

1 May 16, 1994  
2 grantref/jl

Introduced by: PETE VON REICHBAUER

Proposed No.: 94 - 335

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ORDINANCE NO. **11422**

AN ORDINANCE establishing conditions under which the county executive may sign grant contracts prior to appropriation of funds, pursuant to Section 495 of the King County Charter; amending Ordinance 620, Section 3, as amended, and K.C.C. 4.04.040.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 620, Section 3, as amended, and K.C.C. 4.04.040 are hereby amended to read as follows:

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 of county government shall submit to the county executive information necessary to prepare the budget. ((The county executive shall prepare a procedure by which the county auditor may have access to or can obtain copies of agency submitted requests.))

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 to make determinations as to the need, value or usefulness of activities or programs requested by agencies. The county executive may require the attendance of proper agency officials at his hearings, and it shall be their duty to disclose such information as may be required to

1 enable the county executive to arrive at his final  
2 determination.

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

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

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

22 f. Additional information to be submitted to the  
23 county council. Seven days prior to the presentation of the  
24 annual budget and budget message to the council, the budget  
25 office shall submit to the council copies of all agency and  
26 departmental budget requests, and departmental and divisional  
27 work programs. ((~~The above information for the 1980 budget  
28 shall be made available upon the effective date of the  
29 ordinance codified in this subsection.~~))

30 2. Role of the County Council. a. Review of the  
31 executive budget. The council shall review the proposed  
32 appropriation ordinance and shall make any changes or additions

1 it deems necessary except the council shall not change the form  
2 of the proposed appropriation ordinance submitted by the county  
3 executive.

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

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

12 3. Printing and Distribution of the Budget. The  
13 office of (~~budgets and accounts~~) financial management shall  
14 be responsible for the printing and distribution of the  
15 executive and final adopted budget.

16 B. ADMINISTRATION OF THE BUDGET. 1. Allotment and  
17 Work Program.

18 a. Establishment of allotments. Within thirty  
19 days after adoption of the appropriation ordinance, all  
20 agencies shall submit to the county executive a statement of  
21 proposed agency expenditures at such times and in such form as  
22 may be required by him, provided that the county council is not  
23 required to submit an allotment. The statement of proposed  
24 expenditures shall include requested allotments of  
25 appropriations for the ensuing fiscal period for the department  
26 concerned by either program, project, object of expenditure or  
27 combination thereof and for such periods as may be specified by  
28 the county executive or his designee. The county executive  
29 shall review the requested allotments in light of the agency's  
30 plan of work, and he may revise or alter agency allotments.  
31 The aggregate of the allotments for any agency shall not exceed

1 the total of appropriations available to the agency concerned  
2 for the fiscal period.

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

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

25           3. Transfer of Appropriations between Agencies.  
26 During the last quarter of the fiscal year, the county council  
27 when requested by the county executive may adopt an ordinance  
28 to transfer appropriations between agencies of county  
29 government; but a capital project shall not be abandoned  
30 thereby unless its abandonment is recommended by the executive  
31 department responsible for planning.

1                   4. Lapsing of Appropriation. Unless otherwise  
2 provided by the appropriation ordinances, all unexpended and  
3 unencumbered appropriations in the current expense  
4 appropriation ordinances shall lapse at the end of the fiscal  
5 year. An appropriation in the capital budget appropriations  
6 authorization shall be canceled at the end of the fiscal year,  
7 unless the executive submits to the council the report of the  
8 final year end reconciliation of expenditures for all capital  
9 projects on or before March 1st of the year following the year  
10 of the appropriation, and each year thereafter in which the  
11 appropriation remains open.

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

29 Real property shall not be leased to the county for more than  
30 one year unless it is included in a capital appropriation  
31 ordinance; provided, that nothing in this section shall prevent  
32 the making of contracts or the spending of money for capital

1 improvements, nor the making of contracts of lease or for  
2 service for a period exceeding the fiscal period in which such  
3 contract is made, when such contract is permitted by law.

4 6. Grant Contracts. The county executive or his  
5 designee may enter into contracts to implement grants awarded  
6 to the county prior to the appropriation of grant funds,  
7 including appropriations that must be made in future years, if  
8 the council has received prior notice of the grant application  
9 and if either of the following conditions are met: all of the  
10 funds to be appropriated under the contract will be from the  
11 granting agency; or all financial obligations of the county  
12 under the contract are subject to appropriation.

13 INTRODUCED AND READ for the first time this 6<sup>th</sup> day  
14 of June, 1994.

15 PASSED this 18<sup>th</sup> day of July, 1994.

16 Passed by a vote of 13-0. KING COUNTY COUNCIL  
17 KING COUNTY, WASHINGTON

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21 Kent Pullen  
22 Chair

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24 ATTEST:

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27 Gerald A. Peterson  
28 Clerk of the Council

29 APPROVED this 21<sup>st</sup> day of July, 1994.

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35 Jon Liche  
36 King County Executive

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39 Attachments:  
40 None