May 9, 1989 AG/lk-7:13P.2

Introduced by:	Bill Reams	
Proposed No.:	89-43	

ORDINANCE NO. 8978

AN ORDINANCE relating to the King County Capital Improvement Program; amending requirements for notifying the council of changes to adopted CIP projects, prescribing conditions for expense reimbursement of design commissioners, prescribing a CIP planning process and establishing an office of capital planning and development; amending Ordinance 620, Section 3 (part) as amended and K.C.C. 4.04.020, 4.04.030, and 4.04.200 through 4.04.240; and adding new sections to Ordinance 7159 and K.C.C. 4.04.200; and amending Ordinance 1438, Section 3(e), as amended, and K.C.C. 2.16.090.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

 $\underline{\text{SECTION 1}}$. Ordinance 620, Section 3 (part) as amended, and K.C.C. 4.04.020 are hereby repealed.

SECTION 2.

Definitions. The following terms as used in this chapter shall, unless the context clearly indicates otherwise, have the respective meanings herein set forth.

- A. ACQUISITION OF RIGHT OF WAY/LAND ACQUISITION. Funds budgeted for the purchase of property rights, excluding county force charges of the real property division.
 - B. ADOPTED. Approval by council motion or ordinance.
- C. ART. Funds budgeted for the 1% for Art program pursuant to Ordinance No. 6111 or any amendment thereto.
- D. AGENCY. Every county office, officer, each institution, whether educational, correctional or other, and every department, division board and commission, except as otherwise provided in this chapter.
- E. ALLOCATION. A part of a lump sum appropriation which is designated for expenditure by specific organization unit and/or specific purposes.
- F. ALLOTMENT. A part of an appropriation which may be encumbered or expended during an allotment period.
 - G. ALLOTMENT PERIOD. A period of time less than a fiscal year in length

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during which an allotment is effective.

- H. APPROPRIATIONS. An authorization granted by the council to make expenditures and to incur obligations for specific purposes.
- I. APPROPRIATION ORDINANCE. That ordinance which establishes the legal level of appropriation for a fiscal year.
- J. BUDGET. A proposed plan of expenditures for a given period or purpose and the proposed means for financing these expenditures.
- K. BUDGET DOCUMENT. A formal, written, comprehensive financial program presented by the county executive to the council.
 - L. CIP. Capital Improvement Program.
- M. CIP EXCEPTIONS NOTIFICATION. A letter transmitted to the chair of the council finance committee which describes changes to an adopted CIP project's scope and/or schedule or total project cost and, with the exception of schedule changes, shall be sent in advance of any action.
- N. CONSTRUCTION. Funds budgeted for CIP project construction including contract construction, contract inspection and testing and, as appropriate, construction tasks performed by county forces.
- O. CONTINGENCY. Funds budgeted for unanticipated CIP project costs associated with any other project activities.
- P. CONTRACTED DESIGN, PRELIMINARY ENGINEERING. Funds budgeted for activities of a contract nature associated with all CIP project phases through bid advertising. Included are consultant contracts for feasibility studies, planning, studies, preliminary design, construction drawings, bid specifications and on-site inspections.
- Q. COUNTY FORCE DESIGN. Funds budgeted for CIP project design or design review by county personnel.
- R. COUNTY FORCE RIGHT OF WAY. Funds budgeted for real property costs associated with CIP land acquisition.
- S. COST ELEMENTS. CIP budgeting activities related to construction, contracted design, preliminary engineering, acquisition of right of way, equipment and furnishings, contingency, artistic furnishings, county force

design, county force right of way, project administration or other activities as provided by the council.

- T. COUNCIL. The county council of King County.
- U. DEFICIT. The excess of expenditures over revenues during an accounting period, or an accumulation of such excesses over a period of years.
- V. EQUIPMENT AND FURNISHINGS. All costs for the purchase of equipment and furnishings associated with CIP project construction.
- W. EXECUTIVE. The King County executive, as defined by Article 3 of the King County Charter, or his designee.
- X. EXPENDITURES. Where the accounts are kept on the accrual basis or the modified accrual basis, the cost of goods delivered or services rendered, whether paid of unpaid, including expenses, provisions for debt retirement not reported as a liability of the fund from which retired, and capital outlays. Where the accounts are kept on the cash basis, actual cash disbursements for these purposes.
- Y. FACILITY MASTER PLAN. A master plan for an agency that establishes the facility needs for an approved operational master plan. It should include, as a minimum, space and construction standards, spatial relationships, prototype floor plans, space requirements, initial and life cycle cost of alternative facilities and locations. It should include proposed schedules, budgets, and a plan to respond to the changing needs of the operational master plan.
- Z. FACILITY PROGRAM PLAN. A plan produced for a specific facility construction project which establishes the project scope, budget and schedule. The plan should describe, in detail, spatial requirements and adjacencies, buildings and site requirements, and equipment. It should adequately describe, to the facility designer and the facility user, how the user programs will fit and function and what the spaces will be like. It should provide sufficient information about the owner's requirements so that the designer can enter into a contract assuring the owner these requirements will be met within the approved budget and schedule.

- AA. FINANCIAL PLAN. A summary by fund of planned revenues and expenditures, reserves and undesignated fund balance.
- BB. FUND. An independent fiscal and accounting entity with a self balancing set of accounts recording cash and/or other resources together with related liabilities, obligations, reserves, and equities which are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulations, restrictions or limitations.
- CC. FUND BALANCE. The excess of the assets of a fund over its liabilities and reserves except in the case of funds subject to budgetary accounting where, prior to the end of a fiscal period, it represents the excess of the fund assets and estimated revenues for the period over its liabilities, reserves, and appropriations for the period.
- DD. IMPLEMENTING AGENCY. The appropriate department and division responsible for the administration of CIP projects. Implementing agencies include, but are not limited to the following: roads and bridge CIP projects-road division; park and open space projects parks division; county building CIP projects executive administration; surface water CIP projects surface water management division and other divisions as designated by the executive.
- EE. LAPSE OF APPROPRIATION. An automatic termination of an appropriation.
- FF. MASTER PLAN. A long-range forecast of program and facility needs for an agency in order to meet statutory requirements and organizational goals and objectives.
- GG. OBJECT OF EXPENDITURE. A grouping of expenditures on the basis of goods and services purchased (e.g., salary and wages).
- HH. OPERATIONAL MASTER PLAN. A master plan for an agency setting forth how the organization should look now and in the future. It should include the analysis of alternatives and their life cycle costs to accomplish defined goals and objectives, performance, measures, projected workloads, needed resources, proposed implementation schedules, and costs. It should also address how the organization, its goals, objectives and needs will react to

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changed conditions.

- II. PROGRAM. The definition of resources and efforts committed to satisfying a public need. The extent to which the public need is satisfied is measured by the effectiveness of the process in fulfilling the needs as expressed in explicit objectives.
- JJ. PROJECT. A capital improvement project for purposes of inclusion in the capital program is defined to include: Acquisition of sites, easements, right of way or improvements thereon or appurtenances thereto, construction and initial equipment, reconstruction, demolition or major alteration of new or presently owned capital assets.
- KK. PROJECT ADMINISTRATION. Funds budgeted for all county costs associated with administering design and construction contracts on CIP projects.
- LL. PUBLIC NEED. Those public services found to be required to maintain the health, safety, and well being of the general citizenry.
- MM. QUARTERLY BUDGET REPORT. A report prepared quarterly by the budget office for major operating and capital funds which presents executive revisions to the adopted financial plan or plans and identifies significant deviations in agency workload from approved levels and identifies potential future supplemental appropriations with a brief discussion of the rationale for each potential supplemental.
- NN. REGULATIONS. The policies, standards and requirements, stated in writing, designed to carry out the purposes of this chapter, as issued by the county executive or his designated agent, and which shall have the force and effect of law.
- 00. REAPPROPRIATION. Authorization granted by the council to expend the appropriation for the previous fiscal year for capital programs only.
- PP. REVENUE. The addition to assets which does not increase any liability, nor represent the recovery of an expenditure, nor the cancellation of certain liabilities on a decrease in assets nor a contribution to fund cap-

 ital in enterprise and intragovernmental service funds.

- QQ. SCOPE CHANGE. A CIP project's scope is changed if total project cost increases by 10% or by fifty thousand dollars, whichever is less.
- RR. USER AGENCY. The appropriate department, division, office or section to be served by any proposed CIP project.

SECTION 3. Ordinance 620, section 3 (part) as amended, and K.C.C. 4.04.030 are hereby amended as follows:

Contents of the budget document. The budget documents shall include, but not be limited to, data specified in this chapter.

- A. THE BUDGET. The county budget shall set forth the complete financial plan for the ensuing fiscal year showing planned expenditures, and the sources of revenue from which they are to be financed.
 - 1. Revenues. The budget document shall include the following:
 - a. Estimated revenue by fund and by source from taxation;
 - b. Estimated revenues by fund and by source other than taxation;
- c. Actual receipts for first six months (January 1 June 30) of the current fiscal year;
- d. Actual receipts for the last completed fiscal year by fund and by source:
- e. Estimated fund balance or deficit for current fiscal year by fund;
- f. And such additional information dealing with revenues as the county executive and county council shall deem pertinent and useful.
 - 2. Expenditures. The budget document shall include the following:
- a. Tabulation of expenditures in a comparable form by fund, program project, and/or object of expenditure for the ensuing fiscal year;
- b. Actual expenditures for the first six months (January 1 June
 30) of the current year;
 - c. Actual expenditures for the last completed fiscal year;
 - d. The appropriation for the current year;
 - e. And such additional information dealing with expenditures as the

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county executive and county council shall deem pertinent and useful.

- 3. Capital Improvement Program. All capital improvement projects and appropriations shall be authorized only by inclusion in the annual council adopted CIP or any amendment thereto. A bond ordinance is not an appropriation for capital projects. The capital improvement section of the budget shall include:
- a. Estimated expenditures for at least the next six fiscal years by program;
- b. Expenditures planned for current, pending, or proposed capital projects during the fiscal year, classified according to proposed source of funds whether from bonds, or other local, state, federal, and/or private sources.
- c. An alphabetic index to enable quick location of any project contained therein;
- d. A discrete number for each project which shall serve to identify it within the capital budget document, and all accounting reports;
- e. Estimated net annual operating costs associated with each project upon completion or in cases where operating costs are negligible or incalculable, a statement to that effect;
- f. An identification of all CIP projects by council district in which they are located;
- g. CIP projects funded in the budget year shall be presented in a separate section of the budget, or otherwise distinctively identified from the five year CIP program of future planned projects and any previously funded projects;
- h. In addition to schedule requirements, a statement of purpose and estimated total cost for each project for which expenditures are planned during the ensuing fiscal year;
- i. The original project cost estimate which shall remain fixed from year to year. This original cost estimate shall be included in the capital budget document, a project record, separate from the budget document, shall be

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provided which identifies the original project cost estimate and any subsequent changes thereto by cost element and revenue source as approved in the budget document or any amendment thereto:

- j. An enumeration of revised project cost estimates:
- k. Funds actually expended for projects as of June 30th of the current year;
 - 1. Funds previously authorized for the project;
- m. Anticipated specific cost elements within each project; however. the executive is authorized to transfer funds between specific activities within the same project provided that, these transfers will not result in a necessary increase to the total project budget. A change in scope of a project constitutes a revision. ((A &IP project scope change-shall-be included—in the GIP Exceptions—Report if—individual project cost—elements increase or decrease by-10% or more from adopted budgets;— or-if the current schedule-deviates by-three-months from-the-adopted-schedule;- or-if a project's schedule-size,-revenue-sources, length, capacity, or-key-features increases or decreases by 10% or more from the adopted budget. A project shall also-be included—in the GIP Exceptions—Report if—its—total—expenditures are projected to exceed the adopted budget. —In the GIP Exceptions—Report the budget-office shall also-provide-a-reporting-of and the rationale for any expenditures from-general-CIP-project-appropriations established to-cover-CIP overexpenditures—for—roads, parks or—other—projects.)) A CIP project scope change shall be included in the CIP Exceptions Notification if total project costs increase by 10% or by fifty thousand dollars, whichever is less; or if the schedule deviates by three months. For roads and parks CIP projects, a CIP Exceptions Notification shall also be transmitted in advance to the council finance chair when fifty thousand dollars or more or funds in excess of 10% or more of total project costs, whichever is less, are to be transferred from a contingency project to a CIP project.
 - n. Individual allocations by cost element for each capital project;
 - o. When a single fund finances both operating expenses and capital

 projects, there shall be separate appropriations therefrom for the operating and the capital sections of the budget.

- B. GENERAL. 1. Budget Message. The budget message shall explain the budget in fiscal terms and in terms of goals to be accomplished and shall relate the requested appropriation to the comprehensive plan of the county.
- 2. Proposed Estimates. The total proposed expenditures shall not be greater than the total proposed revenue provided, that this requirement shall not prevent the liquidation of any deficit existing on the effective date of this chapter.
- 3. Budgeting Fund Balances. If the estimated revenues in the current expense, special revenue, or debt service funds for the next ensuing fiscal period, together with the fund balance, for the current fiscal period exceeds the applicable appropriations proposed by the county executive for the next ensuing fiscal period, the county executive shall include in the budget document his recommendations for the use of said excess for the reduction of indebtedness, for the reduction of taxation or for other purposes as in his discretion shall serve the best interests of the county.
- 4. Anticipated Deficits. If, for any applicable fund, the estimated revenues for the next ensuing period plus fund balance shall be less than the aggregate of appropriations proposed by the county executive for the next ensuing fiscal period, the county executive shall include in the budget document his proposals as to the manner in which the anticipated deficit shall be met, whether by an increase in the indebtedness of the county, by imposition of new taxes, by increase of tax rate or in any like manner.

C. SUPPORTING DATA.

- 1. Justification for revenues and expenditures shall be presented in detail when necessary to explain changes of established practices, unique fiscal practices and new sources of revenue or expenditure patterns or any data the county executive deems useful to support the budget. The following are included:
 - a. Inclusion of nonbudgeted departments and programs expenditures

 and revenues, i.e., intragovernmental service funds;

- b. Inclusion of historical and projected agency workload information;
- c. Inclusion of brief explanation of existing and proposed new programs, as well as the purpose and scope of agency activities.
- 2. Capital improvement program data shall include but not be limited to the following:
- a. The streets and highway programming process shall specify priorities, guide route establishments, select route design criteria and provide detailed design information for each road or bridge project.

Roads CIP Development Process:

- 1. The department of public works after coordinating with the planning division shall request CIP project funding from the budget office. The budget office shall annually review, and forecast recommended CIP projects to the executive.
- 2. For projects where a determination of environmental significance has been made pursuant to the State Environmental Policy Act Amendments of 1983, a study or environmental impact statement or declaration of no significant determination of environmental significance to be made, the proposal should be at a sufficient stage of contemplation or planning that its principal features can be reliably identified in terms of alternative locations, size, quantities of natural resources involved, changes in land use and general areas of the community and population that may be affected.
- 3. Inclusion of other data which the county executive and county council deems necessary which may include objects of expenditure and other expenditures categories.
- SECTION 4. Ordinance 7159, Sections 4-5 and K.C.C. 4.04.200 are hereby amended as follows:

Executive Responsibilities. A. The county executive shall be responsible for the implementation of all CIP projects pursuant to adopted project budgets and schedules.

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any capital project, the council chair and councilmembers in whose district construction will take place shall be notified. The notification shall include project identification, advertising dates, and a summary description of the work to be performed. Provided that failure to comply with this provision shall not delay bid advertisement.

B. The executive shall be responsible for implementation of council

At least fifteen (15) days prior to advertising for construction bids for

- B. The executive shall be responsible for implementation of council adopted CIP projects to ensure their completion on schedule and within adopted budgets. The executive shall select consultants soliciting work on all CIP projects. The executive shall implement the provisions of this ordinance by the establishment of rules and procedures that provide for consultant selection, ongoing CIP design review, and project implementation.
- C. All above grade, non-parks CIP projects shall be subject to the following process:
- 1. An operational master plan shall be developed by the agency requesting a CIP project in conjunction with the office of financial management and shall be submitted to the executive and the council for approval.
- 2. A facility master plan, based upon the approved operational master plan, shall be developed by the requesting agency in conjunction with the office of capital planning and development and shall be submitted to the executive and the council for approval.
- 3. A facility program plan for each requested CIP project, based upon the approved facility master plan, shall be developed by the requesting agency in conjunction with the office of capital planning and development and shall be submitted to the executive and the council for approval.

SECTION 5. Ordinance 7159, Section 7 and K.C.C. 4.04.210 are hereby amended as follows:

COUNCIL RESPONSIBILITIES. The council shall review, amend, defer, or adopt operational master plans, facility master plans, facility program plans, CIP project cost elements, schedules and total budget in the annual CIP budget or amendments thereto pursuant to the provisions of the King County Charter.

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<u>SECTION 6.</u> Ordinance No. 7159, Sections 6 and 8 and K.C.C. 4.04.220 are hereby amended as follows:

Design Consultants. A. Design consultants for above grade, non-park CIP projects may be selected only after the facility program plan has been approved by the council.

((A.)) <u>B.</u> The process established for selecting design consultants will, pursuant to adopted project plans and budgets, include the definition and publication of each project's overall scope, schedule, total budget and consultant fees or fee schedule. Affirmative responses from consultants soliciting design work, shall be the primary basis for the evaluation and selection of design consultants. The executive process shall, pursuant to K.C.C. 4.16, consider all requirements under the Minority/Women's Business Enterprises program.

((B.)) <u>C</u>. ((Faei-lities-management division)) <u>Office of capital planning</u> and <u>development</u> shall be included in the process to review and make recommendations to the executive in the selection of design consultants for all above grade, non-park CIP projects; the appropriate division of the planning and community development and public works departments shall be included in the process to review and make recommendations to the executive in the selection of design consultants for all park, open space, road, bridge, solid waste, surface and airport CIP projects.

SECTION 7. Ordinance 7159, sections 9-11 and K.C.C. 4.04.230 are hereby amended as follows:

Design commission. A. Functions. There is hereby established a five-member King County design commission. The design commission shall review the qualifications of design consultants soliciting county work for above grade CIP projects with design costs over \$50,000. The design commission shall recommend, in priority order, the top three design consultants to the executive based on consultant selection criteria established by the executive and as required under King County Code 4.04. The design commission may review the design of specific CIP projects when requested to do so by the executive.

 Each executive design review request shall specify design features and design stages which are to be reviewed.

- B. Membership. ((Effective July-1, 1985-t)) The King County design commission shall consist of five members limited to one four-year term and subject to executive appointment and council confirmation. The design commission shall include one member from each of the following categories:
 - 1. Landscape Architect
 - 2. Architect
 - 3. Urban Planner
 - 4. Registered Professional Civil Engineer
 - 5. Citizen Representative

The initial citizen representative shall be appointed for four years. Of the remaining four positions, two members shall initially serve for two years and two members shall initially serve for three years. All subsequent terms shall be for four years.

- C. Compensation for members of the design commission shall be at a rate of twenty-five dollars for each hour while in meetings including travel time to commission meetings provided that, total compensation for one day shall not exceed two hundred dollars. Commission members shall be reimbursed for all necessary and reasonable costs incurred by them in performance of the duties of the commission including the cost of travel to commission meetings.

 Reimbursement for travel and related expenses shall be in accordance with established county travel policies. Expenditures for commission services shall be charged to individual CIP projects.
- ((θ . By—June 1,-1985,-the-executive-shall—submit appointments—to the design—commission—to the council for confirmation.))

SECTION 8. Ordinance No. 1438, Section 3(e), as amended, and K.C.C. 2.16.090 are hereby amended as follows:

Department of Executive Administration -- Divisions -- Duties. The department of executive administration is a staff department primarily responsible for providing administrative and management support to other agencies of

 county government and for the management and coordination of the county's civil rights and compliance program, executive internal auditor program, cable communications, <u>capital planning and development</u>, and the centralized purchasing process for materials and services purchased by the county. The department is responsible to manage and be fiscally accountable for the following divisions:

- A. PERSONNEL DIVISION. The functions of the division include:
- 1. Manage and administer an effective personnel system for the county and provide professional personnel services and support to employees, county agencies and, as appropriate, residents of the county.
- 2. Negotiate collective bargaining agreements with appropriate labor organizations for approval by the council.
- 3. Represent county interests in the grievance process including formal hearings before the personnel board.
- 4. Serve as staff support, when appropriate, to other public agencies in recommending and performing personnel administrative functions related to non-career service employees.
- 5. Manage the county's participation in the work study program and other temporary or part-time employment programs.
 - 6. Manage the county's safety and workers' compensation program.
 - B. SYSTEM SERVICES DIVISION. The functions of the division include:
- 1. Operate, maintain and enhance automated data processing systems for the county and other contracting agencies.
- 2. Plan, design, implement and manage new systems development based on demonstrated need and cost effectiveness under the general policy direction of the data processing policy review committee.
 - C. REAL PROPERTY DIVISION. The functions of the division include:
- 1. Manage all real property owned or leased by the county ensuring, where applicable, that properties generate revenues closely approximating fair market value.
- 2. Maintain a current inventory of all county owned or leased real property as part of the program to sell properties deemed surplus to the needs

of the county.

- 3. Pursuant to the requirements of K.C.C. 4.04, provide support services to county agencies in the acquisition of needed real properties.
 - 4. Issue house moving and utility permits, and franchises.
- D. RECORDS AND ELECTIONS DIVISION. The functions of the division include:
- 1. Conduct all special and general elections held in the county and register voters.
- 2. Manage the recording, processing, filing, storing, retrieval, certification of copies as required, of all public documents filed with the division.
 - 3. Process all real estate tax affidavits.
- 4. Act as the official custodian of all county records, per general law.
 - E. GENERAL SERVICES DIVISION. The functions of the division include:
- 1. Issue business, marriage and motor vehicle licenses, and collect license fee revenues.
 - 2. Enforce county and state law relating to animal control.
 - 3. Manage the county's centralized reproduction center.
- 4. Manage the program of printing and distributing the King County Code and all supplements to the public.
- F. FACILITIES MANAGEMENT DIVISION. The functions of the division include:
- 1. Administer and maintain in good general condition the county's physical facilities, unless specific facilities' maintenance is the functional responsibility of other county agencies.
- ((2.- Develop executive proposed-above-grade, non-park-CIP-projects with elearly defined scope,-cost and schedule-information-pursuant to-K.C.C. 4.04-and to-perform-project-management of-all-above-grade non-parks-CIP-projects to insure-compliance with-project-socpe, costs and schedules.- Management-activities-shall-include:

- a. Contract-administration:
- b. Acting-as the county's-representative during-design and construction;
- e.— Providing advisory—services and/or—feasibility—studies—to such—projects as—approved by—the—department director:
 - d. Project budget-management of-approved projects:
- e.— Necessary coordination—with involved—agencies to—facilitate the completion of—approved projects—))
- ((3.)) <u>2.</u> Maintain, control, and be accountable for the inventory of all King County personal property, disposing of surplus property, per general law.
 - ((4.)) 3. Operate the security program for the courthouse complex.
 - ((5.)) 4. Operate courthouse switchboard and information desk,
 - ((6.)) 5. Provide messenger service for county government agencies.
- ((7.— Provide staff support to—the—King County—design commission—to
 consist primarily of—preparing—meeting—agenda and recording proceedings of—the
 commission—meetings.))
- <u>G. OFFICE OF CAPITAL PLANNING AND DEVELOPMENT.</u> There is hereby created an office of capital planning and development within the department of executive administration. The administrator of the office shall report directly to the director of executive administration. The functions of the office of capital planning and development shall be to:
- 1. Oversee the development of long-range, non-parks capital planning for county agencies. This activity shall include:
- a. Formulating guidelines for the development of facility master plans and program plans;
- b. Formulating guidelines for the use of life cycle cost analysis in all phases of the capital process:
- c. Ensuring conformity of facility master planning with approved operational master plans, and facility program plans with approved facility master plans;
- d. Making periodic reviews of the county's space and construction standards and recommending changes as necessary;