



CO00042141

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

ORDINANCE NO. 10-113.

RELATING TO APPROVAL OF GRANTS;
AMENDING CHAPTERS 2.10 AND 2.400 SNOHOMISH COUNTY CODE

NOW, THEREFORE, BE IT ORDAINED:

Section 1. Snohomish County Code Section 2.10.010, last amended by Amended Ordinance No. 09-008 on February 25, 2009, 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; 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 contracts subject to bidding as provided in 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;

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(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 recreation and conservation office, 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 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, in accordance with SCC 15.04.040, the county executive may recommend individual licenses or leases for approval by the council, and shall recommend in such detail as the council may require proposed rates, terms and forms of leases to be approved by the executive in which event 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

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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))~~ provided in subsections (26), (27) and (30) of this section or 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 applications and 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 or in the department of public works surface water management annual construction program or six year capital improvement program; 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 contracts and contract amendments implementing programs or projects administered by the superior court, including juvenile court division of the superior court; PROVIDED, The county council has approved

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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 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;

(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;

(26) Approval of contracts and, except when the county council by motion or ordinance has restricted executive authority to approve amendments for specific contracts, contract amendments 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;

(27) Approval of contracts and, except when the county council by motion or ordinance has restricted executive authority to approve amendments for specific contracts, contract amendments on behalf of the county for funds contributed to the county by grants that require match funds of up to \$50,000 which 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) 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;

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

(30) Approval of grant documents (including but not limited to applications, certifications, contracts, and subsequent amendments) on behalf of the county for funds contributed to the county by grants that are included in a grant work plan approved by the county council by motion in accordance with SCC 2.400.063; PROVIDED, That this section does not authorize the county executive to approve those grant documents which a prior contract or interlocal agreement requires must be approved by the county council; 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 parties, grant amount, and purpose of each grant contract approved and executed by the county executive under this subsection.

Section 2. A new section is added to Chapter 2.400 of the Snohomish County Code to read:

2.400.063 Grant work plan.

(1) The director may annually prepare a grant work plan to be submitted by the county executive to the county council for approval. A grant work plan shall describe each grant and include the following information for each grant: department division, fund, program, purpose of grant, grantor, grant term, amount of grant award, amount of matching funds required, source of matching funds, number of required FTEs to perform grant (including an indication if new or project FTEs are required) and shall include a summary table for all grants included in the grant plan. The director shall prepare standard templates to be used for preparation of grant work plans including grant descriptions and grant work plan summaries.

(2) The county council shall consider the grant work plan in conjunction with its consideration of the annual budget or mid-biennium review. The county council may revise the grant work plan and approve the finalized grant work plan by motion. County council approval of a grant work plan shall provide authority for the county executive to approve and execute grant documents (including but not limited to applications, certifications, contracts, and subsequent amendments) to implement the approved grant work plan in accordance with SCC 2.10.010(30).

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Section 3. Snohomish County Code Section 2.400.065, last amended by Amended Ordinance No. 98-005 on February 11, 1998, is amended to read:


2.400.065 Approval of contracts.

(1) The county executive is authorized to approve and ~~((sign the following))~~ execute any contracts and contract amendments ~~((:~~
~~(a) Any contract or contract amendment))~~ to implement a program administered by the department; PROVIDED, ~~((The county council has approved necessary contracts))~~ agreements, if any, with state, federal or other sources of funds that are necessary to provide funding for such contracts or contract amendments have been previously approved ~~((, if any such funds are used,))~~ and the county council has appropriated funds for such programs; 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 purposes of each contract and contract amendment approved and ~~((signed))~~ executed by the county executive under this section.
~~((b) Any amendment to a contract with a state or other source of county funds for a program administered by the department where the amendment does not increase the contract amount as previously amended by more than \$50,000.))~~

(2) This section does not authorize the county executive to approve contracts with state or other sources of county funds for programs administered by the department ~~((, which))~~ when the state or other source of funds requires that such contracts must be approved by the county council. The county executive may approve and sign amendments to such contracts as ~~((set out in))~~ authorized by SCC ~~((2.400.065(1)(b)))~~ 2.10.010(26), (27) or (30) or by specific county council action.

PASSED this 5th day of December, 2010.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington


Chairperson

ATTEST:


Clerk of the Council

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

DATE: 12/16/10
[Signature]
County Executive

ATTEST:

Cora E. Salmer
12/16/10

Approved as to form only:

[Signature] 11/17/10
Deputy Prosecuting Attorney