



## Legislation Text

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**File #:** 2010-0527, **Version:** 3

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Clerk 11/16/2010

AN ORDINANCE that adopts the 2011 Annual Budget and makes appropriations for the operation of county agencies and departments and capital improvements for the fiscal year beginning January 1, 2011, and ending December 31, 2011.

**PREAMBLE:**

These tough economic times require individuals, families and governments to tighten their belts and make difficult choices on how to spend money. These realities are the same for King County. The 2011 budget reduces expenses and services in every corner of county government. The 2011 budget eliminates more than 300 jobs and implements painful cuts, such as reducing the number of prosecutors and sheriff's deputies, as well as court probation officers, court clerks, juvenile probation officers and court reporters.

Additionally, deep reductions to services for at-risk mothers, and early learning and after-school programs provided through the children and family commission were required.

Along with these reductions, the council and executive are budgeting for greater efficiency in how the work of the county is accomplished. The 2011 budget honors the commitments of those King County employees who voluntarily gave up their cost of living increases. Because of this partnership between the county and our employees, the county was able to save some vital programs and services such as family court, alternatives to incarceration programs and public defense services.

Despite these difficult cuts, the council and the executive have not lost sight of their shared duty

to protect the county's most vulnerable residents. The council, through this budget, is able to maintain limited support to vital programs that provide services to survivors of domestic violence and sexual assault, as well as reprioritizing funds to maintain the juvenile domestic violence program Step Up.

Acknowledging the ongoing nature of this recession, the council is exercising fiscal discipline by not spending the major reserves, including the county's \$31 million cash reserves and the \$15 million rainy day fund.

In addition, the council's budget establishes a \$1.5 million criminal justice reserve for emergent public safety needs.

The 2011 budget, as adopted by the King County council, addresses our immediate needs, sets careful priorities and limits expenditures. This budget does all it can to preserve our quality of life while preparing for fiscal challenges in the coming years.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings: The council makes the following findings of fact:

A. King County government is responsible for providing a variety of services to all residents of the county. These include: regional services, such as criminal justice, public health and wastewater treatment; subregional services through contracts with many suburban cities for police protection, jail services and municipal court services; and local services to unincorporated areas, such as sheriff protection, agriculture, roads, surface water management, local parks and land use regulation.

B. Under the King County Charter, the metropolitan King County council sets policy and adopts budgets for the county. The 2011 budget totals \$5.1 billion, of which \$621 million is in the general fund.

C. King County faces a projected 2011 general fund revenue shortfall of \$55 million. The shortfall is primarily attributable to state law limiting the growth of county property tax collections to one percent annually plus new construction. This rate of growth is insufficient to meet the increasing costs of providing services.

The imbalance between increasing costs and decreasing resources results in a structural gap. Compounding this ongoing structural gap is the continuing recession that has depressed revenues from retail sales and real estate taxes. The combined shortfall of these major revenue sources requires King County to significantly reduce services in 2011 and beyond.

D. The metropolitan King County council established the service, operational and budget priorities for King County government and its employees through Ordinance 16897, which established the King County Strategic Plan 2010 - 2014.

E. The council adopted Motion 13202 establishing council priorities. This budget addresses these priorities through the following:

1. Trust in Government.

**Employee Sacrifices:** More than ninety percent of all King County employees have agreed to forgo their cost of living adjustment (COLA) for 2011. Each of these employees rose to the challenge of doing his or her share to preserve services to the public. They should be commended for their true dedication to "sharing the pain" in this year's budget. Altogether, these actions will preserve \$23.5 million in services across all county agencies for 2011. Of that amount, \$6.2 million of the savings is in the general fund.

2. Financial Stewardship.

**Efficiencies:** The executive's proposed budget included level of service reductions to address the \$55 million shortfall in the county's general fund with further projected reductions of three percent in 2012 and 2013. Within this adopted budget the legislative branch, similar to other agencies, has taken a 9.5 percent overall reduction to the 2011 proposed status quo budget. This legislative branch reduction was achieved by implementing the first phase of business process redesign and realignment within the legislative branch. This has begun with eliminating vacant positions, reducing administrative expenses and reducing office and facility use charges through space consolidation. This reduction also includes setting a baseline for councilmember offices. To achieve additional three percent reductions over the subsequent two years, the council is committed

to further this analytic approach by developing the framework for the 2012 and 2013 legislative branch budgets within the first three quarters of 2011.

This budget implements a new office of performance, strategy and budget, linking King County government's performance and budget decision making while also reducing expenses through reorganizing two offices into a single management structure.

Furthermore, the council recognizes the need to improve the operations of the county's detention facilities. The county will improve operations by better managing the secure detention population and reducing jail costs, while maintaining safe and humane detention facilities.

**Facility and Technology Savings:** The council's budget makes further reductions beyond those included in the executive's proposed budget to preserve more direct services to the residents of King County. Nevertheless, the council expects technology services to be provided more efficiently.

The council also cut some county construction projects to focus resources on preserving direct services. In other cases, the council recognized projects were necessary, but reduced the funding as much as possible.

**Administrative Reductions:** The council thoroughly analyzed countywide administrative overhead costs and identified reductions that will preserve more direct services for King County residents.

**Predictability in Permitting:** The council implemented flat-rate fees for most building permits. This will allow for financial predictability when King County residents build or remodel their homes, or make changes to their property.

**AAA Bond rating:** The credit rating agencies recently reaffirmed the county's AAA bond rating. Through fiscal restraint, the council has not spent any of the county's \$15 million rainy day fund or any of its six percent cash reserve, which amounts to an additional \$31 million in reserves. These cash reserves prepare the county for unforeseen emergencies and are vital to maintain the county's high credit rating, which saves taxpayers millions of dollars every year.

**Solid Waste Management:** This budget recognizes that a transfer station system upgrade is needed

and will entail a significant funding obligation. While a rate adjustment to address those costs is anticipated, a rate adjustment was not proposed for 2011 in light of ongoing regional and national economic constraints. The budget includes a proviso requiring a rate study and rate proposal by March 30, 2011, which will address the revenue obligation for the transfer station upgrade, as well as fund balance issues, contracted participation terms by cities, comparative rate levels with other major regional solid waste utilities and options for eventual waste disposal.

### 3. Safe, Healthy and Vibrant Communities.

**Criminal Justice Reserve:** The council has great concern about the criminal justice agency reductions that were necessary to balance the 2011 budget. Throughout 2010, the council heard about many potential and troubling impacts that could result from these reductions. In order to allow the county to be in the best position to quickly respond to the most pressing and emergent criminal justice and public safety needs in 2011, the council has set-aside a \$1.5M reserve in this budget.

**Public Defense:** The council and defender agencies determined more efficient practices to handle lower-level civil cases. This ensures that the county fulfills its constitutional obligations to provide a public defender for indigent people.

**Prosecuting Attorney:** The executive's proposed cuts were mitigated by prosecuting attorney's office staff voluntarily giving up pay increases. Attorney caseloads will increase, making it more difficult to prosecute crimes.

**District Court:** The court reduced probation officers by one third. Elimination of these positions means that some offenders will go without probation supervision.

**Family Court Operations:** The council worked with the superior court to preserve family court services, which provide mediation, parent coaching and evaluation and child advocacy to troubled families.

**Protecting the Vulnerable:** This budget continues to support domestic violence shelters along with legal aid and services for sexual assault survivors. The council has also taken a proactive approach to the

growing youth prostitution problem, providing shelter beds that will help take youths off the streets, away from prostitution.

**King County Sheriff Office:** This budget restores several positions in the sheriff's office using savings associated with sheriff employees that agreed to forgo their cost of living adjustment increase for 2011. These positions include a fire investigator, a records and evidence specialist and 3 communications operators in the 911 call center. The council generally accepted the sheriff's proposal regarding how and where to make reductions in the 2011 KCSO budget including an associated loss of 28 deputies. This budget does include specific direction from the council that the sheriff prioritize the equivalent of 2 deputy positions for investigation of property crimes.

4. Equity and Social Justice.

**Ensuring Fairness:** This budget furthers the county's equity and social justice initiative, in accordance with Ordinance 16948, by requiring regional equity in the distribution of cultural and recreational resources and opportunities.

SECTION 2. **Effect of proviso or expenditure restriction veto.** It is hereby declared to be the legislative intent of the council that a veto of any proviso or expenditure restriction that conditions the expenditure of a stated dollar amount or the use of FTE authority upon the performance of a specific action by an agency shall thereby reduce the appropriation authority to that agency by the stated dollar or FTE amount.

SECTION 3. The 2011 Annual Budget is hereby adopted and, subject to the provisions hereinafter set forth and the several amounts hereinafter specified or so much thereof as shall be sufficient to accomplish the purposes designated, appropriations are hereby authorized to be distributed for salaries, wages and other expenses of the various agencies and departments of King County, for capital improvements, and for other specified purposes for the fiscal year beginning January 1, 2011, and ending December 31, 2011, out of the several funds of the county hereinafter named and set forth in the following sections.

SECTION 4. Within the fund appropriations are sums to cover merit pay and labor settlements. The

county executive is authorized to distribute the required portions of these funds among the affected positions in each operating fund effective January 1, 2011. In the event cost-of-living adjustments are greater than funding provided, all budgets shall be augmented as required from funds available to the county not otherwise appropriated, but only if an ordinance shall be forwarded to the council appropriating the funds by appropriation unit.

SECTION 5. Notwithstanding sections 3 and 4 of this ordinance, sections 120, 121, 122, 123 and 124 of this ordinance take ten days after the executive's approval as provided in the King County Charter.

SECTION 6. COUNTY COUNCIL - From the general fund there is hereby appropriated to:

County council	\$2,390,220
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The maximum number of FTEs for county council shall be:	18.00
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SECTION 7. COUNCIL ADMINISTRATION - From the general fund there is hereby appropriated to:

Council administration	\$11,075,157
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The maximum number of FTEs for council administration shall be:	85.10
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SECTION 8. HEARING EXAMINER - From the general fund there is hereby appropriated to:

Hearing examiner	\$558,696
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The maximum number of FTEs for hearing examiner shall be:	4.00
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SECTION 9. COUNTY AUDITOR - From the general fund there is hereby appropriated to:

County auditor	\$1,530,258
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The maximum number of FTEs for county auditor shall be:	16.90
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SECTION 10. OMBUDSMAN/TAX ADVISOR - From the general fund there is hereby appropriated

to:

Ombudsman/tax advisor	\$1,214,740
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The maximum number of FTEs for ombudsman/tax advisor shall be:	10.00
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SECTION 11. KING COUNTY CIVIC TELEVISION - From the general fund there is hereby

appropriated to:

King County civic television \$563,909

The maximum number of FTEs for King County civic television shall be: 5.00

P1 PROVIDED THAT:

Of this appropriation, \$50,000 should not be expended or encumbered until King County civic television has transmitted to the council a study to identify personnel needs and to determine the appropriate level of staffing.

The study required by this proviso should be filed in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff to the budget and fiscal management committee or its successor. Upon receipt, the clerk shall provide a proof of receipt to the director of the office of management and budget.

SECTION 12. BOARD OF APPEALS - From the general fund there is hereby appropriated to:

Board of appeals \$675,082

The maximum number of FTEs for board of appeals shall be: 4.00

SECTION 13. OFFICE OF LAW ENFORCEMENT OVERSIGHT - From the general fund there is hereby appropriated to:

Office of law enforcement oversight \$335,344

The maximum number of FTEs for office of law enforcement oversight shall be: 4.00

SECTION 14. DISTRICTING COMMITTEE - From the general fund there is hereby appropriated to:

Districting committee \$280,000

SECTION 15. OFFICE OF ECONOMIC AND FINANCIAL ANALYSIS - From the general fund there is hereby appropriated to:

Office of economic and financial analysis \$345,604



The maximum number of FTEs for office of economic and financial analysis

shall be: 2.50

SECTION 16. COUNTY EXECUTIVE - From the general fund there is hereby appropriated to:

County executive \$327,411

The maximum number of FTEs for county executive shall be: 2.00

SECTION 17. OFFICE OF THE EXECUTIVE - From the general fund there is hereby appropriated to:

Office of the executive \$3,665,744

The maximum number of FTEs for office of the executive shall be: 24.00

P1 PROVIDED THAT:

Of this appropriation, \$100,000 shall not be expended or encumbered until the executive transmits and the council adopts a motion that references the proviso's ordinance, section and number and states that the executive has responded to the proviso. This proviso requires the executive to provide a report relating to the release of performance bonds that are administered by the department of development and environment services, the roads division and the water and land resources division. The report should address the current process that often results in increased costs to developers or to unanticipated county costs to repair infrastructure. The executive should collaborate with the Master Builders Association, the department of transportation, the department of natural resources and parks and the department of development and environmental services in preparing this report. The report should evaluate the data collected from the parties above identified and propose specific solutions and process changes to help ensure that the release of performance bonds will not result in increased costs to developers or county departments.

The executive should transmit to the council the report and motion required by this proviso by July 31, 2011, filed in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the environment and transportation committee or its successor.

P2 PROVIDED FURTHER THAT:

Of this appropriation, \$200,000 shall not be expended or encumbered until the executive transmits the 2012 proposed budget and includes in the budget book a description of staff on loan from executive departments or administrative offices to the office of the executive. The proposed 2012 budget book description must include: (1) an annotation in the office of the executive budget specifying the number of employees loaned to the office of the executive, the agency from which employees are loaned and the amount of the employees' salary and benefits; and (2) a similar annotation at the loaning agency's section level specifying the number of employees on loan to the executive and the amount of their salary and benefits.

SECTION 18. OFFICE OF PERFORMANCE, STRATEGY AND BUDGET - From the general fund there is hereby appropriated to:

Office of performance, strategy and budget	\$6,521,872
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The maximum number of FTEs for office of performance, strategy and budget shall be:

45.00
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P1 PROVIDED THAT:

Of this appropriation, \$100,000 shall not be expended or encumbered until the executive transmits and the council adopts a motion that references the proviso's ordinance, section and number and states that the executive has responded to the proviso. This proviso requires a report on the implementation of a new service delivery model for family support contempt of court cases.

The office of performance, strategy and budget, working with representatives from the office of the public defender, superior court, the prosecuting attorney's office, defense agencies and council staff, shall collaboratively review the contempt of court services model and shall prepare a report that includes, but is not limited to, a detailed description of the newly implemented public defense staffing model for handling family support contempt of court cases, including descriptions of defender agency staff responsibilities and how the county will track process measures such as numbers of cases, numbers of continuances, number of staff

assigned and any other measures necessary to evaluate the process. The report shall include any recommendations to amend the processes in order to maintain services, to reduce costs or to allow for the more-effective use of existing resources.

The executive must file the motion and report called for in this proviso by April 30, 2011, in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staffs for the law, justice, health and human services committee and the budget and fiscal management committee or their successors.

**P2 PROVIDED FURTHER THAT:**

Of this appropriation, \$100,000 shall not be expended or encumbered until the office of performance, strategy and budget, in collaboration with the sheriff's office, superior court, facilities management division and council staff conducts a feasibility analysis, and provides a report, on alternatives associated with providing restricted employee access to multiuse King County government buildings that house courtrooms. The analysis and report should include consideration of superior court order 04-2-12050-1 SEA and the Washington State Courthouse Public Safety Standards 2009 report, and should identify issues, options and costs related to employee access alternatives. The report shall include, but not be limited to, a feasibility analysis of a restricted employee key-card activated access point.

The executive shall file the report required to be submitted by this proviso by June 1, 2011, in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the budget and fiscal management committee or its successor. Upon receipt, the clerk shall provide a proof of receipt to the director of the office of performance, strategy and budget.

**P3 PROVIDED FURTHER THAT:**

Of this appropriation, \$100,000 shall not be expended or encumbered until the executive transmits and the council adopts a motion that references the proviso's ordinance, section and number and states that the

executive has responded to the proviso. This proviso requires a report on the feasibility of and a plan for implementation of a pilot project for providing specialty court services for veterans.

The office of performance, strategy and budget, working with representatives from superior court, district court, the prosecuting attorney's office, defense agencies, the mental illness and drug dependency (MIDD) program, the department of community and human services, the department of adult and juvenile detention, jail health services and council staff, shall collaboratively review the services available to veterans and make recommendations for implementing a pilot project providing specialty court services for veterans. The report shall include, but not be limited to: (1) a review of existing county services for veterans; (2) a review of services provided by other jurisdictions to veterans; (3) an analysis of the feasibility of creating a specialty veterans court versus creating a veterans docket or calendar in an existing county therapeutic court; and (4) recommendations for criminal justice system dispositional alternatives involving veterans. The report shall also include recommendations for implementation of any other program related to the federal Veterans Justice Outreach Initiative.

Concurrent with transmittal of the report and plan, the executive must transmit any necessary legislation to implement a pilot project providing specialty court services to veterans in King County as part of the 2012 budget.

The executive must file the motion, report and plan and the separate legislation required by this proviso by June 1, 2011, in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the law, justice, health and human services committee or its successor.

**P4 PROVIDED FURTHER THAT:**

Of this appropriation, \$100,000 shall not be encumbered or expended until the executive transmits legislation revising the county's general fund debt management policies and the council adopts legislation that references the proviso's ordinance, section and number and states that the executive has responded to the

proviso.

The executive shall transmit to the council the legislation required by this proviso by March 31, 2011, filed in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the budget and fiscal management committee or its successor.

P5 PROVIDED FURTHER THAT:

Of this appropriation, \$100,000 shall not be expended or encumbered until the executive transmits and the council adopts a motion that references the proviso's ordinance, section and number and states that the executive has responded to the proviso. This proviso requires that the office of performance, strategy and budget provide a plan to consolidate the six unincorporated area councils into one unincorporated area commission along with legislation to effectuate the consolidation. The plan must be developed in collaboration with the existing unincorporated area councils and contain recommendations on: (1) how and to what level the unincorporated area commission should be funded; (2) the membership and oversight of the commission; (3) the goals, purpose and role of the commission; (4) staff support of the commission; and (5) how and when the commission will report on its work to the council and executive.

The executive must transmit to the council the required plan and associated legislation by April 15, 2011, filed in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staffs for the budget and fiscal management committee and the general government and oversight committee or their successors.

P6 PROVIDED FURTHER THAT:

Of this appropriation, \$100,000 shall not be expended or encumbered until the office of performance, strategy and budget, in collaboration with the office of the public defender, conducts an analysis and explanation of that analysis of the costs to implement The Spangenberg Project consultant report entitled King

County, Washington Public Defender Case-Weighting Study Final Report, dated April 30, 2010.

The executive shall file the analysis and explanation required to be submitted by this proviso by January 31, 2011, in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staffs for the budget and fiscal management committee and the law, justice, health and human services committee or their successors. Upon receipt, the clerk shall provide a proof of receipt to the director of the office of performance, strategy and budget.

**P7 PROVIDED FURTHER THAT:**

Of this appropriation, \$100,000 shall not be expended or encumbered until the executive transmits and the council adopts a motion that references the proviso's ordinance, section and number and states that the executive has responded to the proviso. This proviso requires that the office of performance, strategy and budget and the department of community and human services provide a report that includes information on all contracts specified within the county's adopted community services operating or community services division budgets, or both, for the years 20|10