

2 **SB 6858** - S AMD - 290
3 By Senators Kohl-Welles and Horn

4 ADOPTED 3/9/00

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** (1) If the legislative authority of a city
8 with a population over one hundred fifty thousand that is not in a
9 metropolitan park district contracts with one or more nonprofit
10 corporations or other public organizations for the overall management
11 and operation of a zoo, an aquarium, or both, that contract shall be
12 subject to this section. No such contract for the overall management
13 and operation of zoo or aquarium facilities by a nonprofit corporation
14 or other public organization shall have an initial term or any renewal
15 term longer than twenty years, but may be renewed by the legislative
16 authority of the city upon the expiration of an initial term or any
17 renewal term.

18 (2) Before approving each initial and any renewal contract with a
19 nonprofit corporation or other public organization for the overall
20 management and operation of any facilities, the city legislative
21 authority shall hold a public hearing on the proposed management and
22 operation by the nonprofit corporation or other public organization.
23 At least thirty days prior to the hearing, a public notice setting
24 forth the date, time, and place of the hearing must be published at
25 least once in a local newspaper of general circulation. Notice of the
26 hearing shall also be mailed or otherwise delivered to all who would be
27 entitled to notice of a special meeting of the city legislative
28 authority under RCW 42.30.080. The notice shall identify the
29 facilities involved and the nonprofit corporation or other public
30 organization proposed for management and operation under the contract
31 with the city. The terms and conditions under which the city proposes
32 to contract with the nonprofit corporation or other public organization
33 for management and operation shall be available upon request from and
34 after the date of publication of the hearing notice and at the hearing,
35 but after the public hearing the city legislative authority may amend
36 the proposed terms and conditions at open public meetings.

1 (3) As part of the management and operation contract, the
2 legislative authority of the city may authorize the managing and
3 operating entity to grant to any nonprofit corporation or public or
4 private organization franchises or concessions that further the public
5 use and enjoyment of the zoo or aquarium, as the case may be, and may
6 authorize the managing and operating entity to contract with any public
7 or private organization for any specific services as are routinely so
8 procured by the city.

9 (4) Notwithstanding any provision in the charter of the city so
10 contracting for the overall management and operation of a zoo or an
11 aquarium, or any other provision of law, the nonprofit corporation or
12 other public organization with responsibility for overall management or
13 operation of any such facilities pursuant to a contract under this
14 section may, in carrying out that responsibility under such contract,
15 manage, supervise, and control those employees of the city employed in
16 connection with the zoo or aquarium and may hire, fire, and otherwise
17 discipline those employees. Notwithstanding any provision in the
18 charter of the city so contracting for the overall management and
19 operation of a zoo or an aquarium, or any other provision of law, the
20 civil service system of any such city shall provide for the nonprofit
21 corporation or other public organization to manage, supervise, control,
22 hire, fire, and otherwise discipline those employees of the city
23 employed in connection with the zoo or aquarium.

24 (5) As part of the management and operation contract, the
25 legislative authority of the city shall provide for oversight of the
26 managing and operating entity to ensure public accountability of the
27 entity and its performance in a manner consistent with the contract.

28 NEW SECTION. **Sec. 2.** Nothing in this chapter shall be construed
29 to affect any terms, conditions, or practices contained in a collective
30 bargaining agreement in effect on the effective date of this act.

31 NEW SECTION. **Sec. 3.** Sections 1 and 2 of this act constitute a
32 new chapter in Title 35 RCW."

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4 On page 1, line 1 of the title, after "Relating to" strike the
5 remainder of the title and insert "zoos and aquariums in cities with
6 populations over one hundred fifty thousand that are not within a
7 metropolitan park district; and adding a new chapter to Title 35 RCW."

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