

Title 4
REVENUE AND FINANCIAL REGULATION

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Chapters:

- 4.04 BUDGETING AND REPORTING SYSTEM**
- 4.06 REAL ESTATE AND MAJOR CAPITAL PROJECT REVIEW JOINT ADVISORY GROUP**
- 4.10 INVESTMENT OF FUNDS**
- 4.14 BIDDING PROCEDURES FOR FINANCIAL SERVICES CONTRACTS**
- 4.19 KING COUNTY CONTRACTING OPPORTUNITIES PROGRAM**
- 4.24 EXECUTIVE FINANCE COMMITTEE AND INTERFUND BORROWING**
- 4.26 VEHICLE LICENSE FEE**
- 4.29 PUBLIC TRANSPORTATION - FUNDING FOR OPERATION, MAINTENANCE AND CAPITAL NEEDS**
- 4.35 EXCISE TAX ON TIMBER HARVESTED FROM PUBLIC LANDS**
- 4.36 COUNTY PROPERTY - PAYMENT OF RENT**
- 4.40 FINANCING ART IN COUNTY CONSTRUCTION PROJECTS**
- 4.44 TAX TITLE PROPERTY SALES**
- 4.48 JUNIOR TAXING DISTRICT LEVY CERTIFICATION**
- 4.52 DELINQUENT LOCAL IMPROVEMENT ASSESSMENT FORECLOSURE**
- 4.56 REAL AND PERSONAL PROPERTY**
- 4.57 CONCESSION CONTRACTS FOR RECREATIONAL FACILITIES**
- 4.60 SUBDIVISION PARCEL PROPERTY TAXES**
- 4.62 PROPERTY VALUATION**
- 4.63 PROPERTY TAX NOTICE**
- 4.64 PROPERTY TAX REFUNDS**
- 4.68 NONDELINQUENT PROPERTY TAX CERTIFICATION**
- 4.81 LAW LIBRARY SUPPORT**

¹**Cross References:**

Boat tax - See K.C.C. chapter 12.45.

Open space taxation current use assessment - See K.C.C. chapter 20.36.

4.04 BUDGETING AND REPORTING SYSTEM

Sections:

I. PURPOSE

- 4.04.010 Purpose of chapter.

II. BUDGETING SYSTEM

- 4.04.020 Definitions.
- 4.04.025 Biennial budgeting - authorized - review and modification - emergency appropriation ordinances.
- 4.04.030 Contents of the budget document.
- 4.04.040 Preparation and administration of budget.
- 4.04.045 Overhead cost allocation policy.

III. REPORTING SYSTEM

- 4.04.050 Definitions.
- 4.04.060 Types of reports available - county annual report - management fiscal reports - annual postaudit report - budget allotment plan - quarterly management and budget report.
- 4.04.062 Reports when expenditures exceed budget details plan.
- 4.04.070 Other reports.
- 4.04.075 Fiscal note procedures.

IV. CONFLICTS WITH FEDERAL LAW

- 4.04.090 Federal law controlling.

4.04.100 Agencies excluded.

V. CAPITAL IMPROVEMENT PROGRAM

4.04.200 Executive responsibilities.

4.04.210 Council responsibilities.

4.04.220 Design consultants.

4.04.240 CIP review.

4.04.245 CIP high-risk projects - risk determination - risk scoring instrument - phases - procedures.

4.04.246 CIP lease based projects - phases - procedures.

4.04.247 CIP supporting data - procedures.

4.04.250 CIP schedule requirements.

4.04.260 Use of county forces.

4.04.265 Major maintenance reserve fund capital improvement budgeting.

4.04.266 Major maintenance financial program.

4.04.270 Roads capital improvement budgeting.

4.04.273 Solid waste capital improvement budgeting.

4.04.275 Surface water management capital improvement budgeting.

4.04.280 Wastewater capital improvement budgeting.

4.04.300 Grant contingency projects.

I. PURPOSE

4.04.010 Purpose of chapter. This chapter is to establish a fiscally sound budgeting and reporting system under which all county activities shall be administered, and to assure coordination exists between those persons and organizations who are responsible for the operation of the fiscal system. Policies and guidelines stated herein are conceived to assure that the most advanced budgeting and reporting techniques are used by the county for the present and the future. (Ord. 620 § 2, 1970).

II. BUDGETING SYSTEM

4.04.020 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

A. "Acquisition phase" means the time during which activities associated with acquisition or surplus and sale of real property, property rights or the acquisition of improvements through direct purchase or capitalized lease agreements occur.

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

C. "Agency" means a county office, officer, institution whether educational, correctional or other, department, division, board commission, except as otherwise provided in this chapter.

D. "Allocation" means a part of a lump sum appropriation that is designated for expenditure by either a specific organization unit or for specific purposes, or both.

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

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

G. "Allotment plan" means a fiscal management plan that divides a county agency's program element budget into quarterly increments, reflecting the cyclical or seasonal pattern of expenditures, for the purpose of identifying over and under expenditures throughout the year.

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

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

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

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

L. "Budget detail plan" means the council's proposed spending plan for the operational budgets of all agencies detailed at the section level and attached to the adopted appropriation ordinance or as modified by the most-recent supplemental appropriation ordinance.

M. "Budget document" means a formal, written, comprehensive financial program presented by the executive to the council, including an electronic database with revenues and expenditures for all county agencies at the lowest organization levels and all summary levels provided in the general ledger system, balanced to the financial plans and the appropriation ordinance, fee ordinances, motions related to proposed levy rates to comply with chapter 36.40 RCW and cost-of-living adjustment ordinance proposed by the executive.

N. "Budget message" means a formal oral presentation by the executive to the council that explains the budget in terms of goals to be accomplished and how the budget relates to the Comprehensive Plan.

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

1. The capital improvement plan shall include the following elements, where applicable:
 - a. general program requirements that define the development scope for specific sites or facilities;
 - b. general space and construction standards;
 - c. prototype floor plans and prototype facility designs for standard improvements;
 - d. space requirements based on the adopted county space plan;
 - e. initial, and life-cycle cost, of alternative facilities and locations including lease and lease/purchase approaches;
 - f. approximate location of planned capital improvements;
 - g. general scope and estimated cost of infrastructure;
 - h. a schedule, that extends over a minimum of six years, for the implementation of projects included in capital improvement plans, based on overall user agency priorities and projected available revenue;

2. The user agency shall prepare the elements of the plan in subsection O.1. a, d, f and h of this section. The implementing agency shall prepare the elements of this plan in subsection O.1. b, c, e and g of this section.

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

P. "Capital project" means a project with a scope that includes one or more of the following elements, all related to a capital asset: acquisition of either a site or existing structure, or both; program or site master planning; design and environmental analysis; construction; major equipment acquisition; reconstruction; demolition; or major alteration. "Capital project" includes a: project program plan; scope; budget by phase; and schedule. The project budget and phases of a project shall be prepared or managed by the implementing agency.

Q. "CIP" means capital improvement program.

R. "CIP exceptions notification" means, except for major maintenance reserve fund, roads, solid waste, surface water management and wastewater CIP projects, a letter filed with the clerk of the council for distribution to the chair of the budget and fiscal management committee, or its successor committee, which describes changes to an adopted CIP project's scope or schedule, or both, or total project cost and, with the exception of schedule changes, shall be sent in advance of any action. For major maintenance reserve fund CIP projects, "exceptions notification" means a letter filed with the clerk of the council for distribution to the chair of the budget and fiscal management committee, or its successor committee, that describes changes of fifteen percent or more to an adopted CIP project's scope or schedule, or both, or total project costs and, with the exception of schedule changes, shall be sent in advance of any action. For road CIP projects, "exceptions notification" means a letter filed with the clerk of the council for distribution to the chair of the transportation committee, or its successor committee, that describes changes of fifteen percent or more to an adopted CIP project's scope or schedule, or both, or total project costs and, with the exception of schedule changes, shall be sent in advance of any action. For wastewater, solid waste and surface water management CIP projects, "exceptions notification" means a letter filed with the clerk of the council for distribution to the chair of the budget and fiscal management committee, or its successor committee, and to the chair of the utilities committee, or its successor committee, which describes changes of fifteen percent or more to an adopted CIP project's scope or schedule, or both, or total project costs and, with the exception of schedule changes, shall be sent in advance of any action.

S. "Close-out phase" means the time during which the administrative processes and associated accounting activities to close out all contracts occurs. The close-out phase follows final acceptance and may include multiyear monitoring.

T. "Council" means the metropolitan King County council.

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

V. "Director" means the director of the office of performance, strategy and budget.

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

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

Y. "Final design phase" means the time during which design is completed, permits and other permissions are secured so that the project, or staged elements of the project consistent with the project management plan, can proceed to implementation. Final design phase also includes development of a final cost estimate, plans, specifications and a bid package.

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

AA. "Fiscal period" means a calendar year or a biennium.

BB. "Fund" an independent fiscal and accounting entity with a self-balancing set of accounts recording either cash or other resources, or both, together with related liabilities, obligations, reserves and equities that are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulations, restrictions or limitations.

CC. "Fund balance" means the excess of the assets of a fund over its liabilities and reserves except in the case of funds subject to budgetary accounting where, before the end of a fiscal period, it represents the excess of the fund assets and estimated revenues for the period over its liabilities, reserves and appropriations for the fiscal period.

DD. "General facility major maintenance emergent need contingency project" means an appropriation to provide contingent budget authority for emergent needs within major maintenance reserve fund CIP projects.

EE. "Implementation phase" means the time during which a project is constructed or implemented. "Implementation phase" also includes the testing, inspection, adjustment, correction and certification of facilities and systems to ensure that the project performs as specified. The implementation phase begins with the notice to proceed for the construction contract and ends with final acceptance of the project, unless otherwise specified in grant or regulatory requirements.

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

GG. "Lapse" of an appropriation means an automatic termination of an appropriation.

HH. "Major maintenance reserve fund CIP project" means any major maintenance reserve fund CIP project that is allocated in the adopted six-year major maintenance reserve fund CIP and is appropriated at the major maintenance reserve fund level in accordance with K.C.C. 4.04.265 or is a high-risk project under K.C.C. 4.04.245.

II. "Major widening project" means any roads CIP project adding at least one through lane in each direction.

JJ. "Object of expenditure" means a grouping of expenditures on the basis of goods and services purchased, such as salary and wages.

KK. "Open space non-bond fund project" means an open space project that is allocated in the adopted six-year open space CIP and is appropriated at the open space non-bond fund number 3522 level in accordance with K.C.C. 4.04.300.

LL. "Operational master plan" means a comprehensive plan for an agency setting forth how the organization will operate now and in the future. An operational master plan shall include the analysis of alternatives and their life cycle costs to accomplish defined goals and objectives, performance measures, projected workload, needed resources, implementation schedules and general cost estimates. The operational master plan shall also address how the organization would respond in the future to changed conditions.

MM. "Planning phase" means the time during which identification and development of project need and potential alternatives, evaluation of technical and economic feasibility and development of a rough-order-of-magnitude total project cost estimate occurs.

NN. "Preliminary design phase" means the time during which when evaluation and analysis of potential project alternatives occurs, and the preferred alternative is selected and designed sufficiently to establish a project baseline, at thirty to forty percent design.

OO. "Program" means the definition of resources and efforts committed to satisfying a public need. The extent to which the public need is satisfied is measured by the effectiveness of the process in fulfilling the needs as expressed in explicit objectives.

PP. "Project program plan" means a plan, primarily in written narrative form, that describes the overall development concept and scope of work for a building, group of buildings or other facilities at a particular site. The complexity of the project program plan will vary based upon the size and difficulty of the program for a particular site. When the plan includes projects that are phased over time, each phase shall have an updated project program plan prepared by the user agency before project implementation. The project program plan shall be prepared by the user agency with assistance from the implementing agency. The program plan describes the user agency program requirements for a specific building or site; provides the basis for these requirements; and identifies when funds for the implementation of the capital projects will be provided. The program plan shall elaborate on the general program information provided in the operational master plan and the capital improvement plan. The plan shall also describe user agency programs, how these programs would fit and function on the site, and the general recommendation of the user agency regarding the appearance of the building or site. The plan shall indicate when a site master plan is required for a project.

QQ. "Public need" means those public services found to be required to maintain the health, safety and well-being of the general citizenry.

RR. "Quarterly management and budget report" means a report prepared quarterly by the director for major operating and capital funds, that:

1. Presents executive revisions to the adopted financial plan or plans;
2. Identifies significant deviations in agency workload from approved levels;
3. Identifies potential future supplemental appropriations with a brief discussion of the rationale for each potential supplemental;
4. Identifies significant variances in revenue estimates;
5. Reports information for each appropriation unit on the number of filled and vacant full-time equivalent and term-limited temporary positions and the number of temporary employees;
6. Includes the budget allotment plan information required under K.C.C. 4.04.060; and
7. Describes progress towards transitioning potential annexation areas to cities.

SS. "Reappropriation" means authorization granted by the council to expend the appropriation for the previous fiscal year for capital programs only.

TT. "Regulations" means the policies, standards and requirements, stated in writing, designed to carry out the purposes of this chapter, as issued by the executive and having the force and effect of law.

UU. "Revenue" means the addition to assets that does not increase any liability, does not represent the recovery of an expenditure, does not represent the cancellation of certain liabilities on a decrease in assets and does not represent a contribution to fund capital in enterprise and intragovernmental service funds.

VV. "Roads CIP project" means roads capital projects that are allocated in the adopted six-year roads CIP and are appropriated at the roads CIP fund level in accordance with K.C.C. 4.04.270 or a high-risk project under K.C.C. 4.04.245.

WW. "Scope change" means, except for major maintenance reserve fund, roads, solid waste, surface water management and wastewater CIP projects, that a CIP project's total project cost increases by ten percent or by fifty thousand dollars, whichever is less. For major maintenance reserve fund, roads, solid waste, surface water management or wastewater CIP projects, "scope change" means the total project cost increases by fifteen percent.

XX. "Section" means an agency's budget unit comprised of a particular project, program or line of business as described in Ordinance 16445, Section 5, for the 2010 budget or for all subsequent budgets as described in the budget detail plan for the previous fiscal period as attached to the adopted appropriation ordinance or as modified by the most-recent supplemental appropriation ordinance. This definition is not intended to create an organizational structure for any agency.

YY. "Site master plan" means a plan prepared by the implementing agency, with input from the user agency, that describes, illustrates and defines the capital improvements required to provide user agency program elements.

1. The site master plan shall include preliminary information regarding, at a minimum:
 - a. site analysis, including environmental constraints;
 - b. layout, illustration and description of all capital improvements;
 - c. project scopes and budgets;
 - d. project phasing; and
 - e. operating and maintenance requirements.
2. The site master plan shall be approved by the user agency and the implementing agency before submittal to the executive and council for approval.

ZZ. "Solid waste CIP project" means a solid waste project that is allocated in the adopted six-year solid waste CIP and is appropriated at the solid waste CIP fund level in accordance with K.C.C. 4.04.273 or is a high-risk project under K.C.C. 4.04.245.

AAA. "Surface water management CIP project" means a surface water management project that is allocated in the adopted six-year surface water management CIP and is appropriated at the surface water management CIP fund level in accordance with K.C.C. 4.04.275 or is a high-risk project under K.C.C. 4.04.245.

BBB. "User agency" means the appropriate department, division, office or section to be served by any proposed CIP project.

CCC. "Wastewater asset management projects" means the wastewater capital projects identified and intended by the wastewater treatment division to extend and optimize the useful life of wastewater treatment assets, including facilities, structures, pipelines and equipment.

DDD. "Wastewater CIP project" means wastewater capital projects that are allocated in the adopted six-year wastewater CIP and are appropriated at the wastewater CIP fund level in accordance with K.C.C. 4.04.280 or is a high-risk project under K.C.C. 4.04.245. (Ord. 17229 § 1, 2011: Ord. 16960 § 14, 2010: Ord. 16764 § 6, 2010: Ord. 16764 Ord. 16445 § 1, 2008: Ord. 15545 § 2, 2006: Ord. 14811 § 2, 2003: Ord. 14743 § 2, 2003: Ord. 14561 § 12, 2002: Ord. 14452 § 1, 2002: Ord. 14122 § 1, 2001: Ord. 13035 § 1, 1998: Ord. 12076 § 2, 1995).

4.04.025 Biennial budgeting - authorized - review and modification - emergency appropriation ordinances. 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. (Ord. 15545 § 1, 2006).

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

A. The budget shall set forth the complete financial plan for the ensuing fiscal year showing planned expenditures and the sources of revenue from which they are to be financed. For each fund, the expenditures included in the budget for the ensuing fiscal year shall not exceed the estimated revenues as forecast under K.C.C. 2.140.070, including reserves.

1. The budget document shall include the following:
 - a. estimated revenue by fund and by source from taxation;
 - b. estimated revenues by fund and by source other than taxation;
 - c. actual receipts for first six months, January 1 through June 30, of the current fiscal year;
 - d. actual receipts for the last completed fiscal year by fund and by source;
 - e. estimated fund balance or deficit for current fiscal year by fund; and
 - f. operational budget details for all agencies at the section level unless noted by the executive and accompanied with an explanation of the change;
 - g. such additional information dealing with revenues as the executive and council shall deem pertinent and useful;
 - h. tabulation of expenditures in a comparable form by fund, program project or object of expenditure for the ensuing fiscal year;
 - i. actual expenditures for the first six months, January 1 through June 30, of the current year;
 - j. actual expenditures for the last completed fiscal year;
 - k. the appropriation for the current year; and
 - l. such additional information dealing with expenditures as the executive and council shall deem pertinent and useful.

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

- a. estimated expenditures for at least the next six fiscal years by program;
- b. expenditures planned for current, pending, or proposed capital projects during the fiscal year, classified according to proposed source of funds whether from bonds, or any combination of other local, state, federal and private sources;
- c. an alphabetic index to enable quick location of any project contained in the budget;
- d. a discrete number for each project that shall serve to identify it within the capital budget document and all accounting reports;

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

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

g. CIP projects funded in the budget year, which shall be presented in separate sections of the budget.

(1) Major maintenance reserve fund CIP projects shall be presented in the six-year general CIP program.

(2) Except for high-risk projects under K.C.C. 4.04.245, the appropriation for major maintenance reserve fund CIP projects shall be made at the major maintenance reserve fund level in accordance with K.C.C. 4.04.265.

(3) Roads CIP projects shall be presented in the six-year road CIP program

(4) Except for high risk projects under K.C.C. 4.04.245, the appropriation for roads CIP projects shall be made at the roads CIP fund level in accordance with K.C.C. 4.04.270.

(5) Wastewater CIP projects shall be presented in the six-year wastewater CIP program.

(6) Except for high-risk projects under K.C.C. 4.04.245, the appropriation for wastewater CIP projects shall be made at the wastewater CIP fund level in accordance with K.C.C. 4.04.280.

(7) Surface water management CIP projects shall be presented in the six-year surface water management CIP program.

(8) Except for high-risk projects under K.C.C. 4.04.245, the appropriation for surface water management CIP projects shall be made at the surface water management CIP fund level in accordance with K.C.C. 4.04.275.

(9) Solid waste CIP projects shall be presented in the six-year solid waste CIP program.

(10) Except for high-risk projects under K.C.C. 4.04.245, the appropriation for solid waste CIP projects shall be made at the solid waste CIP fund level in accordance with K.C.C. 4.04.273.

(11) The technology business plan in accordance with K.C.C. 2.16.0757*.

(12) Each technology project seeking appropriation authority shall include:

(a) a business case for each technology project seeking appropriation authority in the budget or any amendment thereto. The business case shall include at minimum a description of the problem the technology investment is trying to address, the proposed solution, an analysis of alternative solutions, the project goals and objectives and a description of the project, project milestones with specific dates, of which at least two shall be projected to occur during the proposed budget year;

(b) a benefit achievement plan describing: how the proposed information technology investment will produce an improvement or savings in county services; how the improvement or savings will be measured; how much improvement or savings is expected; and when the improvement or savings is likely to be achieved; and

(c) a cost-benefit analysis;

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

i. the original project cost estimate which shall remain fixed from year to year. This original cost estimate shall be included in the capital budget document. A project record, separate from the budget document, shall be provided that identifies the original project's project phase and any subsequent changes to the original project cost estimate by project phase and revenue source as approved in the budget document or any amendment to the budget;

j. an enumeration of revised project cost estimates;

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

l. funds previously authorized for the project;

m. anticipated specific project phases within each project. However, the executive is authorized to transfer funds between specific activities within the same project only if these transfers will not result in a necessary increase to the total project budget. A scope change of a project constitutes a revision.

(1) A CIP project scope change shall be included in the CIP exceptions notification if total project costs increase by ten percent or by fifty thousand dollars, whichever is less; or if the schedule deviates by three months.

(2) For parks CIP projects, a CIP exceptions notification shall be filed with the clerk of the council in advance of action for distribution to the chair of the budget and fiscal management committee, or its successor committee, when fifty thousand dollars or more or funds in excess of ten percent of total project costs, whichever is less, are to be transferred from a contingency project to a CIP project.

(3) For major maintenance reserve fund CIP projects, a CIP exceptions notification shall be filed with the clerk of the council in advance of action for distribution to the chair of the budget and fiscal management committee, or its successor committee, when moneys in excess of fifteen percent of the total

major maintenance reserve fund CIP project costs are to be transferred from the general facility major maintenance emergent need contingency project.

(4) For roads CIP projects, a CIP exceptions notification shall be filed with the clerk of the council in advance of action for distribution to the chair of the transportation committee, or its successor committee, when contingency funds in excess of fifteen percent of total project costs are to be transferred.

(5) For solid waste, surface water management and wastewater CIP projects, a CIP exceptions notification shall be filed with the clerk of the council in advance of action for distribution to the chair of the budget and fiscal management committee, or its successor committee, and chair of the utilities committee, or its successor committee, when contingency funds in excess of fifteen percent of total project costs are to be transferred;

n. individual allocations by project phase for each capital project; and

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

B.1. The budget message shall explain the budget in fiscal terms and in terms of goals to be accomplished and shall relate the requested appropriation to the Comprehensive Plan of the county.

2. The total proposed expenditures shall not be greater than the total proposed revenue.

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

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

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

a. nonbudgeted departments and programs expenditures and revenues; that is, intragovernmental service funds;

b. historical and projected agency workload information; and

c. a brief explanation of existing and proposed new programs, as well as the purpose and scope of agency activities.

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

D.1. The department of executive services shall submit a request for CIP project funding, which shall specify project funding levels on a project-by-project basis, but which shall be appropriated at the major maintenance reserve fund CIP fund level, stated as an aggregate of individual projects for the budget year in question in accordance with K.C.C. 4.04.266. High-risk projects under K.C.C. 4.04.245 shall be funded as provided in K.C.C. 4.04.245.

2. The council may require other data from the department of executive services that the council considers necessary for review of the budget, which may include objects of expenditure and other expenditures categories.

E.1. The department of transportation shall submit a request for CIP project funding, which shall specify project funding levels on a project-by-project basis, but which shall be appropriated at the road CIP fund level, stated as an aggregate of individual projects for the budget year in question in accordance with K.C.C. 4.04.270. High-risk projects under K.C.C. 4.04.245 shall be funded as provided in K.C.C. 4.04.245.

2. The council may require other data from the department of transportation that the council considers necessary for review of the budget, which may include objects of expenditure and other expenditures categories.

F.1. The department of natural resources and parks shall submit a request for CIP project funding, which shall specify project funding levels on a project-by-project basis, but which shall be appropriated at the wastewater CIP fund level, stated as an aggregate of individual projects, including subprojects, for the budget year in question in accordance with K.C.C. 4.04.280. Except for multiyear construction contracts and carryover amounts approved during the annual CIP reconciliation process, appropriations shall be for one year. All construction contracts including multiyear construction contracts shall be appropriated for the full

construction amount in the first year. Any multiyear construction contracts longer than three years must be specifically identified in the wastewater CIP budget request. The request for CIP project funding for wastewater asset management shall include categories of wastewater asset management projects. Wastewater asset management projects shall be appropriated annually at the category level. The executive-proposed CIP shall allocate anticipated expenditures for each wastewater asset management project category as part of the six-year wastewater CIP. For each category, a proposed project list will be appended. High-risk projects under K.C.C. 4.04.245 shall be funded as provided in K.C.C. 4.04.245.

2. The council may require other data from the department of natural resources and parks that the council considers necessary for review of the budget, which may include objects of expenditures and other expenditures categories.

G.1. The department of natural resources and parks shall submit a request for CIP project funding, which shall also specify project funding levels on a project-by-project basis but which shall be appropriated at the surface water management CIP fund level, states as an aggregate of individual projects, including subprojects, for the budget year in question in accordance with K.C.C. 4.04.275. Except for multiyear construction contracts and carryover amounts approved during the annual CIP reconciliation process, appropriations shall be for one year. All construction contracts including multiyear construction contracts shall be appropriated for the full construction amount in the first year. Any multiyear construction contracts longer than three years must be specifically identified in the surface water management CIP budget request. High-risk projects under K.C.C. 4.04.245 shall be funded as provided in K.C.C. 4.04.245.

2. The council may require from the department of natural resources and parks other data that the council considers necessary for review of the budget, which may include objects of expenditure and other expenditures categories. High-risk projects under K.C.C. 4.04.245 shall be funded as provided in K.C.C. 4.04.245.

H.1. The department of natural resources and parks shall submit a request for CIP project funding, which shall also specify project funding levels on a project-by-project basis but which shall be appropriated at the solid waste CIP fund level, states as an aggregate of individual projects, including subprojects, for the budget year in question in accordance with K.C.C. 4.04.273. Except for a multiyear construction contracts and carryover amounts approved during the annual CIP reconciliation process, appropriations shall be for one year. All construction contracts including multiyear construction contracts shall be appropriated for the full construction amount in the first year. Any multiyear construction contracts longer than three years must be specifically identified in the solid waste CIP budget request. High-risk projects under K.C.C. 4.04.245 shall be funded as provided in K.C.C. 4.04.245.

2. The council may require from the department of natural resources and parks other data that the council considers necessary for review of the budget, which may include objects of expenditure and other expenditures categories. (Ord. 17654 § 4, 2013: Ord. 17229 § 2, 2011: Ord. 16764 § 7, 2010: Ord. 16445 § 2, 2009: Ord. 16391 § 23, 2009: Ord. 16249 § 2, 2008: Ord. 14811 § 3, 2003: Ord. 14743 § 3, 2003: Ord. 14452 § 2, 2002: Ord. 14122 § 2, 2001: Ord. 13035 § 2, 1998: Ord. 12076 § 3, 1995).

***Reviser's note: K.C.C. 2.16.0757 was repealed by Ordinance 17564, Section 3.**

4.04.040 Preparation and administration of budget.

A. The council and executive shall execute the following responsibilities in order to accomplish the preparation and distribution of the budget and budget document.

1.a. At least two hundred forty-five days before the end of the fiscal period, the council shall notify the executive by motion of those funds to be budgeted on an annual basis and those to be budgeted on a biennial basis.

b. At least two hundred forty-five days before the end of the fiscal period, the executive shall announce the date by which agencies shall submit to the executive information necessary to prepare the budget. By the date announced by the executive and in any event 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.

c. Agencies shall submit their budget information to the executive at the section level, unless accompanied by a notice explaining the reasons for any proposed section changes.

d. The preliminary economic and revenue forecast adopted by the forecast council shall be used as the basis for the executive's preliminary budget preparation of the status quo budget, budget instructions to departments and preliminary review of departmental submittals to the executive.

e. 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 proper agency officials at such hearings and it shall be the duty of those officials to disclose such information as may be required to enable the executive to arrive at final determinations.

f. The executive shall prepare and present an annual or a biennial budget and budget message to the council no later than ninety-five days before the end of the fiscal year or biennium. Copies of the budget and budget message shall be delivered to the clerk of the council and each councilmember.

g. The updated economic and revenue forecast adopted by the forecast council shall be used as the basis for the executive's proposed budget.

h. The executive shall prepare and present a proposed appropriation ordinance not later than ninety-five days before the end of the fiscal year or biennium. The proposed appropriation ordinance shall specify by any combination of fund, program, project and agency as determined by the council the expenditure levels for the ensuing budget year or biennium.

i. Before the public hearing on the budget, the budget message and supporting tables shall be furnished to any interested person upon request and copies of the budget shall be furnished for a reasonable fee as established by ordinance and shall be available for public inspection in the office of the clerk of the council and on the Internet.

j. Seven days before the presentation of the proposed budget and budget message to the council, the director shall submit to the council copies of all agency and departmental budget requests and departmental and divisional work programs.

2.a. The council shall review the proposed appropriation ordinance and shall 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.

b. The council shall then announce and subsequently hold a public hearing or hearings as it deems necessary.

c. Upon completion of the budget hearings and at least thirty days before the end of the fiscal period, the council shall by ordinance adopt an appropriation ordinance granting authority to make expenditures and to incur obligations. The council may attach to the appropriation ordinance an accompanying statement specifying legislative intent, but shall attach a budget detail plan. All financial reports submitted to the council, including, but not limited to, quarterly reports, shall be presented at the section level. The council may adopt tax and revenue ordinances as may be necessary to implement the adopted appropriation ordinance.

3. The director shall be responsible for the printing and distribution of the executive proposed budget and final adopted budget.

B.1.a. Within thirty days after adoption of the appropriation ordinance, all agencies shall submit to the executive a statement of proposed expenditures at such times and in such a form as may be required by the executive, provided that the council is not required to submit an allotment. The statement of proposed expenditures shall include requested allotments of appropriations for the ensuing fiscal period for the department or agency concerned by program, project, object of expenditure or combination thereof and for such periods as may be specified by the executive.

The executive shall review the requested allotments in light of the department's or agency's plan of work and may revise or alter requested allotments. The aggregate of the allotments for any department or agency shall not exceed the total of appropriations available to the department or agency concerned for the fiscal period.

b. If at any time during the fiscal period the executive ascertains that available revenues for the applicable period will be less than the respective appropriations, the executive shall revise the allotments of departments or agencies funded from such revenue sources to prevent the making of expenditures in excess of revenues. The executive is also authorized to assign to, and to remove from, a reserve status any portion of a department or agency appropriation which in the executive's discretion is not needed for the allotment. No expenditure shall be made from any portion of an appropriation that has been assigned to a reserve status except as provided in this section.

2. The executive shall periodically review any pay and classification plans, and made to those plans thereunder, for fiscal impact and shall recommend to the council any changes to such plans. However, none of the provisions of this subsection shall affect merit systems of personnel management now existing or hereafter established by ordinance relating to the fixing of qualification requirements for recruitment, appointment, promotion or reclassification of employees of any agency.

3. During the last quarter of the fiscal year, the council when requested by the executive may adopt an ordinance to transfer appropriations between agencies; but a capital project shall not be abandoned thereby unless its abandonment is recommended by the department or agency responsible for planning.

4.a. Unless otherwise provided by an appropriation ordinance and as set forth in this section, all unexpended and unencumbered appropriations in the current expense appropriation ordinances shall lapse at the end of the fiscal year. As used in this subsection, "current expense appropriations" include all noncapital budget appropriations.

b. An appropriation in the capital budget appropriations authorization shall be canceled at the end of the fiscal year or biennium, unless the executive submits to the council the report of the final year end reconciliation of expenditures for all capital projects on or before March 1 of the year following the year of the appropriation, and each year thereafter in which the appropriation remains open.

5.a. Except as otherwise provided in this subsection B.5. of this section, no agency shall expend or contract to expend any money or incur any liability in excess of the amounts appropriated. Any contract made in violation of this section shall be null and void; any officer, agent or employee of the county knowingly responsible under such a contract shall be personally liable to anyone damaged by this action. The council when requested to do so by the executive may adopt an ordinance permitting the county to enter into contracts requiring the payment of funds from appropriations of subsequent fiscal years, except that the executive may enter into grant contracts, as provided under subsection B.6. of this section.

b. The term of a lease or agreement for real or personal property shall not extend beyond the end of a calendar year unless:

(1) funding for the entire term of that lease or agreement is included in a capital appropriation ordinance, though any lease or agreement for real property longer than a cumulative total of two years shall require council approval by ordinance;

(2) such a lease or agreement includes a cancellation clause under which the lease or agreement may be unilaterally terminated for convenience by the county and costs associated with such termination for convenience, if any, shall not exceed the appropriation for the year in which termination is effected, though any decision to continue any lease or agreement for real property beyond a cumulative total of two years shall require council approval by ordinance; or

(3) such a lease or agreement is authorized by ordinance for such periods and under such terms as the county council shall deem appropriate.

c. Real property shall not be leased to the county for more than one year unless it is included in a capital appropriation ordinance.

d. Nothing in this section shall prevent the making of contracts or the spending of money for capital improvements, or the making of contracts of lease or for service for a period exceeding the fiscal period in which such a contract is made, when such a contract is permitted by law.

6. The executive may enter into contracts to implement grants 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. (Ord. 16445 § 3, 2009: Ord. 16391 § 24, 2009: 15545 § 3, 2006: Ord. 15328 § 3, 2005: Ord. 14561 § 14, 2002: Ord. 12685 § 1, 1997: Ord. 12045 § 23, 1995).

4.04.045 Overhead cost allocation policy. The following policies shall guide the development and implementation of the county's overhead cost allocation plan for allocating current expense costs to other county funds:

A. The current expense fund may allocate costs to other county funds if it can be demonstrated that other county funds benefit from services provided by current expense funded agencies.

B. Wherever possible, the current expense cost to be allocated shall equal the benefit received by the county fund receiving the charge.

C. Recognizing that many current expense services are indirect and not easily quantifiable, overhead charges may be estimated.

D. Estimated overhead charges shall be calculated in a fair and consistent manner, utilizing a methodology which best matches the estimated cost of the services provided to the actual overhead charge.

E. The overhead allocation calculation formulae adopted by the council shall be established prior to budget balancing and shall be utilized by the executive to develop the executive proposed budget. The adopted formulae shall not be modified by the executive without council approval.

F. By May 31, 1993, and every year thereafter, the executive shall submit the proposed methodology for the overhead cost allocation plan to the council for review and approval. The proposed overhead cost allocation plan methodology shall adhere to the policies set forth in this chapter. (Ord. 10772 § 1, 1993).

III. REPORTING SYSTEM

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

A. MANAGEMENT AUDIT. A review of the management practices and procedures used in an agency.

B. POST-AUDIT. An audit made after the transactions to be audited have taken place and have been recorded or have been approved for recording by designated officials, where required.

C. ALLOTMENT PLAN. A fiscal management plan which divides each County agency's program element budget into quarterly increments, reflecting the cyclical or seasonal pattern of expenditures, for the purpose of identifying over and under expenditures throughout the year.

D. ALLOTMENT RESERVE ACCOUNT. An account established in each Council appropriated program for the purpose of reserving excess quarterly allotments.

E. FISCAL NOTE. A report identifying the fiscal impact of a motion or ordinance which would directly or indirectly increase or decrease revenues or expenditures incurred by King County. (Ord. 5523 § 1, 1981: Ord. 4901 § 1, 1980: Ord. 620 § 4, (part), 1970).

4.04.060 Types of reports available - county annual report - management fiscal reports - annual postaudit report - budget allotment plan - quarterly management and budget report.

A. The county executive shall annually cause to be prepared and published a comprehensive financial report covering all funds and financial transactions of the county during the preceding fiscal year.

B. The county auditor shall periodically prepare and publish the results of examinations performed by his office of the effectiveness and efficiency of the operation of county agencies.

C. The Office of the State Auditor, Division of Municipal Corporations, annually issues the results of their examination of the financial affairs and transactions of the county.

D.1. By February 1 of 1982 and each year thereafter, the executive shall develop and transmit to the council an allotment plan for each county agency based on the budget adopted by the council as required in Section 410 of the King County Charter.

2. Within five weeks after the end of each quarter, the executive shall notify the council of those agencies whose expenditures have deviated from the quarter's allotment by five percent. For those agencies which have exceeded that quarter's allotment by five percent the executive shall propose an expenditure plan designed either to eliminate the need for a budget increase or to identify the source and amount of a proposed supplemental appropriation, or both.

3. At the end of each quarter, all allotted but unexpended funds which exceed five percent of that quarter's allotment for each council appropriated program shall be transferred to the appropriate allotment reserve account. Within five weeks of the end of each quarter, the executive shall inform the council of all transfers of allotted but unexpended funds to or from, or to and from, each allotment reserve account.

4. This section shall not apply to individual C.I.P. projects approved by the council. (Ord. 14561 § 15, 2002: Ord. 5523 § 2, 3, 4, 5, 1981: Ord. 620 § 4 (part), 1970).

4.04.062 Reports when expenditures exceed budget detail plan.

A. Within the operating budget of the county, the executive or presiding elected official of each agency shall submit a report to the council when the amount of funds expended for a section for the current fiscal period exceeds fifteen percent of the amount identified in the budget detail plan for that section and shall submit an additional report for each additional ten percent expended over that amount. The report shall, for those sections, list amounts expended with descriptions by object of expense, and describe the reasons and necessity for diverging from the section's budget detail plan. Three paper copies of the report and one electronic copy must be submitted to the clerk of the council within five business days of the end of the month in which the excess spending as identified in this section of the ordinance occurred. The clerk shall forward a paper copy to the chair and lead staff of the budget and fiscal management committee, or its successor, and an electronic copy to each councilmember.

B. For the purposes of this section, the county's operating budget includes all appropriations not included in the capital improvement program. (Ord. 16445 § 4, 2009).

4.04.070 Other reports. County agencies shall prepare other reports when requested by motion of the council and concurred in by the county executive. (Ord. 620 § 4 (part) 1970).

4.04.075 Fiscal note procedure.

A. The director shall establish, and submit to the council for approval by motion, a process, including form, content and timing, for the preparation of fiscal notes on the expected impact of proposed legislation that will increase or decrease county revenues or expenditures. The fiscal notes shall document the impact of proposed legislation for the current fiscal year and for each of the succeeding three fiscal years. If proposed legislation authorizes the execution of a contract or interlocal agreement that extends beyond three years, the fiscal note shall document the impact through the end of the term of the proposed contract or interlocal agreement. The director shall coordinate the development of fiscal notes with all affected agencies. Fiscal notes shall accompany all legislation transmitted by the executive, but a fiscal note may be omitted

when the executive certifies in writing that the subject legislation has no significant fiscal impact on either the operating budget or the capital budget, or both.

B. All fiscal notes at a minimum shall contain:

1. A brief descriptive title of the proposed legislation;

2. An estimate of revenue impact of the proposed legislation. Revenue impact shall be displayed for: the current fiscal year and the three subsequent fiscal years; the current fiscal year and all subsequent years covered by a proposed contract or interlocal agreement; or the current fiscal year and all subsequent years for capital projects, in accordance with the applicable capital plan;

3. An estimate of the expenditure impact of the proposed legislation on either the operating budget or capital budget, or both. Expenditure impact shall be displayed for: the current fiscal year and the three subsequent fiscal years; the current fiscal year and all subsequent years covered by a proposed contract or interlocal agreement; or the current fiscal year and all subsequent years for capital projects, in accordance with the applicable capital plan. This section of the fiscal note shall present a detailed breakdown of the anticipated expenditure by fiscal year;

4. An explanation of how the revenue or expenditure impacts were developed. This section of the fiscal note 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; and an indication of whether or not passage of the proposed legislation was anticipated in the current fiscal year's budget;

5. For revenue-backed programs, whether revenues have actually been received. If revenues have not been received, the fiscal note shall indicate how they will be recovered. For grants, the fiscal note shall state whether or not the grant has been approved. For new fees or fee changes, in addition to the requirements of K.C.C. 2.99.030, the fiscal note shall identify the fee and include the rates proposed;

6. For capital projects, explanation of how the proposed legislation impacts the entire project; and

7. A copy of the most recent applicable financial plan or plans.

C. If the recommended course of action represents a change in policy, the fiscal note shall compare the cost and benefits of the recommended course of action to the cost and benefits of continuing with the current policy direction.

D. The director shall also provide a fiscal note on any proposed legislation whenever a fiscal note 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 ten days of the request to the requesting councilmember and 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 proposed legislation. The lack of a fiscal note or failure of a fiscal note to meet the requirements of this chapter shall not affect the validity of legislation adopted by the council. (Ord. 14835 § 1, 2004: Ord. 14561 § 16, 2002: Ord. 12076 § 4, 1995).

IV. CONFLICTS WITH FEDERAL LAW

4.04.090 Federal law controlling. If any part of the ordinance codified herein is found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the county, such conflicting part of the ordinance codified herein is declared to be inoperative solely to the extent of such conflict and with respect to the agencies directly affected, and such finding or determination shall not affect the operation of the remainder of the ordinance codified herein in its application to the agencies concerned. The rules and regulations under the ordinance codified herein shall meet federal requirements which are a necessary condition to the receipt of federal funds by the county. (Ord. 620 § 5 (part), 1970).

4.04.100 Agencies excluded. The provisions of this chapter shall not apply to the operating budget and capital budgets of CIP projects exempted from Title 4 of this Code of the Harborview Medical Center. (Ord. 10563 § 1, 1992: Ord. 6818 § 13, 1984)

V. CAPITAL IMPROVEMENT PROGRAM

4.04.200 Executive responsibilities.

A.1. The executive shall be responsible for the implementation of all CIP projects pursuant to adopted project budgets and schedules. However, major maintenance reserve fund CIP projects may be implemented in accordance with the major maintenance reserve fund capital improvement budgeting procedures in K.C.C. 4.04.265, road CIP projects may be implemented in accordance with the roads capital improvement budgeting procedures in K.C.C. 4.04.270, solid waste CIP projects may be implemented in

accordance with the solid waste capital improvement budgeting procedures in K.C.C. 4.04.273, surface water management CIP projects may be implemented in accordance with the surface water management capital improvement budgeting procedures in K.C.C. 4.04.275 and wastewater CIP projects may be implemented in accordance with the wastewater capital improvement budgeting procedures in K.C.C. 4.04.280.

2. At least fifteen days before advertising for construction bids for any capital project, the council chair and councilmembers in whose district construction will take place shall be notified. The notification shall include project identification, advertising dates and a summary description of the work to be performed, though failure to comply with this provision shall not delay bid advertisement.

B.1. The executive shall be responsible for implementation of adopted CIP projects to ensure their completion on schedule and within adopted budgets. However, major maintenance reserve fund CIP projects may be reprogrammed in accordance with K.C.C. 4.04.265, roads CIP projects may be reprogrammed in accordance with K.C.C. 4.04.270, solid waste CIP projects may be reprogrammed in accordance with K.C.C. 4.04.273, surface water management CIP projects may be reprogrammed in accordance with K.C.C. 4.04.275 and wastewater CIP projects may be reprogrammed in accordance with K.C.C. 4.04.280.

2. The budget for each major maintenance reserve fund CIP project shall not exceed by more than fifteen percent the amount specified for that project in the adopted six-year major maintenance reserve fund CIP, except when the amount is modified by ordinance or in accordance with the CIP exceptions notification process. The budget for each roads CIP project shall not exceed by more than fifteen percent the amount specified for that project in the adopted six-year roads CIP, except when the amount is modified by ordinance or in accordance with the CIP exceptions notification process. The budget for each solid waste, surface water management and wastewater CIP project shall not exceed by more than fifteen percent the amount specified for that project in the adopted six-year solid waste, surface water management or wastewater CIP, except when the amount is modified by ordinance or in accordance with the CIP exceptions notifications process.

3. The executive may select consultants on all CIP projects. The executive shall implement this section by establishing rules and procedures that provide for consultant selection, ongoing CIP design review and project implementation.

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

1. An operational master plan shall be developed by the agency requesting a CIP project in conjunction with the office of performance, strategy and budget and shall be submitted to the executive and the council for approval;

2. A capital improvement plan, based upon the adopted county space plan, where applicable, and the approved operational master plan, shall be developed by the user agency with assistance from the implementing agency and shall be submitted to the executive and the council for approval.

3. A project program plan, based upon the adopted county space plan, where applicable, and the approved operational master plan, shall be developed by the user agency, with assistance from the implementing agency, for each requested CIP. This plan shall be submitted to the executive and the council for approval. This plan shall specify which projects will require a site master plan;

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

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

6. Capital projects that involve the development of new parks or significant addition to or rehabilitation of existing parks shall require a public meeting in the affected community at the program plan and site master plan stages, before submitting these plans to the executive and council for approval. (Ord. 16960 § 15, 2010: Ord. 16308 § 9, 2008: Ord. 14811 § 4, 2003: Ord. 14743 § 4, 2003: Ord. 14561 § 17, 2002: Ord. 14452 § 3, 2002: Ord. 14122 § 3, 2001: Ord. 13035 § 3, 1998: Ord. 12076 § 5, 1995).

4.04.210 Council responsibilities. The council shall review, amend, defer or adopt operational master plans, facility master plans, facility program plans, CIP project phases, schedules and total budget in the annual CIP budget or amendments thereto pursuant to the provisions of the King County Charter. (Ord. 17229 § 3, 2011: Ord. 8978 § 5, 1989: Ord. 7159 § 7, 1985).

4.04.220 Design consultants.

A. Design consultants for above grade, CIP projects may be selected only after the Project Program Plan has been approved by the council.

B. The process established for selecting design consultants will, pursuant to adopted project plans and budgets, include the definition and publication of each project's overall scope and schedule. Affirmative responses from consultants soliciting design work shall be the primary basis for the evaluation and selection of design consultants. The evaluation process shall, pursuant to K.C.C. 4.16, consider all requirements under the Minority/Women's Business Enterprises program as set forth in K.C.C. 4.18.

C. The requesting department or office shall be included in the process to review and make recommendations to the executive regarding the selection of design consultants for all CIP projects. (Ord. 12138 § 5, 1996).

4.04.240 CIP review.

A. Ongoing review of adopted CIP projects shall be managed by a CIP Implementation Team consisting of members from the following agencies:

1. Budget and strategic planning function in the executive office;
2. Implementing Agency; and
3. User Agency - if different than the Implementing Agency.

B. Projects shall be reviewed as needed for compliance with approved program, budget, and schedule. The CIP implementation team shall report, as needed, to the executive on any potential changes or problems related to any project's adopted scope, cost or schedule. (Ord. 12076 § 6, 1995).

4.04.245 CIP high-risk projects - risk determination - risk scoring instrument - phases - procedures.

A. For the purposes of this section:

1. "Capital projects oversight program" means the function within the King County auditor's office to oversee King County's large capital construction projects that was initially funded within the 2007 annual budget;

2. "Earned value management" means an analysis of how much has been accomplished on a capital project to date compared to the project's planned scope, schedule and cost. It includes a plan that identifies work to be accomplished, a valuation of planned work, and predefined earning rules that quantify how to measure the accomplishment of work;

3. "Eligible capital project" means a capital project as defined in K.C.C. 4.04.020, except it does not include information technology projects, transit acquisitions, affordable housing and community development projects that are developed and managed by noncounty entities, energy savings performance contracts or lease-based projects;

4. "Estimate at completion" means a forecast of cost and time to complete a project. The estimate at completion includes the amount of cost and time incurred to date plus remaining forecasted cost and time;

5. "High-risk project" means an eligible capital project with characteristics that increase its likelihood of being completed late or over budget at a potentially significant financial cost or other significant impact to the county. Whether an eligible capital project is a high-risk project shall be determined by the process in subsection C. of this section;

6. "Joint advisory group" means the real estate and major capital project review joint advisory group created in K.C.C. chapter 4.06;

7. "Lease-based project" means a project where a lease-purchase or lease-leaseback agreement is proposed, pursuant to chapter 35.42 RCW, that transfers construction risk to a developer or not-for-profit intermediary and provides the contractual basis for obtaining funding from a third party to finance construction of the project;

8. "Project baseline" means the scope, schedule and budget set at the conclusion of the preliminary design phase when the preferred alternative has been selected and design has progressed adequately to make reasonable and informed commitments, at thirty to forty percent design. Project baseline is used as a basis for variance reporting and performance measurement;

9. "Project management plan" means a formal document that defines how the project is executed, monitored and controlled. The objective of the project management plan is to define the approach and schedule to be used by the project team to deliver the intended project scope.

10. "Risk register" means a document that identifies potential events that could impact cost, schedule, or scope. The document formulates plans for addressing those risks.

11. "Rough order of magnitude cost estimate" means an early cost estimate based on approximate cost models; and

12. "Total project cost estimate" means the estimated project cost from the start of planning through project closeout. If the project has a range of potential project costs, the total project cost estimate is the highest cost in the range.

B.1. For any eligible capital project with a total project cost estimate of over ten million dollars, the executive shall transmit risk score results to the joint advisory group each year in accordance with the process identified in subsection C.1. of this section under the following circumstances:

a. the appropriation request for the project will be over two hundred thousand dollars or the appropriation request plus the project's prior appropriations will collectively exceed two hundred thousand dollars;

b. the project has not yet had a high-risk determination from the joint advisory group that was made after setting the project baseline; and

c. the project has not entered the implementation phase.

2. The high-risk determination by the joint advisory group shall be made in accordance with the process outlined in subsection C. of this section.

3. High-risk projects shall provide supporting data in accordance with the requirements of subsections F. through H. of this section beginning with the next phase for which appropriation authority is requested.

C.1. The capital projects oversight program shall develop a risk scoring instrument for assessing whether an eligible capital project is a high-risk project. The instrument shall be submitted to the joint advisory group for its approval.

2. The risk scoring instrument shall be used by the implementing agency to generate a risk score for all projects that are required to be scored under subsection B.1. of this section.

3. The risk scoring instrument shall use information such as complexity of regulatory requirements, interdependencies with other projects and programs, schedule constraints, implementing agency resources, project delivery method, complexity of property acquisition issues, public impact, risks inherent to the likely construction technology, or any other issues that could have a significant impact on the ability of the project to meet baseline scope, schedule or budget.

4. The implementing agency director shall ensure that the risk scoring has been completed by qualified staff who does not report to the project manager, to anyone who reports to the project manager, or to anyone to whom the project manager directly reports.

5. By March 1, the executive shall electronically transmit all risk score results for eligible capital projects that require a risk score that year to the clerk of the council, who will retain an electronic copy and distribute electronic copies to the manager of the capital projects oversight program and the co-chairs of the joint advisory group or their designees, except that scoring results for eligible capital projects that received appropriations in 2010 shall be transmitted to the clerk of the council by July 31, 2010.

6. By the end of the first quarter of each year, or by the end of the third quarter in the year in which this ordinance is enacted, the joint advisory group, in consultation with the capital projects oversight program and using the risk scores for guidance, shall determine which projects for which it has received risk scores are high-risk projects. The joint advisory group may change the risk status of any of those projects when the joint advisory group receives an updated risk score.

7. The capital projects oversight program may recommend to the joint advisory group changes to the risk scoring instrument, but a new risk scoring instrument may be used only if the joint advisory group approves the instrument and provides an effective date for agency use of the instrument.

8. The joint advisory group shall file an electronic list of all eligible capital projects for which it has changed the high-risk status designation, including risk score and change in high-risk status, with the clerk of the council who will retain an electronic copy and distribute electronic copies to the chair of the budget and fiscal management committee or its successor and the manager of the capital projects oversight program.

9. Each agency or department that has at least one eligible capital project with a total project cost estimate of over ten million dollars should have at least one project designated as a high-risk project by the joint advisory group.

10. The executive may designate any eligible capital project as a high-risk project by letter or the council may designate any eligible capital project as a high-risk project by motion. Thirteen copies of the letter or motion shall be filed with the clerk of the council for distribution to all councilmembers, the co-chairs of the joint advisory group or their designees and the manager of the capital projects oversight program.

D. For purposes of identifying when an eligible capital project has entered a particular phase and when subsections F. through H. of this section apply, phases include preliminary design, final design and close-out, and the following characteristics shall be used as a guide:

1. The preliminary design phase is when evaluation and analysis of potential project alternatives occurs. Based on analysis, the preferred alternative is selected and designed sufficiently to establish a project baseline, at thirty to forty percent design. Activities requiring long lead times, such as acquisition or

permitting may be initiated during this phase. Some planning activities may occur prior to the preliminary design phase;

2. The design phase is the time during which design is completed, permits and other permissions are secured, and necessary land, rights-of-way, and easements are acquired so that the project (or staged elements of the project consistent with the project management plan) can proceed to implementation. The design phase also includes development of a cost estimate, plans, specifications and a bid package. It is expected that the range of uncertainty associated with project cost estimates decreases as the design progresses. Activities to procure materials and equipment that require long lead times may be initiated during this phase. For projects with alternative delivery methods, such as general contractor-construction manager projects, the design phase may include some construction activities that occur before completion of project plans and specifications;

3. The implementation phase is the time during which the project is constructed or implemented. This also includes the testing, inspection, adjustment, correction and certification of facilities and systems to ensure that the project performs as specified. The implementation phase ends with final acceptance of the project; and

4. Close-out follows final acceptance and consists of administrative processes and associated accounting activities to close out all contracts. It may include multi-year monitoring. It should comprise no more than three percent of the total project cost.

E.1. When submitting a capital budget appropriation ordinance or an additional or amended capital budget appropriation ordinance to the council that includes an appropriation for a high-risk project, the executive shall submit supporting data as identified in subsections F. through H. of this section. For any item required by subsections F. through H. of this section that the executive does not provide with the appropriation request, the executive shall provide a detailed explanation of why it cannot be provided and, if the item is to be provided later, identify the date by which the item will be provided.

2. For some eligible capital projects, one or more phases may run concurrently, such as projects requiring staged construction due to site constraints or operational needs, or performed under a declaration of emergency. Some nonconstruction eligible capital projects, such as land acquisition, may not utilize all of the capital project phases.

a. When submitting a capital budget appropriation ordinance or an additional or amended capital budget appropriation ordinance to the council where the appropriation request encompasses work performed in more than one phase of a high-risk project, not including the close-out phase, the executive shall submit as supporting data an explanation of the cost and schedule factors necessitating appropriation for more than one phase. The executive shall also submit as supporting data a schedule for reporting those supporting items required by subsections F. through H. to the council. The schedule and items to be reported shall match milestones identified in the project management plan. The reports shall be filed with the clerk of the council for distribution to the chair of the budget and fiscal management committee or its successor.

b. The council should consider placing expenditure restrictions upon the appropriation that release funds contingent upon appropriate further action.

F. When submitting a capital budget appropriation ordinance or an additional or amended capital budget appropriation ordinance to the council that encompasses work performed in the preliminary design phase of a high-risk project, the appropriation request may include up to ten percent of the funding for the design phase. The executive shall, in addition to the requirements of K.C.C. 4.04.247, provide the following supporting data:

1. Identify design criteria;

2. Provide an estimate of preliminary design costs, start and end dates for the preliminary design phase, and a rough order of magnitude cost estimate, which may be expressed as a range, for design and implementation phases;

3. Provide a planned schedule that shows the anticipated start and finish dates for each major task for the preliminary design phase, and for the design and the implementation phases, provide the anticipated start and finish dates for major work through completion;

4. Identify stakeholders;

5. Identify regulatory requirements and highlight any regulatory requirements that increase project risk; and

G. When submitting a capital budget appropriation ordinance or an additional or amended capital budget appropriation ordinance to the council that encompasses work performed in the design phase of a high-risk project, the executive shall, in addition to the requirements of K.C.C. 4.04.247, provide the following supporting data:

1. Describe the alternatives considered, including a summary of life-cycle cost analysis performed for feasible alternatives progressing to further design, and identify the recommended alternative or alternatives with detailed scope description;

2. Provide a summary of the results of a formal schedule and cost risk assessment conducted by an external consultant or staff who does not report to the project manager, to any person who reports to the project manager, or to anyone to whom the project manager directly reports;
3. Provide the project baseline, if set by the time of the appropriation request;
4. Certify that the implementing agency completed a cost estimate validation process to provide an independent evaluation of the project's cost estimates using an external consultant or staff who does not report to the project manager, to any person who reports to the project manager, or to anyone to whom the project manager directly reports;
5. Certify that significant progress has been made in environmental review and public outreach, identify steps remaining in the environmental review process, and summarize major issues;
6. Identify permits, acquisitions, and relocations, address mitigations, and highlight any of these that increase project risk to scope, schedule or budget;
7. Certify that application for external funding has begun, if applicable; and
8. For projects with alternative delivery methods that contemplate a need for early construction costs, provide an explanation of the need.

H.1. When submitting a capital budget appropriation ordinance or an additional or amended capital budget appropriation ordinance to the council that encompasses work performed in the construction phase of a high-risk project, the executive shall, in addition to the requirements of K.C.C. 4.04.247, provide the following supporting data:

- a. certify that plans, specifications, estimates and contract documents reflect a level of design completion that is sufficient to support a final cost estimate and schedule for proceeding to procurement and specify the ready date for proceeding with the selected procurement method for the project;
- b. certify that all required nonconstruction permits are in place in accordance with the project management plan or provide status of pending approvals and the expected date of receipt;
- c. certify that all land acquisition, lease documents, and partnership agreements are in place in accordance with the project management plan or provide status of pending actions and expected date of receipt; and
- d. certify that the implementing agency completed a cost estimate validation process to provide an independent evaluation of the project's cost estimates using an external consultant or staff who does not report to the project manager, to any person who reports to the project manager, or to anyone to whom the project manager directly reports.

2. The executive shall provide quarterly reports during the construction phase of a high-risk project. The quarterly report shall address performance relative to project baseline, highlight any significant variance from project baseline, summarize the top risks in the risk register, summarize change orders, explain change orders that have the cumulative potential to carry the project over project baseline and summarize the results of the latest earned value analysis. Five copies of each report shall be filed with the clerk of the council, who shall retain a copy and distribute copies to the chair of the budget and fiscal management committee or its successor, the co-chairs of the joint advisory group or their designees and the manager of the capital projects oversight program.

I.1. The implementing agency shall establish and maintain a risk register for each high-risk project. The risk register shall be developed consistent with industry standards.

2. The implementing agency shall update the risk register at least quarterly, or more frequently should significant changes or additions be identified by the implementing agency.

J.1. The implementing agency shall employ earned value management on high-risk projects to forecast unfavorable variations in final project cost or completion date, based on progress to date.

2. Agencies shall apply earned value management tools and methods to the design and construction phases. The earned value management tools and methods, and the format and level of detail reported, shall be appropriate for the phase of the project and the associated level of certainty regarding cost and schedule estimates. Tools for earned value management may include forecasting estimate at completion for design phase and use of earned value analysis for the construction phase.

3. The analysis shall be updated at least monthly. (Ord. 17229 § 4, 2011: Ord. 16764 § 2, 2010).

4.04.246 CIP lease based projects - phases - procedures.

A. For purposes of this section, "lease-based project" is as defined in K.C.C. 4.04.245. The phases of a lease-based project are the planning, predevelopment and lease phases.

1. The planning phase is the time during which the county develops the scope of work including an estimate of project size, construction cost, and tenant improvements. The procurement process for the developer is completed in this phase.

2. The predevelopment phase is the time during which the county in conjunction with the developer identifies and analyzes potential alternatives, selects the preferred alternative and evaluates the technical and

economic feasibility of the project. The preferred alternative is engineered to approximately thirty percent design. The draft lease agreement is agreed to in principle by the developer and the executive at the completion of the predevelopment phase.

3. The lease phase is when the executive requests council approval to enter into a lease agreement for the project.

B. When submitting a capital budget appropriation ordinance or an additional or amended capital budget appropriation ordinance to the council that encompasses work to be performed in the planning phase of a lease-based project, the executive shall provide as supporting data a cost estimate that details the anticipated cost for each major task required to complete the predevelopment phase.

C. When submitting a capital budget appropriation ordinance or an additional or amended capital budget appropriation ordinance to the council that encompasses work to be performed in the predevelopment phase of a lease-based project, the executive shall provide as supporting data an estimate of project size, construction cost and tenant improvements, and a description of performance requirements and space needs.

D. When submitting an ordinance requesting council approval to enter into a lease agreement for a lease-based project, the executive shall provide supporting data as follows:

1. Identify design criteria;
2. Provide a financial analysis of the project;
3. Provide the draft lease agreement agreed to by the executive and developer;
4. Provide the development team's pro forma cost plan for the design and construction of the project;
5. Provide a description and an analysis of the feasible alternatives considered, and identify the recommended alternative;
6. Provide planned schedule that shows the anticipated start and finish dates for each major task, consistent with the development team's pro forma cost plan;
7. Identify stakeholders;
8. Identify regulatory requirements;
9. Report variance of predevelopment phase major task performance from the schedule and cost estimate provided for the predevelopment phase.

E. For any item required by subsections B. through D. of this section that the executive does not provide with the appropriation request, the executive shall provide a detailed explanation of why it cannot be provided and, if the item is to be provided later, identify the date by which the item will be provided. (Ord. 16764 § 3, 2010).

4.04.247 CIP supporting data - procedures.

A. When submitting a capital budget appropriation ordinance or an additional or amended capital budget appropriation ordinance to the council, the executive shall include the following supporting data using a standard format, in the form of an electronic database when possible:

1. Project number, project title, program, division, department, council district, fund number and fund name;
2. A brief description of the project and the project's purpose, including importance with respect to the implementing agency's priorities and goals, and consequences of deferral or disapproval;
3. Current phase of project, phase status and whether the project has been designated as a high-risk project by the joint advisory group;
4. Project baseline, if established, and explanation of any significant variance from it;
5. An explanation of alternatives considered;
6. Appropriation and expenditure amounts to date;
7. Current-year appropriation requested amount;
8. Estimated cost through project closeout, which may be expressed as a range if baseline is not established;
9. Explanation of how contingency amounts were determined or reference to applicable county policy;
10. Explanation of how inflation is incorporated or reference to applicable county policy;
11. Identification of funding sources, funding status, and funding risks; and
12. Description of key project risks, including summary of top risks in the risk register if applicable.

B.1. Capital project cost estimates shall be prepared in accordance with applicable industry standards, requirements of external funding sources and county policies, including but not limited to standards regarding estimate accuracies, methodology for determining contingency included for uncertainty, and the cost index used to define the value of money.

2. The level of detail incorporated within each estimate shall be commensurate with the information available at each phase, and shall be consistent with the Association for the Advancement of Cost Engineering International cost estimate classification system. The estimates for all succeeding phases shall be updated to represent the latest project information. (Ord. 16764 § 4, 2010).

4.04.250 CIP schedule requirements.

A. All CIP appropriation requests from the executive shall include project schedule information for the acquisition phase, design phases and construction phase for each project. All CIP projects involving county staff shall include estimated number of county staff hours in the ensuing fiscal year for each project phase. The estimated schedule, with beginning and ending dates for each of these project phases, shall be listed by month.

B. The requirements in subsection A of this section do not apply to reprogramming appropriations for:

1. The major maintenance reserve fund CIP being made at the major maintenance reserve fund level and major maintenance reserve fund CIP projects being reprogrammed, all in accordance with K.C.C. 4.04.265; and

2. The roads CIP being made at the roads CIP fund level, and roads projects being reprogrammed, all in accordance with K.C.C. 4.04.270 and

3. The solid waste, surface water management and wastewater CIPs being made at the solid waste, surface water management and wastewater CIP fund levels, and solid waste, surface water management and wastewater CIP projects being reprogrammed, all in accordance with K.C.C. 4.04.273, 4.04.275 and 4.04.280. (Ord. 17229 § 5, 2011: Ord. 14811 § 5, 2003: Ord. 14743 § 5, 2003: Ord. 14452 § 4, 2002: Ord. 14122 § 4, 2001: Ord. 13035 § 4, 1998: Ord. 7159 § 13, 1985).

4.04.260 Use of county forces.

A. As used in this section:

1. "Construction" means the creation of a new building or structure or significant expansion of an existing structure, rather than repair, alteration, renovation, or improvement of something already existing.

2. "Ordinary maintenance" means the routine work necessary to keep county facilities in that condition of good upkeep and repair necessary for safe and efficient continued use.

3. "Alteration, renovation or improvement" means to alter or improve something already existing and the alterations or improvements do not constitute "construction" or "ordinary maintenance" as defined above.

4. "Responsible Official" means the department head given line responsibility by either the King County Charter or county ordinance for an individual capital project or capital improvement program.

B. King County forces may perform ordinary maintenance when the skills necessary to perform a particular maintenance task are readily available from in-house staff. The department head responsible for the project will make a determination as to whether the skills necessary to perform a particular maintenance task are readily available from in-house staff. Construction of public buildings and works, other than county road projects having a value of less than twenty-five thousand dollars, shall be performed by independent contractors. Subject to the provisions of this section, the alteration, renovation or improvement (other than ordinary maintenance) of public buildings and works may be performed or accomplished by King County forces when the county determines it is necessary or advisable to do so, but subject to the publication requirements prescribed by RCW 39.04.020.

C. With respect to the county capital improvement program, the capital improvement section of the budget shall include an identification of those projects in which it is necessary or advisable to use county force labor. The county council's adoption of a budget for an individual capital project where use of county force labor is proposed by the county executive shall constitute the county's determination that use of county force labor on an individual capital project is necessary or advisable.

D. In making the determination as to whether it is necessary or advisable to use King County forces during the construction phase of any particular capital project, the responsible official(s) shall give due regard both to considerations of fiscal prudence and efficiency and to which mode of accomplishing the project best advances the public interest. Among factors to be considered and balanced are:

1. Whether the skills necessary to perform the particular tasks are readily available from in-house county staff.

2. Whether the work to be done is of reasonably limited scope and duration.

3. Whether the work to be done would expose the county to a danger of extraordinary work compensation or third party liability claims.

4. Whether adequate consideration has been made of subcontracting out such portions of an overall capital project as best lend themselves to such a procedure.

5. Whether the county's achievement of W/MBE goals would be seriously impaired by using county force labor on an individual project.

6. Whether it is not in the county's interest to achieve a specified guarantee or warranty period on the installation of new equipment or fixtures. (Ord. 10489 § 1-4, 1992).

4.04.265 Major maintenance reserve fund capital improvement budgeting.

A. This section establishes procedures required for flexible response budgeting provisions applicable to the major maintenance reserve fund beginning in 2003 but shall not apply to high-risk projects under K.C.C. 4.04.245. Except as specifically provided in this section, budgeting for the major maintenance reserve fund shall be in accordance with other applicable county law.

B. To allow reprogramming flexibility needed to respond in a timely manner to events beyond the control of the facilities management division that result in temporary postponement or acceleration of major maintenance reserve fund CIP projects allocated in the current budget year, and notwithstanding any other provision of county law, current-year budget authorization for the major maintenance reserve fund CIP shall be appropriated at the total CIP fund level rather than CIP project level. Major maintenance reserve fund CIP project budget allocation reallocations may take place during the budget year among the projects specifically adopted in the current six-year major maintenance reserve fund CIP together with carryover projects from previously adopted plans in accordance with the procedures in this section without the need of amendatory appropriations ordinances.

C.1. Implementation of the major maintenance reserve fund CIP shall be in accordance with the project funding priorities and project funding levels identified in the annual major maintenance reserve fund six-year CIP as adopted by the council. On or before May 15 of each year, the facilities management division shall prepare and file in the office of the clerk of the council a major maintenance reserve fund CIP reallocation report. All planned expenditures shall be consistent with the financial model, financial plan and program plan. The report shall provide the following information concerning all existing and previously approved uncompleted major maintenance reserve fund CIP projects:

- a. each project's name and number;
- b. project location;
- c. current status of the project;
- d. the year the project first received appropriation authority;
- e. the initial estimate of the project's duration in years, or expected completion date;
- f. the original estimate of the project's total cost;
- g. any revisions to the original estimate of the project's total cost;
- h. total budget, expenditures and encumbrances spanning the project's existence;
- i. for each fiscal year of existence, the appropriation amount, the beginning balance, the summary totals of expenditures and encumbrances and the carryover at the year's end;
- j. identification of any expenditures under the general facility major maintenance emergent need contingency project;
- k. an explanation of scope changes or significant changes to schedule or budget since the last budget approval;
- l. a reallocated major maintenance reserve fund six-year CIP, including a revised program plan, all changes to projects, estimated costs, schedules, and scopes of work to be pursued for the current year, and programmed in the remaining years of the six-year program;
- m. a justification for each project postponement or acceleration;
- n. identification of which projects will be ready for implementation in the current budget year within the constraints of the total current year fund appropriation; and
- o. a revised financial model showing the impacts or adjustments resulting from the proposed allocations.

2. If current project in the adopted program needs to be postponed or accelerated, the report shall identify one or more projects of comparable budget allocation value in the current six-year major maintenance reserve fund CIP for acceleration or postponement in its place. If the budget allocation for a postponed or accelerated project exceeds the budget allocation of the project or projects proposed to be accelerated or postponed in its place, the difference shall be allocated to the general facility major maintenance emergent need contingency project appropriation. A postponed project shall be reallocated to the next possible year in the six-year program in which it could be accomplished. Succeeding projects shall be adjusted as necessary in the major maintenance reserve fund six-year CIP and financial plan. If a suitable CIP project does not exist to receive the reallocated funds, the funds shall remain allocated to the original CIP project.

D.1. The reallocation report shall be filed with the clerk of the council for distribution to the chair of the budget and fiscal management committee, or its successor committee, to each councilmember and to the lead staff for the budget and fiscal management committee, or its successor committee.

2. A councilmember who objects to a project reallocation proposed in the reallocation report shall notify the chair of the budget and fiscal management committee, or its successor committee, within fourteen days of the filing of the report. The chair shall consult with the councilmember and consider the objection and shall, within thirty days of the filing of the report, notify the executive in writing of project reallocations that may proceed and shall also notify the executive in writing of project reallocations that may not proceed. The chair of the budget and fiscal management committee, or its successor committee, shall file with the clerk of the council a copy of the written notice and send a copy of the notice to any councilmember who raised an objection. The reallocation report takes effect upon receipt by the executive of the written notice. However, if the written notice is not provided by the chair of the budget and fiscal management committee, or its successor committee within thirty days of the filing of the reallocation report, the report takes effect on the thirty-first day following the filing of the reallocation report.

E. If sufficient moneys are available, any scope change proposed for allocation in the current year that is not included in the current major maintenance reserve fund six-year CIP shall be funded from the general facility major maintenance emergent need contingency project. If moneys are not available, any scope change proposed for allocation in the current year may only be added to the major maintenance reserve fund CIP after going through the normal appropriation process.

F. A general facility major maintenance emergent need contingency project shall be allocated in the current year fund appropriation to provide contingent budget authority to be used in accordance with in this chapter. The general facility major maintenance emergent need contingency project amount shall be no more than five percent of the current-year major maintenance reserve fund CIP budget or five hundred thousand dollars, whichever is less. (Ord. 16764 § 8, 2010: Ord. 14743 § 6, 2003).

4.04.266 Major maintenance financial program.

A. The following shall be submitted with the proposed appropriation ordinance for the ensuing budget year:

1. The detailed financial plan covering at least six years setting forth the sources and amounts of revenues used to finance major maintenance reserve fund expenditures in each year of the plan. The revenues from a particular source may change from year to year, as economic and budgetary circumstances warrant. However, if proposed revenues do not fully fund the major maintenance financial model, then the discrepancy shall be documented together with justification and a recovery plan outlining how the deficiencies will be restored;

2. The major maintenance financial model, which is the analytical system for the expenses for periodic replacement of major county building systems and components and for developing the revenue estimates necessary to fund those expenses. The model shall include any proposed changes from the previous year's model to building systems and components, life cycles, estimates, percentage allocations or other associated assumptions that form the basis of the model; and

3. The proposed major maintenance program plan, which is the prioritized list of projects transmitted to the council with and funded by the annual major maintenance fund budget request for the ensuing budget year, accompanied by criteria used to develop the list and any changes from the previous year's list. The plan shall be prioritized and include project names, project numbers and project appropriation requests. The final program plan is adopted by the council as part of the budget ordinance. Expenditures may be made only for approved projects on the program plan or approved reallocations but total expenditures shall not exceed the amount appropriated to the fund.

B. Major maintenance program costs shall be financed by the major maintenance reserve fund. The calculation of the amount necessary to finance facility infrastructure maintenance costs for each building shall be determined by the major maintenance financial model. Proposed changes to the financial model are subject to the reporting requirements in subsection A.2. of this section. (Ord. 14743 § 7, 2003).

4.04.270 Roads capital improvement budgeting.

A. This section establishes procedures required for flexible response budgeting provisions applicable to the roads capital improvement program (CIP) beginning in 1998 but shall not apply to high-risk projects under K.C.C. 4.04.245. Except as specifically provided herein, budgeting for the roads CIP shall be in accordance with existing county law.

B. In order to allow reprogramming flexibility needed to respond in a timely manner to events beyond the control of the road services division that result in temporary postponement of roads CIP projects allocated in the current budget year, and notwithstanding any other provision of county law, current year budget authorization for the roads CIP shall be appropriated at the total CIP fund level rather than CIP project level. Roads CIP project budget allocation substitutions may take place during the budget year among the projects specifically adopted in the current six-year roads capital improvement program together with carryover projects from previously adopted plans pursuant to the procedures set forth herein without the need for the enactment of amendatory appropriations ordinances.

C. Implementation of the roads CIP shall be in accordance with the project funding priorities and project funding levels identified in the annual roads six-year CIP as adopted by the county council. Prior to May 1 of each year, the road services division shall prepare and submit to the council a roads CIP reallocation report which shall include a review of the status of all projects contained in the current adopted six-year roads CIP together with those projects carried forward from previous adopted six-year roads CIPs, and shall identify which projects will be ready for implementation in the current budget year within the constraints of the total current year fund appropriation. In the case of any current year project in the adopted program that is not ready for implementation for reasons beyond the control of the road services division, the report shall identify for substitution one or more projects of comparable budget allocation value from within the current adopted six-year roads CIP. If the budget allocation for any project to be postponed exceeds the budget allocation of the proposed substituted project or projects, the difference shall be allocated to the cost model contingency roads CIP project. Conversely, if the budget allocation for any proposed substitute project exceeds the budget allocation for the postponed project or projects, such difference shall be allocated from the cost model contingency roads CIP project. Any project that is identified for postponement shall be reallocated to the year in the six-year program from which the project that is identified for substitution was originally programmed. If no suitable CIP project exists to receive the reallocated funds, the funds shall remain allocated to the original CIP project. The reallocation report shall include a reallocated roads six-year CIP including all changes to projects, estimated costs, schedules, and scopes of work to be pursued for the current year, and programmed in the remaining years of the six-year program. A justification for each project postponement and substitution shall be included in the report. The report shall also include an accounting summary of the current project status and the amount of unexpended project budget balance by expenditure option and revenue account for each project in the current year of the program.

D. The reallocation report shall be accompanied by a letter of transmittal to the chair of the transportation committee or designee, or its successor committee, with copies to each councilmember, and the lead staff for the transportation committee. Any councilmember who objects to specific project deferrals or advancements proposed in the reallocation report shall notify the chair of the transportation committee, or its successor committee, within fourteen days of receipt by the chair of the reallocation report. The councilmember must specify the project deferrals or advancements to which the member objects. Within thirty days of receipt of the reallocation report by the chair of the transportation committee, or its successor committee, the chair shall consider the objections raised and notify the executive in writing which project reallocations may go forward. The reallocation report takes effect upon receipt by the executive of the chair's written notice. If a written notice is not provided by the chair, the reallocation report takes effect on the thirty-first day following receipt of the reallocation report by the chair.

E. The department of transportation shall provide to the council a written summary of the preliminary status of road capital expenditures and construction projects by March 1 of each year. Such a status report shall include a list of projects anticipated to be included in the reallocation report and any other project complications or progress highlights deemed significant by the department. The status report shall be presented to the council transportation committee by the department of transportation at the request of the chair.

F. A roads CIP grant contingency project shall be allocated in the current year fund appropriation to provide contingent budget authority associated with potential grant sources that may be programmed if a grant eligible project is substituted into the current year of the program. All unallocated contingent grant supported appropriation will be disappropriated at year end.

G. Any new project proposed for allocation in the current year that is not included in the current or previously adopted roads six-year CIP, or any newly proposed project cost or project scope to be added to a project adopted as part of the roads six-year CIP that cannot be accommodated by transfers of contingency funds, shall be added to the roads CIP through the normal appropriation process. Transfers of contingency funds that are required after the roads CIP reprogramming report is transmitted to the council will be reported to the chair of the transportation committee. Transfers from contingency funds in excess of fifteen percent of the total project cost shall be contingent upon written approval by the chair of the transportation committee. (Ord. 16764 § 9, 2010: Ord. 14122 § 5, 2001: Ord. 13035 § 5, 1998).

4.04.273 Solid waste capital improvement budgeting.

A. This section establishes procedures required for flexible response budgeting provisions applicable to the solid waste CIP beginning in 2004 but shall not apply to high-risk projects under K.C.C. 4.04.245. Except as specifically provided in this section, budgeting for the solid waste CIP shall be performed in accordance with other applicable county law.

B. To allow reprogramming flexibility needed to respond in a timely manner to events beyond the control of the solid waste division that result in temporary postponement or acceleration of solid waste CIP projects allocated in the current budget year, and notwithstanding any other provision of county law, current-year budget authorization for the solid waste CIP shall be appropriated at the total CIP fund level rather than CIP project level. Solid waste CIP project budget allocation reallocations may take place during the budget year among the projects specifically adopted in the current six-year solid waste CIP

together with carryover projects from previously adopted plans in accordance with the procedures in this section without the need for the enactment of amendatory appropriations ordinances.

C.1. Implementation of the solid waste CIP shall be in accordance with the project funding priorities and project funding levels identified in the annual solid waste six-year CIP as adopted by the council. On or before May 15 of each year, the solid waste division shall prepare and file with the office of the clerk of the council a solid waste CIP reallocation report. The report shall provide a status report on implementation of all solid waste CIP projects contained in the current adopted six-year solid waste CIP together with those projects carried forward from previously adopted six-year solid waste CIPs, and shall include:

- a. an explanation of significant changes to scope, schedule and impact on work plan and budget since last budget approval;
- b. identification of revisions to milestones and budget for the current year;
- c. a proposal for revisions to scope, budget and schedule for the next six months;
- d. a reallocated solid waste six-year CIP including a revised financial plan, all changes to projects, estimated costs, schedules and scopes of work to be pursued for the current year and programmed in the remaining years of the six-year program;
- e. a justification for each project postponement or acceleration and substitution;
- f. an accounting summary of the current project status and the amount of unexpended project budget balance by project phase and revenue for each project in the current year of the program;
- g. the original project cost estimate;
- h. the revised project cost estimate that is being used as the basis for the current year fund appropriation and six-year CIP; and
- i. identification of which projects will be ready for implementation in the current budget year within the constraints of the total current year fund appropriation.

2. For any current project in the adopted program that is not ready for implementation for reasons beyond the control of the solid waste division or if a project needs to be accelerated, the report shall identify for substitution or postponement one or more projects of comparable budget allocation value from within the current adopted six-year solid waste CIP. If the budget allocation for any project to be postponed or accelerated exceeds the budget allocation of the proposed substituted or postponed project or projects, the difference shall be allocated to or from the solid waste CIP contingency appropriation. A postponed project shall be reallocated to the year in the six-year program from which the project that is identified for substitution was originally programmed. If a suitable CIP project does not exist to receive the reallocated funds, the funds shall remain allocated to the original CIP project.

D.1. The reallocation report shall be accompanied by a transmittal letter addressed to the chair of the budget and fiscal management committee or designee, or its successor committee, and the chair of the utilities committee, or its successor committee, and copies of the report and letter shall be filed with the office of the clerk of the council for distribution to each councilmember, to the chair of the budget and fiscal management committee or designee, or its successor committee, to the chair of the utilities committee, or its successor committee, and to the lead staff for the budget and fiscal management committee and for the utilities committee.

2. A councilmember who objects to a project reallocation proposed in the reallocation report shall notify the chair of the budget and fiscal management committee, or its successor committee, within fourteen days of the filing of the report. Within thirty days of the filing of the reallocation report, the chair of the budget and fiscal management committee, or its successor committee, shall consider the objections raised and notify the executive in writing which project reallocations may proceed and shall also notify the executive in writing of project reallocations that may not proceed. The chair of the budget and fiscal management committee, or its successor committee, shall file with the clerk of the council a copy of the written notice and send a copy of the notice to any councilmember who raised an objection. The reallocation report takes effect upon receipt by the executive of the written notice. However, if a written notice is not provided by the chair of the budget and fiscal management committee, or its successor committee, within thirty days of the filing of the reallocation report, the report takes effect on the thirty-first day following the filing of the reallocation report.

E. Any new project proposed for allocation in the current year that is not included in the current or previously adopted solid waste six-year CIP, or any newly proposed project cost or project scope to be added to a project adopted as part of the solid waste six-year CIP that cannot be accommodated by transfers of contingency funds, may be added to the solid waste CIP after going through the normal appropriation process. Transfers of contingency funds that are required after the solid waste CIP reprogramming report is transmitted to the council shall be reported by the department of natural resources by filing the report with the clerk of the council for distribution to the chair of the budget and fiscal management committee, or its successor committee, and the chair of the utilities committee, or its successor committee, with copies to lead staff for the budget and fiscal management committee and for the utilities committee. Transfers from contingency funds in excess of fifteen percent of the total project

cost shall be contingent upon written approval by the chair of the budget and fiscal management committee, or its successor committee.

F. A solid waste CIP contingency project shall be allocated in the landfill reserve fund and the solid waste construction fund current year fund appropriations to provide contingent budget authority to be used according to the requirements established in this chapter. The solid waste CIP contingency project amount for each fund shall be seven and one-half percent of the current year solid waste CIP budget, but shall not exceed ten million dollars. (Ord. 16764 § 10, 2010: Ord. 14811 § 6, 2003).

4.04.275 Surface water management capital improvement budgeting.

A. This section establishes procedures required for flexible response budgeting provisions applicable to the water and land resources division beginning in 2003 but shall not apply to high-risk projects under K.C.C. 4.04.245. Except as specifically provided in this section, budgeting for the surface water management CIP fund shall be in accordance with other applicable county law.

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

C.1. Implementation of the surface water management CIP shall be in accordance with the project funding priorities and project funding levels identified in the annual surface water management six-year CIP as adopted by the county council. Beginning in 2003, on or before May 15 of each year, the water and land resources division shall prepare and submit to the council a surface water management CIP reallocation report. The report shall provide the information in a. through e. of this subsection C.1 concerning proposed exceptions to surface water management CIP projects contained in the current adopted six-year surface water management CIP together with those projects carried forward from previous adopted six-year surface water management CIPs:

a. identification of any new emergency projects that are proposed to receive funding allocated for emergencies;

b. an explanation of significant changes to scope, schedule or budget since last budget approval;

c. a reallocated surface water management six-year CIP including a revised financial plan, all changes to projects, estimated costs, schedules and scopes of work to be pursued for the current year, and programmed in the remaining years of the six-year program;

d. a justification for each project postponement or acceleration and substitution;

e. identification of which projects will be ready for implementation in the current budget year within the constraints of the total current year fund appropriation;

f. identification of specific projects that are recommended to proceed using advanced appropriation authority and grant contingency funds in accordance with K.C.C. 4.04.300; and

g. a map showing the locations of projects proposed for deferral or acceleration, projects proposed to be implemented using the current-year appropriation for emergency funds, and projects proposed to be funded using the grant contingency funds authorized by K.C.C. 4.04.300.

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

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

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

E. Any new project proposed for allocation in the current year that is not included in the current or previously adopted surface water management six-year CIP, or any newly proposed project scope to be added to a project adopted as part of the surface water management six-year CIP that cannot be accommodated by transfers of contingency funds, may be added to the surface water management CIP after going through the normal appropriation process. Transfers of contingency funds that are required after the surface water management CIP reallocation report is transmitted to the council shall be reported by the department of natural resources and parks to the chair of the budget and fiscal management committee, or its successor committee, and the chair of the utilities committee, or its successor committee, with copies to lead staff for the budget and fiscal management committee, or its successor committee, and for the utilities committee, or its successor committee. Transfers from contingency funds in excess of fifteen percent of the total project cost shall be contingent upon written approval by the chair of the budget and fiscal management committee, or its successor committee.

F. Beginning January 1, 2003, a surface water management CIP contingency project shall be allocated in the current year fund appropriation to provide contingent budget authority to be used according to the requirements established in this chapter. The surface water management CIP contingency project amount shall be no more than ten percent of the current year surface water management CIP budget or one million dollars, whichever is less. (Ord. 16764 § 11, 2010: Ord. 14452 § 5, 2002).

4.04.280 Wastewater capital improvement budgeting.

A. This section establishes procedures required for flexible response budgeting provisions applicable to the wastewater CIP beginning in 2002 but shall not apply to high-risk projects under K.C.C. 4.04.245. Except as specifically provided in this section, budgeting for the wastewater CIP shall be in accordance with other applicable county law.

B. To allow reprogramming flexibility needed to respond in a timely manner to events beyond the control of the wastewater treatment division that result in temporary postponement or acceleration of wastewater CIP projects allocated in the current budget year, and not withstanding any other provision of county law, current-year budget authorization for the wastewater CIP shall be appropriated at the total CIP fund level rather than CIP project level. Wastewater CIP project budget allocation substitutions may take place during the budget year among the projects specifically adopted in the current six-year wastewater CIP together with carryover projects from previously adopted plans in accordance with the procedures in this section without the need for the enactment of amendatory appropriations ordinances; provided, however, that allocation substitutions for wastewater asset management projects may be done only between projects within wastewater asset management project categories, and not between projects in different wastewater asset management project categories.

C.1. Implementation of the wastewater CIP shall be in accordance with the project funding priorities and project funding levels identified in the annual wastewater six-year CIP as adopted by the county council. Beginning in 2002, on or before April 15 of each year, the wastewater treatment division shall prepare and submit to the council a wastewater CIP reallocation report. The report shall provide a status report on implementation of all wastewater CIP projects contained in the current adopted six-year wastewater CIP together with those projects carried forward from previous adopted six-year wastewater CIPs, and shall include:

- a. an explanation of significant changes to scope, schedule and impact on work plan and budget since last budget approval;
- b. identification of revisions to milestones and budget for the current year;
- c. a proposal for revisions to scope, budget and schedule for next six months;
- d. a reallocated wastewater six-year CIP including a revised financial plan, all changes to projects, estimated costs, schedules, and scopes of work to be pursued for the current year, and programmed in the remaining years of the six-year program;
- e. a justification for each project postponement or acceleration and substitution;
- f. an accounting summary of the current project status and the amount of unexpended project budget balance by project phase and revenue for each project in the current year of the program;
- g. the original project cost estimate;

h. the revised project cost estimate that is being used as the basis for the current year fund appropriation and six-year CIP; and

i. identification of which projects will be ready for implementation in the current budget year within the constraints of the total current year fund appropriation.

2. For any current project in the adopted program that is not ready for implementation for reasons beyond the control of the wastewater treatment division or if a project needs to be accelerated, the report shall identify for substitution or postponement one or more projects of comparable budget allocation value from within the current adopted six-year wastewater CIP. If the budget allocation for any project to be postponed or accelerated exceeds the budget allocation of the proposed substituted or postponed project or projects, the difference shall be allocated to or from the wastewater CIP contingency appropriation. Any project that is identified for postponement shall be reallocated to the year in the six-year program from which the project that is identified for substitution was originally programmed. If no suitable CIP project exists to receive the reallocated funds, the funds shall remain allocated to the original CIP project.

D. The reallocation report shall be accompanied by a letter of transmittal to the chair of the budget and fiscal management committee or designee, or its successor committee, and the chair of the utilities and technology committee, or its successor committee, and copies of the report and letter shall also be transmitted to each councilmember, and the lead staff for the budget and fiscal management committee and for the utilities and technology committee. Any councilmember who objects to specific project deferrals or advancements proposed in the reallocation report shall notify the chair of the budget and fiscal management committee, or its successor committee, within fourteen days of receipt by the chair of the reallocation report. The councilmember must specify the project deferrals or advancements to which the member objects. Within thirty days of receipt of the reallocation report by the chair of the budget and fiscal management committee, or its successor committee, the chair will consider the objections raised and notify the executive in writing which project reallocations may go forward. The reallocation report takes effect upon receipt by the executive of the chair's written notice. If a written notice is not provided by the chair, the reallocation report takes effect on the thirty-first day following receipt of the reallocation report by the chair.

E. Any new project proposed for allocation in the current year that is not included in the current or previously adopted wastewater six-year CIP, or any newly proposed project cost or project scope to be added to a project adopted as part of the wastewater six-year CIP that cannot be accommodated by transfers of contingency funds, may be added to the wastewater CIP after going through the normal appropriation process. Transfers of contingency funds that are required after the wastewater CIP reprogramming report is transmitted to the council shall be reported by the department of natural resources to the chair of the budget and fiscal management committee, or its successor committee, and the chair of the utilities and technology committee, or its successor committee, with copies to lead staff for the budget and fiscal management committee and for the utilities and technology committee. Transfers from contingency funds in excess of fifteen percent of the total project cost shall be contingent upon written approval by the chair of the budget and fiscal management committee, or its successor committee.

F. A wastewater CIP contingency project shall be allocated in the current year fund appropriation to provide contingent budget authority to be used according to the requirements established in this chapter. Effective January 1, 2002, the wastewater CIP contingency project amount shall be seven and one-half percent of the current year capital expenditures included in the financial plan of the current year adopted sewer rate, but shall not exceed ten million dollars.

G. On or before August 1, 2001, the wastewater treatment division shall prepare and submit to the chair of the budget and fiscal management committee and the chair of the utilities and technology committee a 2001 CIP appropriations report.

1. The report shall provide a status report on implementation of all wastewater CIP projects contained in the current adopted six-year wastewater CIP together with those projects carried forward from previous adopted six-year wastewater CIPs, and shall include:

a. an explanation of significant changes to scope, schedule and impact on work plan and budget since last budget approval;

b. identification of revisions to milestones and budget for the current year;

c. a proposal for revisions to scope, budget and schedule for next six months;

d. a reallocated wastewater six-year CIP including all changes to projects, estimated costs, schedules, and scopes of work to be pursued for the current year, and programmed in the remaining years of the six-year program;

e. a justification for each project postponement or acceleration and substitution;

f. a revised financial plan;

g. an accounting summary of the current project status and the amount of unexpended project budget balance by project phase and revenue for each project in the current year of the program; and

h. identification of which projects will be ready for implementation in the current budget year within the constraints of the total current year fund appropriation; and

2. The report shall also include the department's proposal for defining project categories in the 2002 budget, including the list of categories to be funded under the wastewater asset management appropriations beginning in 2002. (Ord. 16764 § 12, 2010: Ord. 14599 § 1, 2003: Ord. 14122 § 6, 2001).

4.04.300 Grant contingency projects.

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

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

1. the funds are from an external source or a combination of external funds and county match;
2. the council received proper notice of the application made by the water and land resources division to receive the funds; and
3. the project on which the funds are to be spent was identified in the project sheet associated with the "grant contingency" project. (Ord. 14452 § 6, 2002).

4.06 REAL ESTATE AND MAJOR CAPITAL PROJECT REVIEW JOINT ADVISORY GROUP

Sections:

- 4.06.010 Establishment and purpose.
- 4.06.020 Definitions.
- 4.06.030 Membership, chair and ex officio members.
- 4.06.040 Responsibilities.
- 4.06.050 Staffing, rules and procedures.

4.06.010 Establishment and purpose. The King County real estate and major capital project review joint advisory group is hereby established to provide a forum for early policy level dialogue between the executive and the council on major capital project and major real estate matters. The joint advisory group should provide the executive and legislative branches of government an opportunity to explore and discuss emergent projects and issues, as well as ongoing proposals regarding major capital projects and major real estate projects. The items for discussion by the group should exclude major technology projects considered for development and review that are included in the information technology governance processes pursuant to K.C.C. 2.16.0757* and 2.16.0758. (Ord. 14921 § 3, 2004).

***Reviser's note: K.C.C. 2.16.0757 was repealed by Ordinance 17654, Section 3.**

4.06.020 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

A. "Designee" means the person appointed by a group member to participate on his or her behalf at any given meeting. A designee may be a councilmember, departmental director, or staff person, as determined by a group member to represent them.

B. "Group" means the real estate and major capital project review joint advisory group established by K.C.C. 4.06.010.

C. "Major capital project" means a capital project as defined in K.C.C. 4.04.020 that:

1. Has an estimated overall project cost that exceeds ten million dollars; or
2. Has an overall project cost that exceeds ten million dollars and is subject to CIP exceptions notification as described in K.C.C. 4.04.020.O; or
3. Has an overall project cost that exceeds ten million dollars and exhibits major unanticipated changes affecting scope, schedule or liabilities as determined by either the executive or council; or
4. Has significant policy considerations as determined by either the executive or council.

D. "Major real estate project" means any real estate transaction meeting the definitions of county owned real property or surplus property as described in K.C.C. chapter 4.56 that:

1. Has an estimated value that exceeds one million dollars; or
 2. Is valued at one million dollars or more and is subject to the processes established in K.C.C. 4.56.070 for acquisition, disposition, lease, sale or transfer of property; or
 3. Has significant policy considerations as determined by either the executive or council.
- (Ord. 14921 § 4, 2004).

4.06.030 Membership, chairmanship and ex officio members.

A. The group members shall be the chair of the metropolitan King County council, the chairs of the budget and fiscal management committee and the labor, operations and technology committee or their successor committees as defined by the council's organizational motion, and three participants as determined appropriate by the executive, depending on projects to be discussed. Executive participants may include the facilities management director, the department of natural resources director, the department of transportation director or the office of performance, strategy and budget director, as assigned by the executive.

B. The chair of the metropolitan King County council and the King County executive, or their designees, shall serve as group cochairpersons.

C. Group members may appoint a designee to participate in any meeting on their behalf.

D. Councilmembers or executive branch persons directly affected by or with specific knowledge of the real estate or major capital project program areas to be discussed at a monthly meeting may be invited by any group member to participate as ex officio members during consideration of that program area. (Ord. 16960 § 16, 2010: Ord. 14921 § 5, 2004).

4.06.040 Responsibilities. The group shall explore and discuss issues surrounding major capital projects and major real estate asset management matters. The group shall provide a forum for early policy level dialogue, discussion and input to ensure timely and informed council decisions. The group shall:

A. Review and discuss policy matters regarding major capital projects;

B. Review and discuss policy matters regarding major real estate asset management;

C. Provide early policy input regarding potential budget initiatives in major capital projects and major real estate matters;

D. Provide early policy input regarding long-term strategic real estate asset management and capital improvement project goals;

E. Discuss significant real estate policy issues related to major capital projects;

F. Assist coordination of capital project and real estate management matters involving independent elected officials in King County government; and

G. Participate in the process for designating high-risk capital projects as required by K.C.C. 4.04.245. (Ord. 16764 § 13, 2010: Ord. 14921 § 6, 2004).

4.06.050 Staffing, rules and procedures.

A. The group shall meet monthly.

B. The council and executive shall jointly staff the committee, splitting the administrative functions equally between the branches of government. The co chairpersons shall determine administrative assignments, and shall rotate assignments to maintain equity in workload. The co chairpersons shall strive to keep administrative functions to a minimum.

C. Group members may bring staff as needed to support the activities of the group.

D. Any major capital project or major real estate project that meets the definitions in K.C.C. 4.06.020 should be added to the group's next monthly meeting agenda.

E. Items for discussion shall be determined and forwarded to group members before each meeting.

F. After each meeting, a list of projects discussed shall be provided to each group member, each King County councilmember and participating staff. The list should include the council district in which the projects are located. (Ord. 14921 § 7, 2004).

4.10 INVESTMENT OF FUNDS

Sections:

- 4.10.010 Definitions
- 4.10.040 Maximum available for investment.
- 4.10.050 Executive finance committee.
- 4.10.060 Reports on investments.
- 4.10.070 Investment earnings, losses and penalties.
- 4.10.080 Report to the council.
- 4.10.090 Pooled investments.
- 4.10.100 Repealer.
- 4.10.110 New funds.
- 4.10.120 Ratification of prior investments.
- 4.10.130 Administrative rules.

4.10.150 Outstanding investments.

4.10.010 Definitions. As used in this chapter, the following terms shall have the following meanings:

- A. "Manager" means manager of the finance and business operations division.
- B. "First tier fund": Each county fund listed or described as a first tier fund in K.C.C. chapter 4.08*.
- C. "Fund manager" means that person holding or exercising the powers of the position or office specified in K.C.C. chapter 4.08* as the manager for each fund and such persons to whom the fund manager has delegated duties and responsibilities as provided in K.C.C. chapter 4.08*.
- D. "Residual treasury cash" means any cash in the custody or control of the finance and business operations division as to which no investment directive under the first paragraph of RCW 36.29.020, as now or hereafter amended, has been received by the manager of the finance and business operations division. Residual treasury cash includes county cash for which the fund manager has not directed a specific fund investment pursuant to this chapter.
- E. "Second tier fund" means a fund that is not to be invested for its own benefit under the first paragraph of RCW 36.29.020 and listed as a second tier fund in K.C.C. chapter 4.08*. (Ord. 14561 § 19, 2002: Ord. 14199 § 53, 2001: Ord. 12076 § 33, 1995).

***Reviser's note:** K.C.C. chapter 4.08 was recodified as K.C.C. chapter 4A.200 by Ordinance 17527.

4.10.040 Maximum available for investment. For each first tier fund designated in K.C.C. chapter 4.08*, the maximum amount of funds available but not required for immediate expenditure which are to be invested pursuant to the first paragraph of RCW 36.29.020, as now or hereafter amended, is to be determined by the fund manager prospectively taking into consideration the need to maintain sufficient cash liquidity in the fund to meet current expenditure requirements. Each fund manager shall make such a determination for each fund no less often than weekly, nor more often than daily, and shall promptly advise the manager of the finance and business operations division, in such manner and subject to such reasonable administrative constraints as the manager of the finance and business operations division shall establish, if there are funds to be invested, to invest such amounts from each fund, informing the manager of the finance and business operations division of the amount and maximum length of maturity appropriate for each investment, and such amounts are hereby authorized for investment under the first paragraph of RCW 36.29.020, as now or hereafter amended. Such investments shall be made and the lengths of their maturities selected by the manager of the finance and business operations division in consultation with the executive finance committee. Consultation with the executive finance committee shall include, at a minimum, full disclosure of average invested and residual cash for each county fund. Such investments shall not negate or affect the authority of the manager of the finance and business operations division, under the guidance of the executive finance committee, to include the retained cash balance in the fund as part of the residual treasury cash invested under the second paragraph of RCW 36.29.020, as now or hereafter amended, for the benefit of the county Current Expense Fund. (Ord. 14199 § 54, 2001: Ord. 12076 § 34, 1995).

***Reviser's note:** K.C.C. chapter 4.08 was recodified as K.C.C. chapter 4A.200 by Ordinance 17527.

4.10.050 Executive finance committee. The executive finance committee is hereby confirmed as being the "county finance committee," referred to in RCW 36.29.020 and RCW 36.48.070, and shall be composed of the following: the county executive; the manager of the finance and business operations division; the director of the office of performance, strategy and budget; and the chair of the county council. The executive finance committee shall be responsible for directing the manager of the finance and business operations division in determining the maximum prudent extent to which residual treasury cash shall be invested pursuant to RCW 36.29.020 and this chapter. Actions of the committee shall be by majority vote except when the chair of the council determines such action constitutes a policy determination, as opposed to an administrative determination, which should be referred to the council. The chair of the council may defer action on the proposal until the council makes such policy determination regarding the proposed action. (Ord. 16960 § 21 2010: Ord. 14561 § 20, 2002: Ord. 14199 § 55, 2001: Ord. 12076 § 35, 1995).

4.10.060 Reports on investments. The investment instruments in which county funds shall be invested shall be selected solely by the manager of the finance and business operations division or his or her designee and fully reported to the executive finance committee on a monthly basis at a minimum. Any losses on investments including all investments of the county treasury shall be reported by the manager of the finance and business operations division to all members of the executive finance committee immediately

upon discovery. Investments shall be chosen from those which are now or may hereafter be legally permitted, with the aim of maximizing return to the county while safeguarding county funds, providing the liquidity needed to meet county obligations in timely fashion, and complying with such other county policy directives as now exist or may be hereafter adopted. (Ord. 14199 § 56, 2001: Ord. 7112 § 6, 1985).

4.10.070 Investment earnings, losses and penalties. Investment earnings and losses and any penalties for premature liquidation shall be allocated as follows:

A. In the case of first tier funds, for those specific fund investments directed by the fund manager, an investment service fee equal to the maximum now or hereafter authorized by state law shall be deposited in the county current expense fund, and the balance of the maturing or liquidated investment, plus earnings if any, shall be deposited in the specific fund out of which the investment originated.

As an alternative to premature liquidation of these specific fund investments, the executive finance committee may provide, on appropriate terms and conditions, for temporary interfund borrowing to cover unforeseen cash liquidity needs, and may provide for interfund purchases, at then market value, of investments in order to avoid penalties, provided that, the manager of the finance and business operations division shall report to the executive finance committee any temporary interfund borrowing made to avoid liquidation of any investment instrument if such liquidation would have resulted in a loss of principal or interest. Terms and conditions should specify an interest rate and schedule of repayment.

B. For all other county funds, and for residual treasury cash investments attributable to first tier funds, all earnings and losses and any penalties for premature liquidation shall be deducted from or deposited in the county current expense fund and used for general county purposes. (Ord. 14199 § 57, 2001: Ord. 7112 § 7, 1985).

4.10.080 Report to the council. The executive finance committee shall report to the county council quarterly the average residual cash and investment balances of each first tier fund, the amount of investment earnings received by each first tier fund, the specific fund investments outstanding at the end of the quarter for each first tier fund, and the amount retained in that fund at the end of the quarter as part of the residual treasury cash. (Ord. 7112 § 8, 1985).

4.10.090 Pooled investments. At the direction of the executive finance committee, with the agreement of the fund manager, the manager of the finance and business operations division or his or her designee, may pool monies for specific fund investments with other monies directed for specific fund investments by a fund manager under the first paragraph of RCW 36.29.020, as now or hereafter amended, monies in the residual treasury cash and monies directed for investment by other municipal corporations. Interest earnings and any losses shall be apportioned pro rata, after payment of investment service fees to the county current expense fund, to each of the funds participating in the pooled investment. (Ord. 14199 § 58, 2001: Ord. 7112 § 9, 1985).

4.10.100 Repealer. King County Resolution 36165 is hereby repealed, except that it shall continue to govern the investment of county funds consisting primarily of proceeds from the issuance of bonds or other county obligations authorized (whether or not yet issued) prior to January 1, 1985, and shall take precedence over Ordinance 7112 as to such funds in case of irreconcilable conflict. (Ord. 7112 § 10, 1985).

4.10.110 New funds.

A. Whenever a new county fund shall be created, unless it is a first tier fund, consideration shall be given to whether it should be a first tier fund, and the council shall consider the recommendation of the executive in this regard within forty-five days of receiving such recommendation. Any fund as to which no specific action is or has been taken within forty-five days to authorize specific fund investments under the first paragraph of RCW 36.29.020, as now or hereafter amended, shall be a second tier fund.

B. Whenever a new county fund is established with direction that all surplus moneys in the fund be invested for the benefit of that fund, or when such direction is given in connection with any county fund, such direction shall be deemed to mean only that monies available but not required for immediate expenditure shall be invested for that fund according to the procedures and limitations contained in this chapter, and such direction shall not negate or affect the authority of the manager of the finance and business operations division, under the guidance of the executive finance committee, to include the retained cash balance in that fund as part of the residual treasury cash invested under the second paragraph of RCW 36.29.020, as now or hereafter amended, for the benefit of the general fund; except that if specific negative reference is made to this chapter and direction is expressly given that the Current Expense Fund shall not receive any earnings attributable to the fund in question, then and only then shall

that particular fund be entitled to its proportionate share of any earnings resulting from residual treasury cash.

C. In case direction shall be given that certain moneys in a fund be invested for the benefit of that fund, and no fund manager be provided for, then the director of the county department or office primarily responsible for expenditures from that fund shall be the fund manager. (Ord. 17527 § 4, 2013: Ord. 14199 § 59, 2001: Ord. 12646 § 2, 1996: Ord. 12076 § 36, 1995).

4.10.120 Ratification of prior investments. All prior actions of the executive finance committee and the manager of the finance and business operations division or his or her predecessor taken in connection with investment directives and policies, investment decisions, and the allocation of investment earnings, as they relate to the investment of county funds, are hereby ratified. (Ord. 14199 § 60, 2001: Ord. 12076 § 37, 1995).

4.10.130 Administrative rules. The manager of the finance and business operations division shall promulgate administrative rules pursuant to K.C.C. chapter 2.98 to implement this chapter. The rules shall be approved by the executive finance committee. (Ord. 14199 § 61, 2001: Ord. 7112 § 13, 1985).

4.10.150 Outstanding investments. In the event that there are any investments outstanding on January 1, 1985, which have been made for the benefit of a county fund (the "originating fund") that will no longer, upon January 1, 1985, be entitled to retain investment earnings, then the earning or loss from the investment shall, upon receipt or maturity, be divided proportionately between the originating fund and the current expense fund according to the number of calendar days such investment was outstanding before and on or after January 1, 1985. In such cases, the current expense fund shall receive, from the originating fund's share of investment earnings, the maximum investment service fee now or hereafter allowed by state law. (Ord. 7112 § 15, 1985).

4.14 BIDDING PROCEDURES FOR FINANCIAL SERVICES CONTRACTS

Sections:

- 4.14.010 Policy.
- 4.14.020 Frequency of competitive procurement process.
- 4.14.030 Financial service need survey.
- 4.14.040 Development and review of specifications.
- 4.14.050 Specifications forwarding - preproposal conference.
- 4.14.060 Specifications time limit - proposals called when.

4.14.010 Policy. It is the policy of King County that financial services provided to the county by banking institutions be provided as a result of open competitive procurement processes. (Ord. 12076 § 39, 1995).

4.14.020 Frequency of competitive procurement process. Competitive procurement processes by banking institutions to provide those services shall occur once every five years. (Ord. 14484 § 1, 2002: Ord. 12076 § 40, 1995).

4.14.030 Financial service need survey. The manager of the finance and business operations division shall conduct a survey of the financial services needs of the county prior to initiating the procurement process. The survey shall be reviewed and updated prior to each subsequent procurement process. (Ord. 14199 § 62, 2001: Ord. 12076 § 41, 1995).

4.14.040 Development and review of specifications. The manager of the finance and business operations division shall develop specifications stating the financial service needs of the county. Said specifications shall be reviewed and approved by the council prior to formally seeking proposals from banks. (Ord. 14199 § 63, 2001: Ord. 12076 § 42, 1995).

4.14.050 Specifications forwarding — preproposal conference. Specifications shall be forwarded to all banking institutions capable of serving the county's financial service needs and shall be made available to any bank or individual interested in providing such services. A conference shall be arranged prior to submission of formal proposals to receive input from the banking community. Changes to the specifications will be by addendum and will be reviewed by the council. (Ord. 12076 § 43, 1995).

4.14.060 Specifications time limit - proposals called when. Specifications for providing banking services to the county shall be developed for council approval on or before the end of March. Proposals shall be called by the first working day in June (Ord. 12076 § 44, 1995).

4.19 KING COUNTY CONTRACTING OPPORTUNITIES PROGRAM

4.19.110 Rules (expires March 17, 2014).

4.19.110 Rules (expires March 17, 2014). The rules in Attachment A to Ordinance 15703* are the rules to administer the King County contracting opportunities program created under this chapter. (15703 § 12, 2007).

*Available in the office of the clerk of the council.

4.24 EXECUTIVE FINANCE COMMITTEE AND INTERFUND BORROWING

Sections:

- 4.24.010 Executive finance committee designated agency to provide for interfund borrowing.
- 4.24.020 Rules for temporary transfer of funds.
- 4.24.030 Report of interfund borrowing.

4.24.010 Executive finance committee designated agency to provide for interfund borrowing. Executive Order No. 1008 establishes an executive finance committee and defines its membership and responsibilities as to the judicious investment of county treasury funds and the redemption of county securities, and is hereby designated as the agency authorized to provide for interfund borrowing. (Ord. 823 § 1, 1971).

4.24.020 Rules for temporary transfer of funds. In accordance with authority established by Section 490 of the Home Rule Charter, the executive finance committee shall adopt rules and procedures which pertain to the transfer of funds on a temporary loan basis from one solvent county fund to another solvent county fund. Such rules shall provide the duration and interest rate to be charged on such loans. (Ord. 823 § 2, 1971).

4.24.030 Report of interfund borrowing. Each month following the regular meeting of the executive finance committee, it shall file with the county council a current report of all interfund borrowing including the funds involved, the amounts of the loans authorized and outstanding, the terms of the loans and the interest charges, if any. (Ord. 823 § 3, 1971).

4.26 VEHICLE LICENSE FEE

Sections:

- 4.26.005 Definitions.
- 4.26.010 Fee levied.
- 4.26.015 Exemptions.
- 4.26.020 Collection.

4.26.005 Definitions.

A. "Combined disposable household income" shall mean the disposable income of the person applying for the exemption plus the disposable income of all persons in the household.

B. "Disposable income" shall mean the same as the term is defined by RCW 84.36.383(6) as now or hereafter amended.

C. "Physical disability" shall mean the same as the term is defined by RCW 46.16.381(1) as now or hereafter amended. (Ord. 11123 § 1, 1993).

4.26.010 Fee levied. Under the authority of RCW 82.80.020, there is hereby levied an annual fee of fifteen dollars per vehicle for each vehicle authorized by RCW 82.80.020(1) and determined by the Washington state Department of Licensing to be registered within the boundaries of the county. (Ord. 14226 § 1, 2001: Ord. 9736, 1990: Ord. 9735 § 1, 1990).

4.26.015 Exemptions. The registered owners of vehicles residing within the boundaries of the county who, at the time payment of the fee established by this chapter is due, are sixty-one (61) years old or older and whose combined disposable household income is seventy (70) percent or less of the state median as determined by the Washington State Office of Financial Management or have a permanent physical disability and have been issued a permanent disabled persons placard or disabled person's license plates by the Washington State Department of Licensing shall, upon application, be exempted from this fee. Proof of disability must be provided. The effective date of the exemption shall be January 1, 1995. (Ord. 11123 § 2, 1993).

4.26.020 Collection. The fee imposed by this chapter shall be collected and administered by the Washington State Department of Licensing; the revenues from the fee imposed by this chapter shall be distributed to the county and the cities; and the proceeds of the fee imposed by this chapter shall be used strictly for transportation purposes in accordance with Chapter 42, Session Laws of 1990. (Ord. 9736, 1990: Ord. 9735 § 2, 1990).

4.29 PUBLIC TRANSPORTATION - FUNDING FOR OPERATION, MAINTENANCE AND CAPITAL NEEDS

Sections:

- 4.29.030 Service partnership agreements - criteria.
- 4.29.040 Service partnership agreements - proposals - approval.

4.29.030 Service partnership agreements - criteria. The following criteria for entering into Transit Now service partnership agreements shall be applied on a yes/no basis and are listed in priority order. The criteria provide a foundation for the development and evaluation of proposals for service partnership agreements. These criteria are further intended to provide guidance to potential partners as to how partnership proposals succeed in meeting the objectives, guidelines and implementation strategies of the service partnership program.

A. Direct financial partnerships shall have priority over speed and reliability partnerships. Proposals for direct financial partnerships with public and private entities that meet the minimum eligibility requirements of this chapter will be evaluated for implementation according to the following criteria, in priority order:

1. The partnership service will improve access to, from or between designated Urban and Manufacturing Centers as defined in Countywide Planning Policies LU-40 and LU-52;
2. The partnership service will improve service on the network of core service connections as defined in the King County Metro Transit Six-Year Transit Development Plan, Service Strategy S-3;
3. The partnership service by a public agency will improve access and circulation within designated Urban and Manufacturing Centers as defined in Countywide Planning Policies LU-40 and LU-52 or will provide service consistent with King County Metro Transit Six-Year Transit Development Plan, Service Strategy S-13. A circulator or ride-free service partnership with a public agency also will provide service in a manner that supports enhancement of existing transit centers by providing frequent connections between a transit center and major destinations within the urban center;
4. The partnership service will improve other services that support the goals and objectives of the King County Metro Transit Six-Year Transit Development Plan;
5. The partner or partners will commit to continue the partnership for more than five years;
6. The partner or partners will agree to fund more than the minimum one-third share of the fully allocated service cost;
7. The partner or partners will commit to implementation of additional actions that are likely to increase ridership on the new services, such as:
 - a. conducting promotional activities;
 - b. providing incentives to employees and riders;
 - c. establishing limits on parking supply or price for single occupant vehicle parking within the area served by the new service;
 - d. implementing parking management to increase the attractiveness of transit and ridesharing;
 - e. taking other policy actions that support the new service; or
 - f. taking other actions that are likely to increase ridership on the new services; and
8. Projected ridership gain in annual boardings over the term of the agreement.

B. Speed and reliability partnerships shall have a lower priority than direct financial partnerships. Proposals for speed and reliability partnerships that meet the minimum eligibility requirements of Transit Now will be evaluated for implementation according to the following criteria, in priority order:

1. The partner's capital investment or traffic operations change will create a transit speed and reliability benefit along a continuous RapidRide bus rapid transit corridor;

2. The partner will commit to additional traffic operations management actions that achieve transit priority in excess of the required projected ten percent travel time savings;
3. The improvements can be completed within five years; and
4. The partner will commit to provision of complementary actions that improve transit operations or ridership, such as:
 - a. implementing innovative transit signal phases and timing;
 - b. providing the infrastructure, preferably fiber, required to support communication between transit signal priority equipment in the field and from the field back to the applicable agency and to Metro;
 - c. adding curb space for transit terminal or layover;
 - d. establishing limits on parking supply or increasing prices for single occupant vehicle parking within the area served by the new service;
 - e. implementing parking management to increase the attractiveness of ridesharing;
 - f. implementing pass subsidy and promotional programs that achieve higher ridership; or
 - g. taking actions that improve the pedestrian environment. (Ord. 15756 § 3, 2007).

4.29.040 Service partnership agreements - proposals - approval. For those service partnerships expected to be implemented after 2007, Metro Transit shall issue a call for service partnership proposals from potential public and private partners. The call for proposals shall describe the minimum requirements for eligible proposals as set forth in Ordinance 15582 as well as the prioritization criteria to be utilized by the county in selecting among eligible service partnership proposals as set forth herein at K.C.C. 4.29.030. A deadline will be set for submission that is not less than 90 days after the call for proposals has been issued. Metro Transit shall make staff available to answer questions potential service partners may have in order help facilitate the development of proposals that are consistent with the eligibility requirements and prioritization criteria. After the initial proposals received in response to the first call for proposals have been evaluated, subsequent opportunities may be provided for additional potential service partners to submit proposals up until such time as all the service partnership resources have been committed.

The executive shall transmit proposed service partnership agreements, identifying the year in which the proposed service partnership is expected to begin, for approval by the Council. Council approval shall not be unreasonably withheld from service partnership proposals that meet the objectives, guidelines and implementation strategies of the service partnership program as described in Attachment A to Ordinance 15582. (Ord. 15756 § 4, 2007).

4.35 EXCISE TAX ON TIMBER HARVESTED FROM PUBLIC LANDS

Sections:

- 4.35.010 Tax imposed - payment, collection and remittal.
- 4.35.020 Tax rates - excuse of tax.
- 4.35.030 Administration and collection.
- 4.35.040 Distribution of revenues.
- 4.35.050 Contract for administration and collection.
- 4.35.060 Inspection of county records authorized to facilitate administration.
- 4.35.070 Violations - misdemeanor.

4.35.010 Tax imposed - payment, collection and remittal. There is hereby imposed, as authorized by RCW 84.33.051(1), an excise tax on every person engaging in business in the county of King as a harvester as defined by RCW 84.33.035. The tax shall be paid, collected and remitted to the Department of Revenue of the state of Washington at the time and in the manner prescribed by RCW 84.33.086 and regulations adopted thereunder. (Ord. 15135 § 2, 2005: Ord. 6942 § 1, 1984).

4.35.020 Tax rates - excuse of tax.

A. For timber harvested from privately owned land, the tax imposed by K.C.C. 4.35.010 shall be equal to the stumpage value of the timber, as defined in RCW 84.33.035, multiplied by the rate of four percent.

B. For timber harvested from publicly owned land, the tax shall be equal to the stumpage value of the timber, as defined in RCW 84.33.035, multiplied by the following rates:

1. For timber harvested January 1, 2005, through December 31, 2005, 1.2 percent;
2. For timber harvested January 1, 2006, through December 31, 2006, 1.5 percent;
3. For timber harvested January 1, 2007, through December 31, 2007, 1.8 percent;
4. For timber harvested January 1, 2008, through December 31, 2008, 2.1 percent;
5. For timber harvested January 1, 2009, through December 31, 2009, 2.4 percent;
6. For timber harvested January 1, 2010, through December 31, 2010, 2.7 percent;

7. For timber harvested January 1, 2011, through December 31, 2011, 3.1 percent;
8. For timber harvested January 1, 2012, through December 31, 2012, 3.4 percent;
9. For timber harvested January 1, 2013, through December 31, 2013, 3.7 percent; and
10. For timber harvested January 1, 2014, and thereafter, 4.0 percent.

C. Any harvester, as defined in RCW 84.33.035, incurring less than fifty dollars liability in any calendar quarter is excused from the payment of the tax imposed by Ordinance 6942, Section 1, but may be required by the Department of Revenue to file a return even though no tax may be due. (Ord. 15135 § 3, 2005: Ord. 6942 § 3, 1984).

4.35.030 Administration and collection. The administration and collection of the tax imposed by this chapter shall be in accordance with chapters 82.32 and 84.33 RCW, including penal provisions, with respect to the tax imposed by Ordinance 6942, except that RCW 82.32.045 and RCW 82.32.270 shall not apply. (Ord. 15135 § 4, 2005: Ord. 6942 § 4, 1984).

4.35.040 Distribution of revenues. Revenue distributed to the county by the state Treasurer from the proceeds of the tax imposed by K.C.C. 4.35.010, shall be deposited in the county timber tax account as established by the finance and business operations division of the department of executive services. Within thirty days after receiving the revenues from the state Treasurer, the director of finance and business operations division of the department of executive services shall make distribution from the revenues to taxing districts in the county, except the state, as prescribed by RCW 84.33.081. (Ord. 15135 § 5, 2005: Ord. 6942 § 5, 1984).

4.35.050 Contract for administration and collection. The county executive is hereby authorized to contract with the Department of Revenue for the administration and collection of the tax imposed by K.C.C. 4.35.010, and to provide in the agreement for the payment from the tax proceeds of the costs of collection and administration incurred by the Department of Revenue as directed in RCW 84.33.051. (Ord. 15135 § 6, 2005: Ord. 6942 § 6, 1984).

4.35.060 Inspection of county records authorized to facilitate administration. The county agrees to give to the state Department of Revenue such facts and information and to permit the Department of Revenue to inspect the county's records in connection with the imposition, collection and administration of the tax imposed by K.C.C. 4.35.010, as may be necessary to permit the Department of Revenue to facilitate the administration of the tax and ensure the correct distribution of its proceeds as provided by chapters 82.32 and 84.33 RCW. (Ord. 15135 § 7, 2005: Ord. 6942 § 7, 1984).

4.35.070 Violations - misdemeanor. Any person responsible for payment of the tax imposed by this chapter who fails to pay amounts lawfully due, and any person engaging in an unlawful act as defined in RCW 82.32.290 is guilty of a misdemeanor. (Ord. 15135 § 8, 2005: Ord. 6942 § 8, 1984).

4.36 COUNTY PROPERTY - PAYMENT OF RENT

Sections:

- 4.36.010 Rental payments.
- 4.36.020 Record and deposit of collections.

4.36.010 Rental payments. All rentals covering King County tax property and King County fee simple property shall be paid to the manager of the facilities management division. (Ord. 14199 § 82, 2001: Res. 9490 (part), 1945).

4.36.020 Record and deposit of collections. The manager of the facilities management division shall keep a complete record of all rentals collected, crediting to each piece of property the amount of rentals received, and deposit with the manager of the finance and business operations division all funds received at the close of business each Friday. (Ord. 14199 § 83, 2001: Res. 33602, 1967: prior Res. 9490 (part), 1945).

4.40 FINANCING ART IN COUNTY CONSTRUCTION PROJECTS

Sections:

- 4.40.005 Definitions.
- 4.40.015 Funding, appropriations, opportunities for pooling funds and use of funds.
- 4.40.025 Inclusion of public art requirements in grants to other agencies.

- 4.40.110 General obligation bond proceeds.
- 4.40.120 Harborview Medical Center capital reserves.

4.40.005 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

A. "Acquisition phase" means the phase in which activities associated with acquisition or surplus and sale of real property, property rights or the acquisition of improvements through direct purchase or capitalized lease agreements occur. This phase typically runs at the same time as the final design phase or the preliminary design phase, as defined in K.C.C. 4.04.020.

B. "Arts and cultural development fund" means the special revenue fund established in K.C.C. 4.08.190* to receive and transfer to the cultural development authority a variety of revenues including, but not limited to, public art revenues.

C. "Client department" means the county department, division or office responsible for construction or custodial management of a facility or capital improvement project after construction is complete.

D. "County force" means work or services performed by county employees.

E. "Cultural development authority" or "authority" means the cultural development authority of King County established under K.C.C. chapter 2.49.

F. "Equipment and furnishings" means any equipment or furnishings that are portable and of standard manufacture. "Equipment" does not mean items that are custom designed or that create a new use for the facility, whether portable or affixed.

G. "Public art program" means the county program administered and implemented by the cultural development authority that includes the works and thinking of artists in the planning, design and construction of facilities, buildings, infrastructure and public spaces to enhance the physical environment, mitigate the impacts of county construction projects, and enrich the lives of county residents through increased opportunities to interact with art. (Ord. 17527 § 55, 2013: Ord. 17229 § 6, 2011: Ord. 14482 § 57, 2002).

***Reviser's note: K.C.C.4.08.190 was recodified as K.C.C. 4A.200.140 by Ordinance 17527.**

4.40.015 Funding, appropriations, opportunities for pooling funds and use of funds.

A. All capital improvement projects that are publicly accessible and visible, or for which there is a need for mitigation, shall contribute to the county's public art program.

1. The amount of the annual appropriation for public art shall be equal to one percent of the eligible project costs of those capital improvement projects that meet the criteria of public visibility and accessibility or need for mitigation. For the purposes of calculation, eligible project categories shall include capital improvement program projects for new construction, reconstruction or remodeling of buildings, parks and trails, commemorative structures, pedestrian and vehicular bridges, surface water management projects, wastewater treatment projects, transit facility construction projects and solid waste transfer stations.

2. The following project categories shall be considered ineligible and may be excluded from the public art program calculation base: roads; airport runways; sewers; and solid waste landfills. This ineligibility shall not preclude a client department, in cooperation with the cultural development authority, from proposing a public art project for a road, airport runway, sewer or solid waste landfill project that presents an opportunity for the inclusion of public art.

3. At a minimum, the amount budgeted for public art in a capital improvement project shall be equal to one percent of the following project elements: conceptual design, design, contracted design, preliminary engineering, construction, contingency, county force design and project administration and construction engineering. Costs associated with the predesign phase of the county's capital planning projects meeting the above criteria and anticipated to result in construction, shall be included in the calculation for public art.

4. The following project elements may be excluded from the budget calculation for public art: acquisition equipment and furnishings; and county force acquisition. Asbestos abatement may also be excluded from the budget calculation for art when the costs for asbestos abatement have been calculated and a line item budgeted for asbestos abatement as been established within the project budget.

5. In all cases, where a capital improvement project has a scope of work that includes both eligible and ineligible project elements and eligible and ineligible project categories, the budget for public art shall be calculated, at a minimum, in the eligible portions of the project.

B. At the time a capital improvement project is proposed, the client department shall calculate and include a budgeted line item for public art in each eligible project described in this section. The executive's budget representative shall confirm the calculations with the cultural development authority and include the agreed-upon appropriations for public art in the executive's proposed budget. The amounts budgeted for public art in particular projects may be adjusted to reflect council changes to the county capital improvement program budget or supplemental budgets. The appropriation for public art shall be transferred to the arts and

cultural development fund and from there to the cultural development authority as soon as the appropriation is made for the capital improvement project, and as soon as funds are available.

C. The source of the funds shall not affect the calculation for public art for a capital improvement project unless the conditions under which the revenue is made available prevent its use for artistic purposes. In this case, the revenue shall be excluded from the eligible project costs on which the one percent calculation for art is based.

D. A policy is hereby established to direct the pooling of all public art program revenues on a departmental basis. Interest generated by public art revenues shall not be pooled on a departmental basis. However, interest from all revenues shall be pooled collectively and used for the purposes established in this section.

Pooling affords the opportunity to look at the needs of the county as a whole and use the public art revenues only in those projects that may have the greatest impact on communities or offer the best opportunities for artist involvement. Pooling on a departmental basis affords the opportunity for the cultural development authority and client departments to work collaboratively on projects that reflect the missions and goals of individual departments and to ensure that public art projects are adequately funded. The decision regarding capital improvement projects that will include a public art project shall be determined jointly by the cultural development authority and the client department according to the procedures and criteria in this section and K.C.C. 2.46.150.

E. Revenues shall support the following uses:

1. The selection, acquisition and display of works of art, that may be an integral part of the project or placed in, on or about the project or other public space;
2. Artist fees, design, planning and predesign service contracts and commissions;
3. Expenses for technical assistance provided by either architects or engineers, or both, and to artists in order to design, document or certify the artwork;
4. Repair and maintenance of public artworks accessioned into the county's public art collection to the extent permissible under generally accepted accounting principles, grants, contracts and law;
5. Public art program administrative expenses relating to acquiring, developing or maintaining public art to the extent permissible under generally accepted accounting principles, grants, contracts and law;
6. Participation by citizens or costs of communicating with and receiving input from citizens, working with professional artists, introduction of public art to children, and education of the public about the county's rich cultural and artistic heritage;
7. Documentation and public education material for the public art program;
8. Liability insurance for artists; and
9. Pilot projects approved by the cultural development authority. (Ord. 17527 § 56, 2013: Ord. 14482 § 58, 2002: Ord. 12089 § 9, 1995. Formerly K.C.C. 2.46.070).

4.40.025 Inclusion of public art requirements in grants to other agencies. Funds that are distributed by the county to another agency for eligible capital improvement project with an estimated construction budget of two hundred fifty thousand dollars or more shall include a requirement for inclusion of public art. The public art shall be identified by the receiving agency and evaluated by the cultural development authority during the planning process to assure compliance by the receiving agency. (Ord. 14482 § 59, 2002: Ord. 12089 § 12, 1995. Formerly K.C.C. 2.46.100).

4.40.110 General obligation bond proceeds. In the case of any county construction project that meets the eligibility criteria for public art established in K.C.C. 4.40.015 that involves the use of general obligation bond proceeds, the resolution, resolutions, ordinance or ordinances submitted to the voters or the council shall include an allocation for public art equal to one percent of the eligible project cost. Bond revenues for public art shall be transferred to the cultural development authority as described in K.C.C. 4.40.015 to the extent consistent with arbitrage requirements and other legal restrictions. (Ord. 17527 § 57, 2013: Ord. 14482 § 61, 2002: Ord. 12089 § 15, 1995: Ord. 9538 § 4, 1990: Ord. 9134 § 12, 1989: Ord. 6111 § 8, 1982).

4.40.120 Harborview Medical Center capital reserves. For any public art funds which involve the use of Harborview Medical Center's capital reserves (Fund 396), amounts for works of art described in this chapter shall be used for art projects at Harborview Medical Center. These funds shall be accounted for separately by the cultural development authority if necessary to comply with this requirement. (Ord. 14482 § 62, 2002: Ord. 12089 § 16, 1995: Ord. 9538 § 5, 1990: Ord. 9134 § 13, 1989).

4.44 TAX TITLE PROPERTY SALES

Sections:

- 4.44.010 Authority to sell county tax title property.

4.44.010 Authority to sell county tax title property. The facilities management division of the department of executive services is authorized to conduct sales of all county tax title property. (Ord. 14199 § 87, 2001: Ord. 12076 § 50, 1995).

4.48 JUNIOR TAXING DISTRICT LEVY CERTIFICATION

Sections:

- 4.48.010 Annual certification date.
- 4.48.020 Formal resolution required.
- 4.48.030 Resolution forwarded to council clerk and assessor.
- 4.48.040 Assessed property valuation certified.

4.48.010 Annual certification date. The junior taxing districts of King County shall annually certify to the King County council on or before the Wednesday next following the first Monday in October in each year the amount of levies to be made in support of their district for the ensuing year in total and by individual fund, except for 1978 levies only the certification shall be made on or before October 28, 1977. (Ord. 3432 § 1, 1977: Ord. 2152 § 1, 1974).

4.48.020 Formal resolution required. The certification required in Section 4.48.010 shall in all cases be a formal resolution of the board of commissioners and shall include the information required on the following form in the format shown:

"By Ordinance of the King County Council Junior Taxing
Districts are required annually to submit the following
information regarding their tax levies for the ensuing year
as part of a formal resolution of the Board of Commissioners.

THE KING COUNTY ASSESSOR HAS NOTIFIED THE COMMISSIONERS OF THAT THE
ASSESSED VALUATION OF PROPERTY LYING WITHIN THE BOUNDARIES OF SAID DISTRICT FOR
THE YEAR IS

REGULAR (STATUTORY) LEVY:	\$
EXPENSE FUND	\$
RESERVE FUND	\$
COUPON WARRANT FUND	\$
OTHER (SPECIFY)	\$
G.O. BOND FUND LEVY	\$
SPECIAL LEVIES (SPECIFY YEAR AND PURPOSE OF LEVY)	\$
.....	\$
.....	\$
TOTAL TAXES REQUESTED	\$

THE ABOVE IS A TRUE AND COMPLETE LISTING OF LEVIES FOR SAID DISTRICT FOR THE YEAR
..... AND THEY ARE WITHIN THE MAXIMUMS ESTABLISHED BY LAW." (Ord. 2152 § 2, 1974).

4.48.030 Resolution forwarded to council clerk and assessor. Copies of the resolution shall be forwarded by registered mail to the clerk of the King County council and the King County assessor. (Ord. 2152 § 3, 1974).

4.48.040 Assessed property valuation certified. The King County assessor shall annually certify to junior taxing districts in King County the assessed valuation of property lying within the boundaries of the district for the ensuing year's tax levy by the third Monday after the first Friday in September, except for 1978 levies only, the certification shall be made on or before October 17, 1977. (Ord. 3432 § 2, 1977: Ord. 2152 § 4, 1972).

4.52 DELINQUENT LOCAL IMPROVEMENT ASSESSMENT FORECLOSURE

Sections:

4.52.010 Procedure.

4.52.010 Procedure. Whenever, on the first day of January of any year, two installments of any local improvement assessment are delinquent, or the final installment thereof has been delinquent for more than one year, the manager of the finance and business operations division, shall, on or before the first day of October of such year, proceed with foreclosure of such assessments or installments thereof in accordance with state law. (Ord. 14199 § 88, 2001: Ord. 12076 § 51, 1995).

4.56 REAL AND PERSONAL PROPERTY

Sections:

- 4.56.010 Fair market rental value defined.
- 4.56.020 Property sale authorized generally.
- 4.56.030 Inventory documentation and surplus personal property sales procedures.
- 4.56.035 Accountability for county personal property.
- 4.56.040 Sales of personal property - Value exceeding five thousand dollars.
- 4.56.050 Responsibilities and powers.
- 4.56.060 Real property - Responsibilities.
- 4.56.070 Facilities management division, county departments - responsibilities and powers in declaring county real property surplus.
- 4.56.075 Financial investment properties.
- 4.56.080 Sale of surplus real property - council approval required.
- 4.56.085 Public/private development projects on or with county property.
- 4.56.090 Notice of sale.
- 4.56.095 Emergency waiver of advertisement.
- 4.56.100 Sale of property - Public auction or sealed bid.
- 4.56.103 Electronic equipment sales by county - functioning and good working order required.
- 4.56.105 Distribution during budget process.
- 4.56.110 Cash sales of personal property.
- 4.56.115 Easements - temporary and permanent easements on county property - approval by ordinance - fees.
- 4.56.120 Property trade-ins.
- 4.56.130 Disposition of sale proceeds.
- 4.56.140 Intergovernmental sales and leases of real property.
- 4.56.150 Authority to lease or rent county real property.
- 4.56.152 Acquisition of real property.
- 4.56.160 Manner of awarding lease or rental agreement.
- 4.56.170 Applications for lease.
- 4.56.180 Lease terms.
- 4.56.186 Leasing real property for use by the county.
- 4.56.190 Execution of lease agreement.
- 4.56.195 Disposition of surplus vanpool vehicles from the metropolitan public transportation function by negotiated direct sales.
- 4.56.200 Reservation of powers.
- 4.56.250 Exemption - sales of emission credits offsets or allowances or renewable energy certificates, credits, benefits, environmental air quality credits and similar rights, title or interests held by county in unique circumstances - executive negotiation and council approval required.
- 4.56.300 Fleet standards - annual identification and transmittal.

4.56.010 Fair market rental value defined. "Fair market rental value" is defined as an amount in the competitive market that a well-informed and willing lessor, who desires but is not required to lease, would accept, and which a well-informed and willing lessee, who desires but is not required to lease, would pay for the temporary use of the premises, after due consideration of all the elements reasonably affecting value. (Ord. 2622 § 2, 1976).

4.56.020 Property sale authorized generally.

A. Whenever it is for the best interests of King County, taxing districts and the people thereof that any part or parcel of property, whether real, personal or mixed, belonging to the county, including tax title land, should be sold, the county shall sell and convey such property under the limitations and restrictions and in the manner provided in this chapter.

B. In making such sales, the county may sell any timber, mineral or other resources on any land

owned by the county separate and apart from the land in the same manner and upon the same terms and conditions as provided in this chapter for the sale of real property. However, any such timber, mineral or other resources not exceeding twenty-five hundred dollars in value may be sold as personal property, in the manner provided by this chapter. (Ord. 2622 § 3, 1976).

4.56.030 Inventory documentation and surplus personal property sales procedures. The fleet administration division of the department of transportation shall keep documentation of the county personal property inventory.

A. The fleet administration division shall review the department and agency inventory reports and investigate any large or unusual lost, stolen or unlocatable inventory amounts. The division shall compare current year amounts with previous years and to what is currently on hand. "Large" shall mean any dollar amount equal to, or in excess of, the current capitalization rate.

B. The personal property inventory shall include all items with a capitalization rate equal to or greater than the current capitalization threshold for equipment established in the federal Office of Management and Budget Circular No. A-87, Cost Principles for State, Local, and Indian Tribal Governments. All weapons shall continue to be tracked countywide by the fleet administration division, personal property section. Other below-threshold items that individual departments want to control may be managed at the department level in accordance with guidelines established by the fleet administration division, personal property section.

C. One employee in each department or agency shall be designated as the department's or agency's inventory contact. Property disposal in any department or agency shall be initiated by the inventory contact and approved by the department director or agency head. Documentation shall require the signatures of both the inventory contact and the department director or agency head, as applicable, on the disposition forms sent to the fleet administration division. No transactions will be valid without both signatures.

D. The employees in the fleet administration division who are involved in the inventorying and disposing of county personal property, as designated by the manager of the fleet administration division, and members of their immediate families shall be prevented from purchasing or otherwise participating in the purchase of surplus personal property.

E. At each sale a bidder sign-up sheet shall be posted to indicate whether the bidder is employed by the county, and, if so, in which department or agency, or whether any member of their immediate family is employed by the county and, if so, in which department or agency.

F. The fleet administration division will maintain comprehensive documentation of all personal property sales, including those items specified in RCW 36.32.210, as amended, and will document each deletion or change that is made to the final property sale listing. (Ord. 16225 § 1, 2008: 14199 § 89, 2001: Ord. 12045 § 21, 1995).

4.56.035 Accountability for county personal property. 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 administration division shall provide a report of losses to the county council, county administrative officer and office of risk management.

C. The fleet administration 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 his or her care of the property assigned to him or her or if a terminated employee fails to return personal property assigned to him or her, 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 administration division shall be the sole agency responsible for inventorying and disposing of county personal property. (Ord. 14199 § 90, 2001: Ord. 12045 § 20, 1995).

4.56.040 Sales of personal property - Value exceeding five thousand dollars. If the item or lot of surplus personal property carries a depreciated value of not less than five thousand dollars and not more than two hundred fifty thousand dollars in the current inventory, a survey committee will be convened to estimate the market value of an item of personal property, and the committee shall then advise the date, location and manner of sale that is likely to be the most advantageous to the county. The originating

department, the manager of the fleet administration division, and the director of the department of transportation are to be represented on each survey committee that is convened. When the survey committee determines that an item or lot of surplus personal property carries a depreciated value of two hundred fifty thousand dollars or more, the county executive shall not dispose of said personal property without prior approval by motion of the council. The motion approved by the council shall state concisely a description of the item or lot of surplus personal property and procedures to be followed by the executive in disposing of the personal property through sale. (Ord. 14199 § 91, 2001: Ord. 12045 § 3, 1995).

4.56.050 Responsibilities and powers. The managers of the fleet administration and facilities management divisions shall have the responsibilities and powers assigned to their respective divisions in K.C.C. chapter 4.56, as amended. (Ord. 14199 § 92, 2001: Ord. 12045 § 2, 1995).

4.56.060 Real property - Responsibilities.

A. Except as otherwise provided in this chapter, the facilities management division, acting under the supervision of the county administrative officer, shall be the sole organization responsible for the administrative processes of acquiring, disposing, inventorying, leasing and managing real property, the legal title of which rest in the name of the county, or which the county manages in a trust capacity.

B. Open space, trail, park, agriculture and other natural resource real properties shall be acquired by the department of natural resources and parks, unless the executive directs the facilities management division to make such acquisitions.

C. Real property and interests in real property necessary for the metropolitan public transportation and metropolitan water pollution abatement functions shall be acquired and managed by the departments of transportation and natural resources and parks, respectively, as set forth in this chapter, unless the executive directs the facilities management division to make such acquisitions and/or manage such properties.

D. County departments shall be responsible for maintaining all real property for which they are the custodian. (Ord. 14199 § 93, 2001: Ord. 12394 § 1, 1996: Ord. 12045 § 4, 1995).

4.56.070 Facilities management division, county departments - responsibilities and powers in declaring county real property surplus.

A. The facilities management division shall, no later than the end of the first quarter of the calendar year, maintain and update a current inventory of all county titled real property with detailed information as to current departmental custodianship and as to the characteristics that determine its economic value and potential uses. However, all county roads shall be excluded from this section.

B. No later than April 1 of each calendar year, each department shall submit a report to the facilities management division on the status of all real property for which the department is the custodian and include in the report any change in use or status since the previous year's report.

C. County departments shall be required to report no later than April 1 of every year to justify departmental retention of all real property for which the department is the custodian to the facilities management division.

1. If in the judgment of the facilities management division a county department cannot justify the retention of real property for which it is the custodian or if a department determines that real property is surplus to its needs, the facilities management division shall determine whether any other county department has a need for the property that is related to the provision of essential government services, including, but not limited to, services for the public health, public safety or services related to transportation, water quality, surface water or other utilities. If the property is not needed for the provision of essential government services, the facilities management division shall then determine if the parcel is suitable for affordable housing. If it is deemed suitable for housing the county shall first attempt to make it available or use it for affordable housing in accordance with K.C.C. 4.56.085 or 4.56.100. Suitable for affordable housing for the purpose of this section means the parcel is located within the Urban Growth Area, zoned residential and the housing development is compatible with the neighborhood. If the property is not deemed suitable for the purposes described in this subsection C.1., then it shall be determined whether any other department has a need for the parcel.

2. If another department can demonstrate a need for the real property, custodianship of the real property shall be transferred to that department without any financial transaction between present and future custodial organizations, except as required by RCW 43.09.210, as amended, or under grants.

3. If another department cannot demonstrate a need for the real property, the real property shall be declared surplus to the future foreseeable needs of the county and may be disposed of as set forth in this chapter.

D. The facilities management division shall review and make recommendations to the executive for uses other than the sale of surplus real property before a decision by the executive to dispose of such

properties through sale. Other possible uses that shall be considered by the division in accordance with this chapter are:

1. Exchanges for other privately or publicly owned lands that meet the county's land needs;
2. Lease with necessary restrictive covenants;
3. Use by other governmental agencies;
4. Retention by the county if the parcel is classified as floodplain or slide hazard property;
5. Use by nonprofit organizations for public purposes; and
6. Long-term lease or sale for on-site development of affordable housing.

E. The facilities management division in consultation with the department of community and human services shall, no later than July 1 of each year, submit a report to the council identifying surplus county real property suitable for the development of affordable housing. Affordable housing for the purpose of this chapter means residential housing that is rented or owned by a person:

1. Who is from a special needs population and whose monthly housing costs, including utilities other than telephone, do not exceed thirty percent of the household's monthly income; or
2. Who qualifies as a very low-income, low-income or moderate-income household as those terms are defined in RCW 43.63A.510.

F. A park or recreational facility located in a potential annexation area may be transferred to the city designated to annex the area in which the park or recreational facility is located without being subject to this section, but any such a transfer must require that the park or recreational facility shall be used in perpetuity for park or recreation purposes unless other equivalent lands or facilities within the county or the city are received in exchange therefore and the replacement lands or facilities are used in perpetuity for park or recreation purposes.

G. The facilities management division shall review and make recommendations to the county executive regarding the surplus of any property, property rights and rights in property that are acquired by the department of natural resources and parks in accordance with Ordinance 14699, Section 2, 4 or 7*, no more than thirty days after receiving a written notice from the department of natural resources and parks that the property is surplus to the needs of siting or constructing the Brightwater wastewater treatment plant. Upon approval by the council of an ordinance authorizing the disposal of property acquired in accordance with Ordinance 14699, Section 2, 4 or 7*, the facilities management division shall consult with the department of natural resources and parks to determine the timing for disposal of this property. (Ord. 14699 § 6, 2003: Ord. 14561 § 23, 2002: Ord. 14431 § 1, 2002: Ord. 14199 § 95, 2001: Ord. 12394 § 2, 1996: Ord. 12045 § 5, 1995).

***Reviser's note: Ordinance 14699, Section 7, amended K.C.C. 4.56.080.**

4.56.075 Financial investment properties.

A. The facilities management division shall determine which real properties within the inventory of county-owned properties are defined by this section. These properties are currently not needed for county use but are held to provide a financial return to the county. It is the ultimate objective of the county to dispose of this type of property. Disposal should not occur until optimal market conditions exist for maximizing financial return to the county.

B. All properties within this category shall have an initial value established by an appraisal or, in lieu of this appraisal, a value shall be established by the facilities management division.

C. Except as provided in subsection E. of this section, all properties with values of less than five hundred thousand dollars shall be revalued by the facilities management division every three years from when the initial value was established until the property is disposed of. If a property increases in value to more than \$500,000 it is subject to the provisions in subsection D. of this section.

D. All properties with values of greater than five hundred thousand dollars shall be valued by an independent appraiser. Except as provided in subsection E. of this section, these properties shall be revalued every three years from when the initial value was established.

E. When existing leases provide for rental adjustments at greater than three year intervals, the reevaluations required by subsections C. and D. of this section shall be performed no more than one year prior to the scheduled rental adjustment.

F. All appraisals shall address the following factors:

1. Current market conditions and trends which affect the value of the property;
2. Potential market conditions;
3. Value of any improvements on the property;
4. Impact on property value of temporary and permanent encumbrances upon the property such as leases, easements and any other arrangement which encumbers any portion of the property; and
5. Any other factors which, in the professional judgment of the appraiser, affect the value of the property.

G. A proposal to dispose of a property in this category shall be based upon an appraisal which has been performed within the past twelve months. A property shall be sold if analysis of its income

producing potential and current market sales conditions demonstrates that a greater return to the public will be provided through sale of this property.

H. Properties in this category shall be disposed of in accordance with Ordinance 12045 [and] K.C.C. 4.56.100. In no case shall a property be sold for less than its appraised value or a value that reflects the income producing analysis required in subsection G. of this section, whichever is higher. The appraised value shall be established by an independent appraisal which has been completed within six months of the sale of this property.

I. In order to ensure that properties in this category that are retained by the county provide the optimal return, all lease renewals and extensions shall be authorized by ordinance. Any financial investment property that is under consideration for sale or exchange shall be evaluated by the executive for suitability to support transportation, and for each parcel that is proposed to be sold, a report containing the evaluation for transportation purposes shall be transmitted to the council with the necessary legislation authorizing disposal of the property. (Ord. 15569 § 1, 2006: Ord. 14199 § 95, 2001: Ord. 12045 § 6, 1995).

4.56.080 Sales of surplus real property - council approval required.

A. The approval of the council by ordinance is required before the executive disposing of county-titled real property through sale, the sale being recommended as a result of real property having been declared as surplus in compliance with the provisions of this chapter; though property with an apparent value of less than ten thousand dollars shall be excluded from this section.

B. If any property, property rights or rights in property are acquired by the department of natural resources and parks in accordance with Ordinance 14699, Section 2, 4 or 7*, and are later determined to be surplus to the department of natural resources and parks's needs, the council shall take action on a proposed ordinance authorizing the disposal of this property within sixty days of transmittal by the executive. (Ord. 14699 § 7, 2003: Ord. 12045 § 7, 1995).

*Reviser's note: Ordinance 14699, Section 7, amended K.C.C. 4.56.080.

4.56.085 Public/private development projects on or with county property.

A. The office of business relations and economic development shall assist the department of executive services to determine the potential public/private uses of county owned real and personal property.

B. The department of executive services shall assist county departments in capital facilities planning and, in collaboration with the office of business relations and economic development, investigate the feasibility of, and when feasible, facilitate, public/private partnerships in the use of county property, in accordance with K.C.C. 4.56.070. These investigations shall include such actions as:

1. Preparing market and financial feasibility studies, holding public meetings and preparing recommendations;
2. Briefing the executive and council;
3. Soliciting developer proposals;
4. Selecting the developer;
5. Obtaining council approval;
6. Negotiating the developer agreement; and
7. Monitoring the development and use of assets.

C. The office of business relations and economic development shall provide assistance to other county departments to determine if real property or other assets may be managed for economic development purposes or administered in a manner that will provide revenue to the county. (Ord. 14561 § 24, 2002: Ord. 14199 § 96, 2001: Ord. 12394 § 3, 1996).

4.56.090 Notice of sale. Except as provided in paragraphs A.1 through A.6 of Section 4.56.100, when the county elects to sell property, the county shall advertise to the extent which the county deems necessary to effect an advantageous sale. Such advertising for real or personal property with a value in excess of one thousand dollars shall include publishing a notice in a legal newspaper at least once a week for two consecutive weeks, the last notice to appear no more than five days prior to the date of the auction or bid opening. An advertisement of sale of county property must particularly describe the property to be sold and designate the day, hour, and place of sale. When real property is to be sold, the advertisement of sale must contain both the street address, if available, and the legal description of the part and parcel. If real property is offered for sale on other than a cash basis, the terms must be stated in the advertisement. (Ord. 12045 § 8, 1995).

4.56.095 Emergency waiver of advertisement.

A. In the event of an emergency when the public interest or property of the county would suffer material injury or damage by delay, upon declaring the existence of such emergency and reciting the facts

constituting the same the executive may waive the requirements of Section 4.56.090 with reference to any sale provided, that such exemption shall only apply to property having a value of less than fifty thousand dollars. The executive shall report, in detail, such emergency sale to the council within thirty days of declaring an emergency.

B. Should an emergency require the sale of property in excess of fifty thousand dollars, any such sale shall be approved by motion of the council, accompanied, if necessary, by ordinance declaring an emergency, following the executive's recommendation. The executive's recommendation shall include such statements as are necessary to fully explain the emergency. All sales of property involving an emergency circumstance shall be approved by the county executive. (Ord. 12045 § 9, 1995).

4.56.100 Sale of property - public auction or sealed bid.

A. All sales of real and personal property shall be made to the highest responsible bidder at public auction or by sealed bid except when:

1. County property is sold to a governmental agency;
2. The county executive has determined an emergency to exist; or the county council, by ordinance, has determined that unique circumstances make a negotiated direct sale in the best interests of the public;
3. County real property is traded for real property of similar value, or when county personal property is traded for personal property of similar value;
4. The facilities management division has determined that the county will receive a greater return on real property when it is listed and sold through a residential or commercial real estate listing service;
5. County personal property is traded in on the purchase of another article;
6. Property has been obtained by the county through the proceeds of grants or other special purpose funding from the federal or state government, wherein a specific public purpose or purposes are set forth as a condition of use for the property, that purpose or purposes to be limited to the provision of social and health services or social and health service facilities as defined in chapter 43.83D RCW, and it is deemed to be in the best interest of the county, in each instance, upon recommendation by the county executive and approval by the county council, that in order to fulfill the condition of use, the county may sell or otherwise convey the property in some other manner consistent with the condition of use; however, the county may only convey the property to private, nonprofit corporations duly organized according to the laws of the state of Washington, which nonprofit corporations are exempt from taxation under 26 U.S.C. Sec. 501(c) as amended, and which nonprofit corporations are organized for the purpose of operating social and health service facilities as defined by chapter 43.83D RCW;
7. The county property is sold for on-site development of affordable housing which provides a public benefit, provided that the developer has been selected through a request for proposals;
8. It is deemed to be in the public interest to restrict the use of the project for provision of social or health services or such other public purposes as the county deems appropriate;
9. The facilities management division for real property and the fleet administration division for personal property, in consultation with the county executive and the county council, may, in the best interests of the county, donate or negotiate the sale of either county surplus personal property or real property, or both, with bona fide nonprofit organizations wherein the nonprofit organizations provide services to the poor and infirm or with other governmental agencies with whom reciprocal agreements exist. Such transactions shall be exempt from the requirements of fair market value, appraisal, and public notice. Where a department has identified personal property that is appropriate for surplusing to nonprofit organizations, the department shall utilize the fleet administration division to manage the surplusing process, and fleet administration shall ensure that the personal property is in good working order, that county data and inventory tags are removed and that consistent records of donations and sales are retained. The facilities management division or fleet administration division, as applicable, also may, in the best interest of the county, procure services to support King County in lieu of payment with nonprofit organizations who provide services that will benefit the public. Such transactions are based upon the recommendation of the facilities management division or fleet administration division, as applicable, and the department having custodianship of the property. The facilities management division or fleet administration division, as applicable, shall maintain a file of appropriate correspondence or such information which leads to a recommendation by the division to the county executive and the county council to undertake such transactions, and such information shall be available for public inspection at the facilities management division or fleet administration division, as applicable. The facilities management division or fleet administration division, as applicable, may also seek reimbursement from the benefiting organization for the administrative costs of processing the surplus property;
10. The county property is a retired passenger van being made available in accordance with subsection D. of this section; or
11. The county property is located in a historic preservation district within the Urban Growth Area and is sold to a nonprofit corporation or governmental entity for one-site mixed use development

consistent with historic preservation requirements, which includes affordable housing and which may also include market rate housing, retail or other uses, and which is selected after a competitive request for proposal process.

B. The county may, if it deems such action to be for the best public interest, reject any and all bids, either written or oral, and withdraw the property from sale. The county may then renegotiate the sale of withdrawn property, providing the negotiated price is higher than the highest rejected bid.

C. In any conveyance of real property that requires construction of affordable housing in development of the property, the executive shall include covenants so that:

1. At least with respect to that construction, the prevailing rate of wage, as defined in RCW 39.12.010, shall be required to be paid to all worker classifications for which the state Department of Labor and Industries has established a prevailing rate of wage; and

2. At least with respect to that construction, state-certified apprentices for construction shall be required to be used across the trades, including women, at-risk youth or people of color, with a fifteen percent apprentice utilization goal.

D. Whenever the procedures of a grant agency having an interest in real or personal property requires disposition in a manner different from the procedures set forth in this chapter, the property shall be disposed of in accordance with the procedures required by this chapter unless the grant agency specifically requires otherwise.

E. Each year, the transit division shall make available retired passenger vans for exclusive use by nonprofit organizations or local governments that are able to address the mobility needs of low-income, elderly or young people or people with disabilities. Each agency selected to receive a van must enter into an agreement with King County that provides that the agency will accept the van "as is" without guarantee or warranty expressed or implied and shall transfer title as prescribed by law before use. The council shall allocate the vans by motion to nonprofit organizations or local governments based upon the following criteria:

1. Demonstrated capacity to support ongoing van operation, including assured funding for licensing, insuring, fueling and maintaining the van;
2. Ability to provide qualified and trained drivers;
3. Specific plans for use of the van to transport low-income, elderly or young people or people with disabilities, and assurance that the use shall be available to those persons without regard to affiliation with any particular organization;
4. Geographic distribution of the van allocations in order to address the mobility needs of low-income, elderly or young people or people with disabilities countywide; and
5. Ability to support county's public transportation function by reducing single occupancy vehicle trips, pollution and traffic congestion; supplementing services provided by the county's paratransit system and increasing the mobility for the transit-dependent for whom regular transit might not always be a convenient option. (Ord. 17085 § 3, 2011: Ord. 16659 § 1, 2009: Ord. 15546 § 2, 2006: Ord. 15044 § 3, 2004: Ord. 14199 § 97, 2001: Ord. 12989 § 1, 1998: Ord. 12394 § 4, 1996: Ord. 12045 § 10, 1995).

4.56.103 Electronic equipment sales by county - functioning and good working order required. In any sale by the county of electronic equipment, including, but not limited to, monitors, televisions, central processing units, circuit boards, power supplies, laptop computers, peripherals, video cassette recorders, digital video discs, cables, keyboards, mice, fax machines, printers, cell phones, telephones and stereos, the equipment shall be functioning and in good working order. (Ord. 17085 § 1, 2011).

4.56.105 Distribution during budget process. K.C.C. 4.56.100A.9 shall not preclude the council from directing the distribution of surplus real and/or personal property during the county's annual budget process. (12989 § 3, 1998).

4.56.110 Cash sales of personal property. Sales of personal property must be for cash, certified check or cashier's check, except when it is transferred to a governmental agency, traded in on the purchase of another article, or traded for another article of similar value. (Ord. 2622 § 12, 1976).

4.56.115 Easements - temporary and permanent easements on county property - approved by ordinance fees.

A. The executive is authorized to execute utility easements, bills of sale or related documents necessary for the installation, operation and maintenance of utilities to county property, provided that the documents are reviewed and approved by the custodial department or agency and the real estate services section of the facilities management division. Temporary and permanent easements for utility purposes other than service to county property may be granted by the executive if the easements will not interfere with or hinder the use of the property by the custodial department or agency though the utility easements

that exceed fifty thousand dollars in value shall be subject to prior approval by ordinance. Any other permanent easements granted by the county shall be subject to prior approval by ordinance when the value of the easement would exceed fifty thousand dollars. A party requesting a new easement, amended easement or easement transfer shall pay an easement application fee as set forth in K.C.C. 4A.675.010. The fee for reimbursement to the real estate services section for the administrative costs and expenses incurred in the processing of the easement. The easement application fee is payable at the time the easement is requested from the real estate services section. The easement application fee and other fees are not refundable, even if the application is disapproved or not executed by the applicant. In addition, the real estate services section shall have the authority to require applicants to reimburse the real estate services section for the actual costs incurred by the real estate services section as a result of the grant, issuance or renewal of amendment of an easement, to the extent the costs exceed the costs of processing the easement application recovered by the applications fee. The payment of actual costs balances shall be made at the time of the easement issuance.

B. The executive is authorized to relinquish any easements granted to the county which are determined to be surplus to the county's foreseeable needs or to trade an easement for real property or easements of a similar nature and value, though relinquishments of easements where the county spent more than fifty thousand dollars in their acquisition shall be subject to prior approval by ordinance. (Ord. 17515 § 3, 2013: Ord. 16295 § 2, 2008: 14199 § 98, 2001: Ord. 12045 § 11, 1995).

4.56.120 Property trade-ins.

A. King County may trade in property belonging to the county or to any taxing district within King County when purchasing other property. If the county elects to trade in property, it shall include in its call for bids on the property to be purchased a notice that the county has for sale or trade-in property of a specified type, description and quantity which will be sold or traded in on the same day and hour that the bids on the property to be purchased are opened. Any bidder may include in its offer to sell, an offer to accept the designated county property in trade by setting forth in the bid the amount of such allowance.

B. In determining the lowest and best bid, the county shall consider the net cost to the county after trade-in allowances have been deducted. The county may accept the bid of any bidder without trade-in of the county property, but may not require any such bidder to purchase the county property without awarding the bidder the purchase contract. Nothing in this section shall bar anyone from making an offer for the purchase of the used equipment independent of a bid on the new equipment, and the county shall consider such offers in relation to the trade-in allowances offered to determine the net best sale and purchase combination for the county. (Ord. 2622 § 13, 1975).

4.56.130 Disposition of sale proceeds.

A. The county organizations responsible for conducting sales shall be reimbursed for advertising, postage and selling fees, if any, from the proceeds of the sale. The manager of the finance and business operations division is authorized to establish such funds and accounts necessary to deposit sale proceeds until final disposition. The balance of the proceeds shall be deposited into the proper county fund or account, as directed by the facilities management division, the fleet administration division or the county council, as applicable. On transactions with gross sale proceeds of two hundred fifty thousand dollars or greater that are to accrue to the current expense fund, ten percent of the gross sale proceeds are to be deposited into the arts and cultural development fund.

B. In no case shall the title be transferred until the purchase price has been fully paid. (Ord. 14260 § 1, 2001: Ord. 14199 § 99, 2001: Ord. 12045 § 12, 1995).

4.56.140 Intergovernmental sales and leases of real property.

A. The county may dispose of or lease county real property to another governmental agency and may acquire property for the county from another governmental agency by negotiation, upon such terms as may be agreed upon and for such consideration as may be deemed by the county to be adequate.

B. Prior to intergovernmental disposal of real property with an estimated value greater than the amount set forth in RCW 39.33.020, as amended, public notice and hearing shall be provided in accordance with such statute. (Ord. 14199 § 100, 2001: Ord. 12045 § 13, 1995).

4.56.150 Authority to lease or rent county real property.

A. If it appears that it is in the best interests of the county, the county may lease any county real property and its appurtenances for a year or a term of years under the limitations and restrictions and in the manner provided in this chapter.

B. The county may lease county real property and its appurtenances in accordance with subsection A of this section whether the property was acquired by tax deed under foreclosure proceedings for nonpayment of taxes or the property is held or acquired in any other manner.

C. Any lease executed under this section creates a vested interest and a contract binding upon the county and the lessee.

D. The county may enter into rental agreements for a term less than one year, including month-to-month rental agreements, on terms and conditions that are in the best interest of the county. All rental agreements for a term less than one year are subject to approval by the executive based on recommendations of the facilities management division. Rental agreements for a term less than one year are exempt from the appraisal, and notice requirements pertaining to leases for a year or more. The facilities management division shall maintain a file of appropriate correspondence or other information that leads to a recommendation by the facilities management division to the county executive to enter into such an agreement. The information shall be available for public inspection at the facilities management division for one year after termination of the tenancies.

E.1. The county may enter into agreements for the use of county property with bona fide nonprofit organizations or with another governmental agency if the property is to be used in any one or more of the following ways:

- a. for a medical training and research facility connected with a county hospital; or
- b. by the nonprofit organization or governmental agency for affordable housing;
- c. by the nonprofit organization or government agency to make improvements to the county property; or
- d. by the nonprofit organization or government agency to provide services that will benefit the public.

2. The agreements are exempt from the requirements of fair market value, appraisal and notice. The agreements are subject to the approval of the executive, based upon recommendation of the facilities management division and the department having custodianship of the property subject to the agreement. The facilities management division shall maintain a file of appropriate correspondence or other information that leads to a recommendation by the division to the county executive to enter into such an agreement. The information shall be available for public inspection at the facilities management division for one year after termination of the tenancies.

F. For rental or lease agreements for parks and recreation facilities and for rental, lease or use agreements for the Brightwater Environmental Education and Community Center as defined in K.C.C. chapter 28.84, the natural resources and parks department shall have the authorities and responsibilities specified in subsections D. and E. of this section for the facilities management division. County council approval is not required for rental or lease agreements for parks and recreational facilities with an original term of five years or less. For the purposes of this subsection, "original term" includes extensions that could be effective without county approval. Revenue derived from rentals and leases of parks and recreation facilities shall be applied solely to parks and recreation purposes. Revenue derived from the use and rentals of the Brightwater Environmental Education and Community Center shall be applied and used for the exclusive benefit of the wastewater system. (Ord. 17586 § 2, 2013: Ord. 14509 § 35, 2002: Ord. 14199 § 101, 2001: Ord. 12394 § 5, 1996: Ord. 12045 § 14, 1995).

4.56.152 Acquisition of real property. In acquiring real property or interests in real property, county departments and agencies shall comply with requirements as may be established from time to time by the council and with state and federal laws and regulations as they may apply. The provisions of chapter 8.26 RCW related to acquisition and relocation assistance shall apply to such acquisitions unless for a project or program the council determines otherwise by ordinance. (Ord. 12045 § 18, 1995).

4.56.160 Manner of awarding lease or rental agreement.

A. Except as provided in K.C.C. 4.56.150 D and E, and subsections D and E of this section, fair market rental value, as defined in K.C.C. 4.56.010, shall be the basis for all leases of county real property. All leases will be awarded upon the best terms and conditions available to the county.

B. Except as provided in subsections D and E of this section, when the county authorizes a new lease, or the renewal of a lease once executed and delivered, the facilities management division shall make an appraisal of the fair market rental value of such property, and such fair market rental value will serve as the basis for the new lease or renewal. After the review, the manager of the facilities management division shall determine whether the new lease, or renewal of an existing lease, is to be awarded by competitive bidding or by negotiation with interested parties without bidding. New leases shall be awarded by competitive bidding unless the manager of the facilities management division determines it is advantageous to the county to negotiate without bidding. In the event the county negotiates the award of lease contracts, the facilities management division shall submit to the executive the reasons for recommending award through negotiation rather than competitive bidding. At the option of the executive, competitive bidding may be required. The county shall give notice of its intention to execute a lease by publishing a notice in a legal newspaper at least once a week for the term of two weeks. The notice so published shall adequately describe the property to be leased and shall contain a notice that a copy of the lease is available for public inspection at the facilities management division. Such notice requirement

shall not apply to leases or renewals awarded through competitive bidding or in accordance with subsections D and E of this section. Every new lease, or extension, modification or renewal of a lease, once executed and delivered, shall be signed or caused to be signed by the county executive, in accordance with Section 320.20 of the King County Charter, following analysis and recommendations of the manager of the facilities management division and the county department having custodianship of the property. After awarding of the new lease, modification, extension or renewal, a copy of the instrument as executed and delivered shall be available for public inspection at the facilities management division.

C. When the county elects to lease its property pursuant to public bidding, the county shall advertise to the extent which the county deems necessary to effect an advantageous lease. Such advertising shall include publishing a notice in a legal newspaper at least once a week for three consecutive weeks, the last notice to appear no more than five days prior to the date of the auction or bid opening. When a lease of county real property is awarded through competitive bidding, the lease shall be awarded to the highest responsible bidder; provided, that whenever there is reason to believe that the highest acceptable bid is not the best rental obtainable, all bids may be rejected and the county may call for new bids or enter into direct negotiations to achieve the best possible rental. Each bid, with the name of the bidder, shall be recorded by the facilities management division, and each record, with the name and address of the successful bidder and the amount of the successful bid, shall, after the awarding of the lease, be open to public inspection at the facilities management division. In determining the highest responsible bidder, in addition to rental, the following elements shall be given consideration:

1. The financial responsibility of the bidder, and references therefor;
2. The previous and existing compliance by the bidder with the terms of other leases of county real property and the laws relating thereto; and
3. Such other information as may be secured relevant to the decision to award the lease.

D. If property was obtained by the county through the proceeds of grants or other special purpose funding from either the federal or state government, or both, in which a specific public purpose or purposes are set forth as a condition of use for such property, the purpose or purposes are to be limited to the provision of social and health services or social and health services facilities as defined in chapter 43.83D RCW, and upon recommendation by the county executive and approval by the county council, the facilities management division may obtain and lease out the property pursuant to such terms and conditions as are consistent with said purposes; provided, that in the event such property is leased pursuant to the provisions of this subsection, the lessee(s) shall be limited to private, nonprofit corporations duly organized according to the laws of the state of Washington, which are exempt from taxation under 26 U.S.C. Section 501(b) as amended and which are organized for the purpose of operating social and health services facilities as defined by chapter 43.83D RCW.

E. If the county desires to have a building for its use erected on land owned or to be acquired by the county, the facilities management division may lease the land for a reasonable rental; provided, that the county shall lease back the building or a portion thereof for the same term as established for the land lease. The leases shall include the following provisions:

1. No part of the cost of construction of the building shall ever be or become an obligation of King County;
2. King County shall have a prior right to occupy any or all of the building upon payment of rent as agreed upon by the parties, which rent shall not exceed prevailing rates for comparable space;
3. During any time that all or any portion of the building is not required for occupancy by King County, the lessee of the land may rent the unneeded portion to suitable tenants approved by King County; and
4. Upon expiration of the leases, all buildings and improvements on the land shall become the property of King County. (Ord. 14199 § 102, 2001: Ord. 13125 § 1, 1998: Ord. 12394 § 7, 1996: Ord. 12045 § 15, 1996).

4.56.170 Applications for lease.

A. Applications to lease county real property shall be submitted to the facilities management division.

B. The right is reserved by the county to require that a deposit of a reasonable amount accompany all applications or bids to lease county real property. If a deposit is required, all deposits upon the same lease shall be of equal amount. The deposit shall be in the form of a certified check or cashier's check, or may be paid in cash. In case the lands applied for are leased at the time of application, the deposit shall be returned to the applicant; but if the party making application fails or refuses to comply with the terms of his/her application and to execute the lease, the deposit shall be forfeited to the county, and deposited in the current expense fund. (Ord. 14199 § 103, 2001: Ord. 12045 § 16, 1995).

4.56.180 Lease terms.

A. The county may lease real property for a term of years and upon such terms and conditions as may be deemed in the best interests of the public and the county. A lease shall not be for a longer term in any one instance than ten years, except as follows:

1. If the county determines it to be in the best interest of the county, real property necessary to the support or expansion of an adjacent facility may be leased to the lessee of the adjacent facility for a term to expire simultaneously with the term of the lease of the adjacent facility, but not to exceed thirty-five years;

2. If the county determines it to be in the best interest of the county, if the property to be leased is improved or is to be improved and the value of the improvement is or will be at least equal to the value of the property to be leased, the county may lease the property for a term not to exceed thirty-five years;

3. If the property to be leased is to be used for public recreation and police training purposes, for parks and recreation purposes, for a hospital or a medical training and research facility, for a childcare facility to be improved with full or partial funding from a government-sponsored childcare bonus program, for the county's own use in accordance with a lease or leaseback arrangement entered into under K.C.C. 4.56.160.E. or for major airport, industrial, office or other commercial purposes or transit-oriented development, requiring extensive improvements, the county may lease the property for a term equal to the estimated useful life of the improvements, but not to exceed fifty years; unless the property is leased to a public housing authority or nonprofit organization in accordance with RCW 36.34.135, in which case the term may extend to seventy-five years; and

4. Leases entered into under K.C.C. 4.56.160.D. may extend for the period of years necessary to amortize the special purpose funds, not to exceed twenty-five years.

B. The lessee shall not improve or alter the leased property in any manner without the prior written consent of the county, but shall, before making improvements or alterations, submit plans and designs for the improvement or alteration to the county for approval. If the plans and designs are disapproved, the improvements or alterations shall be made only with such changes as may be required by the county. Unless otherwise stipulated, all improvements or alterations erected or made on the leased property shall, on expiration or sooner termination of the lease, belong to the county without compensation to the lessee, but the county shall have the option, to be exercised on expiration or sooner termination of this lease, to require the lessee to remove any or all of the improvements or alterations. If the lessee fails substantially to make the improvements or alterations required by the lease, the lease shall be terminated and all rentals paid shall be forfeited to the county.

C. Except for lease or leaseback arrangements entered into under K.C.C. 4.56.160.E., any lease made for a period longer than five years shall contain provisions requiring the lessee to permit the rents to be adjusted and fixed by the county every five years, but any lease may provide for more frequent readjustments. If the lease permits the county to adjust the rent, the county shall give the lessee written notice of the adjusted rent, in accordance with the terms of the lease. The rent as adjusted shall take effect thirty days after the date of the notice unless the lessee, within thirty days following the receipt of the notice from the county, gives the county written notice of the lessee's rejection of the adjusted rent. If the lessee and the county cannot agree upon the rental readjustment, the rent shall be adjusted by arbitration. For arbitration, the lessee and the county shall each select one disinterested arbitrator and the two selected arbitrators shall select a third. If the two arbitrators have not selected a third arbitrator within thirty days after the selection of the last selected of the two, either the lessee or the county shall apply to the presiding judge of the superior court for King County for the appointment of a third arbitrator. Each arbitrator must be a member of the American Institute of Real Estate Appraisers, the Society of Real Estate Appraisers or other appraisal society or association having equivalent ethical and professional standards. If a licensing requirement for real estate appraisers is imposed by any legislative body, each arbitrator shall also be so licensed. The three arbitrators shall determine a fair rent for the premises based upon the fair market rental value of the property, as defined in K.C.C. 4.56.010. The decision of a majority of the arbitrators shall bind both the lessee and the county. At the conclusion of the arbitration, the arbitrators shall submit written reports to the lessee and the county. The cost of the arbitration shall be divided equally between the lessee and the county.

D. Except as provided in K.C.C. 4.56.150.D. and E. and 4.56.160.D., the rent of all leases of county real property shall be based upon fair market rental value, as defined in K.C.C. 4.56.010.

E. No lease shall be assigned or subleased without the assignment or sublease being first authorized by the county in writing. All leases, when drawn, shall contain this provision.

F. Notwithstanding the other provisions of this chapter and following such procedures as may be determined appropriate by the council, the executive may enter into long-term master leases of county property under which developers: would develop the property into office and other space required or approved by the county; would lease some of space back to the county and may lease space unneeded by the county to private or public entities for private or public uses as approved by the county council; and would convey all leasehold improvements to the county at the expiration or termination of the master leases. A

master lease shall be subject to approval by the council. (Ord. 16745 § 4, 2010: Ord. 14509 § 36, 2002: Ord. 13599 § 1, 1999: Ord. 13125 § 2, 1998: Ord. 12045 § 17, 1995).

4.56.186 Leasing real property for use by the county. The executive is authorized to lease real property for use by the county consistent with the applicable provisions of the King County Charter and K.C.C. 4.04 and as may be authorized within appropriations approved by the council. In leasing real property for use by the county, the executive shall assess the needs of county departments and agencies and determine which real property best accommodates such needs. (Ord. 12045 § 19, 1995).

4.56.190 Execution of lease agreement.

A. Upon the decision of the county to lease the lands applied for, a lease shall be executed in duplicate to the lessee by the county executive or his designee, which lease shall also be signed by the lessee. The lease shall describe the property conveyed, and the terms of payment.

B. The request for proposal or invitation to bid documents, for all new leases of real property for a term exceeding five years, must be approved by the King County council, prior to the advertisement and issuance of the request for proposal or invitation to bid.

C. For all leases having an original term exceeding five years, amendments which would extend the term by more than five years, or increase the area leased by more than twenty percent, or require construction of improvements which would cost at least fifty percent of the estimated value of the property leased, or substantially change the overall use of the leased property, must be approved by the King County council prior to execution by the King County executive. (Ord. 7724, 1986: Ord. 7579, 1986: Ord. 2622 § 20, 1976).

4.56.195 Disposition of surplus vanpool vehicles from the metropolitan public transportation function by negotiated direct sale. In addition to disposing of surplus vanpool vehicles from the metropolitan public transportation function by public auction or sealed bid as provided elsewhere in this chapter, the county may dispose of such vehicles by negotiated direct sale if the fleet administration division determines such disposition method will likely yield higher returns to the county than the public auction or sealed bid methods.

A. The county may use the services of a broker under contract to the county to conduct such negotiated direct sales. If such sale will be conducted by a broker, the broker shall be selected and a contract awarded in accordance with the negotiated procurement policies set forth in K.C.C. chapter 4.16. The provisions of the broker contract shall include the following:

1. The broker shall provide notice to the public of the availability of the vehicles;
2. The broker shall receive a commission as negotiated with the county and set forth in the broker contract;
3. The term of the broker contract may be for greater than one year but shall not exceed three years; and
4. The county reserves the right to transfer or sell vehicles outside of the broker contract to governmental, quasi-governmental and social service agencies and other parties selected by the executive or the council, as applicable, and in the event of such transfers or sales, shall owe no commission or other payments to the broker except to the extent the broker has incurred costs related to vehicles provided to the broker but subsequently withdrawn from the broker by the county.

B. Drivers of vanpool vehicles, as consideration for driving the vehicles, shall receive a credit against the purchase price of vanpool vehicles. The credit for drivers shall not exceed one thousand dollars based on a credit of twenty dollars for each month as a driver. The manager of the transit division of the department of transportation shall determine the credit earned by each driver and submit such determination to the manager of the fleet administration division. (Ord. 14199 § 104, 2001: Ord. 12192 § 1, 1996).

4.56.200 Reservation of powers. King County reserves all powers now or hereafter granted to counties by RCW Chapter 36.34. (Ord. 2622 § 21, 1976).

4.56.250 Exemption - sales of emission credits offsets or allowances or renewable energy certificates, credits, benefits, environmental air quality credits and similar rights, title or interests held by county in unique circumstances - executive negotiation and council approval required. Sales of rights, title or interests in emissions credits, offsets or allowances or renewable energy certificates, credits, benefits, environmental air quality credits and any similar rights, title or interests held by the county are exempt from the real and personal property requirements of this chapter when unique circumstances are present. Such sales may be made in the best interests of the public to a person or entity through a direct agreement negotiated by the county executive and approved by the county council. (Ord. 17022 § 2, 2011).

4.56.300 Fleet standards - annual identification and transmittal.

A. Fleet administration 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 fleet administration, solid waste, transit and airport divisions and shall be developed as follows:

1. The fleet managers of the fleet administration, solid waste, transit 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.

c. The alternative fuel technology vehicle integration plan together with a motion providing for acknowledgement of the transmittal of the plan, shall be filed with the clerk of the council by March 31, 2014, who shall retain the original and provide an electronic copy to all councilmembers and the lead staff of the transportation, economy and environment committee or its successor;

4. The countywide fleet standards shall be evaluated by county fleet managers biannually, to coincide with the biennial budget cycle, and updated if needed;

5. The manager of the fleet administration 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. (Ord. 17671 § 1, 2013; Ord. 17390 § 1, 2012).

4.57 CONCESSION CONTRACTS FOR RECREATIONAL FACILITIES

Sections:

4.57.005 Definitions.

4.57.010 Authorization to negotiate and enter into contracts, general authority.

4.57.020 Terms of contract.

4.57.030 Maintenance and capital improvements.

4.57.040 Compliance with laws and regulations.

4.57.050 Prices and fees.

- 4.57.060 Public use of facility.
- 4.57.070 Insurance.
- 4.57.080 Indemnity and hold harmless.
- 4.57.090 Limited provision.

4.57.005 Definitions. For the purposes of this chapter, unless the context clearly requires otherwise:

- A. The definitions in K.C.C. 7.01.010 apply; and
- B. "Concessionaire" means a person who has entered into a concession contract with the county. (Ord. 14509 § 37, 2002).

4.57.010 Authorization to negotiate and enter into contracts, general authority. The executive or the director of the department of natural resources and parks, if designated by the executive may on behalf of the county negotiate and enter into concession contracts with any person. The contract should provide that the person receiving the concession has the primary responsibility for operating, managing and maintaining any facility used during the term of the contract. (Ord. 14509 § 38, 2002: Ord. 14199 § 105, 2001: Ord. 12076 § 52, 1995).

4.57.020 Terms of contract. The county may enter into a concession contract under this chapter for a term not to exceed thirty-five years. The county council must approve any concession contract with an original term that exceeds five years. For the purpose of this section, "original term" includes extensions that could be effective without county approval.

The county shall establish a contract fee based on, among other factors, the revenue generated by the concessionaire from recreation user fees, admission fees, sales of goods and services, and other revenue sources directly related to the use of the subject property, with the goal of maximizing revenue to the county. However, the contract fee may be reduced to reflect expenditures by the concessionaire for capital improvements. In addition, the concessionaire may receive credit for the provision of recreational program scholarships to qualified participants and the sponsorship of programs and events on the premises for developmentally disabled or challenged athletes or other activities that primarily benefit the public. Revenue received under concession contracts shall be applied solely to parks and recreation purposes. (Ord. 14509 § 39, 2002: Ord. 11524 § 1 (part), 1994).

4.57.030 Maintenance and capital improvements. The concession contract should provide that the concessionaire shall be responsible for all ordinary and routine maintenance of any facility used during the term of the contract. Concession contracts authorized under this chapter that exceed a term of one year should include a maintenance and improvement schedule detailing the cost and schedule for maintaining any facility involved. In addition, the county and the concessionaire should agree to a cost and timing schedule of capital improvements, if any, that will be funded and implemented by the concessionaire during the term of the contract. The concessionaire shall make no alterations or improvements to or upon the premises beyond what has been established in an approved maintenance and capital improvement agreement without first obtaining written approval from King County. (Ord. 14509 § 40, 2002: Ord. 11524 § 1 (part), 1994).

4.57.040 Compliance with laws and regulations. In using the premises, the concessionaire shall comply with all applicable laws, ordinances and regulations, from any and all authorities having jurisdiction. The concessionaire shall agree to comply and pay for all costs associated with achieving such compliance. (Ord. 11524 § 1 (part), 1994).

4.57.050 Prices and fees. The fees charged by the concessionaire for recreation programs and for admission charges to recreational events shall at all times be subject to county approval and shall not exceed prices and fees generally current for similar activities in King County, with consideration given to the level of maintenance provided by the concessionaire to the site. (Ord. 11524 § 1 (part), 1994).

4.57.060 Public use of facility. The concession contract should provide access to the facility for public programs and events. King County or other public entity must provide reasonable advance notice to the concessionaire of their intent to use the facility for public-sponsored programs or events. These public programs and events should be scheduled enough in advance so as to not interfere with programs which have been established by the concessionaire and advertised to the public as part of the advance programming of on-going recreation programs or special events. (Ord. 11524 § 1 (part), 1994).

4.57.070 Insurance. The concessionaire shall maintain in full force and effect throughout the duration of the contract terms, commercial general liability insurance in the amount sufficient to cover bodily injury and property damage. Said policy shall name King County as an additional insured. (Ord. 11524 § 1 (part), 1994).

4.57.080 Indemnity and hold harmless. The concessionaire shall agree to indemnify and hold King County harmless to the maximum extent possible under law for all claims, demands suits and judgments which is caused by, arises out of, or is incidental to the concessionaire's exercise of rights and privileges granted by the concession contract, except to the extent of the county's sole negligence. (Ord. 11524 § 1 (part), 1994).

4.57.090 Limited provision. This chapter does not affect any other King County Code provision relating to the county's authority to negotiate leases or contracts, including concession contracts, nor impair King County's authority to enter into concession agreements at King County facilities. (Ord. 14509 § 41, 2002: Ord. 11524 § 1 (part), 1994).

4.60 SUBDIVISION PARCEL PROPERTY TAXES

Sections:

- 4.60.010 Chapter purpose.
- 4.60.020 Compliance required with subdivision laws and ordinances.

4.60.010 Chapter purpose. The purpose of this chapter is to prevent landowners from segregating parcels for tax purposes without satisfying the requirements of state and local subdivision laws and ordinances. (Ord. 2908 § 1, 1976).

4.60.020 Compliance required with subdivision laws and ordinances. The county assessor shall refuse to act on or approve an application for a divided or segregated assessment of a parcel of real property, and the county treasurer shall refuse to recognize such a division or segregation of assessments unless the building and land development division or other local subdivision authority has certified or there is other satisfactory evidence that such requested division or segregation conforms with an approved final plat or short plat in accordance with the requirements of the applicable state and local subdivision laws and ordinances or is exempt under the provisions of K.C.C. 19.26.030; provided, that such restriction shall not apply to segregations initiated by the county assessor for administrative purposes which are unrelated to the possible illegal division of land. (Ord. 9352, 1990: Ord. 2908 § 2, 1976).

4.62 PROPERTY VALUATION

Sections:

- 4.62.010 Consideration of legal restrictions, physical and environmental constraints.
- 4.62.020 Provision of relevant material.
- 4.62.030 Exchange and transfer of information.

4.62.010 Consideration of legal restrictions, physical and environmental constraints. The King County assessor shall consider the legal restrictions such as zoning and the physical and environmental constraints of real property pursuant to RCW 84.40.030 in determining the true and fair value for the purposes of taxation. (Ord. 10326 § 1, 1992).

4.62.020 Provision of relevant material. The department of natural resources and parks shall provide in a timely manner any codes, plans, maps and other relevant material which will aid the assessor in determining the true and fair value of real property in King County and any possible reductions in assessed valuation derived from environmental constraints. (Ord. 14199 § 106, 2001: Ord. 10326 § 2, 1992).

4.62.030 Exchange and transfer of information. The department of natural resources and parks, and the King County assessor shall work together to devise a compatible and efficient format for the exchange and transfer of information. (Ord. 14199 § 107, 2001: Ord. 10326 § 3, 1992).

4.63 PROPERTY TAX NOTICE

Sections:

- 4.63.010 Intent.
- 4.63.020 Notice of taxes, fees and charges.
- 4.63.030 Notice - design and contents.
- 4.63.050 Notice - mailing - beginning date.

4.63.010 Intent.

A. RCW 84.56.050 requires the county treasurer to notify each taxpayer of the amount of the real and personal property, the current and delinquent amount of tax due on the real and personal property and to print on the notice the name of each tax and the levy included in the statement.

B. It is the intent of the council that all taxpayers, as listed on the tax roll, with a designated mortgage lender, be able to view online the information for real estate taxes, fees and charges owed on their property when the lender of a taxpayer has requested and been sent the tax information. (Ord. 16300 § 1, 2008: Ord. 15865 § 2, 2007).

4.63.020 Notice of taxes, fees and charges. The treasury operations section of the finance and business operations division shall provide the information online set forth in K.C.C. 4.63.010 by February 15 of each year. (Ord. 16300 § 2, 2008: Ord. 15865 § 3, 2007).

4.63.030 Notice - design and contents. The treasury operation section of the finance and business operations division shall determine the design and descriptive title for the online information concerning real estate taxes, which online information shall at a minimum include the following information:

A. The amount of the current tax year billing information, as set forth on the tax statement;
B. The current billing distribution of the current year taxes to local taxing districts as set forth on the tax statement. The current billing distribution includes:

1. State;
2. Local school support;
3. County;
4. City;
5. Unincorporated road;
6. Port;
7. Fire;
8. Hospital;
9. Library;
10. Ferry;
11. Flood control;
12. Other;
13. Emergency medical services; and
14. Other charges; and

C. Delinquency information including tax year, and delinquent principal taxes, fees and charge, interest and penalties. (Ord. 16300 § 3, 2008: Ord. 15865 § 4, 2007).

4.63.050 Notice - mailing - beginning date. The treasury operations section of the finance and business operations division shall make the 2009 online information available no later than February 15 and each year thereafter no later than February 15. (Ord. 16300 § 5, 2008: 15865 § 6, 2007).

4.64 PROPERTY TAX REFUNDS

Sections:

- 4.64.010 Shortened refund application form availability and use.
- 4.64.020 Petitions filed with assessor.
- 4.64.030 Responsibilities on petitions.
- 4.64.040 Rights to short form.

4.64.010 Shortened refund application form availability and use.

A. The assessor shall make available to taxpayers who are entitled to a tax refund by a final order of the board of equalization, as provided by RCW 84.69.020 (9), or by a final order of the State Board of Tax Appeals, as provided by RCW 84.69.020 (10), a shortened refund application form consistent with the provisions of chapter 84.69 RCW. Such form shall include only such information necessary to establish the validity and finality of the action taken by the board of equalization or the Board of Tax Appeals. When such form, together with the decision of a board, has been filed with and verified by the assessor, the director of

the department of finance shall make the appropriate refund determined by the board of equalization or the Board of Tax Appeals together with interest as prescribed by law without regard to the limitation contained in RCW 84.69.030 (2) and without council action; provided, that no refunds shall be made under this shortened procedure where the taxpayer fails to make application for refund hereunder within three months of the date of receiving the final decision of a Board; or where the assessor has given timely notice of appeal from the decision of a Board; provided further, that no provision of this section shall affect any other procedures or forms relating to chapter 84.69 RCW refunds.

B. The board of equalization and the State Board of Tax Appeals shall, by the first Monday in January of each year, provide a written list to the chairperson of the council of all appeals pending longer than three years. (Ord. 12076 § 53, 1995).

4.64.020 Petitions filed with assessor. Petitions for refund of taxes under chapter 84.69 RCW shall be filed with the assessor on forms provided by the assessor. No refund shall be granted by the council without a petition first being filed in accord with this chapter. The assessor shall review all petitions for refund that involve issues within the assessor's statutory responsibilities and determine whether the provisions of RCW 84.69.020 or RCW 84.60.050 are satisfied. The assessor shall forward all petitions to the department of finance with an indication of whether the assessor determined that the provisions of RCW 84.69.020 or RCW 84.60.050 were satisfied, were not satisfied, or if no such determination was made because the issues involved were not within the assessor's statutory responsibilities. (Ord. 12240 § 1, 1996: Ord. 12076 § 54, 1995).

4.64.030 Responsibilities on petitions. If the manager of the finance and business operations division receives a petition from the assessor with an indication by the assessor that the provisions of RCW 84.69.020 or 84.60.050 have been satisfied and if the manager determines that the petition was filed within the time limits set forth in RCW 84.69.030, the manager shall grant the petition and issue a tax refund to the petitioner. If the manager receives a petition involving issues outside of the assessor's statutory responsibilities, that therefore has not been reviewed to determine whether the provisions of RCW 84.69.020 were satisfied, the manager shall make such a review. After review, if the manager finds that the provisions of RCW 84.69.020 are satisfied and that the petition was timely filed, the manager shall grant the petition and issue a tax refund to the petitioner. If either the assessors' office or the finance and business operations division finds that the provisions of RCW 84.69.020 have been met, but the petition has not been filed within the time period set forth in RCW 84.69.030, the finance and business operations division shall forward the petition, accompanied by a motion for the council's action, to the clerk of the council. For those petitions involving issues within the assessor's statutory responsibilities, the assessor shall forward to the council a recommendation as to whether the council should exercise its discretion to waive the statutory time limits and grant the petition for refund on the council's own motion. For those petitions involving issues outside of the assessor's statutory responsibilities, the finance and business operations division shall forward to the council a recommendation as to whether the council should exercise its discretion to waive the statutory time limits and grant the petition for refund on the council's own motion. (Ord. 14199 § 108, 2001: Ord. 12240 § 2, 1996: Ord. 12076 § 55, 1995).

4.64.040 Rights to short form. Nothing in sections 4.64.020 and 4.64.030 shall be construed to modify the rights of a taxpayer conferred by K.C.C. 4.64.010 to obtain a tax refund by use of the shortened refund application form procedures. (Ord. 9159 § 3, 1989).

4.68 NONDELINQUENT PROPERTY TAX CERTIFICATION

Sections:

- 4.68.010 Certification of nondelinquent property tax account required for building and land development permits.
- 4.68.020 Application of chapter.

4.68.010 Certification of nondelinquent property tax account required for building and land development permits. The applicant for any of the permits listed below shall be required to provide certification from the manager of the finance and business operations division that property taxes for the subject property are not delinquent prior to county issuance of said permit. The certification shall be obtained by the applicant from the manager of the finance and business operations division. (Ord. 14199 § 109, 2001: Ord. 12076 § 56, 1995).

4.68.020 Application of chapter. This chapter shall apply to the following county permits:

- A. Building permits authorized by Title 16;
- B. Reclassification permits authorized by Title 21A;
- C. Subdivisions permits authorized by Title 19;
- D. Short subdivisions permits authorized by Title 19;
- E. Shoreline development permits authorized by Title 25;
- F. Grading permits authorized by Title 16;
- G. Condominium conversion permits authorized by Title 20;
- H. Demolition permits authorized by Title 16;
- I. Right-of-way use permits authorized by Title 6;
- J. Septic tank permits authorized by Title 13. (Ord. 11792 § 2, 1995; Ord. 5284 § 2, 1981).

4.81 LAW LIBRARY SUPPORT

Sections:

- 4.81.010 Law library - allocation of superior court fees.
- 4.81.020 Annual report and review of library financial status.
- 4.81.030 Annual proposed Kent regional justice center law library budget.
- 4.81.040 Annual report on law library trust condition.

4.81.010 Law library - allocation of superior court fees. The director of the department of judicial administration is directed to allocate twenty dollars from the portion of the filing fee paid for civil filings in superior court to the credit of the King County law library as provided by RCW 27.24.070. (Ord. 15317 § 3, 2005; Ord. 12383 § 2, 1996).

4.81.020 Annual report and review of library financial status. On or before July 1 of each year, a report and review of law library financial status including the development of a proposed budget for the Kent regional justice center branch law library shall be prepared by the King County law library and transmitted to the superior court and the department of judicial administration for inclusion in the department of judicial administration budget submitted to the executive. The report shall include a recommendation on whether to include in the annual county budget any projected library budgetary shortfall resulting from operating costs associated with the Kent regional justice center branch law library facility. The report also shall address potential funding sources, including, but not limited to, a portion of criminal code filing fees or from the county general fund. (Ord. 15317 § 4, 2005; Ord. 12383 § 3, 1996).

4.81.030 Annual proposed Kent regional justice center law library budget. To assist the council in reviewing the future needs of the law library, the law library board of trustees shall continue to submit to the executive and the council a proposed Kent regional justice center law library budget with a request for supplemental funding on or before the first Monday in September each year. (Ord. 15317 § 5, 2005).

4.81.040 Annual report on law library trust condition. Pursuant to RCW 27.24.040, the law library board of trustees shall, on or before the first Monday in September each year, submit an annual report to the county council giving the condition of their trust with a financial report showing all receipts and disbursements of money. (Ord. 15317 § 6, 2005).