



**King County**  
**Metropolitan King County Council**  
**Committee of the Whole**

**STAFF REPORT**

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<b>Agenda Item No.:</b> 8	<b>Date:</b> 3 June 2009
<b>Briefing No.:</b> 2009-0282	<b>Prepared by:</b> Rebecha Cusack Nick Wagner

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**SUMMARY**

Proposed Ordinance 2009-0282 (Attachment 1, pp. 3-4 of these materials) would implement a recommendation of the 2007-2008 King County Charter Review Commission (CRC) that the Council place on the ballot a charter amendment repealing Charter section 475 (Work Programs and Allotments) (Attachment 5, p. 9 of these materials).

The CRC's vote was 18-0 in favor of the amendment, with three members absent.

**BACKGROUND**

Charter section 475 currently requires the Executive to provide estimates ("allotments") of what each county agency will spend each quarter. The King County Financial Policies Advisory Task Force recommended in its August 2007 report (at pp. 7-8) that the allotment requirement be deleted from the Charter:

The Task Force also discussed the allotments provision of the Charter. An allotment is an estimate of what an agency will spend each quarter of the year, and the Executive is required to provide allotments of all agency budgets to the Council. It appears from the Task Force's discussion that the allotment system takes significant time and serves no useful purpose. Council staff noted that they pay little attention to the allotment reports. The Director of the Office of Management and Budget felt the system serves no useful purpose for his office.

The Task Force therefore recommended, "Deletion of the portion of Section 475 of the Charter related to allotments should be considered." (Task Force report, p. 4.) Although the Task Force's recommendation extended only to "the portion of Section 475 related to allotments," the CRC recommended repeal of Section 475 in its entirety.

Following an initial briefing before this committee on April 22, Council staff explored further with budget staff and legal counsel whether the second and third sentences of Charter section 475, which do not specifically pertain to allotments, should be retained. The unanimous response was that it was unnecessary to retain any part of section 475, since the entire section assumes a budget process that no longer exists. The Prosecuting Attorney's Office has recommended, however, that language be added to Proposed

Ordinance 2009-0282 to make clear that the repeal of section 475 is not intended to affect existing legislation or to limit the power of the Council to adopt legislation regarding the matters that were addressed in Section 475. *See* proposed Amendment 1 (Attachment 2, p. 5 of these materials). The budget staff of both the Council and the Executive support the proposed ordinance, including the proposed amendment.

## **THE PROPOSED LEGISLATION**

Proposed Ordinance 2009-0282 (Attachment 1, pp. 3-4 of these materials) would implement the CRC’s recommendation by repealing Charter section 475 in its entirety.

## **AMENDMENTS**

Proposed Amendment 1 (Attachment 2, p. 5 of these materials) would add a section 3 to the proposed ordinance to make clear that the repeal of section 475 is not intended to affect existing legislation or to limit the power of the Council to adopt legislation regarding the matters that were addressed in Section 475.

Proposed Title Amendment T1 (Attachment 3, p. 7 of these materials) would amend the title of the proposed ordinance to reflect more accurately the contents of Section 475 of the King County Charter, which is the section being repealed under the proposed charter amendment in the ordinance.

## **INVITEES**

1. Charter Review Commission members

## **ATTACHMENTS**

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Signature Report

April 20, 2009

Ordinance

**Proposed No.** 2009-0282.1

**Sponsors** Ferguson

1 AN ORDINANCE proposing to repeal Section 475 of the  
2 King County Charter pertaining to allotments, and  
3 submitting the same to the voters of the county for their  
4 ratification or rejection at the November 2009 general  
5 election.

6  
7 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

8 SECTION 1. There shall be submitted to the voters of King County for their  
9 approval and ratification or rejection, at the next general election to be held in this county  
10 occurring more than forty-five days after the enactment of this ordinance, an amendment  
11 to the King County Charter repealing Section 475, as set forth herein:

12 **Section 475 repealed.** Section 475 of the King County Charter, "Work Programs  
13 and Allotments," is hereby repealed.

14 SECTION 2. The clerk of the council shall certify the proposition to the county  
15 elections director, in substantially the following form, with such additions, deletions or  
16 modifications as may be required by the prosecuting attorney:

**Ordinance**

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17            Shall the King County Charter be amended to repeal Section 475, "Work  
18            Programs and Allotments"?

19

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

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ATTEST:

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APPROVED this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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**Attachments**      None

June 3, 2009

**1**

nw

Sponsor: Ferguson

Proposed No.: 2009-0282

1 **AMENDMENT TO PROPOSED ORDINANCE 2009-0282, VERSION 1**

2 On page 2, after line 18, insert:

3       "SECTION 3. The repeal of Section 475 of the King County Charter is not  
4 intended to affect existing legislation or to limit the power of the council to adopt  
5 legislation regarding the matters that were addressed in Section 475."

6 **EFFECT: Clarifies the legislative intent.**

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June 3, 2009

**T1**

nw

Sponsor: Ferguson

Proposed No.: 2009-0282

1 **TITLE AMENDMENT TO PROPOSED ORDINANCE 2009-0282, VERSION 1**

2 On page 1, line 2, after "pertaining to" insert "work programs and"

3 **EFFECT: Amends the title to reflect the contents of Section 475 of the King County**

4 **Charter, which is the section being repealed under the proposed charter amendment**

5 **in the ordinance.**

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## **CURRENT CHARTER PROVISION**

### **Section 475 Work Programs and Allotments.**

Within thirty days after the adoption of the appropriation ordinances, each agency of county government except the county council shall present to the county executive work programs and requested allotments by program, project, object of expense or period of time to properly control expenditures and prevent deficits; and the county executive may allot and withhold appropriations. At any time during the fiscal year, the county executive may transfer current expense appropriations between general classifications of expenditures within the same executive department, administrative office, board or commission.

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