



CO00015435

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

AMENDED ORDINANCE NO. 05-107

RELATING TO ORGANIZATION OF THE EXECUTIVE BRANCH;
REVISING THE POWERS AND RESPONSIBILITIES OF THE DEPARTMENT
OF PLANNING AND DEVELOPMENT SERVICES, THE DEPARTMENT OF
PARKS AND RECREATION AND THE DEPARTMENT OF HUMAN SERVICES;
AMENDING CHAPTERS 2.01, 2.10, 2.18, 2.400, AND 4.68 SCC

WHEREAS, the County Executive desires to move certain functions of the Office of Housing and Community Development, currently within the Department of Planning and Development Services, and the Department of Parks and Recreation to the Department of Human Services; and

WHEREAS, the proposed reorganization will provide for consolidation of administration of contracts and grants from the federal Department of Housing and Urban Development in one department.

NOW, THEREFORE, BE IT ORDAINED:

PART I
AMENDMENTS REVISING AUTHORITIES AND FUNCTIONS OF THE
DEPARTMENTS OF PLANNING AND DEVELOPMENT SERVICES, PARKS
AND RECREATION AND HUMAN SERVICES

Section 1. Snohomish County Code Section 2.01.030, adopted by Ordinance No. 82-130 on December 10, 1982, is amended to read:

2.01.030 Authority and ~~((Functions))~~ functions.

~~Effective July 1, 2006,~~ The department shall have the authority to develop comprehensive land use plans, administer zoning and development codes, and coordinate the permit and inspection process. The department's scope of authority shall include, but not be limited to, the following functional areas:

- (1) Administration of the community planning process;
- (2) Coordination of the development technical review process;
- (3) Administration of the resource planning process;

(4) ~~((Planning and administration of the community development grant programs;))~~

~~((5))~~ Coordination and administration of the permit issuance, inspection and compliance process;

~~((6))~~(5) Administration of the economic development planning process;

~~((7))~~(6) Coordination of the State Environmental Policy Act review process;
and

~~((8))~~(7) Perform such other planning, technical review, permit issuance, inspection, and compliance functions as are delegated by the county executive.

Section 2. ~~Snohomish County Code Section 2.10.010, adopted by Ordinance 80-032 on July 14, 1980, last amended by Amended Ordinance No. 04-063, adopted on July 28, 2004, is amended to read:~~

2.10.010 Executive functions.

The following functions of government not otherwise provided for in the charter are deemed executive functions and shall be performed by the county executive:

(1) Approval of all bonds and assignments of account running to or for the benefit of the county, including but not limited to: officials and employees bonds, except that the bond of the county executive shall be approved by the county council; cash bonds, bonds issued by a surety company, or assignments of account given to assure performance or maintenance; cash bonds, bonds issued by a surety company, or assignments of accounts to assure performance of conditions incidental to land use activities or to any other license or permit issued by the county; but not including any bond required in any civil or criminal court proceeding;

(2) Approval of change orders and orders for extra work on any contracts in accordance with chapter SCC;

(3) Determination that the performance or other consideration to be delivered to the county under the terms of any contract has been performed or delivered; and to accept such performance or other consideration on behalf of the county. The county executive shall keep the county council advised of developments which will unreasonably delay completion of any contract or unreasonably increase the costs thereof;

(4) Approval of all insurance policies and certificates of insurance;

(5) Approval of payrolls of county officials and employees;

(6) Approval of and signing of all licenses to occupy or use Evergreen State Fairgrounds property as provided in SCC 2.32.150; PROVIDED, That the county executive shall submit an annual report to the county council not later than February 15th of each year, showing the contracts, parties, duration, amendments, licenses, permits and special services contracts;

(7) Upon receipt of any claim against the county, or any pleading in connection therewith, the county executive shall immediately forward copies thereof to the prosecuting attorney and the county department involved;

(8) Approval of the bringing of or joining in civil lawsuits seeking damages or injunctive relief in behalf of the county. The county council may also approve the bringing of or joining the county in any lawsuit in behalf of the county;

(9) Approval of budget transfers as provided in chapter 4.26 SCC as it now exists or is hereafter amended;

(10) Approval of escrow agreements on retained percentages as provided in RCW 60.28.010;

(11) Approval of all permits and licenses affecting any property under the jurisdiction of the department of parks and recreation, including deeds of right to use land for public recreation purposes and hazardous substances certifications required for property acquired with funds granted by the interagency committee for outdoor recreation (IAC), and declarations and other documents imposing protective covenants, conditions, and other restrictions on property acquired with funds granted by the state conservation futures program; PROVIDED, That the county executive shall submit an annual report to the county council not later than February 15th of each year, showing the contracts, parties, duration, amendments, licenses, permits and special services contracts;

(12) Approval of all agreements with any cities or towns of Snohomish county of the county jail or district court filing fees; PROVIDED, That the county council by resolution has previously established the rates to be charged and other terms of such agreements and has approved the forms of contracts to be utilized. The county executive shall submit to the county council an annual report not later than February 15th of each year showing rates and effective dates of such contracts approved by the county executive. Not later than December 1st of each year, the county executive shall submit to the county council the forms of contracts to be used on such agreements for the following year. Rates and terms to be used in such contracts shall be reviewed not less than once a year by the county council;

(13) Approval and acceptance of all contracts with landowners and/or developers required by or as a condition of any comprehensive plan amendment, rezone, variance, conditional use permit, plat or replat or any other land use control, final approval thereof which has been given by the county council or the

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hearing examiner; PROVIDED, That all such contracts shall be approved by the hearing examiner prior to approval by the county executive; and the county executive shall submit to the county council an annual report, due not later than February 15th of each year, showing the names of parties and the general purposes of such contracts as have been approved by the executive;

(14) Approval of all licenses to occupy, use or access the Snohomish County Airport and all airport leases; PROVIDED, That annually the county council by motion will establish the rates to be charged and other terms of any such lease and approve the form of lease utilized which rates, terms and form may be changed from time to time by the county council; and PROVIDED, FURTHER, That the county executive shall submit an annual report to the county council, not later than February 15th of each year, showing the names of parties, rents, reserve, areas rented, and time period of each such lease and license. Any lease or license executed pursuant to this section shall be deemed to be with the approval of the county council as required by chapter 15.04 SCC;

(15) Approval of contracts and contract amendments relating to the department of human services as set out in SCC 2.400.065;

(16) Approval of contracts with the cities, towns, or other municipal subdivisions for the purchase of gasoline, diesel oil or other petroleum products, and contracts for street or road maintenance with counties, cities, or towns; PROVIDED, That the county council has approved the schedule of charges to be made for various items of maintenance and the forms of contract to be used. The county executive shall submit an annual report to the county council, not later than February 15th of each year, showing the parties' services and charges on such contracts;

(17) Approval of contracts (city-county agreements) for grants in aid and for any projects previously approved in the annual or six year road program with the Washington State Department of Transportation; PROVIDED, That the county executive shall submit to the county council an annual report, not later than February 15th of each year summarizing such applications and contracts;

(18) Approving and signing public disclosure reports for lobbying activities by county officials and employees as required by chapter 42.17 RCW;

(19) Approve haul route agreements with other public agencies or contractors with public agencies permitting use of designated county roads, or sections thereof for detour routes or moving of heavy equipment or materials necessitated by the performance of a public works contract; PROVIDED, That the county executive shall submit an annual report to the county council not later than February 15th of each year, showing the contracts, parties, duration, amendments, licenses, permits and special service contracts;

(20) Approval of vouchers for payment of all claims presented against the county by persons furnishing goods or materials, rendering services or performing labor, or for any other contractual purpose as well as employee reimbursement claims for allowable expenses. Prior to approval by the county executive, all claims shall be certified for payment by the county auditing officer;

(21) Approval of agreements between the state and county for the purpose of participating in state work experience programs;

(22) Approval of waste reduction and recycling grant contracts; PROVIDED, That the county executive shall submit an annual report to the county council not later than February 15th of each year, showing the contracts, parties, duration, amendments, licenses, permits and special service contracts;

~~(23) ((Approval of grants and other contracts and contract amendments implementing programs or projects administered by the Office of Housing and Community Development, Department of Planning and Development Services; PROVIDED, The county council has approved necessary contracts with state, federal, or other sources of funds, if any funds from such sources are used, whether or not such sources of funds are used, and the county council has appropriated funds for such programs or projects; and PROVIDED FURTHER, That the county executive shall submit to the county council an annual report, not later than February 15th of each year, showing the parties, contract amount, and purpose of each contract and contract amendment approved and signed by the county executive under this section;))~~

~~((24))~~ Approval of contracts and contract amendments implementing programs or projects administered by the juvenile court; PROVIDED, The county council has approved necessary contracts with state, federal, or other sources of funds, if any funds from such sources are used, whether or not such sources of funds are used, and the county council has appropriated funds for such programs or projects; and PROVIDED FURTHER, That the county executive shall submit to the county council an annual report, not later than February 15th of each year, showing the parties, contract amount, and purpose of each contract and contract amendment approved and signed by the county executive under this section;

~~((25))~~(24) Approval of contracts and contract amendments implementing programs or projects administered by the department of planning and development services; PROVIDED, The county council has approved necessary contracts with state, federal, or other sources of funds, if any funds from such sources are used, whether or not such sources of funds are used, and the county council has appropriated funds for such programs or projects; and PROVIDED FURTHER, That the division shall submit to the county council an annual report, not later than February 15th of each year, showing the parties, contract amount, and purpose of each contract and contract amendment approved and signed by the county executive;

~~((26))~~(25) Approval and submission of all applications for grants on behalf of the county unless the granting agency requires approval of such applications by the county council;

~~((27))~~(26) Approval of contracts on behalf of the county for funds contributed to the county by grants, entitlements and shared revenue of every kind and nature; which do not obligate the county monetarily and implement programs, projects, or functions that the county council has specifically authorized by motion or ordinance; PROVIDED, That the county executive shall submit an annual report to the county council not later than February 15th of each year, showing the parties, contract amount, and purpose of each contract approved and signed by the county executive under this section;

~~((28))~~(27) Approval of contracts on behalf of the county for funds contributed to the county by grants that require match funds up to \$50,000 which implement programs, projects, or functions the county council has specifically authorized by motion or ordinance; PROVIDED, That the county executive shall submit an annual report to the county council not later than February 15th of each year, showing the parties, contract amount, and purpose of each contract approved and signed by the county executive under this section.

~~((29))~~(28) Approval of purchase and other contracts on behalf of the county that are recommended by the Snohomish county arts commission pursuant to chapter 2.95 SCC, including but not limited to contracts limiting the use of contributions to the arts fund and contracts providing for the purchase or use of works of art, provided that such contracts comply with SCC 3.04.140 concerning award and execution of contracts.

Section 3. Snohomish County Code Section 2.18.030, ~~adopted by Ordinance 82-131 on December 10, 1982, last amended by Amended Ordinance No. 93-066 adopted on August 18, 1993,~~ is amended to read:

2.18.030 Authority and functions.

~~Effective January 1, 2006,~~ The department shall have the authority to establish policies and procedures for the management and administration of programs which provide educational, and recreational services to the general public, and may include, in addition, the development of policies to promote the utilization of these services. The department's functions and responsibilities shall include but not be limited to the following:

(1) Management and administration of the parks and recreation program as provided in chapter 2.16 SCC;

(2) Management and maintenance of the Evergreen State Fair and the fairgrounds in accordance with chapters 2.32 and 2.33 SCC and applicable state law;

(3) ~~((Administrative liaison between Snohomish county and the cooperative extension of Washington State University;))~~

~~((4))~~ Management of the Kayak Point Golf Course; and

~~((54))~~ (4) Performance of such other duties as may be required to further the purpose of this chapter.

Section 4. A new section is added to Chapter 2.400 of the Snohomish County Code to read:

2.400.005 Purpose of chapter.

The purpose of this chapter is to establish and set forth the authority and functions of the department of human services.

Section 5. Snohomish County Code Section 2.400.010, adopted by Ordinance No. 82-111 on October 26, 1982, is amended to read:

2.400.010 Creation of department of human services and purpose.

~~((There is hereby established a Snohomish county))~~ The department of human services is hereby created. It shall be included within the purpose of this department to integrate and coordinate all programs within the county's jurisdiction that provide services to individuals who, as a result of their health, or economic or social condition, require financial assistance, institutional care, rehabilitation, training, education, or other human services. The department will concern itself with changing social needs and will expedite the development and implementation of programs designed to meet those needs.

Section 6. Snohomish County Code Section 2.400.030, adopted by Ordinance No. -82-111 on October 26, 1982, is amended to read:

2.400.030 Authority and functions.

(1) The department shall have the authority to administer and coordinate county programs and projects relating to human services in accordance with county, state and federal laws or regulations. All applications for federal or state grants or loans to such county programs or projects shall be submitted to the department for review and recommendation as to their consistency with state,

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regional, local or other plans or policies and their potential duplication or conflict with other application, all for the purpose of maximizing federal or state benefits available to the county.

(2) The department's scope of authority shall include, but not be limited to the following functional areas:

~~((1a))~~(a) ~~((All programs))~~ Programs providing employment, ~~((and))~~ training, and other supportive services designed to minimize the barriers to employment encountered by economically disadvantaged persons and to enable such persons to secure and retain unsubsidized employment in the public and private sectors of the economy~~((-))~~;

~~((2b))~~(b) ~~((All programs))~~ Programs providing financial and social and health services to the elderly designed to remove or reduce any barrier that interferes with the elderly's ability to live independently~~((-))~~;

~~((3e))~~(c) ~~((All programs))~~ Programs designed to ensure that the needs of developmentally disabled persons are met~~((-))~~;

~~((4d))~~(d) ~~((All programs))~~ Programs that provide any of the services mandated by the State Involuntary Treatment Act chapter 71.05 RCW~~((-))~~;

~~((5d))~~(e) ~~((All programs))~~ Programs designed to ensure that the needs of the mentally ill are met~~((-))~~;

~~((6e))~~(f) ~~((All programs))~~ Programs related to the problems of alcohol and other drug abuse~~((-))~~;

~~((f))~~(g) Energy assistance and weatherization programs for low-income populations;

~~((g))~~(h) Programs that provide technical assistance and education for the agriculture industry;

~~((h))~~(i) Programs that develop and support healthy youth, families and community development;

~~((i))~~(j) Early Childhood Education and Assistance programs;

~~((7j))~~(k) ~~((All programs))~~ Programs that provide relief for indigent veterans in need of food, rental assistance, medical care or transportation~~((-))~~; and

~~((8k8))~~(l) Programs related to housing, including but not limited to low and moderate-income housing, emergency shelter, and affordable housing.

(3) Separate advisory boards required by state or federal funding sources or created under state and/or county code will continue to act in an advisory capacity for the separate program areas relating to aging, employment and training, mental health, alcohol and other drug abuse, ((and)) developmental disabilities, veterans, children, youth, families, housing and other program areas. These advisory boards will make recommendations to the director of the department of human services on the separate county program areas.

PART II SAVINGS AND TRANSITION

Section 7. Savings.

(1) This ordinance does not affect any existing right acquired or liability or obligation incurred under the sections amended or repealed in this ordinance or under any rule or order adopted under those sections, nor does it affect any proceeding instituted under those sections.

(2) Any rule or order adopted by an agency whose authority is terminated by this ordinance shall remain in effect as a rule or order of the Department of Human Services for a period of one year after adoption of this ordinance unless earlier amended, rescinded, or repealed by the Director of the Department of Human Services.

Section 8. Transition.

~~The County Executive may take the necessary steps to ensure that this ordinance is implemented on its effective date.~~ From January 1, 2006 to the effective date of section 6, the Department of Human Services shall have authority to provide programs that provide technical assistance and education for the agricultural industry, including but not limited to serving as administrative liaison between Snohomish county and the cooperative extension of Washington State University.

PART III TECHNICAL AMENDMENTS

Section 9. Snohomish County Code Section 4.68.040, last amended by Ordinance No. 89-125 on November 8, 1989, is amended to read:

4.68.040 Operation of the fund.

The operation of the housing trust fund shall be as follows:

(1) Allocations of housing trust fund resources shall be made by county council for projects completing an application process to be coordinated by the ~~((planning division))~~ department of human services;

(2) The council may accept gifts or bequests for the housing trust fund and may ~~((made))~~ make contributions to the fund from time to time in such amounts as it deems necessary to further the purposes of the fund; and

(3) Any monies in said fund at the end of the fiscal year shall not lapse nor shall the same be made available as a surplus or used for any other purpose or purposes than those specified, except as provided by state law.

Section 10. Snohomish County Code Section 4.68.050, last amended by Ordinance No. 89-125 on November 8, 1989, is amended to read:

4.68.050 Fund manager.

The county executive shall designate a fund manager ~~((in the planning division))~~ whose name and title shall appear on the master list of fund managers maintained in the department of ~~((budget and))~~ finance.

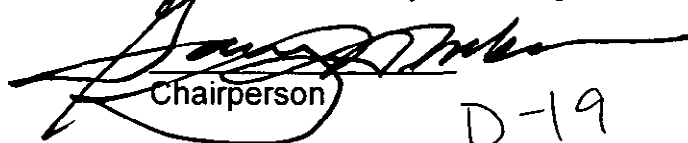
**PART IV
MISCELLANEOUS PROVISIONS**

Section 11. Effective date.—

Sections 1, 2, 4, 5, 6, 9, and 10 of ~~¶~~ this ordinance takes effect on ~~July~~ **January** ~~July~~ 1, 2006. Section 3 takes effect January 1, 2006. Sections 7, 8, and this section take effect as provided in Charter § 2.110.


PASSED this 21st day of November, 2005.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington


Chairperson

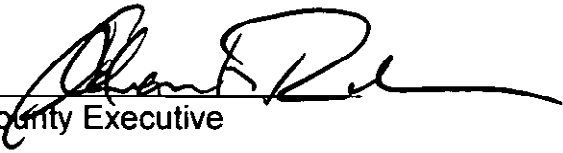
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ATTEST:


~~Asst.~~ Clerk of the Council

- () APPROVED
- () EMERGENCY
- () VETOED

DATE: 12/08/05


County Executive

ATTEST:



Approved as to form only:

Barbara Dykes, Chief Civil
Deputy Prosecuting Attorney