or termination of an alleged unfair employment
2912 practice or ninety days after a determination of reasonable cause is issued by the (~~office~~)

2913 ~~of equity and racial and social justice))~~ civil rights program, whichever occurs last, to
2914 obtain appropriate relief with respect to the unfair employment practice.

2915 B. A civil action may be filed under this section whether or not an administrative
2916 complaint has been filed under K.C.C. 12.18.040 and without regard to the status of such
2917 a complaint. However, if (~~office of equity and racial and social justice))~~ civil rights
2918 program obtained a prefinding or postfinding settlement or conciliation agreement with
2919 the consent of the aggrieved person, an action may not be filed under this section by the
2920 aggrieved person with respect to the alleged unfair employment practice that forms the
2921 basis for the complaint except for the purpose of enforcing the agreement. To preclude
2922 such a filing, the prefinding or postfinding settlement or conciliation agreement must
2923 include language that the aggrieved person knowingly waives any right to file a civil
2924 action based on the same alleged unfair employment practice.

2925 C. Subject to subsection D. of this section, after the filing of a civil action
2926 involving the same claim or arising from the same facts and circumstances, whether
2927 under this chapter or similar law, the (~~office of equity and racial and social justice))~~ civil
2928 rights program may administratively close a complaint of an unfair employment practice.

2929 D. If a court dismisses a private cause of action without reaching the merits and
2930 on grounds that would not preclude pursuit of a complaint under this chapter, the
2931 charging party may request, within ninety days of the entry of the court's order of
2932 dismissal, that the (~~office of equity and racial and social justice))~~ civil rights program
2933 reopen a previously filed case. Upon such a request, (~~office of equity and racial and~~
2934 ~~social justice))~~ civil rights program may reopen a case that was administratively closed
2935 upon the filing of a civil action. If the (~~office of equity and racial and social justice))~~

2936 civil rights program closes a case based on a "no reasonable cause" finding, the case shall
2937 not be reopened except as provided through reconsideration under K.C.C. 12.18.050.

2938 E. A charging party or aggrieved person may not secure relief from more than
2939 one governmental agency, instrumentality, or tribunal for the same harm or injury.

2940 F. An aggrieved person may not commence a civil action under this section with
2941 respect to an alleged unfair employment practice that forms the basis of a complaint if a
2942 hearing on the complaint has been convened under K.C.C. 12.18.070.

2943 G. In a civil action under this section, if the court finds that an unfair practice
2944 occurred, the court may grant such relief as is available for violations of the Washington
2945 state Law Against Discrimination, chapter 49.60 RCW.

2946 H. Upon timely application, the prosecuting attorney may intervene in the civil
2947 action if the prosecuting attorney determines that the case is of general public importance.

2948 I. This section is intended to provide private judicial remedies for violations of
2949 this chapter that are as expansive as the powers granted by the Constitution and laws of
2950 the state of Washington.

2951 SECTION 60. Ordinance 7430, Section 9, as amended, and K.C.C. 12.18.090 are
2952 hereby amended to read as follows:

2953 The (~~office of equity and racial and social justice~~) civil rights program may
2954 implement such forms, administrative processes, and operational procedures as are
2955 necessary to comply with this chapter. The forms, processes, and procedures shall be
2956 adopted in compliance with K.C.C. chapter 2.98.

2957 SECTION 61. Ordinance 13263, Section 52, and K.C.C. 12.18.097 are hereby
2958 amended to read as follows:

2959 A. If a complaint is filed under this chapter, the ~~((office of equity and racial and~~
2960 ~~social justice))~~ civil rights program shall initiate an investigation under this chapter.

2961 B. If the ~~((office of equity and racial and social justice))~~ civil rights program
2962 determines that a violation of this chapter or any rules and regulations adopted under this
2963 chapter occurred, the ~~((office of equity and racial and social justice))~~ civil rights program
2964 shall issue an order in accordance with this chapter. For the enforcement of this chapter,
2965 if a conflict exists between this chapter and K.C.C. Title 23, this chapter controls over
2966 K.C.C. Title 23.

2967 SECTION 62. Ordinance 19762, Section 12, and K.C.C. 12.18B.030 are hereby
2968 amended to read as follows:

2969 A. Beginning January 1, 2026, the ~~((manager of the office of performance,~~
2970 ~~strategy, and budget, or its designee,))~~ executive or designee shall annually convene a
2971 workgroup to: evaluate whether the current hourly minimum wage rate as established by
2972 this chapter is sufficient to meet the basic needs of working households in King County;
2973 and analyze the current hourly minimum wage rate's impact to the region's economy.

2974 The workgroup's evaluation and analysis shall include, but not be limited to, the
2975 following considerations:

2976 1. The Self-Sufficiency Standard for Washington State, developed in
2977 partnership with the University of Washington's Center for Women's Welfare and the
2978 Workforce Development Council of Seattle-King County;

2979 2. Impacts to the county labor market including, but not limited to, employment
2980 rates, small business labor costs, and ability to attract new businesses to the region;

2981 3. Impacts on the number of county residents that receive the federal Earned
2982 Income Tax Credit, the Washington State Working Families Tax Credit, and any other
2983 government benefits that are provided to low- and middle-income households; and

2984 4. Disproportionate impacts to Black, Indigenous, and People of Color
2985 communities, if any.

2986 B. Workgroup membership shall include, but not be limited to, the following:

2987 1. The (~~manager of the office of performance, strategy, and budget, or~~
2988 ~~designee~~) executive or designee;

2989 2. The county's chief economist, or designee;

2990 3. The manager of the finance and business operations division, or designee;

2991 4. The director of the department of local services, or designee;

2992 5. The director of the department of human resources, or designee; and

2993 6. The chair of the budget and fiscal management committee, or its successor, or
2994 designee.

2995 C. The workgroup shall seek input from the community on its evaluation and
2996 analysis work as described in subsection A. of this section. The community shall include,
2997 but not be limited to, the following:

2998 1. Economists and wage experts from accredited colleges and universities in the
2999 state of Washington;

3000 2. Representatives from the King County Coalition of Unions;

3001 3. Employers that contract with the county or have showed interest in
3002 contracting with the county; and

3003 4. Organizations that represent employees and employers in unincorporated
3004 King County.

3005 D. On behalf of the workgroup, the executive shall transmit a report of its
3006 findings and a recommendation, if any, to modify the hourly minimum wage rate
3007 established by this chapter. The executive shall electronically file the report and any
3008 proposed ordinance that would amend this chapter and any other chapters related to the
3009 hourly minimum wage rate of county employees and county contractors to implement the
3010 hourly minimum wage rate as recommended by the workgroup no later than June 30 of
3011 each year with the clerk of the council, who shall retain an electronic copy and provide an
3012 electronic copy to all councilmembers, the council chief of staff, and the lead staff for the
3013 transportation, economy, and environment committee, or its successor. The executive
3014 shall electronically distribute the report to all government entities in the county and to
3015 relevant state and federal agencies, including, but not limited to, the Washington state
3016 Department of Labor and Industries, or its successor.

3017 SECTION 63. Ordinance 5280, Section 2, as amended, and K.C.C. 12.20.020 are
3018 hereby amended to read as follows:

3019 The definitions in this section apply throughout this chapter unless the context
3020 clearly requires otherwise.

3021 A. "Aggrieved person" includes a person who:

- 3022 1. Claims to have been injured by an unfair housing practice; or
3023 2. Believes that the person will be injured by an unfair housing practice that is
3024 about to occur.

3025 B. "Alternative source of income" means lawful, verifiable income derived from
3026 sources other than wages, salaries, or other compensation for employment. It includes
3027 but is not limited to moneys derived from Social Security benefits, other retirement
3028 programs, supplemental security income, unemployment benefits, child support, the state
3029 Aged, Blind or Disabled Cash Assistance Program, state Refugee Cash Assistance, and
3030 any other federal, state, local government, private, or nonprofit-administered cash benefit
3031 program.

3032 C. "Charging party" means any person alleging an unfair housing practice under
3033 this chapter by filing a complaint with the ~~((office of equity and racial and social justice))~~
3034 civil rights program.

3035 D.1. "Disability" means:

3036 a. a physical or mental impairment that substantially limits one or more of a
3037 person's major life activities, either temporarily or permanently;

3038 b. a person is regarded as having such an impairment; or

3039 c. a person has a disability under the Washington state Law Against
3040 Discrimination, chapter 49.60 RCW.

3041 2. "Disability" does not include current, illegal use of a controlled substance, as
3042 defined in section 102 of 21 U.S.C. Sec. 802 as it exists on April 16, 2006.

3043 E. "Discriminate" means any action or failure to act, whether by single act or as
3044 part of a practice, the effect of which is to adversely affect or differentiate between or
3045 among individuals or groups of individuals, because of one or more of the protected
3046 classes as defined in K.C.C. chapter 3.12D, participation in the Section 8 program or
3047 other housing subsidy program, or alternative source of income.

3048 F. "Dwelling" or "dwelling unit" mean any building, structure, or portion of a
3049 building or structure that is occupied as, or designed or intended for occupancy as, a
3050 residence by one or more families or individuals, and any vacant land that is offered for
3051 sale or lease for the construction or location thereon of any such a building, structure, or
3052 portion of a building or structure.

3053 G. "Gender identity or expression" means an individual's gender-related identity,
3054 appearance, or expression, whether or not associated with the individual's sex assigned at
3055 birth, and includes an individual's attitudes, preferences, beliefs, and practices pertaining
3056 to the individual's own gender identity or expression.

3057 H. "Housing accommodations" means any dwelling or dwelling unit, rooming
3058 unit, rooming house, lot, or parcel of land in unincorporated King County that is used,
3059 intended to be used or arranged or designed to be used as, or improved with, a residential
3060 structure for one or more human beings.

3061 I.1. "Parental status" means one or more individuals, who have not attained the
3062 age of eighteen years, being domiciled with:

3063 a. a parent or another person having legal custody of the individual or
3064 individuals; or

3065 b. the designee of such a parent or other person having the custody, with the
3066 written permission of the parent or other person.

3067 2. The protections afforded against discrimination on the basis of familial status
3068 apply to a person who is pregnant or is in the process of securing legal custody of an
3069 individual who has not attained the age of eighteen years.

3070 J. "Participation in the Section 8 program or other housing subsidy program"
3071 means participating in a short- or long-term federal, state, or local government, private,
3072 nonprofit, or other assistance program in which a tenant's rent is paid either partially or
3073 completely by the program, through a direct arrangement between the program and the
3074 owner or lessor of the real property. Other housing subsidy programs include, but are not
3075 limited to, the federal Veteran Affairs Supportive Housing vouchers, state Housing and
3076 Essential Needs funds and short-term rental assistance provided by rapid rehousing
3077 subsidies.

3078 K. "Party" includes the person charging or making a complaint or upon whose
3079 behalf a complaint is made alleging an unfair practice, the person alleged or found to
3080 have committed an unfair practice and the ~~((office of equity and racial and social justice))~~
3081 civil rights program.

3082 L. "Person" means one or more individuals, partnerships, associations,
3083 organizations, corporations, cooperatives, legal representatives, trustees and receivers, or
3084 any group of persons; including any owner, lessee, proprietor, housing manager, agent or
3085 employee whether one or more natural persons. "Person" also includes any political or
3086 civil subdivisions of the state and any agency or instrumentality of the state or of any
3087 political or civil subdivision of the state.

3088 M. "Real estate transaction" includes, but is not limited to, the sale, conveyance,
3089 exchange, purchase, rental, lease, or sublease of real property.

3090 N. "Real estate-related transaction" means any of the following:

3091 1. The making or purchasing of loans or providing other financial assistance:

3092 a. for purchasing, constructing, improving, repairing, or maintaining real
3093 property; or

3094 b. secured by real property; or

3095 2. The selling, brokering, or appraising of real property.

3096 O. "Real property" includes, but is not limited to, buildings, structures, real
3097 estate, lands, tenements, leaseholds, interests in real estate cooperatives, condominiums,
3098 and hereditaments, corporeal and incorporeal, or any interest therein.

3099 P. "Respondent" means any person who is alleged or found to have committed an
3100 unfair practice prohibited by this chapter.

3101 Q. "Senior citizens" means persons who are sixty-two years of age or older.

3102 R. "Settlement discussions" and "conference, conciliation, and persuasion" mean
3103 the attempted resolution of issues raised by a complaint, or by the investigation of a
3104 complaint, through informal negotiations involving the charging party, the respondent,
3105 and the ~~((office of equity and racial and social justice))~~ civil rights program.

3106 S. "Verifiable" means the source of income can be confirmed as to its amount or
3107 receipt.

3108 SECTION 64. Ordinance 5280, Section 4, as amended, and K.C.C. 12.20.070 are
3109 hereby amended to read as follows:

3110 A. A complaint alleging an unfair housing practice may be filed by:

3111 1. Any aggrieved person; or

3112 2. Any state, local, or federal agency concerned with discrimination in housing,
3113 including the ~~((office of equity and racial and social justice))~~ civil rights program has
3114 reason to believe that an unfair housing practice has been or is being committed.

3115 B. A complaint alleging an unfair housing practice shall be in writing and signed
3116 by the charging party. The complaint must be filed by the charging party with the
3117 ~~((office of equity and racial and social justice))~~ civil rights program within three hundred
3118 sixty-five days after the occurrence or termination of the alleged unfair housing practice.
3119 The complaint must describe with particularity the practice complained of and the
3120 location of the practice and must identify the person being charged with committing an
3121 unfair housing practice. However, the ~~((office of equity and racial and social justice))~~
3122 civil rights program shall not reject a complaint as insufficient because of failure to
3123 include all required information, if the ~~((office of equity and racial and social justice))~~
3124 civil rights program determines that the complaint substantially meets the informational
3125 requirements necessary for processing.

3126 C. Upon the receipt of a complaint alleging an unfair housing practice, the
3127 ~~((office of equity and racial and social justice))~~ civil rights program shall serve notice
3128 upon the charging party acknowledging the filing and advising the charging party of the
3129 time limits provided under this chapter and of the choice of forums provided by this
3130 chapter.

3131 D. The charging party or the ~~((office of equity and racial and social justice))~~ civil
3132 rights program may amend a complaint: to cure technical defects or omissions; to clarify
3133 and amplify allegations made in the complaint; or to add allegations related to or arising
3134 out of the subject matter set forth, or attempted to be set for, in the original complaint.
3135 For jurisdictional purposes, the amendments relate back to the date the original complaint
3136 was first filed. Either the charging party or the ~~((office of equity and racial and social~~
3137 ~~justice))~~ civil rights program, or both, may amend a complaint for these reasons as a

3138 matter of right before service of notice of hearing on the matter, as provided under
3139 K.C.C. 12.20.100, and thereafter may amend a complaint only with permission of the
3140 hearing examiner, which permission shall be granted if justice will be served by the
3141 permission, and all parties shall be allowed time to prepare their case with respect to
3142 additional or expanded allegations they did not and could not have reasonably foreseen
3143 would be an issue at the hearing.

3144 E. The charging party may also amend a complaint to include allegations of
3145 additional unrelated discriminatory practices that arose after the filing of the original
3146 complaint. The charging party must file any amendments adding the allegations within
3147 three hundred sixty-five days after the occurrence or termination of the additional
3148 discriminatory practices and before the issuance of findings of fact and a determination
3149 with respect to the original complaint by the ~~((office of equity and racial and social
3150 justice))~~ civil rights program. The amendments may be made at any time during the
3151 investigation of the original complaint if the ~~((office of equity and racial and social
3152 justice))~~ civil rights program will have adequate time to investigate the additional
3153 allegations and the parties will have adequate time to present the ~~((office of equity and
3154 racial and social justice))~~ civil rights program with evidence concerning the allegations
3155 before the issuance of findings of fact and a determination.

3156 SECTION 65. Ordinance 5280, Section 5, as amended, and K.C.C. 12.20.080 are
3157 hereby amended to read as follows:

3158 A. After the filing of a complaint, the ~~((office of equity and racial and social
3159 justice))~~ civil rights program shall cause to be served on or mailed to the respondent, by
3160 certified mail, return receipt requested, a copy of the complaint, along with a notice

3161 advising of procedural rights and obligations of respondents under this chapter promptly
3162 and in no case longer than twenty days after the filing the complaint. Each respondent
3163 may file an answer to the complaint, not later than ten days after receipt of notice from
3164 the ~~((office of equity and racial and social justice))~~ civil rights program. If the respondent
3165 is unable to file a response within ten days, the respondent may request an extension of
3166 time from the ~~((office of equity and racial and social justice))~~ civil rights program not to
3167 exceed five days. The ~~((office of equity and racial and social justice))~~ civil rights
3168 program may grant the extension if good cause is shown.

3169 B. The investigation shall be commenced promptly and in no event later than
3170 thirty days after receipt of the complaint. It shall be directed to ascertain the facts
3171 concerning the unfair practice alleged in the complaint and shall be conducted in an
3172 objective and impartial manner. The investigation shall be completed within one hundred
3173 days after the filing of the complaint, unless it is impracticable to do so. If the ~~((office of~~
3174 ~~equity and racial and social justice))~~ civil rights program is unable to complete the
3175 investigation within the one hundred days, the ~~((office of equity and racial and social~~
3176 ~~justice))~~ civil rights program shall notify the charging party and respondent, in writing, of
3177 the reasons for not doing so. The ~~((office of equity and racial and social justice))~~ civil
3178 rights program shall make final administrative disposition of a complaint within one year
3179 of the date of receipt of the complaint, unless it is impracticable to do so. If the ~~((office~~
3180 ~~of equity and racial and social justice))~~ civil rights program is unable to do so, the ~~((office~~
3181 ~~of equity and racial and social justice))~~ civil rights program shall notify the charging
3182 party and respondent, in writing, of the reasons for not doing so.

3183 C. During the investigation, the ~~((office of equity and racial and social justice))~~
3184 civil rights program shall consider any statement of position or evidence with respect to
3185 the allegations of the complaint that the charging party or the respondent wishes to
3186 submit.

3187 D. A person who is not named as a respondent in a complaint, but who is
3188 identified as a respondent in the course of investigation, may be joined as an additional or
3189 substitute respondent upon written notice, under subsection A. of this section, to the
3190 person from the ~~((office of equity and racial and social justice))~~ civil rights program. The
3191 notice, in addition to meeting the requirements of subsection A. of this section, shall
3192 explain the basis for the belief of the ~~((office of equity and racial and social justice))~~ civil
3193 rights program that the person to whom the notice is addressed is properly joined as a
3194 respondent.

3195 E. During the period beginning with the filing of the complaint and ending with
3196 the issuance of the findings of fact, the ~~((office of equity and racial and social justice))~~
3197 civil rights program shall, to the extent feasible, engage in settlement discussions with
3198 respect to the complaint. Nothing said or done in the course of the settlement discussions
3199 may be made public or used as evidence in a subsequent proceeding under this chapter
3200 without the written consent of the persons concerned. A prefinding settlement agreement
3201 arising out of the settlement discussions shall be an agreement between the respondent
3202 and the charging party, and is subject to approval by the ~~((office of equity and racial and~~
3203 ~~social justice))~~ civil rights program. Each prefinding settlement agreement is a public
3204 record. Failure to comply with the prefinding settlement agreement may be enforced
3205 under K.C.C. 12.20.120.

3206 F. The ~~((office of equity and racial and social justice))~~ civil rights program shall
3207 seek the voluntary cooperation of all persons to: obtain access to premises, records,
3208 documents, individuals, and other possible sources of information; examine, record, and
3209 copy necessary materials; and take and record testimony or statements of persons
3210 reasonably necessary for the furtherance of the investigation. The ~~((office of equity and
3211 racial and social justice))~~ civil rights program may conduct discovery in aid of the
3212 investigation by the following methods or others: deposition upon oral examination or
3213 written questions; written interrogatories; requests for the production of documents or
3214 evidence, for inspection and other purposes; physical and mental examinations; and
3215 requests for admissions. The ~~((office of equity and racial and social justice))~~ civil rights
3216 program may sign and issue subpoenas requiring the attendance and testimony of
3217 witnesses, the production of evidence including books, records, correspondence, e-mail,
3218 or documents in the possession or under the control of the person subpoenaed and access
3219 to evidence for the purpose of examination and copying as are necessary for the
3220 investigation. The ~~((office of equity and racial and social justice))~~ civil rights program
3221 shall consult with the prosecuting attorney before issuing any subpoena under this
3222 section.

3223 G. If an individual fails to obey a subpoena, or obeys a subpoena but refuses to
3224 testify when requested concerning any matter under investigation, the ~~((office of equity
3225 and racial and social justice))~~ civil rights program may invoke the aid of the prosecuting
3226 attorney, who shall petition to the superior court for an order or other appropriate action
3227 necessary to secure enforcement of the subpoena. The petition shall:

3228 1. Be accompanied by a copy of the subpoena and proof of service;

3229 2. Set forth in what specific manner the subpoena has not been complied with;
3230 and

3231 3. Ask for an order of the court to compel the witness to appear and testify or
3232 cooperate in the investigation of the unfair housing practice.

3233 H. If the (~~office of equity and racial and social justice~~) civil rights program
3234 concludes at any time after the filing of a complaint that prompt judicial action is
3235 necessary to carry out the purposes of this chapter, the (~~office of equity and racial and~~
3236 ~~social justice~~) civil rights program may invoke the aid of the prosecuting attorney, who
3237 shall file a civil action for appropriate temporary, injunctive or preliminary relief pending
3238 final disposition of the case.

3239 I. The (~~office of equity and racial and social justice~~) civil rights program shall
3240 reduce the results of the investigation to written findings of fact and make a finding that
3241 there either is or is not reasonable cause for believing that an unfair housing practice has
3242 been or is being committed.

3243 J. If a finding is made that there is no reasonable cause, the finding shall be
3244 served on the charging party and respondent. Within thirty days after service of such a
3245 negative finding, the charging party may file a written request with the (~~office of equity~~
3246 ~~and racial and social justice~~) civil rights program asking for reconsideration of the
3247 finding. The (~~office of equity and racial and social justice~~) civil rights program shall
3248 furnish the charging party with information regarding how to request reconsideration.
3249 The (~~office of equity and racial and social justice~~) civil rights program shall respond in
3250 writing within a reasonable time by granting or denying the request.

3251 SECTION 66. Ordinance 5280, Section 6, as amended, and K.C.C. 12.20.090 are
3252 hereby amended to read as follows:

3253 A.1. If the (~~office of equity and racial and social justice~~) civil rights program
3254 makes the finding initially or on request for reconsideration that reasonable cause exists
3255 to believe that an unfair housing practice occurred or is about to occur, the (~~office of~~
3256 ~~equity and racial and social justice~~) civil rights program shall endeavor to eliminate the
3257 unfair practice by conference, conciliation and persuasion, which may include as a
3258 condition of settlement the:

- 3259 a. elimination of the unfair housing practice;
- 3260 b. payment of actual damages, including damages caused by emotional
3261 distress, humiliation and embarrassment;
- 3262 c. reinstatement to tenancy;
- 3263 d. payment of attorneys' fees and costs;
- 3264 e. payment of a civil penalty to vindicate the public interest up to the limits in
3265 42 U.S.C. Sec. 3612(g)(3) and 24 C.F.R. 180.671(2003), as they exist on April 16, 2006,
3266 which penalty shall be paid to King County for deposit in the county general fund;
- 3267 f. participation in training on fair housing laws; and
- 3268 g. such other requirements as may lawfully be agreed upon by the parties and
3269 the (~~office of equity and racial and social justice~~) civil rights program.

3270 2. Any postfinding settlement agreement shall be reduced to writing and signed
3271 by all parties, with the approval of the (~~office of equity and racial and social justice~~)
3272 civil rights program. The (~~office of equity and racial and social justice~~) civil rights
3273 program shall then enter an order setting forth the agreement and furnish copies of the

3274 order to all affected parties. Failure to comply with the postfinding agreement or order
3275 may be enforced under K.C.C. 12.20.120. Each postfinding settlement agreement is a
3276 public record.

3277 B.1. If the parties cannot reach agreement, the (~~office of equity and racial and~~
3278 ~~social justice~~) civil rights program shall make a finding to that effect, incorporate the
3279 finding in an order, and furnish a copy of the order to all affected parties. The order shall
3280 also include:

3281 a. a finding that an unfair housing practice is about to occur or has occurred;
3282 b. the basis for the finding; and
3283 c. an order requiring the respondent to cease and desist from such unfair
3284 practice and to take appropriate affirmative action, including:

3285 (1) payment of actual damages, including damages caused by emotional
3286 distress, humiliation and embarrassment;
3287 (2) reinstatement to tenancy;
3288 (3) payment of attorneys' fees and costs;
3289 (4) participation in training on fair housing laws; and
3290 (5) such other action as in the judgment of the (~~office of equity and racial~~
3291 ~~and social justice~~) civil rights program will effectuate the purposes of this chapter, which
3292 may include the requirement for report on the matter of compliance, injunctive relief and
3293 the payment of a civil penalty to vindicate the public interest up to the limits set out in 42
3294 U.S.C. Sec. 3612(g)(3) as it exists on April 16, 2006.

3295 SECTION 67. Ordinance 10469, Section 11, as amended, and K.C.C. 12.20.095
3296 are hereby amended to read as follows:

3297 In the case of an order with respect to a discriminatory housing practice that
3298 occurred in the course of a business subject to a licensing or regulation by a
3299 governmental agency, the ~~((office of equity and racial and social justice))~~ civil rights
3300 program shall, not later than thirty days after the date of the issuance of the order or, if
3301 the order is appealed pursuant to K.C.C. 12.20.100, thirty days after the order is in
3302 substance affirmed upon the review:

3303 A. Send copies of the findings of fact, conclusions of law and the order, to that
3304 governmental agency; and

3305 B. Recommend to that governmental agency appropriate disciplinary action
3306 including, if appropriate, the suspension or revocation of the license of the respondent.

3307 SECTION 68. Ordinance 5280, Section 7, as amended, and K.C.C. 12.20.100 are
3308 hereby amended to read as follows:

3309 A.1. Any charging party, respondent₂ or aggrieved person on whose behalf the
3310 finding was made, after an order of the ~~((office of equity and racial and social justice))~~
3311 civil rights program is made in accordance with K.C.C. 12.20.090.B., may appeal the
3312 order by electing to have the claims on which reasonable cause was found decided in a
3313 civil action under K.C.C. 12.20.124 or in a hearing before the hearing examiner. The
3314 ~~((office of equity and racial and social justice))~~ civil rights program shall provide the
3315 charging party, respondent₂ and aggrieved person on whose behalf the finding was made
3316 with information regarding how to make the election. This election must be made not
3317 later than thirty days after the receipt by the electing person of service of the order. The
3318 person making the election shall give notice of the election stating which forum is elected
3319 to the ~~((office of equity and racial and social justice))~~ civil rights program and to all other

3320 charging parties and respondents to whom the complaint relates. The notice of election
3321 should identify clearly and specifically:

- 3322 a. the errors that the appellant believes were made in the action or decision that
- 3323 is being appealed, or the procedural irregularities associated with that action or decision;
- 3324 b. specific reasons by the county's action should be reversed or modified; and
- 3325 c. the desired outcome of the appeal.

3326 2. Any order issued by the (~~office of equity and racial and social justice~~) civil
3327 rights program under K.C.C. 12.20.090.B. becomes final thirty days after service of the
3328 order unless a written notice of election is filed with the (~~office of equity and racial and~~
3329 ~~social justice~~) civil rights program within the thirty-day period. If the order becomes
3330 final, parties violating the order are subject to the enforcement provisions of K.C.C.
3331 12.20.120.

3332 B. If no election of civil action is made, and an election for hearing is made, the
3333 complaint, any and all findings made and either affirmative action measures or civil
3334 penalties, or both, required shall be certified by the (~~office of equity and racial and social~~
3335 ~~justice~~) civil rights program to the office of the hearing examiner for hearing.

3336 C. A hearing shall be conducted by the office of the hearing examiner for the
3337 purpose of affirming, denying or modifying the order. There shall be a verbatim record
3338 kept of the hearing. The hearing examiner shall have such rule-making and other powers
3339 necessary for conduct of the hearing as are specified by K.C.C. chapter 20.22. The
3340 (~~office of equity and racial and social justice~~) civil rights program shall maintain the
3341 action and the order of the (~~office of equity and racial and social justice~~) civil rights
3342 program shall not be presumed correct. The hearing examiner's decision shall be based

3343 upon a preponderance of the evidence. The hearing shall be conducted within a
3344 reasonable time after receipt of the certification. Written notice of the time and place of
3345 the hearing shall be given at least ten days before the date of the hearing to each affected
3346 party and to the ((office of equity and racial and social justice)) civil rights program.

3347 D. Each party may, among exercising other rights:

- 3348 1. Call and examine witnesses on any matter relevant to the issues of the
3349 complaint;
- 3350 2. Introduce documentary and physical evidence;
- 3351 3. Cross-examine opposing witnesses on any matter relevant to the issues of the
3352 complaint;
- 3353 4. Impeach any witness regardless of which party first called the witness to
3354 testify;
- 3355 5. Rebut evidence against the party; and
- 3356 6. Self-represent or be represented by anyone of the party's choice who is
3357 lawfully permitted to do so.

3358 E. Following review of the evidence submitted, the hearing examiner presiding at
3359 the hearing shall enter written findings and conclusions and shall affirm or modify the
3360 order previously issued if the hearing examiner finds that a violation is about to occur or
3361 occurred. The hearing examiner shall reverse the order if the hearing examiner finds that
3362 a violation is not about to occur or did not occur. The hearing examiner may grant as
3363 relief any relief that the ((office of equity and racial and social justice)) civil rights
3364 program could grant under K.C.C. 12.20.090.B. A copy of the hearing examiner's

3365 findings, conclusions, and decision shall be served on all affected parties. The order of
3366 the hearing examiner is final unless reviewed by a court under K.C.C. 20.22.270.B.

3367 SECTION 69. Ordinance 5280, Section 9, as amended, and K.C.C. 12.20.120 are
3368 hereby amended to read as follows:

3369 A. If the ((office of equity and racial and social justice)) civil rights program has
3370 reasonable cause to believe that a respondent breached a prefinding or postfinding
3371 settlement agreement executed under K.C.C. 12.20.080 or 12.20.090 or violated an order
3372 of the ((office of equity and racial and social justice)) civil rights program issued under
3373 K.C.C. 12.20.090 or an order of the hearing examiner issued under K.C.C. 12.20.100, the
3374 ((office of equity and racial and social justice)) civil rights program shall refer the matter
3375 to the prosecuting attorney for the filing of a civil action under subsection B. of this
3376 section for the enforcement of the agreement.

3377 B. The prosecuting attorney may commence a civil action in superior court for
3378 appropriate relief with respect to breach of a prefinding or postfinding settlement
3379 agreement executed under K.C.C. 12.20.080 or 12.20.090, or violation of an order of the
3380 ((office of equity and racial and social justice)) civil rights program issued under K.C.C.
3381 12.20.090 or an order of the hearing examiner issued under K.C.C. 12.20.100. This
3382 action may be commenced no later than ninety days after the referral of the alleged
3383 breach under subsection A. of this section.

3384 SECTION 70. Ordinance 10469, Section 13, as amended, and K.C.C. 12.20.122
3385 are hereby amended to read as follows:

3386 A. An aggrieved person may commence a civil action in superior court not later
3387 than one year after the occurrence or the termination of an alleged discriminatory housing

3388 practice, whichever occurs last, to obtain appropriate relief with respect to such
3389 discriminatory housing practice.

3390 B. The computation of the one-year period shall not include any time during
3391 which an administrative proceeding under this chapter was pending with respect to a
3392 complaint or charge under this chapter based upon the discriminatory housing practices.

3393 C. An aggrieved person may commence a civil action under this section whether
3394 or not a complaint has been filed under K.C.C. 12.20.070 and without regard to the status
3395 of any such complaint. However, if the ~~((office of equity and racial and social justice))~~
3396 civil rights program or the United States Department of Housing and Urban Development
3397 has obtained a prefinding or postfinding settlement or conciliation agreement with the
3398 consent of an aggrieved person, an action may not be filed under this section by the
3399 aggrieved person with respect to the alleged discriminatory housing practice that forms
3400 the basis for the complaint except for the purpose of enforcing the agreement. To
3401 preclude such a filing, the prefinding or postfinding settlement or conciliation agreement
3402 must include language that the charging party knowingly waives any right to file a civil
3403 action based on the same alleged unfair housing practice.

3404 D. Subject to subsection E. of this section, after the filing of a civil action
3405 involving the same claim or arising from the same facts and circumstances, whether
3406 under this chapter or similar law, the ~~((office of equity and racial and social justice))~~ civil
3407 rights program may administratively close a complaint of an unfair housing practice.

3408 E. If a court dismisses a private cause of action without reaching the merits and
3409 on grounds that would not preclude pursuit of a complaint under this chapter, the
3410 charging party may request, within ninety days of the entry of the court's order of

3411 dismissal, that the (~~office of equity and racial and social justice~~) civil rights program
3412 reopen a previously filed case. Upon such a request, the (~~office of equity and racial and~~
3413 ~~social justice~~) civil rights program may reopen a case that was administratively closed
3414 upon the filing of a civil action. If the (~~office of equity and racial and social justice~~)
3415 civil rights program closes a case based on a "no reasonable cause" finding, the case shall
3416 not be reopened except as provided through reconsideration under K.C.C. 12.20.080. A
3417 charging party or aggrieved person may not secure relief from more than one
3418 governmental agency, instrumentality, or tribunal for the same harm or injury.

3419 F. An aggrieved person may not commence a civil action under this section with
3420 respect to an alleged discriminatory housing practice that forms the basis of a complaint
3421 if a hearing on the complaint has been convened by the office of the hearing examiner.

3422 G. In a civil action under subsection A., of this section, if the court finds that a
3423 discriminatory practice occurred or is about to occur, the court may order remedies as
3424 allowed by 42 U.S.C. 3613 (c) as it exists on April 16, 2006, including punitive damages
3425 as provided in 42 U.S.C. 3613(c), and, subject to the restrictions of subsection H. of this
3426 section, may grant as relief, as the court deems appropriate, any permanent or temporary
3427 injunction, temporary restraining order or other order, including an order enjoining the
3428 defendant from engaging in the practice or ordering such affirmative action as might be
3429 appropriate. The court may also allow reasonable attorneys' fees and costs to the
3430 prevailing party.

3431 H. Relief granted under this section shall not affect any contract, sale,
3432 encumbrance or lease consummated before the granting of the relief and involving a bona
3433 fide purchaser, encumbrances or tenant, without actual notice of the filing of a complaint

3434 with the ((office of equity and racial and social justice)) civil rights program or civil
3435 action under this chapter.

3436 I. Upon timely application, the prosecuting attorney may intervene in the civil
3437 action if the prosecuting attorney determines that the case is of general public importance.

3438 J. This section is intended to provide private judicial remedies for violations of
3439 this chapter that are as expansive as the powers granted by the Constitution of laws of the
3440 state of Washington.

3441 SECTION 71. Ordinance 10469, Section 14, as amended, and K.C.C. 12.20.124
3442 are hereby amended to read as follows:

3443 A. If an election is made under K.C.C. 12.20.100 for the claims to be decided in a
3444 civil action, the ((office of equity and racial and social justice)) civil rights program shall
3445 authorize and, not later than thirty days after the election is made, shall commence, on
3446 behalf of the charging party, a civil action in superior court to affirm or modify the order
3447 of the ((office of equity and racial and social justice)) civil rights program issued under
3448 K.C.C. 12.20.090.

3449 B. Any aggrieved person with respect to the issues to be determined in a civil
3450 action under this section may intervene as of right in that civil action.

3451 C. In a civil action under this section, if the court finds that a discriminatory
3452 housing practice has occurred, or is about to occur, the court may grant as relief any relief
3453 which a court could grant with respect to such discriminatory housing practice in a civil
3454 action under K.C.C. 12.20.122. Any relief so granted that would accrue to an aggrieved
3455 person in a civil action commenced by that aggrieved person under K.C.C. 12.20.122 also
3456 accrues to that aggrieved person in a civil action under this section. If monetary relief is

3457 sought for the benefit of an aggrieved person who does not intervene in that civil action,
3458 the court shall not award the monetary relief if that aggrieved person has not complied
3459 with discovery orders entered by the court.

3460 SECTION 72. Ordinance 10469, Section 16, as amended, and K.C.C. 12.20.133
3461 are hereby amended to read as follows:

3462 The (~~office of equity and racial and social justice~~) civil rights program may
3463 implement such forms, administrative processes, and operational procedures as are
3464 necessary to comply with this chapter. The forms, processes and procedures shall be
3465 adopted in compliance with K.C.C. chapter 2.98.

3466 SECTION 73. Ordinance 13263, Section 53, as amended, and K.C.C. 12.20.150
3467 are hereby amended to read as follows:

3468 A. If a complaint has been filed under this chapter, the (~~office of equity and~~
3469 ~~racial and social justice~~) civil rights program shall initiate an investigation under this
3470 chapter.

3471 B. If the (~~office of equity and racial and social justice~~) civil rights program
3472 determines that a violation of this chapter or any rules and regulations adopted under this
3473 chapter is about to occur or has occurred the (~~office of equity and racial and social~~
3474 ~~justice~~) civil rights program shall issue an order in accordance with this chapter. For
3475 enforcement of this chapter, if a conflict exists between this chapter and K.C.C. Title 23,
3476 this chapter controls over K.C.C. Title 23.

3477 SECTION 74. Ordinance 8625, Section 2, as amended, and K.C.C. 12.22.020 are
3478 hereby amended to read as follows:

3479 The definitions in this section apply throughout this chapter unless the context
3480 clearly requires otherwise.

3481 A. "Aggrieved person" includes any person who claims to have been injured by
3482 an act of discrimination in a place of public accommodation;

3483 B. "Charging party" means any person alleging an act of discrimination in a place
3484 of public accommodation under this chapter by filing a complaint with the ~~((office of~~
3485 ~~equity and racial and social justice))~~ civil rights program.

3486 C. "Discrimination" or "discriminatory practice or act" means any action or
3487 failure to act, whether by a single act or part of a practice, the effect of which is to
3488 adversely affect or differentiate between or among individuals, because of one or more of
3489 the protected classes as defined in K.C.C. chapter 3.12D.

3490 D. "Gender identity or expression" means an individual's gender-related identity,
3491 appearance, or expression, whether or not associated with the individual's sex assigned at
3492 birth, and includes an individual's attitudes, preferences, beliefs, and practices pertaining
3493 to the individual's own gender identity or expression.

3494 E. "Owner" includes a person who owns, leases, subleases, rents, operates,
3495 manages, has charge of, controls, or has the right of ownership, possession, management,
3496 charge, or control of real property on the person's own behalf or on behalf of another.

3497 F. "Party" includes a person making a complaint or upon whose behalf a
3498 complaint is made alleging an unfair public accommodations practice, a person alleged or
3499 found to have committed an unfair public accommodations practice, and the ~~((office of~~
3500 ~~equity and racial and social justice))~~ civil rights program.

3501 G. "Person" means one or more individuals, partnerships, associations,
3502 organizations, corporations, cooperatives, legal representatives, trustees, trustees in
3503 bankruptcy, receivers, or any group of persons, and includes King County but no
3504 governmental body other than King County. "Person" also includes any owner, lessee,
3505 proprietor, manager, agent, or employee whether one or more natural persons.

3506 H. "Place of public accommodation" means any place, store, or other
3507 establishment, either licensed or unlicensed, that supplies goods or services to the general
3508 public. "Place of public accommodation" includes, but is not limited to, the following
3509 types of services or facilities: hotels, or other establishments provide lodging to transient
3510 guests; restaurants, cafeterias, lunchrooms, lunch counters, soda fountains, or other
3511 facilities principally engaged in selling or offering for sale food for consumption upon the
3512 premises; motion picture houses, theatres, concert halls, convention halls, sport arenas,
3513 stadiums, or other places of exhibition or entertainment; bowling alleys and amusement
3514 parks; retail establishments; transportation carriers; barber shops; beauty shops; bars or
3515 taverns or other facilities engaged in selling or offering for sale alcoholic beverages for
3516 consumption upon the premises; food banks, senior citizens centers, and other social
3517 service organizations and establishments; places of public accommodation operated by
3518 King County; and public burial facilities if the facilities are owned and operated by any
3519 cemetery corporation or burial association.

3520 I. "Respondent" means a person who is alleged or found to have discriminated in
3521 a place of public accommodation.

3522 J. "Senior citizen" means an individual as old or older than an age set for a senior
3523 category. The minimum age for the senior category is fifty-five years.

3524 K. "Settlement discussions" or "conference, conciliation, and persuasion" means
3525 the attempted resolution of issues raised by a complaint, or by the investigation of a
3526 complaint, through informal negotiations involving the charging party, the respondent
3527 and the ~~((office of equity and racial and social justice))~~ civil rights program.

3528 SECTION 75. Ordinance 8625, Section 4, as amended, and K.C.C. 12.22.040 are
3529 hereby amended to read as follows:

3530 A. A complaint alleging discrimination in a place of public accommodation may
3531 be filed by:

- 3532 1. Any aggrieved person; or
3533 2. Any state, local, or federal agency concerned with discrimination in places of
3534 public accommodation, including the ~~((office of equity and racial and social justice))~~ civil
3535 rights program, if the agency has reason to believe that a discriminatory act or practice
3536 has been or is being committed.

3537 B. A complaint alleging discrimination in a place of public accommodation shall
3538 be in writing and signed by the charging party. The complaint must be filed with the
3539 ~~((office of equity and racial and social justice))~~ civil rights program within one hundred
3540 eighty days of the occurrence of the alleged discrimination or within one hundred eighty
3541 days of when the charging party, through exercise of due diligence, should have had
3542 notice or been aware of the occurrence. The complaint must describe with particularity
3543 the practice complained of and the location of the practice and must identify the person
3544 being charged with committing the discrimination. However, the ~~((office of equity and~~
3545 ~~racial and social justice))~~ civil rights program shall not reject a complaint as insufficient
3546 because of failure to include all required information, if the ~~((office of equity and racial~~

3547 ~~and social justice))~~ civil rights program determines that the complaint substantially meets
3548 the informational requirements necessary for processing.

3549 C. Upon the receipt of a complaint, the ~~((office of equity and racial and social~~
3550 ~~justice))~~ civil rights program shall serve notice upon the charging party acknowledging
3551 the filing.

3552 D. The charging party or the ~~((office of equity and racial and social justice))~~ civil
3553 rights program may amend a complaint: to cure technical defects or omissions; to clarify
3554 and amplify allegations made in the complaint; or to add allegations related to or arising
3555 out of the subject matter set forth, or attempted to be set forth, in the original complaint.
3556 For jurisdictional purposes, the amendments relate back to the date the original complaint
3557 was first filed. Either the charging party or the ~~((office of equity and racial and social~~
3558 ~~justice))~~ civil rights program, or both, may amend a complaint for these reasons as a
3559 matter of right before service of notice of hearing on the matter as provided under K.C.C.
3560 12.22.070, and thereafter may amend a complaint only with the permission of the hearing
3561 examiner, which permission shall be granted if justice will be served by the permission,
3562 and all parties shall be allowed time to prepare their cases with respect to additional or
3563 expanded allegations that the parties did not and could not have reasonably foreseen
3564 would be an issue at the hearing.

3565 E. The charging party may also amend a complaint to include allegations of
3566 additional unrelated discriminatory acts that arose after filing of the original complaint.
3567 The charging party must file any amendments adding the allegations within one hundred
3568 eighty days of the occurrence of the alleged discrimination or within one hundred eighty
3569 days of when the charging party, through exercise of due diligence, should have had

3570 notice or been aware of the additional discriminatory act, and before the issuance of
3571 findings of fact and a determination with respect to the original complaint by the ((office
3572 of equity and racial and social justice)) civil rights program. The amendments may be
3573 made at any time during the investigation of the original complaint if the ((office of
3574 equity and racial and social justice)) civil rights program will have adequate time to
3575 investigate the additional allegations and the parties will have adequate time to present
3576 the ((office of equity and racial and social justice)) civil rights program with evidence
3577 concerning the allegations before the issuance of findings of fact and a determination.

3578 SECTION 76. Ordinance 8625, Section 5, as amended, and K.C.C. 12.22.050 are
3579 hereby amended to read as follows:

3580 A. After the filing of a complaint, the ((office of equity and racial and social
3581 justice)) civil rights program shall serve notice of the complaint and a copy of the
3582 complaint on the respondent within twenty days after the filing of the complaint. Each
3583 respondent may file an answer to the complaint not later than twenty days after receipt of
3584 notice from the ((office of equity and racial and social justice)) civil rights program. If a
3585 respondent is unable to file a response within twenty days, the respondent may request an
3586 extension of time from the ((office of equity and racial and social justice)) civil rights
3587 program. The extension may be granted by the ((office of equity and racial and social
3588 justice)) civil rights program if good cause is shown. The ((office of equity and racial
3589 and social justice)) civil rights program shall commence the investigation of the
3590 complaint promptly.

3591 B. The ((office of equity and racial and social justice)) civil rights program shall
3592 direct the investigation to ascertain the facts concerning the discrimination in public

3593 accommodations alleged in the complaint and shall conduct the investigation in an
3594 objective and impartial manner. During the investigation, the ~~((office of equity and racial~~
3595 ~~and social justice))~~ civil rights program shall consider any statement of position or
3596 evidence with respect to the allegations of the complaint that the charging party or the
3597 respondent wishes to submit. A person who is not named as a respondent in a complaint,
3598 but who is identified as a respondent in the course of the investigation, may be joined as
3599 an additional or substitute respondent upon written notice, as provided under subsection
3600 A. of this section, to the person from the ~~((office of equity and racial and social justice))~~
3601 civil rights program. The notice, in addition to meeting the requirements of subsection A.
3602 of this section, must explain the basis for the belief of the ~~((office of equity and racial and~~
3603 ~~social justice))~~ civil rights program that the person to whom the notice is addressed is
3604 properly joined as a respondent.

3605 C. During the period beginning with the filing of the complaint and ending with
3606 the issuance of the findings of fact, the ~~((office of equity and racial and social justice))~~
3607 civil rights program, to the extent feasible, engage in settlement discussions with respect
3608 to the complaint. Anything said or done in the course of the settlement discussions may
3609 not be made public or used as evidence in a subsequent proceeding under this chapter
3610 without the written consent of the persons concerned. A prefinding settlement agreement
3611 arising out of the settlement discussions must be an agreement between the respondent
3612 and the charging party, and is subject to approval by the ~~((office of equity and racial and~~
3613 ~~social justice))~~ civil rights program. Each prefinding settlement agreement is a public
3614 record. Failure to comply with the prefinding settlement agreement may be enforced
3615 under K.C.C. 12.22.080.

3616 D. The (~~office of equity and racial and social justice~~) civil rights program shall
3617 seek the voluntary cooperation of all persons to obtain access to premises, records,
3618 documents, individuals and other possible sources of information; to examine, record and
3619 copy necessary materials; and to take and record testimony or statements of persons
3620 reasonably necessary for the furtherance of the investigation. The (~~office of equity and~~
3621 ~~racial and social justice~~) civil rights program may conduct discovery in aid of the
3622 investigation by the following methods or others: deposition upon oral examination or
3623 written questions; written interrogatories; requests for the production of documents or
3624 other evidence, inspection and other purposes; physical and mental examinations; and
3625 requests for admissions. The (~~office of equity and racial and social justice~~) civil rights
3626 program may sign and issue subpoenas requiring the attendance and testimony of
3627 witnesses and the production of or access to evidence including books, records,
3628 correspondence, e-mail or documents in the possession or under the control of the person
3629 subpoenaed as are necessary for the investigation. The (~~office of equity and racial and~~
3630 ~~social justice~~) civil rights program shall consult with the prosecuting attorney before
3631 issuing a subpoena under this section.

3632 E. If an individual fails to obey a subpoena issued under this section, or obeys the
3633 subpoena but refuses to testify if requested concerning a matter under investigation under
3634 this section, the (~~office of equity and racial and social justice~~) civil rights program may
3635 invoke the aid of the prosecuting attorney who may petition to the superior court for an
3636 order or other appropriate action necessary to secure enforcement of the subpoena. The
3637 petition shall:

3638 1. Be accompanied by a copy of the subpoena and proof of service;

3639 2. Set forth in what specific manner the subpoena has not been complied with;
3640 and

3641 3. Ask for an order of the court to compel the witness to appear and testify or
3642 cooperate in the investigation of the discrimination in public accommodations.

3643 F. If the (~~office of equity and racial and social justice~~) civil rights program
3644 concludes at any time after the filing of a complaint that prompt judicial action is
3645 necessary to carry out the purposes of this chapter, the (~~office of equity and racial and~~
3646 ~~social justice~~) civil rights program may invoke the aid of the prosecuting attorney who
3647 may file a civil action for appropriate temporary, injunctive, or preliminary relief pending
3648 final disposition of the case.

3649 G. The (~~office of equity and racial and social justice~~) civil rights program shall
3650 reduce the results of the investigation to written findings of fact make and a finding that
3651 there either is or is not reasonable cause for believing that an act of discrimination in a
3652 place of public accommodations has been or is being committed.

3653 H. If a finding is made that there is no reasonable cause, the finding shall be
3654 served on the charging party and respondent. Within thirty days after service of such a
3655 negative finding, the charging party may file a written request with the (~~office of equity~~
3656 ~~and racial and social justice~~) civil rights program asking for reconsideration of the
3657 finding. The (~~office of equity and racial and social justice~~) civil rights program shall
3658 furnish the charging party with information regarding how to request reconsideration.
3659 The (~~office of equity and racial and social justice~~) civil rights program shall respond in
3660 writing within a reasonable time by granting or denying the request.

3661 SECTION 77. Ordinance 8625, Section 6, as amended, and K.C.C. 12.22.060 are
3662 hereby amended to read as follows:

3663 A.1. If the (~~office of equity and racial and social justice~~) civil rights program
3664 makes the finding initially or on request for reconsideration that reasonable cause exists
3665 to believe that discrimination in a place of public accommodation occurred, the (~~office~~
3666 ~~of equity and racial and social justice~~) civil rights program shall endeavor to eliminate
3667 the discriminatory practice by conference, conciliation, and persuasion, which may
3668 include as a condition of settlement:

- 3669 a. elimination of the discriminatory practice;
- 3670 b. payment of refunds or credits not in excess of the amount of monetary
3671 damage actually incurred;
- 3672 c. payment of other actual damages, including damages caused by emotional
3673 distress, humiliation and embarrassment;
- 3674 d. payment of attorneys' fees and costs;
- 3675 e. participation in training on public accommodations laws; and
- 3676 f. such other requirements as may lawfully be agreed upon by the parties and
3677 the (~~office of equity and racial and social justice~~) civil rights program.

3678 2. Any postfinding settlement agreement shall be reduced to writing and signed
3679 by all parties, with the approval of the (~~office of equity and racial and social justice~~)
3680 civil rights program. The (~~office of equity and racial and social justice~~) civil rights
3681 program shall then enter an order setting forth the agreement and furnish copies of the
3682 order to all affected parties. Each postfinding settlement agreement is a public record.

3683 Failure to comply with the postfinding settlement agreement or order may be enforced
3684 under K.C.C. 12.22.080.

3685 B.1. If the parties cannot reach agreement, the (~~office of equity and racial and~~
3686 ~~social justice~~) civil rights program shall make a finding to that effect, incorporate the
3687 finding in the order and furnish a copy of the order to all affected parties. The order shall
3688 also include:

3689 a. a finding that discrimination in a place of public accommodation occurred;

3690 b. the basis for the finding;

3691 c. an order requiring the respondent to cease and desist from such

3692 discriminatory practice and to take appropriate affirmative measures, which may include:

3693 (1) payment of refunds or credit or other damages not to exceed monetary
3694 damage actually incurred;

3695 (2) payment of other actual damages, including damages caused by emotional
3696 distress, humiliation, and embarrassment;

3697 (3) payment of attorneys' fees and costs;

3698 (4) participation in training in public accommodations laws; or

3699 (5) such other action as in the judgment of the (~~office of equity and racial~~

3700 ~~and social justice~~) civil rights program will effectuate the purposes of this chapter, which
3701 may include the requirement for a report on the matter of compliance.

3702 2. If the (~~office of equity and racial and social justice~~) civil rights program
3703 finds the respondent willfully or knowingly committed any discrimination in a place of
3704 public accommodation, the (~~office of equity and racial and social justice~~) civil rights
3705 program may further order the respondent to pay a civil penalty of up to one thousand

3706 dollars per violation, which penalty shall be paid to the King County treasury for deposit
3707 in the county general fund.

3708 SECTION 78. Ordinance 8625, Section 7, as amended, and K.C.C. 12.22.070 are
3709 hereby amended to read as follows:

3710 A.1. Any respondent or charging party, after an order of the (~~office of equity and~~
3711 ~~racial and social justice~~) civil rights program is made in accordance with K.C.C.
3712 12.22.060.B., may request an appeal hearing before the hearing examiner by filing a
3713 written request for hearing within thirty days of the service of the order. The request for
3714 hearing shall be filed with the (~~office of equity and racial and social justice~~) civil rights
3715 program. The request for hearing must identify clearly and specifically:

- 3716 a. the errors that the appellant believes were made in the action or decision that
3717 is being appealed, or the procedural irregularities associated with that action or decision;
- 3718 b. specific reasons why the county's action should be reversed or modified; and
- 3719 c. the desired outcome of the appeal.

3720 2. Unless the hearing examiner authorizes an amendment to the statement of
3721 appeal, the identification of errors and the statement of reasons for reversal or
3722 modification defines and limits the issues that the examiner may consider.

3723 B. Any order issued by the (~~office of equity and racial and social justice~~) civil
3724 rights program in accordance with procedures in this chapter becomes final thirty days
3725 after service of the order unless a written request for hearing is filed with the (~~office of~~
3726 ~~equity and racial and social justice~~) civil rights program within the thirty-day period.

3727 C. If the order of the (~~office of equity and racial and social justice~~) civil rights
3728 program is appealed, the hearing examiner shall conduct a hearing for the purpose of

3729 affirming, denying or modifying the order. There shall be a verbatim record kept of the
3730 hearing. The hearing examiner has such rule-making and other powers necessary for the
3731 conduct of the hearing as are specified by K.C.C. chapter 20.22. The order of the ((office
3732 of equity and racial and social justice)) civil rights program shall not be presumed
3733 correct. The hearing examiner's decision shall be based upon a preponderance of the
3734 evidence. The hearing shall be conducted within a reasonable time after receipt of the
3735 request for appeal. Written notice of the time and place of the hearing shall be given at
3736 least ten days before the date of the hearing to each affected party and to the ((office of
3737 equity and racial and social justice)) civil rights program.

3738 D. Each party may, among exercising other rights:

- 3739 1. Call and examine witnesses on any matter relevant to the issues of the
3740 complaint;
- 3741 2. Introduce documentary and physical evidence;
- 3742 3. Cross-examine opposing witnesses on any matter relevant to the issues of the
3743 complaint;
- 3744 4. Impeach any witness regardless of which party first called the witness to
3745 testify;
- 3746 5. Rebut evidence against the party; and
- 3747 6. Self-represent or be represented by anyone of the party's choice who is
3748 lawfully permitted to do so.

3749 E. Following review of the evidence submitted, the hearing examiner presiding at
3750 the hearing shall enter written findings and conclusions and shall affirm or modify the
3751 order previously issued if the hearing examiner finds that a violation occurred. The

3752 hearing examiner shall reverse the order if the hearing examiner finds that a violation did
3753 not occur. The hearing examiner may grant as relief any relief that (~~office of equity and~~
3754 ~~racial and social justice~~) civil rights program could grant under K.C.C. 12.22.060.B. A
3755 copy of the hearing examiner's decision shall be delivered to all affected parties. The
3756 order of the hearing examiner is final unless reviewed by a court under K.C.C.
3757 20.22.270.B.

3758 SECTION 79. Ordinance 8625, Section 8, as amended, and K.C.C. 12.22.080 are
3759 hereby amended to read as follows:

3760 A. If the (~~office of equity and racial and social justice~~) civil rights program has
3761 reasonable cause to believe that a respondent breached a prefinding or postfinding
3762 settlement agreement executed under K.C.C. 12.22.050 or 12.22.060, or violated an order
3763 of the (~~office of equity and racial and social justice~~) civil rights program issued under
3764 K.C.C. 12.22.060 or an order of the hearing examiner issued under K.C.C. 12.22.070, the
3765 (~~office of equity and racial and social justice~~) civil rights program shall refer the matter
3766 to the prosecuting attorney for the filing of a civil action under subsection B. of this
3767 section for the enforcement of the agreement.

3768 B. The prosecuting attorney may commence a civil action in superior court for
3769 appropriate relief with respect to a breach of a prefinding or postfinding settlement
3770 agreement executed under K.C.C. 12.22.050 or 12.22.060, or violation of an order of the
3771 (~~office of equity and racial and social justice~~) civil rights program issued under K.C.C.
3772 12.22.060 or an order of the hearing examiner issued under K.C.C. 12.22.070. The action
3773 may be commenced no later than ninety days after the referral of the alleged breach
3774 underlying the referral under subsection A. of this section.

3775 SECTION 80. Ordinance 15399, Section 59, as amended, and K.C.C. 12.22.085
3776 are hereby amended to read as follows:

3777 A. An aggrieved person may commence a civil action in superior court not later
3778 than one year after the occurrence or termination of alleged discrimination in a place of
3779 public accommodation or ninety days after a determination of reasonable cause is issued
3780 by the ((office of equity and racial and social justice)) civil rights program, whichever
3781 occurs last, to obtain appropriate relief with respect to the discrimination in public
3782 accommodations.

3783 B. A civil action may be filed under this section whether or not an administrative
3784 complaint has been filed under K.C.C. 12.22.040 and without regard to the status of the
3785 complaint. However, if the ((office of equity and racial and social justice)) civil rights
3786 program obtained a prefinding or postfinding settlement or conciliation agreement with
3787 the consent of the aggrieved person, an action may not be filed by the aggrieved person
3788 with respect to the alleged discrimination in public accommodations that forms the basis
3789 for the complaint except for the purpose of enforcing the agreement. To preclude such a
3790 filing, the prefinding or postfinding settlement or conciliation agreement must include
3791 language that the aggrieved person knowingly waives any right to file a civil action under
3792 this section based on the same alleged discrimination in public accommodations.

3793 C. Subject to subsection D. of this section, after the filing of a civil action
3794 involving the same claim or arising from the same facts and circumstances, whether
3795 under this chapter or similar law, the ((office of equity and racial and social justice)) civil
3796 rights program may administratively close a complaint of discrimination in public
3797 accommodations.

3798 D. If a court dismisses a private cause of action without reaching the merits and
3799 on grounds that would not preclude pursuit of a complaint under this chapter, the
3800 charging party may request, within ninety days of the entry of the court's order of
3801 dismissal, that the (~~office of equity and racial and social justice~~) civil rights program
3802 reopen a previously filed case. Upon such a request, the (~~office of equity and racial and~~
3803 ~~social justice~~) civil rights program may reopen a case that was administratively closed
3804 upon the filing of a civil action. If the (~~office of equity and racial and social justice~~)
3805 civil rights program closes a case based on a "no reasonable cause" finding, the case may
3806 not be reopened except as provided through reconsideration under K.C.C. 12.22.050.

3807 E. A charging party or aggrieved person may not secure relief from more than
3808 one governmental agency, instrumentality, or tribunal for the same harm or injury.

3809 F. An aggrieved person may not commence a civil action under this section with
3810 respect to an alleged discrimination in public accommodations practice that forms the
3811 basis of a complaint if a hearing on the complaint has been convened under K.C.C.
3812 12.22.070.

3813 G. In a civil action under this section, if the court finds that discrimination in
3814 public accommodations occurred, the court may grant such relief as is available for
3815 violations of the Washington state Law Against Discrimination, chapter 49.60 RCW.

3816 H. Upon timely application, the prosecuting attorney may intervene in the civil
3817 action, if the prosecuting attorney determines that the case is of general public
3818 importance.

3819 I. This section is intended to provide private judicial remedies for violations of
3820 this chapter that are as expansive as the powers granted by the Constitution and laws of
3821 the state of Washington.

3822 SECTION 81. Ordinance 8625, Section 9, as amended, and K.C.C. 12.22.090 are
3823 hereby amended to read as follows:

3824 The (~~office of equity and racial and social justice~~) civil rights program may
3825 implement such forms, administrative processes, and operational procedures as are
3826 necessary to comply with this chapter. The forms, processes and procedures shall be
3827 adopted in compliance with K.C.C. chapter 2.98.

3828 SECTION 82. Ordinance 15399, Section 54, as amended, and K.C.C. 12.22.095
3829 are hereby amended to read as follows:

3830 A. If a complaint has been filed under this chapter, the (~~office of equity and~~
3831 ~~racial and social justice~~) civil rights program shall initiate an investigation under the
3832 provisions of this chapter.

3833 B. If the (~~office of equity and racial and social justice~~) civil rights program
3834 determines that a violation of this chapter or any rules and regulations adopted under this
3835 chapter occurred, the office shall issue an order under this chapter. For violations of this
3836 chapter, if a conflict exists between this chapter and K.C.C. Title 23, this chapter controls
3837 over K.C.C. Title 23.

3838 SECTION 83. Ordinance 13147, Section 27, as amended, and K.C.C. 20.18.110
3839 are hereby amended to read as follows:

3840 A. Notice of the time, place, and purpose of a public hearing before the council to
3841 consider amendments to the Comprehensive Plan or development regulations shall at a
3842 minimum be given at least thirty days before the hearing by the following methods:

3843 1. One publication in a newspaper of general circulation in the county.

3844 2. For land use designation and zoning classification proposals only:

3845 a. one additional publication in the area for which the area zoning is proposed,
3846 if available;

3847 b. mailed to affected property owners, appropriate to the scope of the proposal,
3848 whose names appear on the rolls of the King County assessor and shall at a minimum
3849 include owners of properties within five hundred feet of affected property, at least twenty
3850 property owners in the vicinity of the property, and to any individuals or organizations
3851 that have formally requested to the department of local services, permitting division,
3852 ~~((department of performance, strategy and budget, regional planning section))~~ the
3853 executive's office, or the council, to be kept informed of applications in an identified area.

3854 If the additional publication referenced in subsection A.2.a. of this section is not
3855 available, the mailing radius shall be extended to one thousand feet, and at least forty
3856 property owners in the vicinity of the property. The mail shall be postmarked at least
3857 thirty days before the hearing. If the county sends the mailed notice by bulk mail, the
3858 certificate of mailing shall qualify as a postmark. Failure to notify any specific property
3859 owner shall not invalidate an area zoning proceeding or any resulting reclassification of
3860 land; and

3861 c. posted on the county website.

3862 B. Notice for site-specific land use map amendments shall also be provided in
3863 accordance with K.C.C. 20.18.050.

3864 C. The county shall endeavor to provide notices required by this section in
3865 nontechnical language. The notice shall indicate how the detailed description of the
3866 ordinance required by K.C.C. 20.18.100 can be obtained by a member of the public.

3867 SECTION 84. Ordinance 4461, Section 2, as amended, and K.C.C. 20.22.040 are
3868 hereby amended to read as follows:

3869 The examiner makes decisions on:

3870 A. Appeals of orders of the ombuds under the lobbyist disclosure code under
3871 K.C.C. chapter 1.07;

3872 B. Appeals of sanctions of the finance and business operations division in the
3873 department of executive services under K.C.C. chapter 2.97;

3874 C. Appeals of career service review committee conversion decisions for part-time
3875 and temporary employees under K.C.C. chapter 3.12A;

3876 D. Appeals of electric vehicle recharging station penalties by the Metro transit
3877 department under K.C.C. 4A.700.700;

3878 E. Appeals of notice and orders of the manager of records and licensing services
3879 or the department of local services permitting division manager under K.C.C. chapter
3880 6.01;

3881 F. Appeals of adult entertainment license denials, suspensions, and revocations
3882 under K.C.C. chapter 6.09;

3883 G. Appeals of the fire marshal's decisions on fireworks permits under K.C.C.
3884 chapter 17.11;

3885 H. Appeals of cable franchise nonrenewals under K.C.C. 6.27A.060 and notices
3886 and orders under K.C.C. 6.27A.240;

3887 I. Appeals of notice and orders of the department of natural resources and parks
3888 under K.C.C. chapter 7.09;

3889 J. Appeals of decisions of the director of the department of natural resources and
3890 parks on surface water drainage enforcement under K.C.C. chapter 9.04;

3891 K. Appeals of decisions of the director of the department of natural resources and
3892 parks on requests for rate adjustments to surface and storm water management rates and
3893 charges under K.C.C. chapter 9.08;

3894 L. Appeals of decisions on water quality enforcement under K.C.C. chapter 9.12;

3895 M. Appeals of notice and orders of the manager of regional animal services under
3896 K.C.C. chapter 11.04;

3897 N. Certifications by the finance and business operations division of the
3898 department of executive services under K.C.C. chapter 12.16;

3899 O. Appeals of orders of the (~~office of equity and racial and social justice~~) civil
3900 rights program under K.C.C. chapter 12.17, K.C.C. chapter 12.18, K.C.C chapter 12.20,
3901 and K.C.C. chapter 12.22;

3902 P. Appeals of noise-related orders and citations of the department of local
3903 services, permitting division, under K.C.C. chapter 12.86;

3904 Q. A decision on a request for exemption under K.C.C. 12.25.020.F.;

3905 R. Appeals of utilities technical review committee determinations on water
3906 service availability under K.C.C. 13.24.090;

- 3907 S. Appeals of decisions regarding mitigation payment system, commute trip
3908 reduction, and intersection standards under K.C.C. Title 14;
- 3909 T. Appeals of changes to speed limits under K.C.C. chapter 14.06;
- 3910 U. Appeals related to road designations and redesignations under K.C.C. chapter
3911 16.08;
- 3912 V. Appeals of suspensions, revocations, or limitations of plumbing permits under
3913 K.C.C. chapter 16.32;
- 3914 W. Appeals from denials of C-PACER applications under K.C.C. chapter 18.19;
- 3915 X. Appeals of all Type 2 decisions under K.C.C. chapter 20.20, with the
3916 exception of appeals of shoreline permits, including shoreline substantial development
3917 permits, shoreline variances, and shoreline conditional uses, which are appealable to the
3918 state Shoreline Hearings Board;
- 3919 Y. Type 3 decisions under K.C.C. chapter 20.20;
- 3920 Z. Appeals of SEPA decisions under K.C.C. 20.44.120 and public rules adopted
3921 under K.C.C. 20.44.075;
- 3922 AA. Appeals of completed farm management plans under K.C.C. 21A.30.045;
- 3923 BB. Appeals of decisions of the interagency review committee created under
3924 K.C.C. 21A.37.070 regarding sending site applications for certification under K.C.C.
3925 chapter 21A.37;
- 3926 CC. Appeals of citations, notices and orders, notices of noncompliance, and stop
3927 work orders issued under K.C.C. Title 23 or King County Board of Health Code BOH
3928 chapter 1.08 (~~of the code of the King County board of health code~~);

3929 DD. Appeals of notices and certifications of junk vehicles to be removed as a
 3930 public nuisance under K.C.C. Title 21A and K.C.C. chapter 23.10;

3931 EE. Appeals of decisions not to issue a citation or a notice and order under
 3932 K.C.C. 23.36.010;

3933 FF. Appeals of fee waiver decisions by the department of local services,
 3934 permitting division under K.C.C. 27.02.040;

3935 GG. Appeals from decisions of the department of natural resources and parks
 3936 related to permits, discharge authorizations, violations, and penalties under K.C.C.
 3937 28.84.050 and 28.84.060, civil infractions and penalties under K.C.C. 7.12.650, and
 3938 suspensions of park privileges under K.C.C. 7.12.700.B.;

3939 HH. Appeals of transit rider suspensions under K.C.C. 28.96.430;

3940 II. Appeals of department of public safety seizures and intended forfeitures, when
 3941 properly designated by the chief law enforcement officer of the department of public
 3942 safety under RCW 69.50.505; and

3943 JJ. Other applications or appeals prescribed by ordinance.

3944 SECTION 85. Ordinance 19881, Section 164, and K.C.C. 21A.08.055 are hereby
 3945 amended to read as follows:

3946 A. Government and education land uses.

SI C#	SPECIFIC LAND USE	A	F	M	RA (I)	UR	R-1	R-4 - R- 8	R-12 - R- 48	N B	CB	RB	O	I
	GOVERNMENT													

Ordinance

	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	P10 C11	P10 C11	P10 C11	P10 C11	P10 C11	P	P	P	P	P
*	Private Stormwater Management Facility	P1 3 3	P 1 3	P 1 3	P13	P13	P13	P13	P13	P1 3	P1 3	P13	P13	P1 3

Ordinance

*	Vactor Waste Receiving Facility	P	P	P	P14	P14	P14	P14	P14	P1	P1	P15	P15	P
										5	5			
*	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		P22 C23 S24	P22 C23 S24	P22 C23 S	P22 C23 S	P22 C23 S	P2 2 C2 3 S	P	P	P	P
*	Vocational School					P25 C	P25 C	P25 C	P25 C			P19	P27	P

*	School					P28	P28	P28	P28	C1	P1	P19	P19	P1
	District					C	C	C	C	9	9			9
	Support													
	Facility													

3947 B. Development conditions.

3948 1. Subject to review and approval of conditions to comply with trail corridor

3949 provisions of K.C.C. chapter 21A.14.

3950 2.a. Only as a reuse of a public school facility or a surplus nonresidential facility

3951 subject to K.C.C. chapter 21A.32; or

3952 b. only when accessory to a fire facility and the office is no greater than one

3953 thousand five hundred square feet of floor area.

3954 3. Only as an accessory use to another permitted use.

3955 4. New utility office locations only if there is no commercial/industrial zoning

3956 in the utility district, and not in the RA-10 or RA-20 zones unless it is demonstrated that

3957 no feasible alternative location is possible.

3958 5a. Utility yards only on sites with utility district offices; or

3959 b. Public agency yards are limited to material storage for road maintenance

3960 facilities.

3961 6. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter

3962 21A.32.

3963 7. Limited to storefront police offices. Such offices shall not have:

3964 a. holding cells;

3965 b. suspect interview rooms (except in the NB zone); or

3966 c. long-term storage of stolen properties.

3967 8.a. All buildings and structures shall maintain a minimum distance of twenty
3968 feet from property lines adjoining RA, UR, and R zones;

3969 b. Any buildings from which fire-fighting equipment emerges onto a street
3970 shall maintain a distance of thirty-five feet from such street;

3971 c. No outdoor storage; and

3972 d. Excluded from the RA-10 and RA-20 zones unless it is demonstrated that no
3973 feasible alternative location is possible.

3974 10. Excluding local distribution gas storage tanks.

3975 11. Limited to local distribution gas storage tanks that pipe to individual
3976 residences but excluding liquefied natural gas storage tanks.

3977 12. As part of an application for construction of new electric transmission lines
3978 in regional utility corridors, or for the construction or siting of new, modified, or
3979 expanded gas or hazardous liquid transmission pipelines, the applicant shall submit an
3980 equity impact review of the proposal using tools developed by the executive's office (~~of~~
3981 ~~equity and racial and social justice~~). Until the tools have been developed and made
3982 publicly available by the executive's office, the equity impact review is not required. The
3983 results from the equity impact review shall be used to assess equity impacts and
3984 opportunities during county permit review and may be used to inform determinations of
3985 project approval.

3986 13. Private stormwater management facilities serving development proposals
3987 located on commercial/industrial zoned lands shall also be located on
3988 commercial/industrial lands, unless participating in an approved shared facility drainage

3989 plan. Such facilities serving development within an area designated urban in the King
3990 County Comprehensive Plan shall only be located in the urban area.

3991 14. Only as an accessory use to a public agency or utility yard, or to a transfer
3992 station.

3993 15. Vactor waste treatment, storage, and disposal shall be limited to liquid
3994 materials. Materials shall be disposed of directly into a sewer system or shall be stored in
3995 tanks, covered structures, or enclosed buildings.

3996 16. A school may be located outside of the Urban Growth Area only if allowed
3997 under King County Comprehensive Plan policies. New high school sites shall abut or be
3998 accessible from a public street functioning as an arterial per the King County Design
3999 Standards.

4000 17. If located outside of the urban area, shall be designed to primarily serve the
4001 rural area and natural resource lands and shall be located within a rural town. In CB, RB,
4002 and O zones, only for K-12 schools, and limited to a maximum of one hundred students.

4003 18. Only as a reuse of an existing public school.

4004 19. If located outside of the urban area, limited to projects that are of a size and
4005 scale designed to primarily serve the rural area and natural resource lands and shall be
4006 located within a rural town.

4007 20. A high school may be allowed as a reuse of an existing public school if
4008 allowed under King County Comprehensive Plan policies.

4009 21.a. New high schools permitted in the RA, UR, and R zones shall be subject
4010 to the review process in K.C.C. 21A.42.140.

4011 b. Renovation, expansion, modernization, or reconstruction of a school, or the
4012 addition of relocatable facilities, is allowed.

4013 22. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.

4014 23. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter
4015 21A.32.

4016 24. Only for facilities related to resource-based research.

4017 25. Only as a reuse of a public school facility or surplus nonresidential facility
4018 subject to K.C.C. chapter 21A.32. Before filing an application with the department, the
4019 applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

4020 26. Except technical institutions, which are classified as vocational schools.

4021 27. All instruction shall occur within an enclosed structure.

4022 28. Only if adjacent to an existing or proposed school.

4023 29. Limited to new commuter parking lots designed for thirty or fewer parking
4024 spaces or commuter parking lots located on existing parking lots for religious facilities,
4025 schools, or other allowed nonresidential uses that have excess capacity available during
4026 commuting, but only if the new or existing lot is adjacent to a designated arterial that has
4027 been improved to a standard acceptable to the department of local services.

4028 30. Allowed as a primary or accessory use to an allowed industrial-zoned land
4029 use.

4030 SECTION 86. Ordinance 10870, Section 337, as amended, and K.C.C.

4031 21A.08.100 are hereby amended to read as follows:

4032 A. Regional land uses.

SIC#	SPECIFIC	A	F	M	RA	UR	R-1	R-4	R-	NB	CB	RB	O	I
------	----------	---	---	---	----	----	-----	-----	----	----	----	----	---	---

	LAND USE							- R-8	12 - R-48					(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 Facility													S27
*	Battery Energy		S	P	P	P	C	C	C	P	P	P	P	P

	Storage System (30)													
*	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 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									

- 4033 B. Development conditions.
- 4034 1. Repealed.
- 4035 2. Except arboretum.
- 4036 3. Except weapons armories and outdoor shooting ranges.
- 4037 4. Except outdoor shooting range.
- 4038 5. Only in conjunction with an existing or proposed school.
- 4039 6.a. Limited to no more than three satellite dish antennae.
- 4040 b. Limited to one satellite dish antenna.
- 4041 c. Limited to tower consolidations.

- 4042 7. Limited to landing field for aircraft involved in forestry or agricultural
4043 practices or for emergency landing sites.
- 4044 8. Except racing of motorized vehicles.
- 4045 9. Limited to wildlife exhibit.
- 4046 10. Repealed
- 4047 11. Repealed
- 4048 12.a. Limited to gas extraction as an accessory use to a waste management
4049 process, such as wastewater treatment, landfill waste management, livestock manure, and
4050 composting processes, and excluding anaerobic digesters.
- 4051 b. an equity impact review of the proposal using tools developed by the
4052 executive's office (~~of equity and racial and social justice~~). Until the tools have been
4053 developed and made publicly available by the executive's office, the equity impact review
4054 is not required. The results from the equity impact review shall be used to assess equity
4055 impacts and opportunities during county permit review and may be used to inform
4056 determinations of project approval.
- 4057 13. Excluding impoundment of water using a dam.
- 4058 14.a. Limited to facilities that comply with the following:
- 4059 (1)(~~-~~) Any new diversion structure shall not:
- 4060 (a) exceed a height of eight feet as measured from the streambed; or
- 4061 (b) impound more than three surface acres of water at the normal maximum
4062 surface level;
- 4063 (2) There shall be no active storage;

4064 (3) The maximum water surface area at any existing dam or diversion shall not
4065 be increased;

4066 (4) An exceedance flow of no greater than fifty percent in mainstream reach
4067 shall be maintained;

4068 (5) Any transmission line shall comply with the following:

4069 (a) be limited to right-of-way of five miles or less; and

4070 (b) be limited to capacity of two hundred thirty KV or less;

4071 (6) Any new, permanent access road shall be limited to five miles or less; and

4072 (7) The facility shall only be located above any portion of the stream used by
4073 anadromous fish.

4074 b. The applicant shall submit an equity impact review of the proposal using
4075 tools developed by the executive's office (~~(of equity and racial and social justice)~~). Until
4076 the tools have been developed and made publicly available by the executive's office, the
4077 equity impact review is not required. The results from the equity impact review shall be
4078 used to assess equity impacts and opportunities during county permit review and may be
4079 used to inform determinations of project approval.

4080 15. For I-zoned sites located outside the urban area, uses shown as a conditional
4081 or special use in K.C.C. 21A.08.100.A., except for wastewater treatment facilities and
4082 racetracks, shall be prohibited. All other uses, including wastewater treatment facilities,
4083 shall be subject to the provisions for rural industrial uses in K.C.C.21A.09T.020.

4084 16. The operator of such a facility shall provide verification to the department of
4085 natural resources and parks or its successor organization that the facility meets or exceeds
4086 the standards of the Animal and Plant Health Inspection Service of the United States

4087 Department of Agriculture and the accreditation guidelines of the American Zoo and
4088 Aquarium Association.

4089 17. The following provisions of the table apply only to major communication
4090 facilities. Minor communication facilities shall be reviewed in accordance with the
4091 processes and standard outlined in K.C.C. chapter 21A.27.

4092 18. Repealed.

4093 19. Limited to work release facilities associated with natural resource-based
4094 activities.

4095 20. Limited to projects that do not require or result in an expansion of sewer
4096 service outside the Urban Growth Area boundary, unless a finding is made that no cost-
4097 effective alternative technologies are feasible, in which case a tightline sewer sized only
4098 to meet the needs of the school bus base and serving only the school bus base may be
4099 used. Renovation, expansion, modernization, or reconstruction of a school bus base is
4100 allowed but shall not require or result in an expansion of sewer service outside the Urban
4101 Growth Area boundary, unless a finding is made that no cost-effective alternative
4102 technologies are feasible, in which case a tightline sewer sized only to meet the needs of
4103 the school bus base.

4104 21.((a-)) Only in conformance with the King County Fairgrounds Site
4105 Development Plan Attachment A to Ordinance 14808. Modifications to the plan of up to
4106 ten percent are allowed for the following:

- 4107 a. building square footage;
- 4108 b. landscaping;
- 4109 c. parking;

4110 d. building height; or
4111 e. impervious surface as established in the King County Fairgrounds Site
4112 Development Plan Environmental Checklist, dated September 21, 1999, Attachment B to
4113 Ordinance 14808.

4114 22. A special use permit shall be required for any modification or expansion of
4115 the King County fairgrounds facility that is not in conformance with the King County
4116 Site Development Plan Report or that exceeds the allowed modifications to the plan
4117 identified in subsection B.21. of this section.

4118 23. The facility shall be primarily devoted to rural public infrastructure
4119 maintenance and is subject to the following conditions:

4120 a. The minimum site area shall be ten acres, unless:

4121 (1) the facility is a reuse of a public agency yard; or

4122 (2) the site is separated from a county park by a street or utility right-of-way;

4123 b. Type 1 landscaping as provided in K.C.C. chapter 21A.16 shall be provided
4124 between any stockpiling or grinding operations and adjacent R or UR zoned property;

4125 c. Type 2 landscaping as provided in K.C.C. chapter 21A.16 shall be provided
4126 between any office and parking lots and adjacent R or UR zoned property;

4127 d. Access to the site does not use local access streets that abut R or UR zoned
4128 property, unless the facility is a reuse of a public agency yard;

4129 e. Structural setbacks from property lines shall be as follows:

4130 (1) Buildings, structures, and stockpiles used in the processing of materials
4131 shall be no closer than:

4132 (a) one hundred feet from any R or UR zoned properties, except that the
4133 setback may be reduced to fifty feet when the grade where the building or structures are
4134 proposed is fifty feet or greater below the grade of the R or UR zoned property;

4135 (b) fifty feet from any other zoned property, except when adjacent to a
4136 mineral extraction or materials processing site;

4137 (c) the greater of fifty feet from the edge of any public street or the setback
4138 from R or UR zoned property on the far side of the street; and

4139 (2) Offices, scale facilities, equipment storage buildings, and stockpiles shall
4140 not be closer than fifty feet from any property line except when adjacent to M or F zoned
4141 property or when a reuse of an existing building. Facilities necessary to control access to
4142 the site, when demonstrated to have no practical alternative, may be located closer to the
4143 property line;

4144 f. On-site clearing, grading, or excavation, excluding that necessary for
4145 required access, roadway, or storm drainage facility construction, shall not be allowed
4146 within fifty feet of any property line except along any portion of the perimeter adjacent to
4147 M or F zoned property. If native vegetation is restored, temporary disturbance resulting
4148 from construction of noise attenuation features located closer than fifty feet shall be
4149 allowed; and

4150 g. Sand and gravel extraction shall be limited to forty thousand yards per year.

4151 24. The following accessory uses to a motor race track operation are allowed if
4152 approved as part of the special use permit:

4153 a. motocross;

4154 b. autocross;

4155 c. skidpad;

4156 d. garage;

4157 e. driving school; and

4158 f. fire station.

4159 25. Regional transit authority facilities shall be exempt from setback and height
4160 requirements.

4161 26. Transit comfort facility shall:

4162 a. only be located outside of the urban area;

4163 b. be exempt from street setback requirements; and

4164 c. be no more than two hundred square feet in size.

4165 27.a. Required for all new, modified, or expanded fossil fuel facilities.

4166 Modification or expansion includes, but is not limited to:

4167 (1) new uses or fuel types within existing facilities;

4168 (2) changes to the type of refining, manufacturing, or processing;

4169 (3) changes in the methods or volumes of storage or transport of raw
4170 materials or processed products;

4171 (4) changes in the location of the facilities on-site;

4172 (5) replacement of existing facilities;

4173 (6) increases in power or water demands; or

4174 (7) increases in production capacity.

4175 b. Before filing an application with the department, the applicant shall hold a
4176 community meeting in accordance with K.C.C. 20.20.035.

4177 c. As part of permit application submittal for new, modified, or expanded fossil
4178 fuel facilities, the applicant shall submit the following documentation:

4179 (1) an inventory of similar existing facilities in King County and neighboring
4180 counties, including their locations and capacities;

4181 (2) a forecast of the future needs for the facility;

4182 (3) an equity impact review of the proposal using tools developed by the
4183 executive's office (~~of equity and racial and social justice~~). Until the tools have been
4184 developed and made publicly available by the executive's office, the equity impact review
4185 is not required. The results from the equity impact review shall be used to assess equity
4186 impacts and opportunities during county permit review and may be used to inform
4187 determinations of project approval;

4188 (4) an analysis of alternatives to the facility, including location, conservation,
4189 demand management and other strategies;

4190 (5) an analysis of economic and environmental impacts, including mitigation,
4191 of any similar existing facilities and of any new site or sites under consideration as an
4192 alternative to expansion of an existing facility;

4193 (6) an extensive public involvement strategy that strives to effectively engage
4194 a wide range of racial, ethnic, cultural, and socioeconomic groups, including
4195 communities that are the most impacted;

4196 (7) considered evaluation of any applicable prior review conducted by a
4197 public agency, local government, or interested party; and

4198 (8) a greenhouse gas impact analysis prepared by the applicant((-), the results
4199 of which shall be used to identify and mitigate the impacts of such facilities.

4200 d. As part of permit application submittal, the applicant shall demonstrate
4201 financial responsibility meeting the requirements of K.C.C. chapter 21A.49. The
4202 financial responsibility shall be reviewed as part of the facility's periodic review under
4203 K.C.C. 21A.22.050.

4204 e. New, modified or expanded fossil fuel facilities shall:

4205 (1) not be located within one thousand feet from any schools, medical care
4206 facilities, or places of assembly that have occupancies of greater than one thousand
4207 persons;

4208 (2) not be located within two hundred fifty feet from a regulated wetland or
4209 aquatic area, except when a larger buffer is required under K.C.C. chapter 21A.24, the
4210 buffer in K.C.C. chapter 21A.24 shall apply;

4211 (3) maintain an interior setback of at least two hundred feet;

4212 (4) store fossil fuels completely within enclosed structures, tanks, or similar
4213 facilities;

4214 (5) be accessed directly to and from an arterial roadway; and

4215 (6) comply with all applicable regulations in K.C.C. chapter 21A.22.

4216 f. Proposals shall only be approved when the following conditions are met:

4217 (1) the proposed facility can confine or mitigate all operational impacts;

4218 (2) the facility can adequately mitigate conflicts with adjacent land uses;

4219 (3) the full scope of environmental impacts, including life cycle greenhouse
4220 gas emissions and public health, have been evaluated and appropriately conditioned or
4221 mitigated as necessary, consistent with the County's substantive State Environmental
4222 Policy Act authority;

4223 (4) the applicant can comply with applicable federal and state regulations,
4224 including the Clean Water Act, Clean Air Act, and Endangered Species Act;

4225 (5) the applicant has demonstrated early, meaningful, and robust consultation
4226 with Indian tribes, the public, and surrounding property owners to assess impacts to
4227 Indian tribal treaty-protected cultural and fisheries resources; and

4228 (6) risks to public health and public safety can be mitigated.

4229 28. Limited to uses that will not convert more than two acres of farmland or
4230 forestland, or two and one-half percent of the farmland or forestland, whichever is less.

4231 29.a. Before filing an application with the department, the applicant shall hold a
4232 community meeting in accordance with K.C.C. 20.20.035.

4233 b. As part of permit application submittal for nonhydroelectric generation
4234 facilities, the applicant shall submit the following documentation:

4235 (1) an inventory of similar existing facilities in King County and neighboring
4236 counties, including their locations and capacities;

4237 (2) a report demonstrating that the facility would serve a significant portion
4238 of the county or metropolitan region, or is part of a statewide or national system;

4239 (3) a forecast of the future needs for the facility;

4240 (4) an equity impact review of the proposal using tools developed by the
4241 executive's office (~~of equity and racial and social justice~~). Until the tools have been
4242 developed and made publicly available by the executive's office, the equity impact review
4243 is not required. The results from the equity impact review shall be used to assess equity
4244 impacts and opportunities during county permit review and may be used to inform
4245 determinations of project approval;

4246 (5) an analysis of alternatives to the facility, including location, conservation,
4247 demand management, and other strategies;

4248 (6) an analysis of economic and environmental impacts, including mitigation,
4249 of any similar existing facilities and of any new site or sites under consideration as an
4250 alternative to expansion of an existing facility;

4251 (7) an extensive public involvement strategy that strives to effectively engage
4252 a wide range of racial, ethnic, cultural, and socioeconomic groups, including
4253 communities that are the most impacted;

4254 (8) considered evaluation of any applicable prior review conducted by a
4255 public agency, local government, or interested party; and

4256 (9) a greenhouse gas impact analysis prepared by the applicant, the results of
4257 which shall be used to identify and mitigate the impacts of such facilities.

4258 c. As part of permit application submittal, an applicant shall demonstrate
4259 financial responsibility meeting the requirements of K.C.C. chapter 21A.49.

4260 d. Nonhydroelectric generation facilities shall be subject to a periodic review
4261 meeting the same standards given in K.C.C. 21A.22.050. The financial responsibility
4262 required by subsection B.29.c. of this section shall be reviewed as part of the periodic
4263 review.

4264 30. Battery energy storage systems, except those defined as an accessory use
4265 under K.C.C. 21A.06.015, 21A.06.020, or 21A.06.025, are subject to the applicable
4266 permit requirements of subsection A. of this section and the following conditions:

4267 a. A minimum separation of ten feet shall be maintained between rooms or
4268 enclosures containing battery energy storage systems and landscaping or other
4269 vegetation;

4270 b. As part of building permit application submittal, battery energy storage
4271 systems shall demonstrate financial responsibility for public liability and environmental
4272 risks in accordance with K.C.C. chapter 21A.49 if the total system capacity is more than
4273 two megawatts and all three of the following apply:

4274 (1) the battery technology requires thermal runaway compliance under WAC
4275 51-54A-1207.6;

4276 (2) any individual room, cabinet, container, or other enclosure containing the
4277 system has an energy rating greater than two megawatt-hours, or any two enclosures are
4278 less than ten feet apart; and

4279 (3) the system does not qualify as a remote installation under IFC 1207.8.1.;

4280 c. As part of building permit application submittal, battery energy storage
4281 systems with a total system capacity more than two megawatts shall demonstrate
4282 financial responsibility for decommissioning in accordance with K.C.C. chapter 21A.49;

4283 d. If financial responsibility is required by subsection B.30.b. or c. of this
4284 section, the applicant shall submit verification of financial responsibility to the
4285 department every five years, beginning five years from the date of permit issuance;

4286 e. The findings and recommendations of studies, analyses, and testing required
4287 by K.C.C. Title 17, WAC 51-54A-1207, and the International Fire Code should be
4288 incorporated into the permit conditions for the facility; and

4289 f. As part of application submittal, the applicant shall submit verification that
4290 preliminary fire safety and evacuation plans have been shared with the local fire
4291 protection district. The final plans shall be shared with the local fire protection district
4292 before final inspection approval.

4293 31.a. For all search and rescue facilities:

4294 (1) the minimum lot size is four and one half acres;

4295 (2) structures and parking areas for search and rescue facilities shall maintain
4296 a minimum distance of seventy-five feet from interior lot lines that adjoin RA, UR, and R
4297 zones, unless located in a building designated as historic resource under K.C.C. chapter
4298 20.62;

4299 (3) use of the search and rescue facility is limited to activities directly relating
4300 to the search and rescue organization, except that the facility may be used by law
4301 enforcement and other public emergency responders for training and operations related to
4302 search and rescue activities; and

4303 (4) the applicant shall demonstrate the absence of existing search and rescue
4304 facilities that are adequate to conduct search and rescue operations in the rural area.

4305 b. A special use permit is required when helicopter fueling, maintenance, or
4306 storage is proposed.

4307 SECTION 87. Ordinance 14045, Section 30, as amended, and K.C.C.

4308 21A.14.225 are hereby amended to read as follows:

4309 A. Tracts and easements containing hazardous liquid and gas transmission
4310 pipelines and required setbacks from such pipelines may include the following uses,
4311 subject to other regulations applicable to each use and approval of the holder of the

4312 easement: utility structures that are not normally occupied and that are necessary for the
4313 operation of the pipeline, landscaping, trails, open space, keeping of animals, agriculture,
4314 forestry, commercial signage, minor communication facilities and utility structures that
4315 are not normally occupied and that are necessary for the operation of the minor
4316 communication facility, and other compatible uses as specified on the face of the
4317 recorded plat or short plat; however, structures designed for human occupancy shall
4318 never be allowed within pipeline tracts, easements, or setbacks.

4319 B. Hazardous liquid and gas transmission pipelines shall not be located in aquifer
4320 recharge areas, landslide hazard areas, or erosion hazard areas. When it is impractical to
4321 avoid such areas, special engineering precautions should be taken to protect public health,
4322 safety, and welfare.

4323 C. As part of an application for the new, modified, or expanded gas or hazardous
4324 liquid transmission pipelines, the applicant shall submit an equity impact review of the
4325 proposal using tools developed by the executive's office (~~(of equity and racial and social~~
4326 ~~justice)~~). Until the tools have been developed and made publicly available by the
4327 executive's office, the equity impact review is not required. The results from the equity
4328 impact review shall be used to assess equity impacts and opportunities during county
4329 permit review and may be used to inform determinations of project approval.

4330 SECTION 88. Ordinance 16267, Section 62, as amended, and K.C.C.

4331 21A.28.154 are hereby amended to read as follows:

4332 A. There is hereby created the school technical review committee consisting of
4333 the following representatives:

4334 1. One from the department of local services;

4335 2. One from the (~~regional planning unit of the office of performance, strategy,~~
4336 ~~and budget~~) executive's office;

4337 3. One from the housing, homelessness, and community development division
4338 of the department of community and human services; and

4339 4. One from the county council staff, as a nonvoting ex officio member.

4340 B. The representative from the department of local services shall serve as the
4341 chair of the committee.

4342 C. The committee shall be charged with reviewing each school district's: capital
4343 facilities plan; enrollment projections; standard of service; overall capacity for the next
4344 six years to ensure consistency with the Growth Management Act, King County
4345 Comprehensive Plan, and adopted subarea plans; calculation and rationale for proposed
4346 impact fees; and evaluation of potential impacts of the proposed impact fee on housing
4347 production.

4348 D. Committee meetings shall be open to the public. The chair of the committee
4349 shall post on the county's website a public notice of the time and place of a committee
4350 meeting least two weeks in advance of the meeting. Materials submitted under K.C.C.
4351 21A.28.152.A. shall be posted on the county's website at the same time as the meeting
4352 notice.

4353 E. At the meeting where the committee will review or act upon the school
4354 district's documents, school district representatives may attend and present testimony to
4355 the committee.

4356 F. In its review, the committee shall consider the following factors:

- 4357 1. Whether the school district's forecasting system for enrollment projections
4358 has been demonstrated to be reliable and reasonable;
- 4359 2. The historic levels of funding and voter support for bond issues in the school
4360 district;
- 4361 3. The inability of the school district to obtain the anticipated state funding or to
4362 receive voter approval for school district bond issues;
- 4363 4. An emergency or emergencies in the school district that required the closing
4364 of a school facility or facilities resulting in a sudden and unanticipated decline in
4365 districtwide capacity;
- 4366 5. The standards of service set by school districts in similar types of
4367 communities. While community differences will be allowed, the standard established by
4368 the school district should be reasonably consistent with the standards set by other school
4369 districts in communities of similar socioeconomic profile;
- 4370 6. The standards identified by the state concerning the ratios of certificated
4371 instructional staff to students; and
- 4372 7. The potential impacts of the proposed impact fee on housing production
4373 within the school district.
- 4374 G. In the event that the school district's standard of service reveals a deficiency in
4375 its current facilities, the committee shall review the school district's capital facilities plan
4376 to determine whether the school district has identified all sources of funding necessary to
4377 achieve the standard of service.

4378 H. The school district in developing the financing plan component of the capital
4379 facilities plan shall plan on a six-year horizon and shall document that it took the
4380 following steps:

4381 1. Establish a six-year financing plan, and propose the necessary bond issues
4382 and levies required by and consistent with that plan and as approved by the school board
4383 and consistent with RCW 28A.53.020, 84.52.052 and 84.52.056, as amended; and

4384 2. Apply to the state for funding, and comply with the state requirement for
4385 eligibility to the best of the school district's ability.

4386 I. The committee may request that a school district review and resubmit its
4387 capital facilities plan, establish a different standard of service, or review its capacity for
4388 accommodating new students, or any combination thereof, under any of the following
4389 circumstances:

4390 1. The standard of service established by the school district is not reasonable in
4391 light of the factors in subsection F. of this section;

4392 2. The committee finds that the school district's standard of service cannot
4393 reasonably be achieved in light of the secured financial commitments and the historic
4394 levels of support in the school district; or

4395 3. Any other basis that is consistent with this section.

4396 J. If a school district fails to submit its capital facilities plan for review by the
4397 committee, King County shall assume the school district has adequate capacity to
4398 accommodate growth for the following six years.

4399 K. The chair of the committee shall document the outcome of the committee
4400 meeting each school district's capital facility plan and associated proposed impact fees in

4401 a report. The report shall include analysis consistent with subsections F. through J. of
4402 this section and the evaluation by each school district of the potential impact of the
4403 proposed impact fee on housing production within the school district required by
4404 subsection C. of this section. The chair of the committee shall submit copies of its report
4405 to the director, hearing examiner, and school districts and shall post the report on the
4406 county's website.

4407 L. In accordance with K.C.C. 20.18.060 and 20.18.070 and based on committee
4408 input, the chair of the committee shall recommend to the executive, and the executive
4409 shall transmit to the council, a proposed Comprehensive Plan amendment adopting the
4410 school district's capital facilities plan as part of the Comprehensive Plan, for any plan that
4411 the committee concludes accurately reflects the school district's facilities status. The
4412 transmittal shall include the report required by subsection K. of this section.

4413 M. In the event that after reviewing a school district's capital facilities plan and
4414 other documents, the committee is unable to recommend adoption of the school district's
4415 capital facilities plan, the chair of the committee shall submit a statement to the council,
4416 director, hearing examiner, and school district stating the committee's findings. The
4417 committee shall then recommend to the executive, and the executive shall transmit to the
4418 council, consistent with the school capital facility plan timelines established in K.C.C.
4419 20.18.060 and 20.18.070, either proposed amendments to the land use element of the
4420 King County Comprehensive Plan or proposed amendments to the development
4421 regulations implementing the plan, or both, to more closely conform county land use
4422 plans and school district capital facilities plans, including, but not limited to, requiring

4423 mandatory phasing of plats or multiunit development located within the school district's
4424 boundary.

4425 SECTION 89. Ordinance 17287, Section 3, as amended, and K.C.C. 21A.55.105
4426 are hereby amended to read as follows:

4427 A. The purpose of the master planning demonstration project is to:

4428 1. Create a comprehensive but streamlined process for the review of major land
4429 use proposals that will be developed over the course of several years by:

4430 a. utilizing a concise timeline for project review that incorporates a process for
4431 public outreach and input during project review and facility operation to ensure a timely
4432 and efficient review;

4433 b. executing a development agreement, pursuant to RCW 36.70B.170 that
4434 establishes:

4435 (1) a clearly defined project through a master development plan, which shall
4436 include a master site plan; and

4437 (2) requirements that must be met before approval of each phase of
4438 development; and

4439 c. executing an operating agreement that establishes operating standards
4440 governing all aspects of the project's operation;

4441 2. Utilize a special project manager to oversee the master planning
4442 demonstration process from negotiation of the development agreement and operating
4443 agreements through monitoring of and reporting on the executed agreements;

4444 3. Utilize the hearing examiner, as authorized in K.C.C. 20.22.190, to conduct
4445 fact finding and make recommendations on the development agreement and operating
4446 agreement to the council; and

4447 4. Provide for ongoing monitoring of the executed development agreement and
4448 operating agreement by the council to ensure continued future compliance with the
4449 executed development agreement and operating agreement.

4450 B.1. The master planning process demonstration project shall be implemented
4451 only for a regional motor sports facility only on the Pacific Raceways property as
4452 described in Attachment A to Ordinance 17287.

4453 2. The department of local services, permitting division, shall administer the
4454 demonstration project.

4455 3.a. The executive shall appoint a special project manager for the master
4456 planning demonstration project, who shall be agreed to by the county and the applicant,
4457 and could be a consultant hired by the director's office of the department of local services
4458 or the permitting division's managed accounts team project manager or equivalent.

4459 b. The special project manager will lead the negotiation of the development
4460 agreement and operating agreement, coordinate reviews of the agreements and
4461 subsequent land use and construction permit application review with the permitting
4462 division and other agencies, be the primary point of contact for the applicant and
4463 interested parties, ensure that the timelines established for review in this section are met;
4464 and oversee monitoring of the executed development agreement and operating agreement
4465 over time.

4466 4. The hearing examiner assigned to the master planning demonstration project
4467 shall have experience reviewing development agreements and large, complex projects
4468 developed over several phases.

4469 C. The master planning demonstration project shall be initiated by the applicant
4470 making a written request to the permitting division for a preapplication meeting to
4471 identify the requirements necessary for a complete application under this section. The
4472 applicant shall submit the following information to the permitting division with a request
4473 to schedule a preapplication meeting:

4474 1. A preapplication request form, on a form approved by the permitting
4475 division;

4476 2. Project narrative and questions for county review staff;

4477 3. Preliminary proposed development agreement that incorporates the
4478 requirements for the development agreement outlined in this section; and

4479 4. Preliminary proposed operating agreement that incorporates the requirements
4480 for the operating agreement outlined in this section.

4481 D. An application for a master planning demonstration project shall be
4482 considered complete when the following information and studies have been submitted
4483 and are adequate to review the proposal:

4484 1. A proposed development agreement that incorporates the requirements for the
4485 development agreement outlined in this section and describes the nature, size and scope
4486 and phasing of all proposed activities;

- 4487 2. A proposed site plan that identifies the location and dimensions of proposed
4488 racing surfaces, access roadways, parking areas, buildings, stormwater facilities, sewage
4489 treatment or holding facilities, and any off-site traffic improvements;
- 4490 3. A proposed master drainage plan under the surface water design manual;
- 4491 4. A proposed grading plan that identifies or includes:
- 4492 a. existing and proposed land contours;
- 4493 b. soil types; and
- 4494 c. phasing, including proposed contours by phase;
- 4495 5. Proposed development conditions relating to:
- 4496 a. on-site vehicle circulation and off-site traffic control measures;
- 4497 b. protection for critical areas, especially adjacent to Soosette creek;
- 4498 c. stormwater flow control and water quality treatment;
- 4499 d. visual screening from adjoining residential properties;
- 4500 e. ongoing monitoring and reporting to measure compliance with the
4501 development agreement and operating agreement;
- 4502 f. fire protection; and
- 4503 g. water supply and service;
- 4504 6. A proposed operating agreement that includes conditions that specify:
- 4505 a. days and hours of operation;
- 4506 b. frequency of events;
- 4507 c. types of activities, including types of motor vehicles;
- 4508 d. maximum noise levels, except that noise levels for existing and approved
4509 uses and activities shall be no more restrictive than noise levels allowed by Conditional

4510 Use Permit Files Nos. A-71-0-81 and Interim Use Permit File No. LUT417-0003; if those
4511 uses or activities are expanded in scope or size, the impacts created by the expanded
4512 scope or size may be subject to additional conditions;

4513 7. A State Environmental Policy Act Checklist; and

4514 8. Any necessary information identified through the preapplication process.

4515 E.1. The development agreement shall contain development standards related to
4516 the development of the site. For existing and approved uses and activities, the
4517 development standards included in the development agreement shall not be more
4518 restrictive than the current permits for the site. If those uses or activities are expanded in
4519 scope or size, the impacts created by the expanded scope or size may be subject to
4520 additional conditions. Development standards shall include, but shall not be limited to:

4521 a. A master site plan and detailed conditions establishing the:

4522 (1) location and scope of proposed land uses;

4523 (2) location and size of buildings and structures such as grandstands;

4524 (3) layout and dimensions of racing surfaces and circulation roadways;

4525 (4) site elevations and contours established by a master grading plan;

4526 (5) excavation and processing of materials, including dust control, during
4527 construction of the facilities;

4528 (6) location and dimensions parking areas;

4529 (7) location of stormwater facilities, sewage treatment facilities, water, and
4530 related features; and

4531 (8) vegetative screening required in subsection F.1. of this section;

4532 b. a master drainage plan consistent with the surface water design manual.

4533 However, the lower part of the road course, specifically turn 2 through turn 7, which has
4534 been in place since 1959, shall be allowed to operate with the existing surface water
4535 drainage facilities, as long as no improvements are made to this portion of the road
4536 course, unless required by federal or state law;

4537 c. a project phasing plan, including threshold requirements that must be met
4538 before approval of the next phase of development;

4539 d. specified development conditions to ensure that alterations provided for in
4540 subsection G. of this section achieve the appropriate level of protections;

4541 e. specified development conditions to ensure that stormwater flow control and
4542 water quality treatment provided for in subsection H. of this section is achieved;

4543 f. specified enforcement mechanisms to address any violations of the
4544 conditions of the development agreement, including, but not limited to, the following:

- 4545 (1) a process for monitoring conditions and for review of complaints;
4546 (2) a process for expedited review and remedy of possible violations; and
4547 (3) a penalty schedule for violations that recognizes the nature and impact of
4548 the violation and is sufficient to deter violations that otherwise result in financial benefit
4549 to the facility, including, but not limited to, revocation of the operating agreement and
4550 right to operate or loss of specific days of operation; and

4551 g. a process to approve modifications to the development agreement requested
4552 by the applicant, that includes criteria for when modifications are considered minor and
4553 require approval by the permitting division, and when modifications are considered major
4554 and require approval by ordinance by the council following a public hearing by the

4555 hearing examiner. The process shall also specify any required public notice for
4556 modifications, and an option for the applicant to ask the council to make decisions on
4557 minor modifications proposed by the applicant.

4558 2. The operating agreement shall contain operating conditions related to the
4559 operation of the site. The operating conditions included in the operating agreement:

4560 a. shall not be more restrictive than the current permit restrictions for the site
4561 for existing and approved uses and activities, unless an existing or approved use or
4562 activity is expanded in scope or size, in which case the impacts created by the expanded
4563 scope or size may be subject to additional conditions;

4564 b. shall consider flexibility to adapt as the racing industry and other on-site
4565 activities evolve in the future; and

4566 c. shall include, but shall not be limited to:

4567 (1) types of racing and nonracing activities, and where on the site the activities
4568 can occur;

4569 (2) days and times for all racing and nonracing uses, including that, during
4570 the racing season of May 1 to August 31, two-stroke vehicles on the kart track shall be
4571 operated only one weekend, defined as Friday through Sunday, per month;

4572 (3) specified noise levels for racing and nonracing uses, including but not
4573 limited to, how noise levels will be measured and mitigated, but only if, for existing and
4574 approved uses and activities, maximum noise levels are no more restrictive than noise
4575 levels allowed by Conditional Use Permit Files No. A-71-0-81 and Interim Use Permit
4576 File No. LUT417-0003; if those uses or activities are expanded in scope or size, the

4577 impacts created by the expanded scope or size may be subject to additional conditions;
4578 and

4579 (4) specified on-site vehicle circulation and other traffic control measures to
4580 reduce the impact of congestion on roadways in the vicinity of Pacific Raceways;

4581 (5) specified regular ongoing monitoring and reporting to measure
4582 compliance with the development agreement and operating agreement requirements; and

4583 (6) specified process for the receipt and evaluation by the permitting division
4584 of inquiries and complaints relating to the operation of the facility, in order to allow for
4585 review by the hearing examiner as provided in subsection S. of this section.

4586 3. Uses, activities, or conditions that the permitting division determine are
4587 development and operational in nature may be placed in both the development agreement
4588 and operating agreement.

4589 4. The special project manager shall take the lead to negotiate the development
4590 agreement and operating agreement between the county and the applicant. This includes
4591 drafting proposals, coordinating the review of the permitting division and other agencies,
4592 facilitating all meetings between the county and the applicant, coordinating the
4593 development and review of the State Environmental Policy Act process, attending and
4594 participating in public meetings and public hearings, ensuring all timelines identified in
4595 this section are met, and shall be the point of contact for the applicant and interested
4596 parties.

4597 F. All development under the master plan shall be subject to the following
4598 standards relating to screening and building setbacks: as provided in K.C.C.
4599 21A.16.030.F., to the maximum extent practical, buildings and other structures shall be

4600 constructed on the project to be shielded from view from adjoining residential properties
4601 using methods that may include, but are not limited to:

- 4602 1. Retention of existing vegetation; and
- 4603 2. Placement of new vegetation to augment existing vegetation.

4604 G.1. Except as otherwise provided in this subsection G.2. of this section, all
4605 development under the master plan shall comply with K.C.C. chapter 21A.24.

4606 2. The permitting division may approve alterations to critical areas, critical areas
4607 buffers and critical area setbacks that are not otherwise allowed as an alteration under
4608 K.C.C. 21A.24.045 when the applicant demonstrates that:

4609 a. the proposal does not pose an unreasonable threat to the public health, safety
4610 or welfare on or off the site;

4611 b. for proposed alterations within steep slope or landslide hazard areas:

4612 (1) the alterations are necessary to bring existing racing or access road
4613 surfaces into compliance with applicable racing association safety standards, to construct
4614 noise barriers, for the terracing and placement of spectator seating, or to create or
4615 improve sight lines on the interior portion of the road course; and

4616 (2) the alterations can be constructed to maintain the stability of the hazard
4617 area through the use of structural mitigations identified through a geotechnical analysis
4618 by a licensed and qualified geotechnical professional; and

4619 c. for proposed alterations to wetlands, aquatic areas, wetland buffers, and
4620 riparian areas:

4621 (1) the alterations are necessary to comply with applicable racing association
4622 safety standards either for existing racing surfaces, for providing access for emergency

4623 vehicles to the existing racing surfaces, for the terracing and placement of spectator
4624 seating, or to create or improve sight lines on the interior portion of the road course;
4625 (2) the alteration is the minimum necessary to accommodate the development
4626 proposal;
4627 (3) the alteration has the least adverse impact on the critical area and critical
4628 area buffer;
4629 (4) the critical area is not used as a salmonid spawning area;
4630 (5) alterations to a category I or II wetland shall not be allowed; and
4631 (6) the alterations to any wetland shall be mitigated in accordance with an
4632 approved mitigation plan in accordance with K.C.C. 21A.24.340 based on the type of
4633 mitigation measures proposed.

4634 H. The proposal shall comply with the King County surface water design manual,
4635 including allowed adjustments, deviations, or waivers from the requirements, and shall
4636 develop and implement a water quality monitoring plan for the points of discharge for on-
4637 site surface water drainage, groundwater discharges, and infiltration points to determine
4638 that copper, other metals, hydrocarbons, and other contaminants are not elevated in down
4639 gradient groundwater on-site and in Big Soos and Soosette creeks.

4640 I. Site development that entails extraction and grading of soils to achieve the final
4641 site contours for development shall be subject to the following limits:

4642 1. The amount of materials that may be extracted during any specific phase of
4643 project construction shall be the minimum necessary to achieve final grades for that
4644 phase of the project approved for construction; and

4645 2. The on-site processing of the extracted materials shall be limited to the
4646 sorting and crushing of the material into separate dirt, sand, and gravel components.

4647 J. The master planning proposal shall include site designs and features to reduce
4648 the level of noise impacts upon nearby residential neighborhoods.

4649 K. The permitting division shall, in close coordination with the special project
4650 manager:

4651 1. Complete the preapplication conference with applicant within thirty days of
4652 the request for such a meeting by the applicant in order to identify the full range of
4653 potential issues related to the proposed modernization of Pacific Raceways and to
4654 specifically list information or studies needed to adequately evaluate the listed issues. At
4655 the preapplication conference, the permitting division shall((:)) provide to the applicant a
4656 detailed listing of all project issues and necessary information or studies required under
4657 subsection D. of this section;

4658 ~~((3.))~~ 2. Accept for filing a master planning proposal application submitted by
4659 the applicant only if it provides the information and studies required by subsection
4660 K.~~((2.))~~1. of this section;

4661 ~~((4.))~~ 3. Determine whether the master planning proposal is a complete
4662 application under this section and K.C.C. 20.20.033;

4663 ~~((5.))~~ 4. Provide a notice of a complete application under K.C.C. 20.20.060.B.
4664 In addition to notice of application required under K.C.C. 20.20.060.B., the permitting
4665 division shall provide mailed notice to:

4666 a. all parties of record, including community groups or organizations,
4667 established during the review of Conditional Use Permit File No. A-71-0-81, Interim Use

4668 Permit File No. LUT417-0003, Proposed Ordinance 2010-0189, or Ordinance 17287,
4669 Ordinance 18184, or Ordinance 20047;

4670 b. persons requesting notification of any county land use action regarding
4671 Pacific Raceways; and

4672 c. residents or property owners of parcels located within twenty-five hundred
4673 feet of the boundaries of the Pacific Raceways site;

4674 ~~((6.))~~ 5. Issue a threshold determination under WAC 197-11-310. If a
4675 determination of nonsignificance or a mitigated determination of nonsignificance is to be
4676 issued, the Optional DNS process in WAC 197-11-355 shall be used as provided in WAC
4677 197-11-310(6)(d). Subject to the requirements and limitations of chapter 197-11 WAC,
4678 the State Environmental Policy Act review shall analyze the potential new impacts that
4679 may occur over and above those impacts currently allowed under the conditions of CUP
4680 File No. A-71-0-81 and Interim Use Permit File No. LUT417-0003 and potential
4681 cumulative impacts;

4682 ~~((7.))~~ 6. Conduct two public meetings on the master planning proposal
4683 application to gather information and public input on all aspects of the master planning
4684 proposal. The first meeting shall be held within thirty days after the applicant has filed
4685 its complete master planning proposal application with the permitting division. At that
4686 public meeting, the applicant shall present its master planning proposal. At the public
4687 meeting, the public shall be provided an opportunity to comment on the master planning
4688 proposal. The permitting division shall record the public meeting and make a written
4689 summary of the meeting available on its website within fourteen days after the meeting.
4690 The permitting division may hold an additional public meeting as it conducts its review

4691 of the master planning proposal application and shall provide an opportunity for the
4692 applicant to respond to questions at each public meeting;

4693 ~~((8-))~~ 7. If a determination of significance is issued, issue the final
4694 environmental impact statement within eighteen months of either issuing to the applicant
4695 a notice of complete application or the master planning proposal is deemed a complete
4696 application under K.C.C. 20.20.033. The consultant for the ~~((EIS))~~ environmental impact
4697 statement may request up to three months of additional time to prepare the final
4698 environmental impact statement;

4699 ~~((9-))~~ 8. Within one hundred twenty days after issuance of a determination of
4700 nonsignificance or mitigated determination of nonsignificance or not later than thirty
4701 days after issuance of the final environmental impact statement, depending upon the
4702 threshold determination, propose for public review and comment a development
4703 agreement and operating agreement consistent with this section. The permitting division
4704 shall provide notice of the proposed development agreement and operating agreement in
4705 the same manner as it provided the notice of application under subsection K.~~((5-))~~4.a.
4706 through c. of this section. The permitting division shall present the proposed
4707 development agreement and operating agreement at a public meeting within fourteen
4708 days after the notice is provided under this subsection K.~~((9-))~~ 8.; and

4709 ~~((10-))~~ 9. Within sixty days after the public meeting required by subsection
4710 K.~~((9-))~~8. of this section:

4711 a. transmit to the hearing examiner the permitting division's recommended
4712 development agreement and operating agreement, together with a proposed ordinance

4713 authorizing the executive to execute the development agreement and operating
4714 agreement;

4715 b. publish its recommended development agreement and operating agreement
4716 on the permitting division's website. As part of the recommended development
4717 agreement and operating agreement, the permitting division shall coordinate and
4718 assemble the reviews of other departments and governmental agencies having an interest
4719 in the application and shall prepare a report summarizing the factors involved and the
4720 permitting division's recommendation; and

4721 c. provide notice of its recommended development agreement and operating
4722 agreement in the same manner as it provided the notice of application under subsection
4723 K.~~((5-))~~4.a. through c. of this section and to those governmental agencies listed in K.C.C.
4724 20.20.090.A. The notice shall also advise:

4725 (1) that the permitting division's recommendation is subject to an open record
4726 public hearing before the hearing examiner;

4727 (2) the date that the permitting division's recommendation has been
4728 transmitted to the hearing examiner; and

4729 (3) that interested persons may appear as parties at the open record public
4730 hearing by filing a notice of appearance with the hearing examiner within fourteen days
4731 of the date that the permitting division's recommendation has been transmitted to the
4732 hearing examiner. The applicant will be presumed to be a party without having to file a
4733 notice of appearance.

4734 L.1. Before the transmittal of the permitting division's recommended
4735 development agreement and operating agreement to the hearing examiner, the local

4736 services and land use committee or its successor may request reports or briefings from the
4737 permitting division and applicant regarding how the demonstration project is proceeding.
4738 The permitting division shall solicit input from those identified in subsection K.~~((5-))~~4.a.
4739 through c. of section to inform the committee in the report and briefing.

4740 2. If the permitting division or the applicant is unable to meet a timeline
4741 established by this section as part of the process for review of the master planning
4742 proposal, the permitting division shall provide written notice to the council within
4743 fourteen days after the missed deadline in the form of a letter to the chair of local services
4744 and land use committee or its successor describing the causes for the delay, and the steps
4745 or actions needed to be taken by the permitting division or the applicant to continue
4746 timely processing of the proposal.

4747 M.1. Unless otherwise agreed to by those that appear as parties, the hearing
4748 examiner shall conduct an open record public hearing within ninety days of the issuance
4749 of the permitting division's recommended development agreement and operating
4750 agreement and, if necessary, shall hold the public hearing over consecutive days.

4751 2. The hearing examiner's recommendation may be to approve or reject the
4752 permitting division's recommended development agreement and operating agreement, or
4753 the examiner may recommend that the council adopt the permitting division's
4754 recommended development agreement and operating agreement with such conditions,
4755 modifications, and restrictions as the examiner finds necessary to carry out applicable
4756 state laws and regulations and the regulations, including chapter 43.21C RCW, K.C.C.
4757 Title 21A and other laws of King County.

4758 3. Within fourteen days after the conclusion of the open record public hearing,
4759 the hearing examiner shall issue a written recommendation and shall, consistent with
4760 K.C.C. 20.20.220 transmit a copy thereof to the council and to all persons who appeared
4761 as parties in the open record public hearing. The recommendation shall include findings
4762 of fact and conclusions from the record that support the decision and the findings and
4763 conclusions shall set forth and demonstrate the manner in which the recommendation is
4764 consistent with, carries out, and helps implement applicable state laws and regulations,
4765 the regulations of King County, and this section.

4766 4. To appeal the hearing examiner's recommendation, an aggrieved party shall
4767 file an appeal with the clerk of the council within fourteen days of the date the hearing
4768 examiner's recommendation is transmitted to the council in conformance with K.C.C.
4769 20.20.230, except that any written responsive statements or arguments to the appeal,
4770 together with proof of service on the other parties, must be filed with the clerk of the
4771 council within fourteen days after the filing of the appeal statement. The clerk of the
4772 council shall cause to have these responsive statements and arguments posted on the
4773 council's webpage.

4774 5. At least fourteen days before the closed record hearing by the council of the
4775 appeal, the clerk of the council will provide the parties of record with written notice of
4776 the hearing time and date. The council's consideration of the appeal shall be based upon
4777 the record as presented to the hearing examiner at the open record public hearing and
4778 upon written appeal statements and arguments submitted by the parties that are based on
4779 the open record public meeting. The council may allow the parties to the appeal a period
4780 of time for oral argument based on the record. Consistent with RCW 36.70B.020(1),

4781 before or at the appeal hearing and upon the request of the council, county staff may
4782 provide a written or oral summary, or both, of the appeal record, issues, and arguments
4783 presented in an appeal and may provide answers, based on the record, to questions with
4784 respect to issues raised in an appeal asked by council members at the appeal hearing.

4785 Nothing in this subsection shall be construed as limiting the ability of the council to seek
4786 and receive legal advice regarding a pending appeal from the office of the prosecuting
4787 attorney or other county legal counsel either within or outside of the hearing.

4788 6. If, after consideration of the record, written appeal statements and any oral
4789 argument the council determines that:

4790 a. an error in fact or procedure may exist or additional information or
4791 clarification is desired, the council shall remand the matter to the hearing examiner for
4792 further hearing to receive additional information or further consideration; or

4793 b. the recommendation of the hearing examiner is based on an error in
4794 judgment or conclusion, the council may modify or reverse the recommendation of the
4795 hearing examiner.

4796 7.a. The council's final action on any recommendation of the hearing examiner
4797 shall be by ordinance, which shall include findings of fact and conclusions from the
4798 record of the hearing examiner's public hearings. The findings and conclusions shall set
4799 forth and demonstrate the manner in which the council's decision is consistent with,
4800 carries out, and helps implement applicable state laws, the regulations of King County,
4801 and this section. The council may adopt as its own all or portions of the hearing
4802 examiner's findings and conclusions.

4803 b. Any ordinance also may contain reasonable conditions, in accordance with
4804 state law and county ordinances, which must be satisfied before the ordinance becomes
4805 effective. The ordinance shall also designate the time period within which any such
4806 conditions must be satisfied. All authority pursuant to such ordinance shall expire if any
4807 of the conditions are not satisfied within the designated time period and the property shall
4808 continue to be subject to all laws, regulations, and zoning as if the ordinance had not been
4809 adopted. The council may extend the period for satisfaction of the conditions if, after a
4810 public hearing by the examiner, the council finds an extension will be in the public
4811 interest and the extension was requested by the applicant within the initial time period.

4812 N. If the hearing examiner's recommendation is not appealed pursuant to
4813 subsection M. of this section:

4814 1. The clerk of the council shall place a proposed ordinance that implements the
4815 examiner's recommended action on the agenda of the next available council meeting for
4816 adoption;

4817 2. No final action to amend or reverse the hearing examiner's recommendation
4818 shall be taken at that meeting and notice to parties shall be given before the adoption of a
4819 substitute or amended ordinance that amends or reverses the examiner's recommendation;

4820 3. The council may either:

4821 a. Refer the matter to the local services and land use committee or its successor
4822 for further consideration deemed necessary before the council takes final action on the
4823 matter or remand the matter to the hearing examiner for further hearing to receive
4824 additional information or further consideration; or

4825 b. Adopt the hearing examiner's recommendation by an ordinance satisfying
4826 the requirements of subsection M.9. of this section.

4827 4. Any final action by the county council may be reconsidered by the council
4828 pursuant to K.C.C. 20.22.280; and

4829 5. Any appeal of the council's final action shall comply with the requirements of
4830 K.C.C 20.22.270.A.

4831 O.1. The development and operating conditions specified in any development
4832 agreement or operating agreement adopted and executed pursuant to the process
4833 established in this section shall control the development and operations for the site and
4834 supersede the development and operating conditions established under Conditional Use
4835 Permit File No. A-71-0-81 and Interim Use Permit File No. LUT417-0003.

4836 2.a. A master plan development agreement approved by the council shall be in
4837 effect for a period of ten years from the effective date of the ordinance approving the
4838 master plan development agreement and authorizing the executive to execute the
4839 development agreement.

4840 b. A master plan operating agreement approved by the council shall govern on-
4841 site operations, so long as the operating conditions have been met by the applicant,
4842 property owner, and operator.

4843 3.a. An approved master plan development agreement may be renewed one time
4844 for not more than ten years.

4845 b. The applicant shall apply to the permitting division for renewal of the
4846 development agreement at least twelve months before the agreement expires. The
4847 permitting division shall provide a notice of the renewal request under subsection K.5.a.

4848 through c. of this section and shall conduct at least one public meeting on the request as
4849 provided in subsection K.7. of this section.

4850 c. The permitting division shall make its recommendation to the council on the
4851 proposed renewal together with any recommended changes to the development
4852 agreement not later than ninety days before the development agreement expires.

4853 d. If the development agreement is not renewed by the council any subsequent
4854 development permit application shall be subject to laws in effect at the time the
4855 subsequent application is filed.

4856 P. During the period a development agreement is in effect, any subsequent
4857 development on the site shall be consistent with the approved development agreement.

4858 Q.1. Except as otherwise provided in subsection Q.2. of this section, the laws in
4859 effect on the date the council adopts the ordinance authorizing the execution of the
4860 development agreement shall apply to subsequent permits necessary for the uses
4861 authorized by the development agreement.

4862 2. The following regulations in effect on the date of a complete application for
4863 any permits necessary for a use authorized by the development agreement shall apply:

4864 a. surface water management standards under K.C.C. Title 9;

4865 b. public health and safety codes under K.C.C. Title 13;

4866 c. road standards under K.C.C. Title 14;

4867 ~~((e-))~~ d. building codes under K.C.C. Title 16; and

4868 ~~((d-))~~ e. fire codes under K.C.C. Title 17.

4869 R.1. During the effective period of the development agreement, the applicant
4870 may request in writing one or more modifications to the development agreement. For

4871 those requests where the permitting division determines the modification is a major
4872 modification to the development agreement that requires council approval, they shall be
4873 considered no more than once per year, starting one year after the effective date of this
4874 ordinance. On June 1 of each year, the permitting division shall consolidate all of the
4875 major modification requests into a single proposed modification and within fourteen days
4876 shall provide notice of the proposed modification as provided in subsection K.~~((5-))~~4.a.
4877 through c. of this section. The permitting division shall submit to the hearing examiner
4878 its recommendation on the proposed modification requests not later than August 1 of that
4879 same year. The hearing examiner shall conduct a public hearing on the proposed
4880 modification no later than October 15 of that same year, and make a recommendation to
4881 council no later than December 31 of that same year.

4882 2. The applicant may request in writing modifications to the operating
4883 agreement. For those requests where the permitting division determines it is a major
4884 modification to the operating agreement that requires council approval, they shall be
4885 considered no more than once per year, starting one year after the effective date of this
4886 ordinance. On June 1 of each year, the permitting division shall consolidate all of the
4887 major modification requests into a single proposed modification and within fourteen days
4888 provide notice of the proposed modification as provided in subsection K.5.a. through c.
4889 of this section. The permitting division shall submit to the hearing examiner its
4890 recommendation on the proposed modification not later than August 1 of that same year.
4891 The hearing examiner shall conduct a public hearing on the proposed modification no
4892 later than October 15 of that same year, and make a recommendation to council no later
4893 than December 31 of that same year.

4894 3. The proposed modifications to the development agreement and operating
4895 agreement described in this subsection R. may be considered as part of one ordinance or
4896 as multiple ordinances.

4897 S. The hearing examiner shall conduct the following annual monitoring and
4898 reporting activities for the council:

4899 1. No later than October 15 of each year, the hearing examiner shall conduct a
4900 public meeting in the vicinity of the project site for the purpose of gathering community
4901 input on the operation of facility during the preceding year. The permitting division shall
4902 provide a notice of the meeting as provided in subsection K.~~((5-))~~4.a. through c. of this
4903 section.

4904 2. Beginning on December 31 of the year after the effective date of the
4905 ordinance authorizing the execution of the development agreement and operating
4906 agreement, and for each subsequent year, the hearing examiner shall prepare and submit
4907 to the council a report that:

- 4908 a. describes the current status of the phases of the development;
- 4909 b. evaluates compliance with development agreement and operation agreement
4910 conditions during the preceding year;
- 4911 c. identifies issues and concerns that have been brought forward by the
4912 community, applicant, and the permitting division;
- 4913 d. evaluates proposed modifications to the development agreement and
4914 operating agreement; and
- 4915 e. outlines potential steps to ensure compliance with the development
4916 agreement and operating agreement.

4917 3. The report shall be presented in a briefing by the hearing examiner to the
4918 local services and land use committee or its successor, at which the permitting division
4919 and project operator shall be present.

4920 T. The director shall submit a report on the master planning demonstration
4921 project to the council within sixty days of the council's adoption of the ordinance
4922 approving the development agreement and operating agreement. The report shall
4923 evaluate the efficacy of the master planning process and may include recommended
4924 changes to the master planning process to address problems or deficiencies in the process
4925 identified by the permitting division. The permitting division shall solicit comments
4926 from the applicant, the hearing examiner, and the public, identified in subsection
4927 K.~~((5-))~~4.a. through c. of this section, on the master planning process and include a
4928 synopsis of those comments in the report. The report shall be filed electronically with the
4929 clerk of the council, who shall retain an electronic copy and provide an electronic copy to
4930 each councilmember, the council chief of staff, and the lead staff for the local services
4931 and land use committee or its successor.

4932 U.1. Before the application for a master planning proposal application, the
4933 applicant shall be allowed to undertake the following activities, subject to an interim use
4934 permit:

4935 a. construct up to four hundred thousand square feet of buildings, including
4936 required excavation and processing of materials, for uses allowed for a regional motor
4937 sports facility as set forth in K.C.C. 21A.06.973.C., and associated required site
4938 improvements;

4939 b. add paved impervious surface area, including, but not limited to, parking, a
4940 new vehicular access point to SE 304th Street, modifications to the road course, and
4941 internal access roads, with total impervious surface area not to exceed thirty-three and
4942 one-third percent of the site that is subject to the property-specific development condition
4943 known as P-suffix SC-P02;

4944 c. add grandstands to accommodate up to twenty-five thousand persons, and
4945 replace existing grandstand seating; and

4946 d. conduct any of the uses allowed under KCC 21A.06.973C, including that
4947 nonracing driving schools may operate on Mondays and Tuesdays.

4948 2. Excavation and processing of materials under an interim use permit shall be
4949 subject to the following limits:

4950 a. The amount of materials shall be only as is necessary to undertake the
4951 activities allowed by subsection U.1. of this section, subject to review by the permitting
4952 division;

4953 b. The on-site processing of the extracted materials shall be limited to the
4954 sorting of the materials into separate dirt, sand and gravel components, and crushing and
4955 washing of those components that will be used for on-site construction and required site
4956 improvements; and

4957 c. The on-site processing shall be limited to 9:00 a.m. to 5:00 p.m. Monday
4958 through Friday.

4959 V. A preapplication meeting shall be required for the interim use permit. The
4960 applicant shall submit the following information to the permitting division with a request
4961 to schedule a preapplication meeting:

- 4962 1. Affidavit of application, on a form approved by the permitting division;
4963 2. Project narrative and questions for permitting division staff;
4964 3. Preliminary site plan, which shall include:
4965 a. location of the property, with a vicinity map showing cross street;
4966 b. address, if an address has been assigned;
4967 c. parcel number or numbers;
4968 d. zoning of parcel or parcels and adjacent parcel or parcels;
4969 e. north arrow and scaled dimensions;
4970 f. existing and proposed building footprints, with overhangs and projections;
4971 g. existing and proposed grade contours;
4972 h. site area in square feet or acres of the project site;
4973 i. area of either disturbance or development, or both, including utilities, septic
4974 and internal circulation, as needed;
4975 j. existing and proposed easements, including ingress, egress, utilities, or
4976 drainage; and
4977 k. critical areas and their buffers; and
4978 4. Preliminary building plan.
- 4979 W. An interim use permit application shall be considered complete when the
4980 following information and studies have been submitted and are adequate to review the
4981 proposal:
4982 1. A proposed site plan that identifies the location and dimensions of the
4983 proposed buildings, structures, and paving, vehicular circulation and parking areas,
4984 critical areas and buffers, landscaping, stormwater facilities, utilities, and fire protection;

- 4985 2. A proposed drainage plan under the surface water design manual for the
4986 improvements proposed under the interim use permit;
- 4987 3. A proposed grading plan that complies with the submittal, operating, and
4988 performance requirements in K.C.C. chapter 16.82;
- 4989 4. A proposed restoration plan that complies with this section;
- 4990 5. A deposit as required by K.C.C. 27.02.210 for review of the interim use
4991 permit; and
- 4992 6. Any necessary information identified through the preapplication process.
- 4993 X. The interim use permit shall contain development conditions related to the
4994 grading activities and buildings and shall include, but not be limited to:
- 4995 1. An approved site plan and conditions that establish:
- 4996 a. location, size, and proposed uses of the buildings;
- 4997 b. location and dimensions of vehicular circulation and parking, including
4998 required parking for the existing uses;
- 4999 c. location of stormwater facilities, sewage treatment facilities, water, and
5000 related features;
- 5001 d. landscaping requirements, as required by K.C.C. chapter 21A.16;
- 5002 e. location of on-site critical areas. Development or operations are not allowed
5003 within critical areas or their buffers, and alterations of critical areas or their buffers are
5004 not permitted, as part of the activities allowed with the interim use permit or related
5005 construction permits; and
- 5006 f. necessary on-site and off-site traffic control for construction impacts on
5007 vehicular circulation and on roadways in the vicinity of the project site;

5008 2. An approved grading plan in compliance with the requirements of K.C.C.
5009 chapter 16.82;

5010 3. A preliminary drainage plan in compliance with the surface water design
5011 manual; and

5012 4. A restoration plan in compliance with the following requirements:

5013 a. Final grades shall generally conform to standards in K.C.C. 16.82.100 and
5014 the following:

5015 (1) be such so as to encourage the uses permitted within the primarily
5016 surrounding zone or, if applicable, the underlying or potential zone classification; and

5017 (2) result in drainage patterns that reestablish natural conditions of aquifer
5018 recharge, water velocity, volume, and turbidity within six months of restoration and that
5019 precludes water from collecting or becoming stagnant. Suitable drainage systems
5020 approved by the permitting division shall be constructed or installed where natural
5021 drainage conditions are not possible or where necessary to control erosion. All
5022 constructed drainage systems shall be designed consistent with the Surface Water Design
5023 Manual; and

5024 b. All areas subject to clearing, grading or backfilling shall:

5025 (1) be planted with a variety of trees, shrubs, legumes, and grasses indigenous
5026 to the surrounding area and appropriate for the soil, moisture, and exposure conditions;

5027 and

5028 (2) except for roads and areas incorporated into drainage facilities, be
5029 surfaced with soil of a quality at least equal to the topsoil of the land areas immediately

5030 surrounding, and to a depth of the topsoil of land area immediately surrounding six
5031 inches, whichever is greater.

5032 Y. For the interim use permit, the executive shall appoint a special project
5033 manager.

5034 1. For the initial interim use permit, the special project manager shall either be
5035 an employee of, or hired as a consultant by, the ~~((regional planning unit of the office of~~
5036 ~~performance, strategy, and budget))~~ executive's office. For any modifications to the
5037 interim use permit, the special project manager~~((s))~~ shall be agreed to by the county and
5038 the applicant and could either be a consultant hired by the director's office of the
5039 department of local services or the permitting division's managed account team project
5040 manager or equivalent.

5041 2. The Pacific Raceways property has been designated as a project of statewide
5042 significance under chapter 43.157 RCW.

5043 3. The special project manager will coordinate the reviews within the permitting
5044 division and other agencies, be the primary point of contact for the applicant and
5045 interested parties, and ensure that the timelines established for review of the interim use
5046 permit in this section are met.

5047 4. The special project manager shall evaluate, and provide a recommendation to
5048 the executive, regarding the efficacy of options, such as review by another jurisdiction or
5049 using outside staff to complete the substantive review, for expediting the permit review
5050 process. As part of this review, the special project manager shall ensure that any
5051 recommended option will produce a review that complies with this chapter and other
5052 applicable laws, regulations, and adopted policies.

5053 Z.1. In reviewing the interim use permit, the permitting division shall:

5054 a. process the interim use permit as a Type 3 land use permit, except as

5055 provided in subsection DD. of this section. K.C.C. chapter 20.20 shall apply, except as

5056 modified by this section;

5057 b. conduct a mandatory preapplication meeting within fourteen days of the

5058 applicant's request for a preapplication meeting;

5059 c. within twenty one days of the preapplication meeting, provide a detailed

5060 listing of the required information or studies required for review of the interim permit, in

5061 conformance with this section, the other building, construction and environmental

5062 permits that will be required, and an estimate of cost for review of the interim use permit;

5063 d. accept the interim use permit application if the applicant provides the

5064 information and studies required by the detailed listing provided in subsection Z.1.c. of

5065 this section;

5066 e. determine whether the interim use permit application is complete within

5067 seven days of filing by the applicant, pursuant to K.C.C. 20.20.033, and subject to the

5068 application requirements in subsection W. of this section;

5069 f. provide a notice of complete application under K.C.C. 20.20.033, within

5070 seven days of determining that the application is complete;

5071 g. provide a notice of application under K.C.C. 20.20.060 within fourteen days

5072 of providing the notice of complete application. In addition to the notice required by

5073 these two sections, the permitting division shall provide mailed notice to:

5074 (1) all parties of record, including community groups or organizations,

5075 established during the review of Conditional Use Permit File Nos. A-71-0-81, Interim

5076 Use Permit File No. LUT417-0003, Proposed Ordinance 2010-0189, Ordinance 17287,
5077 Ordinance 18184, and Ordinance 20047;

5078 (2) persons requesting notification of any county land use action regarding
5079 Pacific Raceways; and

5080 (3) residents or property owners of parcels located within twenty-five
5081 hundred feet of the boundaries of the Pacific Raceways site;

5082 h. complete environmental review on the interim use and activities authorized
5083 by the interim use permit;

5084 i. transmit to the hearing examiner the permitting division's recommendation
5085 on the interim use permit and provide notice of the recommendation under K.C.C.

5086 20.20.090. The recommendation shall be based on the conformance of the proposal with
5087 the requirements of this section((§)), and:

5088 (1) for a determination of nonsignificance or mitigated determination of
5089 nonsignificance, transmit the recommendation within forty-five days of the end of the
5090 comment period on threshold determination;

5091 (2) for a determination of significance, transmit the recommendation within
5092 forty five days of the end of the appeal period for the final environmental impact
5093 statement; and

5094 j. coordinate and assemble the reviews of other departments and governmental
5095 agencies having an interest in the application and shall prepare a report summarizing the
5096 factors involved and the permitting division's recommendation. At least seven calendar
5097 days before the scheduled hearing, the permitting division shall file the report with the
5098 hearing examiner and mail copies to those identified in subsection Z.1.g. of this section.

5099 2. The exceptions to permit review timelines described in K.C.C. 20.20.100.C.
5100 shall apply to the review period deadlines outlined in subsection Z. of this section. If the
5101 permitting division is unable to meet the time limits established by this section, it shall
5102 provide written notice of this fact to the applicant. The notice shall include a statement of
5103 reasons why the time limits have not been met and an estimated date for issuance of the
5104 notice of recommendation to the hearing examiner. In no case shall the review of the
5105 interim use permit, from the date a complete application is filed through the date the
5106 permitting division issues the recommendation to the hearing examiner, excluding the
5107 timeframes outlined in K.C.C. 20.20.100.C., exceed one hundred twenty days, unless the
5108 parties agree to an extension.

5109 AA.1. The hearing examiner shall:

5110 a. within fourteen days of receiving the permitting division's recommendation
5111 on the interim use permit, set the date for the prehearing conference and notify the
5112 interested parties.

5113 b. within seven days of the prehearing conference, issue a prehearing order that
5114 includes a tentative schedule and order of proceedings for the hearing required under this
5115 subsection.

5116 c. conduct an open record public hearing within thirty days of the prehearing
5117 conference.

5118 d. within ten days of the public hearing, issue a decision on the interim use
5119 permit. The examiner's determination may be to grant or deny the application, and may
5120 include any conditions, modifications, and restrictions as the examiner finds necessary to

5121 carry out the provisions of this section. The examiner's decision may be appealed to the
5122 council according to K.C.C. 20.22.220.

5123 2. When reasonably required to enable the attendance of all necessary parties at
5124 the hearing, or the production of evidence or to otherwise assure that due process is
5125 afforded and the objectives of this chapter are met, the periods in subsection AA.1. of this
5126 section may be extended by the examiner at the examiner's discretion for an additional
5127 thirty days. With the consent of all parties, the periods may be extended indefinitely.
5128 The reason for the deferral shall be stated in the examiner's decision. Failure to complete
5129 the hearing process within the stated time shall not terminate the jurisdiction of the
5130 examiner.

5131 BB. Issuance of the interim use permit by the county under this section does not
5132 relieve the applicant of its obligations to obtain other approvals required under state and
5133 federal law.

5134 CC. The applicant shall pay fees to the county to cover the actual cost of
5135 providing project management, review, and inspection services for the interim use
5136 permits and including environmental review, in accordance with K.C.C. 27.02.100.

5137 DD. Upon issuance of an interim use permit, the permitting division may review
5138 and approve, in accordance with the code compliance process in K.C.C. chapter 21A.42,
5139 an expansion of, modification to, or addition to the development authorized by the
5140 interim use permit. If the proposed development, taken together with any previously
5141 approved development under the interim use permit, is within the limitations of
5142 subsection U.1. of this section, the development proposal shall be processed as a Type 1
5143 land use decision, subject to all other applicable state and local standards. Subject to the

5144 requirements and limitations of chapter 197-11 WAC, the State Environmental Policy
5145 Act review shall analyze the potential new impacts that may occur over and above those
5146 impacts currently allowed under the conditions of CUP File No. A-71-0-81 and Interim
5147 Use Permit File No. LUT417-0003 and potential cumulative impacts.

5148 EE. Establishment of the use or activity authorized by an interim use permit shall
5149 occur within ten years of the effective date of the decision for the interim use permit or
5150 subsequent amendment to the interim use permit under subsection DD. of this section.
5151 Upon written request to the permitting division made by the applicant before the
5152 expiration of an interim use permit or subsequent amendment, the permitting division
5153 shall extend the permit for one or more one-year period, up to a total of five consecutive
5154 years, if site conditions have not significantly changed in a manner that would have
5155 affected the original permit approval and the applicant pays applicable permit extension
5156 fees. Any use or structure established during the term of the interim use permit or an
5157 extension of the term may continue to operate after the expiration of the interim use
5158 permit, in accordance with K.C.C. chapter 21A.32 and any applicable p-suffix conditions.

5159 FF. The additional uses allowed by the P-suffix condition, in K.C.C.
5160 21A.06.973C, and this section may be allowed in areas over the square footage
5161 limitations in LUT417-0003 if approved via the permit process and environmental review
5162 required by K.C.C. 21A.55.105.

5163 SECTION 90. Ordinance 8867, Section 1, as amended, and K.C.C. 26.12.010 are
5164 hereby amended to read as follows:

5165 A process is hereby established for the annual allocation of the conservation
5166 futures tax levy proceeds to acquire open space lands, including greenspaces, greenbelts,

5167 wildlife habitat, and trail rights-of-way proposed for preservation for public use by either
5168 agencies or nonprofit organizations within the county. Agencies, nonprofit organizations,
5169 nongovernmental organizations, and individuals may make application for proceeds in
5170 this allocation process. In accordance with chapter 84.34 RCW, only agencies and
5171 nonprofit organizations are eligible to receive conservation futures funding to acquire
5172 property.

5173 A. The department of natural resources and parks shall determine the deadline for
5174 submission of applications for use of conservation futures tax levy proceeds. At least one
5175 month before the application submission deadline date, the department shall provide
5176 notice on the King County website of the opportunity to apply to the county for a share of
5177 the annual allocation of the conservation futures tax levy proceeds available for that year.
5178 The department shall also provide notice by email to all agencies, nonprofit
5179 organizations, nongovernmental organizations, and individuals anticipated to have
5180 potential interest in conservation futures funding. The department shall maintain and
5181 update a list of parties anticipated to be interested in conservation futures funding.

5182 B. No later than March 1, the county council may adopt a motion that provides
5183 direction to the advisory committee on priorities for evaluating the applications within the
5184 open space criteria identified in K.C.C. 26.12.025.

5185 C.1. The advisory committee shall make project recommendations and
5186 recommend funding allocations for each project to the executive, including:

- 5187 a. a description of each project including project location and acreage;
- 5188 b. a report on how each project meets the county open space selection criteria,
5189 contained in K.C.C. 26.12.025;

- 5190 c. the amount of funding requested in each project application;
- 5191 d. any additional relevant criteria of the jurisdiction in which the potential
- 5192 acquisition is located; and
- 5193 e. a description of how projects contain a demonstrable regional visibility, use,
- 5194 ecological, cultural, historical, or other natural resource significance.
- 5195 2. The executive shall transmit the advisory committee's project and funding
- 5196 recommendations for the following year to the council. The report shall be filed
- 5197 electronically with the clerk of the council, who will retain an electronic copy and
- 5198 provide an electronic copy to all councilmembers, the council chief of staff, and the lead
- 5199 staff to the mobility and environment committee or its successor.
- 5200 3. The committee's recommendations are solely advisory and either the
- 5201 executive or the council, or both, may adopt, alter, add to, or decline to adopt all or part
- 5202 of the committee's recommendations in the budget process.
- 5203 D. The executive's project and funding recommendation shall be transmitted with
- 5204 the applicable appropriation ordinance.
- 5205 E. Except for acquisitions of property interests in opportunity areas, the agency
- 5206 or nonprofit organization receiving conservation futures tax levy proceeds shall commit
- 5207 to providing a matching contribution no less than twenty-five percent of the total project
- 5208 costs, and conservation futures shall represent no more than seventy-five percent of the
- 5209 total project costs. The matching contribution shall be provided before conservation
- 5210 futures tax levy proceeds are reimbursed to that agency or nonprofit organization. The
- 5211 contribution may consist of cash, land match with a valuation verified by a reviewed
- 5212 appraisal or the cash value, excluding King County conservation futures contributions, of

5213 other open spaces acquired within the previous two years from the date of the submittal
5214 of the application by the agency or nonprofit organization. Properties considered as land
5215 match or cash value of other open space acquisitions should be directly linked to the
5216 property under application.

5217 F.1. If an application by an agency other than King County is funded by this
5218 process, the agency shall enter into an interlocal agreement with the county.

5219 2. If an application by a nonprofit organization is funded by this process, the
5220 organization shall enter into an agreement with the county. Before a funding award is
5221 paid to a nonprofit organization, the organization shall obtain a letter of intent from an
5222 agency or a separate nonprofit organization that indicates that if in the future the
5223 acquiring organization ceases to exist, the agency or the separate organization is willing
5224 to be identified on title to the acquired property as an owner. If the property is in the
5225 unincorporated area and the nonprofit organization seeks an agency letter, the
5226 organization shall request the letter from the King County department of natural
5227 resources and parks, or a metropolitan park district within the boundaries of which the
5228 property is located. If the property is in an incorporated area and the nonprofit
5229 organization seeks an agency letter, the organization shall request the letter from the
5230 agency of the jurisdiction in which the project is located, or a metropolitan park district
5231 within the boundaries of which the property is located. If the property is in an
5232 incorporated area, in the event that the legislative body of the agency of the incorporated
5233 area or the park district indicates in writing or through a formal vote that it is not willing
5234 to provide the letter, the nonprofit organization may request a letter from King County.
5235 For any acquisition by a nonprofit organization, King County shall ensure a restriction is

5236 recorded on the chain of title to preserve the conservation values of the property in
5237 perpetuity.

5238 3. If an application by a nongovernmental organization or individual is funded
5239 by this process, the award shall be made either to a nonprofit organization or an agency.
5240 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
5241 an award to a nonprofit organization.

5242 G. If the King County transfer of development rights program bank, as
5243 established by K.C.C. chapter 21A.37, is awarded conservation futures levy proceeds in
5244 order to purchase development rights and thereby preserve open space in accordance with
5245 purposes and provisions of this chapter, the bank is authorized to sell those development
5246 rights and to use the proceeds from that sale to acquire additional development rights,
5247 thereby preserving additional open space lands in accordance with the terms and
5248 provisions of this chapter. When transferrable development rights are purchased by the
5249 bank in accordance with K.C.C. chapter 21A.37 using conservation futures tax levy
5250 proceeds allocated to a project under K.C.C. 26.12.003.I., and there are subsequent sales
5251 of the transferable development rights, the bank may use sale proceeds as a match to new
5252 projects.

5253 H. Conservation futures tax levy proceeds shall be deposited in the conservation
5254 futures fund for the purpose of administering, disbursing, and accounting for
5255 conservation futures tax levy proceeds authorized by King County. Conservation futures
5256 tax levy proceeds shall be disbursed to projects previously approved by King County
5257 upon receipt and verification by King County of properly completed requests for payment
5258 of the proceeds. ~~((The office of performance, strategy and budget shall prescribe the~~

5259 ~~form for the requests.))~~ The disbursement requests shall be made only for capital project
5260 expenditures that include all costs of acquiring real property, including interests in real
5261 property, and the following costs, though it shall not include the cost of preparing grant
5262 applications for conservation futures moneys: related relocation of eligible occupants;
5263 appraisal; appraisal review; title insurance; closing costs; pro rata real estate taxes;
5264 compensating tax; recording fees; environmental due diligence; survey; boundary line
5265 adjustment; and directly related staff, legal, and administrative costs. Requests may also
5266 include costs for initial site stabilization activities associated with acquisition, which are
5267 limited to signage, fencing, or demolition of structures necessary to secure real property
5268 interests acquired with conservation futures tax levy proceeds for public safety or
5269 resource protection purposes. Approved disbursements for site stabilization activities
5270 shall not exceed in any particular year twenty-five percent of the conservation futures tax
5271 levy moneys raised in the preceding year and shall not be used to supplant existing
5272 funding. The department shall annually review and determine the maximum allowable
5273 per-parcel award for site stabilization, taking inflation into consideration. The agency or
5274 nonprofit organization shall have the property valued by a reviewed appraisal, except in
5275 situations where the department of natural resources and parks determines that an
5276 appraisal is unnecessary because the process for valuing the property is established by
5277 statute, code, or regulation. The agency or nonprofit organization is responsible for the
5278 accuracy of the payment requests and the propriety and timeliness of its disbursements
5279 following receipt of conservation futures tax levy proceeds. Conservation futures tax
5280 levy proceeds may not be used to acquire any property or interest therein through the
5281 exercise of the power of eminent domain.

5282 I. Projects carried out in whole or part with conservation futures tax levy
5283 proceeds shall not be transferred or conveyed except to an agency or nonprofit
5284 organization by written agreement providing that the land or interest in land shall be
5285 continued to be used for the purposes of K.C.C. chapter 26.12 and in strict conformance
5286 with the uses authorized under chapter 84.34 RCW. The land or interest in land shall not
5287 be converted to a different use unless other equivalent lands within King County are
5288 received in exchange for the lands or interest in lands, or cash reimbursement is made, or
5289 a combination of land and cash reimbursement is provided. The land shall be valued in
5290 its changed status or use, and not based upon its value as open space, and the replacement
5291 land or payment amount must be acceptable to King County. Before the conversion of
5292 conservation futures land to another use, the department of natural resources and parks
5293 shall provide written notification to the council. If the proposal is to convert one-half
5294 acre or more of conservation futures land, or if the conservation futures land to be
5295 converted is valued at more than fifty thousand dollars, and the proposal is either for a
5296 cash reimbursement or for proposed equivalent lands that are not within the same
5297 jurisdiction as the conservation futures land proposed to be converted to another use, the
5298 executive shall, at least sixty days before taking action on the proposal, submit the written
5299 notification to the council. Unless the council passes a motion rejecting the proposal
5300 within sixty days of receiving the notification, the executive may proceed with the
5301 proposal. The sixty-day waiting period shall not apply when the conservation futures
5302 land proposed to be converted, as well as the proposed equivalent lands, are within the
5303 same trail corridor or part of the same contiguous open space area.

5304 J. The written notification required by this section shall include, but not be
5305 limited to, the acreage and specific location of both the conservation futures land
5306 proposed to be converted and the proposed equivalent lands, if any, the reason for the
5307 conversion of land and, if cash reimbursement is proposed, a copy of the appraisal for the
5308 conservation futures land to be converted and the amount of the cash reimbursement
5309 proposed. The notification shall be filed electronically with the clerk of the council, who
5310 will retain an electronic copy and provide an electronic copy to all councilmembers, the
5311 council chief of staff and the lead staff to the mobility and environment committee or its
5312 successor. Information on conversions of properties to another use, including a
5313 description of the proposed replacement land or payment amount, shall be included with
5314 the advisory committee's project progress reporting to council as provided in K.C.C.
5315 26.12.035.B. This section does not prevent the grant of easements or franchises or the
5316 making of joint use agreements or other operations compatible with the use of a project
5317 as provided for in this section and authorized under chapter 84.34 RCW.

5318 K. The department of natural resources and parks shall identify and update
5319 opportunity areas as defined by K.C.C. 26.12.003.J.1. at least every three years.

5320 SECTION 91. Ordinance 15378, Section 6, as amended, and K.C.C. 1.36.060 are
5321 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



King County

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

REVISED STAFF REPORT

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

COMMITTEE ACTION

Proposed Substitute Ordinance 2026-0073.2 would amend sections of King County Code to effectuate the Executive's reorganization and consolidation of five standalone offices into the Executive's Office, passed out of committee on May 26, 2026, without recommendation.

The Proposed Ordinance was amended in committee with Amendment S1 which made technical changes and incorporated 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 updated outdated phrasing, made technical changes, and corrections to the legislative markup.

The Proposed Ordinance was amended with Title Amendment T1 to conform the title to Striking Amendment S1.

Striking Amendment S1 was amended by Amendment 1 which retained eight provisions proposed for deletion from the Executive's responsibilities in King County Code in the transmitted legislation including:

- 1. Preparing forecasts not produced by the Office of Economic and Financial Analysis***
- 2. Monitoring expenditures and work programs***
- 3. Developing and transmitting supporting materials to the Council with a proposed budget consistent with K.C.C. 4A.100***
- 4. Overseeing monitoring of the performance management and accountability system***
- 5. Developing and using community-level indicators and agency performance measurement***
- 6. Advising the Council on County labor policies***
- 7. Providing resources for labor relations training for county agencies, including the Council***
- 8. Advising the Council on climate-related policies, programs and activities.***

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 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

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>

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>

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.

**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
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

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

⁹ Section 6 in the striking amendment.

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 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		5 positions (not County)

	Fellows (5 positions)		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 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.

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.

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.



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Motion

Proposed No. 2026-0081.1

Sponsors Mosqueda and Dembowski

- 1 A MOTION confirming the appointment of Susan
- 2 McLaughlin as director of the King County department of
- 3 community and human services.
- 4 BE IT MOVED by the Council of King County:
- 5 The appointment of Susan McLaughlin as director of the King County department

6 of community and human services 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



Signature Report

Motion

Proposed No. 2026-0129.2

Sponsors Perry

1 A MOTION confirming the appointment of Cynthia
2 McNabb to the citizens' elections oversight committee as a
3 representative sponsored by a junior taxing district or a city
4 with a population of under twenty thousand.

5 WHEREAS, King County is committed to conducting open, accurate and fair
6 elections, and

7 WHEREAS, City of Duvall, a junior taxing district with a population of under
8 twenty thousand, has identified Cynthia McNabb to represent the district on the citizens'
9 elections oversight committee, and

10 WHEREAS, the citizens' elections oversight committee helps to ensure that
11 accountability and performance of the department of elections is provided in a transparent
12 manner that is meaningful to King County residents, and

13 WHEREAS, in accordance with K.C.C. 2.53.021, the employment and
14 administration committee appoints members to the citizens' elections oversight
15 committee, and

16 WHEREAS, in accordance with K.C.C. 2.53.021, appointments to the citizens'
17 elections oversight committee are subject to confirmation by the full council by motion,
18 and

19 WHEREAS, on June 2, 2026, in accordance with K.C.C. 2.53.021, the
20 employment and administration committee appointed Cynthia McNabb to the citizens'

21 elections oversight committee to fill the vacant position for a representative sponsored by
22 a junior taxing district or a city with a population of under twenty thousand for the
23 remainder of that position's three-year term, to expire on May 26, 2028;

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

25 The appointment of Cynthia McNabb to the citizens' elections oversight
26 committee as a representative sponsored by a junior taxing district or a city with a

27 population of under twenty thousand position for the remainder of that position's three-
28 year term, to expire on May 26, 2028, is 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



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Motion

Proposed No. 2026-0130.2

Sponsors Perry

1 A MOTION confirming the appointment of Steve Cho to
2 the citizens' elections oversight committee as a
3 representative of the Korean-speaking community.

4 WHEREAS, King County is committed to conducting open, accurate and fair
5 elections, and

6 WHEREAS, the citizens' elections oversight committee help to ensure that
7 accountability and performance of the department of elections is provided in a transparent
8 manner that is meaningful to King County residents, and

9 WHEREAS, in accordance with K.C.C. 2.53.021, the employment and
10 administration committee appoints members to the citizens' elections oversight
11 committee, and

12 WHEREAS, in accordance with K.C.C. 2.53.021, appointments to the citizens'
13 elections oversight committee are subject to confirmation by the full council by motion,
14 and

15 WHEREAS, on June 2, 2026, in accordance with K.C.C. 2.53.021, the
16 employment and administration committee appointed Steve Cho to the citizens' elections
17 oversight committee, for the remainder of that position's three-year term, to expire on
18 July 15, 2026, and to a new three-year term, to expire on July 15, 2029;

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

Motion

20 The appointment of Steve Cho to the citizens' elections oversight committee as a
21 representative of the Korean-speaking community, for the remainder of that position's
22 three-year term, to expire on July 15, 2026, and to a new three-year term, to expire on
23 July 15, 2029, is 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



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Motion

Proposed No. 2026-0111.1

Sponsors Mosqueda

1 A MOTION acknowledging receipt of a report on
2 maintaining Medicaid retention in King County, in
3 accordance with the 2026-2027 Biennial Budget
4 Ordinance, Ordinance 20023, Section 17, Proviso P9.

5 WHEREAS, the approval of HR-1 by the United States Congress and the
6 President in July 2025 makes dramatic future changes to Medicaid and other types of
7 health insurance, and

8 WHEREAS, King County is expected to experience a potential doubling of the
9 overall uninsured population in King County as a result of HR-1, and

10 WHEREAS, public health - Seattle & King County has a foundational role in
11 assuring King County residents have access to health services and has been a leader in
12 Medicaid enrollment for decades, and

13 WHEREAS, other King County government agencies including the department of
14 community and human services, the King County executive and the King County council
15 share a commitment to the health and wellbeing of all King County residents, including
16 access to health care, and

17 WHEREAS, public health - Seattle & King County has developed a phased
18 strategy to limit Medicaid and health insurance disenrollment by expanding outreach,
19 streamlining verification systems, strengthening partnerships, providing access for
20 immigrants, and monitoring, tracking and adjusting activities;

21 WHEREAS, the 2026-2027 Biennial Budget Ordinance, Ordinance 20023,
22 Section 17, Proviso P9, requires the executive to transmit a report on the efforts King
23 County is making to maintain Medicaid retention rates; and

24 WHEREAS, the executive is further required to submit a motion that
25 acknowledges receipt of the report by April 30, 2026;

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

27 The receipt of Maintaining Medicaid Retention in King County, Attachment A to

28 this motion, in accordance with the 2026-2027 Biennial Budget Ordinance, Ordinance
29 20023, Section 17, Proviso P9, is hereby 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. Maintaining Medicaid Retention in King County, April 30, 2026



King County

**Metropolitan King County Council
Health, Housing, and Human Services Committee**

STAFF REPORT

Agenda Item:	6	Name:	Sam Porter
Proposed No.:	2026-0111	Date:	June 2, 2026

SUBJECT

Proposed Motion 2026-0111 would acknowledge receipt of a report on maintaining Medicaid retention in King County in response to a budget proviso included in the 2026-2027 Budget.

SUMMARY

In the 2026-2027 Budget, the Council included a proviso that withholds \$100,000 from the Office of Performance, Strategy, and Budget until the Executive transmits a report on the efforts King County is making to maintain Medicaid retention rates, and a motion acknowledging receipt of the report is passed by the Council.

Proposed Motion 2026-0111 would acknowledge receipt of the report, which was transmitted on April 29, 2026. The relevant materials are included in the report which is Attachment A to the motion. The report provides detail regarding all four components as requested by the proviso including the number of FTEs assigned to Medicaid enrollment, an estimated number of people served by these FTEs, an analysis of potential federal changes to Medicaid, and plans the county has to mitigate disenrollment.

Attachment A to Proposed Motion 2026-0111, appears to address the requirements of the proviso. Council passage of the proposed motion would acknowledge receipt of the report and release the withheld \$100,000 in appropriation authority.

BACKGROUND

Public Health—Seattle & King County (PHSKC). The Department of Public Health works to protect and promote public health and ensure that people in King County have accessible, quality health care. PHSKC aims to improve the health and well-being of all people in King County as measured by increasing the number of healthy years that people live and eliminating health disparities. PHSKC is organized into eight subareas:

1. Assessment, Policy Development, and Evaluation unit; Communications; Preparedness; Health Policy and Planning; and local government relations including the King County Board of Health;
2. Prevention, including the Medical Examiner's Office and Vital Statistics;
3. Chronic Disease and Injury Prevention;
4. Community Health Services;
5. Environmental Health;
6. Emergency Medical Services;
7. Jail Health Services; and
8. Administrative Services which include Public Health leadership, Finance and other services that support Public Health.

According to Executive staff, Public Health is anticipated to receive approximately \$63.8 million in Medicaid revenue in the 2026-2027 biennium which is 10.1% of the Department's budget.

2026-2027 Office of Performance Strategy and Budget (PSB). In the 2026-2027 Annual Budget, the proviso discussed in this staff report was applied to the PSB budget. The PSB budget includes funding for 72.3 full-time equivalent positions and \$37,459,000 of appropriation authority.¹ The appropriation unit is part of the General Fund Overhead charge to departments.

Federal Budget Reconciliation Bill HR-1. The 2025 federal budget reconciliation bill HR-1 includes changes to Medicaid eligibility, funding cuts, and operational requirements for states. The bill has a phased implementation and is anticipated to impact hundreds of thousands of Medicaid-eligible Washington residents² and more than 215,000 adults on Medicaid living in King County. In anticipation of these changes, councilmembers requested a proviso on the 2026-2027 Adopted budget on the anticipated impacts to Medicaid retention rates.

2026-2027 Budget Proviso. The 2026-2027 Adopted Budget included a proviso³ that withheld \$100,000 in appropriation authority from the PSB budget:

"P9 PROVIDED FURTHER THAT:

Of this appropriation, \$100,000 shall not be expended or encumbered until the executive transmits a report on the efforts King County is making to maintain Medicaid retention rates and a motion that acknowledges receipt of the report, and a motion acknowledging receipt of the report 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 report should include, but not be limited to:

¹ 2026-2027 Adopted Budget <https://cdn.kingcounty.gov/-/media/king-county/depts/council/budget/2026/2026-2027-adopted-budget-book.pdf>

² Health Care Authority, Impact of Federal Budget on Medicaid in Washington State, <https://www.hca.wa.gov/assets/program/medicaid-in-washington-state.pdf>

³ Ordinance 20023, Section 17, Proviso P9, <https://mkcclegisearch.kingcounty.gov/LegislationDetail.aspx?ID=7680373&GUID=B4E9E09C-A982-4A8C-A0DA-6CC195D69EE0&Options=Advanced&Search=&FullText=1>

A. The number of FTEs countywide whose job duties are related to Medicaid enrollment, including staff who work in communications, outreach, or case management;

B. An estimate of the number of people served by the county's current efforts in Medicaid enrollment;

C. An analysis of any potential federal changes to Medicaid eligibility requirements, including how many people could potentially be disenrolled based on those changes; and

D. Any plans the county has to mitigate disenrollment via proactive communication, outreach, or other methods.

The executive should electronically file the plan and a motion required by this proviso by April 30, 2026, with the clerk of the council, who shall retain a copy and provide a copy to all councilmembers, the council chief of staff, and the lead staff for the health, housing, and human services committee or its successor."

ANALYSIS

Medicaid Retention Proviso Report. The transmitted report, which is Attachment A to Proposed Motion 2026-0111, appears to address the required issues in the proviso.

A. The number of FTEs countywide whose job duties are related to Medicaid enrollment, including staff who work in communications, outreach, or case management;

The report states that there are 35 FTE Health Insurance Navigators employed by PHSKC who support Medicaid enrollment. Of these, 31 are employed in Access & Outreach, two in Health Care for the Homeless, and two in Jail Health Services. There is also a second layer of Network Partners who are contracted community organizations that employ certified Navigators and participate in coordinated outreach and enrollment. This second layer consists of 33 Navigator organizations employing 317 Health Insurance Navigators throughout the system. The report indicates that the PHSKC FTEs serve clients in a variety settings including Public Health Centers and other County-operated locations as well as "libraries and community centers to food banks, court resource centers and private human services providers."

There is also 0.2 FTE additional support from the Department's Communications Specialists from October 15 – January 15 annually which is the peak season for Medicaid enrollment.

B. An estimate of the number of people served by the county's current efforts in Medicaid enrollment;

According to the report, in 2025 the 35 FTE PHSKC Navigators served 18,636 clients through answering questions, account management, correcting denials, and formal enrollment. Of those, 12,778 were formally enrolled in Medicaid. Additionally, King County's Network Partners that employ certified Navigators enrolled 17,680 clients in Medicaid. The total enrolled by both the PHSKC FTEs and Network Partners was 30,458.

C. An analysis of any potential federal changes to Medicaid eligibility requirements, including how many people could potentially be disenrolled based on those changes; and

The analysis included in the report states that the federal budget reconciliation bill HR-1 makes major changes to the Medicaid program including eligibility requirements that will be phased in over time and, when combined with changes to subsidized health insurance through Washington Healthplanfinder, the changes are projected to potentially double the overall uninsured population in King county. The report states that the anticipated impacts of these changes are that King County residents who lose health insurance coverage will defer needed health care, and will subsequently turn to urgent or emergency services, resulting in health care settings like clinics and hospitals providing more care for people who are uninsured and unable to pay for care.

The report highlights that coverage for the following groups of immigrants who have legal status to live in the US but are not citizens has been limited including:

- In October 2025, Deferred Action for Childhood Arrivals (DACA) recipients lost eligibility, affecting approximately 80 enrolled individuals in King County;
- In January 2026, lawfully present immigrants with income under 100 percent federal poverty level lost their subsidies, affecting approximately 5,500 King County residents;
- In October 2026, refugees, asylees, and other non-citizen adults are anticipated to lose eligibility for Medicaid and any federally funded health program which may affect approximately 4,000 residents⁴; and
- In January 2027, additional restrictions will be made for lawfully present immigrants with incomes above 100 percent of the federal poverty level.⁵

Although not Medicaid, the report states that enhanced federal tax credits providing subsidized coverage under the Affordable Care Act expired in January 2026 affecting more than 100,000 King County adults and families. According to the 2026 Washington Health Benefit Exchange Spring Enrollment Report released in April, there has been an approximately 13-14% decrease (approximately 12,000 individuals) in enrollments for Qualified Health Plans.

The proviso report states that new Medicaid requirements for working age adults (age 19-64) will be implemented by December 31, 2026. This will apply to approximately 215,000 adults in King County. The state estimates as many as one-third, or 72,000 individuals, may lose coverage due to these changes. While federal and state implementation rules have not been finalized, the final rules are anticipated to be released by June 30, 2026, and will include:

⁴ According to Executive staff, the state has indicated 13,715 individuals will be impacted statewide by this but has not yet provided county-level data. A reasonable assumption would be roughly 29%, or 4,000, of those impacted reside in King County. Children and pregnant women are not included with this reduction.

⁵ Executive staff indicate that the state should provide data about how many people this will impact by the end of May.

- Clients needing documentation that they are working, in training or education, or in a verified community engagement, for a minimum of 80 hours per month – or documentation that they qualify for a federally approved exemption.
- Eligibility could require documentation every six months beginning in January 2027 (rather than the current requirement of every 12 months).

These requirements would not apply to clients enrolled in other forms of Medicaid (Apple Health), such as Pregnancy Medical, Supplemental Security Income (SSI), Aged Blind or Disabled (ABD), or coverage for children. The changes focus specifically on those covered through the “Adult Expansion” of Medicaid in the Affordable Care Act that launched in 2013.

The report states that most current clients will remain eligible but face obstacles to enrollment. In response to questions from Central staff, Executive staff provided the following examples of challenges participants may face including:

- Lack of familiarity with electronic payroll systems to view paystubs needed for verification.
- Lack of access to print electronic paystubs and concerns with the security of email attachments.
- Not retaining paper paystubs when provided in lieu of electronic paystubs.
- Language barriers, cash pay, self-employment, and lack of housing.
- Specific requirements of what information (gross income, etc.) must be on the paystub.

PHSKC identified three phases for response in the report as it relates to the changing Medicaid requirements:

- **Phase 1: Summer 2025 – Late Spring 2026.** The period prior to when state/federal details are finalized for eligibility, exemptions, and verification requirements. The "key message" for the public is "Medicaid is still here, and most changes you've heard about won't happen until the end of 2026 or later. You can still get enrolled."
- **Phase 2: Late Spring 2026 – October 2026.** Period after state/federal requirements and exemptions are finalized but before documentation requirements begin. The "key message" for the public is "Keep your Medicaid coverage by ensuring your paperwork and address are up to date. Navigators can help."
- **Phase 3: October 2026 and beyond.** Implementation of work requirements and verifications that become effective 1/1/2027, with a three-month look-back. Due to year-round enrollment, each month brings a new cohort facing renewals.

D. Any plans the county has to mitigate disenrollment via proactive communication, outreach, or other methods.

The report states that the PHSKC Access and Outreach program serves as the Lead Navigator organization for King County and has partnerships through which PHSKC is coordinating efforts to mitigate the overall impact of federal changes to Medicaid through a Phased Strategic Roadmap. The role of Lead Navigator allows PHSKC to lead locally in partnerships and participate with state agencies such as the Health Care

Authority as rollout of the federal Medicaid changes takes place. The Phased Strategic Roadmap included in the report outlines mitigation efforts in phases matching the phased implementation timeline that appears in Section C of the report.

- **Phase 1: Readiness and Early Actions.** This phase takes place before many details are available, while some immigrants are already impacted.
- **Phase 2: Mobilization and Coalition Building.** This phase takes place after detailed rules are issued for adult Medicaid and plans can be finalized.
- **Phase 3: Implementation and Adjustments.** This phase takes place as the new rules come into effect. Every month, on a rolling basis, different individuals will be impacted by the changes.

Strategic actions described in the report include:

- Early identification of Medicaid clients who will be required to verify eligibility (Phases 1 and 2).
 - This action includes initiating work at Public Health Centers and educating partners to begin identifying clients that may need assistance with renewals, applying for eligible exemptions, or need further documentation.
- Enhance capacity for assisting people with enrollment and renewal through Navigators and new technology options (Initiate in Phase 1, expand in Phase 2).
 - This action includes educating and recruiting community organizations to become Navigator agencies. PHSKC provides 5-6 introductory presentations and invitations per month, and provide free training and certification to agencies that choose to enter into a formal partnership agreement.
- Increase community outreach and education (during all phases, heavy focus in Phase 2).
 - This action includes providing education for agencies that are not direct providers but can identify clients and refer them to Navigators, and convening all partner agencies in Summer 2026 to coordinate shared messaging and outreach.
- Leverage other resources to support immigrants who are losing eligibility (during designated enrollment periods).
 - This action includes assisting clients to enroll in state-only program for health coverage for immigrants and co-creating King County health coverage for immigrants and assist eligible clients to enroll.
- Data tracking to monitor overall enrollment trends, identify gaps and needs, and make course corrections (preliminary during Phase 1-2, focus in Phase 3).

Appendix C of the report provides an overview of the Phased Strategic Roadmap with additional detail about each action to mitigate disenrollment described in the report. The Strategic Objectives that appear in Appendix C are intended to remove barriers to enrollment and renewal of coverage and include:

- **Expanding Outreach.** In coordination with the Health Care Authority's statewide Eligibility and Enrollment Workgroup, educate and raise awareness of the new verification and eligibility requirements, the timelines, and the options for getting assistance.

- **Increasing Navigators.** Support the increasing numbers of people needing technical enrollment support through more certified Healthplanfinder Navigators.
- **Streamlining Verification Systems.** Enable automatic and seamless verification of working status, education and qualifying exemptions, through and across state data-systems. State agencies are working on this as a priority objective, and King County will support and provide input as needed.
- **Collective Action via Partnerships.** Ensure no communities are left behind; share ideas, insights and actions; and provide consistent, simplified messaging for the public.
- **Providing Access for Immigrants.** Support creation and expansion of state-only or local-only programs for health coverage for immigrants.
- **Monitoring and Tracking.** Assure the above strategic actions are on track and having the intended impact.

Next steps. Council action on the transmitted Medicaid Retention Report (Proposed Motion 2026-0111) would acknowledge receipt of the report and release \$100,000 that the budget ordinance encumbered from PSB's budget. As noted above, the transmitted report appears to satisfy the requirements in the budget proviso.

INVITED

- Daphne Pie, Regional Health Services Administrator for Access and Outreach in Community Health Services, PHSKC
- Keith Seinfeld, Policy, Programs and Communications Strategist in Community Health Services, PHSKC

ATTACHMENTS

1. Proposed Motion 2026-0111 (and its attachments)
2. Transmittal Letter



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Motion

Proposed No. 2026-0140.1

Sponsors Barón

1 A MOTION confirming the executive's reappointment of
2 Leah Tischler, who resides in council district four, to the
3 King County solid waste advisory committee, representing
4 a public interest group.

5 BE IT MOVED by the Council of King County:

6 The county executive's reappointment of Leah Tischler, who resides in council
7 district four, to the King County solid waste advisory committee, as a representative from

8 a public interest group, for a three-year term expiring September 30, 2028, is hereby
9 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