

March 20, 1997

Introduced By: Chris Vance

Proposed No.: 97-159

ORDINANCE NO. **12673**

AN ORDINANCE creating a current expense opportunity fund; and amending Ordinance 12045, Section 23, as amended, and K.C.C. 4.04.040.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 12045, Section 23, as amended and K.C.C. 4.04.040 are hereby amended to read:

Preparation and administration of budget. A. PREPARATION AND DISTRIBUTION. The county council and county executive or his designee shall execute the responsibilities outlined below in order to accomplish the preparation and distribution of the county budget and budget document.

1. Role of the county executive.

a. Submission of agency requests. At least one hundred thirty-five days prior to the end of the fiscal year, all agencies shall submit to the county executive information necessary to prepare the budget.

b. Executive budget hearings. Prior to presentation to the county council, the county executive may provide for hearings on all agency requests for expenditures and revenues to enable him/her to make determinations as to the need, value or usefulness of activities or programs requested by agencies. The county executive may

1 require the attendance of proper agency officials at ~~((his))~~ such hearings, and it shall be
2 their duty to disclose such information as may be required to enable the county executive
3 to arrive at his final determinations.

4 c. Submission of executive budget. The county executive shall prepare
5 and present an annual budget and budget message to the council no later than seventy-five
6 days prior to the end of the fiscal year. Copies of the budget and budget message shall be
7 delivered to the clerk and each councilmember.

8 d. Submission of proposed appropriation ordinance. The county
9 executive shall prepare and present a proposed appropriation ordinance not later than
10 seventy-five days prior to end of the fiscal year. The proposed appropriation ordinance
11 shall specify by fund, program, project and/or agency the expenditure levels for the
12 ensuing budget year.

13 e. Availability to the public. Prior to the public hearing on the budget,
14 the budget message and supporting tables shall be furnished to any interested person upon
15 request, and copies of the budget shall be furnished for a reasonable fee as established by
16 ordinance and shall be available for public inspection.

17 f. Additional information to be submitted to the county council.
18 Seven days prior to the presentation of the annual budget and budget message to the
19 council, the budget office (~~chief budget and strategic planning officer~~) shall submit to the
20 council copies of all agency and departmental budget requests, and departmental and
21 divisional work programs.

22 2. Role of the council.

1 a. Review of the executive budget. The council shall review the
 2 proposed appropriation ordinance and shall make any changes or additions it deems
 3 necessary except the council shall not change the form of the proposed appropriation
 4 ordinance submitted by the county executive.

5 b. Legislative budget hearings. The county council shall then
 6 announce and subsequently hold a public hearing or hearings as it deems necessary.

7 c. Appropriation. Upon completion of the budget hearings the county
 8 council shall by ordinance adopt an appropriation granting authority to make expenditures
 9 and to incur obligations, and the council may attach an accompanying statement specifying
 10 legislative intent.

11 3. Printing and distribution of the budget. The office of financial
 12 management (~~((chief budget and strategic planning officer))~~) shall be responsible for the
 13 printing and distribution of the executive (~~((proposed budget))~~) and final adopted budget.

14 ~~—((B. ADMINISTRATION OF THE BUDGET,~~

15 ~~— 1. Allotment and Work Program.))~~

16 a. Establishment of allotments. Within thirty days after adoption of
 17 the appropriation ordinance, all agencies shall submit to the county executive a statement
 18 of proposed expenditures at such times and in such form as may be required by him (~~((the~~
 19 ~~executive))~~), provided that the county council is not required to submit an allotment. The
 20 statement of proposed expenditures shall include requested allotments of appropriations for
 21 the ensuing fiscal period for the department (~~((or agency))~~) concerned by either program,
 22 project, object of expenditure or combination thereof and for such periods as may be
 23 specified by the county executive or his designee. The county executive shall review the

1 requested allotments in light of the ((~~department's or~~)) agency's plan of work, and he may
2 revise or alter requested allotments. The aggregate of the allotments for any department or
3 agency shall not exceed the total of appropriations available to the agency concerned for
4 the fiscal period.

5 b. Revision of allotments. If at any time during the fiscal period the
6 county executive ascertains that available revenues for the applicable period will be less
7 than the respective appropriations, he ((~~the executive~~)) shall revise the allotments of
8 ((~~departments or~~)) agencies funded from such revenue sources to prevent the making of
9 expenditures in excess of revenues. To the same end, the county executive is authorized to
10 assign to, and to remove from, a reserve status any portion of ((~~a department or~~)) an agency
11 appropriation which in the executive's discretion is not needed for the allotment. No
12 expenditure shall be made from any portion of an appropriation which has been assigned to
13 a reserve status except as provided in this section.

14 2. Review of Pay and Classification Plans. The county executive or his
15 designee shall periodically review any pay and classification plans, and changes
16 thereunder, for fiscal impact, and shall recommend to the council any changes to such
17 plans; provided, that none of the provisions of this subsection shall affect merit systems of
18 personnel management now existing or hereafter established by ordinance relating to the
19 fixing of qualification requirements for recruitment, appointment, promotion or
20 reclassification of employees of any agency.

21 3. Transfer of Appropriations between Agencies. During the last quarter of
22 the fiscal year, the county council when requested by the county executive may adopt an
23 ordinance to transfer appropriations between agencies of county government; but a capital

1 project shall not be abandoned thereby unless its abandonment is recommended by the
2 executive department (~~(or agency)~~) responsible for planning.

3 4. Lapsing of Appropriation.

4 a. Unless otherwise provided by the appropriation ordinances and as
5 set forth herein, all unexpended and unencumbered appropriations in the current expense
6 appropriation ordinances shall lapse at the end of the fiscal year. As used in this
7 subsection, "current expense appropriations" include all non-capital budget appropriations.

8 b. A portion of any such appropriations may be carried forward into
9 the subsequent fiscal year as a part of a savings incentive program administered by the
10 office of financial management (~~(chief budget and strategic planning officer)~~) and
11 calculated as follows:

12 (1) The amount to be carried forward shall be one-half of the
13 unexpended and unencumbered current expense appropriations which exceed
14 underexpenditure requirements established for the year by the office of financial
15 management (~~(chief budget and strategic planning officer)~~), and exceed any loss of grant,
16 contract or similar revenues, which are dedicated to fund the activities supported by the
17 applicable appropriations. (~~(These amounts must result from efficiencies and other~~
18 ~~management measures;)~~) and

19 (2) The calculated amount shall exclude appropriations
20 requested in the subsequent fiscal year to pay for goods or services planned to be
21 purchased during the current fiscal year, but neither delivered nor paid for during the
22 current fiscal year;

1 c. Amounts carried forward as set forth in this subsection shall be
2 expended to improve productivity and service quality. Authorized uses include, but are not
3 limited to the acquisition of equipment, testing new service delivery systems and training,
4 so long as such uses do not create recurring, annual obligations beyond minor equipment
5 maintenance costs and are consistent with any applicable county automation standards and
6 plans;

7 d. By May 1 of each year, the executive shall submit to the council a
8 report describing the amount of savings each agency has carried forward from the prior
9 fiscal year;

10 e. An appropriation in the capital budget appropriations authorization
11 shall be canceled at the end of the fiscal year, unless the executive submits to the council
12 the report of the final year end reconciliation of expenditures for all capital projects on or
13 before March 1st of the year following the year of the appropriation, and each year
14 thereafter in which the appropriation remains open.

15 5. Current Expense Opportunity Fund.

16 There is hereby created the current expense opportunity fund. Contributions to the fund
17 shall be made pursuant to the formula contained in this subsection, or by direct
18 appropriation.

19 a. Source of Funds. The amount deposited in the current
20 expense opportunity fund shall be one-half of the unexpended and unencumbered current
21 expense appropriations which exceed underexpenditure requirements established for the
22 year by the office of financial management, and exceed any loss of grant, contract or
23 similar revenues, which are dedicated to fund the activities supported by the applicable

1 appropriations. The calculated amount shall exclude appropriations requested in the
2 subsequent fiscal year to pay for goods or services planned to be purchased during the
3 current fiscal year, but neither delivered nor paid for during the current fiscal year. The
4 funds deposited in the current expense opportunity fund shall be equal to the funds made
5 available to the savings incentive program.

6 b. Use of Funds. The executive may recommend, subject to
7 appropriation, the expenditure of the current expense opportunity funds in the annual
8 budget submittal or in supplemental spending requests.

9 ~~((5.))~~ 6. When contracts and Expenditures Prohibited.

10 a. Except as provided in paragraph B.6 of this section, no agency shall
11 expend or contract to expend any money or incur any liability in excess of the amounts
12 appropriated. Any contract made in violation of this section shall be null and void; any
13 officer, agent or employee of the county knowingly responsible under such a contract shall
14 be personally liable to anyone damaged by this action. The county council when requested
15 to do so by the county executive may adopt an ordinance permitting the county to enter
16 into contracts requiring the payment of funds from appropriations of subsequent fiscal
17 years, except that the county executive may enter into lease or rental contracts for real or
18 personal property for a period not to exceed thirty-six months in which cancellation clauses
19 are provided to terminate the contract prior to the end of the current budget year and into
20 grant contracts, as provided by paragraph B.6 of this section.

21 ~~((b. The term of a lease or agreement for real or personal property shall~~
22 ~~not extend beyond the end of a calendar year unless:~~

1 ~~(1) Funding for the entire term of that lease or agreement is~~
2 ~~included in a capital appropriation ordinance, or~~
3 ~~(2) Such lease or agreement includes a cancellation clause under~~
4 ~~which the lease or agreement may be unilaterally terminated for convenience by the county~~
5 ~~and costs associated with such termination for convenience, if any, shall not exceed the~~
6 ~~appropriation for the year in which termination is effected; or~~
7 ~~(3) Such lease or agreement is authorized by ordinance for such~~
8 ~~periods and under such terms as the county council shall deem appropriate.~~
9 ~~c. Real property shall not be leased to the county for more than one~~
10 ~~year unless it is included in a capital appropriation ordinance.~~
11 ~~d. Nothing in this section shall prevent the making of contracts or the~~
12 ~~spending of money for capital improvements, nor the making of contracts of lease or for~~
13 ~~service for a period exceeding the fiscal period in which such contract is made, when such~~
14 ~~contract is permitted by law.~~

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6.)) 7. Grant contracts. The county executive or his designee may enter into contracts to implement grants awarded to the county prior to the appropriation of grant funds, including appropriations that must be made in future years, if the council has received prior notice of the grant application and if either of the following conditions are met: all of the funds to be appropriated under the contract will be from granting agency; or all financial obligations of the county under the contract are subject to appropriation. (Ord. 11523 § 1, 1994; Ord. 11422 § 1, 1994: Ord. 4556 § 1, 1979: Ord. 4551 § 9, 1979: Ord. 1731 § 1, 1973: Ord. 1359 § 3, 1972: Ord. 620 § 2 (part), 1970).

INTRODUCED AND READ for the first time this 10th day of March, 1997.

PASSED by a vote of 11 to 1 this 24th day of March, 1997.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON
Jane Hogue
Chair

ATTEST:

Gerald G. Peterson
Clerk of the Council

APPROVED this 7 day of April, 1997.

Gerald G. Peterson
King County Executive

Attachments: