



Legislation Details (With Text)

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File created: 7/11/2023 **In control:** Budget and Fiscal Management Committee

On agenda: **Final action:** 7/25/2023

Enactment date: 7/28/2023 **Enactment #:** 19654

Title: AN ORDINANCE related to county budgeting fiscal periods; and amending Ordinance 11683, Section 4, and K.C.C. 1.24.035, Ordinance 11683, Section 8, and K.C.C. 1.24.075, Ordinance 12075, Section 3, and K.C.C. 2.16.025, Ordinance 14199, Section 11, and K.C.C. 2.16.035, Ordinance 18798, Section 2, and K.C.C. 2.47.010, Ordinance 18432, Section 8, and K.C.C. 2A.380.200, Ordinance 16339, Section 18, and K.C.C. 3.12F.020, Ordinance 8753, Section 7, and K.C.C. 3.32.090, Ordinance 12045, Section 20, and K.C.C. 4.56.030, Ordinance 17390, Section 1, and K.C.C. 4.56.300, Ordinance 15545, Section 1, and K.C.C. 4A.100.010, Ordinance 17929, Section 13, as amended, and K.C.C. 4A.100.020, Ordinance 12045, Section 23, as amended, and K.C.C. 4A.100.040, Ordinance 17929, Section 20, as amended, and K.C.C. 4A.100.070, Ordinance 620, Section 4, as amended, and K.C.C. 4A.100.100, Ordinance 12076, Section 4, as amended, and K.C.C. 4A.110.010, Ordinance 12076, Section 7, as amended, and K.C.C. 4A.200.020, Ordinance 12076, Section 13, as amended, and K.C.C. 4A.200.390, Ordinance 13923, Section 4, as amended, and K.C.C. 4A.601.010, and Ordinance 13923, Section 5, and K.C.C. 4A.601.030.

Sponsors: Joe McDermott

Indexes: Budget

Code sections:

Attachments: 1. Ordinance 19654, 2. 2023-0244 and 0245_SR_AnnualBudgetShift 7-12-23, 3. 2023-0245_ATT1A_StrikingAmendment_AnnualBudgetShift v2, 4. 2023-0245_ATT1B_TitleAmendment_FINAL v2, 5. 2023-0244 and 0245_RevisedSR_AnnualBudgetShift

Date	Ver.	Action By	Action	Result
7/25/2023	2	Metropolitan King County Council	Passed	Pass
7/12/2023	1	Budget and Fiscal Management Committee	Recommended Do Pass Substitute Consent	Pass
7/11/2023	1	Metropolitan King County Council	Introduced and Referred	

AN ORDINANCE related to county budgeting fiscal periods; and amending Ordinance 11683, Section 4, and K.C.C. 1.24.035, Ordinance 11683, Section 8, and K.C.C. 1.24.075, Ordinance 12075, Section 3, and K.C.C. 2.16.025, Ordinance 14199, Section 11, and K.C.C. 2.16.035, Ordinance 18798, Section 2, and K.C.C. 2.47.010, Ordinance 18432, Section 8, and K.C.C. 2A.380.200, Ordinance 16339, Section 18, and K.C.C. 3.12F.020, Ordinance 8753, Section 7, and K.C.C. 3.32.090, Ordinance 12045, Section 20, and K.C.C. 4.56.030,

Ordinance 17390, Section 1, and K.C.C. 4.56.300, Ordinance 15545, Section 1, and K.C.C. 4A.100.010, Ordinance 17929, Section 13, as amended, and K.C.C. 4A.100.020, Ordinance 12045, Section 23, as amended, and K.C.C. 4A.100.040, Ordinance 17929, Section 20, as amended, and K.C.C. 4A.100.070, Ordinance 620, Section 4, as amended, and K.C.C. 4A.100.100, Ordinance 12076, Section 4, as amended, and K.C.C. 4A.110.010, Ordinance 12076, Section 7, as amended, and K.C.C. 4A.200.020, Ordinance 12076, Section 13, as amended, and K.C.C. 4A.200.390, Ordinance 13923, Section 4, as amended, and K.C.C. 4A.601.010, and Ordinance 13923, Section 5, and K.C.C. 4A.601.030.

STATEMENT OF FACTS:

1. The county gradually implemented biennial budgeting over a period of more than ten years, beginning with a charter amendment in 2002 and culminating with the adoption of the 2015-2016 budget, with the understanding that biennial budget adoption would take place in non-election years.
2. In November 2022, voters in King County approved a charter amendment to move elections for the county offices of executive, assessor, director of elections, and councilmembers from odd-numbered to even-numbered years.
3. The next four election years for the county offices of executive, assessor, director of elections, and councilmembers are scheduled for 2023, 2025, 2026, and 2028.
4. Voter approval of the charter amendment puts the county in a circumstance of having the biennial budget adoption process taking place in the 2026 and 2028 election years.
5. State law prohibits the county from adopting a three-year budget but does not prohibit adoption of annual or biennial budgets.
6. To avoid budget adoption coinciding with election years, the executive must have the

flexibility to shift county budget development from even-numbered to odd-numbered years.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 11683, Section 4, and K.C.C. 1.24.035 are hereby amended to read as follows:

A.1.a. Except as otherwise provided in this subsection, the time of regular meetings of the council is 1:30 p.m. on the first, second, third, and fourth Tuesdays of each month. However, the regular meetings of the council shall not take place: from December 14, 2022, through January 2, 2023; from April 10, 2023, through April 14, 2023; from July 31, 2023, through August 11, 2023; and from December 13, 2023, through January 2, 2024. All regular or special meetings of council committees shall be regular or special council meetings, in accordance with subsection F. of this rule.

b. A special committee meeting may not be called without the prior written consent of the council chair or the consent of a majority of the members of the committee. This subsection A.1.b. does not apply to special meetings of the budget and fiscal management committee for purposes of considering the county executive's ((~~biennial~~)) budget proposal for the upcoming fiscal period, which shall be called by the chair of the budget and fiscal management committee.

2.a. All regular meetings of the King County council and the council's committees, except for employment and administration committee meetings, shall be held in the council chambers on the tenth floor of the King County Courthouse in Seattle, Washington. All regular meetings of the employment and administration committee meetings shall be held in the southwest conference room on the twelfth floor of the King County Courthouse in Seattle, Washington.

b. Whenever, due to an emergency, as defined in K.C.C. 12.52.010, it is imprudent, inexpedient, or impossible to conduct the affairs of the council at the regular or usual place or places, the council may meet at any place within or without the territorial limits of the county on the call of the chair or any two members of the council. After an emergency relocation, the affairs of the council shall be lawfully conducted at the emergency location for the duration of the emergency.

B.1. Except as provided in subsection B.2. of this rule, the times for regular and special committee meetings are as follows:

- a. Budget and fiscal management committee: the second and fourth Wednesday of each month at 9:30 a.m.;
- b. Committee of the whole: the third Wednesday of each month at 9:30 a.m.;
- c. Employment and administration committee: the third Tuesday of each month at 2:00 p.m.;
- d. Government accountability and oversight committee: the second Tuesday of each month at 9:30 a.m.;
- e. Law, justice, health and human services committee: the first Tuesdays of each month at 9:30 a.m.;
- f. Local services and land use committee: the fourth Tuesday of each month at 9:30 a.m.;
- g. Regional policy committee: the second Wednesday of each month at 3:00 p.m.;
- h. Regional transit committee: the third Wednesday of each month at 3:00 p.m.;
- i. Regional water quality committee: the first Wednesday of each month at 3:00 p.m.; and
- j. Transportation, economy and environment committee: the third Tuesday of each month at 9:30 a.m.

2. The regular meetings of the committees shall not take place during the times when the council meeting does not take place, as prescribed in subsection A. of this rule.

C. Council and committee meetings must be held in accordance with the Open Public Meetings Act of 1971, chapter 42.30 RCW.

D. A meeting may be continued, in accordance with chapter 42.30 RCW, to another date and does not conclude until adjourned in accordance with these rules.

E.1. An executive session may be held during a council or committee meeting if one of the specific grounds under chapter 42.30 RCW for an executive session exists.

2. Before convening in executive session, the chair of the council or committee shall publicly

announce the purpose for excluding the public from the meeting place and the time when the executive session will be concluded. The executive session may be extended to a stated later time by announcement of the chair.

3. Only members of the council or committee, special invitees, and those employees or staff members the council or committee determines to be necessary are allowed to remain in the room. Persons attending an executive session shall maintain the confidentiality of the proceedings.

F.1. A legal analysis of the Open Public Meetings Act by the office of the Attorney General, 2010 AGO No. 9, has advised that when a committee meeting is attended by a quorum of the governing body it must be noticed not only as a committee meeting but also as a meeting of the governing body. For this reason, all meetings((;)) of council committees shall be noticed both as committee meetings and as council meetings whose agenda is limited to the committee business.

2. In all committee meetings, which are council meetings in accordance with subsection F.1. of this rule, only the rules and procedures applicable to committees apply, and not those rules and procedures applicable to full council meetings. This includes, but is not limited to:

a. only those members who serve on the committee have the right to exercise parliamentary rights in the meeting, including, but not limited to, raising points of order, making motions, and voting;

b. attendance shall be recorded only for members serving on the committee, and the quorum for the meeting shall be the committee quorum; and

c. committee meetings shall be chaired by the committee chair.

SECTION 2. Ordinance 11683, Section 8, and K.C.C. 1.24.075 are hereby amended to read as follows:

A.1. A section of an existing ordinance, except an appropriations ordinance, may not be amended unless the new ordinance sets forth the amended section at full length. Matter added to an existing ordinance must be indicated by underlining the matter. Matter deleted from an existing ordinance must be indicated by lining out the matter with a solid line and enclosing the lined-out matter within double parentheses.

2. A section of ((A)) an existing appropriations ordinance may be amended by showing the

incremental change to a section of the ((~~biennial~~)) fiscal period's appropriations ordinance. Any attachment to an appropriations ordinance may be amended by showing only the new or changed object of expense on the adopted attachment. Any amendment to an appropriations ordinance or an attachment to an appropriations ordinance must be reported in the quarterly budget management report filed in accordance with K.C.C.

4A.100.100.

3. An ordinance may not be presented to or acted upon by the council until this rule is followed.

B. Entirely new sections of ordinances that are to be codified, or sections being added to an existing uncodified ordinance, may not be underlined but must be designated "NEW SECTION."

SECTION 3. Ordinance 12075, Section 3, and K.C.C. 2.16.025 are hereby amended to read as follows:

A. The county executive shall manage and be fiscally accountable for the office of performance, strategy and budget, the office of labor relations, the office of climate, the office of economic opportunity and creative economy, and the office of equity and racial and social justice.

B. The office of performance, strategy and budget functions and responsibilities shall include, but not be limited to:

1. Planning, preparing, and managing, with emphasis on fiscal management and control aspects, the operating and capital project budgets;
2. Monitoring revenues and preparing forecasts not produced by the office of economic and financial analysis;
3. Monitoring expenditures and work programs;
4. Developing and preparing expenditure plans and ordinances to manage the implementation of the operating and capital project budgets throughout the fiscal period;
5. Formulating and implementing financial policies regarding revenues and expenditures for the county and other applicable agencies;
6. Performing program analysis, and contract and performance evaluation review;

7. Developing and transmitting to the council, concurrent with the ((biennial)) proposed budget for the fiscal period, supporting materials consistent with K.C.C. chapter 4A.100;

8. Performance management and accountability:

a. providing leadership, guidance, and coordination of the executive branch performance management and accountability system;

b. overseeing the development of strategic plans and operational plans for each executive branch department and office;

c. overseeing monitoring of the performance management and accountability system, including review of operational and budgetary performance;

d. developing and using community-level indicators and agency performance measures to monitor and evaluate the effectiveness and efficiency of each executive branch department and office; and

e. overseeing the production of an annual performance report for the executive branch;

9. Interagency coordination:

a. coordinating and staffing executive initiatives across departments and agencies;

b. facilitating interdepartmental, interagency, and interbranch teams on multidisciplinary issues;

c. negotiating interlocal agreements as designated by the executive; and

d. serving as the liaison to the boundary review board for King County;

10. ((£))leading the county's continuous improvement activities; and

11. ((£))leading the county's regional planning work, including:

a. coordinating the county's participation in multicounty planning at the Puget Sound Regional Council, including serving on the Puget Sound Regional Council's regional staff committee;

b. coordinating countywide planning at the Growth Management Planning Council consistent with the Washington state Growth Management Act, including leading the Growth Management Planning Council's interjurisdictional staff team in accordance with the interlocal agreement authorized by King County Motion

8495;

c. managing updates to the county's Comprehensive Plan in coordination with the department of local services in accordance with K.C.C. Title 20;

d. coordinating the development of demographic and growth forecasting data and information including census data, growth targets, and buildable lands;

e. facilitating annexations and joint planning with cities, including developing annexation proposals, drafting interlocal agreements, and serving as the liaison to the boundary review board for King County; and

f. coleading with the department of local services's permitting division, an interbranch regional planning team that supports the council and executive through the provision of information and data, development of policy proposals and options for regional issues related to growth management, economic development, and transportation. Participation in the interbranch regional planning team shall include executive, department, and council staff as designated by the respective branches.

C. The office of labor relations functions and responsibilities shall include:

1. Representing county agencies in the collective bargaining process as required by chapter 41.56 RCW;
2. Developing and maintaining databases of information relevant to the collective bargaining process;
3. Representing county agencies in labor arbitrations, appeals, and hearings including those in chapter 41.56 RCW and required by K.C.C. Title 3, in collaboration with the department of human resources;
4. Administering labor contracts and providing consultation to county agencies regarding the terms and implementation of negotiated labor agreements, in collaboration with the department of human resources;
5. Advising the executive and council on overall county labor policies; and
6. Providing resources for labor relations training for county agencies, the executive, the council, and others, in collaboration with the department of human resources.

D. The office of climate functions and responsibilities shall include:

1. Coordinating the integration of climate change into county operations in partnership with executive branch departments and offices, King County cities, partners, communities, and residents;

2. Advising the executive and council on climate-related policies, programs, and activities; and

3. Leading and fostering climate innovation among county agencies.

E. The office of economic opportunity and creative economy functions and responsibilities shall include:

1. Coordinating the county's efforts to develop a strong equitable economy that creates opportunities for all residents;

2. Developing and implementing strategies to promote economic revitalization and equitable development; and

3. Assisting communities and businesses in creating economic opportunities, promoting a diversified economy, and promoting family-wage job creation.

F. The office of equity and racial and social justice functions and responsibilities shall include:

1. Defining the county's equity and racial and social justice outcomes with communities most affected by inequities;

2. Developing the county's strategies, practices, systems, and processes to achieve equity and racial and social justice outcomes;

3. Providing strategic consultation to county agencies, and the communities they serve, to achieve equity and racial and social justice outcomes;

4. Assisting county agencies to fulfill their responsibility to achieve equity and racial and social justice outcomes; and

5. Operating the civil rights program, which shall include the following duties:

a. enforcing nondiscrimination ordinances as codified in K.C.C. chapters 12.17, 12.18, 12.20 and 12.22;

b. assisting departments in complying with the federal Americans with Disabilities Act of 1990, the federal Rehabilitation Act of 1973, Section 504, and other legislation and rules regarding access to county programs, facilities, and services for people with disabilities;

c. serving as the county Americans with Disabilities Act Title II coordinator relating to public access;

d. providing staff support to the county civil rights commission;

e. serving as the county federal Civil Rights Act Title VI coordinator; and

f. coordinating county responses to federal Civil Rights Act Title VI issues and investigating complaints filed under Title VI.

G.1. The county council hereby delegates to the executive or the executive's designee authority to request a hearing before the Washington state Liquor and Cannabis Board and make written recommendations and objections regarding applications relating to:

a. liquor licenses under chapter 66.20 RCW; and

b. licenses for marijuana producers, processors, or retailers under chapter 69.50 RCW.

2. Before making a recommendation under subsection G.1. of this section, the executive or designee shall solicit comments from county departments and agencies, including, but not limited to, the department of local services, public health - Seattle & King County, the sheriff's office, and the prosecuting attorney's office.

3. For each application reviewed under subsection G.1.b. of this section, the executive shall transmit to the county council a copy of the application received with the applicant's name and proposed license application location, a copy of all comments received under subsection G.2. of this section, and the executive's recommendation to the Washington state Liquor and Cannabis board.

H. The executive may assign or delegate budgeting, performance management and accountability, climate policy, economic development, and strategic planning and interagency coordination functions to employees in the office of the executive but shall not assign or delegate those functions to any departments.

SECTION 4. Ordinance 14199, Section 11, and K.C.C. 2.16.035 are hereby amended to read as

follows:

A. The county administrative officer shall be the director of the department of executive services. The department shall include the records and licensing services division, the finance and business operations division, the facilities management division, the fleet services division, the airport division, the office of risk management services, the administrative office of emergency management, and the administrative office of the business resource center. In addition, the county administrative officer shall be responsible for providing staff support for the board of ethics.

B. The duties of the records and licensing services division shall include the following:

1. Issuing marriage, vehicle/vessel, taxicab and for-hire driver and vehicle, and pet licenses, collecting license fee revenues, and providing licensing services for the public;
2. Enforcing county and state laws relating to animal control;
3. Managing the recording, processing, filing, storing, retrieval, and certification of copies of all public documents filed with the division as required;
4. Processing all real estate tax affidavits; and
5. Acting as the official custodian of all county records, as required by general law, except as otherwise provided by ordinance.

C. The duties of the finance and business operations division shall include the following:

1. Monitoring revenue and expenditures for the county. The collection and reporting of revenue and expenditure data shall provide sufficient information to the executive and to the council. The division shall be ultimately responsible for maintaining the county's official revenue and expenditure data;
2. Performing the functions of the county treasurer;
3. Billing and collecting real and personal property taxes, local improvement district assessments, and gambling taxes;
4. Processing transit revenue;

5. Receiving and investing all county and political subjurisdiction moneys;
6. Managing the issuance and payment of the county's debt instruments;
7. Managing the accounting systems and procedures;
8. Managing the fixed assets system and procedures;
9. Formulating and implementing financial policies for other than revenues and expenditures for the county and other applicable agencies;
10. Administering the accounts payable and accounts receivable functions;
11. Collecting fines and monetary penalties imposed by district courts;
12. Developing and administering procedures for the procurement of and awarding of contracts for tangible personal property, services, professional or technical services, and public work in accordance with K.C.C. chapter 2.93 and applicable federal and state laws and regulations;
13. Establishing and administering procurement and contracting methods, and bid and proposal processes, to obtain such procurements;
14. In consultation with the prosecuting attorney's office and office of risk management services, developing and overseeing the use of standard procurement and contract documents for such procurements;
15. Administering contracts for goods and services that are provided to more than one department;
16. Providing comment and assistance to departments on the development of specifications and scopes of work, in negotiations for such procurements, and in the administration of contracts;
17. Assisting departments to perform cost or price analyses for the procurement of tangible personal property, services, and professional or technical services, and price analysis for public work procurements;
18. Developing, maintaining, and revising as may be necessary from time to time the county's general terms and conditions for contracts for the procurement of tangible personal property, services, professional or technical services, and public work;
19. Managing and developing financial policies for borrowing of funds, financial systems, and other

financial operations for the county and other applicable agencies;

20. Managing the contracting opportunities program to increase opportunities for small contractors and suppliers to participate on county-funded contracts. Also, the finance and business operations division shall submit an annual report as required by K.C.C. 2.97.090;

21. Managing the apprenticeship program to optimize the number of apprentices working on county construction projects. Also, the finance and business operations division shall submit an annual report as required by K.C.C. 12.16.175; and

22. Serving as the disadvantaged business enterprise liaison officer for federal Department of Transportation and other federal grant program purposes. The disadvantaged business enterprise liaison officer shall have direct, independent access to the executive on disadvantaged business enterprise program matters consistent with 49 C.F.R. Sec. 26.25. For other matters, the disadvantaged business enterprise liaison officer shall report to the manager of the finance and business operations division.

D. The duties of the facilities management division shall include the following:

1. Overseeing space planning for county agencies;
2. Administering and maintaining in good general condition the county's buildings except for those managed and maintained by the department of natural resources and parks and the Metro transit department as provided in K.C.C. chapter 4.56;
3. Operating security programs for county facilities except as otherwise determined by the council;
4. Administering all county facility parking programs except for public transportation facility parking;
5. Administering the supported employment program;
6. Managing all real property owned or leased by the county, except as provided in K.C.C. chapter 4.56, ensuring, where applicable, that properties generate revenues closely approximating fair market value;
7. Maintaining a current inventory of all county-owned or leased real property;
8. Functioning as the sole agent for the disposal of real properties deemed surplus to the needs of the

county;

9. In accordance with K.C.C. chapter 4A.100, providing support services to county agencies in the acquisition of real properties, except as otherwise specified by ordinance;

10. Issuing oversized vehicle permits and issuing franchises, permits, and easements for the use of county property except franchises for cable television and telecommunications;

11. Overseeing the development of capital projects for all county agencies except for specialized roads, solid waste, public transportation, airport, water pollution abatement, surface water management projects, and parks and recreation;

12. Being responsible for all general projects, such as office buildings or warehouses, for any county department including, but not limited to, the following:

a. administering professional services and construction contracts;

b. acting as the county's representative during site master plan, design, and construction activities;

c. managing county funds and project budgets related to capital projects;

d. assisting county agencies in the acquisition of appropriate facility sites;

e. formulating guidelines for the development of operational and capital project plans;

f. assisting user agencies in the development of capital projects and project plans, as defined and

provided for in K.C.C. chapter 4A.100;

g. formulating guidelines for the use of life cycle cost analysis and applying these guidelines in all appropriate phases of the capital process;

h. ensuring the conformity of capital project plans with the adopted space plan;

i. developing project cost estimates that are included in capital project plans, site master plans, capital projects, and ((biennial)) project budget requests;

j. providing advisory services, feasibility studies, or both services and studies to projects as required and for which there is budgetary authority;

k. coordinating with user agencies to assure user program requirements are addressed through the capital development process as set forth in this chapter and in K.C.C. chapter 4A.100;

l. providing engineering support on capital projects to user agencies as requested and for which there is budgetary authority; and

m. providing assistance in developing the executive budget for capital projects; and

13. Providing for the operation of a downtown winter shelter for homeless persons between October 15 and April 30 each year.

E. The duties of the fleet services division shall include the following:

1. Acquiring, maintaining, and managing the motor pool equipment rental and revolving fund for fleet vehicles and equipment, the equipment rental and revolving fund, and the wastewater equipment rental and revolving fund. Metro transit department vehicles determined by the Metro transit department director to be intricately involved in or related to providing public transportation services shall not be part of the motor pool;

2. Establishing rates for the rental of equipment and vehicles;

3. Establishing terms and charges for the sale of any material or supplies that have been purchased, maintained, or manufactured with money from the motor pool and equipment revolving fund, the equipment rental and revolving fund, and the wastewater equipment rental and revolving fund;

4. Managing fleet and equipment training programs, stores function, and vehicle repair facilities;

5. Administering the county alternative fuel program and take-home assignment of county vehicles policy; and

6. Inventorying, monitoring losses, and disposing of county personal property in accordance with K.C.C. chapter 4.56.

F. The duties of the airport division shall include managing the maintenance and operations of the King County international airport, and shall include the following:

1. Developing and implementing airport programs under state and federal law including preparing

policy recommendations and service models;

2. Managing and maintaining the airport system infrastructure;

3. Managing, or securing services from other divisions, departments, or entities to perform((;)) the design, engineering, and construction management functions related to the airport capital program, including new facilities development and maintenance of existing infrastructure; providing support services such as project management, environmental review, permit, and right-of-way acquisitions, schedule and project control functions; and

4. Preparing and administering airport service and supporting capital facility plans and periodic updates.

G. The duties of the office of risk management services shall include the management of the county's insurance and risk management programs consistent with K.C.C. chapter 2.21.

H. The duties of the administrative office of emergency management shall include the following:

1. Preparing and planning for emergencies and disasters;

2. Providing effective direction, control, and coordination of operations before, during, and after emergencies and disasters; and

3. Being responsible for the emergency management functions defined in K.C.C. chapter 2.56 and K.C.C. 2A.310.

I. The duties of the administrative office of the business resource center shall include the following:

1. The implementation and maintenance of those systems necessary to generate a regular and predictable payroll through the department of human resources;

2. The implementation and maintenance of those systems necessary to provide regular and predictable financial accounting and procedures through the finance and business operations division;

3. The implementation and maintenance of those systems necessary to generate regular and predictable county budgets, budget reports, and budget management tools for the county; and

4. The implementation and maintenance of the human resources systems of record for all human resources data for county employment purposes.

SECTION 5. Ordinance 18798, Section 2, and K.C.C. 2.47.010 are hereby amended to read as follows:

A. The county's office of equity and social justice shall invite representatives from all branches, departments, agencies, and offices of county government to form an interbranch team to plan the Reverend Dr. Martin Luther King, Jr., annual gathering celebrating the life and legacy of Reverend Dr. Martin Luther King, Jr.

B. The interbranch team shall reach out to community representatives to receive ideas for the planning of the Reverend Dr. Martin Luther King, Jr., annual gathering, and receive feedback during the planning of the Reverend Dr. Martin Luther King, Jr., annual gathering.

C. The county's office of equity and social justice in collaboration with the interbranch team shall each year convene an annual gathering celebrating the life and legacy of Reverend Dr. Martin Luther King, Jr. The intent of the gathering shall be to:

1. Provide a countywide gathering for all members of the public to celebrate the life and legacy of Reverend Dr. Martin Luther King, Jr.;

2. Recognize the impact that Reverend Dr. Martin Luther King, Jr. has on our community and our nation and bring to attention Reverend Dr. Martin Luther King Jr.'s message of equity, social justice, and non-violence and his((s)) political((s)) and social philosophies; and

3. Inspire county residents to strive in a non-violent manner for the human rights, civil liberties, and economic guarantees rightfully due to all peoples.

D. The gathering shall be held in the second week of the month of January.

E. The gathering shall be open to all county employees that are available to attend. Separately elected officials, department directors, and division managers shall make an effort to accommodate all county employees that request to attend the gathering.

F. The gathering shall be open to the public.

G. The county's office of equity and social justice in collaboration with the interbranch team should widely publicize the gathering. Publicity methods shall include, but not be limited to, the official county newspaper, newspapers of general circulation within each council district, King County civic television, television news outlets, social media platforms, non-English language newspapers and periodicals distributed in the county, and the county's website.

H. The gathering shall be held in a King County venue that would accommodate all attendees.

I. The gathering shall consider including:

1. Presentation of the King County Medal of Distinguished Service awards;
2. Keynote addresses from invited guests and county elected officials;
3. Performances by award winning artists, local artists, or both;
4. Recognition of the Reverend Dr. Martin Luther King Jr. essay contest winners; and
5. Readings of excerpts from Dr. King's speeches.

J. Costs of the gathering are hereby authorized, subject to availability of funds in the county general fund.

K. The executive shall include a proposed budget that will cover the costs of each annual gathering as part of the executive's proposed ((~~biennial~~)) budget to council.

SECTION 6. Ordinance 18432, Section 8, and K.C.C. 2A.380.200 are hereby amended to read as follows:

A.1. The chief information officer shall assess all technology project budget requests to be transmitted to the council as part of either the executive's proposed ((~~biennial~~)) budget or any supplemental appropriation ordinance.

2. The assessment of technology project budget requests by the chief information officer shall fulfill the following objectives:

- a. technology projects shall align with the county's strategic information technology plan and enterprise architecture and standards;
- b. technology projects shall contribute to minimizing the county's application portfolio risk; and
- c. project plans, cost estimates, and benefit achievement plans shall meet the requirements in K.C.C. 4A.100.030.C,D, and F, respectively.

3. The chief information officer shall provide to the office of performance, strategy and budget a list of all projects with active appropriation authority, including projects not seeking funding in the proposed budget and the unexpended appropriation for each project. That list shall be included as part of the executive's proposed ((biennial)) budget.

B. Beginning in 2019, and every fourth year thereafter, the chief information officer shall prepare a strategic information technology plan for council adoption by motion. The strategic information technology plan, and the motion for adoption of the plan, shall be transmitted to council by December 31 of the year it is prepared, with annual updates provided by April 30 starting in the year two of the four-year plan. The plan should include, for the subsequent four calendar years:

1. A vision statement for the coordination of technology management and investment across the county;
2. A description of the current environment, strengths, weaknesses, opportunities, and challenges for individual planning issue areas;
3. A list of recommended objectives, with description;
4. The approach to achieve the desired outcomes for each strategic objective;
5. The accomplishments towards meeting objectives from previous approved strategic plans, when objectives have not been met, and a discussion of the obstacles towards meeting those objectives;
6. Appendices supporting the recommended objectives; and
7. Appendix defining appropriate strategic performance metric or metrics for each recommended

objective in the plan.

SECTION 7. Ordinance 16339, Section 18, and K.C.C. 3.12F.020 are hereby amended to read as follows:

A. Whenever the executive determines that an emergency budget crisis exists in King County, the executive may proclaim in writing the existence of such an emergency. The executive shall transmit a proclamation and proposed ratifying ordinance to the council within seven days of the proclamation. A proclamation is effective only if ratified by ordinance. A proclamation of an emergency budget crisis remains in effect for all or a portion of ~~((one biennial))~~ the fiscal period's budget cycle.

B. Whenever the council determines that an emergency budget crisis exists in King County, it may by ordinance declare the existence of such an emergency. A declaration of an emergency budget crisis remains in effect for all or a portion of ~~((one biennial))~~ the fiscal period's budget cycle.

C. Upon a proclaimed and ratified or declared emergency budget crisis, the executive may:

1. Order a budgetary furlough, including the furlough of employees of the executive branch and closure of county offices;
2. Order the reduction in hours or the closure of county offices on specific days associated with a budgetary furlough;
3. Order any other actions relating to employees in K.C.C. Title 3; or
4. Enter into or amend agreements with labor organizations to furlough represented employees as provided under this chapter. If such an agreement addresses no other subject or additional terms, it shall have the force of law upon execution by the parties, without enactment by ordinance.

D. If an emergency budget crisis has been proclaimed and ratified or declared and furlough days are ordered, the executive shall notify the public of days that county offices are closed by posting the information on the county buildings or offices that are closed, by posting a notice on the Internet, by advertising in the official county newspaper, and by issuing press releases.

SECTION 8. Ordinance 8753, Section 7, and K.C.C. 3.32.090 are hereby amended to read as follows:

All revenues derived from parking fees shall be distributed as follows:

- A. Applicable local and state taxes;
- B. An allocation to cover rent payments or debt service payments for the Goat Hill parking facility and prorated rent for the parking portion of the Chinook Building and King Street Center;
- C. It is the intent of the council to ((~~biennially~~)), during the budget process, identify a portion of the revenue going to the current expense fund to be transferred to the major maintenance reserve fund to support major maintenance projects at the parking facilities, taking into account the major maintenance model and financial plan;
- D. An allocation to the facilities management division of the department of executive service's internal service fund to reimburse the fund for expenses associated with the operation of the parking facilities; and
- E. The residual revenues distributed to the general fund.

SECTION 9. Ordinance 12045, Section 20, and K.C.C. 4.56.030 are hereby amended to read as follows:

County employees shall be held accountable and responsible for all of the various personal property assigned to them during the course of their employment with the county.

- A. Written documentation, by employee, of all changes in assigned capitalized items from the department or agency inventory reports will be recorded at the time of the occurrence and kept in each county department or agency.
- B. The fleet services division shall provide a report of losses to the county council, county administrative officer, and office of risk management services. The report to the county council shall be transmitted with the ((~~biennial~~)) executive's proposed budget.
- C. The fleet services division shall recommend to the department or agency director or manager corrective action for all capitalized items lost or misplaced due to employee negligence or misconduct.

D. If the director or manager determines an employee to be negligent in the care of the property assigned to the employee or if a terminated employee fails to return personal property assigned to the employee, then the county may pursue any remedy available at law for recovery of loss of property. If a career service employee is disciplined, that employee has the right to the full protection of the county disciplinary-grievance process as established by applicable union bargaining agreements and the county code provisions and administrative guidelines for the career service.

E. The fleet services division shall be the sole agency responsible for inventorying and disposing of county personal property.

SECTION 10. Ordinance 17390, Section 1, and K.C.C. 4.56.300 are hereby amended to read as follows:

A. The fleet services division shall annually identify countywide fleet standards for cars, trucks, sport utility vehicles, and other nonrevenue vehicles. These standards shall apply to fleets managed by the Metro transit department as well as the fleet services, solid waste, and airport divisions, and shall be developed as follows:

1. The fleet managers of the Metro transit department as well as the fleet services, solid waste, and airport divisions shall annually review the inventory of cars, trucks, sport utility vehicles, and any other nonrevenue vehicles identified to be replaced in the coming year. The fleet managers shall assign a standard for each class of vehicle. If a vehicle meeting the standard is not available through an existing procurement contract, the fleet managers shall collaborate to determine the best method of procurement of the vehicle;

2. To the extent practicable, the original equipment manufacturer's recommended routine maintenance schedules, as specified by the use of the vehicle, shall be adhered to for all nonrevenue county fleet vehicles. Fleet managers may, at their discretion, document and adjust the frequency of routine service intervals where a deviation from the recommended routine maintenance schedule is indicated due to factors including, but not limited to, vehicle age, mileage, service hours, or operating environment;

3.a. Vehicle replacement cycles shall, to the extent practicable, be consistent for each class of vehicle. The optimal mileage at which each class of vehicle should be replaced shall be established by the fleet managers using criteria such as purchase price, depreciation, and maintenance costs. All county fleets will apply the same criteria to establish the optimal mileage and the maximum life cycle.

b. Fleet managers shall prepare an alternative fuel technology vehicle integration plan, describing necessary and appropriate steps towards the successful integration of alternative fuel vehicles into the county fleets. Plan elements may include:

- (1) a description of the challenges and barriers that alternative fuel vehicles may encounter in efforts to integrate them into the county fleet;
- (2) a description of opportunities for such vehicles in service to county government transportation needs;
- (3) identification and a specific timeline for ascertainment of needed planning and analytical information in support of plan preparation, including:
 - (a) vehicle maintenance and repair histories, and related information that will support development of appropriate vehicle life cycle replacement standards; and
 - (b) vehicle utilization data;
- (4) a summary of appropriate steps needed to integrate such vehicles into the county fleet; and
- (5) other elements;

4. The countywide fleet standards shall be evaluated by county fleet managers biannually, to coincide with the ~~((biennial))~~ fiscal period's budget cycle, and updated if needed; and

5. The manager of the fleet services division shall have lead responsibility for facilitating the biannual evaluation of countywide fleet standards.

B. The executive shall annually transmit an electronic copy and one paper copy of the King County fleet standards to the clerk of the council by August 31 for distribution to all councilmembers and the lead staff

for the transportation, economy and environment committee, or its successor. The report shall include:

1. Vehicle types for purchase for standard passenger cars, trucks, and sport utility vehicles for the next calendar year;
2. Standard maintenance schedules for routine safety and service work for each type of vehicle; and
3. Vehicle life including both optimal mileage and maximum life cycle for vehicle replacement planning.

SECTION 11. Ordinance 15545, Section 1, and K.C.C. 4A.100.010 are hereby amended to read as follows:

A. In accordance with Section 405 of the King County Charter and in lieu of adopting an annual budget, the council shall adopt a biennial budget for such county funds as the council may determine. For these funds there shall be a midbiennium review and modification for the second year of the biennium. The council may adopt additional and emergency appropriations ordinances for any such fund or funds in the same manner and subject to the same conditions as otherwise provided in the charter.

B. At least two hundred forty-five days before the end of the fiscal period, the council may notify the executive by motion of those funds it has determined to be budgeted on an annual basis. Any funds not included on the list shall be budgeted on a biennial basis.

SECTION 12. Ordinance 17929, Section 13, as amended, and K.C.C. 4A.100.020 are hereby amended to read as follows:

A. An electronic database with balanced revenues and expenditures for all county agencies at the lowest organization and account levels and all summary levels;

B. Complete financial plans for each fund requesting expenditure authority showing planned expenditures, and the sources of revenue from which each fund is to be financed. For any financial plan, the total proposed expenditures shall not be greater than the total proposed revenues plus any available fund balances that might be applied in excess of required reserves. For capital funds, the financial plan shall indicate

that the carryover budget is supported by fund balance and revenues to be collected. If the estimated revenues plus fund balance is less than the estimated expenditures proposed by the executive, the executive shall include in the financial plan a proposal as to the manner in which the anticipated deficit is to be met. Financial plans shall indicate any fund balances and reserves within the fund and shall be consistent with all financial policies adopted by the council;

C. Revenue detail, which shall be reported in fund financial plans and in the electronic database, and shall include:

1. Estimated revenue by fund and by source from taxation as well as from all other sources, including estimated revenue from future bond sales. All revenue estimates shall be fully detailed by the standard classification of accounts. Assumptions made related to changes from current fiscal period adopted levels shall be documented;

2. Actual revenues either for the first eighteen months of ~~((the current fiscal period))~~ a biennial budget or for the first six months of an annual budget;

3. Actual revenues for the last completed biennium by fund and by source as reported in the county's financial system of record by account for agencies and funds unless deviations are explained and enhance the clarity of the presentation;

4. Estimated fund balance or deficit for current and the next two fiscal periods by fund; and

5. Such additional information dealing with revenues as either the executive or the council deems necessary;

D. Operating fund expenditure detail, which shall be reported in fund financial plans and in the electronic database, and shall include:

1. Tabulation of expenditures by any combination of fund, program, or object of expenditure;

2. Actual expenditures at the account level by agency and fund either for the first eighteen months of a biennial budget or for the first six months of an annual budget ~~((of the current biennium))~~;

3. Actual expenditures for the last completed biennium as reported in the county's financial system of record by account for agencies and fund;
4. The amount of expenditure authority in the (~~current biennium~~) fiscal period adjusted to reflect supplemental appropriations made in either the first eighteen months of (~~the fiscal period~~) a biennial budget or the first six months of an annual budget; and
5. If a single fund finances both operating expenses and capital projects, separate appropriations from the fund for the operating and the capital sections of the budget;
 - E. All expenditures and revenues associated with internal service funds;
 - F. The general fund overhead cost allocation plan methodology for charging general fund costs to other county funds, which shall be developed as provided in K.C.C. 4A.100.050;
 - G. Brief explanations of existing and proposed new programs, as well as the purpose and a description of agency activities;
 - H. The maximum number of full time equivalent positions requested for the fiscal period;
 - I. The estimated number of term limited temporary employees for the ensuing fiscal period;
 - J. Technology business plans in accordance with K.C.C. 2.16.0755;
 - K. A report that lists cancelled funds, the amounts of residual balances, if any, and the active funds to receive residual balances;
 - L. A capital improvement program that meets the requirements of K.C.C. 4A.100.030; and
 - M. Other supporting data that the executive and the council agree is necessary to determine expenditure authority for the fiscal period.

SECTION 13. Ordinance 12045, Section 23, as amended, and K.C.C. 4A.100.040 are hereby amended to read as follows:

- A.1. The executive shall prepare and distribute the budget in accordance with this subsection.
2. At least one hundred fifty-five days before the end of the fiscal period, all agencies shall submit to

the executive information necessary to prepare the budget. Agencies shall submit their budget information at the lowest organization and account levels unless accompanied by a notice explaining the reasons for not doing so.

3. The basis for the executive's preliminary budget preparation of the pro forma budget, budget instructions to departments, and preliminary review of departmental submittals to the executive shall be the preliminary economic and revenue forecast adopted by the forecast council.

4. Before presentation to the council, the executive may provide for hearings on all agency requests for expenditures and revenues to enable the executive to make determinations as to the need, value, or usefulness of activities or programs requested by agencies. The executive may require the attendance of agency officials at the hearings and the agency officials shall disclose any information required to enable the executive to arrive at final determinations.

5. The executive shall transmit a ((biennial)) budget for the fiscal period and deliver a budget message to the council no later than ninety-five days before the end of the current fiscal period. The budget message shall explain the budget in fiscal terms and in terms of goals to be accomplished and shall relate the requested appropriations to the comprehensive plans of the county. Copies of the budget and budget message shall be delivered to the clerk of the council for distribution to councilmembers and legislative staff.

6. The updated economic and revenue forecast adopted by the forecast council shall be used as the basis for the budget.

7. Seven days before the presentation of the budget and budget message to the council, the director of the office of performance, strategy, and budget or its successor shall submit to the council copies of all agency and departmental budget requests, departmental, and divisional work programs.

8. The executive shall prepare and present a proposed appropriation ordinance not later than ninety-five days before the end of the current fiscal period. The proposed appropriation ordinance shall specify by any combination of fund, program, project, or agency, the expenditure levels and maximum number of full time

equivalent employees for the fiscal period.

9. The executive shall make available to the public on the county's website, at no charge, an electronic copy of the budget and other summary documents.

10. The director of the office of performance, strategy, and budget or its successor shall be responsible for the distribution of the budget, either in electronic or printed formats, and posting on the Internet. The director shall also be responsible for updating the electronic database to reflect the adopted appropriations ordinance and posting on the Internet.

11. If the fiscal period is a biennium, then ~~The~~ executive shall conduct a midbiennium review of the budget and propose adjustments during the adopted fiscal period, including any changes in the adopted overhead methodology.

B. The council shall:

1. Review the proposed appropriation ordinances and make any changes or additions it deems necessary except the council shall not change the form of the proposed appropriation ordinance submitted by the executive;

2. Announce and hold public hearings as it deems necessary;

3. Adopt an appropriation ordinance granting authority to make expenditures and to incur obligations upon completion of the budget hearings and at least thirty days before the end of the current fiscal period. The council may attach an accompanying statement specifying legislative intent;

4. Adopt tax and revenue ordinances as may be necessary to implement the adopted appropriation ordinance; and

5. Review any proposed midbiennium adjustments proposed by the executive during the adopted fiscal period, including any changes in the adopted overhead methodology.

SECTION 14. Ordinance 17929, Section 20, as amended, and K.C.C. 4A.100.070 are hereby amended to read as follows:

A.1. Any departments or agencies, except the council, with unanticipated expenditures shall submit to the executive a statement of unanticipated expenditures. The statement shall specify any request for supplemental appropriation by program, project, object of expenditure, or any combination thereof. The executive shall review the requests in accordance with the department's or agency's work plan and determine whether to submit a supplemental appropriation request.

2. If during the fiscal period the executive determines that revenues will be less than the expenditure amounts included in the appropriations ordinance, the executive shall revise the expenditures of departments or agencies funded from those revenue sources to prevent the making of expenditures in excess of revenues. If the executive determines that the fund has unrestricted reserves, the executive may use these reserves to avoid making expenditure reductions; however, the use of reserves may not reduce the fund balances below target reserve amounts. If the use of reserves exceeds five percent of the total appropriation, the council shall be notified in the quarterly management and budget report. An expenditure shall not be made from any portion of an appropriation that has been assigned to a reserve status except as provided in this section.

B. All unexpended appropriations in noncapital appropriation ordinances lapse at the end of the fiscal period.

C. The executive may transfer appropriation authority from an emergent need contingency project to support a cost increase for a capital project in the same fund in accordance with the procedures in K.C.C.

4A.100.080.

D.1. Except as provided in this subsection, an agency shall not expend or contract to expend any money in excess of amounts appropriated. A contract made in violation of this subsection is null and void. An officer, agent, or employee of the county knowingly responsible for such a contract is personally liable to anyone, including the county, damaged by the officer, agent, or employee's action.

2. An agency may contract to expend money in excess of existing appropriations when:

a. the contract commits the county to expend funds beyond the ((biennium)) fiscal period and the

contract includes a cancellation clause that provides:

(1) the contract may be unilaterally terminated by the county for lack of appropriation; and
(2) the costs associated with such a termination, if any, shall not exceed the appropriation for the ((~~biennium~~)) fiscal period in which termination occurs;

b. the contract commits the county to expend funds beyond the ((~~biennium~~)) fiscal period and the council, at the request of the executive, adopts an ordinance permitting the county to enter into the contract;

c. the contract implements a grant awarded to the county before 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 the granting agency; or all financial obligations of the county under the contract are subject to appropriation; or

d. the contract is an emergency contract as authorized by K.C.C. 2.93.080.

3. In accordance with Section 495 of the King County Charter, real property shall not be leased to the county for more than one year unless it is included in a capital budget appropriation ordinance.

4.a. Any lease or license for the possession or use of real property by the county with a term, including any potential options, extensions, or renewals, longer than five years must be approved by the council before execution by the executive.

b. Any decision to extend a lease or license for the possession or use of real property by the county beyond a cumulative total of five years, whether memorialized through an option, extension, amendment, or new lease or license, must be approved by the council before execution by the executive.

c. Any lease or license for the possession or use of real property by the county that requires more than fifty thousand dollars in tenant improvement or other alterations to the real property for the benefit of the county must be approved by the council before execution by the executive.

d. Any lease or license for the possession or use of real property by the county shall comply with the

requirements of K.C.C. 18.17.050.C.

5. Any lease or license or extension of a lease or license for the possession or use of real property by the county entered into for the purpose of implementing the Puget Sound emergency radio network project as described in Ordinance 17993 and approved by the voters at the election held on April 28, 2015, may commit the county to expend funds in excess of amounts appropriated, and may be executed by the executive without council approval.

E. A capital project budget and phases of a capital project shall be prepared by the user agency. The capital project shall be managed by the implementing agency.

F. Ongoing review of capital projects for which moneys have been appropriated shall be coordinated by the office of performance, strategy and budget or its successor. For capital projects involving more than one agency, representatives from the agencies shall consult with the office of performance, strategy and budget or its successor. The office of performance, strategy and budget shall review capital projects for compliance with scope, budget, and schedule.

SECTION 15. Ordinance 620, Section 4, as amended, and K.C.C. 4A.100.100 are hereby amended to read as follows:

A. The following reports shall be prepared:

1. A comprehensive annual financial report. The executive shall annually prepare and publish a comprehensive financial report covering all funds and financial transactions of the county during the preceding fiscal period;
2. Internal county audit reports. The county auditor shall periodically prepare and publish the results of examinations performed by the county auditor's office of the effectiveness, efficiency, and equity of the operation of county agencies. The examination report and any departmental response to the audit shall be made available by the county auditor, either electronically or in print formats, and by posting on the Internet;
3. State audit report. The examination report of the county's financial affairs and transactions issued

annually by the Office of the State Auditor and the county response to the audit shall be made available to the State Auditor annually, either electronically or in print formats, and by posting on the Internet; and

4. Quarterly budget management reports.

a. The executive shall submit to the council a report detailing the results of actual revenue collections and expenditures for each fund. The report shall:

(1) present current financial plans for operating and capital funds that have gone through the office of performance, strategy, and budget's financial monitoring process, as described in the current comprehensive financial management policies adopted by council motion during the current quarter, including actual expenditures and revenues;

(2) identify significant variances in revenue and expenditure estimates for the general fund;

(3) list any transfer of emergent need contingency expenditure authority that would increase the total budget of a capital project, identifying those increases that are greater than fifteen percent;

(4) list any transfer of grant contingency expenditure authority;

(5) list any capital budget appropriations that have lapsed because the project has been completed, abandoned, or because no encumbrance or expenditure has been made for three years;

(6) report scope, schedule, and budget status for capital projects that has a baseline with total estimated cost greater than one million dollars;

(7) summarize the risks included in the risk assessment register for baselined risk monitored projects in the design phase, the acquisition phase, and the implementation phase, summarize change orders and amendments, explain change orders and amendments that have the cumulative potential to carry the project over project baseline, and summarize the results of the latest earned value analysis;

(8) list all new donations to the department of public health of two thousand dollars or more, as described in K.C.C. 2.35A.200, including the name of the person making the donation, the amount of the donation, and the public health purpose for which it is intended to be expended. In any case where the donation

originates from social media activity such as crowdsourcing, the list shall include the name of the person sponsoring this activity;

(9) report on all incremental changes to sections and attachments to the ((~~biennial~~)) budget appropriations ordinance made during the quarter, including the ordinance numbers making the changes; and

(10) report on waivers to the regulations of K.C.C. chapter 18.17, in compliance with K.C.C. 18.17.060.

b. The report shall be electronically filed with the clerk of the council, who shall retain an electronic copy and provide an electronic copy to all councilmembers and the lead staff of the budget and fiscal management committee, or its successor, no later than June 1 for the first quarterly report, September 1 for the second quarterly report, December 1 for the third quarterly report and March 1 for the fourth quarterly report. The director of performance, strategy, and budget shall also be responsible for posting the report on the Internet.

B. The King County project control officer is requested to report annually on the process used to ensure that all departments and divisions adhere to King County's construction management policies and procedures, the compliance rate for following the county's construction management policies and procedures, and the steps being taken to increase compliance with King County's construction management policies and procedures. Additionally, the report shall summarize all findings in regards to any changes in a contract's scope, schedule, or budget. The King County project control officer shall electronically file the report by June 1 of each calendar year with the clerk of the council, who shall retain an electronic copy and provide an electronic copy to all councilmembers, the lead staff for the budget and fiscal management committee or its successor, and the county auditor's office.

SECTION 16. Ordinance 12076, Section 4, as amended, and K.C.C. 4A.110.010 are hereby amended to read as follows:

A. The director of the office of performance, strategy and budget, or its successor shall maintain a fiscal

note process and shall update formats for fiscal notes as needed to provide for the requirements of this section, adopted comprehensive financial management policies, and any other information required by the council.

B. A fiscal note shall identify the incremental fiscal impact of a motion or ordinance that would directly or indirectly increase or decrease revenues or expenditures incurred by the county. A fiscal note shall include the estimated revenue and expenditure impact of any legislation for the current ~~((biennium))~~ fiscal period, for the prior biennium, and for the two subsequent biennia.

C. If proposed legislation authorizes the execution of a contract or interlocal agreement that extends beyond two subsequent biennia, the legislation's fiscal note shall document the impact through the end of the term of the proposed contract or interlocal agreement, either in fiscal terms or by using a narrative regarding the long term impacts. A fiscal note shall accompany any request for expenditure authority transmitted by the executive, but a fiscal note may be omitted when the executive certifies in writing with the transmittal that the legislation has no significant fiscal impact on either the operating budget or the capital budget, or both.

D. All fiscal notes shall include:

1. A brief descriptive title of the proposed legislation;
2. An explanation of how the revenue or expenditure impacts were developed. The explanation shall include, but not be limited to, quantifiable data that illustrates a significant workload increase or decrease caused by adoption of the proposed legislation major assumptions made in preparing the fiscal note;
3. For a program anticipated to be funded by any dedicated non-general fund revenue source, the fiscal note shall denote anticipated collection schedules for the non general fund revenue. For a new fee or a fee change, in addition to the requirements of K.C.C. 2.99.030, the fiscal note shall identify the fee and include the rates proposed. For a regulatory fee, the fiscal note shall include an analysis of the county costs associated with performing the regulatory function;
4. An updated financial plan or plans shall accompany the fiscal note if the expenditure impact of the proposal results in a positive or negative change of five percent or more in the fund financial plan.

E. The director of the office of performance, strategy and budget, or its successor, shall provide a fiscal note on any proposed legislation whenever a fiscal note is requested by a councilmember. In addition, the director shall provide additional fiscal impact information regarding the proposed legislation upon request by a councilmember. The requested fiscal note or information shall be returned within five working days of the request to the requesting councilmember and shall be filed with the clerk of the council's office for distribution to all councilmembers, for distribution to lead staff of the budget and fiscal management committee, or its successor committee, and for inclusion with the legislation.

SECTION 17. Ordinance 12076, Section 7, as amended, and K.C.C. 4A.200.020 are hereby amended to read as follows:

A. The council shall create by ordinance all accounting funds for which the council exercises appropriation authority.

B. The manager of the finance and business operations division may establish administrative funds and subfunds for which appropriations might be required or are necessary to meet legal, administrative, and accounting requirements. These funds and subfunds shall be established consistent with generally accepted accounting principles and requirements. For all administrative funds and subfunds, the director of the department of executive services shall be the manager. The county may also establish trust and agency funds for its own resources that are not accounted for in other funds to comply with legal requirements or for fiscal management purposes.

C. The manager of the finance and business operations division may abolish administrative funds and subfunds when the original purpose for which the fund was created has been satisfied. Any residual balances contained in the abolished fund shall be transferred to other active funds with similar scope and related purposes. A report shall be transmitted to the council with the ((biennial)) budget or the ((biennial)) budget update that lists the closed funds, the amounts of residual balances, if any, and the active funds to receive residual balances.

D. This chapter uses generally accepted accounting principles bases fund definitions in K.C.C. 4A.10.112, 4A.10.222, 4A.10.250, 4A.10.251, 4A.10.252, 4A.10.300, 4A.10.325, 4A.10.330, 4A.10.365, 4A.10.435, 4A.10.467, 4A.10.562, and 4A.10.587.

SECTION 18. Ordinance 12076, Section 13, as amended, and K.C.C. 4A.200.390 are hereby amended to read as follows:

- A. There is hereby created a landfill reserve fund.
- B. The fund shall be a first tier fund. It is an enterprise capital fund.
- C. The director of the department of natural resources and parks shall be the manager of the fund.

D.1 The executive's proposed ((~~biennial~~)) budget shall specify a per-ton amount, included within the solid waste disposal fees approved by council, that shall be used to provide revenue backing for projects budgeted in the landfill reserve fund and an associated transfer from the solid waste fund to the landfill reserve fund.

2. All proceeds from bonds issued for projects budgeted in the landfill reserve fund shall be deposited in the fund.

E. All moneys deposited into the landfill reserve fund in accordance with this section shall be appropriated and used only for the management and replacement of King County landfills as follows:

- 1. Landfill closure and site restoration, including design work;
- 2. Reserve moneys for postclosure maintenance including, but not limited to environmental monitoring, leachate pretreatment, gas extraction, and site maintenance;
- 3. Facility relocation of existing support facilities as existing landfill disposal areas are closed and new areas developed, including design work;
- 4. New area development to provide new disposal areas within a landfill, including design work; and
- 5. Facilities or programs to improve, replace, or extend the life of system capital facilities or to acquire additional landfill space outside of the county.

SECTION 19. Ordinance 13923, Section 4, as amended, and K.C.C. 4A.601.010 are hereby amended to read as follows:

A. Requests to accept electronic payments must be initiated by the affected department or agency. A department or agency is not required to accept electronic payments for any service it provides.

B. A department or agency may accept electronic payments for a service it offers, only if the person making the payment bears the transaction processing costs in such an amount as determined by the finance and business operations division in accordance with state law.

C. A department or agency may absorb the costs associated with electronic payment transactions, only if the council has given its approval to do so and absorption of the transaction processing costs does not conflict with state law, this chapter, or established county policy.

D. A department or agency may accept electronic payments for tax payments, including interest, penalties, and other amounts associated with taxes, only if the person making the payment bears the transaction processing costs in such an amount as determined by the finance and business operations division in accordance with state law.

E. A department or agency may accept electronic payments for specified nontax payments, including but not limited to code enforcement fines and penalties, special assessments, school and road mitigation payments, and fines, restitution, and interest imposed by courts, only if the person making the payment bears the transaction processing costs in such an amount as determined by the finance and business operations division in accordance with state law.

F. If a department or agency collects payments to be shared with another state or government agency, the department or agency may absorb the cost of the transaction fees, only if the benefits to the county are greater than the transaction processing costs, as determined by the head of the department or agency, and if approved by the council. A department or agency that collects those types of payments may enter into negotiation with other state or governmental agencies regarding the sharing of transaction processing costs,

unless the share of payment collected to be paid to the other agency is specified by state law.

G. The finance and business operations division shall develop and administer a comprehensive countywide request for proposal for credit card services. The finance and business operations division shall award and administer agreements for the services. A department or agency may not enter into such an agreement without the written consent of the manager of the finance and business operations division.

H. Electronic payments may be accepted in person, over the phone, by fax, by mail, or through the Internet, as determined appropriate by the head of each department and agency and as is consistent with this chapter and any agreement for electronic payment services.

I. Only if the council has made a finding that it is in the best interest of the county to do so, a department or agency accepting electronic payments shall include transaction processing costs in its ((biennial)) budget. Otherwise, the customer must pay the transaction processing costs.

SECTION 20. Ordinance 13923, Section 5, and K.C.C. 4A.601.030 are hereby amended to read as follows:

A. A department or agency may initiate the acceptance of electronic payments without council approval, only if the person making the payment bears the transaction processing costs in such an amount as determined by the finance and business operations division in accordance with state law.

B. A department or agency wishing to absorb the costs associated with electronic payment transactions shall receive council approval to do so. The process for receiving council approval is as follows:

1. The department or agency must submit to the budget office and to the finance and business operations division a formal request to initiate acceptance of electronic payments along with a business analysis that, at a minimum, describes any combination of the service or services and product or products for which the electronic payment option is to be offered, assesses the benefits of absorbing the transaction costs associated with these payments, projects the annual fiscal impact of absorbing transaction costs over a three-year horizon, documents legal or contractual obligations that would be affected by acceptance of electronic payments, and

adequately cites or includes as attachments any documentation supporting its business analysis. The council encourages the executive to develop an electronic payment business analysis template for use by interested agencies; and

2. If the budget office agrees that absorbing the transaction costs serves the best interests of the county, and if the finance and business operations division confirms that the proposal meets its electronic payment processing protocol, the executive may transmit an appropriation request to the council. The transmittal package must include the department or agency business analysis on which the original request is based and an ordinance amending K.C.C. 4A.601.025 and making a finding that is in the best interest of the county to allow the department or agency to absorb the transaction processing costs. The council encourages submittal of the electronic payment appropriation requests as part of the ((biennial)) budget.