

KING COUNTY AGRICULTURE COMMISSION

MEETING NOTICE

THURSDAY JANUARY 11, 2024

6:00-8:00 P.M.

ZOOM VIDEO CALL

CALL IN:

One tap mobile: +12532158782,,88028727883#,,,,*689917#

Land line: +1 253 215 8782, Meeting ID: 880 2872 7883

OR

LOG IN FROM A COMPUTER OR SMARTPHONE:

<https://us06web.zoom.us/j/88028727883?pwd=AnpQubZbXFYv2DFgpgRIYkaMbFlr2K.1>

MEETING AGENDA

6:00	Call to Order <ul style="list-style-type: none">For the public record, please sign in via the chat feature or announce yourself by name and whether you are a commissioner, staff or member of the publicApproval of AgendaApproval of Meeting Minutes	Kevin Scott, Chair
6:05	Public Comment related to a specific agenda item <i>3 minutes/person</i>	Kevin Scott
6:10	Updates (approx. 3 min each) <ul style="list-style-type: none">Commission Details, Policy, Ag Education & Events<ul style="list-style-type: none">New Commissioners, Welcome and IntroductionsKing County Ag ProgramKing Conservation DistrictLocal Food Initiative Food System Advisory CouncilWashington State University CSANRFood Business Resource Center/BINWKing-Pierce Farm BureauFarm Fish Flood	<ul style="list-style-type: none">Patrice Barrentine, Commission staff liaisonRichard MartinMatt MegaMike LufkinJordan Jobe/Alyssa BowersHenry WongLeann KrainickRichard Martin
6:45	New Business Proposed Move to new Section within DNRP WLRD of Agriculture, Forestry, Incentives Unit in January <ul style="list-style-type: none">PresentationQ&A	Josh Baldi, Division Director Joan Lee, Rural and Regional Services Section Manager Richard Martin, AFI Unit Manager
7:00	Pending Legislation: Proposed Ordinance 2023-0310; increasing minimum wage in unincorporated King County <ul style="list-style-type: none">Update, Presentation, Draft LetterMotion/Vote	Kevin Scott, Patrice Barrentine
7:35	Old Business Snoqualmie Valley Agriculture Strategic Plan Adoption <ul style="list-style-type: none">Update, PresentationMotion/Vote	Patrice Barrentine, Janet Keller, Jordan Jobe, Carrie King
7:50	General Public Comment <i>3 minutes/person</i>	Kevin Scott
7:55	Concerns of Commissioners	Kevin Scott
8:00	Adjourn	Kevin Scott

Next Meeting: February 8, 2024



Commission Admin, Policy & Legislation, Events & Funding Opportunities

REGARDING KING COUNTY
AGRICULTURE

JANUARY 2024

Commission Admin



Nominations Progress



Policy Updates



Events and Funding Opportunities

On the Move: Commission Nomination Process

1

Ag Commission selects and forwards nomination to

2

Department of Natural Resources and Parks (DNRP) Director for review and approval; upon approval nomination is forwarded to

3

King County Executive for review and approval; *All nominees must complete financial disclosure forms within 2 weeks of this step*; upon approval nomination is forwarded to

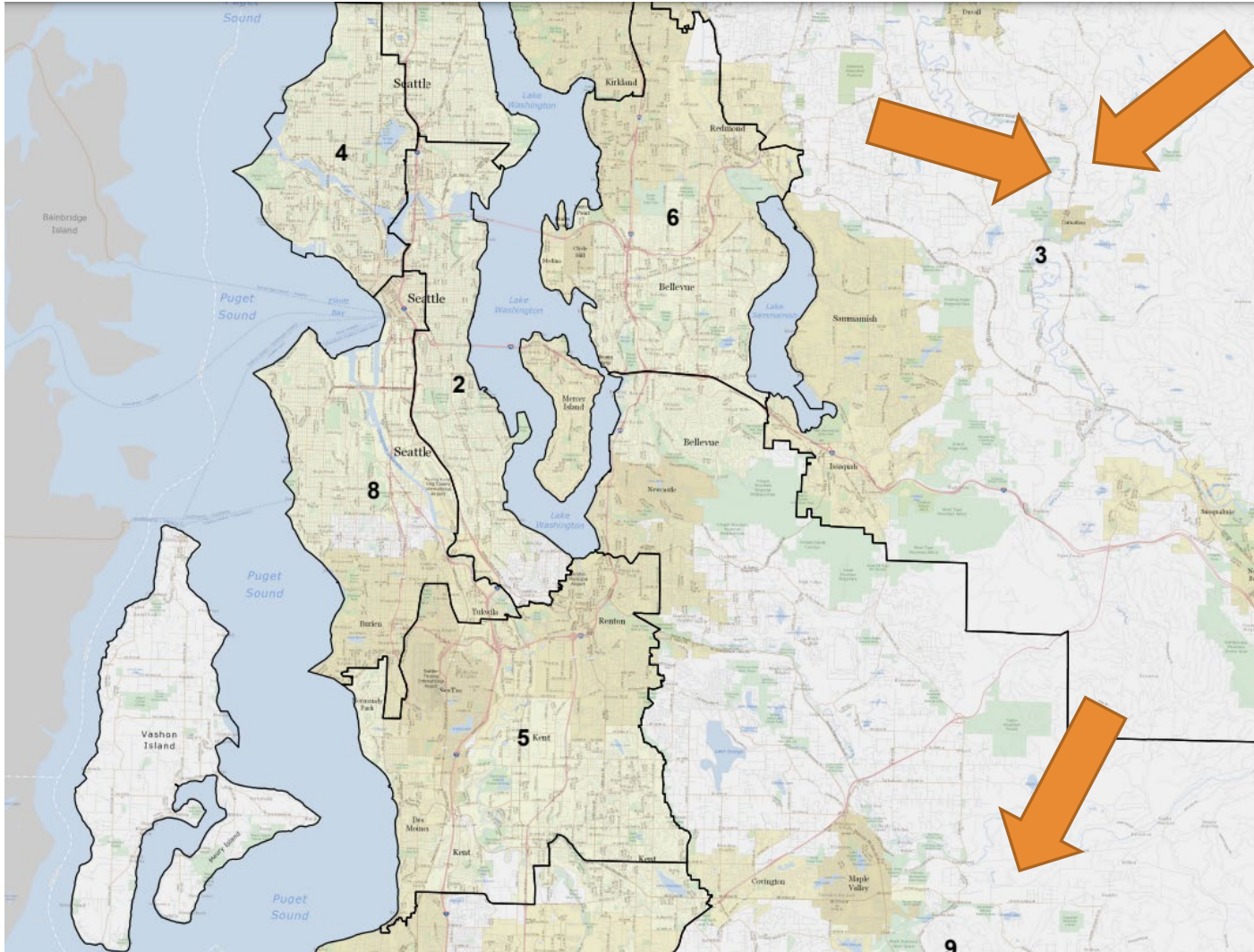
4

King County Council- when Clerk receives the nomination, nominee can begin participating as a voting member and then

5

King County Council brings forward the confirming legislation for each nominee in their district first to committee and then full council to complete the process

We are here



Welcome to
Three
New
Agriculture
Commissioners



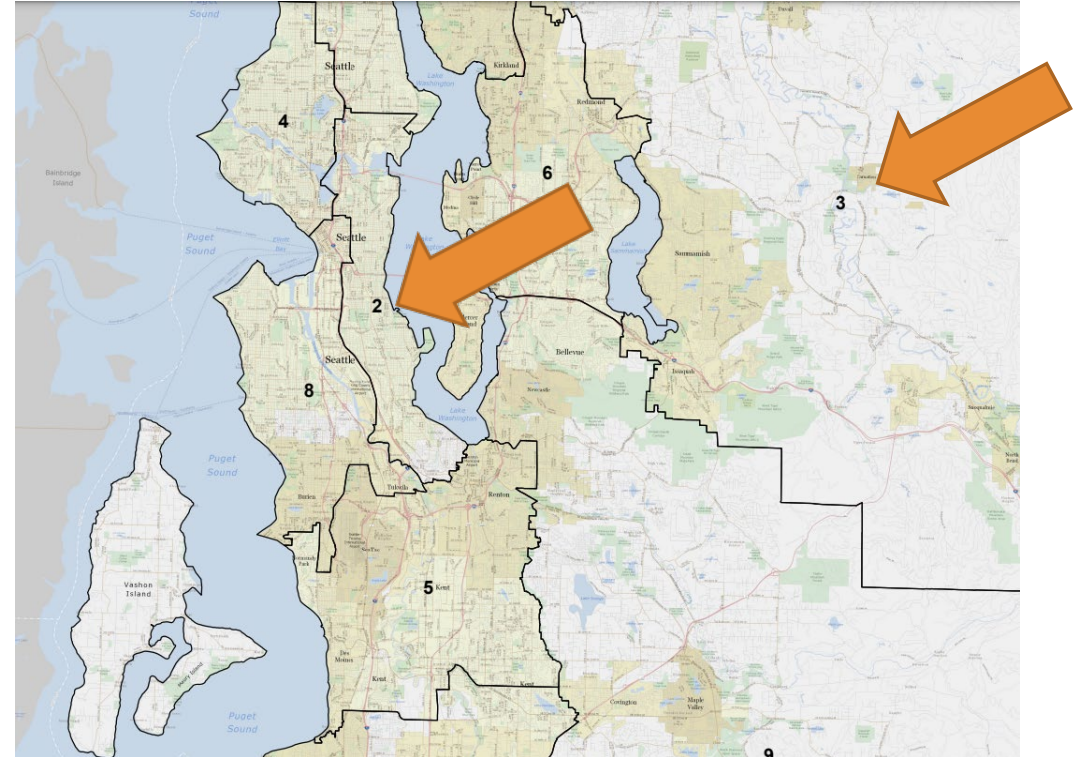
Stacey Smith,
Harvold Berry
Farm,
Carnation

Henna Khan, Henna Blueberry Farm, Carnation



Leann Krainick,
Krainick Dairy
Farm,
Enumclaw





Thank you to
Two Agriculture Commissioners rotating off



Nayab Khan, Henna Blueberry Farm, Carnation

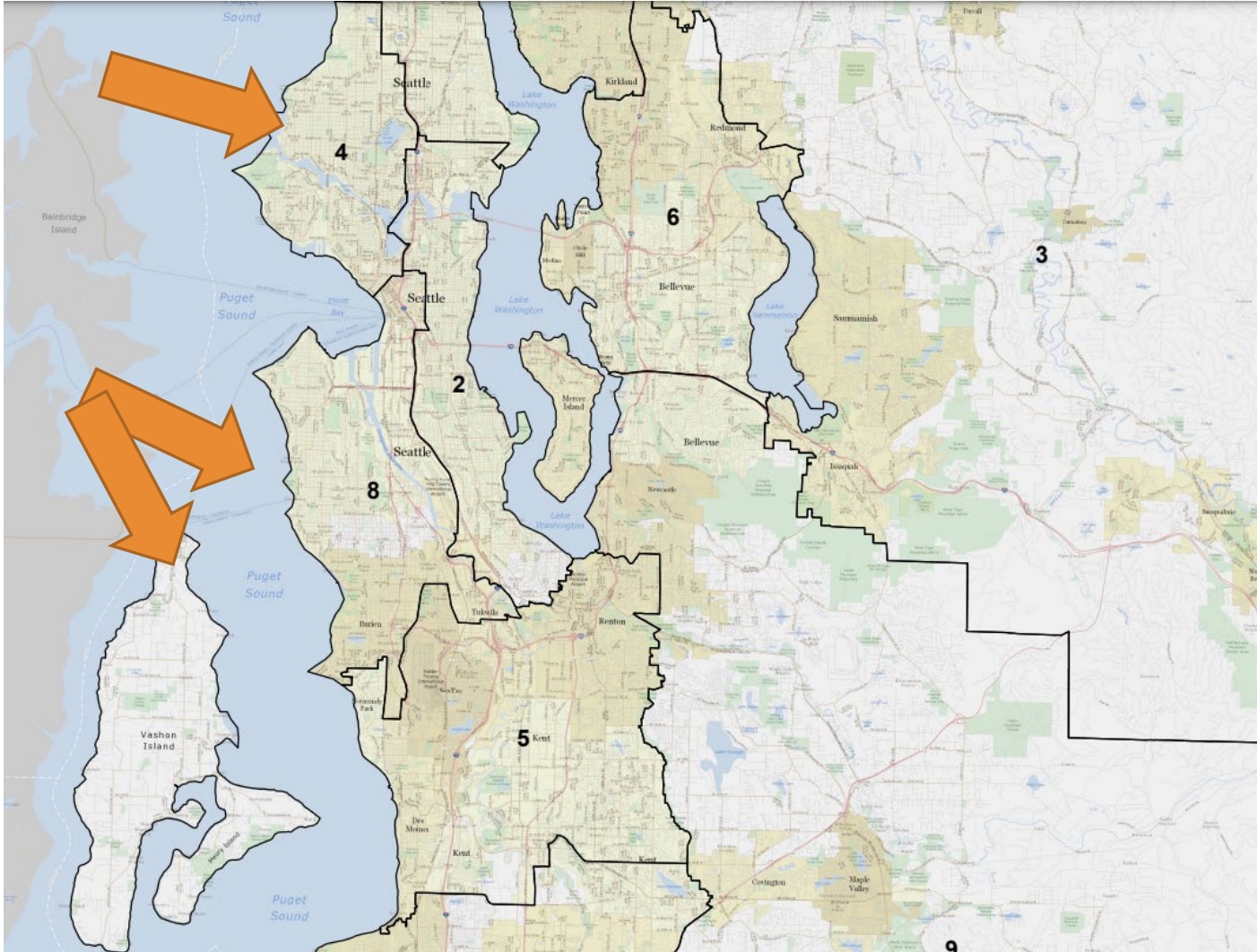
1/5/18-12/23,
1 partial +1 full term

Vice Chair, 2-years Chair, Past
Chair



Henry Wong, Food Business Resource Center, Business Impact NW

7/5/21-2/28/23



King County Councilmember Changes in District 4 and District 8

King County Councilmembers Terms Ending



Councilmember Jeanne
Kohl-Welles, District 4



Councilmember Joe
McDermott, District 8

King County Councilmembers Terms Starting



Councilmember Jorge
Baros, District 4



Councilmember Teresa
Mosqueda, District 8

King County Executive Dow Constantine transmitted the proposed updates for the [2024 Comprehensive Plan](#) on Dec 7

About the plan

The plan will guide the County's policy for the next 20 years on local services, land use, and development regulations in unincorporated King County and for regional services such as transit, sewers, parks, trails, and open space.

How can I stay involved?

The King County Council will now review the plan throughout 2024, with the final adoption planned for December. There will be opportunities for public input throughout the review process. Most immediately is the draft Environmental Impact Statement, which is accepting public comment now through January 31, 2024.

More information can be found at

kingcounty.gov/CompPlan

The 2024 Update also includes the proposed Snoqualmie Valley/Northeast King County Community Service Area Subarea plan, as well as related amendments to land use and zoning, development regulations in the King County Code, and the Vashon-Maury Island Community Service Area Subarea Plan.



Proposed Ordinance 2023-0310: Increasing Minimum Wage

[Sign In](#)



King County Council

CLERK OF THE COUNCIL

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Details | Reports

File #: 2023-0310 Version: 1

Type: Ordinance Status: In Committee

File created: 9/12/2023 In control: [Transportation, Economy and Environment Committee](#)

On agenda: Final action:

Enactment date: Enactment #:

Title: AN ORDINANCE establishing an hourly minimum wage for employees of employers in unincorporated King County, employees of certain county contractors, and county employees; amending Ordinance 17909, Section 4, as amended, and K.C.C. 3.18.010, Ordinance 17909, Section 5, as amended, and K.C.C. 3.18.020, and Ordinance 17909, Section 6, as amended, and K.C.C. 3.18.030, adding a new chapter to K.C.C. Title 12, and repealing Ordinance 17909, Section 8, and K.C.C. 3.18.050, Ordinance 17909, Section 9, and K.C.C. 3.18.060, and Ordinance 17909, Section 11, as amended, and K.C.C. 3.18.080, and establishing an effective date.

Sponsors: [Girmay Zahilay](#), [Rod Dembowski](#), [Jeanne Kohl-Welles](#), [Joe McDermott](#)

Indexes: minimum wage

Attachments: [1. 2023-0310.1_AMDS1_Striking_Amendment_Zahilay](#), [2. 2023-0310.1_AMDT1_Title_Amendment_Zahilay](#), [3. 2023-0310.1_AMDS1_Striking_Amendment_Zahilay_TRACK_CHANGES](#), [4. 2023-0310_SR_Minimum_Wage_10-17-23](#), [5. 2023-0310_SR_Minimum_Wage_11.16.2023](#)

Staff: Kim, Andrew

History (4) | Text

4 records | Group | Export

Date	Ver.	Action By	Action	Result	Action Details	Meeting Details	Video
11/28/2023	1	Metropolitan King County Council	Hearing Held		Action details	Meeting details	Not available
11/16/2023	1	Transportation, Economy and Environment Committee	Deferred		Action details	Meeting details	Not available
10/17/2023	1	Transportation, Economy and Environment Committee	Deferred		Action details	Meeting details	Not available
9/12/2023	1	Metropolitan King County Council	Introduced and Referred		Action details	Meeting details	Not available





WA State Legislative
Session starts **January 8**

- The WA State Legislature's 2024 (short) session will run from Monday, January 8 – March 7.
- The Legislative session will last 60 days including weekends and state recognized holidays.
- <https://crosscut.com/politics/2024/01/cap-and-trade-climate-change-return-2024-wa-legislature>

WA State Legislative Session Starts Monday January 8th

A reminder not to take a position on state or federal legislation contrary to King County's stance. As King County personnel, no one should be using King County resources to support legislation that King County and/or the Executive's Office are opposing; oppose legislation that King County and/or the Executive's Office are supporting; or take a position on legislation that King County and/or the Executive's Office have not yet taken a position on.¹

Boards and Commissions are similarly constrained. Absent statutory or charter/code authority to act independently of the Executive, Boards and Commissions are not allowed to lobby for positions contrary to the Executive.

WA State Legislation Right to Repair Bill [HB 2059](#)

AN ACT Relating to supporting the servicing and right to repair of certain products with digital electronics in a secure and reliable manner to increase access and affordability for Washingtonians

Effective January 1, 2025, an original manufacturer of digital electronic products and parts for such products that are manufactured for the first time and first sold or leased in this state on or after January 1, 2021, shall make available to any independent repair provider and owner, on fair and reasonable terms, any parts, tools, and documentation required for the diagnosis, maintenance, or repair of such products and parts for such products.

WA State Legislation Right to Repair Bill [HB 2059](#)

AN ACT Relating to supporting the servicing and right to repair of certain products with digital electronics in a secure and reliable manner to increase access and affordability for Washingtonians

(1) "Agricultural equipment" means a digital electronic product that is designed primarily for use in a farm operation, including any combine, tractor, sprayer, implement, or attachment, including attachments and repair parts thereof used in the planting, cultivating, irrigating, harvesting, or ranching of agricultural products, excluding self-propelled machines designed primarily for the transportation of persons or property on a street or highway.

(2) "Authorized repair provider" means an individual or business that is unaffiliated with an original manufacturer and that has an arrangement with the original manufacturer to use the original manufacturer's trade name, service mark, or other proprietary identifier for the purpose of offering the services of diagnosis, maintenance, or repair of digital electronic products under the name of the original manufacturer, or that has an arrangement with the original manufacturer under which the individual or business offers the services of diagnosis, maintenance, or repair of digital electronic products on behalf of the original manufacturer. An original manufacturer who offers the services of diagnosis, maintenance, or repair of its own digital electronic products shall be considered an authorized repair provider with respect to such products.



WASHINGTON STATE
FARMERS MARKET
ASSOCIATION

Annual Conference

February 23 - 24, 2024



SLEEPING LADY
MOUNTAIN RESORT
Leavenworth, WA



Modernizing Home Food Preservation Conference

Registration is now open for the Modernizing Home Food Preservation conference OSU is hosting in Portland, Oregon this coming February 29 to March 2, 2024. The conference event page has links to register and to book rooms at the conference rate: <https://beav.es/qMX>

This conference will bring together food scientists and Extension professionals from across the Western states (and beyond) to discuss current needs in food preservation research and current needs in community outreach. Keynote presenters will showcase current research, and further proposals are invited to discuss current community needs in home food preservation. Call for Proposals remains open through December 18.

See the event page for more information: <https://beav.es/qMX>

NEW!

Modernizing Home Food Preservation Conference



Produce Safety Program

In-Person Produce Safety Alliance Grower Trainings

Who should attend?

Fruit and vegetable growers interested in learning about produce safety, the Food Safety Modernization Act (FSMA) Produce Safety Rule, Good Agricultural Practices (GAPs), and co-management of natural resources and food safety. At least one supervisor or responsible party for every **covered farm** must attend the Produce Safety Alliance Grower Training. Check out our Produce Safety Rule Status Tool to determine your regulatory status.

[Produce Safety Rule Status Tool](#)

2024 Dates and Locations

January 26: Tri-Cities - [Register Here](#)
March 12: Bellingham - [Register Here](#)
March 14: Olympia - [Register Here](#)
March 26: Yakima (English) - [Register Here](#)
March 27: Yakima (Spanish) - [Register Here](#)
March 28: Wenatchee (Spanish) - [Register Here](#)
March 29: Wenatchee (English) - [Register Here](#)

Exemptions are based on farm sales, products and markets (where farms are selling their produce). Generally, farms that sell less than \$500,000 annually and sell primarily through direct-to-consumer market (i.e. CSA, farmers markets, online sales, etc.) are likely eligible for an exemption and should consult the resources below for clarification.

COMPOST REIMBURSEMENT PROGRAM

[← Back](#)[HOW TO APPLY](#)[REIMBURSEMENT](#)[SOIL SAMPLING](#)

The Compost Reimbursement Program aims to encourage on-farm use of commercial compost. For eligible farms, the program will pay up to 50% of the cost to obtain, transport, and spread compost, not to exceed \$10,000, per farm per year.

4 Step Application Process

- Part one of application (declaration for 10 years of soil testing by WSDA and description of transport and application of compost.
- Eligibility confirmed and grant contract signed.
- Part two: Reimbursement application due by June 1.
- 10 years of soil samples

NEW!

WSDA Compost Reimbursement Program

Proposed Ordinance 2023-0310

AN ORDINANCE establishing an hourly minimum wage for employees of employers in unincorporated King County, employees of certain county contractors, and county employees

Activity on 2023-0310 to date

Date	Action	Action By	Public Testimony by Farmers/Farm Orgs
9/12/2023	Introduced and Referred	Metropolitan King County Council	
10/17/2023	Deferred	Transportation, Economy and Environment Committee	
11/16/2023	Deferred	Transportation, Economy and Environment Committee	Andrew Stout, Lauren Silver-Turner – SVPA, Leann Krainick; written testimony: Burr Mosby, Janet Keller
11/28/2023	Public Hearing Held	Metropolitan King County Council	
1/16/2024, 9:30 AM	<i>Next Meeting</i>	Transportation, Economy and Environment Committee	

TREE Committee in 2023

COMMITTEE MEMBERSHIP

Chair: Rod Dembowski

Vice Chair: Pete von Reichbauer

Members: Claudia Balducci, *Jeanne Kohl-Welles*, *Joe McDermott*

[2023-0310](#) Sponsors: Girmay Zahilay, Rod Dembowski, *Jeanne Kohl-Welles*, *Joe McDermott*

Meeting Times: 9:30 AM on the third Tuesday of each month –
Next Meeting is scheduled for January 16

Additional information

- Title Amendment T1 would make changes to be consistent with the striking amendment.
- **Striking Amendment S1, sponsored by Councilmember Zahilay, would establish the 2024 hourly minimum wage rate to start at \$18.99, July 1, 2024.**

- ***Original Proposed Ordinance 2023-0310 Language:***

The proposed ordinance would establish an hourly minimum wage rate of \$18.99 for unincorporated King County (UKC) for 2023 with an annual inflationary increase to begin on January 1, 2024 which would increase the 2024 hourly minimum wage rate to \$20.29 to account for the 6.8% inflationary increase. The hourly minimum wage rate would include the following exceptions:

- Beginning on January 1, 2024, employers with 15 employees or fewer with an annual gross revenue of less than \$2.0 million would have an hourly minimum wage rate of \$3.00 less (\$17.29). The reduction would decrease annually by \$0.50 until no reduction is remaining; and
- Beginning on January 1, 2024, employers with more than 15 employees but fewer than 500 employees would have an hourly minimum wage rate of \$2.00 less (\$18.29). The reduction would decrease annually by \$1.00 until no reduction is remaining.

Please see Council Staff Briefing in meeting packet for additional details



King County

**Metropolitan King County Council
Transportation, Economy and Environment Committee**

STAFF REPORT

Agenda Item:	18	Name:	Andrew Kim
Proposed No.:	2023-0310	Date:	November 16, 2023

SUBJECT

An ordinance establishing an hourly minimum wage rate for unincorporated King County, employees of certain county contractors, and county employees.

SUMMARY

The proposed ordinance would establish an hourly minimum wage rate of \$18.99 for unincorporated King County (UKC) for 2023 with an annual inflationary increase to begin on January 1, 2024 which would increase the 2024 hourly minimum wage rate to \$20.29 to account for the 6.8% inflationary increase. The hourly minimum wage rate would include the following exceptions:

- Beginning on January 1, 2024, employers with 15 employees or fewer with an annual gross revenue of less than \$2.0 million would have an hourly minimum wage rate of \$3.00 less (\$17.29). The reduction would decrease annually by \$0.50 until no reduction is remaining; and
- Beginning on January 1, 2024, employers with more than 15 employees but fewer than 500 employees would have an hourly minimum wage rate of \$2.00 less (\$18.29). The reduction would decrease annually by \$1.00 until no reduction is remaining.

At a minimum, Executive staff estimate an annual cost of \$600,000 and a one-time cost between \$775,000 and \$900,000 to provide a basic level of implementation to establish an hourly minimum wage for UKC. Additional resources would be required for enforcement, investigation, and compliance activities.

The proposed ordinance would also amend K.C.C. Chapter 3.18 to modify the county's hourly living wage rate (currently \$18.69) for county employees and employees of certain county contractors to be the same as the hourly minimum wage rate proposed for UKC.

Striking Amendment S1, sponsored by Councilmember Zahilay, would establish the 2024 hourly minimum wage rate to start at \$18.99, remove the requirement for UKC employers to annually certify compliance with DLS, remove the requirement that DLS investigate violations of the hourly minimum wage reported by UKC employees, remove sections modifying the county's hourly living wage for county employees and certain county contractors, require the executive to determine cost prohibitive approaches to implementation and enforcement, modify the effective date to July 1, 2024, and make other technical changes. Title Amendment T1 would make changes to be consistent with the striking amendment.

BACKGROUND

Hourly Minimum Wage Rate in King County. In 2016, state of Washington voters passed Initiative 1433 to increase the state's hourly minimum wage for residents 18 years of age or older to \$11.00 starting January 1, 2017 and have it annually adjusted for inflation beginning on January 1, 2021.^{1,2} Initiative 1433 also required state of Washington employers to provide paid sick leave to employees. The 2023 minimum wage for Washington state is \$15.74 per hour and will increase to \$16.28 starting in 2024.³ RCW 49.46.120 states that the state's minimum standards for wages, paid sick leave, and working conditions are supplementary to local law or ordinance which may be more favorable to employees and therefore the more favorable minimum standards shall be in full force and effect and enforced.

City of SeaTac. In 2013, before Initiative 1433 was adopted by the state of Washington, voters from the City of SeaTac approved local Proposition 1 that established an hourly minimum wage rate of \$15.00 starting on January 1, 2014 and other benefits and rights for employees in the hospitality and transportation industries, including those that work at Seattle-Tacoma International Airport.⁴ The City of SeaTac's 2023 hourly minimum wage rate is \$19.06 and will increase to \$19.71 starting in 2024.⁵

City of Seattle. In 2014, the City of Seattle enacted Ordinance 124490⁶ to increase the hourly minimum wage rate and minimum compensation rate for all employees performing work in the city to \$13.00 for large employers (employers with 501 or more employees) and a lower rate for smaller employers (500 or fewer employees). The rate for smaller employers would vary depending on whether the employer would provide medical benefits and/or the amount of tips earned by the employee. The City of Seattle's 2023 hourly minimum wage rate for larger employers is \$18.69 and will

¹ Initiative Measure No. 1433, filed January 22, 2016. [[LINK](#)]

² Codified as RCW 49.46.020. [[LINK](#)]

³ Washington State Department of Labor & Industries – Minimum Wage information page. [[LINK](#)]

⁴ The Supreme Court of the State of Washington ruled in *Filo Foods, LLC, et al. vs. The City of SeaTac, et al.* that the City of SeaTac's hourly minimum wage would apply to employers in SeaTac Airport (Port of Seattle). [[LINK](#)] Subsequently, on July 27, 2021, the Port of Seattle adopted Resolution No. 3789 to establish a hourly minimum wage consistent with the City of SeaTac's hourly minimum wage for all employers in the Port of Seattle. [[LINK](#)]

⁵ City of SeaTac – 2024 Minimum Wage Adjustments. [[LINK](#)]

⁶ Seattle Municipal Code Chapter 14.19. [[LINK](#)]

increase to \$19.97 in 2024. For smaller employers that pay \$2.72 per hour toward medical benefits and/or have its employees earn \$2.72 per hour in tips, the 2023 hourly minimum wage rate is \$16.50 and will increase to \$17.25 in 2024 ⁷

City of Tukwila. In 2022, voters from the City of Tukwila approved local Initiative Measure 1 that established an hourly minimum wage for employees performing work in the city to be the same rate as the City of SeaTac starting July 1, 2023.⁸ The City of Tukwila's 2023 hourly minimum wage rate is \$18.99 per hour. This rate differs from the City of SeaTac's rate due to their difference in the definition of the annual rate of inflation. According to the University of California, Berkley Labor Center, the City of SeaTac currently has the highest hourly minimum wage rate in the country.⁹ However, beginning in 2024, the City of Tukwila will have a higher minimum wage than the City of SeaTac, with an hourly minimum wage rate of \$20.29. For those employers with less than 15 employees or has annual gross revenue of less than \$2.0 million, the hourly minimum wage will be \$18.29 but will increase to \$19.29 on July 1, 2024.¹⁰

County's Living Wage Ordinance. On May 19, 2014, the council adopted Motion 14131, which stated that it is county policy that a living wage should be paid to county employees and to the employees of persons, businesses, organizations and other entities that receive procurement contracts, tax exemptions or credits, or other financial benefits from the county.

Subsequently in October 2014, the county enacted Ordinance 17909 to require that a living wage be paid to county employees and to the employees of certain county contractors. To avoid conflicts for county employees who work in the City of Seattle and reduce the administrative burden on county contractors, the ordinance followed the City of Seattle's minimum wage ordinance by setting variable living wage rates based on the size (number of employees) of the contractor, and whether health benefits were provided to employees by the contractor. The county's 2023 hourly living wage rate for county employees and certain county contractors with 501 or more employees is \$18.69 per hour and will increase to \$19.97 for 2024. For certain county contractors with fewer than 500 employees, the hourly living wage is \$16.50 and will increase to \$17.25 for 2024.¹¹

Table 1 includes a summary of the hourly minimum wage rates throughout King County.

⁷ City of Seattle Minimum Wage information page. [\[LINK\]](#)

⁸ Tukwila Municipal Code Chapter 5.63. [\[LINK\]](#)

⁹ Inventory of US City and County Minimum Wage Ordinances [\[LINK\]](#).

¹⁰ City of Tukwila Minimum Wage and Fair Access to Additional Hours of Work Information Page. [\[LINK\]](#)

¹¹ King County Living Wage Ordinance Information Page. [\[LINK\]](#)

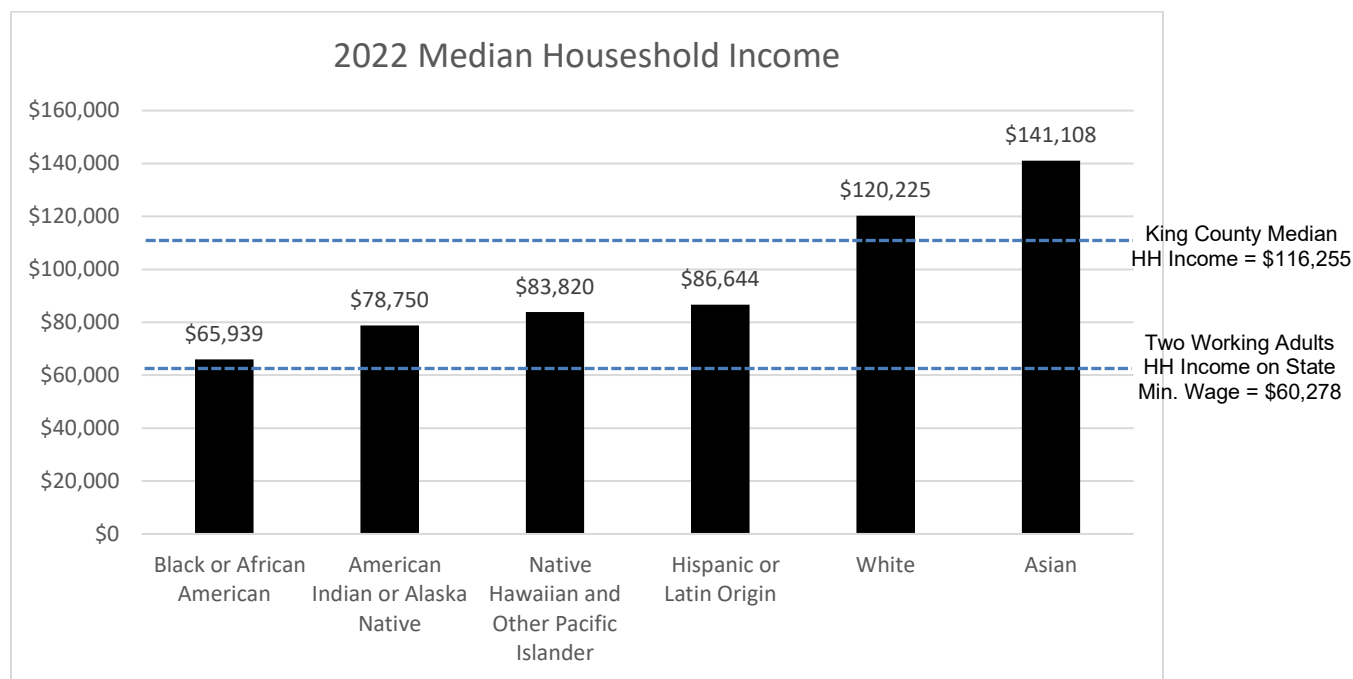
TABLE 1.
Hourly Minimum Wage Rates Throughout King County.

King County Jurisdictions	2023 Hourly Minimum Wage	2024 Hourly Minimum Wage	Tip Credits Allowed?	Inflation Calculation	Notes
(PROPOSED) UKC, County employees, and employees of certain county contractors	\$18.99	\$20.29	No	CPI-W, <u>annual average</u> % change, ending Aug of prior year	For 2024, \$17.29/hr. for employers with 15 or fewer employees and less than \$2 million revenue; \$18.29/hr. for employers greater than 15 employees but less than 500 employees.
City of SeaTac (including SeaTac Airport)	\$19.06	\$19.71	No	CPI-W, annual % change, ending Aug of prior year	Applies to hospitality and transportation industry employers only. All other employers are required to pay the State of Washington's minimum wage.
City of Seattle	\$18.69	\$19.97	Yes	CPI-W, <u>annual average</u> % change ending Aug of prior year	For 2024, \$17.25/hr. for employers with 500 or fewer employees and pay \$2.72/hr. toward medical benefits and/or employees earn \$2.72/hr. in tips.
City of Tukwila	\$18.99	\$20.29	No	CPI-W, <u>annual average</u> % change ending Aug of prior year	For 2024, \$18.29 for employers with less than 15 employees or gross annual revenue over \$2.0 million but increase to \$19.29 on July 1, 2024.
All other jurisdictions	\$15.74	\$16.28	No	CPI-W, annual % change, ending Aug of prior year ¹²	The State of Washington's minimum wage which applies to those who are 18 years of age or older.
County employees and employees of certain county contractors	\$18.69	\$19.97	Not specified	CPI-W, <u>annual average</u> % change ending Aug of prior year	For 2024, \$17.25/hr. for certain county contractors with 500 or fewer employees.

¹² The state of Washington uses the national CPI for urban wage earners and clerical workers (CPI-W). [\[LINK\]](#)

Median Household Income for King County. According to 2022 census data, the median household income for King County is \$116,255.¹³ For reference, a household with two working adults that both earn the State’s hourly minimum wage (\$14.49 in 2022) would have had a household income of \$60,278. Table 2 below show the median household income by race in King County.¹⁴

TABLE 2.
2022 Median Household Income by Race in King County.



Outcome Studies on Effects of Increasing Hourly Minimum Wage in the City of Seattle. A study published in the *Economic Inquiry*, entitled “Seattle’s Local Minimum Wage and Earnings Inequality,” assessed whether the City of Seattle’s hourly minimum wage ordinance led to a reduction in earning inequality among workers from 2014 to 2017, a period when the local minimum wage phased in to \$13.00 per hour.¹⁵ The study found that inequality among workers who earned less than the Seattle’s median hourly wage (\$26.42) was reduced modestly as workers in the lowest wage jobs saw large increases in hourly wages. The study also found that overall earnings inequality substantially increased during the study period in which the ordinance was phased in, likely for reasons unrelated to the minimum wage law.

A study published in the *American Economic Journal*, entitled “Minimum Wage Increases and Low-Wage Employment: Evidence from Seattle,” examined the labor

¹³ U.S. Census Data – S1903 (Median Income in the Past 12 Months (in 2022 Inflation-Adjusted Dollars). [\[LINK\]](#)

¹⁴ U.S. Census Data – S1903 (Median Income in the Past 12 Months (in 2022 Inflation-Adjusted Dollars). [\[LINK\]](#)

¹⁵ Long, Mark C. “Seattle’s local minimum wage and earnings inequality”. *Economic Inquiry*. Volume 60, Issue 2, April 2022, Pages 528-542 [\[LINK\]](#).

market effects of the Seattle's hourly minimum wage ordinance when the citywide minimum was set to \$13.00 an hour in 2017.¹⁶ The study found that those earning less than \$19.00 per hour saw wages rise by 3.4% while experiencing a 7.0% decrease in hours worked. The study also found that low-wage workers employed before the hourly minimum wage ordinance took effect saw their wages increase more than the decrease in hours worked. This increase in pay was larger for low-wage workers with more prior labor market experience. Lastly, the study found evidence of a decline in the rate of hiring of low-wage workers who were not previously employed in the state of Washington as the hourly minimum wage in the city reached \$13.00 an hour.

Predictive Studies on Effects of Increasing Hourly Minimum Wage in the United States. In February 2021, the Congressional Budget Office (CBO) published an article entitled "The Budgetary Effects of the Raise the Wage Act of 2021" to study the impacts of a proposed bill, the Raise the Wage Act of 2021 (S. 53, as introduced on January 26, 2021), which would raise the federal minimum wage, in annual increments, to \$15.00 per hour by June 2025. The article predicted the following:

- The cumulative budget deficit over the 2021–2031 period would increase by \$54 billion;
- Employment would be reduced by 1.4 million workers, or 0.9%; and
- The number of people in poverty would be reduced by 0.9 million.¹⁷

In July 2019, the CBO published an article entitled "The Effects on Employment and Family Income of Increasing the Federal Minimum Wage," which examined how increasing the federal minimum wage to \$10.00, \$12.00, or \$15.00 per hour by 2025 would affect employment and family income. The article predicted the following:

- In an average week in 2025, the \$15.00 option would boost the wages of 17 million workers who would otherwise earn less than \$15.00 per hour;
- 10 million workers otherwise earning slightly more than \$15.00 per hour might see their wages rise as well but 1.3 million other workers would become jobless;
- There would be a two-thirds chance that the change in employment would be between about zero and a decrease of 3.7 million workers; and
- The number of people with annual income below the poverty threshold in 2025 would fall by 1.3 million.¹⁸

¹⁶ Jardim, Ekaterina, Mark C. Long, Robert Plotnick, Emma van Inwegen, Jacob Vigdor, and Hilary Wething. 2022. "Minimum-Wage Increases and Low-Wage Employment: Evidence from Seattle." *American Economic Journal: Economic Policy*, 14 (2): 263-314. [\[LINK\]](#)

¹⁷ "The Budgetary Effects of the Raise the Wage Act of 2021." *Congressional Budget Office*. February 2021. [\[LINK\]](#)

¹⁸ "Effects on Employment and Family Income of Increasing the Federal Minimum Wage." *Congressional Budget Office*. July 2019. [\[LINK\]](#)

ANALYSIS

Summary of Proposed Ordinance. The following provides a summary of each section of the proposed ordinance:

Section 1. This section includes the Findings.

Sections 2 through 6. These sections would amend King County Code Chapter 3.18 to modify the county's hourly living wage rate for county employees and employees of certain county contractors to be the same as the hourly minimum wage rate for employees of employers in unincorporated King County (UKC) as specified in Section 9. The proposed ordinance would also remove all of the following existing exemptions:

- Individuals defined in RCW 49.46.010(3)¹⁹;
- Individuals employed in the categories listed in RCW 49.46.060(1)²⁰;
- Individuals younger than 18 years of age;
- Short-term temporary county employees who are employed in social service programs designed to help youth gain basic work training skills, also known as the Work Experience (WEX) Program;
- Contracts related to a county emergency; proprietary purchase; or purchases through a cooperative or joint purchasing agreement; and
- Contracts that result in an increased cost to the county that would make it necessary to reduce services to county residents or otherwise have a material, adverse impact on the county.

Of note, the county's hourly living wage currently applies to only "services" related county contracts greater than \$100,000. The proposed ordinance would not modify this requirement.

Section 7. This section would add a new chapter in King County Code Title 12, to include Sections 8 through 13 of the proposed ordinance, which would establish an hourly minimum wage rate for employees of employers in UKC.

Section 8. This section would include new definitions to establish the hourly minimum wage rate for UKC.

Section 9. This section would include the following requirements:

- All UKC employers would be establish an hourly minimum wage rate of \$18.99 for unincorporated King County (UKC) for 2023 with an annual inflationary

¹⁹ List of individuals can be found in RCW 49.46.010. [\[LINK\]](#)

²⁰ Learners, of apprentices, and of messengers employed primarily in delivering letters and messages; and individuals whose earning capacity is impaired by a disability, Additional details are described in RCW 49.46.060. [\[LINK\]](#)

increase to begin on January 1, 2024 which would increase the 2024 hourly minimum wage rate to \$20.29 to account for the 6.8% inflationary increase. The hourly minimum wage would include the following exceptions:

- Beginning on January 1, 2024, employers with 15 employees or less with an annual gross revenue of less than \$2.0 million would have an hourly minimum wage rate of \$3.00 less (\$17.29). The reduction would decrease annually by \$0.50 until no reduction is remaining, which would take place in 2030; and
- Beginning on January 1, 2024, employers with more than 15 employees but fewer than 500 employees would have an hourly minimum wage rate of \$2.00 less (\$18.29). The reduction would decrease annually by \$1.00 until no reduction is remaining, which would take place in 2026;
- Exceptions would not include franchises with more than 15 employees regardless of the geographic location of those employees;
- Annual gross revenue for an employer would also include revenue generated outside of UKC;
- All UKC employers would be required to pay its employees all tips, gratuities, and service charges, which would not count towards the hourly minimum wage rate (in other words, tip credits would not be allowed);
- By October 1 of each year, the DLS Director would be required to publish the revised hourly minimum wage rate on the county's website; and
- All UKC employers would be required to annually certify compliance with the proposed ordinance with DLS and maintain adequate records to provide proof of compliance so it would be available for a proceeding involving an aggrieved employee bringing a civil action as specified in Section 11;

Section 10. This section would require the Director of the Office of Performance, Strategy and Budget (PSB) to annually convene an internal county workgroup to evaluate whether the hourly minimum wage rate is sufficient to meet the basic needs of working families in King County and analyze the current hourly minimum wage rate's impact to the region's economy. The workgroup would include the Director of the Office of Economic and Financial Analysis (OEFA) / Chief Economist, Director of the Finance and Business Operations Division (FBOD), DLS Director, Director of the Department of Human Resources (DHR), and the Chair of the Council's Budget and Fiscal Management Committee (BFM). The workgroup is required to provide a report of its findings and any recommendation to the council by June 30th of each year.

Section 11. This section would prohibit employers from interfering or taking adverse action against an employee for exercising their rights to report alleged violations of the hourly minimum wage rate for UKC.

Section 12. This section would do the following:

- Allow an aggrieved employee to bring a civil action against an employer for violating the hourly minimum wage rate for UKC. Upon prevailing, the appropriate remedy would include, but not be limited to, payment of any unpaid wages plus interest, liquidated damages of up to twice the unpaid wages and any collateral damages incurred by the aggrieved employee, and a penalty of up to \$5,000; and
- Authorize DLS to investigate and initiate legal or other action to remedy any violation of the hourly minimum wage rate reported by a UKC employee.

Section 13. This section would do the following:

- Allow the DLS Director to adopt rules and procedures to ensure compliance of the hourly minimum wage rate for UKC; and
- Authorize the DLS Director to negotiate an interlocal agreement with a governmental entity or contract with a nonprofit organization to implement and ensure compliance of the hourly minimum wage rate for UKC.

Section 14. This section would establish the effective date as January 1, 2024.

Section 15. This section includes the severability clause.

Number of UKC Employers and Employees Impacted. According to the County's Office of Economic Opportunity and Creative Economy's (OEOCE) Economic Development and Small Business Assistance Strategies Proviso Report,²¹ a single source of comprehensive business data does not exist for unincorporated King County. The report notes that there are more than **19,000** businesses registered in UKC, based on data obtained from the Washington Secretary of State (SoS) website in January 2022.²²

Based on Washington State Department of Revenue (DOR) data, Executive staff state that there are approximately **37,159** businesses in UKC, which include sole proprietorships²³, unlike the SoS data which does not include sole proprietorships.

According to 2021 data provided by the Puget Sound Regional Council (PSRC), the number of "covered employment workplaces"^{24,25} in UKC is approximately **4,128** and

²¹ Attachment A to [Motion 16454](#).

²² DLS notes that the Washington Secretary of State no longer publishes this data.

²³ A sole proprietor is someone who owns an unincorporated business by himself or herself.

²⁴ Puget Sound Regional Council Data Portal - Covered Employment by City – NAICS. [\[LINK\]](#)

²⁵ According to PSRC, "covered employment" summaries derive from Quarterly Census of Employment and Wages (QCEW), administrative records employers report, by law, to the Washington States Employment Security Department (ESD). The dataset for March of each year is used as a representative month when seasonal fluctuations are minimized. The unit of measurement is jobs, rather than working persons or proportional FTE equivalents; part-time and temporary positions are included. Locations are measured as separate reporting workplaces, rather than firms. To provide more accurate workplace reporting, PSRC gathers supplemental data from the Boeing Company,

the number of employees employed by UKC covered employment workplaces is **38,425**. Table 3 below provides a breakdown of the number of covered employment workplaces by the number of employees in rural and urban UKC areas.

Table 3.
2021 PSRC Data: UKC “Covered Employment Workplaces” by # of Employees.

	15 employees and fewer	16 – 500 employees	More than 500 employees	Subtotal
Urban UKC	1,248 (30%)	197 (5%)	1 (0.02%)	1,446 (35%)
Rural UKC	2,408 (58%)	272 (7%)	2 (0.05%)	2,682 (65%)
Subtotal	3,656 (88%)	469 (12%)	3 (0.07%)	4,128 (100%)

DLS UKC Business Survey. In October and November 2022, DLS conducted a digital survey of UKC businesses. The purpose of the survey was to address the lack of reliable UKC business data and to inform county strategies to support UKC businesses.²⁶ The survey had 558 responses from businesses throughout the unincorporated areas. The following provide insights from the survey that pertains to the proposed ordinance:

- **Number of Employees:** Of the total respondents, 536 responded to the question on the number of employees employed by their business. Of those responded, 90% of businesses had 10 or fewer employees and 4% of businesses had more than 20 employees;
- **Gross Revenue:** Of the total respondents, 447 responded to the question on the gross revenue of their business. Of those responded, 89% of businesses earned revenues of \$1.0 million or less;
- **Minimum Wage Increase:** Of the total respondents, 470 responded to the question related to supporting an increase in an hourly minimum wage in UKC. Of those responded, 67% of businesses supported an increase in an hourly minimum wage; and
- **Business License Fee:** Of the total respondents, 470 responded to the question related to supporting an annual business license if part of the fee was used to support UKC small businesses. Of those responded, 42% replied “No”, 32% replied “Not Sure”, and 26% replied “Yes”.

the Office of Washington Superintendent of Public Instruction (OSPI), and governmental units throughout the Puget Sound region. “Covered employment” refers to positions covered by the Washington Unemployment Insurance Act. The Act exempts the self-employees, proprietors and corporate officers, military personnel, and railroad workers, so those are not included in the dataset. “Covered employment” accounts for approximately 85-90% of all employment.
²⁶ The DLS UKC Business Survey is included as Appendix A of Attachment A to [Motion 16454](#).

Impact to the County’s Work Experience (WEX) Program. The Department of Community and Human Services’ (DCHS) Children, Youth, and Young Adults Division (CYYAD) operates the Work Experience (WEX) Program, which provides at-risk youth in the county with work experience. Program participants obtain work experience through various public, private, and not-for-profit employers. The participants are classified as non-exempt short-term temporary county employees and the wages are paid directly by the county. The program is funded by the Washington State Department of Social and Health Services’ Division of Vocational Rehabilitation, the Workforce Development Council of Seattle-King County,²⁷ and Best Starts for Kids.

Program participants are classified in one of three job classifications depending on their past job experiences, education level, and job duties. Table 4 below lists the job classifications and the hourly minimum wage for each classification.

**TABLE 4.
Work Experience (WEX) Program Job Classifications and Wages.**

Job Classification	2023 Hourly Minimum Wage	2024 Hourly Minimum Wage
Work Experience Participant (WEX) I	\$15.74 (WA State min. wage)	\$16.28
Work Experience Participant (WEX) II	\$17.74 (\$2.00 + WA State min. wage)	\$18.28
Work Experience Participant (WEX) III	\$19.74 (\$4.00 + WA State min. wage)	\$20.28

Currently, K.C.C. 3.18.030 exempts the WEX Program from the county’s hourly living wage rate requirement. The proposed ordinance would remove this exemption and require the WEX Program to pay program participants the proposed hourly minimum wage of \$20.29 for 2024. Executive staff state that removing the exemption would increase the ongoing program costs and potentially reduce the number of participants due to its limited funding. Executive staff also state that the county is required to meet state mandated targets for program participants and the proposed ordinance would potentially risk the county’s ability to meet these targets.

Council staff analysis is ongoing to understand the fiscal impact of increasing the hourly minimum wage to the WEX program.

Implementation, Enforcement, and Fiscal Impact. Executive staff state that implementing and enforcing the hourly minimum wage for UKC would be a new body of work for DLS and could not be taken on by existing staff who are currently over capacity.

²⁷ The Workforce Innovation and Opportunity Act (WIOA) was signed into law on July 22, 2014. WIOA consolidated and replaced several previous workforce development laws and established several new programs and initiatives to help individuals prepare for, find, and retain employment, as well as to support employers in recruiting and training a skilled workforce. The Workforce Development Council (WDC) of Seattle-King County is one of eleven areas in Washington State that operate WIOA funded programs. [\[LINK\]](#)

Executive staff estimate an ongoing annual cost of \$600,000 and a one-time implementation cost between \$775,000 and \$975,000 to support a basic level of implementation which would include initial program setup, developing FAQs and other materials for the community, responding to inquiries, and implementing technology to track and document all interactions with employers and employees including compliance documentation, complaint documentation and process, and information requests. Table 5 below shows a breakdown of the cost estimates for a basic level of implementation. Executive staff note that legal cost estimates are uncertain as they are waiting for the Prosecuting Attorney’s Office (PAO) to provide more information.

**Table 5.
Detailed Cost for Basic Level of Implementation.**

Ongoing Costs		One-time Costs	
Staff (1 Project Manager & 1 Administrator)	\$400,000	Staff (TLT for 2-3 years)	\$400,000 - \$600,000
Technology	\$15,000	Technology	\$100,000
Legal	\$25,000	Legal	\$100,000
Other (mailers, interpretation, translation, etc.)	\$60,000	Other	\$175,000
Internal Costs (IT, HR, etc.)	\$100,000		
Total	\$600,000	Total	\$775,000 – \$975,000

As discussed above, the proposed ordinance would require DLS to be responsible for the following enforcement activities:

- (Section 9.E.) All UKC employers would be required to annually certify compliance with the hourly minimum wage with DLS; and
- (Section 12.D.) An employee of a UKC employer may report any violations to DLS, who is hereby authorized to investigate and, if DLS deems it appropriate, initiate legal or other action to remedy any violation of this chapter.

Executive staff state that costs to support the above enforcement activities would be high and would be in addition to the costs to support the basic level of implementation.

Enforcement of Hourly Minimum Wage in Other Jurisdictions. Table 6 below provides a snapshot of how the cities of SeaTac, Seattle, and Tukwila are implementing and enforcing their hourly minimum wage ordinances.

TABLE 6.
Hourly Minimum Wage Enforcement and Implementation in Other King County Jurisdictions.²⁸

King County Jurisdictions	# of Businesses	Annual Budget	# of FTEs	Contract w/ Other Entities?	Notes
City of SeaTac	854	negligible	0.0	No	<ul style="list-style-type: none"> • Ordinance allows private right of action; • Complaint-based enforcement; • No complaints received in the last 7 years.
City of Seattle	65,000	\$8.4 million	36.0 (~2.5 FTEs for min. wage)	No	<ul style="list-style-type: none"> • Ordinance allows private right of action; • Complaint-based enforcement; • Budget includes enforcement of 19 different employment standards incl. minimum wage; • Supporting revenues incl. business license tax and general fund; • 25% of budget (\$2.0 million) supports outreach and education and of the total \$400,000 are related to minimum wage; • Received 717 general inquiries related to min. wage in 2015 but decreased to 61 inquiries in 2022; • Received 141 worker inquiries in 2019 at its peak and 69 worker inquiries in 2023 related to min. wage; • Average investigation duration is 406 days.
City of Tukwila	500 – 1,000	Unknown	0.0	No	<ul style="list-style-type: none"> • Ordinance allows private right of action; • Complaint-based enforcement; • Extensive use of existing FTEs to support implementation, rules drafting, responding to public inquiries, and outreach to employers; • Considers adding 1.0 FTE to support work; • Uncertain of resources needed to implement compliance certification by employers; • Uncertain of resources needed to support investigations.

²⁸ Data obtained from correspondence with City of SeaTac City Manager’s Office; City of Seattle Council central staff and Office of Labor Standards; and City of Tukwila Economic Development Office.

Annual Inflation Rate. The proposed ordinance defines the “annual rate of inflation” as the annual average growth rate of the U.S. Department of Labor, Bureau of Labor Statistics Seattle-Tacoma-Bremerton Area Consumer Price Index for urban wage earners and clerical workers, CPI-W²⁹, for the 12-month period ending in August. As shown in Table 1 above, the City of Seattle, City of Tukwila, and the county also use this definition to calculate the annual rate of inflation. The annual average growth rate is calculated by averaging the annual growth rate for October, December, February, April, June, and August for the prior 12-month period.

By contrast, as shown in Table 1, the State of Washington and the City of SeaTac define the “annual rate of inflation” as the annual growth rate of CPI-W for the 12-month period ending in August. The annual growth rate is calculated by using the annual growth rate for August for the prior year.

The Office of Economic and Financial Analysis (OEFA) states that taking the annual average growth rate (a year’s worth of inflation data) rather than taking the annual growth rate for a single month would avoid undesirable variances, particularly in current times where the inflation rate is frequently volatile. OEFA also notes that the difference between the two definitions may not be significant in the future when inflation rates would be less volatile.

AMENDMENT

Striking Amendment S1, sponsored by Councilmember Zahilay, would do the following:

1. **(Section 4)** Establish the hourly minimum wage of \$18.99 to begin in 2024 rather than 2023;
2. **(Section 4)** Remove the requirement for employers in unincorporated King County to annually certify compliance with this chapter to DLS (Note: Employers would still be required to maintain adequate records to provide proof of compliance and either have it available upon request by the department or have it available for a proceeding involving an aggrieved employee bringing a civil action);
3. **(Section 7)** Remove the provision allowing an impacted employee in unincorporated King County to report any violations of the hourly minimum wage to DLS;
4. **(Section 7)** Remove the requirement that DLS investigate and initiate legal or other action to remedy any violation of the hourly minimum wage reported by an impacted employee in unincorporated King County;
5. **(Removed Sections)** Remove sections modifying the county’s hourly living wage rate for county employees and employees of certain county contractors to be the same as the hourly minimum wage rate of unincorporated King County;

²⁹ U.S. Bureau of Labor Statistics – How to Use the Consumer Price Index for Escalation. [[LINK](#)]

6. **(Section 8)** Require the executive to determine the most cost effective approach to implementation and enforcement of the ordinance including negotiating an interlocal agreement with Washington State Department of Labor & Industries or other local King County jurisdictions or contracting with a nonprofit organization;
7. **(Section 8)** Allow delay of DLS implementation and enforcement responsibilities until the executive transmits a letter notifying to the council that a cost effective approach to implementing and enforcing the ordinance was determined, or the council appropriates moneys to support the implementation and enforcement of the ordinance, or both;
8. **(Section 9)** Modify the effective date of the ordinance from January 1, 2024 to July 1, 2024; and
9. **(Various Sections)** Make other technical changes and corrections.

Title Amendment T1 would make changes to be consistent with the striking amendment.

INVITED

- Dwight Dively, Director, Office of Performance, Strategy and Budget (PSB)
- John Taylor, Director, Department of Local Services (DLS)
- Ashton Allison, Economic Opportunity Director, Office of Economic Opportunity and Creative Economy (OEOCE)

ATTACHMENTS

1. Proposed Ordinance 2023-0310
2. Striking Amendment S1
3. Title Amendment T1
4. Striking Amendment S1 (with Track Changes)

Proposed Minimum Wage KCD3 Farmers Roundtable

King County Agriculture Commission notes

October 24, 2023

Labor challenges for farmers across unincorporated King County

- Recruitment and retention of employees in a **very competitive wage market**
- Many farms pay above minimum wage
- Multiple pressures on farms -see Snoqualmie Valley APD [Agriculture Land Resource Strategic Plan](#) (economic activity, climate change, beavers, flooding)
- When minimum wage increases, expectations for higher wages also rise

Three examples:

- Food processing businesses serving local farms (needs some skills, but trains most) – starts at \$20/hr and is pushing to \$25 for retention.
- Small u-pick operation hires high school students 14-15 years old at sales booth that can legally be paid less than minimum wage. However, they are paid min wage to be competitive. Will reduce hours in 2024 to busiest times of the day.
- Larger operations pay minimum wage and offer benefits or courtesies such as housing to retain employees, but do not receive allowances for offering benefits or courtesies.

Impacts to weather cost increases:

- A minimum wage rate increase will cause farmer/owners to work more hours and/or pay themselves less: reducing the standard of living of farmer/owners.
- Reducing employees to make ends meet.
- Some employee benefits/courtesies must be passed back to the employee – which can exacerbate labor challenges.

Additional context:

- In the last two years, a state legal ruling has added mandatory overtime for dairy employees working more than 40 hours/week, that did not exist before. ⁱ
- In 2011 the minimum wage was \$8.00/hr, the rate has doubled to the present rate (\$15.74) and another increase to \$18.99 will raise levels another \$3.00/hr.

Potential mitigation strategies:

If the wage increase could somehow be subsidized or supported by other sources through reimbursable grants/programs. Examples:

- WSDA and USDA meat capacity grants in the last couple of years allow/ed for job training and development to increase employee recruitment and retention. These are 1–2-year grants typically and are coupled with infrastructure improvements. But the funding allows businesses to increase their wages to employees and get reimbursed for the wages.
- As another example, the NW Meat Processors Association has an apprenticeship program for meat processing businesses that reimburses a meat business for two years of employee's pay and/or school fees when the program is completed.
- Lastly, not quite the same concept, but WA State's [farm internship program](#) includes King County as an eligible location. It requires an educational component but does not require paying minimum wage.

¹ The law took effect on July 25, 2021, 90 days after the end of the Legislative session, but some portions of the law applying to agricultural workers will be phased in from Jan. 1, 2022 through Jan. 1, 2024. Dairy workers are eligible for overtime compensation for all hours worked over 40 in a workweek. All other agricultural workers will be eligible for overtime compensation for hours worked over 55 during a workweek beginning Jan. 1, 2022, for all hours worked over 48 beginning Jan. 1, 2023, and for all hours worked over 40 beginning Jan. 1, 2024. <https://lni.wa.gov/workers-rights/agriculture-policies/agricultural-overtime-faq>



King County
Agriculture Commission
Water and Land Resources Division
Department of Natural Resources and Parks

King Street Center
201 South Jackson Street, Suite 600
Seattle, WA 98104-3855
206.477-4800 Fax 206.296.0192

January 11, 2024

The Honorable Rod Dembowski
516 Third Avenue, Room 120
Seattle, WA 98104

Dear Councilmember Dembowski:

I am writing on behalf of the King County Agriculture Commission (Commission) regarding King County's Proposed Ordinance 2023-0310, establishing an hourly minimum wage for employees of employers in unincorporated King County.

While many farms pay more than the current minimum wage to be competitive, raising the minimum wage may adversely impact the agriculture sector. Nearly all of the approximately 2,000 commercial farms in King County are located in the unincorporated (UKC) area and at least a quarter of those rely on hired farm labor. Because farm owners recruit employees from the same applicant pool as other businesses, they will need to increase their rates of pay to offer a premium over other positions that are often viewed as less demanding.

Farming in King County is already extremely challenging from an economic perspective. Raising the minimum wage in King County would mean that farms in other counties in the Puget Sound region would have an economic advantage over King County farm businesses, and that disparity would be even greater when compared with farms in other regions of Washington and elsewhere in the US., which have lower minimum wage standards. This creates an uneven playing field for the agriculture sector and will drastically impact farm competitiveness and viability in King County.

Because of the complex nature of agriculture sector labor allowances under federal and state law, the Commission urges Council to slow down this legislation and properly study the impacts to the agriculture sector. For example, the farm sector is underrepresented in available state DOR, local and USDA business data. The recent Snoqualmie Valley Agriculture Land Resource Strategic Plan shows more detail than any other source about the economic impact and wages of the King County agriculture sector, with an estimated \$23.7M annually in economic activity from wages in the Snoqualmie Valley APD, alone. We recommend that this information is used to better understand the implications of a change in minimum wage and that similar data are developed for the other APDs to inform this proposed ordinance.

Agriculture has many specific labor laws and allowances unique to the sector in state law. These include piece rate wages that must reflect at least the minimum wage, the federal H-2A program

to employ foreign workers (at the “adverse effect wage rate” of \$19.25 as of January 1, 2024), and hand-harvest laborers as described in RCW 49.46.010(3)(a) and farm interns under RCW 49.12.470 being exempt from minimum wage laws.

In addition, many farms are operated as family businesses. There are different laws and rules for youth working in agriculture, when compared to non-agricultural work, including a family farm exemption for any child under 18 years old who is employed by their parent or legal guardian to do agricultural work on the family farm. Those differences include exemptions from child labor laws, industrial insurance requirements, age restrictions, etc. While current state minimum wage rates for 2024 are \$16.28/hour for ages 16 and older and \$13.84 for minors under age 16, many King County farms pay more than these rates and opt for the state minimum wage rate in order to attract and retain youth workers.

Because of the seasonal and specific nature of the work, agricultural employees have historically been exempt from receiving overtime pay under the State Minimum Wage Act. However, in 2021 ESSB 5172 was passed by the state legislature, eliminating overtime exemptions, and requiring overtime pay to be at least 1.5 times the employee’s regular hourly rate. After a three-year phase in, beginning January 1, 2024, farm owners are required to pay overtime for all hours beyond 40 hours per week.

In the last three years, an unfortunate alignment of many business pressures has challenged many King County farms to remain competitive. Elimination of the overtime pay exemption for agriculture, a highly competitive labor market, Covid recovery, high inflation for inputs, and regional/national/global pressures on supply chain demand and pricing have been devastating for many dairies and farms in King County.

Short of further study, and a clear understanding of the impacts to farm businesses in King County, the Commission advises opposition to this ordinance.

Thank you for your consideration,



Kevin Scott-Vandenberg, Chair
King County Agriculture Commission

cc: King County Councilmembers
King County Agriculture Commission Members
Christie True, Director, King County Department of Natural Resources and Parks
(DNRP)
Josh Baldi, Division Director, Water and Land Resources Division (WLRD),
DNRP
Ashley Evans, Policy Director, WLRD, DNRP
Joan Lee, Manager, Rural and Regional Services (RRS), WLRD, DNRP

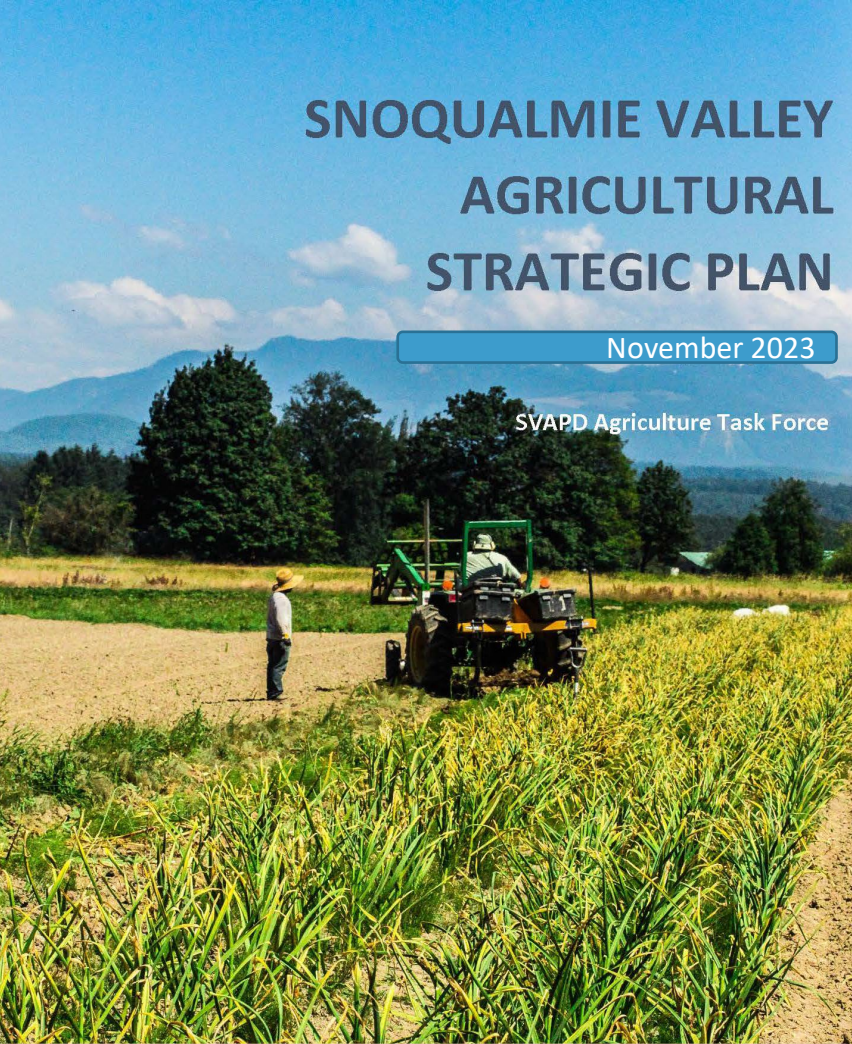
Ag Commission Response to Proposed Ordinance 2023-0310

January 11, 2024

Page 3

Richard Martin, Manager, AFI, RRS, WLRD, DNRP

Patrice Barrentine, Staff Liaison, Agriculture Commission, AFI, RRS, WLRD, DNRP



SNOQUALMIE VALLEY
AGRICULTURAL
STRATEGIC PLAN

November 2023

SVAPD Agriculture Task Force

Ag Strategic Plan Overview & Completion: Adoption by Task Force Member Entities

Abstract

The SVAPD Agriculture Task Force, made up of farmers and industry professionals in the commercial farm sector drafted the plan over four years to elevate the land resource needs for farmers in the SVAPD, policy makers and service providers alike, to understand the agriculture needs based on facts, implement the solutions, and gain the results needed in the next 25 years. From drainage to climate change to farmland preservation, this plan has 17 short issue papers and 283 strategies to achieve the desired condition for each issue.

Ag Strategic Plan Task Force

King County Agriculture Commission Mtg

1.11.23

Task Force Members & Affiliation

Members	Affiliation
Janet Keller, Jordan Jobe, Carrie King	King County Agriculture Commission
Andrew Stout, Erin Ericson	Snoqualmie Valley Watershed Improvement District (SVWID)
Janet Keller, Lauren Silver	Snoqualmie Valley Preservation Alliance (SVPA)
Libby Reed, Dave Glenn	SnoValley Tilth
Bobbi Lindemulder	Fish, Farm, Flood Implementation Oversight Committee
Carrie King	King Conservation District
Jordan Jobe	WSU CSANR, Puyallup Research Center
<u>Patrice Barrentine, Coordinator</u>	King County Water & Land Resources Division (KC WLRD)

April – Nov 2023

Public Review
Draft

Actions and
Outreach
Accomplished

Outreach

1. Sent out Social Media messages for posting and advertising the plan with paid ad
2. Sent out emails to all partner lists on May 4

Outreach Actions/Events

1. Presentation to KCD Staff, May 2, 9-10 – Libby and Patrice
2. Parks and WLRD management, May 2, 3-4 -Erin and Patrice
3. Sno/Sky Staff May 8, Patrice
4. LFI Newsletter Interview – Bobbi and Lauren, Patrice
5. Tuesday 10-12, Thursday 9-3, and Friday 9-11
6. Ag Commission, May 11
7. FYI Briefing KC DNRP Director Christie True, May 16, 1:30-2 – Lauren and Patrice
8. SVT/SVPA – EFP at Snoq River Farm, May 22
9. Interview with Conor Wilson, Valley Record, (no print yet), May 23 - Libby and Patrice
10. KCD Board of Supervisors, June 5, 5-7pm – Patrice (& Libby tried)


~100 specific
Comments

from ~25
people/entities

+ in-person Q&A

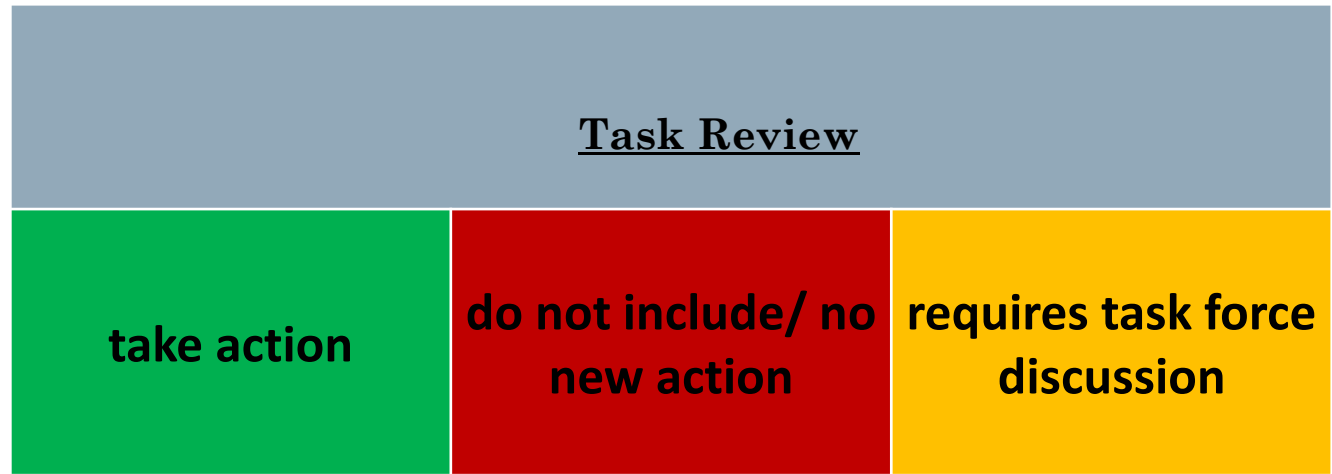
Methods of input

- Survey: none
- Email: ~20
- Mtg: 3
- Events: Ag Commission and SVT & SVPA's Farm Open House



Comments from
farmers, task force
entities, subject
matter experts, the
Snoqualmie Tribe,
The Tulalip Tribes,
KC Roads, FFF
Fish Caucus

All comments were reviewed, decided upon & then selected comments incorporated from July-November



Changes include:
text, maps, tables,
appendices,
& commitment for
adding an Aquatic
Species issue paper



improve the long-term productivity of farmland



bring more acres into production, especially food production,



increase opportunities for farmers to develop the necessary infrastructure to support or increase their farm businesses



proposed acreage needs for long-term, viable sector

Purpose



assessment of specific farmland
resource property needs and
assets in the SVAPD



create an implementation plan
for project improvements to land
(e.g., drainage) and water access

Method

Appendix G

Table G: Sub-goals and Issue Papers by Priority Ranking of Importance

Sub-goals and Issue Papers	Priority Ranking of Importance
A1. Profile of the Commercial Agriculture Sector	High
1. Improved Farmland Productivity	
1.1 Drainage	High
1.1.1 Drainage Maintenance for ADAP Eligible Waterways	High
1.1.2 Drain Tiles	Medium/High
1.1.3 Flap gates, Floodgates, and Pumps	Medium/High
1.1.4 Culverts	High
1.1.5 Drainage Maintenance for non-ADAP Waterways	Medium/High
1.1.6 Beavers	High
1.2 Flood Safety	High
1.2.7 High Ground Refuge and Farm Pads	High
1.2.8 Home Preservation in the APD	High
1.3 Irrigation	High
1.3.9 Water Rights and Irrigation	High
1.4 Transportation	Medium
1.4.10 Revetments	Medium
1.4.11 Transportation Corridors and Bridges	Medium
1.5 Climate Change	Medium
1.5.12 Climate Change Predictions	High
1.5.13 Invasive Species	Medium/Low
2. Increased Farmland Protections	
2.1 Population Growth and Development Impacts	Medium
2.1.14 Population Pressure	Medium
2.2 Wildlife	High
1.1.6 Beavers	High
2.2.15 Elk and Deer	High
2.2.16 Fish and Habitat Recovery	High
2.3 Farmland Preservation	High
2.3.17 Farmland Preservation	High
2.4 Proposed acreage for a long-term, viable sector	High
2.4.18 Acreage Challenges, Needs and Recommendation	High

High Priorities include the majority of Drainage, Flood Safety, Irrigation, Climate Change, Wildlife, Farmland Preservation and Acreage Recommendation.



Appendix E

Table E: Issue Papers by Organization/Agency Strategic Plans, Missions, Programs

	King County Strategic Plans							Organization/Agency Strategic Plans, Missions, Programs						
	Comprehensive Plan & NEKC	Equity and Social Justice Strategic Plan	Farm, Fish, Flood 1.0	Flood Hazard Management Plan	Land Conservation Initiative	Local Food Initiative	Strategic Climate Action Plan	Beavers NW	King Conservation District	King County Agriculture Commission	Snohomish Conservation District's Agriculture Resiliency Plan	Snoqualmie Valley Preservation Alliance (SVPA)	Snoqualmie Valley Watershed Improvement District (SVWID) / Wetness Prioritization Plan	SnoValley Tith
A1. Profile of the Commercial Agriculture Sector	x	x				x			x			x	x	
1. Improved Farmland Productivity														
1.1 Drainage														
1.1.1 Drainage Maintenance for ADAP Eligible Waterways			x			x			x			x		
1.1.2 Drain Tiles			x					x	x			x		
1.1.3 Flap gates, Floodgates, and Pumps			x						x			x		
1.1.4 Culverts			x					x	x			x		
1.1.5 Drainage Maintenance for non-ADAP Waterways								x	x			x		
1.1.6 Beavers			x				x		x			x	x	
1.2 Flood Safety														
1.2.7 High Ground Refuge and Farm Pads			x	x				x	x		x	x	x	
1.2.8 Home Preservation in the APD	x	x	x			x			x			x		
1.3 Irrigation														
1.3.9 Water Rights and Irrigation	x							x	x		x	x	x	
1.4 Transportation														
1.4.10 Revetments			x						x					
1.4.11 Transportation Corridors and Bridges									x		x			
1.5 Climate Change														
1.5.12 Climate Change Predictions	x					x			x	x	x	x		
1.5.13 Invasive Species									x	x				
2. Increased Farmland Protections														
2.1 Population Growth and Development Impacts														
2.1.14 Population Pressure	x								x				x	
2.2 Wildlife														
1.1.6 Beavers			x				x		x			x	x	
2.2.15 Elk and Deer							x	x	x					
2.3 Farmland Preservation														
2.3.16 Farmland Preservation	x	x		x	x				x		x	x	x	
2.4 Proposed acreage for a long-term, viable sector														
2.4.17 Acreage Challenges, Needs and Recommendation	x	x	x		x	x	x	x	x		x	x		

The plan has important links to and works to support other plans, programs, organizations, and agencies including:

- King County Plans
 - Comprehensive Plan and NEKC
 - Farm Fish Flood 1.0
 - Flood Hazard Management Plan
 - Local Food Initiative
 - Land Conservation Initiative
 - Strategic Climate Action Plan
- King Conservation District
- Snohomish Conservation District Ag Resiliency Plan
- SVWID

Appendix F

Table F: Strategies by Key Values and Themes

Strategy #	Strategy is located in the following issue paper(s) by number	Individual Strategies grouped in 5 categories: Farmland Infrastructure and Productivity: strategies for specific improvements to the land resource for agriculture Education, Outreach, Technical and Financial Assistance (cost-share): strategies for any of these components Water Storage: strategies to manage flood waters for increased summer flows for fish and crop irrigation Policy: strategies to change policy or code Planning, Studies and Collaboration: strategies for planning, studies and partnerships to accomplish goals	1. Responsible stewardship/sustainable farming	2. Flood and climate change preparedness	3. Equity and social justice	4. Multi-benefit projects	5. Innovative thinking	6. Regulatory certainty	7. Resource investments	8. Alignment with related plans and programs
		Farmland Infrastructure and Productivity								
1	1.1.1	Complete initial maintenance and establish recurring maintenance intervals on remaining 73 miles of unmaintained waterways within 10 years, which is a 3- to 4-fold increase over recent rates of maintenance.	x							
2	1.1.1	Secure stable funding of approximately \$2 million per year from King County and project partners to achieve increased rate of maintenance.	x						x	
5	1.1.1	Conduct maintenance through SVWID's priority basin or emergency needs rather than first come, first serve basis.			x					x
6	1.1.1	While undergoing maintenance, waterways are assessed and scheduled for follow-up maintenance; not all waterways need to be maintained at the same frequency.	x							
7	1.1.1	Expand ADAP's fish and water quality capacity to match increased pace and timeline.				x			x	
8	1.1.1	Add alternative mitigation strategies for required plantings to ADAP agreement.					x			
10	1.1.2	Secure long-term funding for service providers to purchase equipment for drainage tile installation.							x	x
11	1.1.3	Use sub-basin hydrological analysis to identify key points and strategic locations for gate repair and pump installation.					x			

For searchability by the 8 key values and themes, all strategies are grouped in an additional 5 categories:

- 1) Farmland Infrastructure and Productivity
- 2) Education, Outreach, Technical and Financial Assistance (cost-share)
- 3) Water Storage
- 4) Policy
- 5) Planning, Studies and Collaboration

Acreage

1. Increase infrastructure improvements and protections

Increase the productivity of **8,668 farmable acres** through infrastructure improvements and protections **as captured in strategies and timelines within Issue Papers 1-18** in the Plan

18 Issue Papers



Improve Farmland Productivity

- A. Introduction and Profile of the Commercial Agriculture Sector in the SVAPD
- 1. Waterway Maintenance – ADAP eligible
- 2. Agricultural Drainage Tiles
- 3. Flap/Flood Control Gates and Pumps
- 4. Culverts
- 5. Waterway Maintenance – non-ADAP eligible
- 6. Beavers
- 7. Farm Pads and High Ground Refuge
- 8. Home Preservation
- 9. Water Rights and Irrigation
- 10. Revetments
- 11. Transportation
- 12. Invasive Species
- 13. Climate Change



Increase Farmland Protections

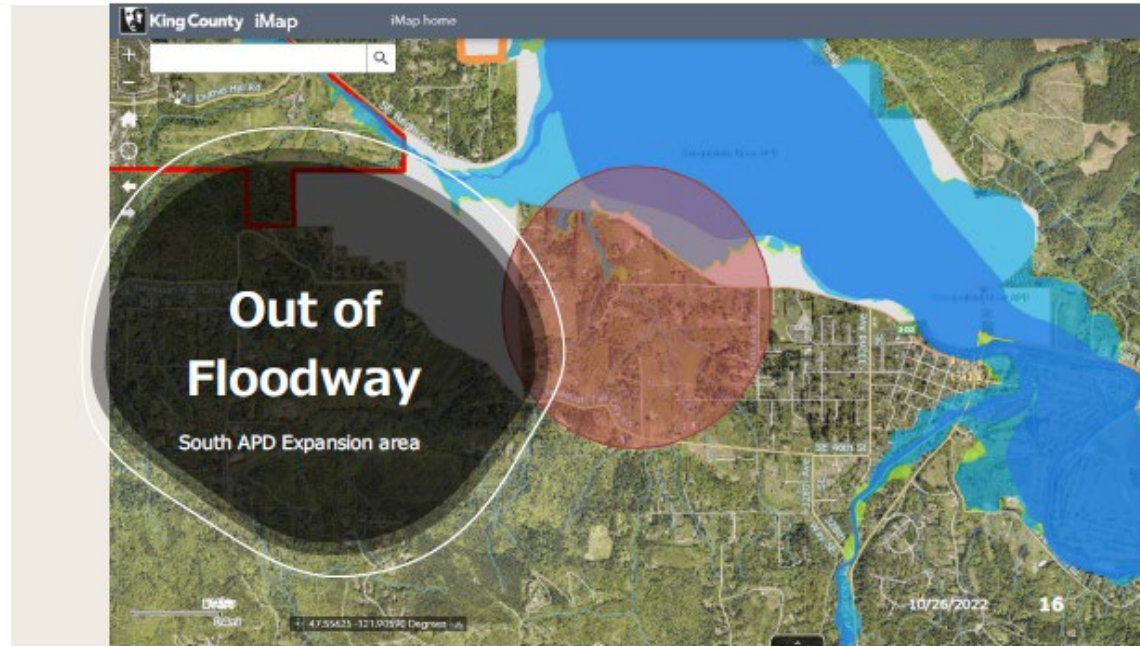
- 14. Population Pressure
- 15. Elk and Deer
- 16. Aquatic Species**
- 17. Farmland Preservation
- 18. Acreage

Acreage

2. Expand the APD

Expand the APD to the Southwest by 278 farmable acres to preserve additional farmable land and valuable habitat

Figure 50. Proposed South SVAPD Expansion Area. General farmable area outside of the floodway recommended for expanding the APD.

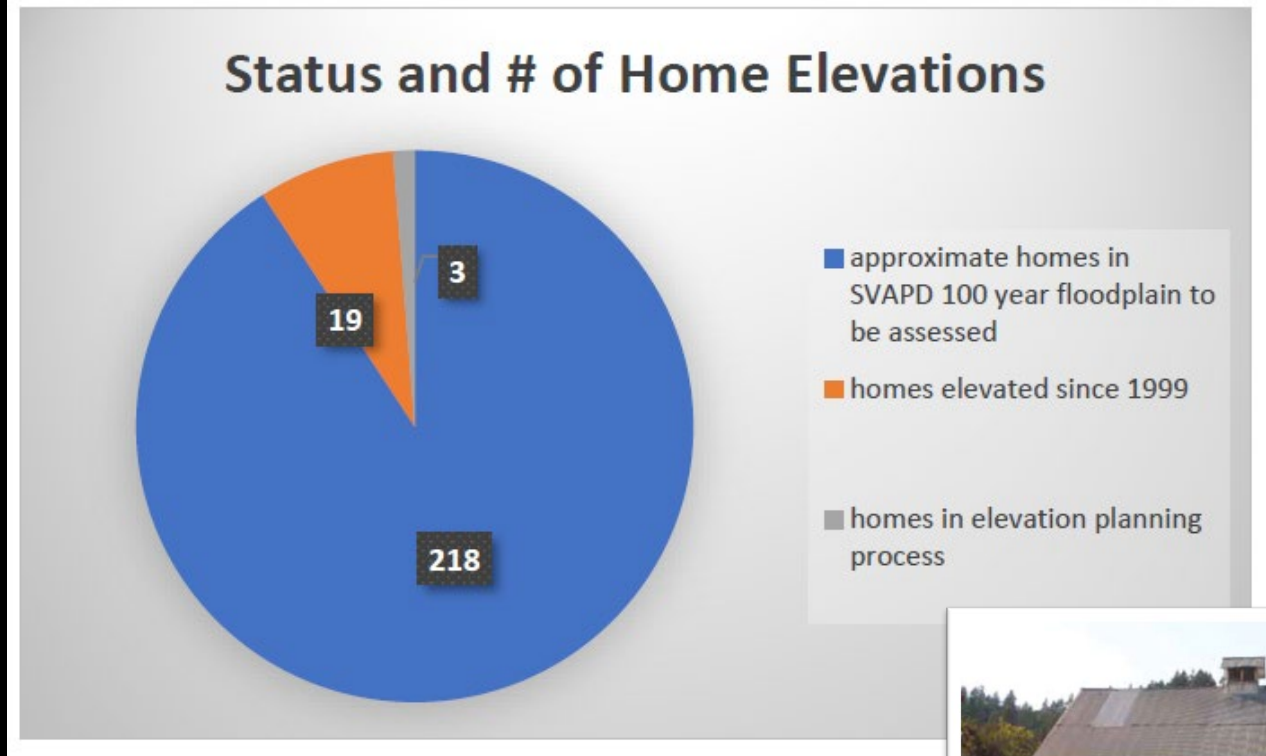


Acreage

3. Gain Regulatory Relief

Gain Regulatory Relief to permit more agricultural infrastructure improvements on farmable land while quickening the pace and lowering the cost.

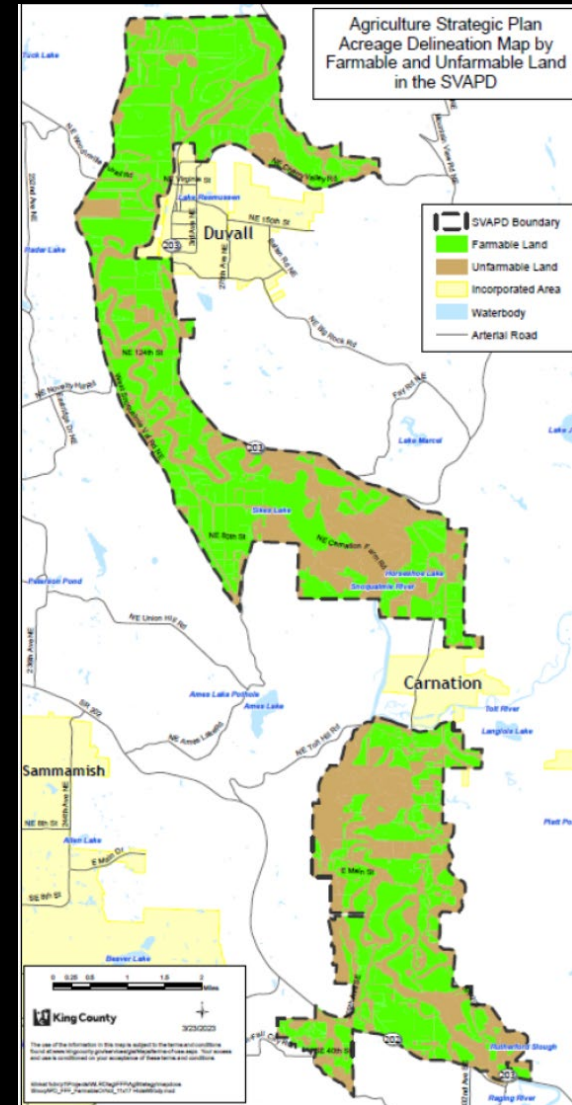
Figure 17. Status and # of Home Elevations to Date



Acreage

4. Ensure Predominant use of agriculture

Ensure predominant use of agriculture in the SVAPD by protecting at least 7,696 farmable acres to be permanently preserved within the next 25 years to and long-term, commercial agriculture viability in the SVAPD.

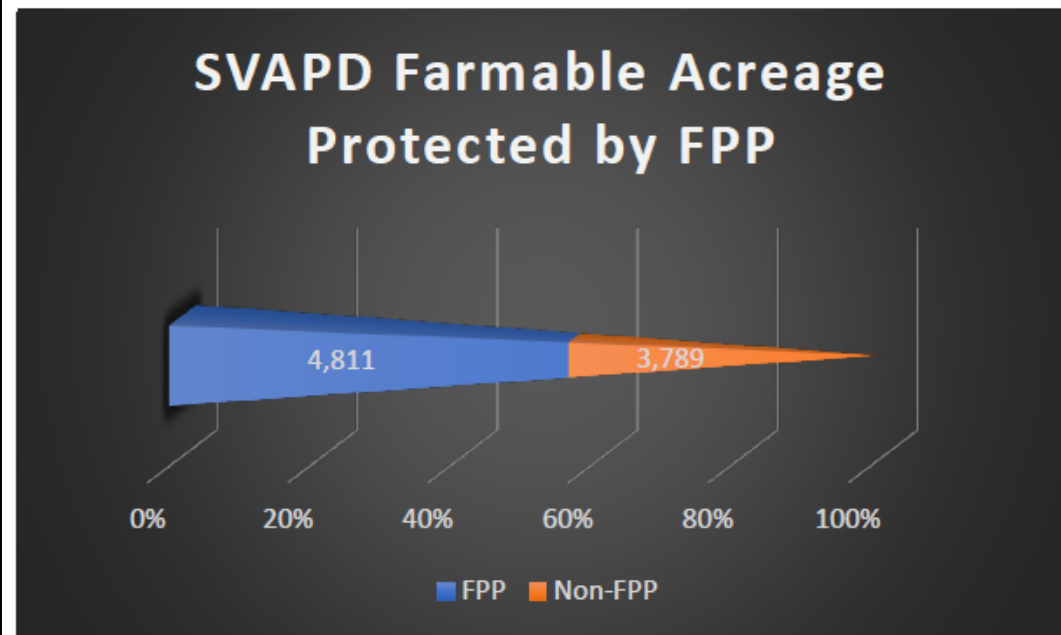


Acreage

5. Target 3,789 acres FPP deeds

Target eligible 3,789 farmable acres currently unprotected by FPP with King County's Farmland Preservation Program deed.

Figure 43. Farmland Preservation Program: SVAPD Farmable Acreage Permanently Protected



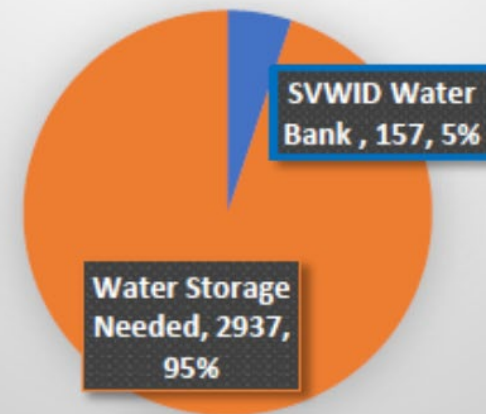
Multi-Benefit Example

Multi-Benefit Water Storage

- Advocate and gain political support with FEMA, Tribes, WA Dept of Ecology, WA Fish and Wildlife, WSDA, KC WLRD, KC Council Members, King Conservation District, WA Conservation Commission, and others to accomplish multi-benefit water storage as related to climate change and irrigation needs

Figure 25. Projected Water Supply Needed to Meet 3,250 AF

Projected Water Supply Needed to Meet 3,250 AF
(to irrigate 6,500 acres without water rights)

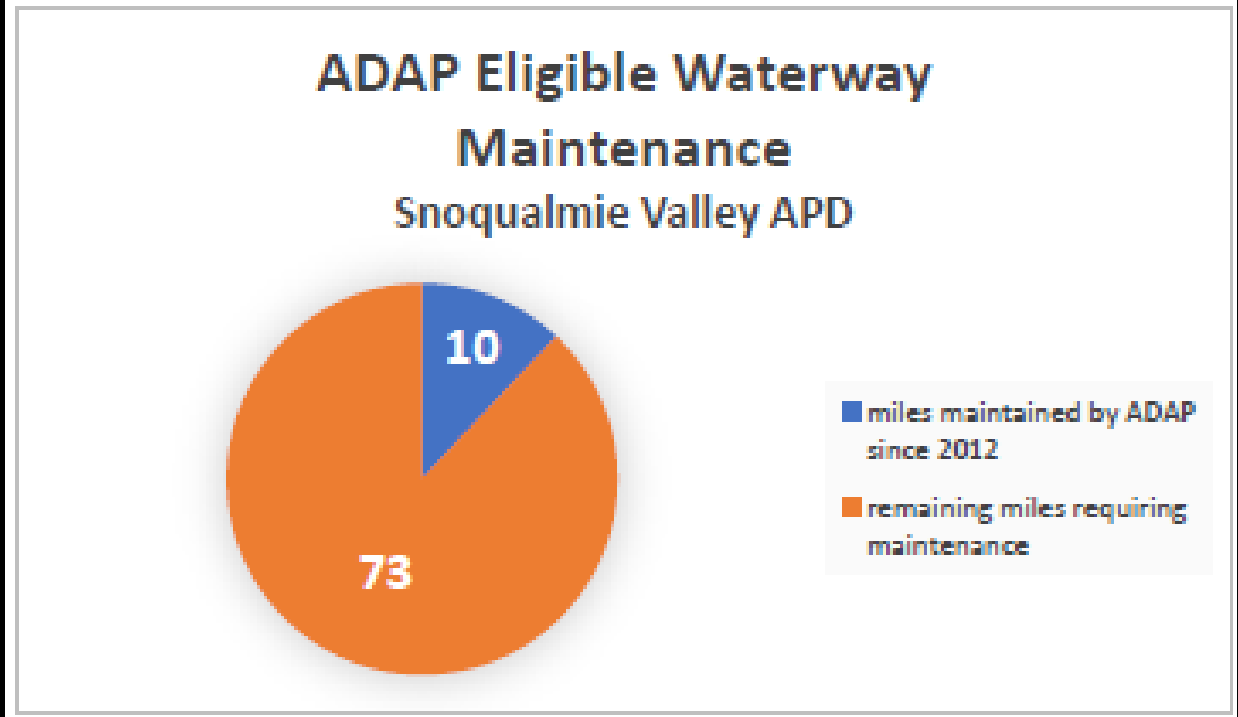


Multi-Benefit Example

Multi-Benefit Waterway Maintenance and Plantings

- *An estimated 264 acres of mature habitat could be planted in partnership with the agriculture sector's drainage priorities and timeline in the next 10 years.*
- *That equates to nearly a third of the Buffer Task Force goal of 950 acres in 25 years.*

Figure 2. ADAP Eligible Waterway Maintenance: Snoqualmie Valley APD



What's Next?

- January Adoption of the Plan by Task Force Member Entities
- January IOC Transmittal Letter to the Executive
 - Conveying completion of the Ag Task Force Scope and Plan
 - Recommending some key strategies/components of the Plan be implemented
- Plan implementation balanced with other Fs
- IOC takes up the BTF and ATF acreage recommendations and finalizes them



Questions?

We can solve this.

We're not powerless.

Here's what we can
do and make
happen.

KING COUNTY AGRICULTURE COMMISSION

DATE: July 2023

TOTAL NUMBER OF MEMBERS: 15

LENGTH OF TERM: 3-Years

** King County seeks to create an inclusive and accessible process for individuals who wish to serve on a King County board or commission. We strive to ensure that King County boards and commissions are representative of the communities we serve.*

BOARD MEMBERS APPOINTED

Pos. No.	Name	KCC District	Represents Agricultural									Initially Appointed	Term Expires	Number of Appointed Terms
				producer	real estate	food and feed processing	wholesale and retail marketing	produce buying	direct marketing	supply	finance			
1	VACANT												2/28/24	
2	VACANT												2/28/24	
3	Shelly Pasco	5		x					x			7/15/21	2/28/26	1 Partial / 1 Full
4	Leann Krainick	9		x	x	x	x						2/28/25	1 Partial
5	Andrew Ely	1		x					x			7/15/21	2/28/26	1 Partial / 1 Full
6	Henry Wong	2									x	7/15/21	2/28/26	1 Partial / 1 Full
7	Stacey Smith	3		x					x				2/28/25	1 Partial
8	Kevin Scott-Vanderberge	2			x		x			x		10/5/18	2/28/26	1 Partial / 2 Full
9	VACANT												2/28/24	
10	Jessi Bloom	3		x			x		x	x		7/15/21	2/28/26	1 Partial / 1 Full
11	Darron Marzolf	3		x		x	x		x	x		1/5/18	2/28/26	3 Full

