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SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

EMERGENCY ORDINANCE NO. 07-033

RELATING TO COUNTY CONTRACTS, PROVIDING FOR A MORATORIUM
ON EXECUTIVE APPROVAL OF CERTAIN CONTRACTS, CONTAINING AN
EFFECTIVE DATE, AND DECLARING AN EMERGENCY

WHEREAS, the Snohomish County Council, as the duly elected county legislative authority, is charged by statute with responsibility for the care of county property and the management of county funds in accordance with law; and

WHEREAS, the Snohomish County Charter authorizes the County Council to approve contracts or establish by ordinance methods by which contracts shall be approved; and

WHEREAS, the County Council has delegated authority to approve certain contracts to the County Executive or to executive officials appointed by the County Executive; and

WHEREAS, in delegating such authority the County Council did not relinquish its responsibility for the care and management of county property and funds but, rather, intended to efficiently and effectively discharge that responsibility with the cooperation of and trust in the County Executive and his appointees; and

WHEREAS, the County Executive, through his appointed Deputy Executive, has repeatedly refused to respond to reasonable requests for information concerning the exercise or potential exercise of the Executive's contract approval authority and has thereby compromised the cooperation and trust that are necessary for delegation of such authority; and

WHEREAS, immediate action is necessary to protect the public interest in open and transparent government, accommodate legislative review of current delegations, and provide interim safeguards against the abuse of authority by the County Executive or his appointees pending further legislative action;

NOW, THEREFORE, BE IT ORDAINED:

Section 1. **Moratorium imposed.**

(1) Pursuant to Section 2.20(7) of the Snohomish County Charter, a temporary moratorium is imposed on the approval of contracts or other legal instruments by the County Executive or appointees of the County Executive as follows:

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1 (a) The authority provided for in SCC 2.10.010(2) and (27), 3.04.140(1) and (2),
2 3.04.180, 3.04.190, and 15.04.090 is hereby suspended except as to contracts for
3 \$5,000 or less; and

4 (b) Contract amendments, change orders, or orders for extra work and multiple
5 contracts relating to the same subject matter shall not constitute separate contracts
6 within the meaning of this subsection;

7 (2) The County Executive shall refer contracts for which approval authority is
8 suspended by subsection (1) of this section to the County Council for approval by the
9 Council pursuant to Charter Section 2.20(7).


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11 Section 2. **Other authority not affected.** The moratorium imposed by Section 1
12 of this ordinance shall not affect the authority of the County Executive or his appointees
13 under any other provision of the Snohomish County Code, including but not limited to
14 SCC 2.10.010(1), (6), (10) through (17), (19), (21) through (24), (26), and (28), and SCC
15 2.32.150, 2.36.040, 2.68.035, 2.90.060, 2.400.065, and 3.04.140(3).

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17 Section 3. **Repeal.** This ordinance is repealed, effective sixty days after its
18 enactment.

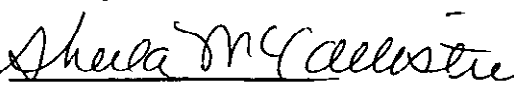
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20 Section 4. **Findings and effective date.** The County Council finds as a fact that
21 the County Council's ability to discharge its obligations to the people of Snohomish
22 County through the delegation of contract approval authority requires the cooperation of
23 and trust in the County Executive and his appointees, that such cooperation and trust
24 have been compromised by the County Executive's failure to respond to reasonable
25 requests for information contrary to the underlying structure of county government, and
26 that that public interest would be served by referring contracts to the County Council for
27 approval in open public meetings pending further legislative action. The County Council
28 further finds that this ordinance is necessary for the support of county government and
29 its existing institutions. Based on the foregoing, the County Council declares that an
30 emergency exists and that this ordinance shall take effect immediately.

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32 PASSED this 18th day of April, 2007.

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34 SNOHOMISH COUNTY COUNCIL
35 Snohomish County, Washington

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37 
38 Chairperson

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40 ATTEST:

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43 Clerk of the Council

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APPROVED

EMERGENCY

VETOED

DATE: _____

County Executive

ATTEST:

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