



CO00035223

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

AMENDED ORDINANCE NO. 08-065

RELATING TO EXECUTIVE AUTHORITY, REVISING EXECUTIVE AUTHORITY
TO APPROVE CONTRACTS AND OTHER LEGAL INSTRUMENTS, AMENDING
SCC 2.10.010, 3.04.140, 3.04.180, 3.04.190, AND 15.04.090

BE IT ORDAINED:

Section 1. Snohomish County Code Section 2.10.010, last amended by Ordinance
No. 07-036 on May 21, 2007, 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 amendments, change orders, and orders for extra work on
~~((any))~~ contracts subject to bidding as provided in ~~((chapter 3.04))~~ SCC 3.04.140;

(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;

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

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

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

15 (12) Approval of all agreements with any cities or towns of Snohomish county
16 of the county jail or district court filing fees; PROVIDED, That the county council by
17 resolution has previously established the rates to be charged and other terms of
18 such agreements and has approved the forms of contracts to be utilized. The county
19 executive shall submit to the county council an annual report not later than February
20 15th of each year showing rates and effective dates of such contracts approved by
21 the county executive. Not later than December 1st of each year, the county
22 executive shall submit to the county council the forms of contracts to be used on
23 such agreements for the following year. Rates and terms to be used in such
24 contracts shall be reviewed not less than once a year by the county council;

25 (13) Approval and acceptance of all contracts with landowners and/or
26 developers required by or as a condition of any comprehensive plan amendment,
27 rezone, variancé, conditional use permit, plat or replat or any other land use control,
28 final approval thereof which has been given by the county council or the hearing
29 examiner; PROVIDED, That all such contracts shall be approved by the hearing
30 examiner prior to approval by the county executive; and the county executive shall
31 submit to the county council an annual report, due not later than February 15th of
32 each year, showing the names of parties and the general purposes of such contracts
33 as have been approved by the executive;

34 (14) Approval of all licenses to occupy, use or access the Snohomish County
35 Airport and all airport leases; PROVIDED, That annually the county council by
36 motion will establish the rates to be charged and other terms of any such lease and
37 approve the form of lease utilized which rates, terms and form may be changed from
38 time to time by the county council; and PROVIDED, FURTHER, That the county
39 executive shall submit an annual report to the county council, not later than February
40 15th of each year, showing the names of parties, rents, reserve, areas rented, and
41 time period of each such lease and license. Any lease or license executed pursuant
42 to this section shall be deemed to be with the approval of the county council as
43 required by chapter 15.04 SCC;

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

46 (16) Approval of contracts with the cities, towns, or other municipal
47 subdivisions for the purchase of gasoline, diesel oil or other petroleum products, and
48 contracts for street or road maintenance with counties, cities, or towns; PROVIDED,

1 That the county council has approved the schedule of charges to be made for
2 various items of maintenance and the forms of contract to be used. The county
3 executive shall submit an annual report to the county council, not later than February
4 15th of each year, showing the parties' services and charges on such contracts;

5 (17) Approval of contracts (city-county agreements) for grants in aid and for
6 any projects previously approved in the annual or six year road program with the
7 Washington State Department of Transportation; PROVIDED, That the county
8 executive shall submit to the county council an annual report, not later than February
9 15th of each year summarizing such applications and contracts;

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

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

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

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

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

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

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

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

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

12 (27) Approval of contracts on behalf of the county for funds contributed to the
13 county by grants that require match funds of up to ~~(((\$5,000))~~ \$50,000 which
14 implement programs, projects, or functions that the county council has specifically
15 authorized by motion or ordinance; PROVIDED, That the county executive shall
16 submit an annual report to the county council not later than February 15th of each
17 year, showing the parties, contract amount, and purpose of each contract approved
18 and signed by the county executive under this section;

19 (28) Approval of purchase and other contracts on behalf of the county that
20 are recommended by the Snohomish county arts commission pursuant to chapter
21 2.95 SCC, including but not limited to contracts limiting the use of contributions to
22 the arts fund and contracts providing for the purchase or use of works of art,
23 provided that such contracts comply with SCC 3.04.140 concerning award and
24 execution of contracts;

25 (29) Approval of plans, and amendments thereto, prepared under provisions
26 of the Local Agency Guidelines adopted by the state department of transportation to
27 assure compliance with Title VI of the Civil Rights Act of 1964 in county
28 transportation program projects that are funded by the federal highway
29 administration. The county executive shall serve as the county's administrator under
30 such plans.

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32 Section 2. Snohomish County Code Section 3.04.140, last amended by Ordinance
33 No. 08-002 on January 30, 2008, is amended to read:

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35 **3.04.140 Award, execution, by whom.**

36 (1) Contracts for intergovernmental services shall be awarded and approved
37 by the county council except those for ~~(((\$5,000))~~ \$50,000 or less which may be
38 awarded and approved by the county executive.

39 (2) ~~((Contracts))~~ Consultant contracts and special service contracts not
40 subject to bidding requirements for ~~(((\$5,000))~~ \$25,000 or less may be awarded and
41 approved by the county executive. The executive may delegate by executive order
42 such award, approval or signature authority as the executive deems appropriate.

43 (3) Contracts subject to bidding requirements for \$250,000 or less, for
44 programs and projects for which sufficient appropriation authority exists and which
45 implement programs, projects, or functions the county council has specifically
46 authorized by motion or ordinance, may be awarded and approved by the county
47 executive. The executive may delegate by executive order such award, approval, or
48 signature authority as the executive deems appropriate.

1 (4) Amendments, change orders, and orders for extra work for \$200,000 or
2 less on contracts subject to bidding requirements (~~for \$200,000 or less~~) for which
3 sufficient appropriation authority exists may be awarded and approved by the county
4 executive, except as provided in subsection (6) of this section. The executive may
5 delegate by executive order such award, approval or signature authority as the
6 executive deems appropriate.

7 (5) Contracts incidental to litigation for \$50,000 or less may be awarded and
8 approved by the prosecuting attorney.

9 (6) Options in purchase contracts to extend performance may be exercised
10 by the manager, with the concurrence of the official or department head involved,
11 when it is in the best interests of the county to do so.

12 (7) The county executive shall submit to the county council on a quarterly
13 basis a report showing the parties, contract amount, and purposes of each contract
14 and contract amendment approved and signed by the county executive under this
15 section.

16 (8) Except as provided by ordinance, all contracts shall be awarded and
17 approved by the county council.
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19 Section 3. Snohomish County Code Section 3.04.180, last amended by Ordinance
20 No. 07-036 on May 21, 2007, is amended to read:
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22 **3.04.180 Proprietary purchases.**

23 Requirements of SCC 3.04.130 (2), (3), (4), (5), (8), (9), and (10) shall not
24 apply to purchases and contracts clearly and legitimately limited to single sources of
25 supply and purchases involving special training, special facilities, special services,
26 market conditions, or where compatibility is required with other county equipment,
27 procedures or systems in which instances purchase prices and other terms may be
28 established by direct negotiations by the manager. Such contracts (~~shall~~) may be
29 approved by the (~~county council~~) executive except that the director may approve
30 such contracts where they do not exceed the sum of (~~\$5,000~~) \$10,000, unless
31 approval by the council is required under the charter or other provisions of this
32 chapter.
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34 Section 4. Snohomish County Code Section 3.04.190, last amended by Ordinance
35 No. 07-036 on May 21, 2007, is amended to read:
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37 **3.04.190 Service contracts not subject to bidding requirements.**

38 Consultant contracts and special service contracts not subject to bidding
39 requirements may be negotiated by the county executive or the head of any
40 administrative or executive department; PROVIDED, That contracts for (~~\$5,000~~)
41 \$25,000 or less may be awarded and approved by the executive. Consultant
42 contracts and special service contracts not subject to bidding requirements for more
43 than (~~\$5,000~~) \$25,000 shall require council approval. Contracts for architectural
44 and engineering services shall be controlled by SCC 3.04.191 and SCC 3.04.193
45 through 3.04.195 to the extent that such sections are inconsistent with this and other
46 sections of this chapter.
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1 Section 5. Snohomish County Code Section 15.04.090, last amended by Ordinance
2 No. 07-036 on May 21, 2007, is amended to read:

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4 **15.04.090 Execution of documents.**

5 All contracts, leases, subleases, and other documents proposed by the
6 airport manager, subject to the other provisions and limitations of this chapter,
7 chapters 2.10 and 3.04 SCC, and chapter 14.08 RCW, shall be valid and binding
8 upon Snohomish county when signed by or on behalf of the county executive (~~;~~
9 ~~PROVIDED, That all contracts shall be approved by the county council except that~~
10 ~~the county executive may approve contracts where they do not exceed the sum of~~
11 ~~\$5,000)).~~


12
13 PASSED this 4th day of June, 2008.

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15 SNOHOMISH COUNTY COUNCIL
16 Snohomish County, Washington

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19 _____

20 Chairperson

21 ATTEST:

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23 _____
24 Asst. Clerk of the Council

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26 APPROVED

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28 EMERGENCY

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30 VETOED

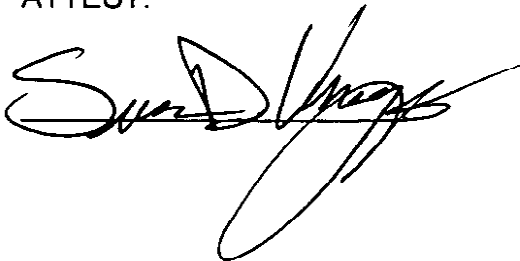
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County Executive

PETER B. CAMP
Executive Director

ATTEST:



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