

9/27/95
CAJ:JC
risk-pol

Introduced By: Ron Sims

Proposed No.: 95-619

ORDINANCE NO. **11984**

AN ORDINANCE relating to the county's risk management program, repealing Resolution No. 4825 of the council of the Municipality of Metropolitan Seattle, Ordinance 3581, Sections 4(b), 4(c) and 4(d), as amended, and Ordinance 11032, Sections 6 (part), as amended, and 24, K.C.C. 4.08.260, K.C.C. 4.12.030, K.C.C. 28.40.010, K.C.C. 28.40.020, K.C.C. 28.40.030 and K.C.C. 28.40.040 and adding new sections to K.C.C. 4.08 and K.C.C. 4.12.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Resolution No. 4825 of the council of the Municipality of Metropolitan Seattle, Ordinance 3581, Sections 4(b), 4(c) and 4(d), as amended, and Ordinance 11032, Sections 6 (part), as amended, and 24, K.C.C. 4.08.260, K.C.C. 4.12.030, K.C.C. 28.40.010, K.C.C. 28.40.020, K.C.C. 28.40.030 and K.C.C. 28.40.040 are hereby repealed.

NEW SECTION. SECTION 2. There is added to K.C.C. 4.08 a new section to read as follows

Funds Created. A. There is hereby established a Water Quality Fund as a first-tier fund managed by the director of the department of natural resources. The Water Quality Fund shall account for the water quality enterprise. This fund shall include the following accounts:

1. Water Quality Operating Account, previously known as the "Municipality of Metropolitan Seattle Sewer Revenue Fund," created by Resolution No. 7, adopted by the council of the Municipality of Metropolitan Seattle on November 26, 1958;

2. Water Quality Construction Account, previously known as the "Municipality of Metropolitan Seattle Sewer Construction Fund," created by Section 9 of Resolution No. 90, adopted by the council of the Municipality of Metropolitan Seattle on May 18, 1961.

1 3. Water Quality Revenue Bond Account, previously known as the "Municipality
2 of Metropolitan Seattle Sewer Revenue Bond Fund," created by Section 10 of Resolution No.
3 90 of the council of the Municipality of Metropolitan Seattle.

4 4. Water Quality General Obligation Bond Account, previously known as the
5 "Water Quality Limited Tax General Obligation Bond Fund," created by Section 8 of
6 Ordinance 11241.

7 5. Second Water Quality Construction Account, previously known as the "Second
8 Water Quality Construction Fund," created by Section 13 of Ordinance 11241.

9 Restrictions on these accounts shall be the same as were previously established by
10 Resolutions No. 7 and 90 of the council of the Municipality of Metropolitan Seattle and
11 Ordinance 11241. Balances that were previously held in these funds shall be continued in
12 these accounts.

13 B. There is hereby established a Public Transportation Fund as a first-tier fund
14 managed by the director of the department of transportation. The Public Transportation Fund
15 shall account for the public transportation enterprise. This fund shall include the following
16 accounts:

17 1. Public Transportation Operating Account, previously known as the
18 "Municipality of Metropolitan Seattle Public Transportation Revenue Fund," created by
19 Resolution No. 936, adopted by the council of the Municipality of Metropolitan Seattle on
20 June 1, 1967;

21 2. Public Transportation Construction Accounts, previously known as the
22 "Municipality of Metropolitan Seattle Public Transportation Construction Fund," created by
23 Resolution No. 2209, adopted by the council of the Municipality of Metropolitan Seattle on
24 October 17, 1974.

25 3. Two-tenths Sales Tax Revenue Receiving Fund, previously known as the
26 "Municipality of Metropolitan Seattle Two-tenths Sales Tax Revenues Receiving Fund," to
27 account for the receipt of the two-tenths percent sales tax as required by Resolution No. 4937,
28 adopted by the council of the Municipality of Metropolitan Seattle on June 19, 1986.

29 4. Limited Sales Tax General Obligation Fund, previously known as the
30 "Municipality of Metropolitan Seattle Limited Sales Tax General Obligation Bond Fund," to

1 account for debt service on the limited sales tax general obligation bonds of the public
2 transportation enterprise, as provided in Resolution No. 4937 of the council of the
3 Municipality of Metropolitan Seattle.

4 Restrictions on these accounts shall be the same as were previously established by
5 Metro Resolutions Nos. 936, 2209, and 4937. Balances that were previously held in these
6 funds shall be continued in these accounts.

7 SECTION 3. There is added to K.C.C. 4.12 a new section to read as follows:

8 **Risk Management Division; Duties of RM.** A. DESIGNATION. A risk
9 management division is established in K.C.C. 2.16. The manager of the risk management
10 division shall be the RM, who shall report directly to the director of the department of
11 information and administrative services. It is the intention of the council that the risk
12 management program as established in 1978 by Ordinance 3581, as amended, and codified as
13 K.C.C. 4.12 shall apply fully to the consolidated county government, including the functions,
14 structures, and operations performed prior to January 1, 1996 by the department of
15 metropolitan services.

16 B. GENERAL DUTIES OF RM.

17 1. The RM shall be responsible for administration of the risk management
18 program.

19 2. The RM shall coordinate with the civil division on contractual matters giving
20 rise to potential liability on the part of the county. The RM shall seek the advice of the civil
21 division as to appropriate language regarding insurance, indemnification, releases and hold
22 harmless clauses. Thereafter, the RM shall advise department directors and division
23 managers concerning these matters as part of a coordinated process prior to finalization of
24 county contracts.

25 3. The RM shall be the chairperson of the committee and shall advise the
26 committee concerning insurance, risk management policies, broker selection and other
27 appropriate matters.

28 4. With the approval of the committee, the RM shall select appropriate insurance
29 brokers by use of a competitive procurement process for the marketing of insurance and
30 related services.

1 5. The RM shall be responsible for the purchasing and administration of all such
2 insurance policies, funded self-insurance programs, and related services as are consistent with
3 good risk management policy and the needs of the county. In purchasing insurance policies,
4 the RM shall obtain the approval of the committee.

5 6. The RM shall advise all county departments, divisions, and other county
6 agencies regarding risk management and reduction of risk and exposure to loss, including
7 programs and precautions for safety to reduce hazards to the public that may exist in county
8 facilities and operations. The RM shall cooperate with the safety manager in areas where, in
9 the opinion of the RM, the safety of employees and safety of the public requires coordinated
10 programs. The RM shall also be responsible for answering all insurance or funded self-
11 insurance coverage questions. The RM shall be responsible for the evaluation of current and
12 future county/departmental insurance coverage programs and have the authority to make
13 recommendations where such action is in the best interests of the county.

14 7. The RM shall have the power, subject to budget authorizations, to contract for
15 such outside assistance and perform such other acts as are necessary to carry out his/her
16 responsibilities in an expeditious manner.

17 8. The RM shall have the responsibility to establish reserve requirements for all
18 claims and lawsuits and recommend financing plans and budget actions to assure that
19 adequate resources are available to meet risk management financing requirements.

20 9. The RM shall have responsibility for risk identification, control and reduction,
21 including authority to make recommendations to all county departments, divisions and
22 agencies regarding the safety of the public using county facilities or services.

23 C. DUTIES OF RM RELATING TO CLAIMS.

24 1. The RM shall have the power to employ the services of such claims specialists
25 or other parties as are necessary to process claims in an equitable and expeditious manner.

26 2. The RM shall cooperate with the civil division in coordinating information
27 pertinent to claims and lawsuits against the county.

28 3. For all claims of fifty thousand dollars or less, the RM shall make final
29 disposition; Provided that, for all claims over two-thousand five-hundred dollars, the RM
30 shall seek the advice of the civil division prior to final disposition.

1 4. The RM shall maintain complete histories of all claims and claims litigation,
2 insured or funded self-insurance, loss histories, and investigations of claims. The RM shall
3 be responsible to insure that complete files are maintained of all claims asserted against the
4 county and all incidents reported to the risk management division sufficient to document at
5 least a five-year claims history.

6 D. REPORTS. The RM on or before March 31st of the subsequent year shall report to
7 the council the total number and amount of all claims filed against the county and the number
8 and amounts of all claims paid by the county during the preceding calendar year, including
9 totals of information required in the semi-annual report of the insurance fund. The RM shall
10 make an annual report to the committee and the council regarding insurance coverage and the
11 level of retained risk.

12 SECTION 4. Effective date. This ordinance shall take effect on January 1, 1996.

13 SECTION 5. Severability. The provisions of this ordinance shall be effective in all
14 cases unless otherwise provided by state or federal law. The provisions of this ordinance
15 are separate and severable. The invalidity of any clause, sentence, paragraph, subdivision,
16 section or other portion of this ordinance or the invalidity of the application thereof to any
17 person or circumstance shall not affect the validity of the remainder of this ordinance or the
18 validity of the application to other persons or circumstances.

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SECTION 6. Continuation of ordinances. The provisions of this ordinance, so far as they are substantially the same as those of ordinances existing at the time of the enactment of this ordinance, shall be construed as continuations thereof.

INTRODUCED AND READ for the first time this 11th day of September, 1995.

PASSED by a vote of 9 to 0 this 2nd day of October, 1995.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Kent Pullen
Chair

ATTEST:

Gerald A. Peterson
Clerk of the Council

APPROVED this 13th day of October, 1995

Ray Locke
King County Executive