



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**October 20, 2009**

**Ordinance 16680**

**Proposed No.** 2009-0559.2

**Sponsors** Patterson, Gossett, Constantine  
and Phillips

1 AN ORDINANCE making a supplemental appropriation  
2 of \$34,624,674 to various capital funds to prepare county  
3 facilities so that high priority service delivery will not be  
4 interrupted in the event that Howard Hanson dam  
5 structural faults cause flooding in the Green River valley;  
6 and amending the 2009 Budget Ordinance, Ordinance  
7 16312, Sections 27, 107, 114, 115, 125 and 127, as  
8 amended, and Attachments B and D, as amended; and  
9 declaring an emergency.

10  
11 BE IT ORDAINED BY THE KING COUNTY COUNCIL:

12 SECTION 1. Findings:

13 A. The United States Army Corps of Engineers ("USACE") discovered damage  
14 on the right abutment at the federally-owned and operated Howard Hanson dam has  
15 dramatically increased the risk of significant flooding in King County's Green River  
16 valley for years to come.

17 B. The federal government has the sole responsibility from Congress for ensuring  
18 operation of the Howard Hanson dam for the purposes of protecting the residents and  
19 businesses in the Green River valley from the ravages of flooding.

20 C. The Howard Hanson dam is the primary flood protection facility for the entire  
21 Green River valley stretching from unincorporated areas of King County nearest the dam,  
22 through the cities of Auburn, Kent, Renton and Tukwila, and to the Duwamish river in  
23 south Seattle.

24 D. The Green river watershed encompasses an area of approximately four  
25 hundred ninety-two square miles.

26 E. The Howard Hanson dam was designed to hold back up to one hundred six  
27 thousand acre-feet of water, which is 34,540,206,000 gallons, to protect the Green River  
28 valley from flooding, and as a result of the damage to the abutment of the Howard  
29 Hanson dam, the USACE has determined that it might have to operate the dam at only  
30 approximately one-third of its normal capacity to prevent a breach of the entire dam.

31 F. To maintain the capacity restrictions that protect the dam during major rain  
32 storms, the USACE might have to release up to seventy thousand acre-feet of water,  
33 which is 22,809,570,000 gallons, into the Green River valley that could normally be  
34 retained behind the dam, and such releases will result in significant and potentially  
35 devastating flooding of the Green River valley.

36 G. Annually in the Pacific Northwest, rains and rain storms of significant size  
37 and duration typically occur during the months of October through March, and a  
38 significant release of water from the Howard Hanson dam into the Green River valley is

39 most likely to occur when soils are already saturated and tributaries throughout the valley  
40 are already pouring substantial quantities of water into the Green river.

41 H. The levees and similar facilities along the Green river were never designed to  
42 replace the protection that the Howard Hanson dam was designed to provide.

43 I. Approximately thirty-five thousand people live in the Green River valley, and  
44 flooding from the Howard Hanson Dam this fall could displace as many as twenty-two  
45 thousand residents from their homes, according to a Federal Emergency Management  
46 Agency ("FEMA") report.

47 J. FEMA also determined that flooding in the Green River valley this fall could  
48 result in almost four billion dollars in property damage, including substantial damage to  
49 hundreds of buildings. This includes destruction of homes, places of worship, shops,  
50 manufacturing facilities and other businesses, warehousing and distribution operation,  
51 transportation and communication infrastructure, medical facilities and critical public  
52 facilities including such county properties as the Norm Maleng Regional Justice Center,  
53 Radio Shop and King County Animal Shelter.

54 K. Due to the damage to the abutment at the Howard Hanson dam and the  
55 concern that permanent repairs may not be completed for a period of three to five years,  
56 the King County council adopted Ordinance 16639 on August 29, 2009. The ordinance  
57 authorized the executive to declare a state of emergency on September 10, 2009, and  
58 waived procurement procedures. The King County council passed Motion 13085 and  
59 extended to March 31, 2010, the waiver for competitive bidding and solicitation  
60 requirements in order to ensure assure timely availability and acquisition of emergency  
61 design, construction and other required services, materials and equipment necessary to

62 protect King County citizens, facilities, roads and other assets from the threat of flooding  
63 in the Green River valley.

64 L. The sheer magnitude of the ongoing threat of additional billions of gallons of  
65 water pouring into the Green River valley requires immediate emergency response  
66 preparations. King County is expending significant financial resources to respond to the  
67 diminished capacity of the Howard Hanson dam, and should not have to bear the cost  
68 burden of emergency response operations, planning and recovery as a result of the  
69 diminished capacity of the federally-owned and operated Howard Hanson dam.

70 M. On September 17, 2009, the executive transmitted a proposal for 2009  
71 emergency preparedness, requesting funding for planning and mitigation efforts in  
72 advance of a potential flood of the Green River valley, and included a financing strategy  
73 that requires the issuance of a bond anticipation note in order to meet these exigent needs.  
74 It is the intent of the council that these expenditures are to be reimbursed by the federal  
75 government.

76 N. The council recognizes the challenges to its law and justice initiatives is a  
77 result of this unprecedented emergency, and will defer for a short time the ongoing  
78 regional jail expansion planning. By January 11, 2010, unless the region is facing  
79 imminent flooding, it is the council's intent that those planning efforts be resumed.

80 O. While the funding for this emergency is budgeted in the wastewater treatment  
81 construction fund and the building repair and replacement subfund, it is the council's  
82 intent that on June 1, 2010, any funds remaining from this appropriation shall be  
83 disappropriated and reappropriated to a flood prevention reserve fund within the  
84 wastewater treatment and general fund financial plans.

85 P. In the executive's September 17, 2009, transmittal, the executive requested  
86 funding for a consultant to update the office of resource information management  
87 emergency management response plan. The office of resource information management  
88 concurs that the original appropriation amount can be reduced if the emergency planning  
89 efforts are focused on planning and mitigation matters surround the potential Green River  
90 flood.

91 Q. Over twenty million dollars of this supplemental appropriation request is  
92 driven by the need to relocate law, safety and justice agencies from the Norm Maleng  
93 Regional Justice Center. In order to continue to provide convenient access to law, safety  
94 and justice services for the citizens of south King county it is the policy of the county that  
95 agencies should move when expert prediction of imminent weather and dam releases  
96 predicts a heightened risk of flooding. The agencies shall provide appropriate notice to  
97 the public regarding such moves and access to the law, safety and justice agencies before  
98 and after a move. It is the intent of the council that a variety of methodologies will be  
99 employed to notify the public of agency relocations, including the funding in this  
100 appropriation of efforts for a communications strategy. Initial information dissemination  
101 will surround relocation efforts from the Norm Maleng Regional Justice Center.

102 R. King County's flood mitigation strategy funded by this ordinance includes  
103 funding for leases as necessary to accommodate essential county services that may be  
104 temporarily displaced by threatened or actual flooding. It is the policy of King County  
105 that purchase of real property is not necessary or appropriate for this temporary relocation  
106 of county services.



130 P2 PROVIDED FURTHER THAT:

131 Of this appropriation, \$50,000 shall not be expended or encumbered until the  
132 records and licensing services division, working in conjunction with the facilities  
133 management division, submits to the council monthly status reports on all CIP Projects at  
134 the Animal Control Shelters at Kent and Crossroads. This restriction shall be reduced in  
135 four equal quarterly increments of \$12,500 upon receipt of the monthly reports for each  
136 quarter. The monthly reports shall include a summary and current status of the scope,  
137 schedule and budget for each CIP project. Status reports shall identify any significant  
138 deviations from planned project implementation and highlight any anticipated problems  
139 that might significantly impact project progress.

140 The monthly CIP status reports must be filed in the form of 11 copies with the  
141 clerk of the council, who shall retain the original and will forward copies to each  
142 councilmember and to the lead staff of the budget and fiscal management committee, or  
143 its successor.

144 P4 PROVIDED FURTHER THAT:

145 Of this appropriation, \$50,000 shall not be expended or encumbered until the  
146 executive develops and the council approves by motion, a plan to implement best  
147 standards and practices for the handling, dispensing, security and record keeping of  
148 controlled substances at King County's animal care and control shelters.

149 The plan and proposed motion must be transmitted by April 1, 2009, in the form  
150 of 11 copies to the clerk of the council, who shall retain the original and will forward  
151 copies to each councilmember and to the lead staff of the committee of the whole, or its  
152 successor.

153 P5 PROVIDED FURTHER THAT:

154 Of this appropriation, 150,000 shall not be expended or encumbered until both of  
155 the following are completed:

156 A. The King County auditor's office completes the first two mandated  
157 components of its performance audit of King County animal care and control regarding  
158 these components, specifically:

159 1. Review animal care and control's approaches to monitoring the shelter  
160 population including the various stages and status of animals in the shelter system; and

161 2. Determine the reliability of animal care and control shelter population  
162 statistics and performance indicators; and

163 B. The executive bargaining representative meets with affected labor  
164 organizations to explore options to implement a community-based services model as  
165 defined by the King County Animal Services Operational Master Plan 2009-2011, dated  
166 October 6, 2008. The executive shall report to the council on the status of and outcome  
167 of these negotiations and provide the necessary legislation, if any, to implement the  
168 outcome. The executive shall provide a monthly report to the council on the status of  
169 negotiations.

170 SECTION 3. Ordinance 16312, Section 107, as amended, is hereby amended by  
171 adding thereto and inserting therein the following:

172 SAFETY AND CLAIMS MANAGEMENT – from the safety and workers  
173 compensation fund there is hereby appropriated to:

174 Safety and claims management \$0

175 ER1 EXPENDITURE RESTRICTION:





199 strategy, while complying with the terms of the Service Employees International Union  
200 Local 925 labor agreement or federal requirements, including the Americans with  
201 Disabilities Act. This report shall be transmitted by March 1, 2009.

202 The report must be filed in the form of 11 copies with the clerk of the council,  
203 who shall retain the original and will forward copies to each councilmember and to the  
204 lead staff for the general government and labor relations committee, or its successor.

205 P3 PROVIDED FURTHER THAT:

206 Of this appropriation, \$100,000 shall not be expended or encumbered unless by  
207 July 15, 2009, the office of management and budget, in conjunction with the facilities  
208 management division and the department of development and environmental services,  
209 transmits and the council accepts by motion, a report on the energy impact of removing  
210 the aluminum panels from the windows of the King County Courthouse. The report shall  
211 include a quantifiable estimate of the energy impact of removing the aluminum panels, a  
212 detailed description of the methodology used to arrive at the estimates, and the estimated  
213 fiscal impact of the removal and resulting energy impacts.

214 The report must be filed in the form of 11 copies with the clerk of the council,  
215 who shall retain the original and will forward copies to each councilmember and to the  
216 lead staff for the capital budget committee, or its successor.

217 SECTION 5. Ordinance 16312, Section 115, as amended, is hereby amended by  
218 adding thereto and inserting therein the following:

219 RISK MANAGEMENT – From the insurance fund there is hereby appropriated  
220 to:

221 Risk management \$0

222 ER1 EXPENDITURE RESTRICTION:

223 Of this appropriation, funds may be expended to lease an animal services facility  
224 for a term not to exceed 5 months, but no funds may be expended to purchase an animal  
225 services facility.

226 SECTION 6. Ordinance 16312, Section 125, as amended, is hereby amended by  
227 adding thereto and inserting therein the following:

228 From several capital improvement project funds there is hereby appropriated and  
229 authorized to be disbursed the following amounts for the specific projects identified in  
230 Attachment A to this ordinance.

231	<b>Fund</b>	<b>Fund Name</b>	<b>Amount</b>
232	3951	Building Repair and Replacement Subfund	\$27,225,374

233 ER1 Expenditure Restriction:

234 Of this appropriation for the Envision Public Portal (CIP Project number 377226),  
235 \$20,000 shall be expended solely for the inclusion of septic and plumbing permits into  
236 the scope of this project.

237 ER2 Expenditure Restriction:

238 Of the appropriation for CIP Project number 395914, KC Animal Shelter Interim  
239 Repairs, \$160,000 shall be expended solely for immediate HVAC repairs within the Kent  
240 shelter building, including installation of a dryer vent, cat isolation ductwork, and air  
241 conditioning for two cat isolation rooms, the design, purchase and installation of an  
242 overhead hose rack and replacement of finishes.

243 ER3 Expenditure Restriction:

244 Of the appropriation for CIP Project number 358101, \$25,000 shall be expended  
245 for an appraisal of the Elks Run golf course for the purpose of converting lands for  
246 ballfields, unless the council has approved a purchase and sale agreement for county  
247 owned property commonly known as Summit Pit and \$50,000 shall be used for the  
248 development of a paragliding recreational site at the McDonald Mountain recreational  
249 area.

250 ER4 EXPENDITURE RESTRICTION:

251 Of this appropriation, no more \$80,000 may be expended or encumbered for the  
252 costs of a consultant to update the Office of Information Resource Management  
253 Emergency Management Response Plan.

254 ER5 EXPENDITURE RESTRICTION:

255 No funds from this appropriation may be expended or encumbered after June 30,  
256 2010. Any funds remaining from this appropriation on July 1, 2010, shall be  
257 disappropriated and reappropriated to a flood prevention reserve fund within the general  
258 fund financial plan to provide for ongoing Green River valley flood mitigation purposes.

259 ER6 EXPENDITURE RESTRICTION:

260 Of this appropriation, funds may be expended to lease an animal services facility  
261 for a term not to exceed 5 months, but no funds may be expended to purchase an animal  
262 services facility.

263 ER7 EXPENDITURE RESTRICTION:

264 Of this appropriation, \$500,000 from the amount within this appropriation for the  
265 office of information resource management shall be expended or encumbered only for  
266 telephone service, network communications, special purpose computer systems, such as

267 the FTR Gold Court Reporting System, and any other information technology necessary  
268 to enable law and justice agencies to operate effectively in facilities to which they may be  
269 relocated as a result of potential Green River flooding.

270 P1 PROVIDED THAT:

271 None of the funds appropriated for Renton Maintenance Fund Capital  
272 Improvement Projects South Regional Maintenance Facility (CIP Project number  
273 300808) or Property Sale Transaction Costs (CIP Project number 700209) may be  
274 expended or encumbered until the council has approved a purchase and sale agreement of  
275 the county-owned property known as the Summit Pit regional roads maintenance facility.

276 P2 PROVIDED FURTHER THAT:

277 Of this appropriation, \$25,000 shall not be expended until two reports on the  
278 status of the emergency radio replacement project (CIP Project number 347301) have  
279 been transmitted to council. It is the intent of the council that progress reports for  
280 emergency radio replacement project shall be transmitted to the council twice annually.  
281 The progress reports shall describe all of the project activities undertaken during the  
282 reporting period. The first progress report shall be due April 1, 2009, and also shall  
283 include an inventory of county owned hand held radios, a report on the number of new  
284 radios needed to serve the new sound transit service contracts and a report on how the  
285 radios needed to serve the new sound transit contract will be funded.

286 The progress reports shall be transmitted in the form of 11 copies with the clerk of  
287 the council, who shall retain the original and will forward copies to each councilmember  
288 and to the lead staff for the general government and labor relations committee, or its  
289 successor.

290 P3 PROVIDED FURTHER THAT:

291 Of this appropriation, \$200,000 shall not be expended until the council approves  
292 by motion a business case for the expenditure of the remaining funds in the law, safety,  
293 and justice integration program (CIP Project number 377108).

294 The executive shall file the business case and proposed motion by May 1, 2009,  
295 the business case and a proposed motion in the form of 12 copies with the clerk of the  
296 council, who shall retain the original and will forward copies to each councilmember and  
297 to the lead staff for the general government and labor relations committee and the law,  
298 justice and human services committee, or their successors.

299 P4 PROVIDED FURTHER THAT:

300 Of this appropriation, no amount may be encumbered nor expended toward the  
301 interim loan program, described in the executive's 2009 proposed budget under CIP  
302 Project number 322801, until the council approves by motion a report that specifies the  
303 components, requirements, processes, oversight and reporting of an interim loan program  
304 that would be administered by King County. The executive, in collaboration with the  
305 mental illness and drug dependency oversight committee, with assistance from council  
306 staff and the office of the prosecuting attorney, shall develop this report.

307 This report is due to the council on April 1, 2009. Eleven copies of the report  
308 must be filed with the clerk of the council, who shall retain the original and will forward  
309 copies to each councilmember and to the lead operating budget, fiscal management and  
310 select issues committee, or its successor.

311 P5 PROVIDED FURTHER THAT:

312 Of this appropriation, no more than \$814,187 shall be expended for the voicemail  
313 replacement project (CIP Project number 378201). The executive shall transmit to the  
314 council by February 1, 2009, a proposed ordinance to reallocate \$1,046,822 to each  
315 appropriation unit that contributed to the project fund.

316 The proposed ordinance must be filed in the form of 11 copies with the clerk of  
317 the council, who shall retain the original and will forward copies to each councilmember  
318 and to the lead staff for the operating budget, fiscal management and select issues  
319 committee, or its successor.

320 P6 PROVIDED FURTHER THAT:

321 Of this appropriation for CIP Project number 369002, \$100,000 shall be not be  
322 expended or encumbered until the transfer of development rights executive board has  
323 evaluated the potential purchase of the Mountains to Sound Greenway acquisition  
324 proposal for Raging River forest, Cougar Mountain precipice and wildlife corridors  
325 within the Snoqualmie forest, Mount Si and Rattlesnake mountain.

326 The executive shall submit a report on the evaluation of this acquisition proposal  
327 in the form of 11 copies with the clerk of the council, who shall retain the original and  
328 will forward copies to each councilmember and to the lead staff for the utilities and parks  
329 committee, or its successor.

330 P7 PROVIDED FURTHER THAT:

331 CIP Project 315173, Raging river headwaters, funds the purchase of development  
332 rights and a conservation easement to preserve approximately four thousand acres of  
333 working natural forest. Within one week of the purchase, the executive shall report to the

334 council the details of the purchase, including appraisal documents and the final  
335 agreement.

336 The report should be presented to the committee of the whole at the first meeting  
337 after finalization of the agreement. Additionally, the report must be filed in the form of  
338 twelve copies with the clerk of the council, who will retain the original and will forward  
339 copies to each councilmember and to the committee coordinators for the physical  
340 environment committee and the committee of the whole or their successors.

341 P8 PROVIDED FURTHER THAT:

342 It is the intent of the council that the conservation futures oversight committee,  
343 when prioritizing new projects for approval, give highest priority to projects within  
344 council districts in which disappropriations occurred to support project 315173, Raging  
345 river headwaters.

346 P9 PROVIDED FURTHER THAT:

347 It is the intent of the council that previous appropriations for CFT projects to  
348 acquire the BNSF Eastside Rail Corridor remain committed for this purpose.

349 P10 PROVIDED FURTHER THAT:

350 Of this appropriation, project 315173, Raging river headwaters, no more than  
351 \$1,000,000 may be expended from funds derived from interfund borrowing and no more  
352 than \$600,000 may be expended from funds derived from project 369002, TDR bank.

353 P11 PROVIDED FURTHER THAT:

354 It is the intent of the county that when prioritizing parks capital projects, highest  
355 priority will be given to project 358104, east lake Sammamish regional, which is  
356 disappropriated to support project 315173, Raging river headwaters.



357 P12 PROVIDED FURTHER THAT:

358 Of the appropriation for project 3771xx, CCD management system upgrade/  
359 maintenance, \$306,370 shall be expended to secure the repurposed roster management  
360 system and to maintain data systems currently in use by the division. Additionally, by  
361 March 2010, the executive shall provide an estimate of the cost and needs for the  
362 community corrections division management systems inclusion into the greater  
363 department of adult and juvenile detention five-year information technology strategic  
364 plan. The executive shall submit this cost estimate in the form of 11 copies with the clerk  
365 of the council, who shall retain the original and will forward copies to each  
366 councilmember and to the lead staff for the budget and fiscal management committee, or  
367 its successor.

368 P13 PROVIDED FURTHER THAT:

369 Of this appropriation, \$100,000 shall not be expended or encumbered until the  
370 executive transmits and the council receives a facility assessment report which shall be  
371 due to the council by June 30, 2010. The assessment report shall propose a Green River  
372 valley potential flooding mitigation strategy and funding proposal that covers the next  
373 three to five years.

374 The report shall be transmitted in the form of fourteen copies with the clerk of the  
375 council, who shall retain the original, and distribute a copy to all councilmembers, the  
376 council chief of staff, the council director of strategic policy initiatives, the lead staff to  
377 the budget and fiscal management committee and the lead staff to the government  
378 accountability and oversight committee, or their successors.

379 P14 PROVIDED FURTHER THAT:

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380           Of this appropriation, \$25,000 shall not be expended or encumbered until the  
381 executive transmits to the council by January 11, 2010, a report outlining a strategy for  
382 resumption of the ongoing regional jail expansion planning, unless the region is facing  
383 imminent flooding.

384           The report shall be transmitted in the form of 14 copies with the clerk of the  
385 council, who shall retain the original, and distribute a copy to all councilmembers, the  
386 council chief of staff, the council director of strategic policy initiatives, the lead staff to  
387 the budget and fiscal management committee and the lead staff to the government  
388 accountability and oversight committee, or their successors.

389           P15 PROVIDED FURTHER THAT:

390           Of this appropriation, \$1,000,000 shall only be expended or encumbered as  
391 follows:

392           1. The executive shall file a flood mitigation status report every other Thursday  
393 by noon. Each filing of such a report shall authorize expenditure or encumbrance of  
394 \$200,000 from this restricted appropriation. The report shall be designed to augment the  
395 reporting requirements of Motion 13085, which also is due every other Thursday by  
396 noon. The report shall begin with the next biweekly report due under Motion 13085.

397           The report shall include the following:

- 398           a. the responsible agency;
- 399           b. the type of work;
- 400           c. the vendor or activity, or both;
- 401           d. the type of activity or contract, for example new or altered scope;
- 402           e. a description of the activity or contract;

- 403           f. the duration of the activity or contract;  
404           g. the projected dollar amount including identifying any need to access  
405 contingency funds;  
406           h. planned versus actual accomplishment rate;  
407           i. If applicable, the dollar amount in excess of appropriation, and  
408           j. If applicable, any modifications to previously reported contracts that changes  
409 the information provided in prior reports.

410           2. The report shall be provided to the council in the form of an original and  
411 fourteen copies, which shall be filed with the clerk of the council, for distribution to all  
412 councilmembers, the council chief of staff, the council director of strategic policy  
413 initiatives, the lead staff to the budget and fiscal management committee and the lead  
414 staff of the government accountability and oversight committee, or their successors.

415           P16 PROVIDED FURTHER THAT:

416           A Green River flood preparation contingency project is established to allow  
417 reprogramming flexibility needed to respond in a timely manner to events beyond the  
418 control of the county in preparation and response to the flooding related to the Howard  
419 Hanson dam. The executive shall use the appropriated versus actual, as well as projected  
420 expenditure data contained in biweekly reports to the council, which are required under  
421 Proviso P15 of this section, as a means of determining the need to use contingency funds.

422           If within three business days of the filing of a biweekly report, no councilmember  
423 has objected to the encumbrance or expenditure via written notification transmitted to the  
424 executive the use of the contingency funds is authorized.

425           However, in the event of imminent risk, the executive may immediately use  
426           contingency funds and shall immediately provide electronic notice of contingency use to  
427           the council by distribution to all councilmembers, the council chief of staff, the council  
428           director of strategic policy initiatives, the lead staff to the budget and fiscal management  
429           committee and the lead staff of the government accountability and oversight committee,  
430           or their successors.

431           P17 PROVIDED FURTHER THAT:

432           Of this appropriation, \$75,000 shall not be expended or encumbered until the  
433           executive submits to the council a proposal for a contract not to exceed eight months for  
434           an advisory animal disaster response incident command director to provide animal  
435           disaster response expertise, recommendations, planning and coordination in full  
436           cooperation with the king county office of emergency management and the council has  
437           reviewed and approved the proposal by motion. The advisory animal disaster response  
438           incident command director shall have experience as a animal disaster response incident  
439           command director, in accordance with the Federal National Incident Management system  
440           Appendix B, dated December 2008, in at least four nationally declared disasters, one of  
441           which must be in the state of Washington and have experience and training consistent  
442           with federal emergency management agency's comprehensive preparedness guidelines.  
443           The executive shall develop a work plan for the advisory animal disaster response  
444           incident command director, to more fully align the King County emergency plan for  
445           animals in the Howard Hanson dam and Green river flooding plan with the best  
446           standards, practices and concept of operations established by the Pierce county animal  
447           response team.

448           P18 PROVIDED FURTHER THAT:  
449           Of this appropriation, all funds appropriated by this ordinance to the office of  
450 information resource management, shall be used solely for purposes directly related to  
451 the planning and mitigation of the Green River flood. The project review board shall  
452 review these expenditures on a monthly basis. For purposes of verifying these  
453 expenditures, the office of information resource management shall provide the project  
454 review board a detailed accounting of the prior month's expenditures and an explanation  
455 of how each expenditure is related to the planning and mitigation of the Green River  
456 flood. If any exceptions are identified, the project review board shall notify the council in  
457 writing.

458           The report shall be transmitted in the form of fourteen copies with the clerk of the  
459 council, who shall retain the original, and distribute a copy to all councilmembers, the  
460 council chief of staff, the council director of strategic policy initiatives, the lead staff to  
461 the budget and fiscal management committee and the lead staff to the government  
462 accountability and oversight committee, or their successors.

463           SECTION 7. Attachment A to this ordinance hereby amends Attachment B to  
464 Ordinance 16312, by adding and canceling additional projects to those listed in  
465 Attachment B to Ordinance 16312.

466           SECTION 8. Ordinance 16312, Section 127, as amended, is hereby amended by  
467 adding thereto and inserting therein the following:

468           From several capital improvement project funds there is hereby appropriated and  
469 authorized to be disbursed the following amounts for the specific projects identified in  
470 Attachment B to this ordinance.

471	<b>Fund</b>	<b>Capital Fund Name</b>	<b>Amount</b>
472	4616	Wastewater Treatment	\$7,399,300

473 P1 PROVIDED THAT:

474 Of this appropriation, \$1,000,000 shall only be expended or encumbered as  
475 follows:

476 1. The executive shall file a flood mitigation status report every other Thursday  
477 by noon. Each filing of such a report shall authorize expenditure or encumbrance of  
478 \$200,000 from this restricted appropriation. The report shall be designed to augment the  
479 reporting requirements of Motion 13085, which also is due every other Thursday by  
480 noon. The report shall begin with the next biweekly report due under Motion 13085.

481 The report shall include the following:

482 a. the responsible agency;

483 b. the type of work;

484 c. the vendor or activity, or both;

485 d. the type of activity or contract, for example new or altered scope;

486 e. a description of the activity or contract;

487 f. the duration of the activity or contract;

488 g. the projected dollar amount including identifying any need to access  
489 contingency funds;

490 h. planned versus actual accomplishment rate;

491 i. If applicable, the dollar amount in excess of appropriation, and

492 j. If applicable, any modifications to previously reported contracts that changes  
493 the information provided in prior reports.

494           2. The report shall be provided to the council in the form of an original and  
495           fourteen copies, which shall be filed with the clerk of the council, for distribution to all  
496           councilmembers, the council chief of staff, the council director of strategic policy  
497           initiatives, the lead staff to the budget and fiscal management committee and the lead  
498           staff of the government accountability and oversight committee, or their successors.

499           P2 PROVIDED FURTHER THAT:

500           A Green River flood preparation contingency project is established to allow  
501           reprogramming flexibility needed to respond in a timely manner to events beyond the  
502           control of the county in preparation and response to the flooding related to the Howard  
503           Hanson dam. The executive shall use the appropriated versus actual, as well as projected  
504           expenditure data contained in biweekly reports to the council, which are required under  
505           Proviso P1 of this section, as a means of determining the need to use contingency funds.

506           If within three business days of the filing of a biweekly report, no councilmember  
507           has objected to the encumbrance or expenditure via written notification transmitted to the  
508           executive the use of the contingency funds is authorized.

509           However, in the event of imminent risk, the executive may immediately use  
510           contingency funds and shall immediately provide electronic notice of contingency use to  
511           the council by distribution to all councilmembers, the council chief of staff, the council  
512           director of strategic policy initiatives, the lead staff to the budget and fiscal management  
513           committee and the lead staff of the regional water quality committee, or their successors.

514           P3 PROVIDED FURTHER THAT:

515           1. The executive shall provide a report to the council by February 11, 2010,  
516           analyzing the options and recommending a strategy for providing emergency backup

517 power for the South Treatment Plant in Renton in the future. The analysis should address  
518 issues and variables including:

519 a. providing backup power for the next three to five years or permanently;

520 b. lease versus purchase of equipment;

521 c. temporary versus permanent facilities;

522 d. local, state and federal regulatory issues;

523 e. wastewater treatment division budget impacts under various financing  
524 strategies;

525 f. opportunities for partnering with other agencies or utilities; and

526 g. opportunities for recouping or realizing revenues from emergency power  
527 backup investments

528 2. The report shall be provided to the council in the form of an original and  
529 fourteen copies of the notice, which shall be filed with the clerk of the council, for  
530 distribution to all councilmembers, the council chief of staff, the council director of  
531 strategic policy initiatives, the lead staff to the lead staff to the regional water quality  
532 committee and the lead staff to the budget and fiscal management committee, or their  
533 successors.

534 SECTION 9. Attachment B to this ordinance hereby amends Attachment D to  
535 Ordinance 16312, by adding and canceling additional projects to those listed in  
536 Attachment D to Ordinance 16312.

537 SECTION 10. The county council finds as a fact and declares that an emergency  
538 exists and that this ordinance is necessary for the immediate preservation of public peace,



539 health or safety or for the support of county government and its existing public  
540 institutions.  
541

Ordinance 16680 was introduced on 9/21/2009 and passed as amended by the Metropolitan King County Council on 10/19/2009, by the following vote:

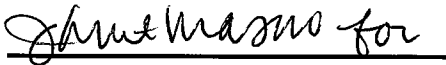
Yes: 9 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Ms. Lambert, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips, Ms. Patterson and Mr. Dunn  
No: 0  
Excused: 0

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON



Dow Constantine, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 29<sup>th</sup> day of October, 2009.



Kurt Triplett, County Executive

RECEIVED  
2009 OCT 29 AM 9:50  
KING COUNTY COUNCIL  
CLERK

**Attachments** A. General Government Capital Program, dated 10-19-09, B. Wastewater Treatment Capital Program, dated 10-19-09, C. Crosswalk to Striking Amendment for PO 2009-0559

16680

Attachment A: General Government Capital Program, dated 10-19-09

	2009	2010	2011	2012	2013	2014	Total 2009 - 2014
<b>3951/BUILDING REPAIR &amp; REPLACEMENT SUBFUND</b>							
395009 DJA Exhibit Space (Evidence)	149,142						149,142
395929 Green River Flood Preparation	17,141,895						17,141,895
395930 Green River Flood Preparation Contingency	9,934,337						9,934,337
<b>Total Fund 3951</b>	<b>27,225,374</b>						<b>27,225,374</b>

Attachment A - General Government Total 27,225,374  
Attachment B - Wastewater Treatment 7,399,300  
**Grand Total 34,624,674**

# 16680

Attachment B: Wastewater Treatment Capital Program, dated 10-19-09

	2009	2010	2011	2012	2013	2014	Total 2009 - 2014
<b>4616/WTD Construction Fund</b>							
GRFP03 Green River Flood Preparation	6,369,001						6,369,001
GRFP04 Green River Flood Prevention Contingency	1,030,299						1,030,299
<b>Total Fund 4616</b>	<b>7,399,300</b>						<b>7,399,300</b>

# ATTACHMENT C

## Crosswalk to Striking Amendment for PO 2009-0559

# 16680

Agency	Proposed Ordinance	Contingency	Striking Amendment
DAJD	1,873,849		1,873,849
Executive Office - Communications	530,100		530,100
Scanning/Digitizing Files	344,501		344,501
RALS	217,700		217,700
Emergency Management	150,000		150,000
KCSO	118,317		118,317
HRD	102,535		102,535
District Court	27,720		27,720
Department of Executive Services	22,500		22,500
DJA	149,142		149,142
Contingency	4,537,562	4,537,562	9,934,337
Animal Control	951,800	726,800	225,000
OIRM	4,467,911	1,116,977	3,350,934
FMD	10,511,993	2,627,998	7,883,995
Elections	3,219,744	925,000	2,294,744
<b>TOTAL</b>	<b>27,225,374</b>	<b>9,934,337</b>	<b>27,225,374</b>
<b>Wastewater CIP</b>			
Contingency Project GRFP04		1,030,299	1,030,299
Project GRFP03	7,399,300		6,369,001
<b>TOTAL</b>	<b>7,399,300</b>	<b>1,030,299</b>	<b>7,399,300</b>
<b>TOTAL APPROPRIATIONS</b>	<b>34,624,674</b>	<b>10,964,636</b>	<b>34,624,674</b>