

Introduced by:

R.R. "BOB" GREIVE

77-390

ORDINANCE NO. 3209

1
2 AN ORDINANCE making an appropriation in the
3 amount of \$442,491 to the River and Flood
4 Control Construction Fund from the United
5 States Department of Agriculture, Soil Con-
6 servation Service, for settlement of decision
7 rendered in lawsuit concerning construction of
8 Black River Discharge Structure (P-1 Pump Plant;
9 CIP Project Number 042568); amending the King
10 County Hydraulics and Flood Control Sub-program
11 1977 Capital Improvement Budget and Program; amend-
12 ing Ordinance No. 2988, Section 70, Attachment No.
13 1; and declaring an emergency.

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BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. There is hereby approved and adopted an appropriation
in the amount of \$442,491 to the Flood Control Construction Fund from the
United States Department of Agriculture, Soil Conservation Service, for
payment of SCS percentage of judgment rendered in lawsuit; Mottner and
McCutchen v. King County. Lawsuit resultant to construction of Black
River Discharge Structure (P-1 Pump Plant; CIP Project Number 042568).

SECTION 2. Ordinance No. 2988, Section 70, as amended, is hereby
amended to read as follows:

River and Flood Control Construction (\$876,000) \$1,318,491.

SECTION 3. The project information sheet attached hereto is adopted
to amend and revise the King County 1977 Capital Improvement Budget and
Program; amending Ordinance No. 2988, Section 70, attachment No. 1 as
amended.

SECTION 4. The County Council finds as fact and declares that an
emergency exists and that this ordinance is necessary for the immediate
preservation of the public peace, health or safety or for the support of

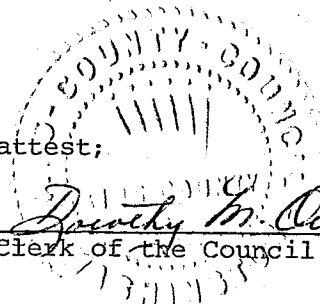
1 county government and existing public institutions.

2 INTRODUCED AND READ for the first time this 9th day
3 of May, 1977.

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5 PASSED this 16th day of May, 1977

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7 KING COUNTY COUNCIL
8 KING COUNTY, WASHINGTON

9
10 Mike Lowry
11 Chairman

11
12  attest;
13 Dorothy M. Owens
14 Deputy Clerk of the Council

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16 APPROVED this 26th day of May, 1977

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18 [Signature]
19 King County Executive

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Project: 042568 P-1 Pump Plant

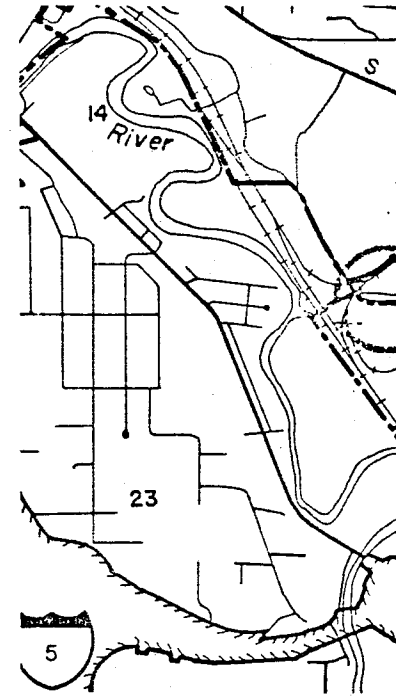
Printing Date: APRIL 1976

Description:

Council District: No. 6
CIP Planning Area: Central

This flood control pumping plant located at 550 Monster Road on the Black River was completed in July, 1972. The contractor, Mottner & McCutchen and Wyatt & Kipper, a joint venture, started litigation on the total cost of the project, the case going to trial late in 1976. The trial was concluded in December, 1976 and Judge Holman rendered a decision on April 19, 1977 finding for the plaintiffs in the amount of \$455,472. Other costs of this law suit include attorney fees and fees for engineering services requested by the King County Prosecuting Attorney's office for preparation of trial, and during the trial.

United States Department of Agriculture, Soil Conservation Service, provides 97.15 percent of the judgment and of the attorney fees.



Cost Data:

Original Cost Estimate 1975 \$194,000
Annual O&M Cost Estimate 1975 Not Available

Status:

Judgment rendered April 19, 1977.

Project Data:

FUND	00330 RIVER & FLOOD CONTROL CONSTRUCTION	CENSUS TRACT	59
DEPT	0744 HYDRAULICS C.I.P.	DEPT PRIORITY REQUEST	
LOW ORG	1699 RIVER AND FLOOD C.I.P.	LOCATION	- 550 Monster Road - Black River
PROG	PHYSICAL ENVIRONMENT	COUNCIL DISTRICT:	006
SUBPGM	FLOOD CONTROL CONSTRUCTION		

OPTION	PRIOR YRS EXPENDITURES	EXISTING BUDGET	1977 APPROPRIATION	PROGRAM PROJECTION IN TH		
				1978	1979	1980
1. DESIGN, PRELIM ENGINEERING						
2. ACQUISITION OR RIGHT-OF-WAY						
3. CONSTRUCTION		159,121	442,491			
4. EQUIPMENT & FURNISHINGS						
5. CONTINGENCY						
6. ARTISTIC FURNISHINGS						
.... ANNUAL PROJECT TOTAL	232,915	167,085	442,491			
.... 77-82 PROJECT COST		442,491				
.... TOTAL PROJECT COST		842,491				

REVENUE SOURCES

BOND SALE PROCEEDS (A)		167,085			
SOIL CONSERVATION SERVICE (P)			442,491		
.... ANNUAL REVENUE TOTAL	232,915	167,085	442,491		
.... TOTAL REVENUE	842,491	(167,085	-AVAILABLE	442,491 -PENDING)