

**King County Flood Control District
Advisory Committee
Meeting Agenda
Kirkland City Hall, Peter Kirk Room
October 13, 2011**

- 10:30 a.m. Item 1: Welcome and Meeting Overview**
- *Agenda Review*
 - *Introductions*
- 10:40 a.m. Item 2: 2012 Operating Budget Follow-Up (Decision Item)**
- *Updated Risk Management Costs*
 - *Proposed staffing additions*
- 11:40 a.m. Green River Temporary Levee Removal Proposal (Information Item)**
- 12:15 p.m. Next Steps**
- 12:30 p.m. Adjourn**

Agenda Item 1: Welcome and Introductions

Agenda Item 2: 2012 Proposed Operating Budget Q&A

At the July meeting the Advisory Committee provided recommendations on some specific elements of the proposed work program (e.g. recreational river safety, levee vegetation maintenance, etc), and asked for additional information on risk management and legal costs, as well as the proposed addition of six staff to implement the District's work program. Staff from the King County Executive's Office of Performance, Strategy, and Budget will provide more information on risk management and overhead. As noted in the cover letter to the Advisory Committee's August 31st report to the Board, over \$500,000 of legal and risk management charges discussed at the July meeting will be covered by King County's General Fund and have been removed from the Executive's proposed 2012 budget. To complement the information provided in the June and July meeting packets regarding the work of the proposed new staff, the attached meeting packet includes an organizational chart showing existing and proposed staff, along with a summary of tasks, performance metrics, and a comparison of the pros and cons of alternative means of completing the work proposed for each position (ie consultants, temporary employees, etc).

Agenda Item 3: Green River Temporary Levee Removal Proposal

With the announcement that the USACE Howard Hanson Dam will be back to its fully operational condition, the Green River Valley cities have submitted a request (attached) that the District earmark financial assistance of up to \$7.1M for sandbag removal in 2012. The October 13 meeting will provide the Green River cities with an opportunity to make their proposal for Advisory Committee consideration and discussion.

Agenda Item 4: Next Steps

We will summarize the outcomes of the discussion, key messages to forward to the Board of Supervisors on the 2012 proposed budget, the timeline for the 2012 budget process, and upcoming meetings of the Advisory Committee.

King County Risk Management Charge

In 2012, the risk management charge for the WLRD Rivers and Floodplain Management group is \$470,618. The risk management (insurance) rate is based on an agency's historic loss experience and is comprised of:

Claim and litigation costs
Insurance premiums
Operating costs (overhead)

Methodology of rate development

- (1) Claim and litigation costs are developed by an actuary, allocated on the basis of each agency's 10-year loss experience.
- (2) Insurance premiums are allocated based on claims experience (liability premium) or property values (property premium).
- (3) Operating costs (overhead) are allocated based on 5-year claims experience. Agencies with a high average claim experience in the past five years are allocated a proportionally higher amount of the office's operating costs.
- (4) Interest credit or charge: All program revenues and expenditures are tracked by agency. Projected interest earnings are credited against the proposed charges on the basis of each agency's projected average cash balance. If the projected fund balance is below the amount needed to pay their claims, insurance and overhead cost, then an interest charge is assessed based on the agency's negative cash balance.

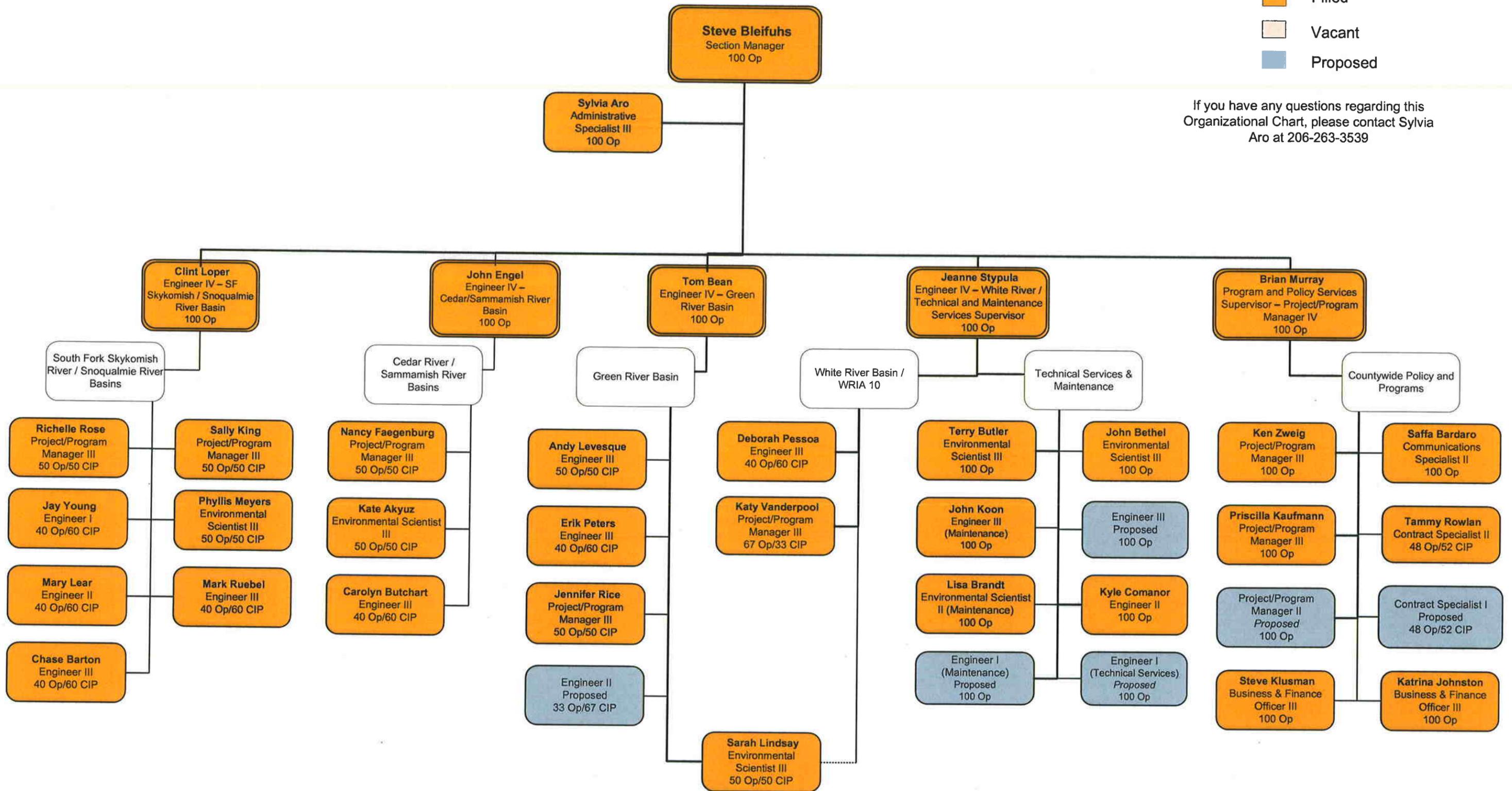
King County 2012 Proposed Budget

The County's 2012 Proposed Budget assumes the General Fund will cover the payment for the past claim on the Summer Stone lawsuit because the Flood Control District was not formed at the time of the incident. For items 2-4 above, flood-related costs will be charged to WLRD based on the claims experience and projected fund balance within the agency's insurance fund. Because of the very low claim history in WLRD for incidences not flood-related, the charges will be assigned to the River and Floodplain Management group within WLRD. This means that most or all of these costs will ultimately be borne by the Flood Control District as part of the cost of contracting with WLRD.

River and Floodplain Management Section 2012 Budgeted Months

- Filled
- Vacant
- Proposed

If you have any questions regarding this Organizational Chart, please contact Sylvia Aro at 206-263-3539



**King County Flood Control District Advisory Committee
Agenda Item 2 - 2012 Staffing Proposal**

Resource and Context	Without this resource, we will not be able to do the following:	The 'value-added' and performance metrics for these staff are....	And the pros and cons of staff vs. consultant vs. term-limited staff are.....
Engineer I – Maintenance Program Team	<ul style="list-style-type: none"> • Complete all permit-required monitoring for projects. Given the large number of repair projects in 2008-9, more projects completed than originally planned, resulting in monitoring requirements that exceed staffing levels. Without additional staff we are at risk of being out of compliance with permit conditions for completed projects. • Address a backlog of demolitions, creating an increased liability while structures sit vacant. At any given time we have a backlog of approximately 10 structures. • We will not be able to comply with the Green Building Ordinance, which calls for salvage and re-use rather than demolition wherever possible. • Provide the inspection and maintenance work necessary to apply any new vegetation management approach developed with the Corps. • Replant demolition sites once the structure is removed. This is resulting in colonization by invasive species that will eventually require management. • Replant invasive species removal sites with native plants. By leaving the disturbed site unplanted, we increase the risk that invasives will return and we will once again have to spend money to remove them. • Respond in a timely manner to citizen and management requests for large wood management actions. • Respond to citizen inquiries in a timely manner. Simple tasks like coordinating on a request for road repaving on a county-owned levee do not compete with public safety priorities. 	<ul style="list-style-type: none"> • Reduced liability from 'attractive nuisance' vacant structures awaiting demolition • Reduced maintenance costs – by planting cleared sites with native vegetation we reduce the long-term need to remove invasive species • Reduced PL 84-99 compliance and mitigation costs. Implementation of variances for levee systems maintains PL 84-99 eligibility for less than the \$195M minimum cost (or \$2-3M/mile) necessary to comply with the Corps national standard (grass-only levees), repair de-vegetated levees (e.g. repair patches left by stump removal), and mitigate for the environmental impacts of removing over 17,000 trees along King County waterways. • Structural elements that still have a useful life will be demolished rather than reused / reclaimed. While reuse of building materials is not likely to reduce maintenance costs, it does divert materials from the waste stream. 	<ul style="list-style-type: none"> • Cost for consultant estimated at \$220,000 • Costs are fully-loaded, including salary, benefits, and OH. Consultant costs are based on existing rates in current contracts administered by KC WLRD for these services. • King County salary and benefits are \$92,133 (100% operating) • King County administrative OH/FTE + County/Dept OH is \$42,000; Risk Management and PAO costs are \$14,000/FTE. • Maintenance needs will continue beyond the maximum timeframe allowed for a term-limited employee.
Engineer I/Engineering Technician II – Countywide Technical Services Team	<ul style="list-style-type: none"> • Respond to increased large wood complaints in coordination with Sheriff's office. • Complete field data collection necessary for project design and permits in advance of 2013 construction. This means that these projects may be delayed further than they have already. • Delay to channel migration zone mapping studies unless field staff available to collect data 	<ul style="list-style-type: none"> • Increased ability to meet project schedule commitments for design and construction • Clear documentation of baseline and post-project conditions necessary for performance audits 	<ul style="list-style-type: none"> • Cost for consultant estimated at \$220,000 • Costs are fully-loaded, including salary, benefits, and OH. Consultant costs are based on existing rates in current contracts administered by KC WLRD for these services. • King County salary and benefits are \$92,133 (100% operating) • King County administrative OH/FTE + County/Dept OH is \$42,000; Risk Management and PAO costs are \$14,000/FTE. • Support is needed beyond the maximum timeframe for a term-limited employee.

**King County Flood Control District Advisory Committee
Agenda Item 2 - 2012 Staffing Proposal**

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Engineer II – Green River Basin Team	<ul style="list-style-type: none"> Review and comment on City-proposed projects along the Green to ensure consistency with long-term goals of the 2006 Flood Plan Provide engineering support for Upper Russell Road project. Without staff we would have to consider transferring funding to the City of Kent to implement, but we would still need staff to draft the scope, review products, etc. Support for 180th-200th design effort following completion of feasibility work. In the absence of a King County design, we will have a more difficult time providing an alternative to floodwalls (if necessary). Annual inspections reports, documentation, and maintenance work necessary for federal projects, certified levees, and PL 84-99 compliance 	<ul style="list-style-type: none"> Increased ability to complete capital project design on schedule (namely Upper Russell and Lower Russell in the near term) Increased ability to complete required inspection documentation for federal projects and certified levees. 	<ul style="list-style-type: none"> Cost for consultant estimated at \$280,000 Costs are fully-loaded, including salary, benefits, and OH. Consultant costs are based on existing rates in current contracts administered by KC WLRD for these services. King County salary and benefits are \$98,059 (33.3% operating, 66.7% capital) King County administrative OH/FTE + County/Dept OH is \$42,000; Risk Management and PAO costs are \$14,000/FTE. Much of the proposed work would be to develop and manage consultant work orders; handing this work off to consultants is not efficient or productive. Support is needed beyond the maximum timeframe for a term-limited employee.
Engineer III Resident Engineer– Countywide Technical Services Team	<ul style="list-style-type: none"> Constructability review for 7 construction projects slated for 2013 (per Tracker). Other option is to do this via consultant, which would mean that King County’s advocate in the bid and construction process would be an external contractor. 	<ul style="list-style-type: none"> Reduce change order costs and delays (10% savings?) Necessary for audit compliance 	<ul style="list-style-type: none"> Cost for consultant estimated at \$320,000 Costs are fully-loaded, including salary, benefits, and OH. Consultant costs are based on existing rates in current contracts administered by KC WLRD for these services. King County salary and benefits are \$108,118 (25% operating, 75% capital) King County administrative OH/FTE + County/Dept OH is \$42,000; Risk Management and PAO costs are \$14,000/FTE. Support is needed beyond the maximum timeframe for a term-limited employee. While CM&I function could be patched together on a project-by-project basis through KC Roads, project partners (as was done with Seattle on the Tolt project), this results in higher costs to coordinate and negotiate the service, and more importantly it is not reliably available for construction work when needed.

**King County Flood Control District Advisory Committee
Agenda Item 2 - 2012 Staffing Proposal**

Resource and Context	Without this resource, we will not be able to do the following:	The 'value-added' and performance metrics for these staff are....	And the pros and cons of staff vs. consultant vs. term-limited staff are.....
Contract Specialist I – CIP Implementation Contract Support	<ul style="list-style-type: none"> • Implement new 'pilot' contracts for the Division. Significant effort has been made at Executive / Dept/Division level to conduct a 'pilot' project with larger contracts. By 2012 we will have 10 new contracts in place with capacity for about 60 work orders. Without new staff, we will not be able to fully access this capacity while ensuring that new and existing contracts are administered thoroughly so that audit findings can be avoided. • Provide the contract administration necessary to avoid adverse audit findings. Wastewater FTE/contract recommended ratio is 10:1. We are currently at 20:1, or enough current work for 2 FTEs. 	<ul style="list-style-type: none"> • Increased risk of audit findings on contracts if staffing is insufficient for contracts and work order administration. • Inability to take advantage of procurement reform efforts that have resulting in work-order based contracts of \$3M each (cumulative total of \$9M) for engineering design and construction management, compared to \$500,000 per contract under standard County procurement practices. 	<ul style="list-style-type: none"> • Not comparable to consultant costs. Paying a consultant to administer consultant contracts is not advisable from an audit, financial, or efficiency perspective. • King County salary and benefits are \$91,844 (25% operating, 75% capital) • King County administrative OH/FTE + County/Dept OH is \$42,000; Risk Management and PAO costs are \$14,000/FTE. • Support is needed beyond the maximum timeframe for a term-limited employee.
Project/Program Manager II – Policy & Program Development Team	<ul style="list-style-type: none"> • Very limited ability to research and analyze city or Board proposals for policy changes during the plan update process <ul style="list-style-type: none"> ○ For example: Seattle has suggested that the plan update include (1) triple-bottom line accounting for capital projects and (2) require cities to cost-share projects. No staff available to research and analyze either idea. ○ Executive Director of Board has asked for a report summarizing the economics of flooding. No staff available to develop scope of work for outside consultant. ○ "Regional equity" called for by Board. No staff available to suggest proposals to address this. • Provide timely responses to city requests for Subregional Opportunity Fund • Develop external funding requests to maximize external resources from state, federal, and local sources. • Provide comments on federal / state policies and regulations of importance to the Flood District and King County. For example, we did not review or comment on several changes to the Corps nationwide permits. • Provide more than a cursory response to internal reporting requirements and requests from Executive, Board, Department, and Division management. • Respond to citizen and stakeholder comments and inquiries. • Input or comments on Puget Sound Partnership floodplain management recommendations, which is embarrassing given our recognition as a national leader on the topic. 	<ul style="list-style-type: none"> • Lost opportunity to leverage over \$1M in grants each year from FEMA, SRFB, CFT, and other possible sources. • Lost opportunity to investigate and analyze policy proposals and options in response to requests from jurisdictional partners and other stakeholders. 	<ul style="list-style-type: none"> • Cost for consultant estimated at \$200,000 • Costs are fully-loaded, including salary, benefits, and OH. Consultant costs are based on existing rates in current contracts administered by KC WLRD for these services. • King County salary and benefits are \$95,458 (100% operating) • King County administrative OH/FTE + County/Dept OH is \$42,000; Risk Management and PAO costs are \$14,000/FTE. • While some policy analysis work could be term-limited, there will likely continue to be policy research and analysis needs beyond the plan update. In addition, grant development, administration, and management needs exceed the maximum timeframe for a term-limited employee.

King County Flood Control District Advisory Committee
Agenda Item 2 - 2012 Staffing Proposal

	<ul style="list-style-type: none">• Respond to requests from professional societies for presentations (APA, APWA, AWRA, etc)• Complete conference proposals so that cutting edge work of the FCD can be presented and made visible to others in the region and around the country.		
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August 5, 2011

Julia Patterson
King County Council
516 3rd Ave RM 1200
Seattle WA 98104-3272

Dear Chair Patterson:

We appreciate the assistance and lead coordination the Flood Control Zone District provided in 2009 when the US Army Corps of Engineers announced its discovery of defects with the dam. The District led the effort to coordinate the media event, placement of the floodwalls, and provided financial - and in several cases actual work - assistance to install the floodwalls.

This Fall the Corps may be in a position to declare that the dam is operating at its pre-2009 level. Although we hope to hear positive news from FEMA on our reimbursement appeal, we think it only prudent for the Flood Control District to earmark financial assistance to remove the temporary floodwalls. The estimated expenditure for the District's 2012 budget is \$7.1 million.

The cost estimates listed below represent what a bid project might cost:

Tukwila	\$2	million
Kent	3	million
<u>Auburn</u>	<u>2.1</u>	<u>million</u>
Total:	\$7.1	million

Clearly, finding a local need for the giant sand bag/Hesco materials will reduce costs. Your guidance as to a possible regional project that could make use of the materials, or suggestions where the materials could be stored, would be greatly appreciated.

The collaboration between the cities and county, and our state and federal delegation to protect lives, property and the economic stability of our state, is worth celebrating. We would like to help coordinate another media event with the Flood Control District board and your office, highlighting the county's lead in

removing the flood walls while also letting our communities and the region know that the dam has been restored to a safe level.

Sincerely,

CITY OF AUBURN



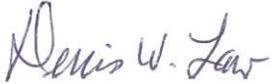
Peter B. Lewis, Mayor

CITY OF KENT



Suzette Cooke, Mayor

CITY OF RENTON



Denis W. Law, Mayor

CITY OF TUKWILA



Jim Haggerton, Mayor



KING COUNTY
FLOOD CONTROL
D I S T R I C T

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August 31, 2011

Honorable Peter B. Lewis
Mayor
City of Auburn

Honorable Suzette Cooke
Mayor
City of Kent

Honorable Denis W. Law
Mayor
City of Renton

Honorable Jim Haggerton
Mayor
City of Tukwila

Dear Mayors:

Thank you for your August 5, 2011 letter to me in my capacity as Chair of the King County Flood Control District (District) requesting \$7.1 million in District funds to remove the temporary floodwalls currently in place along the Green River.

The Flood Control District has not yet received the recommendations for the 2012 District Budget from the Advisory Committee or the King County Executive. We are expecting to see those recommendations in mid-October when we will begin our deliberations. The Advisory Committee will be meeting on October 13 to finalize its recommendations to the District.

It is my understanding that Auburn, Kent, and Tukwila hold agreements with King County under which King County authorized each City to install structures and measures on the levees ("work") in a manner consistent with U.S. Army Corps of Engineers specifications and requirements.

The purpose of the work was to raise the levees to an elevation sufficient to provide up to three feet of freeboard over and above the modeled water surface elevation for a flow

of 13,900 cfs in the Green River. King County agreed to reimburse each City for the actual costs of the work, up to a specified amount.

Section 15 of the Agreement states that:

"This Agreement shall remain in force and effect until the heightened threat of flood has passed and associated restoration and temporary permanent clean-up work is complete. Upon a determination by the Corps that the design capacity of the Howard Hanson Dam has been restored and the dam is functioning in accordance with its original design, the City shall cause the materials that have been placed on the Levees in accordance with the Work, to be removed and to dispose of them in accordance with any instructions provided by the Corps . . . The City agrees that upon removal of the materials, it shall restore the Levees to their condition previous to the placement of materials, . . . and shall be responsible for all costs associated with such removal and restoration, unless the County determines, in its sole discretion, that additional funds are available and makes such funds available for part of or all of such costs."

The agreement referenced above is between the cities and King County, not the cities and the Flood District. I am forwarding a copy of your letter to Mark Isaacson, Manager of King County's Water and Land Resources Division. He is the County's responsible official for the agreement and he should be able to clarify the terms of the Agreement and also clarify the action needed by the Corps to clear the way for the temporary floodwall removal.

I also understand that the County is still awaiting a response from FEMA for the requested reimbursement of the costs associated with the Howard Hanson Dam emergency.

I do plan to bring your letter to the attention of my colleagues on the Flood District Board of Supervisors Executive Committee so that they are aware of the need.

Thank you for your efforts to keep South King County communities safe and vibrant.

Sincerely,

A handwritten signature in black ink that reads "Julia Patterson". The signature is written in a cursive, flowing style.

Julia Patterson, Chair
King County Flood Control District

cc: King County Flood Control District Executive Committee