



Legislation Details (With Text)

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Enactment date: 10/5/2007 **Enactment #:** 15905

Title: AN ORDINANCE relating to the annual reconciliation of capital funds and projects and making technical corrections to operating funds; appropriating \$3,575,444 to the current expense transfers to capital funds; and making disappropriations and appropriations from various capital improvement program projects resulting in a net appropriation of \$5,438,243; and amending the 2007 Budget Ordinance, Ordinance 15652, Sections 24, 28, 45, 119, 120, 121, 122, 123 and 124, as amended, and Attachments B, C, D, E, F and G, as amended, and the 2006 Budget Ordinance, Ordinance 15333, Section 114, as amended.

Sponsors: Dow Constantine

Indexes: Appropriation, Budget, Funds

Code sections:

Attachments: 1. 15905.pdf, 2. 2007-0419 Transmittal letter.doc, 3. A. Adopted Ordinance 15652, Section 119 - Capital Improvement Program, 4. A. Adopted Ordinance 15652, Section 119 - Capital Improvement Program, 5. B. Adopted Ordinance 15652, Section 120 - Roads Capital Improvement Program, 6. B. Adopted Ordinance 15652, Section 120 - Roads Capital Improvement Program, 7. C. Adopted Ordinance 15652, Section 121 - Wastewater Treatment Capital Improvement Program, 8. C. Adopted Ordinance 15652, Section 121 - Wastewater Treatment Capital Improvement Program, 9. D. Adopted Ordinance 15652, Section 122 - Surface Water Management Capital Improvement Program, 10. D. Adopted Ordinance 15652, Section 122 - Surface Water Management Capital Improvement Program, 11. E. Adopted Ordinance 15652, Section 123 - Major Maintenance Capital Improvement Program, 12. E. Adopted Ordinance 15652, Section 123 - Major Maintenance Capital Improvement Program, 13. F. Adopted Ordinance 15652, Section 124 - Solid Waste Capital Improvement Program, 14. F. Adopted Ordinance 15652, Section 124 - Solid Waste Capital Improvement Program, 15. Revised Staff Report, 16. Staff Report 9-05-07, 17. Staff Report 9-19-07

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------------------|--|--------|
| 9/24/2007 | 2 | Metropolitan King County Council | Hearing Held | |
| 9/24/2007 | 2 | Metropolitan King County Council | Passed | Pass |
| 9/19/2007 | 1 | Capital Budget Committee | Recommended Do Pass Substitute Consent | Pass |
| 9/5/2007 | 1 | Capital Budget Committee | Deferred | |
| 8/20/2007 | 1 | Metropolitan King County Council | Introduced and Referred | |

Clerk 09/19/2007

AN ORDINANCE relating to the annual reconciliation of capital funds and projects and making technical corrections to operating funds; appropriating \$3,575,444 to the current expense transfers to capital funds; and making

disappropriations and appropriations from various capital improvement program projects resulting in a net appropriation of \$5,438,243; and amending the 2007 Budget Ordinance, Ordinance 15652, Sections 24, 28, 45, 119, 120, 121, 122, 123 and 124, as amended, and Attachments B, C, D, E, F and G, as amended, and the 2006 Budget Ordinance, Ordinance 15333, Section 114, as amended.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. There are hereby approved and adopted appropriations of \$3,575,444 to the current expense fund and a net appropriation of \$5,438,243 to capital improvement programs.

SECTION 2. Ordinance 15652, Section 24, as amended is hereby amended by adding thereto and inserting the following:

HUMAN RESOURCES MANAGEMENT - From the current expense fund there is hereby appropriated to:

| | |
|----------------------------|-----|
| Human resources management | \$0 |
|----------------------------|-----|

P1 PROVIDED THAT:

Of this appropriation, \$200,000 shall not be expended or encumbered until the ~~((council has approved by motion a plan submitted by the))~~ executive has transmitted to the council a plan to implement a comprehensive countywide employee performance management system. The executive shall transmit the plan ~~((and proposed motion))~~ to the council by May 1, 2007.

The plan ~~((and proposed motion))~~ required to be submitted by this proviso must be filed in the form of 11 copies with the clerk of the council, who will retain the original and will forward copies to each councilmember and to the lead staff for the labor, operations and technology committee, or its successor.

SECTION 3. Ordinance 15652, Section 28, as amended is hereby amended by adding thereto and inserting the following:

RECORDS, ELECTIONS AND LICENSING SERVICES - From the current expense fund there is

hereby appropriated to:

Records, elections and licensing services \$0

ER1 EXPENDITURE RESTRICTION:

Of this appropriation, \$737,472 shall be expended or encumbered only for enhanced election services as listed in the 2007 Requested Budget Reprioritization Detail for Technical Adjustment TA01 of the REALS 2007 Base Budget Changes. It is the intent of council to consider a supplemental appropriations ordinance if costs are greater and cannot be funded from underexpenditures.

ER 2 EXPENDITURE RESTRICTION:

Of this appropriation, \$30,000 shall be expended solely for the purpose of funding a consultant report providing an analysis of animal shelter operations and facilities. This report should include recommendations for reaching a euthanasia rate of between ten and fifteen percent. The report shall also include recommendations related to improving animal care and euthanasia policies. The selected consultant shall have proven experience implementing policies similar to those described in Ordinance 15801 and Motion 12521, as passed by the council on May 29, 2007. The selected consultant shall also have experience in implementing policies and practices at an open-admission animal shelter in a metropolitan area that have resulted in a euthanasia rate of no more than fifteen percent. The selected consultant shall not proceed with work until a motion approving the selected consultant has been adopted by the council. It is the intent of the council that the cost of the consultant shall be paid out of the donated animal benefit revenues.

P1 PROVIDED THAT:

Of this appropriation, \$250,000 shall not be expended or encumbered until the council has reviewed and approved by motion a report that describes opportunities to improve enforcement of animal cruelty laws in King County, information that the council requested in Motion 12297.

The report and proposed motion shall be submitted by the executive by February 1, 2007, in the form of 11 copies filed with the clerk of the council, who will retain the original and will forward a copy to each

councilmember and to the lead staff of the labor, operations and technology committee, or its successor.

P2 PROVIDED FURTHER THAT:

Of this appropriation, \$250,000 shall not be expended or encumbered until: (1) the executive has transmitted appointments to fill all vacancies on the King County animal control citizen's advisory committee, together with proposed confirmation motions and information on the appointees, and the council has confirmed all appointees; and (2) the executive has submitted and the council has reviewed and approved by motion, a plan for ongoing administrative support of the King County animal control citizen's advisory committee.

The proposed appointment motions, the plan for administrative support and the proposed motion approving the plan shall be submitted by the executive by April 15, 2007, in the form of 11 copies filed with the clerk of the council, who will retain the original and will forward a copy to each councilmember and to the lead staff of the labor, operations and technology committee, or its successor.

P3 PROVIDED FURTHER THAT:

Of this appropriation, \$1,051,209 shall be expended solely to accomplish the tasks described in the "Implement Vote By Mail" section of the 2007 Requested Budget Reprioritization Detail for Technical Adjustment TA03 of the REALS 2007 Base Budget Changes, and only after the council has reviewed and approved by motion ~~((the following documents submitted by the executive: (1)))~~ a report submitted by the executive that identifies: (a) the estimated capital and operating cost of regional voting centers and drop boxes, including staffing costs for temporary workers and sheriff deputies that may be needed at regional voting centers and in the transport of ballots; (b) the location of regional voting centers and drop boxes; and (c) the security measures that will be put in place for regional voting centers and drop boxes. ~~((; (2) a))~~ Separately, and not subject to approval by motion, the executive shall transmit: (1) an elections security plan that addresses ((; to the council's satisfaction,)) security related to facilities, personnel, electronic systems, including both equipment and software, and ballots; and ((; (3))) (2) a detailed implementation plan for the transition to vote-by-mail. ((The detailed plan for the transition to vote-by-mail shall include a detailed list of the tasks required for

~~implementing vote by mail, showing task duration, dependencies between tasks, resource requirements and availability, timing of tasks, milestone dates and other relevant information. The tasks shall include a comparative analysis of available options for election equipment and software, including equipment and software to be purchased with the Help America Vote Act grant funding that the county has been awarded, as part of preparing the business case for purchase of that equipment and software, taking into consideration relative security, cost, reliability, functionality and usability, among other relevant factors.))~~

The report on regional voting centers, security plan, transition plan and proposed motion shall be submitted in the form of 11 copies filed with the clerk of the council, who will retain the original and will forward a copy to each councilmember and to the lead staff of the council's committee-of-the-whole, or its successor. The transition plan shall be filed by ~~((February 15))~~ July 30, 2007.

~~((Motion 12299 required the executive to submit an election security plan by July 31, 2007, and Ordinance 15523 required the executive to submit a plan for further improving and maintaining voter registration records, which was due August 15, 2006, and these plans have not yet been submitted.))~~

SECTION 4. Ordinance 15652, Section 45, as amended is hereby amended by adding thereto and inserting the following:

CIP CX TRANSFERS - From the current expense fund there is hereby appropriated to:

CIP CX transfers \$3,575,444

SECTION 5. Ordinance 15652, Section 119, 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> |
|-------------|-----------------------------------|---------------|
| 3090 | FMD PARKS, OPEN SPACE ACQUISITION | (\$156,860) |
| 3121 | HARBORVIEW CONSTRUCTION 88 | (\$53,718) |

| | | |
|------|---|---------------|
| 3151 | CONSERVATION FUTURES SUBFUND | \$0 |
| 3160 | PARKS & RECREATION - OPEN SPACE CONSTRUCTION | (\$361,134) |
| 3180 | SURFACE & STORM WATER MANAGEMENT CONSTRUCTION | \$647 |
| 3190 | YOUTH SERVICES DETENTION CONSTRUCTION | (\$60) |
| 3260 | YOUTH SERVICES DETENTION 90 | \$954 |
| 3274 | PUBLIC FCT DIST. DEBT SERVICE | \$1,500 |
| 3295 | SWM 99 CONSTRUCTION | \$9,361 |
| 3310 | BUILDING MODERNIZATION & CONSTRUCTION | (\$2,302,744) |
| 3380 | AIRPORT CONSTRUCTION | (\$7,877) |
| 3403 | URBAN RESTORATION & HABITAT RESTORATION | (\$39,480) |
| 3416 | CULTURAL INITIATIVE 97 EXCESS EARNINGS | \$29,536 |
| 3442 | 1997 ELECTIONS SYSTEM ACQUISITION SUB-FUND | \$6,580 |
| 3443 | OPEN ACCESS RECORD SYS. ACQUISITION SUB-FUND | \$984 |
| 3446 | 97 FINANCIAL SYSTEM EXCESS EARNINGS | \$855,401 |
| 3447 | 97 ELECTION SYSTEM EXCESS EARNINGS | \$130,401 |
| 3448 | OPEN ACCESS REC EXCESS EARNINGS | \$47,164 |
| 3449 | Y2K S/W ENHANCE 97 EXCESS EARNINGS | \$37,210 |
| 3461 | REGIONAL JUSTICE CENTER PROJECT | \$199,479 |
| 3471 | ECS LEVY SUBFUND | \$0 |
| 3472 | ESC COUNTY PROJECTS | (\$5,125) |
| 3490 | PARKS FACILITIES REHABILITATION | (\$149,312) |
| 3541 | OS AUBURN PROJECTS SUBFUND | \$9,734 |
| 3543 | OS BLACK DIAMOND PROJECTS SUBFUND | \$12,499 |
| 3548 | OS ISSAQUAH PROJECTS SUBFUND | \$3,793 |

| | | |
|------|---|--------------|
| 3556 | OS REDMOND PROJECTS SUBFUND | \$36,271 |
| 3558 | OS SEA TAC PROJECTS SUBFUND | 18,223 |
| 3641 | PUBLIC TRANS CONSTR - UNREST | \$450 |
| 3672 | ENVIRONMENTAL RESOURCE | \$1,000 |
| 3691 | TRNSF OF DEVEL CREDIT PROG | \$22,719 |
| 3771 | OIRM CAPITAL PROJECTS | (\$101,095) |
| 3781 | ITS CAPITAL FUND | \$18,729 |
| 3791 | HARBORVIEW MEDICAL CENTER/MEI 2000 PROJECTS | (\$75,131) |
| 3794 | HMC/MEI 2004 BOND PROCEEDS | \$85,888 |
| 3802 | BC & I 2001 BAN PROCEEDS | \$19,941,939 |
| 3840 | FARMLAND & OPEN SPACE ACQ | (\$9,658) |
| 3842 | FARMLAND CONSERVATION PROGRAM | \$98,416 |
| 3849 | FARMLAND PRESERVATION 96 XCSEA | \$185 |
| 3850 | RENTON MAINTENANCE FACILITY | (\$4,477) |
| 3870 | HARBORVIEW MEDICAL CONSTRUCTION 1977 | \$39 |
| 3871 | HMC CONSTRUCTION 1993 | \$6,314 |
| 3873 | HMC CONSTRUCTION 1993 - SUBFUND | (\$100,000) |
| 3951 | BUILDING REPAIR & REPLACEMENT SUBFUND | (\$609,064) |
| 3953 | CAPITAL ACQUISITION/RENOVATION - 1996 | (\$145,493) |
| 3954 | CIP 97 BOND | (\$129,093) |
| 3955 | GENERAL GOVERNMENT CIP 98-99 | \$28,279 |
| 3957 | GENERAL GOVERNMENT CIP 97 EXCESS EARNINGS | \$193,779 |
| 3961 | HARBORVIEW MEDICAL CENTER BUILDING | \$23,985 |
| 3965 | HMC DISPROPORTIONATE SHARE TRAUMA SUB-FUND | \$367 |

SECTION 6. Attachment A to this ordinance hereby amends Attachment B to Ordinance 15652, by adding and canceling additional projects to those listed in Attachment B to Ordinance 15652.

SECTION 7. Ordinance 15652, Section 120, 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 | Amount |
|-------------|--------------------|---------------|
| 3860 | ROADS CONSTRUCTION | (\$4,899,308) |

SECTION 8. Attachment B to this ordinance hereby amends Attachment C to Ordinance 15652, by canceling additional projects to those listed in Attachment C to Ordinance 15652.

SECTION 9. Ordinance 15652, Section 121, 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 C to this ordinance.

| Fund | Fund Name | Amount |
|-------------|----------------------|---------------|
| 4616 | WASTEWATER TREATMENT | (\$2,173,092) |

SECTION 10. Attachment C to this ordinance hereby amends Attachment D to Ordinance 15652, by canceling additional projects to those listed in Attachment to D Ordinance 15652.

SECTION 11. Ordinance 15652, Section 122, 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 D to this ordinance.

| Fund | Fund Name | Amount |
|-------------|--------------------------|---------------|
| 3292 | SWM CIP NON-BOND SUBFUND | (\$155,903) |

3522 OS KC NON BND FND SUBFUND (\$4,957,546)

SECTION 12. Attachment D to this ordinance hereby amends Attachment E to Ordinance 15652, by adding and canceling additional projects to those listed in Attachment E to Ordinance 15652.

SECTION 13. Ordinance 15652, Section 123, 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 E to this ordinance.

| Fund | Fund Name | Amount |
|-------------|-------------------------|---------------|
| 3421 | MJR MTNCE RSRV SUB-FUND | \$20 |

SECTION 14. Attachment E to this ordinance hereby amends Attachment F to Ordinance 15652, by adding and canceling additional projects to those listed in Attachment F to Ordinance 15652.

SECTION 15. Ordinance 15652, Section 124, 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 F to this ordinance.

| Fund | Fund Name | Amount |
|-------------|----------------------------|---------------|
| 3831 | ENVIRONMENTAL RES SUB-FUND | \$0 |
| 3910 | LANDFILL RESERVE FUND | (\$1,151) |

SECTION 16. Attachment F to this ordinance hereby amends Attachment G to Ordinance 15652, by adding and canceling additional projects to those listed in Attachment G to Ordinance 15652.

SECTION 17. Ordinance 15333, Section 114, as amended, is hereby amended by adding thereto and inserting the following:

ER1 EXPENDITURE RESTRICTION:

Of the appropriation for CIP project 395840, Jail Health Services Remodel, \$1,046,132 shall not be

expended or encumbered until the council appropriates additional funds for construction of the Jail Health Services Medical Remodel project 395840.

ER2 EXPENDITURE RESTRICTION:

Of this appropriation for CIP project 322200, \$300,000 transferred from the veterans services fund balance shall be expended solely for acquisition or development of housing for indigent veterans referred by the King County veterans services program.

ER3 EXPENDITURE RESTRICTION:

Of the appropriation for CIP project 377142, accountable business transformation project, \$165,000 shall be expended solely to provide quality assurance and oversight for this project by the council auditor.

ER 4 EXPENDITURE RESTRICTION:

Of this appropriation, \$25,000 in CIP Project 316xxx, Seahurst Environmental Center, may be expended or encumbered only after the Seahurst Environmental Center has secured an equal amount of cash or in-kind contributions in private or nonprofit donations.

ER 5 EXPENDITURE RESTRICTION:

No portion of the funds appropriated for CIP Project A00480, 60 Ft Trolley Buses (Breda Conversion), shall be expended for an upgrade of the electric trolley overhead power system until the executive has submitted and the council approved by motion a business case for the proposed overhead wire upgrade, which shall, at a minimum, include:

- A. Data on the frequency, duration, timing and causes of unplanned electrical substations shutdowns in the subject wire segment;
- B. Analysis correlating substation shutdown information with the periods of potential undervoltage identified in the LTK Engineering Services's November 1, 2004, Breda Trolleybus Traction Simulation Study;
- C. Analysis of the range of potential service interruptions attributable to the addition of Breda trolleys, including the number of coaches delayed and the duration of such delays; and

D. Analysis of potential operational preparations for, and responses to, substation shutdowns that could be undertaken to minimize or eliminate the possibility of service disruptions attributable to the addition of Breda trolleys.

The business case report and motion must be filed in the form of 11 copies with the clerk of the council, who will retain the original and will forward copies to each councilmember and to the lead staff of the budget and fiscal management committee and the transportation committee or their successors.

P1 PROVIDED THAT:

By September 30, 2005, the executive shall submit a report on bus layover space in Bellevue and options for disposition of the transit-owned property adjacent to the Meydenbauer Center.

The report must be filed in the form of 15 copies with the clerk of the council, who will retain the original and will forward copies to each councilmember and to the lead staff for the transportation committee or its successor.

P2 PROVIDED FURTHER THAT:

Of this appropriation, no funds shall be expended or encumbered for CIP project 013087 at the Bow Lake transfer station, for CIP project 003161 at the Factoria transfer station or for CIP project 013303 at the Algona transfer station until the council has approved by motion the milestone report analyzing system needs and capacities as required in Ordinance 14971.

The report and proposed motion must be filed in the form of 15 copies with the clerk of the council, who will retain the original and will forward copies to each councilmember and to the lead staff of the natural resources and utilities committee or its successor.

P3 PROVIDED FURTHER THAT:

Of the appropriation for CIP project 377143, benefit health information project, \$2,983,162 shall not be expended or encumbered until after the council has approved by motion a business case that has been reviewed and approved by the project review board.

Of the appropriation for CIP project 377136, jail health electronic medical records project, \$1,675,000 shall not be expended or encumbered until after the council has approved by motion a business case that has been reviewed and approved by the project review board.

Of the appropriation for CIP project 377152, electronic court records automated indexing project, \$357,145 shall not be expended or encumbered until after the council has approved by motion a business case that has been reviewed and approved by the project review board.

The business cases, roadblock document and human resources implementation plan shall be transmitted by a separate motion for each CIP project. The business cases, roadblock document, human resources implementation plan and motions must be filed in the form of 15 copies with the clerk of the council, who will retain the original and will forward copies to each councilmember and to the lead staff for the budget and fiscal management committee for the accountable business transformation and jail health electronic medical records projects and the lead staff for the labor, operations and technology committee for the benefit health information and electronic court records projects.

P4 PROVIDED FURTHER THAT:

The appropriation for CIP project 395XXX, skybridge feasibility study, shall be used solely to hire a consultant to study the feasibility of replacing the skybridge between the King County corrections facility and the King County courthouse. Reasonable oversight and management expenses incurred by facilities management division are acceptable. The feasibility study shall, at a minimum, include analysis of (1) alternative below-grade inmate transfer configurations, including possible adaptive reuse of existing administration building spaces and vertical shafts; (2) demolition costs for the skybridge; (3) space utilization and operational impacts on affected agencies; and (4) costs and benefits associated with each alternative, taking into account the cost-benefits associated with possible concurrent site and public right-of-way construction for the new county office building.

The feasibility study must be filed in the form of 16 copies with the clerk of the council, who will retain

the original and will forward copies to each councilmember and to the lead staff of the budget and fiscal management committee and the lead staff of the law justice and human services committee or their successors.

P5 PROVIDED FURTHER THAT:

No portion of the funds appropriated for CIP project A00025, operating facilities improvements, shall be expended for the issuance of an RFP for the sale of the north Lake Union property currently occupied by the transit maintenance facility or for predesign of a replacement maintenance facility until the executive has submitted and the council approved by motion a request for proposal (RFP) for the sale of the north Lake Union property. The RFP should include an option for sale of the property without the provision of a replacement facility by the proposer

The request for proposal and proposed motion must be filed in the form of 15 copies with the clerk of the council, who will retain the original and will forward copies to each councilmember and to the lead staff of the budget and fiscal management committee or its successor.

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.

P6 PROVIDED FURTHER THAT:

A. Of the appropriation for CIP project 395xxx, Elections Consolidation Programming and RFP, \$75,000 shall only be expended or encumbered for completion of elections functions consolidation programming and the development of a request for proposal (RFP) for an open competitive public process to consolidate King County elections consistent with the intent of motion 12099. The RFP shall be submitted by the executive for council approval by motion no later than October 15, 2005.

B. The RFP shall seek to, at a minimum:

1. Solicit proposals from a wide range of building owners and managers to; either lease all or a portion of an existing building, lease with ownership options, purchase, or construct a facility for consolidation of King County elections.

2. Consolidate elections functions including elections administration and operations functions currently located in the King County Administration Building and mail ballot operations currently located in the mail ballot operations satellite (MBOS) facility plus projected growth, but excludes King County elections warehouse functions currently located at the county's 14th Avenue and Fir warehouse, public records archives storage and King County ITS data center operations.

3. Incorporate the completed elections space needs program including specialty programming requirements for ballot processing to address alternatives for improved efficiency and operational consistency.

4. Incorporate council approved recommendations informed by the independent reviews and audit of King County elections including:

- a. The King County Independent Task Force on Elections
- b. The Independent Management Audit
- c. Citizen's Election Oversight Committee

5. Emphasize high quality facilities and spaces that will enhance and encourage an environment of cultural change within King County Elections.

6. Emphasize regional location near the population center of King County, in close proximity to freeways, access to transit facilities, and include a parking plan to address high volume peak elections parking needs.

7. Incorporate the requirement that any costs associated with necessary tenant improvement to meet the elections programming requirements are included in the proposal.

8. Allow for alternative financing opportunities such as 63-20 IRS Tax Code lease/lease back, or build to suit/lease to own methodologies.

C. The RFP must be filed in the form of 15 copies with the clerk of the council, who will retain the original and will forward copies to each councilmember and to the lead staff of the budget and fiscal management committee or its successor.

P7 PROVIDED FURTHER THAT:

No funds in excess of those appropriated by this ordinance shall be expended or encumbered for the acquisition of the real property, or interests therein, located at 1130 Rainier Avenue South, in Seattle.

P8 PROVIDED FURTHER THAT:

Of the appropriation for CIP project 395554, district court FMP, the project manager will work to support the development by the office of management and budget, in conjunction with the facilities management division and the district court, of a scope of work for the district court facilities master plan (FMP). This scope of work should be based upon the council's adopted district court operational master plan and shall include budget, schedule, tasks, milestones and criteria for consultant selection and request for proposals (RFP) development. The scope of work shall also include provisions for interaction between interested parties including: (1) a coordinated staff monitoring group that is comprised of executive, district court and council staff; and (2) an advisory group made up of representatives of the executive, district court and contract city representatives. The remaining \$45,000 for CIP project 395554 shall only be used for space planning work related to the district court facilities master plan directly necessary for support of negotiations of the district court contracts.

P9 PROVIDED FURTHER THAT:

For CIP project 395xxx, regional justice center site master plan, \$40,000 shall be expended solely for immediate parking analysis, space needs and planning analysis, and initial project management.

P10 PROVIDED FURTHER THAT:

For CIP project 395xxx, regional justice center site master plan, for the purposes of considering any request for future appropriation authority for this project, a work plan shall be developed identifying both phase one short-term goals and phase two long-term goals. The plan shall describe how the executive will address the needs associated with and identified in county on-going and adopted plans and policies, including but not limited to, the District Court Operational Master Plan (OMP), the District Court Facilities Master Plan, the

Superior Court targeted OMP, the Sheriff's Office Operational Assessment, the Integrated Regional Justice Assessment and the 2005 Space Plan. In addition, the plan shall show how stakeholders shall be consulted and coordinated from the city of Kent, the prosecuting attorney's office, the sheriff's office, the office of management and budget, the office of public defense, the King County law library, the department of adult and juvenile detention, the community services division, the facilities management division, and the transit division. The plan shall also consider criminal justice council recommendations as part of the planning effort. The detailed work plan shall include a scope of work, tasks, schedule, needed resources and milestones. The plan should also include a description of the proposed group that will be responsible for the oversight of the planning effort and also identify the other county agencies that will need to participate in the planning work.

P11 PROVIDED FURTHER THAT:

Of this appropriation, no funds may be expended or encumbered on the Lakewood Park Community Center project 316560 until the executive transmits and the council approves by ordinance an agreement between the county and the Technology Access Foundation relating to the construction, ownership, use and operation of the facility.

P12 PROVIDED FURTHER THAT:

Of the \$4,771,500 appropriated for OIRM Capital Projects (Project 377190), none of the \$1,500,000 for high-speed ballot tabulation equipment and software shall be expended or encumbered until after the executive transmits and the council reviews (~~(and approves by motion)~~): (1) an Information Technology Business Case for the ballot high-speed ballot tabulation equipment and software that: (a) fully complies with the Guiding Principles and other applicable requirements set forth in the Strategic Technology Plan 2006-2008; and (b) has been reviewed and approved by the project review board; and (2) the election security plan that the council asked the executive to provide in Motion 12299, Subsection D(2). Additionally, none of these funds shall be expended or encumbered until the council indicates its concurrence with the executive's security review proposal as required by Motion 12564.

P13 PROVIDED FURTHER THAT:

Of the \$4,771,500 appropriated for OIRM Capital Projects (Project 377190), none of the \$2,700,000 for ballot tracking and processing and signature verification equipment and software shall be expended or encumbered until after the council reviews and ~~((approves))~~ accepts by motion: (1) an Information Technology Business Case for the ballot tracking and processing and signature verification equipment and software that: (a) fully complies with the Guiding Principles and other applicable requirements set forth in the Strategic Technology Plan 2006-2008; and (b) has been reviewed and approved by the project review board; and (2) the executive transmits the election security plan that the council asked the executive to provide in Motion 12299, Subsection D((;)). Upon council acceptance of the business case by motion: (1) \$1,600,000 shall be available for expenditure or encumbrance for the purchase of Pitney Bowes equipment and software for ballot tracking and processing; and (2) \$755,000 shall be available for ballot tracking and processing activities related to: (a) development of a detailed implementation plan; (b) project management; (c) equipment maintenance; and (d) purchase of peripheral equipment necessary to implement the ballot tracking and processing business case, though none of the \$755,000 shall be used to purchase VoteHere software or to purchase automated signature verification equipment and software. Of the appropriation, \$345,000 shall be available for expenditure or encumbrance on VoteHere software only after the executive submits to the council, and the council indicates its concurrence, on a report that provides clear information on the corporate ownership of VoteHere software, technical assistance levels and assurances for the product and information on the physical presence of the corporation in the northwest including their availability to support the county on site.

P14 PROVIDED FURTHER THAT:

Of the \$4,771,500 appropriated for OIRM Capital Projects (Project 377190), none of the \$571,500 for scheduling and project management software shall be expended or encumbered until after the council reviews and ~~((approves by motion))~~ indicates its concurrence with an Information Technology Business Case for the scheduling and project management software that: (1) fully complies with the Guiding Principles and other

applicable requirements set forth in the Strategic Technology Plan 2006-2008 and (2) has been reviewed and approved by the project review board.

P15 PROVIDED FURTHER THAT:

No funds of the \$15,000,000.00 transferred by this ordinance in Fund 3791 from Project 379006 to Project 379004 may be expended or encumbered until the executive and the University of Washington file with the clerk of the council a certification that:

1. A settlement agreement has been signed by Turner Construction Company, Harborview Hospital, the University of Washington and King County resolving cost claims from the contractor's requests for equitable adjustment on the Inpatient Expansion Building ("IEB");

2. The settlement is in substantially the form set forth in the agreement draft dated March 30, 2006 and sent that date by the Attorney General's Office on behalf of the University of Washington to the prosecuting attorney and the council's legal counsel; and

3. The settlement agreement contains a provision in substantially the following form: "If Owner terminates any portion of the Work for convenience, the Parties shall mutually determine how to adjust the Contract Time. In addition, if a portion of the NJB is terminated for convenience, Owner agrees (subject to approval by the County Council) to merge the remaining NJB work with the IEB thereby creating one project. The Contract will then be amended to reflect a revised single MACC for the IEB and NJB (including a negotiated amount for the MACC contingency), and a revised GCC cost and Fee. As stated above, the Fee will be adjusted to an amount that will cover only the actual cost of B&O tax and bonds.

P16 PROVIDED FURTHER THAT:

Of this appropriation, \$250,000 may not be expended or encumbered until the executive submits and the council approves by motion a report setting forth the need for additional expenditure authority:

The report shall be filed with the clerk of the council for distribution to the chair of the capital budget committee, or its successor committee, to each council member and to the lead staff of the capital budget

committee or its successor committee.

~~((P10))~~ P17 PROVIDED FURTHER THAT:

Of the appropriation for CIP project 395698, OMP/FMP and Space Planning, \$100,000 shall not be expended until the executive submits to the council and the council has approved by motion a work plan describing project oversight and coordination. This CIP project is for initial planning and development of operational master plans ("OMP") and facility master plans ("FMP") that are not yet funded as individual CIP projects. Consequently, the work plan must include details on overall project oversight and coordination of all current and developing OMP, FMP and space planning projects. The work plan shall include program staffing, management, and coordination; any project interrelationships and linkages; and the impacts between and upon operational and facilities master plans including but not limited to those for all criminal justice functions and associated agencies, such as public health. Any OMP or FMP work charged to the project that is not related to criminal justice or associated functions must also be documented in the work plan.

The executive should submit the OMP/FMP work oversight plan and motion by September 1, 2006, in the form of 11 copies with the clerk of the council, who will retain the original and will forward copies to each councilmember and to the lead staff for the capital budget committee or its successor.

~~((P11))~~ P18 PROVIDED FURTHER THAT:

All project charges for CIP 395698 shall be separately tracked in sub project accounting that specifically shows charges for separate OMP, FMP and space planning work. This accounting shall include, but not be limited to, all program staff charges and any other associated charges, including, but not limited to, consultant fees, training costs, and hourly planning charges.

~~((P12))~~ P19 PROVIDED FURTHER THAT:

Of the appropriation for CIP 395702, COM CENTER - RCECC, \$130,000 must be expended or encumbered before December 31, 2006, for the following purposes: \$10,000 for architectural punch list items, \$40,000 for dehumidifier repair and replacement and \$80,000 for an antenna booster.

((P13)) P20 PROVIDED FURTHER THAT:

It is the intent of the council that no funds for CIP 395702, COM CENTER - RCECC, be expended or encumbered after December 31, 2006, with the exception of payments needed for final contractual acceptance of equipment that must be tested or adjusted in 2007.

((P14)) P21 PROVIDED FURTHER THAT:

The \$500,000 appropriation for CIP project 315xxx, Cedar River Preservation, shall be applied only to the property interest acquired by the city of Seattle along the Cedar river to comply with the Habitat Conservation Plan to acquire development rights to retain this property in perpetuity beyond the fifty year interest the city has already acquired and, provided further, that the value of such rights shall be determined by appraisal, be held by King County as a public benefit in perpetuity, and any amount in excess of the appraised value shall revert to the conservation futures sub-fund 3151.

((P12)) P22 PROVIDED FURTHER THAT:

Of this appropriation, \$750,000 shall be expended or encumbered solely for the purpose of performing due diligence including but not limited to such things as hiring consultants, placing deposits, structural, environmental, geotechnical, zoning, appraisal, legal and cost analysis, on potential property opportunities that are brought forward through a broker assisted property search using as guidelines criteria as were developed for the solicitation for offer process and approved by the council in Motion 12307, which the facilities management division shall conduct in parallel with the Goat Hill predevelopment work. Properties that may be suitable but not fully comply with the criteria shall also be evaluated. The facilities management division shall convene a weekly session of a working group to be composed of representatives of the council, prosecuting attorney's office and the executive branch. The facilities management division shall brief the working group on properties that are brought forward as they emerge through the broker process. Information provided on properties may be confidential and confidentiality must be maintained.

In addition to the weekly reports, the facilities management division shall report to the county council

results of the broker assistance process, including a report on each potential property reviewed. The final report is due no later than December 31, 2006.

The report required by this proviso must be filed in the form of 11 copies with the clerk of the council, who will retain the original and will forward copies to each councilmember and to the lead staff of the capital budget committee, provided that no legal or confidentiality requirements of any particular transaction is violated.