



Legislation Details (With Text)

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Title: AN ORDINANCE making a disappropriation of \$11,260,612 and a reappropriation of \$4,404,841 to the Green River flood mitigation subfund capital fund that will be used to centrally reimburse agencies for their costs related to Green River flood mitigation; changing reporting requirements for flood mitigation; and making a disappropriation of \$7,098,110 to the wastewater treatment capital fund; and amending the 2009 Budget Ordinance, Ordinance 16312, Sections 125 and 127, as amended, and Attachments B and C, as amended.

Sponsors: Julia Patterson

Indexes: Budget, ERC/BNSF, Green River, Wastewater

Code sections:

Attachments: 1. 16940.pdf, 2. A. General Government Capital Improvement Program, 3. A. General Government Capital Improvement Program, dated September 27, 2010, 4. 2010-0510 Transmittal Letter.doc, 5. Attachment to Transmittal Letter--A. Description of 2010-2011 Green River Flood Budget Requests, 6. 2010-0510 Fiscal Note--Fund Code 3721.xls, 7. 2010-0510 Fiscal Note--Fund Code 4616.xls, 8. Staff Report 09-21-10, 9. B. Wastewater Treatment Capital Improvement Program

Date	Ver.	Action By	Action	Result
9/27/2010	1	Metropolitan King County Council	Hearing Held	
9/27/2010	2	Metropolitan King County Council	Passed as Amended	Pass
9/27/2010	2	Metropolitan King County Council	Hearing Held	
9/21/2010	1	Budget and Fiscal Management Committee	Passed Out of Committee Without a Recommendation	Fail
9/13/2010	1	Metropolitan King County Council	Introduced and Referred	

AN ORDINANCE making a disappropriation of \$11,260,612 and a reappropriation of \$4,404,841 to the Green River flood mitigation subfund capital fund that will be used to centrally reimburse agencies for their costs related to Green River flood mitigation; changing reporting requirements for flood mitigation; and making a disappropriation of \$7,098,110 to the wastewater treatment capital fund; and amending the 2009 Budget Ordinance, Ordinance 16312, Sections 125 and 127, as amended, and Attachments B and C, as amended.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 16312, Section 125, as amended, is hereby amended by adding thereto and inserting therein the following:

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

<u>Fund</u>	<u>Fund Name</u>	<u>Amount</u>
3721	GREEN RIVER MITIGATION TRANSFER SUBFUND	(\$6,855,771)

ER1 EXPENDITURE RESTRICTION:

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

ER2 EXPENDITURE RESTRICTION:

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

ER3 Expenditure Restriction:

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

ER4 EXPENDITURE RESTRICTION:

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

ER5 EXPENDITURE RESTRICTION:

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

ER6 EXPENDITURE RESTRICTION:

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

ER7 EXPENDITURE RESTRICTION:

Of this appropriation, \$500,000 from the amount within this appropriation for the office of information resource management shall be expended or encumbered only for telephone service, network communications, special purpose computer systems, such as the FTR Gold Court Reporting System, and any other information technology necessary to enable law and justice agencies to operate effectively in facilities to which they may be relocated as a result of potential Green River flooding.

P1 PROVIDED THAT:

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

P2 PROVIDED FURTHER THAT:

Of this appropriation, \$25,000 shall not be expended until two reports on the status of the emergency radio replacement project (CIP Project number 347301) have been transmitted to council. It is the intent of the council that progress reports for emergency radio replacement project shall be transmitted to the council twice annually. The progress reports shall describe all of the project activities undertaken during the reporting period. The first progress report shall be due April 1, 2009, and also shall include an inventory of county owned hand

held radios, a report on the number of new radios needed to serve the new sound transit service contracts and a report on how the radios needed to serve the new sound transit contract will be funded.

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

P3 PROVIDED FURTHER THAT:

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

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

P4 PROVIDED FURTHER THAT:

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

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

P5 PROVIDED FURTHER THAT:

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

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

P6 PROVIDED FURTHER THAT:

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

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

P7 PROVIDED FURTHER THAT:

CIP Project 315173, Raging river headwaters, funds the purchase of development rights and a conservation easement to preserve approximately four thousand acres of working natural forest. Within one week of the purchase, the executive shall report to the council the details of the purchase, including appraisal documents and the final agreement.

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

P8 PROVIDED FURTHER THAT:

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

P9 PROVIDED FURTHER THAT:

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

P10 PROVIDED FURTHER THAT:

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

P11 PROVIDED FURTHER THAT:

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

P12 PROVIDED FURTHER THAT:

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

P13 PROVIDED FURTHER THAT:

Of this appropriation, \$100,000 shall not be expended or encumbered until the executive transmits and the council receives a facility assessment report which shall be due to the council by August 31, 2010. The assessment report shall propose a Green River valley potential flooding mitigation strategy and funding proposal that covers the next three to five years.

P14 PROVIDED FURTHER THAT:

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

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

P15 PROVIDED FURTHER THAT:

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

1. The executive shall file a flood mitigation status report (~~((every other Thursday))~~) by noon on the second Wednesday of each month. Each filing of such a report shall authorize expenditure or encumbrance of \$200,000 from this restricted appropriation. The report shall be designed to augment the reporting requirements of Motion 13085, which also is due (~~((every other Thursday))~~) by noon on the second Wednesday of each month. The report shall begin with the next (~~((biweekly))~~) monthly report due under Motion 13085. The report shall include the following:

- a. the responsible agency;
- b. the type of work;
- c. the vendor or activity, or both;
- d. the type of activity or contract, for example new or altered scope;

- e. a description of the activity or contract;
- f. the duration of the activity or contract;
- g. the projected dollar amount including identifying any need to access contingency funds;
- h. planned versus actual accomplishment rate;
- i. If applicable, the dollar amount in excess of appropriation, and
- j. If applicable, any modifications to previously reported contracts that changes the information

provided in prior reports.

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

P16 PROVIDED FURTHER THAT:

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

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

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

their successors.

P17 PROVIDED FURTHER THAT:

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

P18 PROVIDED FURTHER THAT:

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

The report shall be transmitted in the form of fourteen copies with the clerk of the council, who shall retain the original, and distribute a copy to all councilmembers, the council chief of staff, the council director of

strategic policy initiatives, the lead staff to the budget and fiscal management committee and the lead staff to the government accountability and oversight committee, or their successors.

P19 PROVIDED FURTHER THAT:

The department of transportation, airport division shall provide quarterly reports to the council on the status of the Duwamish cleanup Slip 4, including progress and cost to date of any legal proceedings and next steps, explanation of any variance from previous estimates, and progress of the site cleanup. Any report required to be submitted by this proviso must be filed in the form of three paper copies and an electronic copy with the clerk of the council, who shall retain one paper copy and forward paper copies to the chair and lead staff of the budget and fiscal management committee or its successor, and electronic copies to each councilmember.

SECTION 2. Attachment A to this ordinance hereby amends Attachment B to Ordinance 16312, by adding and canceling additional projects to those listed in Attachment B to Ordinance 16312.

SECTION 3. Ordinance 16312, Section 127, as amended, is hereby amended by adding thereto and inserting therein the following:

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

Fund	Fund Name	Amount
4616	Wastewater Treatment	(\$7,098,110)

SECTION 4. Attachment B to this ordinance hereby amends Attachment C to Ordinance 16312, by canceling additional projects to those listed in Attachment C to Ordinance 16312.