



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

August 20, 2002

Ordinance 14452

Proposed No. 2002-0269.3

Sponsors Phillips and Patterson

1 AN ORDINANCE implementing a flexible response
2 budgeting policy for the surface water management capital
3 improvement program (CIP) that allows current year
4 budget authorization at the fund total rather than the CIP
5 project level that authorizes advance appropriation
6 authority for anticipated grant funds, subject to conditions,
7 and that authorizes grant funding contingency for surface
8 water management construction fund number 3292 and
9 open space non-bond fund number 3522, subject to certain
10 conditions; amending Ordinance 12076, Section 2, as
11 amended, and K.C.C. 4.04.020, Ordinance 12076, Section
12 3, as amended, and K.C.C. 4.04.030, Ordinance 12076,
13 Section 5, as amended, and K.C.C. 4.04.200 and Ordinance
14 7159, Section 13, as amended, and K.C.C. 4.04.250 and
15 adding new sections to K.C.C. chapter 4.04.

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18 STATEMENT OF FACTS:

19 1. Because surface water management projects are part of natural
20 drainage systems, which are dynamic and subject to sudden changes from
21 floods and other unpredictable events, it is inherently difficult to estimate
22 their costs and schedules years in advance.

23 2. The challenge of these estimates has grown since the federal
24 government listed Puget Sound Chinook salmon under the Endangered
25 Species Act, which has made project permitting more time-consuming and
26 which has also led to an increased number of projects involving
27 partnerships.

28 3. King County is a regional leader in constructing innovative and
29 experimental projects to improve habitat and reduce flood hazards, but this
30 very innovation also adds unpredictability to projects.

31 4. Conditions 1 through 3 in this statement of facts frequently cause a
32 need to postpone, accelerate or modify surface water management projects
33 after they have been approved by the county council.

34 5. This ordinance adds a new section to K.C.C. chapter 4.04 to avoid
35 delays in the construction of surface water management projects. It
36 establishes procedures to provide the water and land resources division
37 with greater flexibility to respond to unforeseen needs, while continuing to
38 hold the division accountable to the council.

39 6. This ordinance also adds a new section to K.C.C. chapter 4.04 to avoid
40 delays in the implementation of grant funded surface water management

41 CIP fund and open space non-bond fund projects. It authorizes advance
42 appropriation authority for anticipated grant funds from project partners,
43 subject to conditions.

44 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

45 SECTION 1. Ordinance 12076, Section 2, as amended, and K.C.C. 4.04.020 are
46 each hereby amended to read as follows:

47 **Definitions.** The following terms as used in this chapter shall, unless the context
48 clearly indicates otherwise, have the respective meanings in this section.

49 A. "Acquisition of right of way" or "land acquisition" means funds budgeted for
50 the purchase of property rights, excluding county force charges of the real property
51 division.

52 B. "Adopted" means approval by council motion or ordinance.

53 C. "Agency" means every county office, officer, each institution, whether
54 educational, correctional or other, and every department, division, board and commission,
55 except as otherwise provided in this chapter.

56 D. "Allocation" means a part of a lump sum appropriation which is designated for
57 expenditure by specific organization unit and/or specific purposes.

58 E. "Allotment" means a part of an appropriation that may be encumbered or
59 expended during an allotment period.

60 F. "Allotment period" means a period of less than a fiscal year during which an
61 allotment is effective.

62 G. "Appropriations" means an authorization granted by the council to make
63 expenditures and to incur obligations for specific purposes.

64 H. "Appropriation ordinance" means the ordinance that establishes the legal level
65 of appropriation for a fiscal year.

66 I. "Art" means funds budgeted for the one percent for art program under K.C.C.
67 chapter 4.40 or as otherwise provided by ordinance for a public art program.

68 J. "Budget" means a proposed plan of expenditures for a given period or purpose
69 and the proposed means for financing these expenditures.

70 K. "Budget document" means a formal, written, comprehensive financial program
71 presented by the executive to the council.

72 L. "Capital improvement plan" means a plan that establishes the capital
73 improvements required to implement an approved operational master plan. This plan
74 should extend over a minimum period of six years to define long-range capital
75 improvement requirements and the annual capital improvements budget for a user agency.

76 1. The capital improvement plan shall include the following elements, where
77 applicable:

78 a. general program requirements that define the development scope for specific
79 sites or facilities;

80 b. general space and construction standards;

81 c. prototype floor plans and prototype facility designs for standard
82 improvements;

83 d. space requirements based on the adopted county space plan;

84 e. initial, and life-cycle cost, of alternative facilities and locations including lease
85 and lease/purchase approaches;

86 f. approximate location of planned capital improvements;

87 g. general scope and estimated cost of infrastructure;

88 h. a schedule, that extends over a minimum of six years, for the implementation
89 of projects included in capital improvement plans, based on overall user agency priorities
90 and projected available revenue;

91 2. The user agency shall prepare the elements of the plan in subsection ~~((M.))~~L.1.
92 a, d, f and h of this section. The implementing agency shall prepare the elements of this
93 plan in subsection ~~((M.))~~L.1. b, c, e and g of this section.

94 3. The six-year budget schedule included in the capital improvement plan shall be
95 updated annually in conjunction with the capital budget adoption process.

96 M. "Capital project" means a project with a scope that includes one or more of the
97 following elements, all related to a capital asset: acquisition of either a site or existing
98 structure, or both; program or site master planning; design and environmental analysis;
99 construction; major equipment acquisition; reconstruction; demolition; or major alteration.
100 "Capital project" includes a: project program plan; scope; budget by task; and schedule.
101 The project budget, conceptual design, detailed design, environmental studies and
102 construction elements of a project shall be prepared or managed by the implementing
103 agency.

104 N. "Chief budget and strategic planning officer" means the individual designated
105 by the executive to perform the budgeting and strategic planning functions assigned to the
106 executive under K.C.C. chapter 2.16.

107 O. "CIP" means capital improvement program.

108 P. "CIP exceptions notification" means, except in the case of roads ~~((CIP projects~~
109 ~~and))~~, wastewater and surface water management CIP projects, a letter transmitted to the

110 chair of the council finance committee, or its successor committee, which describes
111 changes to an adopted CIP project's scope and/or schedule or total project cost and, with
112 the exception of schedule changes, shall be sent in advance of any action. For road CIP
113 projects, "exceptions notification" means a letter transmitted to the chair of the
114 transportation committee, or its successor committee, which describes changes of fifteen
115 percent or more to an adopted CIP project's scope and/or schedule or total project costs
116 and, with the exception of schedule changes, shall be sent in advance of any action. For
117 wastewater and surface water management CIP projects, "exceptions notification" means
118 a letter transmitted to the chair of the budget and fiscal management committee, or its
119 successor committee, and the chair of the utilities ~~((and technology))~~ committee, or its
120 successor committee, which describes changes of fifteen percent or more to an adopted
121 CIP project's scope and/or schedule or total project costs and, with the exception of
122 schedule changes, shall be sent in advance of any action.

123 Q. "Construction" means funds budgeted for CIP project construction including
124 contract construction, contract inspection and testing and, as appropriate, construction tasks
125 performed by county forces.

126 R. "Contingency" means funds budgeted for unanticipated CIP project costs
127 associated with any other project activities.

128 S. "Contracted design" or "preliminary engineering" means funds budgeted for
129 activities of a contract nature associated with all CIP project phases through bid
130 advertising. Included are contracts for feasibility studies, planning, studies, preliminary
131 design, construction drawings, bid specifications and on-site inspections.

132 T. "Cost elements" means CIP budgeting activities related to construction,
133 contracted design, preliminary engineering, acquisition of right of way, equipment and
134 furnishings, contingency, artistic furnishings, county force design, county force right of
135 way, project administration or other activities as provided by the council.

136 U. "Council" means the county council of King County.

137 V. "County force design" means funds budgeted for CIP project design or design
138 review by county personnel.

139 W. "County force right of way" means funds budgeted for real property costs
140 associated with CIP land acquisition.

141 X. "Deficit" means the excess of expenditures over revenues during an accounting
142 period, or an accumulation of such excesses over a period of years.

143 Y. "Equipment and furnishings" means all costs for the purchase of equipment and
144 furnishings associated with CIP project construction.

145 Z. "Executive" means the King County executive, as defined by Article 3 of the
146 King County Charter.

147 AA. "Expenditures" means, where the accounts are kept on the accrual basis or the
148 modified accrual basis, the cost of goods delivered or services rendered, whether paid or
149 unpaid, including expenses, provisions for debt retirement not reported as a liability of the
150 fund from which retired, and capital outlays. Where the accounts are kept on the cash
151 basis, "expenditures" means actual cash disbursements for these purposes.

152 BB. "Financial plan" means a summary by fund of planned revenues and
153 expenditures, reserves and undesignated fund balance.

154 CC. "Fund" an independent fiscal and accounting entity with a self balancing set of
155 accounts recording cash and/or other resources together with related liabilities, obligations,
156 reserves and equities which are segregated for the purpose of carrying on specific activities
157 or attaining certain objectives in accordance with special regulations, restrictions or
158 limitations.

159 DD. "Fund balance" means the excess of the assets of a fund over its liabilities and
160 reserves except in the case of funds subject to budgetary accounting where, ~~((prior to))~~
161 before the end of a fiscal period, it represents the excess of the fund assets and estimated
162 revenues for the period over its liabilities, reserves and appropriations for the period.

163 EE. "Implementing agency" means the appropriate department and division
164 responsible for the administration of CIP projects.

165 FF. "Lapse" of an appropriation means an automatic termination of an
166 appropriation.

167 GG. "Major widening project" means any roads CIP project adding at least one
168 through land in each direction.

169 HH. "Object of expenditure" means a grouping of expenditures on the basis of
170 goods and services purchased (e.g., salary and wages).

171 II. "Open space non-bond fund project" means an open space project that is
172 allocated in the adopted six-year open space CIP and is appropriated at the open space
173 non-bond fund number 3522 level in accordance with section 6 of this ordinance.

174 JJ. "Operational master plan" means a comprehensive plan for an agency setting
175 forth how the organization will operate now and in the future. It shall include the
176 analysis of alternatives and their life cycle costs to accomplish defined goals and

177 objectives, performance measures, projected workload, needed resources, implementation
178 schedules and general cost estimates. This plan shall also address how the organization
179 would respond in the future to changed conditions.

180 ~~((JJ))~~ KK. "Program" means the definition of resources and efforts committed to
181 satisfying a public need. The extent to which the public need is satisfied is measured by the
182 effectiveness of the process in fulfilling the needs as expressed in explicit objectives.

183 ~~((KK))~~ LL. "Project administration" means funds budgeted for all county costs
184 associated with administering design and construction contracts on CIP projects.

185 ~~((LL))~~ MM. "Project program plan" means a plan, primarily in written narrative
186 form, that describes the overall development concept and scope of work for a building,
187 group of buildings or other facilities at a particular site. The complexity of the project
188 program plan will vary based upon the size and difficulty of the program for a particular
189 site. When the plan includes projects that are phased over time, each phase shall have an
190 updated project program plan prepared by the user agency ~~((prior to))~~ before project
191 implementation. The project program plan shall be prepared by the user agency with
192 assistance from the implementing agency. The program plan: describes the user agency
193 program requirements for a specific building or site; provides the basis for these
194 requirements; and identifies when funds for the implementation of the capital projects will
195 be provided. The program plan shall elaborate on the general program information
196 provided in the operational master plan and the capital improvement plan. The plan shall
197 also describe user agency programs, how these programs would fit and function on the site,
198 and the general recommendation of the user agency regarding the appearance of the
199 building or site. This plan shall indicate when a site master plan is required for a project.

200 ~~((MM.))~~ NN. "Public need" means those public services found to be required to
201 maintain the health, safety, and well being of the general citizenry.

202 ~~((NN.))~~ OO. "Quarterly budget report" means a report prepared quarterly by the
203 chief budget and strategic planning officer for major operating and capital funds which
204 presents executive revisions to the adopted financial plan or plans and identifies significant
205 deviations in agency workload from approved levels and identifies potential future
206 supplemental appropriations with a brief discussion of the rationale for each potential
207 supplemental.

208 ~~((OO.))~~ PP. "Reappropriation" means authorization granted by the council to
209 expend the appropriation for the previous fiscal year for capital programs only.

210 ~~((PP.))~~ QQ. "Regulations" means the polities, standards and requirements, stated in
211 writing, designed to carry out the purposes of this chapter, as issued by the executive and
212 having the force and effect of law.

213 ~~((QQ.))~~ RR. "Revenue" means the addition to assets which does not increase any
214 liability, nor represent the recovery of an expenditure, nor the cancellation of certain
215 liabilities on a decrease in assets nor a contribution to fund capital in enterprise and
216 intragovernmental service funds.

217 ~~((RR.))~~ SS. "Roads CIP project" means roads capital projects that are allocated in
218 the adopted six-year roads CIP and are appropriated at the roads CIP fund level in
219 accordance with K.C.C. 4.04.270.

220 ~~((SS.))~~ TT. "Scope change" means, except in the case of roads ~~((CIP projects)),~~
221 surface water management and wastewater CIP projects, a CIP project's scope is changed if
222 total project cost increases by ten percent or by fifty thousand dollars, whichever is less. A

223 roads (~~CIP and a~~), surface water management or wastewater CIP project's scope is
224 changed if the total project cost increases by fifteen percent.

225 ~~(FF.)~~ UU. "Site master plan" means a plan prepared by the implementing agency,
226 with input from the user agency, that describes, illustrates and defines the capital
227 improvements required to provide user agency program elements.

228 1. The site master plan shall include preliminary information regarding, at a
229 minimum:

- 230 a. site analysis, including environmental constraints;
- 231 b. layout, illustration and description of all capital improvements;
- 232 c. project scopes and budgets;
- 233 d. project phasing; and
- 234 e. operating and maintenance requirements.

235 2. The site master plan shall be approved by the user agency and the
236 implementing agency (~~prior to~~) before submittal to the executive and council for
237 approval.

238 VV. "Surface water management CIP project" means a surface water
239 management project that is allocated in the adopted six-year surface water management
240 CIP and is appropriated at the surface water management CIP fund level in accordance
241 with section 5 of this ordinance.

242 ~~(UU.)~~ WW. "User agency" means the appropriate department, division, office or
243 section to be served by any proposed CIP project.

244 ~~(VV.)~~ XX. "Wastewater asset management projects" means the wastewater
245 capital projects identified and intended by the wastewater treatment division to extend and

246 optimize the useful life of wastewater treatment assets, including facilities, structures,
247 pipelines and equipment.

248 ((WW-)) YY. "Wastewater CIP project" means wastewater capital projects that are
249 allocated in the adopted six-year wastewater CIP and are appropriated at the wastewater
250 CIP fund level in accordance with K.C.C. 4.04.280.

251 SECTION 2. Ordinance 12076, Section 3, as amended, and K.C.C. 4.04.030 are
252 each hereby amended to read as follows:

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

255 A. The budget shall set forth the complete financial plan for the ensuing fiscal
256 year showing planned expenditures, and the sources of revenue from which they are to be
257 financed.

258 1. The budget document shall include the following:

259 a. estimated revenue by fund and by source from taxation;

260 b. estimated revenues by fund and by source other than taxation;

261 c. actual receipts for first six months (January 1 through June 30) of the current
262 fiscal year;

263 d. actual receipts for the last completed fiscal year by fund and by source;

264 e. estimated fund balance or deficit for current fiscal year by fund;

265 f. such additional information dealing with revenues as the executive and

266 council shall deem pertinent and useful.

267 2. The budget document shall include the following:

268 a. tabulation of expenditures in a comparable form by fund, program project,
269 and/or object of expenditure for the ensuing fiscal year;

270 b. actual expenditures for the first six months (January 1 through June 30) of
271 the current year;

272 c. actual expenditures for the last completed fiscal year;

273 d. the appropriation for the current year; and

274 e. such additional information dealing with expenditures as the executive and
275 council shall deem pertinent and useful.

276 3. All capital improvement projects and appropriations shall be authorized only
277 by inclusion in the annual council adopted CIP or any amendment thereto. A bond
278 ordinance is not an appropriation for capital projects. The capital improvement section of
279 the budget shall include:

280 a. estimated expenditures for at least the next six fiscal years by program;

281 b. expenditures planned for current, pending, or proposed capital projects
282 during the fiscal year, classified according to proposed source of funds whether from
283 bonds, or any combination of other local, state, federal and private sources;

284 c. an alphabetic index to enable quick location of any project contained in the
285 budget;

286 d. a discrete number for each project which shall serve to identify it within the
287 capital budget document, and all accounting reports;

288 e. estimated net annual operating costs associated with each project upon
289 completion or in cases where operating costs are negligible or incalculable, a statement to
290 that effect;

291 f. an identification of all CIP projects by council district in which they are
292 located;

293 g. CIP projects funded in the budget year shall be presented in a separate section
294 of the budget, or otherwise distinctively identified from five year CIP program of future
295 planned projects and any previously funded projects. However:

296 (1) roads CIP projects shall be presented in the six-year road CIP program;

297 (2) the appropriation for roads projects shall be made at the roads CIP fund
298 level in accordance with K.C.C. 4.04.270;

299 (3) wastewater CIP projects shall be presented in the six-year wastewater CIP
300 program; ~~(and)~~

301 (4) the appropriation for wastewater CIP projects shall be made at the
302 wastewater CIP fund level in accordance with K.C.C. 4.04.280;

303 (5) surface water management CIP projects shall be presented in the six-year
304 surface water management CIP program; and

305 (6) the appropriation for surface water management CIP projects shall be made
306 at the surface water management CIP fund level in accordance with section 5 of this
307 ordinance;

308 h. in addition to schedule requirements, a statement of purpose and estimated
309 total cost for each project for which expenditures are planned during the ensuing fiscal
310 year;

311 i. the original project cost estimate which shall remain fixed from year to year.

312 This original cost estimate shall be included in the capital budget document. A project
313 record, separate from the budget document, shall be provided which identifies the original

314 project cost estimate and any subsequent changes thereto by cost element and revenue
315 source as approved in the budget document or any amendment to the budget;

316 j. an enumeration of revised project cost estimates;

317 k. funds actually expended for projects as of June 30 of the current year;

318 l. funds previously authorized for the project;

319 m. anticipated specific cost elements within each project. However, the
320 executive is authorized to transfer funds between specific activities within the same project
321 provided that, these transfers will not result in a necessary increase to the total project
322 budget. A change in scope of a project constitutes a revision. A CIP project scope change
323 shall be included in the CIP exceptions notification if total project costs increase by ten
324 percent or by fifty thousand dollars, whichever is less; or if the schedule deviates by three
325 months. For parks CIP projects, a CIP exceptions notification shall be transmitted in
326 advance to the chair of the council finance committee, or its successor committee, when
327 fifty thousand dollars or more or funds in excess of ten percent or more of total project
328 costs, whichever is less, are to be transferred from a contingency project to a CIP project.
329 For roads CIP projects, a CIP exceptions notification shall be transmitted in advance to the
330 council transportation chair when contingency funds in excess of fifteen percent or more of
331 total project costs are to be transferred. For wastewater and surface water management CIP
332 projects, a CIP exceptions notification shall be transmitted in advance to the chair of the
333 budget and fiscal management committee, or its successor committee, and chair of the
334 utilities ~~((and technology))~~ committee, or its successor committee, when contingency funds
335 in excess of fifteen percent or more of total project costs are to be transferred.

336 n. individual allocations by cost element for each capital project; and

337 o. when a single fund finances both operating expenses and capital projects,
338 there shall be separate appropriations therefrom for the operating and the capital sections of
339 the budget.

340 B.1. The budget message shall explain the budget in fiscal terms and in terms of
341 goals to be accomplished and shall relate the requested appropriation to the
342 ~~((e))~~Comprehensive ~~((p))~~Plan of the county.

343 2. The total proposed expenditures shall not be greater than the total proposed
344 revenue. However, this requirement shall not prevent the liquidation of any deficit existing
345 on January 1, 1996.

346 3. If the estimated revenues in the current expense, special revenue, or debt
347 service funds for the next ensuing fiscal period, together with the fund balance for the
348 current fiscal period exceeds the applicable appropriations proposed by the executive for
349 the next ensuing fiscal period, the executive shall include in the budget document
350 recommendations for the use of the excess for the reduction of indebtedness, for the
351 reduction of taxation or for other purposes as in his or her discretion shall serve the best
352 interests of the county.

353 4. If, for any applicable fund, the estimated revenues for the next ensuing period
354 plus fund balance shall be less than the aggregate of appropriations proposed by the
355 executive for the next ensuing fiscal period, the executive shall include in the budget
356 document his or her proposals as to the manner in which the anticipated deficit shall be
357 met, whether by an increase in the indebtedness of the county, by imposition of new taxes,
358 by increase of tax rate or in any like manner.

359 C.1. Justification for revenues and expenditures shall be presented in detail when
360 necessary to explain changes of established practices, unique fiscal practices and new
361 sources of revenue or expenditure patterns or any data the executive deems useful to
362 support the budget. The following are included:

- 363 a. nonbudgeted departments and programs expenditures and revenues, that is,
364 intragovernmental service funds;
- 365 b. historical and projected agency workload information; and
- 366 c. brief explanation of existing and proposed new programs, as well as the
367 purpose and scope of agency activities.

368 2. Capital improvement program data shall include but not be limited to the
369 streets and highway programming process, which shall specify priorities, guide route
370 establishments, select route design criteria and provide detailed design information for each
371 road or bridge project.

372 D.1. The department of transportation shall submit a request for CIP project
373 funding, which shall specify project funding levels on a project by project basis, but which
374 shall be appropriated at the road CIP fund level, stated as an aggregate of individual
375 projects for the budget year in question in accordance with K.C.C. 4.04.270. The chief
376 budget and strategic planning officer shall annually review and forecast recommended
377 roads CIP projects to the executive.

378 2. For projects where a determination of environmental significance has been
379 made pursuant to the state Environmental Policy Act, a study or environmental impact
380 statement or declaration of no significant impact will be prepared by the responsible
381 official. For a determination of environmental significance to be made, the proposal should

382 be at a sufficient stage of contemplation or planning that its principal features can be
383 reliably identified in terms of alternative locations, size, quantities of natural resources
384 involved, changes in land use and general areas of the community and population that may
385 be affected.

386 3. The executive and council may require other data that they deem necessary,
387 which may include objects of expenditure and other expenditures categories.

388 E.1. Beginning with budget year 2002, the department of natural resources and
389 parks shall submit a request for CIP project funding, which shall specify project funding
390 levels on a project by project basis, but which shall be appropriated at the wastewater CIP
391 fund level, stated as an aggregate of individual projects, including subprojects, for the
392 budget year in question in accordance with K.C.C. 4.04.280. Except for multiyear
393 construction contracts and carryover amounts approved during the annual CIP
394 reconciliation process, appropriations shall be for one year. All construction contracts
395 including multiyear construction contracts shall be appropriated for the full construction
396 amount in the first year. Any multiyear construction contracts longer than three years must
397 be specifically identified in the department of natural resources and parks wastewater CIP
398 budget request. The request for CIP project funding for wastewater asset management
399 shall include categories of wastewater asset management projects. Wastewater asset
400 management projects shall be appropriated annually at the category level. The executive-
401 proposed CIP shall allocate anticipated expenditures for each wastewater asset
402 management project category as part of the six-year wastewater CIP. For each category, a
403 proposed project list will be appended. The chief budget officer shall annually review and
404 forecast recommended wastewater CIP projects to the executive.

405 2. Subsection D. 2 and 3 of this section also applies to the wastewater CIP
406 development process.

407 F.1. Beginning with budget year 2003, the department of natural resources and
408 parks shall submit a request for CIP project funding, which shall also specify project
409 funding levels on a project by project basis but which shall be appropriated at the surface
410 water management CIP fund level, stated as an aggregate of individual projects, including
411 subprojects, for the budget year in question in accordance with section 5 of this ordinance.
412 Except for multiyear construction contracts and carryover amounts approved during the
413 annual CIP reconciliation process, appropriations shall be for one year. All construction
414 contracts including multiyear construction contracts shall be appropriated for the full
415 construction amount in the first year. Any multiyear construction contracts longer than
416 three years must be specifically identified in the department of natural resources and parks
417 surface water management CIP budget request.

418 2. For projects where a determination of environmental significance has been
419 made pursuant to the state Environmental Policy Act, a study or environmental impact
420 statement or declaration of no significant impact will be prepared by the responsible
421 official. For a determination of environmental significance to be made, the proposal should
422 be at a sufficient stage of contemplation or planning that its principal features can be
423 reliably identified in terms of alternative locations, size, quantities of natural resources
424 involved, changes in land use and general areas of the community and population that may
425 be affected.

426 3. The executive and council may require other data that they deem necessary,
427 which may include objects of expenditure and other expenditures categories.

428 SECTION 3. Ordinance 12076, Section 5, as amended, and K.C.C. 4.04.200 are
429 each hereby amended to read as follows:

430 **Executive responsibilities.** A. The executive shall be responsible for the
431 implementation of all CIP projects pursuant to adopted project budgets and schedules.
432 However, road CIP projects may be implemented in accordance with the roads capital
433 improvement budgeting procedures ~~((set forth))~~ in K.C.C. 4.04.270, ~~((and))~~ wastewater
434 CIP projects may be implemented in accordance with the wastewater capital improvement
435 budgeting procedures in K.C.C. 4.04.280 and surface water management CIP projects may
436 be implemented in accordance with the surface water management capital improvement
437 budgeting procedures in section 5 of this ordinance. At least fifteen days ~~((prior to))~~ before
438 advertising for construction bids for any capital project, the council chair and
439 councilmembers in whose district construction will take place shall be notified. The
440 notification shall include project identification, advertising dates and a summary
441 description of the work to be performed, though failure to comply with this provision shall
442 not delay bid advertisement.

443 B. The executive shall be responsible for implementation of council adopted CIP
444 projects to ensure their completion on schedule and within adopted budgets. However,
445 roads CIP projects may be reprogrammed in accordance with ~~((the provisions of))~~ K.C.C.
446 4.04.270, ~~((and))~~ wastewater CIP projects may be reprogrammed in accordance with
447 K.C.C. 4.04.280 and surface water management CIP projects may be reprogrammed in
448 accordance with section 5 of this ordinance. The budget for each roads CIP project shall
449 not exceed by more than fifteen percent the amount specified for that project in the adopted
450 six-year roads CIP, except when the amount is modified by ordinance or in accordance

451 with the CIP exceptions notification process and the budget for each surface water
452 management and wastewater CIP project shall not exceed by more than fifteen percent the
453 amount specified for that project in the adopted six-year surface water management or
454 wastewater CIP, except when the amount is modified by ordinance or in accordance with
455 the CIP exceptions notifications process. The executive shall select consultants soliciting
456 work on all CIP projects. The executive shall implement this section by the establishment
457 of rules and procedures that provide for consultant selection, ongoing CIP design review
458 and project implementation.

459 C. All above-grade, CIP projects shall be subject to the following process:

460 1. An operational master plan shall be developed by the agency requesting a CIP
461 project in conjunction with the chief budget and strategic planning officer and shall be
462 submitted to the executive and the council for approval;

463 2. A capital improvement plan, based upon the adopted county space plan, where
464 applicable, and the approved operational master plan, shall be developed by the user
465 agency with assistance from the implementing agency and shall be submitted to the
466 executive and the council for approval. Capital projects that involve the development of
467 new parks or significant addition to or rehabilitation of existing parks shall require a public
468 meeting in the affected community at the program plan and site master plan stage, (~~prior~~
469 ~~to~~) before submitting these plans to the executive and council for approval;

470 3. A project program plan, based upon the adopted county space plan, where
471 applicable, and the approved operational master plan, shall be developed by the user
472 agency, with assistance from the implementing agency, for each requested CIP. This plan

473 shall be submitted to the executive and the council for approval. This plan shall specify
474 which projects will require a site master plan;

475 4. A site master plan shall be developed by the implementing agency, with input
476 from the user agency, for all capital improvements that involve multiple projects, are
477 complex in nature, or are otherwise identified as requiring such a plan in the project
478 program plan. This plan shall be submitted to the executive and council for approval; and

479 5. The executive may exempt smaller scale projects from the requirements in
480 subsection C.1 and C.2 of this section, if criteria for granting exemptions are established,
481 and approved by the council, and if the implementing agency certifies the project program
482 plan and related CIP or lease request is in conformance with the adopted county space plan.

483 SECTION 4. Ordinance 7159, Section 13, as amended, and K.C.C. 4.04.250 are
484 each hereby amended to read as follows:

485 **CIP schedule requirements.** All CIP appropriation requests from the executive
486 shall include project schedule information for land acquisition, design and construction for
487 each project. The estimated schedule, with beginning and ending dates for each of these
488 cost elements, shall be listed by month. The foregoing requirements shall not preclude
489 appropriations for the roads CIP being made at the roads CIP fund level, and roads projects
490 being reprogrammed, all in accordance with K.C.C. 4.04.270, and shall not preclude
491 appropriations for the surface water management and wastewater CIPs being made at the
492 surface water management and wastewater CIP fund levels, and surface water management
493 and wastewater projects being reprogrammed, all in accordance with section 5 of this
494 ordinance and K.C.C. 4.04.280. All CIP projects involving county staff shall include

495 estimated number of county staff hours in the ensuing fiscal year for each county force
496 project cost element.

497 NEW SECTION. SECTION 5. There is hereby added to K.C.C. chapter 4.04 a
498 new section to read as follows:

499 **Surface water management capital improvement budgeting.**

500 A. This section establishes procedures required for flexible response budgeting
501 provisions applicable to the water and land resources division beginning in 2003. Except
502 as specifically provided in this section, budgeting for the surface water management CIP
503 fund shall be in accordance with other applicable county law.

504 B. To allow reprogramming flexibility needed to respond in a timely manner to
505 events beyond the control of the water and land resources division that result in
506 temporary postponement or acceleration of surface water management CIP projects
507 allocated in the current budget year, and notwithstanding any other provision of county
508 law, current-year budget authorization for the surface water management CIP shall be
509 appropriated at the total CIP fund level rather than CIP project level. Surface water
510 management CIP project budget allocation substitutions may take place during the budget
511 year among the projects specifically adopted in the current six-year surface water
512 management CIP together with carryover projects from previously adopted plans in
513 accordance with the procedures in this section without the need for the enactment of
514 amendatory appropriations ordinances.

515 C.1. Implementation of the surface water management CIP shall be in accordance
516 with the project funding priorities and project funding levels identified in the annual
517 surface water management six-year CIP as adopted by the county council. Beginning in

518 2003, on or before May 15 of each year, the water and land resources division shall
519 prepare and submit to the council a surface water management CIP reallocation report.
520 The report shall provide the information in a. through e. of this subsection D.1
521 concerning proposed exceptions to surface water management CIP projects contained in
522 the current adopted six-year surface water management CIP together with those projects
523 carried forward from previous adopted six-year surface water management CIPs:

- 524 a. identification of any new emergency projects that are proposed to receive
525 funding allocated for emergencies;
- 526 b. an explanation of significant changes to scope, schedule or budget since last
527 budget approval;
- 528 c. a reallocated surface water management six-year CIP including a revised
529 financial plan, all changes to projects, estimated costs, schedules and scopes of work to
530 be pursued for the current year, and programmed in the remaining years of the six-year
531 program;
- 532 d. a justification for each project postponement or acceleration and
533 substitution;
- 534 e. identification of which projects will be ready for implementation in the
535 current budget year within the constraints of the total current year fund appropriation;
- 536 f. identification of specific projects that are recommended to proceed using
537 advanced appropriation authority and grant contingency funds in accordance with section
538 6 of this ordinance; and
- 539 g. a map showing the locations of projects proposed for deferral or
540 acceleration, projects proposed to be implemented using the current-year appropriation

541 for emergency funds, and projects proposed to be funded using the grant contingency
542 funds authorized by section 6 of this ordinance.

543 2. For any current project in the adopted program that is not ready for
544 implementation for reasons beyond the control of the water and land resources division or
545 if a project needs to be accelerated, the report shall identify for substitution or
546 postponement one or more projects of comparable budget allocation value from within
547 the current adopted six-year surface water management CIP. If the budget allocation for
548 any project to be postponed or accelerated exceeds the budget allocation of the proposed
549 substituted or postponed project or projects, the difference shall be allocated to or from
550 the surface water management CIP contingency appropriation. A project that is
551 identified for postponement shall be reallocated to the next possible year in the six-year
552 program in which it could be accomplished, adjusting succeeding projects as necessary in
553 the surface water management six-year CIP and financial plan submitted in accordance
554 with this section. If a suitable CIP project does not exist to receive the reallocated funds,
555 the funds shall remain allocated to the original CIP project.

556 D. The reallocation report shall be accompanied by a letter of transmittal to the
557 chair of the budget and fiscal management committee or designee, or its successor
558 committee, and the chair of the utilities committee, or its successor committee, and copies
559 of the report and letter shall also be transmitted to each councilmember and the lead staff
560 for the budget and fiscal management committee, or its successor committee, and for the
561 utilities committee, or its successor committee. Any councilmember who objects to
562 specific project deferrals or advancements proposed in the reallocation report shall notify
563 the chair of the budget and fiscal management committee, or its successor committee,

564 within fourteen days of receipt by the chair of the reallocation report. The
565 councilmember must specify the project deferrals or advancements to which the member
566 objects. Within thirty days of receipt of the reallocation report by the chair of the budget
567 and fiscal management committee, or its successor committee, the chair shall, in
568 consultation with the councilmembers raising objections, consider the objections raised
569 and notify the executive in writing which project reallocations may not proceed as
570 proposed. The chair of the budget and fiscal management committee shall send a copy of
571 the letter to any councilmembers who raised objections. The reallocation report takes
572 effect upon receipt by the executive of the chair's written notice. If a written notice is not
573 provided by the chair of the budget and fiscal management committee, or its successor
574 committee, the reallocation report takes effect on the thirty-first calendar day following
575 receipt of the reallocation report by the chair.

576 E. Any new project proposed for allocation in the current year that is not included
577 in the current or previously adopted surface water management six-year CIP, or any
578 newly proposed project scope to be added to a project adopted as part of the surface water
579 management six-year CIP that cannot be accommodated by transfers of contingency
580 funds, may be added to the surface water management CIP after going through the
581 normal appropriation process. Transfers of contingency funds that are required after the
582 surface water management CIP reallocation report is transmitted to the council shall be
583 reported by the department of natural resources and parks to the chair of the budget and
584 fiscal management committee, or its successor committee, and the chair of the utilities
585 committee, or its successor committee, with copies to lead staff for the budget and fiscal
586 management committee, or its successor committee, and for the utilities committee, or its

587 successor committee. Transfers from contingency funds in excess of fifteen percent of
588 the total project cost shall be contingent upon written approval by the chair of the budget
589 and fiscal management committee, or its successor committee.

590 F. Beginning January 1, 2003, a surface water management CIP contingency
591 project shall be allocated in the current year fund appropriation to provide contingent
592 budget authority to be used according to the requirements established in this chapter. The
593 surface water management CIP contingency project amount shall be no more than ten
594 percent of the current year surface water management CIP budget or one million dollars,
595 whichever is less.

596 NEW SECTION. SECTION 6. A. This section allows for creation of a grant
597 contingency project that would allow for more efficient implementation of grant-funded
598 projects in the surface water management construction fund 3292 and the open space
599 non-bond fund 3522. Except as specifically provided in this section, budgeting for
600 surface water management CIP and open space non-bond projects fund shall be in
601 accordance with other applicable county law.

602 B. The surface water management construction fund 3292 and the open space
603 non-bond county projects fund 3522 may each include a "grant contingency" project that
604 would provide advance appropriation authority for grants or other external funding
605 anticipated for projects to be implemented by the water and land resources division. The
606 executive shall supply documentation, such as grant applications or records of previous
607 grant awards, to support the appropriation proposed for these projects. Funds
608 appropriated for these projects shall not be spent unless the following three conditions are
609 met:

- 610 1. the funds are from an external source or a combination of external funds and
611 county match;
- 612 2. the council received proper notice of the application made by the water and
613 land resources division to receive the funds; and

614 3. the project on which the funds are to be spent was identified in the project
615 sheet associated with the "grant contingency" project.
616

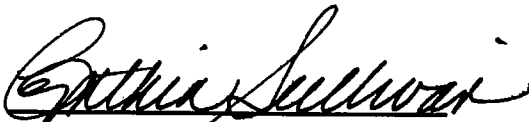
Ordinance 14452 was introduced on 6/17/2002 and passed as amended by the Metropolitan King County Council on 8/19/2002, by the following vote:

Yes: 11 - Ms. Sullivan, Mr. von Reichbauer, Ms. Lambert, Mr. Phillips, Mr. Pelz, Mr. McKenna, Mr. Constantine, Mr. Pullen, Mr. Gossett, Ms. Hague and Ms. Patterson

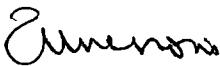
No: 0

Excused: 2 - Ms. Edmonds and Mr. Irons

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Cynthia Sullivan, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 29 day of August, 2002.



Ron Sims, County Executive

Attachments None

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KING COUNTY COUNCIL