

9-14-82

Introduced by: Scott Blair
Paul Barden
Lois North
Audrey Gruger
Proposed No. 82-413

ORDINANCE NO: 6144

AN ORDINANCE relating to the employee Code of Ethics; amending Ordinance 1308, Section 4 and K.C.C. 3.04.030, and adding a new section to K.C.C. 3.04.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 1308, Section 4 and K.C.C. 3.04.030 are hereby amended as follows:

Conflict of interest. No official or employee shall engage in any act which is in conflict with the performance of official duties. An official or employee shall be deemed to have a conflict of interest if the person:

A. Receives or has any financial interest in any sale to or by the county of any service or property when such financial interest was received with the prior knowledge that the county intended to purchase such property or obtain such service;

B. Accepts or seeks for others, any service, information, or thing of value on more favorable terms than those granted to the public generally, from any person, firm or corporation having dealings with the county;

C. ~~((Accepts-any-gift-or-favor-from-any-person;-firm-or corporation-having-any-dealing-with-the-County-if-the-person-knows or-has-reason-to-know-that-it-was-intended-to-obtain-special consideration;))~~ Accepts, directly or indirectly, any gift, favor, loan, retainer, entertainment or other thing of monetary value from any person, firm or corporation having dealings with the County when such acceptance would conflict with the performance of the officer's or employee's official duties. A conflict or possibility of conflict shall be deemed to exist where a reasonable and prudent person would believe that it was given for the purpose of obtaining special consideration or influence; PROVIDED THAT, application of this provision shall take into consideration the established customs and practices of the agency. The financing

1 of the conduct of county election campaigns shall continue to be
2 governed by the provisions of R.C.W. 42.17;

3 D. Influences the selection of, or the conduct of business
4 with a corporation, person or firm having business with the
5 county if personally or through relatives the person has financial
6 interest in or with said corporation, person, or firm;

7 E. Is an employee, officer, partner, director or consultant
8 of any corporation, firm or person having business with the
9 county, unless such relationship has been disclosed as provided
10 by this chapter;

11 F. Engages in or accepts private employment or renders
12 services for private industry when such employment or service is
13 incompatible with the proper discharge of official duties or
14 would impair independence of judgment or action in the performance
15 of official duties;

16 G. Appears in behalf of a private interest before any regu-
17 latory governmental agency, or represents a private interest in
18 any action or proceeding against the interest of the county in
19 any litigation to which the county is a party, unless the person
20 has a personal interest and this personal interest has been dis-
21 closed to the regulatory governmental agency. A county council
22 member may appear before regulatory governmental agencies on
23 behalf of constituents in the course of his or her duties as a
24 representative of the electorate or in the performance of public
25 or civic obligations; however, no official or employee shall
26 accept a retainer or compensation that is contingent upon a
27 specific action by a county agency;

28 H. Directly or indirectly possesses a substantial or con-
29 trolling interest in any business entity which conducts business
30 or contracts with the county, or in the sale of real estate,
31 materials, supplies or services to the county, without disclosing
32 such interest as provided by this chapter. A substantial in-
33 terest is an interest that exceeds one-tenth of one percent of the

1 outstanding securities of the business concern; or, if the
2 interest is in an unincorporated business concern, exceeds one
3 percent of the new worth of such concern, or the financial in-
4 terest of a corporation, person or firm exceeds five percent of
5 the net worth of the employee and his household relatives;

6 I. As a county council member has a financial or other
7 private interest in any legislation or other matters coming
8 before the council, and fails to disclose such an interest on
9 the records of the county council. This provision shall not
10 apply if the county council member disqualifies himself or her-
11 self from voting by stating the nature and extent of such in-
12 terest. Any other official or employee who has a financial or
13 other private interest, and who participates in discussion with
14 or given an official opinion to the county council and fails to
15 disclose on the records of the county council the nature and
16 extent of such interest, shall be deemed in violation of this
17 chapter;

18 J. Has an interest in any property being considered for
19 revaluation or has a personal interest or connection with
20 another person's petition while:

- 21 1. An elected county official,
- 22 2. Deputy county executive and his/her confidential
23 secretary,
- 24 3. King County executive's administrative assistants
25 and office manager,
- 26 4. King County councilmen/women's executive secretaries,
- 27 5. County administrative officer, his/her administrative
28 assistants and his/her confidential secretary,
- 29 6. Chief officer of each executive department, his/her
30 administrative assistants; and his/her confidential secretary,
- 31 7. Chief officer of each administrative office, his/her
32 administrative assistants, and his/her confidential secretary,
- 33

1 8. Council administrator, his/her administrative assist-
2 ants, and his/her secretary,

3 9. The ombudsman, his/her secretary, and the deputy
4 King County ombudsman,

5 10. All employees of the Department of Assessments,

6 11. All employees assigned to the board of equalization
7 and/or board of appeals,

8 12. Any other county employee who has direct contact with
9 the board of appeals and equalization in the carrying out of his
10 or her duties, and

11 13. Member of the King County board of appeals and/or
12 board of equalization,

13 14. Clerk of the council, his/her secretaries, office
14 coordinators;

15 K. As an appointive member of a board or commission, has a
16 member of their immediate family serving on the same board or
17 commission. For the purposes of this subsection, immediate
18 family is defined as:

19 Husband	Wife
20 Father	Father-in-law
21 Mother	Mother-in-law
22 Brother	Brother-in-law
23 Sister	Sister-in-law
24 Son	Son-in-law
25 Daughter	Daughter-in-law

26 NEW SECTION. SECTION 2. There is added to K.C.C. 3.04 a
27 new section to read as follows. Conflict of Interest. Former
28 members of county boards and commissions. A conflict of interest
29 shall be deemed to exist if any person who has served as a member
30 of a county board or commission, does within a period of one
31 year after the termination of such service or employment, appear
32 before such board or commission, or receives compensation for any
33 services rendered on behalf of any person, firm, corporation or

1 association in relation to any case, proceeding, application or
 2 matter with respect to which such person was directly concerned
 3 and in which he personally participated during the period of
 4 his service or employment. The foregoing will also apply during
 5 the same period of time to any person who is a partner, associate,
 6 or member of a firm, corporation or association with which the
 7 former board or commission member has a financial interest.

8 INTRODUCED AND READ for the first time this 26th day of
 9 July, 19 82.

10 PASSED this 20th day of September, 19 82.

11 KING COUNTY COUNCIL
 12 KING COUNTY, WASHINGTON

13
 14 Lois North
 15 Chairman

16 ATTEST:

17 Dorothy M. Owens
 18 DEPUTY Clerk of the Council

19 APPROVED this _____ day of _____, 19 _____.

20 DEEMED ENACTED WITHOUT
 21 COUNTY EXECUTIVE'S SIGNATURE

22 DATED: 9/30/82

23 _____
 24 King County Executive

Randy Revelle
King County Executive
King County Courthouse
Seattle, Washington 98104
(206) 344-4040

RECEIVED
1982 FEB 17 PM 4: 25
CLERK
KING COUNTY COUNCIL

February 17, 1982

The Honorable Lois North
Chairman, King County Council
B U I L D I N G

RE: Ordinance 5869

Dear Lois:

Enclosed is Ordinance 5869 which I am allowing to become law without my signature.

With one significant exception, the amendments to Ordinances 1871 and 473 contained in Ordinance 5869 reflect changes in the King County Code which are a natural and necessary result of the City of Seattle's withdrawal from participation in the joint Seattle-King County Office of the Ombudsman.

King County Code Chapter 2.52, Section 080(b), states that "the director" (Ombudsman), "shall appoint . . . another deputy to be confirmed by the King County Council for matters originating outside Seattle." Ordinance 5869 amends this section to read, "the director may, with concurrence of the Council, select, appoint and compensate within the amount available or budgeted by appropriation, such assistants and employees as he may deem necessary to discharge his responsibilities." I view this amendment to be an unnecessary and inappropriate undermining of the independence of the Office of the Ombudsman.

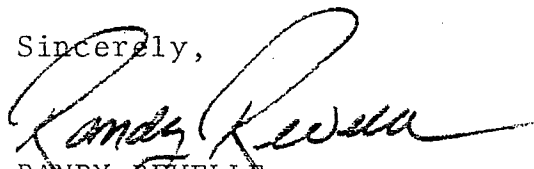
While I understand that the Office of the Ombudsman is an integral part of the King County legislative branch of government, the effectiveness of the Office is dependent upon its actual and perceived independence to investigate and resolve citizen complaints. The Ombudsman's freedom to select and be

The Honorable Lois North
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responsible for his or her own staff is central to that independence and consistent with the intention of the legislation which created the Office.

I respectfully urge the King County Council to reconsider and amend Ordinance 5869 to restore the Ombudsman's authority to select his or her own staff.

Sincerely,



RANDY REVELLE
King County Executive

RR:TF:ce

Enclosure

cc: King County Councilmembers
The Honorable Harley Hoppe, King County Assessor
The Honorable Norm Maleng, King County Prosecutor
Rella Foley, Director, King County Office of the Ombudsman
King County Department Directors