



King County

King County Meeting Agenda

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

King County Ferry Board Executive Committee

Boardmembers: Dow Constantine, Chair; Jane Hague, Vice-Chair; Bob Ferguson; Julia Patterson

Southwest Conference Room

September 8, 2008

1:30 PM

SPECIAL MEETING

1. Call to Order
2. Roll Call
3. Approval of Minutes of July 14, 2008

Action Items

4. **FD Resolution No. FD2008-16**
A RESOLUTION adopting a Code of Ethics for the Board members, officers and employees of the District.
5. **FD Resolution No. FD2008-15**
A RESOLUTION authorizing the payment of claims by the Executive Director prior to approval by the Board of Supervisors.
6. Approval of Invoices
7. Recommendations to King County Council on 2008 Marine Division Capital and Operating Budget

Briefings

8. **FD Briefing No. FD08-B05**
Seacrest Park Interim Dock Improvements
9. **FD Briefing No. FD08-B04**
Review of Assumptions in 2007 Business Plan and 2008 Budget
10. **FD Briefing No. FD08-B03**
Demonstration Projects -- Update



Sign language and communication material in alternate formats can be arranged given sufficient notice (296-1000).

TDD Number 296-1024.

ASSISTIVE LISTENING DEVICES AVAILABLE IN THE COUNCIL CHAMBERS.



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11. **FD Briefing No. FD08-B06**

Upcoming Decision Milestones

Manager Reports

12. Marine Division Manager Report

13. Executive Director Report

14. Recognition

Appreciation to Ferry District Intern Natalie Quist

15. **Adjournment**

The King County Ferry District is a special purpose government created to provide passenger ferry service in King County. The Board is composed of the members of the King County Council as ex officio members.

The Clerk of the King County Council provides administrative services to the District.



King County
Meeting Proceedings

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

King County King County Ferry Board Executive Committee

Boardmembers: Dow Constantine, Chair; Jane Hague, Vice-Chair; Bob Ferguson; Julia Patterson

Southwest Conference Room

July 14, 2008

11:00 AM

SPECIAL MEETING

1. Call to Order

The meeting was called to order at 11:08 a.m.

2. Roll Call

Present: Ms. Hague, Ms. Patterson, Mr. Constantine and Mr. Ferguson

3. Approval of Minutes of June 9, 2008

Ms. Hague moved approval of the minutes of June 9, 2008. The motion passed unanimously.

Discussion

4. Fare Policies

Kjris Lund, Executive Director led a discussion on the importance of adopting a fare policy for the Vashon passenger only ferry route. The adopted interlocal from April covered the fare policies for the Water Taxi but not the Vashon ferry route. Resolution No: FD2008-14 continues the fares set by the Washington State Ferry System.

Ms. Lund discussed a question that Boardmember von Reichbauer had about different passes. She noted the complexity of the issue and is working to secure a place in line to participate in the fare agreement that exists. Bill Greene, Interim Director of the Marine Division reminded the Boardmembers of the background of the Vashon passenger only route. Since the Washington State Ferry System had the fare system in place, the original intent was to rescue and continue the Vashon passenger only route with the existing policies. Mr. Greene continued to describe the different passes and the revenue distribution. Ms. Patterson requested a full discussion of the fare policy.

5. Future Pass Use Policy

Mr. Greene led a briefing on future pass policy. He indicated that pass agreements dictate cost and revenue sharing. He stated that transit agencies are parties to these agreements and the cost is based on the estimated use of these passes. Passes used for the water taxi are not generating revenue that would directly benefit the Ferry District. Ms. Patterson expressed concerns about the additional subsidy.

Mr. Greene stated that additional analysis will have to take place if we were to join this agreement and examine the options of joining. He suggested the need for an expert to assist in this analysis.

Mike Anderson, briefed the Boardmembers on the nuts and bolts of the employer subsidized passes.

Ms. Hague stressed the urgency in participating in the discussion of the pass agreements.

Mr. Constantine requested that the future research and analysis be shared with Boardmembers individually and or with lead staff prior to the Executive Committee meetings.

6. **FD Resolution No. FD2008-14**

A RESOLUTION relating to fares and fare policies for the period of July 1, 2008 through June 30, 2009.

Ms. Hague moved to pass FD Resolution No. FD2008-14. Mr. Constantine moved to amend page 1, line 1, after 'policies' insert "beginning July 1, 2008" and delete 'for the period of July 1, 2008 through June 30, 2009,' and on Attachment A, line 2, after 'service' insert "beginning" and after 'July 1, 2008' delete '-June 30, 2009'. Voting on Ms. Hague's motion as amended, the motion passed unanimously.

Executive Director's Report

Ms. Lund reported on a citizen inquiry regarding the integrity of the vessel and passenger safety in coordination with the Washington State Ferry System and the United States Coast Guard. Ms. Lund placed on the record the letter from Walt Hubbard, Emergency Preparedness Manager, dated July 10, 2008.

Ms. Lund gave an update on the demonstration project planning criteria. She hoped to meet with staff to discuss the criteria for selecting the first demonstration project. Ms. Lund discussed the handouts 'Proposed Evaluation Criteria for Demonstration Routes' and Questions for Ferry Board Executive Committee. Ms. Lund reported on researching SEPA requirements and opportunities to pursue hiring a contractor for 2009 demonstration service.

Ms. Lund stated that the new website will be launched next week.

Ms. Lund recommended that the Committee keep the procurement policy simple to deal with our immediate need of selecting an accounting firm.

Ms. Lund briefed the boardmembers on the research of alcohol policies around the country. She requested the boardmembers to review the spreadsheet covering New York, Vancouver and San Francisco, the excerpt of RCW 66.23.320 and King County Parks and Recreation Division alcohol policy handouts.

Invoice Approvals

Ms. Lund briefed the members of the invoice approvals. Ms. Hague moved to approve the invoices, the motion passed unanimously.

7. **Adjournment**

The meeting was adjourned at 12:17 p.m.

The Clerk of the King County Council provides administrative services to the District.

Approved this _____ day of _____.

Clerk's Signature



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

September 5, 2008

FD Resolution

Proposed No. FD2008-16.1

1 A RESOLUTION adopting a Code of Ethics for the Board
2 members, officers and employees of the District.

3
4 WHEREAS, the King County Ferry District ("District) has been created to
5 implement passenger ferry service in King County; and

6 WHEREAS, a code of ethics for the guidance of Board members, officers and
7 employees of the District is necessary in order to prevent conflicts of interest in public
8 office, to improve the standards of public service and to promote and strengthen the faith
9 and confidence of the citizens in the decision-making and operations of the District;

10 NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE KING
11 COUNTY FERRY DISTRICT:

12 SECTION 1. Purposes for Code of Ethics.

13 In keeping with the policies declared by the State Legislature in enacting codes of
14 ethics for municipal officers, it is recognized that high moral and ethical standards
15 among public officials and employees are essential to the conduct of government. A code
16 of ethics for the guidance of Board members, officers and employees of the District is
17 necessary in order to avoid and prevent conflicts of interest in public office, to improve

18 standards of public service and to promote and strengthen the faith and confidence of the
19 citizens in the District. The District Board members, officers and employees are,
20 therefore, obligated to treat their offices and duties as a public trust, using their official
21 powers and duties and the resources of the District only to advance the public interest. It
22 is expected that Board members, officers and employees of the District will conduct their
23 public and private actions and financial dealings in a manner that will present no actual or
24 apparent conflict of interest between the public trust and their private interests. This
25 obligation requires that all District Board members, officers and employees devote their
26 best efforts and attention to:

27 A. Being independent and impartial in the exercise of their duties and avoiding
28 actions that create even the appearance of using their positions for personal gain or
29 private benefit.

30 B. Strengthening public confidence in the integrity of the District's decisions by
31 demonstrating the highest standards of personal integrity, fairness, honesty and
32 compliance with both the spirit and the letter of the law and this resolution.

33 C. Creating a work environment that is free from all forms of unlawful
34 discrimination and harassment.

35 D. Managing human and environmental resources for the benefit and
36 enjoyment of both current and future generations.

37 E. Conducting the public's business openly and, to the maximum extent
38 consistent with existing law, resolving doubtful cases in favor of public access.

39 F. Serving the public with respect, concern, courtesy and responsiveness,
40 recognizing that service to the public is the primary mission of government.

41 G. Promoting an environment of public trust free from fraud, abuse of authority
42 and misuse of public property.

43 H. Protecting the integrity of the decision making process by recognizing and
44 avoiding conflicts between public duties and private interests and activities.

45 I. Respecting and protecting privileged information to which the District Board
46 members, officers and employees have access in the course of their official duties
47 including, but not limited to, information provided in lawful executive sessions of the
48 Board.

49 **SECTION 2. Definitions.**

50 The following definitions shall apply for purposes of this resolution:

51 A. "Board member" means a member of the King County Council who serves ex
52 officio as a member of the governing body of the District ("Board") pursuant to RCW
53 36.54.110.

54 B. "Business" means any corporation, partnership, sole proprietorship, firm,
55 enterprise, franchise, self-employed individual, consultant, holding company, joint stock
56 company, receivership, trust or any legal entity organized for profit.

57 C. "Employee" means a person or persons employed on a full-time continuing
58 basis by the District and, for the purpose of this resolution only, shall include part-time,
59 intermittent or temporary workers. The term shall not include employees of King County
60 who provide services or perform duties for the District pursuant to interlocal agreement
61 between the District and King County. The term shall not include persons engaged or
62 retained by the District pursuant to contract to perform consulting or special technical
63 services.

64 D. "Executive Committee" means the executive committee of the District, as
65 established by District bylaws and appointed by the District Board.

66 E. "Gift" means anything of economic value, but shall not include campaign
67 contributions regulated by the provisions of chapter 42.17 RCW, informational materials
68 exclusively for official or office use, memorials, trophies and plaques of no commercial
69 value, gifts of twenty dollars (\$20.00) or less for bona fide, nonrecurring, ceremonial
70 occasions or any gifts which are not used and which within thirty (30) days after receipt
71 are returned to the donor, or donated to a charitable organization without seeking a tax-
72 deduction. A Board member or employee of the District shall not accept gifts of cash in
73 any amount.

74 F. "Immediate family" means a Board member's, officer's or employee's spouse,
75 domestic partner, child or the child of a Board member's or employee's domestic partner,
76 and other dependent relatives if living in his or her household.

77 G. "Interest" means any direct or indirect monetary or material benefit accruing
78 to a District Board member or employee as a direct result of contracts or transactions
79 which are or may be the subject of an official act or action by or with the District, except
80 contracts or transactions which confer similar benefits to all other persons and/or property
81 similarly situated. An employee or Board member shall not be deemed to have an
82 interest in conflict with his or her official duties for purposes of this code if the interest is
83 remote.

84 A "remote interest" means:

- 85 1. That of a non-salaried officer of a nonprofit corporation;
86 2. That of a landlord or tenant of a contracting party; or

87 3. That of a creditor, debtor or ownership interest of less than one
88 thousand five hundred dollars (\$1,500.00) in a business entity which is a contracting
89 party or as a holder of less than one percent of the shares of a corporation or cooperative
90 which is a contracting party, whichever is less.

91 H. "Officer" means the executive director of the District, whether an employee or
92 a consultant pursuant to contract.

93 SECTION 3. Improper Use of Public Property.

94 No person, except when acting on behalf of the District, shall use or possess any
95 property unless such use is available to the public generally. The use of District-owned
96 vehicles after hours and for transportation to a Board member's, officer's or employee's
97 residence shall not be deemed improper under the following circumstances:

98 A. Board members, officers or employees who are subject to call-out for District
99 business; and

100 B. Board members, officers or employees who are regularly required to work
101 more than a forty-hour work week, without extra compensation; provided, that such use
102 is authorized by the Chair of the Board or the executive director of the District; and

103 C. Board members or officers or employees authorized to attend professional
104 and/or work-related meetings, classes, seminars, conferences, testimonials or ceremonies
105 in which the Board member, officer or employee travels out of town on District business.
106 Notwithstanding the foregoing, those Board members, officers and employees who are
107 allowed to use District property may do so only for the particular purposes for which
108 authorization is made to advance the interests of the District.

109 SECTION 4. Conflicts of Interest.

110 No Board member, officer or employee of the District shall engage in any act
111 which is in conflict with the performance of his or her official duties for the District or
112 knowingly use his or her office or position for personal or immediate family gain or
113 profit. A Board member, officer or employee shall be deemed to have a conflict of
114 interest if the Board member, officer or employee engages in any of the following
115 activities:

116 A. Solicits or receives any retainer, gift, loan, entertainment, favor or other thing
117 of monetary value from any person or entity if the employee, officer or Board member
118 knows or has reason to know that such person or entity:

- 119 1. Has or is seeking to advance or obtain contractual or other business or
120 financial relationships with the District; or
- 121 2. Conducts operations or activities which are regulated by the District; or
- 122 3. Has interests which may be substantially affected by the Board
123 member's, officer's or employee's performance or non-performance of his or her official
124 duties for the District.

125 B. Receives or has any financial interest in any sale or lease to the District of
126 services, materials, equipment or property when such financial interest is received with
127 the prior knowledge that the District intends to purchase, lease or contract for such
128 services, materials, equipment or property.

129 C. Participates in his or her capacity as a Board member, officer or employee of
130 the District in the making of a contract in which he or she has a private pecuniary interest,
131 direct or indirect, or performs in regard to such a contract some function requiring the
132 exercise of discretion on behalf of the District.

133 D. Influences the District's selection of, or its conduct of business with, a
134 corporation, person or firm having business with the District if the Board member, officer
135 or employee has financial interest in or with the corporation, person or firm.

136 E. Engages in, accepts private employment from or renders services for private
137 interests when such employment or service is incompatible with the proper discharge of
138 official duties or would tend to impair independence of judgment or action in the
139 performance of official duties for the District.

140 F. Appears on behalf of a private person, other than his or herself or an
141 immediate family member or except as a witness under subpoena, before any regulatory
142 governmental agency or court of law in an action or proceeding to which the District or a
143 District member in an official capacity is a party, or accepts a retainer or compensation
144 that is contingent upon a specific action by the District.

145 G. Discloses or uses, without legal authorization, confidential information
146 concerning the property or affairs of the District in such a way as to benefit himself or
147 herself or a member of his or her immediate family with respect to any contract or
148 transaction which is or may be the subject of official action of the District.

149 H. Has a financial or personal interest in any legislation, action or decision
150 coming before the District and participates in discussion with or gives an official opinion
151 to the District unless:

152 1. The Board member, officer or employee discloses on the record of the
153 District the nature and extent of such interest or makes a good faith effort to comply with
154 the disclosure requirement, and procedures in Section 8; and

155 2. It is confirmed that a conflict of interest does not exist or such interest is

