Legislation Details (With Text)

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Enactment date:	12/21/2010	**Enactment #:**	17000

Title: AN ORDINANCE making a net supplemental appropriation of $48,263,749 for the operation of department of transportation appropriation units including roads, roads construction transfer, marine division, transit, department of transportation director's office, roads capital improvement program, public transportation capital improvement program and public transportation transfer to operating, for the fiscal biennium beginning January 1, 2010, and ending December 31, 2011; and amending the 2010/2011 Biennium Budget Ordinance, Ordinance 16717, Sections 126, 127, 128, 131, 132, 134, 137, 138 and 139, as amended, and Attachments G, H and K, as amended.

Sponsors: Julia Patterson

Indexes: Budget, transit, Transportation

Code sections:

Attachments: 1. 17000.pdf, 2. A. Roads Capital Improvement Program--Biennial Budget 2010-2011, dated December 7, 2010, 3. B. Public Transportation Capital Improvement Program--Biennial Budget 2010-2011, dated December 7, 2010, 4. C. 2010-2011 Budget Detail Spending Plan as of December 7, 2010, 5. 2010-0565 Transmittal Letter.doc, 6. 5-2010-2011 Midbiennium Crosswalk.xls, 7. 6-2010-2011 Operating Efficiencies.doc, 8. 7-Midbiennium Supplemental Narrative Table.doc, 9. 8-2010-2011 Midbiennium Supplemental Proposed Financial Plan--Road Services Division--1030.xls, 10. 9-1030 Roads Operating Fiscal Note.xls, 11. 10-1030 Roads CIP Fiscal Note.xls, 12. 11-1460M Marine Financial Plan.xls, 13. 12-1460M Marine Fiscal Note.xls, 14. 13-4640 Public Transportation Oper & CIP Financial Plan.xls, 15. 14-5000M Transit Operating Fiscal Note.xls, 16. 15-4640 Transit Capital Fiscal Note.xls, 17. 16-5010M DOT DO Fiscal Note.xls, 18. 17-5441 Wastewater ER&R Financial Plan.xls, 19. 18-5441 Wastewater ER&R Fiscal Note.xls, 20. 2010-0565 Marine Division 2011 Operating and Capital Budget Request.pdf, 21. Staff Report 11-02 & 11-03, 22. 12-07-10 Staff Report, 23. REVISED Staff Report 12-07-10, 24. A. Roads Capital Improvement Program--Biennial Budget 2010-2011, dated December 7, 2010, 25. B. Public Transportation Capital Improvement Program--Biennial Budget 2010-2011, dated December 7, 2010, 26. C. 2010-2011 Budget Detail Spending Plan as of December 7, 2010, 27. Amendment 1 - 12-13-10.pdf

Date	Ver.	Action By	Action	Result
12/13/2010	2	Metropolitan King County Council	Passed as Amended	Pass
12/13/2010	2	Metropolitan King County Council	Hearing Held	
12/7/2010	1	Budget and Fiscal Management Committee	Recommended Do Pass Substitute	Pass
10/25/2010	1	Metropolitan King County Council	Introduced and Referred	

AN ORDINANCE making a net supplemental appropriation of $48,263,749 for the operation of department of transportation appropriation units including roads, roads construction transfer, marine division, transit, department of transportation

director's office, roads capital improvement program, public transportation capital improvement program and public transportation transfer to operating, for the fiscal biennium beginning January 1, 2010, and ending December 31, 2011; and amending the 2010/2011 Biennium Budget Ordinance, Ordinance 16717, Sections 126, 127, 128, 131, 132, 134, 137, 138 and 139, as amended, and Attachments G, H and K, as amended.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. From several funds there is hereby approved and adopted a total of $48,263,749 for the operation of the department of transportation appropriation units including roads, roads construction transfer, marine division, transit, department of transportation director's office, roads capital improvement program, public transportation capital improvement program and public transportation transfer to operating, for the fiscal biennium beginning January 1, 2010, and ending December 31, 2011, out of the several funds of the county hereinafter named and set forth in the following sections.

SECTION 2. The department of transportation containing the following appropriations: stormwater decant program, roads, roads construction transfer, marine division, airport, airport construction transfer, transit, department of transportation director's office, transit revenue vehicle replacement, wastewater equipment rental and revolving, equipment rental and revolving, motor pool equipment rental and revolving, roads capital improvement program, public transportation capital improvement program and public transportation capital fund, the 2010/2011 Biennium Budget Ordinance, Ordinance 16717, Sections 125 through 139, shall not lapse until December 31, 2011, as they encompass a twenty-four-month budget.

SECTION 3. Ordinance 16717, Section 126, as amended, is hereby amended by adding thereto and inserting therein the following:

ROADS - From the road fund there is hereby disappropriated from:

Roads	($6,959,895)

The maximum number of additional FTEs for roads shall be: (30.40)

ER 1 EXPENDITURE RESTRICTION:

Of this appropriation, $4,000,000 shall be expended solely to reimburse the sheriff for traffic law enforcement expenses in 2010.

ER2 EXPENDITURE RESTRICTION:

Of this appropriation, no more than $12,597 shall be expended for the unincorporated area councils in 2011.

ER3 EXPENDITURE RESTRICTION:

Of this appropriation, $6,000,000 shall be expended or encumbered only if the Covington Pit site is, before July 1, 2011:

1. Sold to a third party;

2. Transferred from the roads division to another county agency in exchange for a corresponding fund transfer; or

3. Disposed of through a combination of the actions in subsections 2 and 3 of this Expenditure Restriction ER3.

P1 PROVIDED THAT:

Of this appropriation, $1,400,000 may not be expended or encumbered until the executive has submitted a report, for council acceptance by motion, outlining a new organizational structure and staffing plan for the road services division. The report is due to the council on or before May 1, 2010. The council intends that this report be prepared in coordination with Phase 2 of the Roads Operational Master Plan, but be submitted before the Phase 2 report is due to the council.

As part of its comprehensive review of the organizational structure, this report shall include, but not be limited to, analysis of the organizational structure's: (1) reliance on and commitment to performance-based decision making, and the actionable performance measures to be used; (2) consistency with best practices for

layers of management, span of control, and ratios of professional to administrative/support staff, and streamlined operational processes; (3) centralization of finance, administrative and other functions; (4) combination of like disciplines into single units; (5) potential efficiencies resulting from the more timely implementation of, and reliance on new technology; and (6) comparison to peer agencies.

The report and motion required to be submitted by this proviso must be filed in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers and to the committee coordinator for the physical environment committee or its successor.

SECTION 4. Ordinance 16717, Section 127, as amended, is hereby amended by adding thereto and inserting therein the following:

ROADS CONSTRUCTION TRANSFER - From the road fund there is hereby disappropriated from:

Roads construction transfer	($4,862,058)

SECTION 5. Ordinance 16717, Section 128, as amended, is hereby amended by adding thereto and inserting therein the following:

MARINE DIVISION - From the King County marine operations fund there is hereby appropriated to:

Marine division	$8,830,848

SECTION 6. Ordinance 16717, Section 131, as amended, is hereby amended by adding thereto and inserting therein the following:

TRANSIT - From the public transportation fund there is hereby appropriated to:

Transit	$0
The maximum number of additional FTEs for transit shall be:	11.00

ER1 EXPENDITURE RESTRICTION:

Of this appropriation, $1,800,000 may not be expended until the executive, following transit division collaboration with a regional stakeholder task force, transmits an ordinance amending the Transit

Comprehensive Plan and Transit Strategic Plan to establish a framework to guide the growth and, if necessary, contraction of King County's transit system.

Any plan and ordinance required to be submitted by this proviso must be filed in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers and to the committee coordinators for the physical environment committee, and the regional transit committee or their successors. If the ordinance and recommendation is not filed by February 28, 2011, appropriation authority shall lapse for the $1,800,000 restricted by this proviso.

ER2 EXPENDITURE RESTRICTION:

Of this appropriation, $350,000 shall be expended solely to support an audit of the transit division conducted by the county. The likely areas of this audit include:

a. procurement of buses (analysis of process, criteria, financial and other analyses used by the transit division);

b. vehicle maintenance staffing;

c. ride free area methodology;

d. additional review of the financial plan;

e. tracking of implementation of new (onboard) data systems and ORCA systems (including business accounts); and

f. ACCESS Program staffing and efficient use of the ACCESS fleet.

ER3 EXPENDITURE RESTRICTION:

Of this appropriation, $1,800,000 may not be expended until the executive transmits a motion establishing a detailed work plan for a regional stakeholder task force to consider a policy framework to guide the growth and, if necessary, contraction of King County Metro Transit's system.

The work plan shall include a scope of work, tasks, schedule, milestones and the budget and appointment criteria/process for municipal and community stakeholders, and a coordinated staff working group.

The charge to the task force shall be to develop recommendations by September 2010 that will identify short term and long term objectives for transit service investment, and formulate a service implementation policy implementing those objectives.

The motion and work plan for the regional stakeholder process required to be submitted by this proviso must be filed in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers and to the committee coordinator for the physical environment committee or its successor. If the proposed motion and work plan are not transmitted by February 28, 2010, appropriation authority shall lapse for the $1,800,000 million restricted by this proviso.

ER4 EXPENDITURE RESTRICTION:

Of this appropriation, $275,000 shall be expended solely for the staffing and support of a senior-level two-year temporary position, such as a Program/Project Manager IV, focused on transit strategic planning outcomes as identified in the 2009 Transit Performance Audit Findings. The position shall be supervised jointly by the transit general manager's office and the office of strategic planning and performance management, but will be located in, and managed by, the office of strategic planning and performance management.

ER5 EXPENDITURE RESTRICTION:

Of this appropriation, no more than $320 shall be expended for the unincorporated area councils in 2011.

P1 PROVIDED THAT:

Of this appropriation, $1,000,000 shall not be expended or encumbered until the executive transmits a report on fare evasion by April 30, 2010. The report shall provide an estimate of the extent and cost of fare evasion based upon the results of an intensive, limited duration, data collection effort that will involve a representative sampling of the entire system and be conducted in collaboration with the transit operators. The report shall also include recommended strategies to address fare evasion.

The report required to be submitted by this proviso must be filed in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers and to the committee coordinator for the regional transit committee and the physical environment committee or their successors.

P2 PROVIDED FURTHER THAT:

Of this appropriation, $1,000,000 shall not be expended or encumbered until the executive transmits an ordinance to amend the Service Implementation Phasing Plan in the Transit Strategic Plan to show when transit revenues are projected to recover sufficiently to allow resumption of Transit Now service investments in Rapidly Developing Areas and the High Ridership/Core Network and when the deferred 140,000-hour investment in that service will be completed.

P3 PROVIDED FURTHER THAT:

The transit division may allow exterior advertising to cover bus side windows only if at least a fifteen inch clear band of glass is maintained for the entire length of each side of the bus. The transit division shall include in any agreement for exterior bus advertising the bus wrap limitation contained in this proviso and shall also require that any contractor include this restriction in any its subsequent exterior advertising agreements with third parties.

P4 PROVIDED FURTHER THAT:

By September 1, 2010, the executive shall transmit a scope, schedule and work program developed in collaboration with council, for a 2011 trolley replacement alternatives study that identifies:

a. the alternative bus propulsion technologies to be evaluated;

b. the policy issues and choices associated with replacement alternatives;

c. provisions for public input; and

d. provisions for council input and monitoring.

The scope, schedule and work program required to be submitted by this proviso must be filed in the

form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers and to the committee coordinator for the physical environment committee, or its successor.

P5 PROVIDED FURTHER THAT:

In coordination with the State Route 520 Urban Partnership Agreement and the tolling of State Route 522, up to 5,000 annual bus service hours shall be delivered on State Route 522, as supporting bus service to the core State Route 520 Urban Partnership Agreement bus service, to mitigate the impacts of diversionary trips onto State Route 522.

The actual amount of service to be delivered shall be based on a corridor service implementation plan transmitted by April 30, 2010, for adoption by ordinance. The implementation plan shall: (1) be developed cooperatively with Sound Transit and Washington state Department of Transportation to address peak and all day service changes consistent with the State Route 520 Urban Partnership Agreement and the 520 Tolling Implementation Committee recommendations; (2) be integrated with Sound Transit's bus service and Washington state Department of Transportation's tolling and traffic management investments; (3) include at least 28,000 hours of core State Route 520 bus service; (4) consider transit service-related mitigation needs for State Route 520, I-90, and State Route 522; and (5) include up to 5,000 annual bus service hours supporting the core State Route 520 bus service, to mitigate the impacts of diversionary trips onto State Route 522.

The plan and ordinance required to be submitted by this proviso must be filed in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers and to the committee coordinator for the physical environment committee, or its successor.

P6 PROVIDED FURTHER THAT:

The transit division shall undertake a fare coordination effort with, at a minimum, Sound Transit, and other regional transit agencies if possible. The primary focus of that effort should be implementation of the

2009 Transit Performance Audit's recommendations regarding discounted youth and senior/disabled fares while also addressing the question of parity between fare categories. The transit division shall present a report on the status of that effort to the regional transit committee and physical environment committee or its successor by April 30, 2010, and the executive shall transmit recommended changes to fare policies or fares, or both by July 1, 2010.

P7 PROVIDED FURTHER THAT:

Of this appropriation, $100,000 shall not be expended or encumbered unless, by August 1, 2010, the transit division has transmitted and the council has accepted by motion a report detailing the feasibility of implementing recycling and solar powered trash compaction at transit passenger facilities maintained by King County. At a minimum, the report shall include:

1. A discussion of current and past recycling and compaction efforts at King County buildings and their effectiveness;

2. A discussion of the number and location of passenger facilities that have waste receptacles and options for a pilot program at a representative cross section of passenger facilities; and

3. A detailed discussion of the potential for public-private partnerships that would make implementation more cost-effective.

Furthermore, the report will provide options for implementing recycling and compaction at King County passenger facilities and the executive's preferred alternative. By another proviso, the facilities management division is to report on implementing recycling and compaction at King County buildings. Therefore, the transit and facilities management divisions are directed to collaborate and provide a joint report.

The report and motion required to be submitted by this proviso must be filed in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers and to the committee coordinator for the physical environment committee, or its successor.

SECTION 7. Ordinance 16717, Section 132, as amended, is hereby amended by adding thereto and inserting therein the following:

DOT DIRECTOR'S OFFICE - From the public transportation fund there is hereby appropriated to:

DOT director's office $125,910

The maximum number of additional FTEs for DOT director's office shall be: 2.10

SECTION 8. Ordinance 16717, Section 134, as amended, is hereby amended by adding thereto and inserting therein the following:

WASTEWATER EQUIPMENT RENTAL AND REVOLVING - From the water pollution control equipment fund there is hereby appropriated to:

Wastewater equipment rental and revolving $2,497,002

SECTION 9. Ordinance 16717, Section 137, as amended, is hereby amended by adding thereto and inserting therein the following:

ROADS CAPITAL IMPROVEMENT PROGRAM - 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.

Fund	**Fund Name**	**Amount**
3860	ROADS CONSTRUCTION	$10,352,354

ER1 EXPENDITURE RESTRICTION:

For CIP Project 300197, South Park Bridge, $29,900,000 may not be expended or encumbered until the executive transmits an update of the South Park Bridge funding plan, including executed legally binding commitments for all funds identified in the plan.

P1 PROVIDED THAT:

For CIP Project 300610, South Park Bridge Demolition, no more than $1,800,000 may be expended or encumbered for right-of-way acquisition, and no more than $1,400,000 may be expended or encumbered for

other project purposes until the executive has transmitted a report certifying that insufficient funding is available for CIP Project 300197, South Park Bridge Replacement, or providing an update on an executive plan to fund CIP Project 300197. The report shall include the finalized closure plan for the South Park Bridge.

The report required to be submitted by this proviso must be filed in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers and to the committee coordinator for the Physical Environment Committee or its successor.

P2 PROVIDED FURTHER THAT:

For CIP Project 300197, South Park Bridge Replacement, none of the amount appropriated in 2010 may be expended or encumbered until the executive has transmitted, and the council has approved by motion, a funding plan for the project. Any ordinance necessary for implementation of the funding plan shall be transmitted with the plan.

Any plan or legislation required to be submitted by this proviso must be filed in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers and to the committee coordinator for the physical environment committee or its successor.

SECTION 10. Attachment A to this ordinance hereby amends Attachment G to Ordinance 16717, by adding and canceling additional projects to those listed in Attachment G to Ordinance 16717.

SECTION 11. Ordinance 16717, Section 138, 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 B to this ordinance.

Fund	**Fund Name**	**2010/2011**
3380	AIRPORT CONSTRUCTION	$10,142,173
3641	PUBLIC TRANS CONST-UNREST	$11,682,715

3850	RENTON MAINTENANCE FACILITY	$1,700
	TOTAL PUBLIC TRANSPORTATION	$21,826,588

ER1 EXPENDITURE RESTRICTION:

Of this 2010 appropriation for CIP Project 300808, South Regional Maintenance Facility, no funds shall be expended until an ordinance is enacted authorizing amendment of the Summit Pit Purchase and Sale Agreement to include but not be limited to time extension of deadlines in the Summit Pit Purchase and Sale Agreement.

ER2 EXPENDITURE RESTRICTION:

Of this amount, $14,730,000 may only be expended or obligated after Sound Transit and King County enter into a binding agreement authorizing payment by Sound Transit to King County of $14,730,000 for the project, and $6,666,066 may only be expended or obligated after the Federal Transit Administration has approved the terms and conditions of the Ground Lease and the Lease Agreement (With Option to Purchase) for the project, which was authorized under Ordinance ((~~_____ (Proposed Ordinance 2009-0546)~~)) 16759.

ER3 EXPENDITURE RESTRICTION:

Of the appropriation for CIP Project 300808, south regional maintenance facility, $16,044 shall be expended solely for support of independent oversight on the project to be provided by the King County auditor's office.

ER 4 EXPENDITURE RESTRICTION:

Of this appropriation, $1,132,536 shall only be expended to evaluate, plan for, purchase and install a new instrument landing system that will re-direct incoming air traffic to approach King County International Airport over Elliott Bay and reduce flights over residential communities. The purpose of implementing the Elliott Bay approach is to minimize noise and increase safety for communities located under the approach path currently used by incoming King County International Airport aircraft without moving noise to other residential communities. Achieving the potential benefits from "next generation" instrument landing systems as identified

and approved by the Federal Aviation Administration shall be a key part of this work. This expenditure restriction allows funding to be used for technical advisory services to implement an Elliott Bay approach by purchasing and installing a new instrument landing system as well as working with local and federal officials to gain approval of the approach.

Of this appropriation, $100,000 shall only be expended for an intergovernmental relations consulting firm to facilitate the successful implementation of an Elliott Bay approach for incoming aircraft to King County International Airport by working with federal, state and local government agencies, elected officials and technical staff.

SECTION 12. Attachment B to this ordinance hereby amends Attachment H to Ordinance 16717, by adding and canceling additional projects to those listed in Attachment H to Ordinance 16717.

SECTION 13. Ordinance 16717, Section 139, as amended, is hereby amended by adding thereto and inserting therein the following:

PUBLIC TRANSPORTATION CAPITAL - From the public transportation construction fund there is hereby appropriated to:

Public transportation capital	$16,453,000

SECTION 14. Attachment C to this ordinance hereby amends Attachment K to Ordinance 16717.

SECTION 15. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.