

1       **15.38.050 Motor vehicles; boats; animals; newsstands.**

2       The impoundment and disposition of abandoned and/or unauthorized vehicles is regulated by  
3       ~~((Seattle Municipal Code-))~~ Chapter 11.30 and RCW 46.55.080 through 46.55.115, and as to a  
4       vehicle, watercraft, camper, or component part thereof whose manufacturer's serial or  
5       distinguishing number or mark has been removed or altered by RCW 46.12.310 -- 46.12.340.

6       The Director of Transportation and the Superintendent are authorized to assist the Chief of Police  
7       and the Director of Finance and Administrative Services~~((Licenses and Consumer Affairs))~~ in  
8       arranging for the removal thereof from public places.

9       The impounding of animals is regulated by ~~((Seattle Municipal Code))~~ Chapter 9.25.

10       The impounding of newsstands is regulated by ~~((Seattle Municipal Code))~~ Section 15.14.070.

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13               Section 266. Section 15.42.050 of the Seattle Municipal Code as last amended by  
14       Ordinance 118409 is amended as follows:

15       **15.42.050 Conformance to Street Tree Planting Standards.**

16       Tree planting shall conform to the Street Planting Standards of the City of Seattle adopted ~~((by~~  
17       ~~Board of Public Works and continued in effect pursuant to this subtitle or as later modified))~~ by  
18       the Director of Transportation, insofar as practical. Changes from those standards may not be  
19       granted without approval of the Director of Transportation.  
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23               Section 267. Section 15.52.020 of the Seattle Municipal Code, last amended by Ordinance  
24       121276, is amended as follows:

25       **15.52.020 Committee membership.**



1 The Special Events Committee shall be comprised of the following voting members:

2 A. A representative of the Mayor, the City Budget Director, the Fire Chief, the Police  
3 Chief, the Superintendent of Parks and Recreation, and the Directors of Transportation, Planning  
4 and Development, Finance and Administrative Services, and Neighborhoods, and of the Seattle-  
5 King County Health Department;

6 B. A representative of the ~~((Metropolitan Services Division))~~ the transit division of King  
7 County government;

8 C. Three ~~((3))~~ citizens and one ~~((1))~~ alternate appointed by the Mayor, subject to  
9 confirmation by the City Council; an alternate may vote when the appointee is absent. One  
10 ~~((1))~~ of the citizens shall have experience in organizing special events with attendance over  
11 ~~((ten thousand-))~~ 10,000 ~~(())~~ people; another shall have experience organizing smaller events.  
12 Members shall serve without compensation, by reason of their committee membership. Citizen  
13 members and alternates may be reimbursed for expenses incurred in attending committee  
14 meetings and performing committee duties. The Mayor shall appoint the chair of the Committee,  
15 who shall serve for a term of two ~~((2))~~ years and may be reappointed. The incumbent chair  
16 shall hold over at the expiration of his or her term until a successor is appointed and qualifies.  
17 The chair shall provide for maintaining committee records, arranging meeting times and places,  
18 sending statements, and issuing permits on behalf of the Committee.  
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22  
23 Section 268. Section 15.62.110 of the Seattle Municipal Code as last amended by  
24 Ordinance 120794 is amended as follows:

25 **15.62.110 Payment of compensation or conveyance.**  
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1 Upon securing an appraisal of the value of the street or alley area to be vacated as provided in  
2 this chapter, the Director of Transportation shall notify the petitioner of the amount of  
3 compensation, deducting therefrom any remaining appraisal fee deposit not previously refunded  
4 to petitioner. The payment shall be delivered to the Director of Transportation who, upon receipt  
5 of any such payment shall forthwith transmit the same to the ((City)) Director of Finance and  
6 Administrative Services((~~Executive Administration~~)) for deposit in the Cumulative Reserve  
7 Subfund((~~Fund~~)) and shall make a written report of such payment to the City Council. In the  
8 event that the petitioner has received approval of delivery of an instrument granting or dedicating  
9 to the City a parcel or parcels of land in lieu of a cash payment as contemplated by Section  
10 15.62.090, the Director of Transportation, in his or her discretion, at the applicant's expense shall  
11 obtain either a policy of title insurance insuring title thereto in the City, or a certificate of title as  
12 to the title thereof, and upon receipt of such policy or certificate shall transmit the same to the  
13 City Council for inclusion in the appropriate file.  
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16  
17 Section 269. Section 16.08.050 of the Seattle Municipal Code as last amended by  
18 Ordinance 120794 is amended as follows:

19  
20 **16.08.050 Waterway Operations and Maintenance Subfund.**

21 A. A restricted subfund designated the "Waterway Operations and Maintenance Subfund"  
22 is established in the Transportation Fund to which restricted subfund shall be deposited all fees  
23 collected from waterway use and occupation permits issued under this chapter; reimbursements  
24 of expenses incurred by the Chief of Police in removal, towing, impoundment of vessels, water  
25 sport craft or obstructions in waterways and receipts from sale of such vessels, water sport craft  
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1 or obstructions; its proportionate share of interest earnings of invested Transportation Fund  
2 balances; and any other moneys accruing from activities under this title in waterways or  
3 appropriated or budgeted to such fund. If the Waterway Operations and Maintenance Subfund  
4 has a credit balance greater than that of the Transportation Fund, the Director of Finance and  
5 Administrative Services~~((Executive Administration))~~ shall credit interest to the Subfund at the  
6 rate of the City's investment earnings for funds of its size.  
7

8 B. The Waterway Operations and Maintenance Subfund shall be charged with the cost of  
9 administration, inspection and policing involved in the issuance and continuance of such permits;  
10 activities of the City in maintaining waterways as public ways for vessels or obstructions and for  
11 commerce and navigation; and for maintaining a reserve to clear waterways of vessels that may  
12 sink therein and for emergency activities related to waterways and navigation. Vouchers for  
13 expenditures shall be approved by the Director of Transportation or his or her designee, or by the  
14 Chief of Police or his or her designee.  
15

16  
17 Section 270. Section 18.12.080 of the Seattle Municipal Code, last amended by Ordinance  
18 121788, is amended as follows:

19  
20 **18.12.080 Animals running at large prohibited.<sup>1</sup>**

21 A. Except as expressly allowed in subsection B hereof, it is unlawful for any person to  
22 allow or permit any dog or other pet to run at large in any park, or to permit any dog or other pet  
23 with or without a leash, except Seeing Eye or Hearing Ear dogs or dogs used by public law  
24 enforcement agencies and under control of a law enforcement officer, to enter any public beach,  
25 swimming or wading area, pond, fountain, stream, organized athletics area or designated  
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1 children's play area. The Superintendent may ban dogs and other pets, or a specific dog or other  
2 pet, from areas of any park where he or she determines the same may be a nuisance.

3 B. Dogs may be allowed to run at large only in the following areas hereby designated as  
4 off-leash areas:

- 5 1. That portion of Genesee Park depicted on Exhibit 18.12.080 H;
- 6 2. That portion of Golden Gardens Park depicted on Exhibit 18.12.080 I;
- 7 3. That portion of Magnuson Park depicted on Exhibit 18.12.080 J (Revision 2);
- 8 4. That portion of I-5 Open Space depicted on Exhibit 18.12.080 U;
- 9 5. That portion of Westcrest Park as depicted on Exhibit 18.12.080 L (Revision  
10 2002);
- 11 6. That portion of the City's stormwater drainage-retention facility adjacent to I-  
12 90 Lid Park as depicted on Exhibit 18.12.080 M;
- 13 7. That portion of Woodland Park depicted on Exhibit 18.12.080 N; provided that  
14 this site may not be used as an off-leash area until the Superintendent has filed a  
15 stewardship agreement concerning the site with the City Clerk and until signs are  
16 installed;
- 17 8. That portion of Boren-Pike-Pine Park depicted on Exhibit 18.12.080 V;
- 18 9. That portion of City Light Right-of-Way #3 depicted on Exhibit 18.12.080 P;  
19 provided that this site may not be used as an off-leash area until the  
20 Superintendent has filed a stewardship agreement concerning the site with the  
21 City Clerk and until signs are installed;
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1 10. That portion of the East Duwamish Greenbelt depicted on Exhibit 18.12.080  
2 Q; provided that this site may not be used as an off-leash area until the  
3 Superintendent has filed a stewardship agreement concerning the site with the  
4 City Clerk and until signs are installed;

5 11. That portion of Northacres Park depicted on Exhibit 18.12.080 R; provided  
6 that this site may not be used as an off-leash area until the Superintendent has  
7 filed a stewardship agreement concerning the site with the City Clerk and until  
8 signs are installed;

9 12. That portion of Regrade Park depicted on Exhibit 18.12.080 T.

10 Any person who takes a dog into an off-leash area must have physical control of the dog by  
11 means of an adequate leash when entering and leaving the off-leash area and must maintain  
12 voice control over the dog at all times while in the off-leash area. All dogs in an off-leash area  
13 must be licensed and must display valid license tags attached to the dog collar. Dangerous  
14 animals, as defined in ~~((S))~~subsection 9.25.020~~((-))~~G of this Code, are not permitted to use the  
15 off-leash areas.  
16

17  
18 C. Any person with a dog or other pet in his or her possession or under his or her control  
19 in any park shall be responsible and liable for the conduct of the animal, shall carry equipment  
20 for removing feces, and shall place feces deposited by such animal in an appropriate receptacle.  
21

22 D. The Superintendent shall review the impacts of off-leash activities at sites described in  
23 subsections B7 through B13 of this section after ~~((eighteen-))~~18~~((-))~~ months of operations at  
24 each site. In the case of nonpark sites, this review shall include consultation with the City  
25 department with authority over the site. If, based on this review, the Superintendent finds  
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1 significant problems that cannot be practically corrected the Superintendent may close the site to  
2 off-leash use. In addition to any action taken pursuant to the review described above, the  
3 Superintendent is authorized to close to off-leash dog use any area described under subsection B  
4 of this section on a temporary or permanent basis if significant problems arise which cannot be  
5 resolved jointly by the Department of Parks and Recreation, Seattle Animal Control, and COLA,  
6 and if the Superintendent determines that such closure is necessary for the preservation and  
7 protection of the natural environment, public health or safety. Prior to closing any off-leash area,  
8 the Superintendent shall consult with the Director of Finance and Administrative  
9 Services~~((Executive Administration))~~. The Superintendent shall state in writing his or her  
10 reasons for closure.  
11

12 Prior to any permanent closure, the Superintendent shall give ~~((thirty (30)))~~ 30~~((30))~~ days written  
13 notice, to be posted at the site, stating the reason(s) for the closure and shall conduct one~~((1))~~  
14 or more public hearings on the proposed closure.  
15

16 Moreover, the Superintendent is authorized to manage all off-leash sites and this authority shall  
17 include, but not be limited to, the authority to make minor alterations to site boundaries after  
18 reasonable notice to the public, impose operating hours and curtail use at sites as necessary for  
19 renovation, repair or for other operational reasons.  
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21  
22 Section 271. Section 18.28.040 of the Seattle Municipal Code as last amended by  
23 Ordinance 112568 is amended as follows:

24 **18.28.040 Experimental rates.**  
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1 A. With the concurrence of the City Budget Director, the Superintendent of Parks and  
2 Recreation is authorized to adjust the fee or charge contained in the established fee schedule for  
3 any particular facility on a temporary basis of up to ~~((sixty-))~~60~~((+))~~ days in order to increase  
4 public attendance or usage and the resulting revenues. Temporary rates may take the form of  
5 special price during a special time, e.g., a half-price rate for entry to a park facility during the  
6 final hour before closing, a lower rate for children when half or more of the allotted time for  
7 family or children's usage has expired, or a two ~~((2-))~~for one ~~((1-))~~entry for a handicapped  
8 individual and a person who accompanies and assists a handicapped individual.  
9

10 B. The Superintendent shall report to the City Council in conjunction with the  
11 presentation of the Department's proposed budget, the Department's experience with any  
12 experimental rates during the preceding ~~((twelve-))~~12~~((+))~~ months.  
13

14  
15 Section 272. Section 20.04.050 of the Seattle Municipal Code as last amended by  
16 Ordinance 120794 is amended as follows:

17 **20.04.050 Modes of payment.**

18 There shall be two ~~((2-))~~modes of payment for the portion of the cost and expense of any local  
19 improvement contemplated by this chapter, and payable by special assessment, to wit:

20 "immediate payment" and "payment by bonds." The mode adopted shall be the mode petitioned  
21 for in case the improvement shall be made upon petition. Otherwise, the Director of Finance and  
22 Administrative Services~~((Executive Administration, in consultation with the Director of~~  
23 ~~Finance,))~~ shall make a recommendation to the City Council as to the mode of payment, and the  
24 mode shall be the one designated in the ordinance ordering such improvement.  
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1  
2 Section 273. Section 20.04.060 of the Seattle Municipal Code as last amended by  
3 Ordinance 120794 is amended as follows:

4 **20.04.060 Preliminary assessment roll.**

5 A. After the City has ordered a local improvement and created a local improvement  
6 district by ordinance, the Director of Transportation shall prepare, and within ~~((fifteen-))15(( ))~~  
7 days after the improvement of work has been ordered and a local improvement district created,  
8 file with the Director of Finance and Administrative Services~~((Executive Administration))~~ the  
9 following:  
10

- 11 1. The title of the improvement;
- 12 2. The district number;
- 13 3. Copy of a diagram or print showing the boundaries of the district;
- 14 4. Preliminary assessment roll or abstract thereof showing the lots, tracts and  
15 parcels of land that will be especially benefited;
- 16 5. The estimated cost and expense of such improvement to be borne by each such  
17 lot, tract or parcel; and
- 18 6. The name of the owner thereof, if known, but in no case shall a mistake in the  
19 name of the owner affect the validity of any assessment when the description of  
20 the property is correct.

21 B. The Director of Finance and Administrative Services~~((Executive Administration))~~  
22 shall immediately post the proposed assessment roll upon his or her index of local improvement  
23 district assessments against the properties affected.  
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1  
2 Section 274. Section 20.04.120 of the Seattle Municipal Code as last amended by  
3 Ordinance 120794 as follows:

4 **20.04.120 Confirmation by ordinance -- Procedure.**

5 The ordinance confirming any assessment roll shall levy and assess against each lot, tract,  
6 or parcel of land, or other property appearing upon such roll, the amount charged against the  
7 same. Upon the enactment of the ordinance, the roll shall be delivered to the City Clerk, together  
8 with a list containing the lots and the names of the owners thereof upon which the collection of  
9 local improvement district assessments will be deferred pursuant to RCW 35.43.250. The City  
10 Clerk shall forthwith transmit the same to the Director of Finance and Administrative  
11 Services~~((Executive Administration))~~, with his or her certificate that the same has been duly  
12 approved by ordinance, and annually thereafter, in the case of assessments payable by the mode  
13 of "payment of bonds," the Director of Finance and Administrative Services~~((Executive~~  
14 ~~Administration))~~ shall extend the installments of principal and interest upon any unpaid balance  
15 as shown upon said approved roll. Interest shall be at the rate fixed by the ordinance confirming  
16 the assessment roll.  
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21 Section 275. Section 20.04.130 of the Seattle Municipal Code as last amended by  
22 Ordinance 120794 as follows:

23 **20.04.130 Mode of "immediate payment."**

24 A. Whenever the cost and expense of any improvement shall be payable by the mode of  
25 "immediate payment," the Director of Finance and Administrative Services~~((Executive~~  
26  
27



1 Administration)), upon receipt of the assessment roll as confirmed by ordinance, shall publish a  
2 notice in the official newspaper of the City once a week for two ((2)) consecutive weeks that  
3 the roll is in his or her hands for collection, and that all or any portion of the assessment may be  
4 paid within ((thirty-))30((+)) days from the date of the first publication of the notice without  
5 penalty, interest or cost, and that unless payment be made within such time, the assessment or  
6 unpaid portion thereof will become delinquent. Within ((fifteen-))15((+)) days of the first  
7 newspaper publication, the Director of Finance and Administrative Services((Executive  
8 Administration)) shall notify each owner or reputed owner whose name appears on the  
9 assessment roll, at the address shown on the King County tax rolls ((of the County Comptroller))  
10 for each item of property described on the assessment roll, of the nature of the assessment, of the  
11 amount of his or her property subject to such assessment, of the total amount of the assessment  
12 due, and of the time during which such assessment may be paid without penalty, interest or costs.  
13 In the case of assessments the collection of which has been deferred pursuant to RCW 35.43.250  
14 and RCW 35.54.100, as now existing or hereafter amended, the notice shall also state that the  
15 assessment shall be paid within the period of deferral and that unless the assessment the  
16 collection of which has been deferred is paid within such period of deferral, the assessment or  
17 any unpaid portion thereof will become delinquent. Reference to deferred collection assessments  
18 may be omitted from the notice when there is no provision for deferred collection in the  
19 ordinance creating the district.  
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23 B. Upon delinquency a penalty of ((twenty)) 20-percent ((20%)) of the assessment shall  
24 attach to, and become part of all assessments. Delinquent assessments shall bear interest until  
25 paid at a percentage rate to be fixed by the ordinance confirming the assessment roll. Delinquent  
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1 assessments, penalties and interest shall forthwith be collected and the lien thereof enforced in  
2 the manner provided by statute, the City Charter<sup>1</sup> and ordinances of the City.

3  
4 Section 276. Section 20.04.140 of the Seattle Municipal Code as last amended by  
5 Ordinance 120794 as follows:

6 **20.04.140 Mode of "payment by bonds."**

7  
8 A. Whenever the cost and expense of any improvement shall be payable by the mode of  
9 "payment by bonds," the Director of Finance and Administrative Services~~(Executive~~  
10 ~~Administration))~~, upon receipt of the assessment roll as confirmed by ordinance, shall publish a  
11 notice in the official newspaper of the City once a week for two ~~((2))~~ consecutive weeks that  
12 the roll is in his or her hands for collection and that all or any portion of the assessment may be  
13 paid within ~~((thirty))~~30~~((9))~~ days from the date of the first publication of the notice without  
14 penalty, interest or cost. Within ~~((fifteen))~~15~~((9))~~ days of the first newspaper publication, the  
15 Director of Finance and Administrative Services~~(Executive Administration))~~ shall notify each  
16 owner or reputed owner whose name appears on the assessment roll, at the address shown on the  
17 tax rolls of ~~((the))~~ King County ~~((Comptroller))~~ for each item of property described on the  
18 assessment roll, of the nature of the assessment, of the amount of his or her property subject to  
19 such assessment, of the total amount of the assessment due, and of the time during which such  
20 assessment may be paid without penalty, interest or costs. In the case of assessments or of any  
21 installment thereof the collection of which has been deferred pursuant to RCW 35.43.250 and  
22 RCW 35.54.100, as existing or hereafter amended, the notice shall also state that the assessment  
23 or any installment shall be paid within such period of deferral and that unless the assessments or  
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1 installments, the collection of which have been deferred are paid within such period of deferral,  
2 such assessment or unpaid portion or installment thereof will become delinquent.

3 B. Unless collection of an assessment has been deferred pursuant to RCW 35.43.250 and  
4 RCW 35.54.100 as now existing or hereafter amended, the first installment of principal and  
5 interest of any assessment payable under the mode of "payment by bonds" shall become due and  
6 payable during the ~~((thirty-))~~30((9)) day period succeeding a date one ~~((1-))~~year after the date  
7 of first publication of the notice by the Director of Finance and Administrative  
8 Services~~((Executive Administration))~~ that the assessment roll is in his or her hands for collection,  
9 and annually thereafter each succeeding installment of principal or interest shall become due and  
10 payable in like manner. All installments must be paid in sequential order. Whenever an  
11 installment shall become due and payable, the Director of Finance and Administrative  
12 Services~~((Executive Administration))~~ shall mail a notice thereof to the owner of the property  
13 assessed, when the post office address of such owner is known, but failure to mail the same shall  
14 not affect the validity of the assessment lien. Any such installment not paid prior to the  
15 expiration of the ~~((thirty-))~~30((9)) day period during which such installment is due and payable  
16 shall thereupon become delinquent.  
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19 C. Whenever the collection of an installment of an assessment has been deferred pursuant  
20 to RCW 35.43.250 and RCW 35.54.100 as existing or hereafter amended, the installment of  
21 principal or interest shall become due and payable upon expiration of the period of such deferral  
22 and each succeeding installment of principal or interest shall become due and payable in like  
23 manner. Any such installment not paid within ~~((thirty-))~~30((9)) days after expiration of the  
24 period of such deferral shall thereupon become delinquent.  
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1 D. All delinquent installments shall, until paid, be subject to an additional charge of  
2 ~~((twenty))~~ 20-percent ~~((20%))~~ levied upon the principal and interest due on such installment or  
3 installments.  
4

5 Section 277. Section 20.04.145 of the Seattle Municipal Code as last amended by  
6 Ordinance 118138 is amended as follows:  
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8 **20.04.145 Installment notes.**

9 In addition to the issuance of bonds and warrants in payment of the cost of any local  
10 improvement, the City Council may, in the ordinance ordering any such improvement and  
11 adopting the mode of payment, direct the issuance of local improvement installment notes and  
12 certificates payable out of the local improvement district fund, and to the extent provided by law  
13 from the Local Improvement Guaranty Fund, when such notes are to be held exclusively by one  
14 ~~((1))~~ or more other City funds as authorized by RCW 35.45.150. Loans evidenced by such  
15 notes shall comply with RCW 35.45.150. The total sum of all outstanding principal on such  
16 installment notes shall not at any time exceed ~~((One Million dollars -))~~ \$1,000,000 ~~((-00))~~.  
17

18 The ~~((Finance))~~ Director of Finance and Administrative Services may refund such installment  
19 notes by the issuance of local improvement district bonds or consolidated local improvement  
20 district bonds in accordance with RCW Chapter 35.45, and may transfer any such notes, at par  
21 plus accrued interest among funds of the City.  
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23  
24 Section 278. Section 20.04.150 of the Seattle Municipal Code as last amended by  
25 Ordinance 120794 as follows:  
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**20.04.150 Special fund for each district.**

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2 The ordinance creating any local improvement district shall also create a special fund to be  
3 called "Local Improvement Fund, District No. \_\_\_\_\_," into which shall be placed all sums  
4 from any source intended for use in the prosecution of the work contemplated by such ordinance  
5 and, when the assessment roll has been confirmed, all sums paid on account of such assessment,  
6 including all interest and penalty thereon, and in the event of sale of bonds by the City, all  
7 proceeds of sale and all premiums and accrued interest on bonds issued for such improvement.  
8  
9 The moneys in such local improvement district fund derived from assessments shall be used for  
10 no other purpose than the redemption of warrants drawn upon and bonds issued against the fund  
11 to provide payment for the cost and expense of the improvement. Provided, that if the fund is  
12 solvent at the time payment is ordered, the Director of Finance and Administrative  
13 Services~~((Executive Administration))~~ may elect to make payment for the cost and expense of the  
14 improvement by check.  
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17 Section 279. Section 20.04.170 of the Seattle Municipal Code as last amended by  
18 Ordinance 116368 is amended as follows:

**20.04.170 Bonds -- Register required.**

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21 The ~~((City Finance))~~ Director of Finance and Administrative Services shall keep in his or her  
22 office a register of all such bonds issued. He or she shall enter therein the local improvement  
23 fund district number, for which the same are issued, and the date, amount and number of each  
24 bond and term of payment.  
25  
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1 Section 280. Section 20.04.200 of the Seattle Municipal Code as last amended by  
2 Ordinance 116368 is amended as follows:

3 **20.04.200 Warrants -- Call and payment.**

4 A. It shall be the duty of the ((City Finance)) Director of Finance and Administrative  
5 Services to call and pay in numerical order such outstanding warrants against any particular  
6 improvement fund as he or she may be able to pay with the money on hand credited to such fund,  
7 and whenever he or she shall have money on hand to the credit of such fund, but not sufficient to  
8 pay the whole of the next succeeding outstanding warrant, he or she may call in and pay such  
9 portion thereof as shall exhaust the amount of such fund; provided, however, that the ((City  
10 Finance)) Director of Finance and Administrative Services may call the warrants issued to the  
11 contractor on estimates of the department head supervising the construction in any local  
12 improvement district as soon as the City Council has, by resolution or ordinance, fixed a date for  
13 the issuance of bonds or installment notes in respect to such local improvement district.

14 B. Whenever the ((City Finance)) Director of Finance and Administrative Services shall  
15 pay a portion of any warrant as above provided, he or she shall endorse upon such warrant the  
16 date and amount of such payment and take a receipt from the holder thereof, showing the number  
17 and description of such warrant and the date and amount so paid, which receipt the said Director  
18 shall record as a voucher for the money so paid.  
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22  
23 Section 281. Section 20.04.210 of the Seattle Municipal Code as last amended by  
24 Ordinance 120794 is amended as follows:

25 **20.04.210 Contracts -- Requirements generally.**  
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1           A. Contracts for local improvements shall provide for a retainage from the moneys  
2 earned by the contractor on estimates during the progress of the improvement or work of a sum  
3 to be used as a trust fund for the protection and payment of any person or persons, mechanics,  
4 subcontractors or material men who shall perform any labor upon such contract or the doing of  
5 said work, and all persons who shall supply such person or persons or subcontractors with  
6 provisions and supplies for the carrying on of such work, and the state with respect to taxes  
7 imposed pursuant to RCW Title 82 which may be due from subcontractor. Said fund shall be  
8 computed and administered pursuant to Chapter 205, 1st Ex. Sess., Laws of 1977, presently  
9 codified as RCW 60.28.010. No improvement shall be deemed completed until the department  
10 head supervising the project shall have filed with the City Clerk a statement in duplicate  
11 declaring the same to have been completed.  
12

13           B. During the time allowed for the completion of the contract the department head  
14 supervising the project shall each month issue an estimate of the amount of work completed by  
15 the contractor during the preceding month; provided, that after the expiration of the time allowed  
16 for such completion no estimate other than the final estimate shall be issued. The final estimate  
17 shall include a statement of the amount of money due the contractor, a statement of the amount  
18 of money expended for abstracts, advertising, accounting and collection, and engineering  
19 expense incurred prior to the expiration of the time allowed for the completion of the contract.  
20 The City's engineering expenses incurred after the time allowed for the completion of the  
21 contract, shall be borne by the contractor as the minimum penalty for failure to complete the  
22 work within the specified time.  
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1 C. After the issuance of the estimate by the department head supervising the project, the  
2 Director of Finance and Administrative Services~~((Executive Administration))~~ shall, on or about  
3 the ~~((twenty-fifth))~~ 25th day of the month, deliver to the contractor money or warrants in an  
4 amount equal to such estimate less the percentage to be retained therefrom as herein provided.  
5 After the expiration of ~~((thirty-))~~30~~(( ))~~ days following the final acceptance of said improvement  
6 or work and the expiration of the time for the filing of lien claims as provided by law, said  
7 reserve, or all amounts thereof in excess of a sufficient sum to meet and discharge the claims of  
8 material men and laborers who have filed their claim as provided by law, together with a sum  
9 sufficient to defray the cost of such action, and to pay attorney's fees, shall be paid to said  
10 contractor.  
11

12 D. Such warrants shall be drawn against the local improvement district fund and shall  
13 bear interest at the rate prevailing in the market from the date of issuance until redeemed;  
14 provided, that warrants shall not bear interest after ~~((two hundred forty-))~~240~~(( ))~~ days from the  
15 time fixed in the proposal and contract for the completion of the contract.  
16

17 E. If the work is completed within the time fixed by the contract, or any extension  
18 thereof, and there is no money available for payment of contractors' warrants at the expiration of  
19 the ~~((two hundred forty-))~~240~~(( ))~~ day period above mentioned, the contractor may be paid by  
20 separate non-interest-bearing warrants a sum equivalent to interest at the rate prevailing in the  
21 market on outstanding warrants from the date when interest on such warrants ceased to the date  
22 when funds are available for the redemption thereof.  
23

24 F. If an extension of time is granted for the completion of the contract and the work is not  
25 completed when the extension period has expired, the contractor may be paid by separate non-  
26



1 interest-bearing warrants a sum equivalent to interest at the rate prevailing in the market on  
2 outstanding warrants from the day when interest ceased, as above mentioned, to a date ((two  
3 hundred forty (40))240(30)) days from the date on which the extension period expires.

4 G. The Director of Finance and Administrative Services((Executive Administration))  
5 shall immediately upon receipt of the final estimate for a local improvement, file in the office of  
6 the City Clerk a certificate setting forth the total amount of said final estimate, together with  
7 accrued interest on warrants issued or to be issued.  
8

9 H. All warrants issued shall be redeemed in cash, in order of issuance within ((two  
10 hundred forty (40))240(30)) days after the completion and acceptance of the contract, so far as  
11 payment into the local improvement district fund shall permit. Warrants not so redeemed in cash  
12 shall, except as otherwise provided in this chapter, be redeemed in order of their issuance in local  
13 improvement district bonds, the lowest numbered warrants being redeemed with the lowest  
14 numbered bonds, if the mode of payment is "payment by bonds"; or, if the mode of payment be  
15 "immediate payment," by the issuance of local improvement district fund warrants with interest  
16 at the rate prevailing in the market from the date of issuance until redeemed, such redemption to  
17 be made in the same manner as that followed under the mode of payment "payment by bonds."  
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20 I. If the mode of payment is "payment by bonds" and the bonds are sold as provided in  
21 this chapter, all such warrants not so redeemed in cash as above provided, shall be redeemed in  
22 order of issuance in cash out of the proceeds of the sale of such bonds.  
23

24 Section 282. Section 20.04.220 of the Seattle Municipal Code as last amended by  
25 Ordinance 120794 is amended as follows:  
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27



**20.04.220 Contracts -- To lowest bidders -- Notice -- Check with bid.**

1 All the work to be done in any local improvement district shall be let in one ~~((1))~~ contract or,  
2 at the option of the head of the department supervising the project, the work may be subdivided  
3 and separate contracts be let for each subdivision thereof. All local improvements to be made by  
4 contract shall be let to the lowest and best bidder therefor. Before the award of any such contract,  
5 there shall be published for at least two ~~((2))~~ days in the official newspaper of the City a notice,  
6 the last publication being at least ten ~~((10))~~ days before the letting of such contract, inviting  
7 sealed proposals for such work, and the plans and specifications whereof must, at the time of  
8 publication of such notice, be on file in the office of the department head supervising the project,  
9 subject to public inspection. Such notice shall state generally the work to be done and shall call  
10 for proposals for doing the same, sealed and filed with the City as specified in the notice, on or  
11 before the day and hour named therein. All bids shall be accompanied by a certified check,  
12 payable to the order of the Director of Finance and Administrative Services ~~((Executive  
13 Administration))~~, or a surety bond for a sum not less than ~~((five))~~ 5-percent ~~((5%))~~ of the  
14 amount of the bid, and no bid shall be considered unless accompanied by such check or bond. If,  
15 in the discretion of the head of the department supervising the project, the work should be done  
16 by the City by day labor, and under the management of the department, it is hereby empowered  
17 to proceed with the work irrespective of all such bids, and, in such case, all bids shall be rejected;  
18 provided, however, the work shall not be done by the City if the determination so to do is in  
19 conflict with the provisions of RCW 35.22.620.  
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1 Section 283 Section 20.04.230 of the Seattle Municipal Code as last amended by  
2 Ordinance 120794 is amended as follows:

3 **20.04.230 Contracts -- Opening bids -- Acceptance, rejection and forfeiture conditions.**

4 At the time and place named, such bids shall be publicly opened and read; no bid shall be  
5 rejected for informality but shall be received if it can be understood what is meant thereby. The  
6 department head supervising the project shall proceed to determine the lowest and best bidder,  
7 and may let such contract to such bidder, or if all bids received exceed by ten percent (~~((10%))~~)  
8 preliminary cost estimates prepared by an independent consulting engineer or registered  
9 professional engineer retained for that purpose by the City, he or she may reject all of them and  
10 re-advertise, or may proceed to do the work under the direction of the department head  
11 supervising the project by "day labor," and, in case of rejection of all bids all checks shall be  
12 returned to the bidders; but if the contract be let, then, and in such case, all checks shall be  
13 returned to the bidders, except that of the successful bidder, which shall be retained until the  
14 contract be entered into for making such improvement between the bidder and the City, in  
15 accordance with such bid, and the duly approved and accepted bond therefor be filed in the  
16 office of the City Clerk. If the successful bidder fails to enter into the contract in accordance with  
17 his bid within ten (~~((10--))~~)days from the date at which he is notified that he is the successful  
18 bidder, the said check and the amount thereof shall be forfeited to the City, and the same shall be  
19 delivered to the Director of Finance and Administrative Services(~~(Executive Administration)~~),  
20 who pay the same into the City Treasury to the credit of the appropriate Local Improvement  
21 District Fund. Neither the department head nor the City Council shall have the power to remit  
22 such forfeiture.  
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1  
2 Section 284. Section 20.04.270 of the Seattle Municipal Code as last amended by  
3 Ordinance 120794 is amended as follows:

4 **20.04.270 Items of cost and expense for estimates.**

5 All estimates of the cost and expense of local improvements shall include the following:

6 A. The cost of all of the construction or improvement authorized for the district  
7 including, but not limited to, that portion of the improvement within street intersections;

8 B. The estimated cost and expense of all engineering and surveying necessary for the  
9 improvement done under the supervision of the City;

10 C. The estimated cost and expense of ascertaining the ownership of the lots or parcels of  
11 land included in the assessment district;

12 D. The estimated cost and expense of advertising, mailing and publishing all necessary  
13 notices;

14 E. The estimated cost and expense of accounting, clerical labor, and of books and blanks  
15 extended or used on the part of the City in connection with the improvement;

16 F. The cost of acquisition of rights-of-way, property, easements or other facilities or  
17 rights, whether acquired by eminent domain, purchase, gift, or in any other manner; provided,  
18 that any of the costs enumerated in this subsection may be excluded from the cost and expense to  
19 be assessed against the property in the local improvement district if the legislative authority so  
20 designates by ordinance at any time and may be paid from any other moneys available therefor;  
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1 G. The cost of legal, financial, and appraisal services and any other expense incurred by  
2 the City for the district or in the formation thereof, or by the City in connection with the  
3 construction or improvement and in the financing thereof, including the issuance of any bonds;

4 H. A charge against each description of property in the following amounts, to wit: in case  
5 of "immediate payment," ~~((Six Dollars -))\$6((-00))~~ per description; in case of assessment  
6 payable in three ~~((3-))~~ annual installments, ~~((Eighteen Dollars -))\$18((-00))~~ per description; in  
7 case of assessment payable in five ~~((5-))~~ annual installments, ~~((Twenty-six Dollars  
8 -))\$26((-00))~~ per description; in case of assessment payable in ten ~~((10-))~~ annual installments,  
9 ~~((Forty-six Dollars -))\$46((-00))~~ per description; in case of assessment payable in ~~((fifteen  
10 -))15((-))~~ annual installments, ~~((Sixty-six Dollars -))\$66((-00))~~ per description; in case of  
11 assessment payable in ~~((twenty -))20((-))~~ annual installments or more of either principal or  
12 interest, ~~((Eighty-six Dollars -))\$86((-00))~~ per description; which is the charge of accounting,  
13 clerical labor, books and blanks used by the City; provided, however, that when any assessment  
14 payable in installments is paid in full within the ~~((thirty -))30((-))~~ day period fixed by law for the  
15 payment of assessments without interest, the Director of Finance and Administrative  
16 Services ~~((Executive Administration))~~ shall allow a rebate of the charge in this subsection in  
17 excess of the sum of ~~((Six Dollars -))\$6((-00))~~ per description. In all instances wherein the  
18 contractor doing the work in any local improvement district deposits cash with the Director of  
19 Finance and Administrative Services ~~((Executive Administration))~~ under the terms of his or her  
20 contract to cover items of cost shown by the department head supervising the contract in his or  
21 her final estimate and specified in this section, the Director of Finance and Administrative  
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1 Services~~((Executive Administration))~~ shall transfer the amount of such rebate from the fund in  
2 which it has been deposited to the appropriate local improvement fund.

3  
4 Section 285. Section 20.04.280 of the Seattle Municipal Code as last amended by  
5 Ordinance 120794 is amended as follows:

6 **20.04.280 Segregation of assessments.**

7  
8 A. The Director of Finance and Administrative Services~~((Executive Administration))~~ is  
9 authorized to collect and receive from any owner or owners of any subdivision or subdivisions of  
10 any lot, tract or parcel of land, upon which a local improvement assessment has been, or may  
11 hereafter be, made, such portion of the assessment or assessments levied or to be levied against  
12 such lot, tract or parcel of land in the payment of said local improvement as the Director of  
13 Transportation shall certify to be chargeable to such subdivision or subdivisions in accordance  
14 with state law.

15  
16 B. Whenever, on account of the filing of a plat or replat on account of a sale or contract  
17 to sell or other proper evidence of the change of ownership of a divided portion of any lot, tract  
18 or parcel of land assessed for local improvements, it shall appear to be to the best interest of the  
19 City to segregate a local improvement district assessment thereupon, the Director of  
20 Transportation is authorized to make the proper certification as provided in this chapter, upon the  
21 written application of the owner, approved by the Director of Finance and Administrative  
22 Services~~((Executive Administration))~~, and confirmed by the City Council by resolution, and  
23 upon payment of the fee hereinafter provided. In all instances it shall be the duty of the Director  
24 of Transportation to submit the necessary Resolution for Segregation for City Council approval.  
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1 A fee of ~~((Sixty Dollars-€))\$60((-00))~~ shall be charged for each tract of land for which a  
2 segregation is to be made together with a fee of ~~((Ten Dollars-€))\$10((-00))~~ per description for  
3 each description added to the assessment roll, to defray the cost of the engineering and clerical  
4 work involved. Such fees shall be paid to the Director of Finance and Administrative  
5 Services~~((Executive Administration))~~ and shall be deposited in the General Fund.

6  
7 C. Upon receipt of a certified copy of a resolution of the City Council authorizing  
8 segregation, the Director of Finance and Administrative Services~~((Executive Administration))~~  
9 shall enter the segregation, together with the amount of the bonded interest with respect thereto,  
10 upon the assessment records and, upon payment thereof, together with any penalties accruing  
11 according to law and any additional interest due with respect to the segregated portion, give a  
12 proper receipt; provided, that this chapter shall not authorize the segregation of any assessment  
13 which has been delinquent for a period of two ~~((2-))~~ years or more, or in any case where it  
14 appears that the property, when or as already divided according to the requested segregation, is  
15 not or would not be of sufficient value, or is not or would not be in such condition or title, as to  
16 provide adequate security for the payment of the total amount of the unpaid assessment,  
17 penalties, interest and costs charged or chargeable against the undivided whole. In such instance,  
18 upon a recommendation by the Director of Finance and Administrative Services~~((Executive~~  
19 ~~Administration))~~, the City Council shall determine such question of fact. No segregation of any  
20 assessment on unplatted lands or large platted tracts shall be made until a plat thereof has been  
21 furnished to the Director of Transportation by the applicant, showing that the proposed  
22 segregation of property will conform to the system of streets as platted in adjacent territory. In all  
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1 such instances, upon a recommendation by the Director of Transportation, the City Council shall  
2 determine such question of fact.

3  
4 Section 286. Section 20.04.290 of the Seattle Municipal Code as last amended by  
5 Ordinance 120794 is amended as follows:

6 **20.04.290 Cancellation of assessment -- Release of assessment lien.**

7  
8 The Director of Finance and Administrative Services~~((Executive Administration))~~ is authorized  
9 to cancel on the books and records of a local improvement district the assessment or an  
10 installment of an assessment, interest and penalties imposed by or for the district when:

11 A. The amount due shown on the district's books and records has been found to be void  
12 by a final judgment of a court with jurisdiction over the local improvement district;

13 B. RCW 35.50.050, which limits the time for commencing foreclosure proceedings, bars  
14 a foreclosure action to enforce the payment;

15 C. King County has resold the property to pay property taxes, the resale is free and clear  
16 of the assessment lien, and pursuant to RCW 35.49.160, the City has received or will receive  
17 from the proceeds of the county sale such funds as are due to the district; or

18 D. The City Attorney by written opinion advises the Director of Finance and  
19 Administrative Services~~((Executive Administration))~~ that the assessment, interest or penalty to  
20 be cancelled is void or that the law otherwise prevents its collection.

21  
22 Upon cancellation of an assessment, interest or penalty, the Director of Finance and  
23 Administrative Services~~((Executive Administration))~~ may release the assessment lien upon the  
24 property to secure the payment which was cancelled. A release affects only the payment(s) or  
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1 liens named in the release document and does not release other payments or other liens upon the  
2 same property of other local improvement districts respectively.

3  
4 Section 287. Section 20.08.030 of the Seattle Municipal Code as last amended by  
5 Ordinance 120794 is amended as follows:

6 **20.08.030 Issuance and payment of warrants or checks.**

7  
8 In order to effectuate the purposes of this chapter, the Director of Finance and Administrative  
9 Services is authorized to from time to time (~~direct the Director of Executive Administration~~) to  
10 draw and pay warrants drawing interest at a rate not to exceed (~~six~~)6~~(%)~~percent on the  
11 Local Improvement Guaranty Fund for the purposes contemplated in Section 20.08.010;  
12 provided, that such warrants shall at no time exceed (~~five~~)5~~(%)~~percent of the outstanding  
13 bond obligations guaranteed by the fund. Warrants on the Local Improvement Guaranty Fund  
14 shall be numbered serially in the order of their issuance. If the Local Improvement Guaranty  
15 Fund is solvent at the time payment is ordered, the Director of Finance and Administrative  
16 Services(~~Executive Administration in consultation with the Director of Finance~~) may elect to  
17 make payment by check.  
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21 Section 288. Section 20.08.040 of the Seattle Municipal Code as last amended by  
22 Ordinance 116368 is amended as follows:

23 **20.08.040 Defaulted interest coupons, bonds or warrants.**

24 A. As among the several issues of bonds or warrants guaranteed by the fund, no  
25 preference shall exist, but defaulted interest coupons, bonds and warrants shall be purchased out  
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27



1 of the fund in the order of their presentation. Whenever any defaulted interest coupons, bonds or  
2 warrants shall be presented to the (~~City Finance~~) Director of Finance and Administrative  
3 Services for purchase, if the outstanding warrants against the Local Improvement Guaranty Fund  
4 (including the amount of the coupons, bonds or warrants so presented) do not then exceed (~~five~~  
5 ~~( )~~5-(~~( )~~) percent of the outstanding bond obligations guaranteed by the fund, the (~~City~~  
6 ~~Finance~~) Director of Finance and Administrative Services shall examine such coupons, bonds  
7 or warrants and if satisfied that the same are guaranteed by such fund he shall receive and keep  
8 such coupons, bonds or warrants, issuing his or her receipt therefor to the holder of the same,  
9 together with a warrant upon the Local Improvement Guaranty Fund in the amount thereof.  
10 Warrants so issued shall be paid from the Local Improvement Guaranty Fund in the order of their  
11 serial numbers.

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14 B. If at the time any defaulted interest coupons, bonds or warrants are presented for  
15 purchase the warrants upon the Local Improvement Guaranty Fund then outstanding (including  
16 the amount of the coupons, bonds or warrants so presented) shall exceed (~~five~~( )5-(~~( )~~)percent  
17 of the outstanding bond obligations guaranteed by the fund, the (~~City Finance~~) Director of  
18 Finance and Administrative Services shall examine such coupons, bonds or warrants and if  
19 satisfied that the same are guaranteed by such fund he or she shall issue to the holder a  
20 presentation certificate describing such coupons, bonds or warrants and showing the date and  
21 time of the day when the same were so presented for purchase, and the name and address of the  
22 holder thereof. Such presentation certificate shall be issued and numbered serially in the order of  
23 the presentation for purchase of defaulted interest coupons, bonds or warrants by the respective  
24 holders thereof. Whenever the amount of outstanding warrants against the Local Improvement  
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1 Guaranty Fund shall be retired in an amount sufficient to authorize the issuance of a warrant  
2 upon the fund for the purchase of the coupons, bonds or warrants described in any presentation  
3 certificate it shall be the duty of the ((City Finance)) Director of Finance and Administrative  
4 Services to notify the holder of such presentation certificate by mail at the address stated in the  
5 presentation certificate; and upon presentation to him of the presentation certificate, together  
6 with the coupons, bonds or warrants described therein, the ((City Finance)) Director of Finance  
7 and Administrative Services shall receive and keep such coupons, bonds or warrants, issuing his  
8 receipt therefor together with his or her warrant upon the Local Improvement Guaranty Fund  
9 covering the same. Such warrants shall be issued in the order of the serial numbers of the  
10 presentation certificates.  
11

12  
13 Section 289. Section 20.12.080 of the Seattle Municipal Code, last amended by Ordinance  
14 121574, is amended as follows:  
15

16 **20.12.080 Administration by City officials.**

17 A. The ((City)) Director of Transportation shall administer the deferral of collection of  
18 assessments, except such duties as are assigned by this chapter or by law to other City officials.  
19

20 The ((City)) Director of Transportation shall have the power and authority to:

- 21 1. Give notice to property owners of the availability of ordinance procedures for  
22 deferral of collection of assessments;
- 23 2. Accept and process applications for deferral of collection of assessments, and  
24 amendments thereof as appropriate;



3. Conclude with the persons responsible for payment of an assessment an agreement setting the terms and conditions consistent with this chapter and state law, including, on request and at his or her discretion, without extra charge, provision for billing and payment of installment on a monthly or quarterly basis;
4. Secure execution and filing of any necessary instruments, and, upon notice from the Director of Finance and Administrative Services~~((Executive Administration))~~, note satisfaction thereof;
5. Terminate the deferral of collection of assessments upon occurrence of conditions that render the assessment or installments thereof due and payable;
6. Recommend to the Director of Finance and Administrative Services~~((Executive Administration))~~ the amounts to be paid from the Local Improvement Guaranty Fund to the fund of such local improvement district upon the making of such deferral;
7. Take such other actions as necessary and appropriate to administer this chapter in accordance with RCW 35.43.250, 35.49.010, 35.50.050, and 35.54.100. The agreement with the person responsible for an assessment setting forth the terms and conditions of deferral of collection of the assessment shall be recorded with ~~((the))~~ King County ~~((Office of Records and Elections))~~ and transmitted to the City Clerk, and a copy thereof to the Director of Finance and Administrative Services~~((Executive Administration))~~. All records retained by the Director of Transportation containing the application and information received in processing an application shall be kept confidential.



1 B. The Director of Finance and Administrative Services~~((Executive Administration))~~  
2 shall draw such warrants upon the Local Improvement Guaranty Fund as necessary and  
3 appropriate to make payments to the local improvement district fund for assessments, the  
4 collection of which has been deferred, and shall report annually to the City Council ~~((and the~~  
5 ~~Director of Finance~~~~))~~ about the amount of payments made from the Local Improvement  
6 Guaranty Fund for assessments or installments deferred pursuant to this chapter and RCW  
7 35.43.250, 35.50.050, and 35.50.100, as now existing or hereafter amended; the current balance  
8 in such fund and outstanding obligations guaranteed by such fund. If the Local Improvement  
9 Guaranty Fund is solvent at the time payment is ordered, the Director of Finance and  
10 Administrative Services~~((Executive Administration))~~ may elect to make payment by check.  
11

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13  
14 Section 290. Section 20.20.020 of the Seattle Municipal Code as last amended by  
15 Ordinance 35083 is amended as follows:

16 **20.20.020 Establishment of new grade -- Survey by Seattle Department of Transportation**  
17 **~~((Board of Public Works))~~.**

18 Whenever the City shall establish or shall have established the grade of any street or streets, alley  
19 or alleys, at a higher elevation than any private property abutting thereon, thereby rendering the  
20 drainage of such private property or any part thereof impracticable without the raising of the  
21 surface of such private property, or whenever the surface of any private property in the City shall  
22 be so low as to make sanitary drainage thereof impracticable, the City Council may determine by  
23 resolution that a fill of such private property is necessary as a sanitary measure. The Council  
24 shall in such resolution direct the Seattle Department of Transportation ~~((Board of Public~~  
25  
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1 Works)) to make the necessary surveys of the district proposed to be improved and the necessary  
2 plans and specifications for such improvement, and to submit, within ~~((twenty-))20(( ))~~ days  
3 after the first publication of such resolution, a report to the City Council to be filed with the City  
4 Clerk giving a description of the property proposed to be improved by such fill, the grade to  
5 which it is necessary to fill the same and the estimated cost thereof.  
6  
7

8 Section 291. Section 20.20.030 of the Seattle Municipal Code as last amended by  
9 Ordinance 35083 is repealed.  
10

11 Section 292. Section 20.38.010 of the Seattle Municipal Code as last amended by  
12 Ordinance 120181 is amended as follows:  
13

14 **20.38.010 Definitions.**

15 When used in this chapter:

16 A. "Apprentice labor hours" means the total hours required to be worked by apprentices  
17 on the public works project.

18 B. "Director" means the Director of Finance and Administrative Services~~((Executive  
19 Administration))~~ or his or her designee.  
20

21 C. "Labor hours" means the total hours of workers receiving an hourly wage who are  
22 directly employed on the site of the public works project. "Labor hours" shall include hours  
23 performed by workers employed by the contractor and all subcontractors working on the project.  
24 "Labor hours" shall exclude hours worked by foremen, superintendents, owners and workers  
25 who are not subject to prevailing wage requirements.  
26  
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1  
2 Section 293. Section 20.38.020 of the Seattle Municipal Code as last amended by  
3 Ordinance 120794 is amended as follows:

4 **20.38.020 Powers.**

5 The Department of Finance and Administrative Services~~((Executive Administration))~~ shall be  
6 responsible for the implementation and administration of this chapter and is authorized to  
7 develop and adopt rules consistent with the requirements of this chapter. The Director  
8 ~~((Department of Executive Administration))~~ shall establish contract specification language to  
9 implement the apprenticeship requirement, which may change from time to time. The  
10 ~~((Department of Executive Administration))~~ Director shall develop and implement a system for  
11 monitoring the actual use of apprentices on public works projects.  
12  
13

14  
15 Section 294. Section 20.40.010 of the Seattle Municipal Code, last amended by Ordinance  
16 121720, is amended as follows:

17 **20.40.010 Small public works -- Department authority to execute contracts.**

18 Notwithstanding the provisions of Chapters~~(( 3.04))~~ 3.39 and 20.60, the Director of Finance and  
19 Administrative Services ~~((Executive Administration))~~ may authorize other departments to  
20 administer and execute public works contracts that are less than or equal to ~~((Five Thousand~~  
21 Dollars (\$5,000)) \$7,000 in 2010. This amount shall be adjusted pursuant to and be equal to the  
22 dollar limit for direct vouchers resulting from the application of subsection 20.60.140~~((-))~~B to  
23 direct vouchers. Such departments shall comply with all state laws and City ordinances  
24 governing public works contracts.  
25  
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1 Section 295. Section 20.40.020 of the Seattle Municipal Code as last amended by  
2 Ordinance 120794 is amended as follows:

3 **20.40.020 Small Works Roster.**

4 The Director of Finance and Administrative Services~~((Executive Administration))~~ shall establish  
5 and administer a Small Works Roster for use on City of Seattle public works projects that meet  
6 the requirements of Revised Code of Washington (RCW) 39.04.155 and 35.22.620, as now or  
7 hereafter amended. The Director ~~((of Executive Administration))~~ shall adopt rules and regulations  
8 regarding procedures for the use of the Small Works Roster. The Director ~~((of Executive  
9 Administration))~~ may also execute interagency agreements or other contractual documents as  
10 required to establish such a Small Works Roster.  
11

12  
13  
14 Section 296. Section 20.42.020 of the Seattle Municipal Code, last amended by Ordinance  
15 121722, is amended as follows:

16 **20.42.020 Definitions.**

17 For the purposes of this chapter:

18 A. "Affirmative Efforts" means documented reasonable attempts in good faith to contact  
19 and employ women and minorities and to contact and contract with Women and Minority  
20 Businesses.  
21

22 B. "Availability" or "Available" as used in this chapter means a business that is:  
23 interested in and Capable of performing the item of work in question; and able to perform the  
24 work within the time frame required by the bid specifications or request for proposals or  
25 qualifications.  
26  
27



1 C. "Capability" or "Capable" as used in this section means that a business appears able to  
2 perform a Commercially useful function on the item of work in question.

3 D. "Commercially useful function" means the performance of real and actual services in  
4 the discharge of any contractual endeavor.

5 E. "Contract" means an agreement for: public works; consulting as set forth in Chapter  
6 20.50; or supplies, material, equipment or services as set forth in Chapter 20.60~~((100 et seq))~~.

7  
8 F. "Contract awarding authority" means the City officer, department, commission,  
9 employee, or board authorized to enter into or to administer Contracts on behalf of the City.

10 G. "Contractor" means a business that has a Contract with the City.

11 H. "Department" means the Department of Finance and Administrative  
12 Services~~((Executive Administration))~~.

13 I. "Director" means the Director of ~~((the Department of))~~ Finance and Administrative  
14 Services~~((Executive Administration))~~.

15  
16 J. "Women or Minority Business" means a business that is at least ~~((fifty-one (51) (1))~~  
17 percent owned by women and/or minority (including, but not limited to, African Americans,  
18 Native Americans, Asians, and Hispanics) group members.

19  
20  
21 Section 297. Section 20.45.010 of the Seattle Municipal Code as last amended by  
22 Ordinance 120794 is amended as follows:

23 **20.45.010 Definitions.**

24 For the purposes of this chapter:  
25  
26  
27



1 A. "Contract" means a written agreement (~~((contract))~~) for public works as defined in RCW  
2 39.040.010, consulting as defined in Section 20.50.010, or supplies, material, equipment, or services  
3 as (~~((set forth))~~) defined in Chapter 20.60 (~~((100 SMC Section 3.38.800 et seq., estimated to cost~~  
4 ~~Thirty-three Thousand Dollars (\$33,000) or more in 1999))~~ estimated to cost \$44,000 or more in  
5 2010 dollars, (~~((consistent with the competitive threshold requirements of,))~~) and as adjusted pursuant  
6 to, (~~((Seattle Municipal Code))~~) Section(s) 20.50.120. (~~((3.38.940 and 3.114.140.))~~)  
7

8 B. "Contract awarding authority" means the City officer, department, commission,  
9 employee, or board authorized to enter into or to administer contracts on behalf of the City.

10 C. "Department" means the Department of Finance and Administrative  
11 Services (~~((Executive Administration))~~).

12 D. "Director" means the Director of Finance and Administrative Services (~~((Executive~~  
13 ~~Administration))~~).

14 E. "Domestic partner" means any person who is registered with his/her employer as a  
15 domestic partner, or, in the absence of such employer-provided registry, is registered as a  
16 domestic partner with a governmental body pursuant to state or local law authorizing such  
17 registration. Any internal employer registry of domestic partnership must comply with criteria  
18 for domestic partnerships specified by rule by the Department.  
19

20 F. "Employee benefits" means the provision of bereavement leave; disability, life, and  
21 other types of insurance; family medical leave; health benefits; membership or membership  
22 discounts; moving expenses; pension and retirement benefits; vacation; travel benefits; and any  
23 other benefits given to employees, provided that it does not include benefits to the extent that the  
24  
25  
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27



1 application of the requirements of this chapter to such benefits may be preempted by federal or  
2 state law.

3  
4 Section 298. Section 20.45.040 of the Seattle Municipal Code as last amended by  
5 Ordinance 120794 is amended as follows:

6 **20.45.040 Powers and duties of the Director.**

7 The Director (~~(of Executive Administration)~~) shall have the power to:

8  
9 A. Adopt rules and regulations, in accordance with this chapter and (~~(the Administrative~~  
10 ~~Code of The City of Seattle ( )~~)Chapter 3.02 (~~( )~~), establishing standards and procedures for  
11 effectively carrying out this chapter;

12 B. Determine and impose appropriate sanctions and/or liquidated damages for violation  
13 of this chapter by contractors including, but not limited to:

14  
15 1. Disqualification of the contractor from bidding on or being awarded a City  
16 contract for a period of up to five (~~((5-))~~)years, and

17 2. Contractual remedies, including, but not limited to, liquidated damages and  
18 termination of the contract;

19 C. Examine contractor's benefit programs covered by this chapter;

20 D. Impose other appropriate contractual and civil remedies and sanctions for violations of  
21 this chapter;

22 E. Allow for remedial action after a finding of noncompliance, as specified by rule;

23 F. Perform such other duties as may be required by ordinance or which are necessary to  
24 implement the purposes of this chapter.  
25  
26



1  
2 Section 299. Section 20.48.030 of the Seattle Municipal Code as last amended by  
3 Ordinance 120794 is amended as follows:

4 **20.48.030 Funds to be available before entering into contract.**

5 Before the construction of any public work or improvement, or any part thereof, either by  
6 contract or by day labor, is authorized or begun under the direction and general supervision of  
7 the Director of Finance and Administrative Services((~~Executive Administration~~)), said Director  
8 shall obtain from the head of the City department for which such work is to be undertaken, such  
9 department head's certification that sufficient funds have been appropriated to cover the full cost  
10 and expense of completing the desired public work or improvement (which appropriations shall  
11 be identified, by ordinance number and, where appropriate, by Capital Improvement Project  
12 number, in such certification). No contract shall be entered into, nor shall the construction of  
13 such work or improvement, or any part thereof, be undertaken by said Director, unless there is a  
14 balance in the appropriation sufficient to cover such cost and expense. For contracts executed  
15 pursuant to Chapter 39.10 RCW, the Director or department head is authorized to enter into  
16 contracts without such certification, provided that no phase of any public work may be started  
17 unless sufficient funds have been appropriated to cover the full cost and expense of completing  
18 that phase.  
19  
20  
21

22  
23 Section 300. Section 20.48.040 of the Seattle Municipal Code as last amended by  
24 Ordinance 120794 is amended as follows:

25 **20.48.040 Filing of statement of contract amount.**  
26  
27



1 Whenever the Director of Finance and Administrative Services~~((Executive Administration))~~  
2 shall award any contract for any public work or improvement, or any part thereof, or shall have  
3 determined to make such public work or improvement, or any part thereof, by day labor under  
4 such official's management, the Director shall forthwith file a statement of the amount of such  
5 contract or the estimated cost of such work, and shall enter such amount upon the books in his or  
6 her office as a preliminary charge against the appropriation made to cover the cost and expense  
7 of such work or improvement.  
8

9  
10 Section 301. Section 20.48.060 of the Seattle Municipal Code as last amended by  
11 Ordinance 120794 is amended as follows:

12 **20.48.060 Contracts in violation -- Voidable.**

13 Any contract entered into, or any obligation against the City incurred by the Director of Finance  
14 and Administrative Services~~((Executive Administration))~~ in violation of the provisions of  
15 Sections 20.48.030, 20.48.040, or 20.48.050 shall be voidable at the option of the City.  
16

17  
18 Section 302. Chapter 20.49 of the Seattle Municipal Code is repealed.  
19

20  
21 Section 303. Section 20.50.010 of the Seattle Municipal Code, last amended by Ordinance  
22 121722, is amended as follows:

23 **20.50.010 Definitions.**  
24  
25  
26  
27



1 The words defined in this section shall have the meanings set forth below whenever they appear  
2 in this chapter, unless the context in which they are used clearly requires a different meaning or a  
3 different definition is prescribed for a particular section or provision:

4 A. "Consultant" means any Person that by experience, training and education of the  
5 principals, officers or employees thereof has established a reputation or ability to perform  
6 specialized activities on a discrete, nonrecurring basis over a limited and pre-established term, as  
7 an independent contractor, delivering or providing for a monetary or other consideration, advice,  
8 recommendations(s), report(s), analysis(es), evaluation(s), audit(s), survey(s), or other products  
9 of cognitive processes or expert or professional services including but not limited to services  
10 from any attorney, architect, accountant, public relations advisor, dentist, physician, surgeon,  
11 psychiatrist, psychologist, veterinarian, engineer, surveyor, appraiser, planning consultant,  
12 investment counselor, and actuary; provided, that the following shall not be deemed a  
13 "Consultant":  
14  
15

- 16 1. Any provider of services appropriate for a service contract pursuant to ((SMC))  
17 Chapter((-)) 20.60, Subchapter II, as amended;
- 18 2. Any expert witness retained by the Law Department in connection with  
19 anticipated or actual litigation, or by the City Council in connection with any  
20 hearing on the nomination or appointment of any individual as a municipal  
21 officer; and
- 22 3. Any person retained for legal advice when, in the determination of the Law  
23 Department, a public solicitation process would likely adversely affect the City's  
24 legal interests or the attorney-client relationship.  
25  
26  
27



1 B. "Contract" means and includes all types of agreements between or among the City and  
2 one ~~((1))~~ or more Consultants, regardless of the form of the agreement, for the procurement of  
3 Consultant services, and amendments thereto.

4 C. "Department" means any City department, office, board, commission, council, agency  
5 or other administrative or operating part of the City, and any division or part or combination  
6 thereof.

7 D. "Director" means the Director of Finance and Administrative Services ~~((Executive  
8 Administration))~~.

9 E. "Estimated to cost" means the anticipated charges for all activities that a Consultant  
10 agrees to perform pursuant to Contract and the anticipated charges for all additional specialized  
11 activities to be performed by the Consultant under all renewals, extensions, and amendments of  
12 the Contract and under subsequent stages of the same project.

13 F. "Person" means individuals, businesses, associations, sole proprietors, partnerships,  
14 corporations, or limited liability companies.

15  
16  
17  
18 Section 304. Section 20.50.030 of the Seattle Municipal Code as last amended by  
19 Ordinance 121722 is amended as follows:

20  
21 **20.50.030 Advertising of need for Consultant services.**

22 A. This section shall apply to any proposed Contract for Consultant services estimated to  
23 cost ~~((Twenty Thousand Dollars (\$20,000)))~~ \$44,000 or more in 2010 dollars as adjusted pursuant  
24 to Section 20.50.120, other than Contracts to Consultants on a Consultant roster.



1 B. Departments shall advertise for Consultant services in the City's official newspaper for at  
2 least two ~~((2))~~ days (which need not be consecutive). Such advertisements shall include in general  
3 terms at least a description of the services sought, the name of the concerned Department, the name  
4 and telephone number of a representative of the Department from whom additional information may  
5 be obtained, and an indication that the selection of the Consultant is subject to applicable laws and  
6 ordinances regarding equal employment opportunity.  
7

8 C. Solicitations for placement on a Consultant roster shall be advertised in the same manner  
9 and with as much of the information described in subsection B of this section as practical. The  
10 Director shall determine the frequency of the solicitation advertisements for placement on a  
11 consultant roster.  
12

13  
14 Section 305. Section 20.50.040 of the Seattle Municipal Code as last amended by  
15 Ordinance 121722 is amended as follows:

16 **20.50.040 Consultant selection.**

17 A. This section applies to Contracts estimated to cost ~~((Twenty Thousand Dollars~~  
18 ~~(\$20,000)))~~ \$44,000, or more in 2010 dollars as adjusted pursuant to Section 20.50.120.  
19

20 B. The selection of Consultants shall be based upon evaluation criteria relevant to the  
21 services to be provided. Departments shall select Consultants based on factors including, but not  
22 limited to, their competence and qualifications for the type of services to be provided, the  
23 consideration the City will pay for such services (except for services under Chapter 39.80 RCW),  
24 and the affirmative action/equal opportunity record of the Consultant. Departments will provide  
25 these criteria and the method by which they will evaluate responses to solicitations.  
26  
27



1 C. Department heads shall appoint and use a Consultant evaluation committee that  
2 should include, where practical, representation by women and minorities. The Consultant  
3 evaluation committee shall review the materials submitted by Consultants in response to a  
4 solicitation and shall report in writing its recommendations including, where possible, the  
5 ranking of the top five (~~(5)~~) Consultants evaluated. The report shall describe any measurable  
6 differences among Consultants evaluated, together with an explanation of the evaluation  
7 processes used. Thereafter, such evaluation report shall be filed with the Contract.  
8

9 D. The Department head shall consider the report and recommendations of the  
10 committee in making a final selection. If the Department head chooses not to accept the  
11 recommendation of the committee, he or she shall file a written explanation to be retained with  
12 the Department's records related to the Contract.  
13

14 E. Department heads shall make a good-faith effort to rotate the award of Consultant  
15 Contracts among Consultants evaluated as being equally qualified and capable of performing the  
16 desired services.  
17

18 F. Departments shall not retain the same Consultant to perform accounting or auditing  
19 services and to provide management consulting services during the term of a current Contract or  
20 within one (~~(1)~~) year after completion of a Contract for either type of service.  
21

22 G. Departments shall not enter into a Contract with any Consultant for performance of  
23 services on a retainer basis (whether for a term of years, or from year-to-year, or on another  
24 successive arrangement) for more than five (~~(5)~~) consecutive years. This restriction shall not  
25 apply to:  
26  
27



1 1. A contract for services in connection with a particular project or activity  
2 although completion of the assignment may extend for more than five  
3 ~~((5))~~years;

4 2. A retainer agreement used to establish eligibility for placement on a roster from  
5 which Consultants are selected from time to time for particular assignments; or

6 3. An agreement implementing a deferred compensation plan for City employees  
7 contemplated by 26 USC Section 457.  
8

9  
10 Section 306. Section 20.50.060 of the Seattle Municipal Code as last amended by  
11 Ordinance 121722 is amended as follows:

12 **20.50.060 Required form, terms and conditions of agreements with Consultants.**

13 Every Contract between or among the City and a Consultant shall be in writing and signed by at  
14 least one ~~((1))~~authorized representative of each contracting party. Each such Contract shall  
15 include a specific and detailed description of the scope of work or services to be provided by the  
16 Consultant(s) and the products of any sort to be delivered to the City; the maximum amount of  
17 compensation to be paid and any other consideration to be provided to the parties to the Contract,  
18 together with a description of the timing and method(s) of such payment and any retainage to be  
19 held; the dates the Contract is effective and is to expire; all equal employment opportunity,  
20 women's and minority business enterprise, and affirmative action provisions required by law,  
21 ordinance, rule or regulation to be included in such Contract; the authority of the City to audit the  
22 Consultant's books and records with respect to the services to be provided, costs thereof, and  
23 compensation paid therefor; and any appropriate or required funding or other provision. All such  
24  
25  
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27



1 Contracts (~~(providing compensation of a value of Twenty Thousand Dollars (\$20,000) or more)~~)  
2 shall be subject to review by the City Attorney, for, among other things, form; the specificity of  
3 descriptions of work to be performed for and products or results to be delivered to the City; and  
4 liability, insurance, indemnification, and bonding provisions.

5  
6 Section 307. Section 20.50.110 of the Seattle Municipal Code as last amended by  
7 Ordinance 121722 is amended as follows:

8 **20.50.110 Establishment and operation of rosters.**

9 These provisions apply to the establishment, maintenance, and use of Consultant rosters:

10  
11 A. Establishment and Duration.

12 1. The Director, in conjunction with participating Departments, shall establish  
13 Consultant rosters based on the different consultant skills or services that the City is  
14 likely to need during the effective time of the Consultant rosters.

15  
16 2. The Director, in conjunction with participating Departments, shall issue Requests for  
17 Qualifications ("RFQ(s)") to establish Consultant rosters for use by any Department. At  
18 a minimum, the RFQ shall describe the skills or services needed by the City; the  
19 minimum qualifications to be placed on the particular Consultant roster; the roster  
20 contract dollar limits; the expected duration of the roster, if known; standard contract  
21 terms and conditions, if any; and a description of the process to be used for selecting  
22 Consultants off of the roster.

23  
24 3. A Consultant roster shall remain in effect until such time as the Director determines  
25 it is in the best interests of the City to disestablish the roster. Departments may petition  
26



1 for the establishment or disestablishment of a roster, or a roster category where the  
2 existing rosters or roster categories do not meet the needs of the Department.

3 B. Opportunities for Small Business. Whenever (~~fifteen~~)15(()) or more Consultants  
4 qualify as "small business concerns" in a single roster category, the category shall consist only of  
5 those Consultants who are eligible to be classified as a "small business concern." If (~~fourteen~~  
6 ~~)14(())~~) or fewer such Consultants are qualified, Consultants for that roster category shall be  
7 selected without regard to their eligibility under the small business criteria. A Consultant may  
8 evidence its qualification as a "small business concern" by:  
9

- 10 1. Showing its qualification as a Small Business under the Small Business Act of the  
11 United States, 15 USC Section 632, and its implementing regulations, 13 CFR Part 121  
12 or any successor legislation or regulations; or
- 13 2. Showing certification as defined in any City program designed to encourage the  
14 utilization of small businesses.  
15

16 C. Limitations.

- 17 1. A Department may contract with the Consultants on the roster for projects estimated  
18 to cost no more than (~~Two Hundred Thousand Dollars (\$200,000))~~ \$260,000 in 2010  
19 dollars except as may be adjusted ((in)) pursuant to subs((S))ection 20.50.110\_C2.
- 20 2. A Department may amend any roster Contract for additional work related to the  
21 original roster Contract up to a total Contract amount of (~~Two Hundred Fifty~~  
22 ~~Thousand Dollars (\$250,000))~~ \$325,000 in 2010 dollars.  
23  
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1           3. Each Department may only use a certified roster Consultant up to a maximum  
2           amount of ((~~Four Hundred Thousand Dollars (\$400,000))~~) \$520,000 per year in 2010  
3           dollars, per roster category.

4           D. Deletion From a Roster. The Director may delete a Consultant from the City's  
5 certified roster program at his or her discretion.

6           E. Adding to a Roster. During the existence of a roster, the Department of Finance and  
7 Administrative Services ((~~Executive Administration~~)) will perform, with assistance as needed  
8 from participating Departments, ongoing evaluations of any new Consultant application to a  
9 roster. All Consultants found to be qualified for a Consultant roster category will be added to that  
10 roster, except as a roster category may be limited to small businesses and except as a Consultant  
11 may be removed from the roster at the discretion of the Director.

12           F. Use of Roster Consultants Not Required. Placement on a Consultant roster makes a  
13 Consultant eligible for consideration and possible selection by a participating Department for  
14 providing services. Placement on a roster does not guarantee any Consultant any Contract for  
15 any amount. In addition, the City reserves the power to amend or repeal this chapter and to  
16 change or discontinue the roster system at any time.

17           G. Evaluation Criteria. Consultants shall be evaluated for placement on a roster on the  
18 basis of the ability of the Consultant to perform the work or service that the roster category was  
19 created for and to meet the minimum qualifications set forth in the request for qualifications.

20           Section 308. Section 20.50.120 of the Seattle Municipal Code as last amended by  
21 Ordinance 121722 is further amended as follows:  
22



**20.50.120 Escalation of dollar limitations.**

1 All monetary amounts referenced in this chapter shall be ~~((annually))~~ adjusted annually  
2 ~~((hereafter))~~ by the Director ~~((, immediately))~~ following publication of the preceding year's annual  
3 Consumer Price Index. Monetary amounts shall be adjusted by the preceding year's percentage  
4 change in the annual Consumer Price Index for all urban consumers (CPI-U) Seattle-Tacoma-  
5 Bremerton, WA metropolitan area, All Items, (1982-84 = 100), or a successor index thereto, as  
6 determined by the U.S. Department of Labor, Bureau of Labor Statistics. The intent of this  
7 adjustment is to eliminate the effects of inflation or deflation on purchasing power and the  
8 authority granted by this chapter. All such monetary amounts, as adjusted, shall be rounded  
9 upwards to the nearest thousand dollars.

10  
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13  
14 Section 309. Section 20.50.130 of the Seattle Municipal Code as last amended by  
15 Ordinance 121722 is further amended as follows:

**20.50.130 Retention of expert witnesses and legal counsel.**

16 ~~((A.))~~ In retaining any provider of legal advice or any expert witness in connection with  
17 anticipated or actual litigation, the Law Department, consistent with the City's legal interests,  
18 shall make reasonable efforts in good faith to contact and retain women and minorities,  
19 notwithstanding any other provision of this chapter.  
20

21  
22 ~~((B. The Law Department shall report back to the Finance and Budget Committee of the Seattle~~  
23 ~~City Council once per year in 2006 and 2007 the number of times that it has retained any person~~  
24 ~~for legal advice without a public solicitation process as permitted under Section 20.50.010 A 3~~  
25 ~~of this chapter.))~~  
26  
27



1  
2 Section 310. Section 20.60.100 of the Seattle Municipal Code, last amended by Ordinance  
3 121720, is amended as follows:

4 **20.60.100 Purchasing powers.**

5 Except as otherwise provided in this subchapter, the Director (~~of Executive Administration~~)  
6 shall purchase, sell or transfer, contract for, rent or lease all supplies, materials, equipment, and  
7 services other than expert and consultant services needed by various departments of the City  
8 government, referred to in this subchapter as "using" agencies; provided, that the Director (~~of  
9 Executive Administration~~) is authorized to enter into cooperative and/or joint agreements with  
10 any state or governmental agency or subdivision thereof, or any other governmental unit or any  
11 public benefit nonprofit corporation for the purchase of such supplies, materials, equipment, and  
12 services under the purview of this chapter; provided, further, that such public benefit nonprofit  
13 corporation is an agency that is receiving local, state, or federal funds either directly or through a  
14 public agency; provided, further, that purchases made pursuant to any such agreement shall be  
15 separately invoiced to the respective purchasers in accordance with the purchases made by each;  
16 and provided, further, that each such purchaser shall be responsible for payment for its own  
17 purchases only. Purchases made for the City under a purchasing contract executed by a state, or  
18 agency or subdivision thereof, or by another governmental unit or public benefit nonprofit  
19 corporation shall be exempt from the competitive bidding and related requirements of Section  
20 20.60.106.  
21  
22  
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28



1 Section 311. Section 20.60.101 of the Seattle Municipal Code, last amended by Ordinance  
2 121720, is amended as follows:

3 **20.60.101 Definition.**

4 As used in this subchapter, "Director" shall mean the Director of Finance and Administrative  
5 Services~~((Executive Administration))~~.

6  
7  
8 Section 312. Subsection 20.60.106.A of the Seattle Municipal Code, as last amended by  
9 Ordinance 121720, is further amended as follows

10 **20.60.106 Competitive bidding**~~((--Cost over \$30,000))~~.

11 A. Except in emergencies provided for in this subchapter, all expenditures for supplies,  
12 materials, equipment, and services within the purview of this subchapter the estimated cost of  
13 which is in excess of \$44,000 ~~((Thirty Thousand Dollars (\$30,000)))~~ per requisition in 2010  
14 dollars shall be made on written contract entered into upon the basis of competitive bids and are  
15 subject to the preferences provided by ~~((SMC))~~ Section 20.60.210. Notices inviting sealed  
16 competitive bids shall be published at least once in the City official newspaper, and at least five  
17 ~~((5))~~ calendar days must intervene between the date of the last publication and the final date for  
18 submitting the bids; provided, that purchases of patented or proprietary items available from a  
19 single source, or purchases or contracts for services within the purview of this subchapter where  
20 competitive bidding is deemed impracticable by the Director, shall be exempt from the  
21 competitive bidding requirements of the section; provided, further, that the purchase of supplies,  
22 materials, and equipment to be resold by the using agency may be negotiated for by the Director  
23 when, in his or her judgment, the lowest and best price can be obtained by such negotiation.  
24  
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1  
2 Section 313. Section 20.60.110 of the Seattle Municipal Code as last amended by  
3 Ordinance 121720 is amended as follows:

4 **20.60.110 Expenditures under ~~(((\$30,000.))~~the competitive threshold**

5 All expenditures for supplies, materials, equipment, and services within the purview of this  
6 subchapter below the competitive threshold in Section 20.60.106 ~~((the estimated cost of which~~  
7 ~~will not exceed Thirty Thousand Dollars (\$30,000)))~~ per requisition may be made in the open  
8 market; provided, that to the extent possible, the Director or his or her designated representative  
9 shall endeavor to obtain from prospective vendors at least three ~~((3))~~ competitive bids, and  
10 shall award such purchase to the lowest and best bidder, subject to the preferences provided by  
11 ~~((SMC))~~ Section 20.60.210. The Director or his or her designated representative may, in his or  
12 her discretion, determine the lowest and best bidder for expenditures under ~~((Thirty Thousand~~  
13 ~~Dollars (\$30,000) per requisition))~~ this threshold by the same criteria as used for larger purchases.  
14  
15  
16 When the Invitation to Bid so specifies, and if sufficient life cycle cost information is readily  
17 available, the Director shall consider the life cycle cost in determining the lowest and best bidder  
18 in accordance with the Invitation to Bid.  
19

20  
21 Section 314. Section 20.60.112 of the Seattle Municipal Code as last amended by  
22 Ordinance 121720 is amended as follows:

23 **20.60.112 Open market purchases where bidding is impractical.**

24 The Director or his or her designated representative may secure in the open market without bids  
25 any supplies, materials, equipment, or services within the purview of this subchapter, the cost of  
26  
27



1 which will not exceed (~~Five Thousand Dollars (\$5,000)~~)\$7,000 per item in 2010 dollars, when  
2 the delay and expense of handling bids on small purchases would not be advantageous to the  
3 City. The Director may delegate any or all of the powers in this section to other departments at  
4 his or her discretion.

5  
6 Section 315. Section 20.60.140 of the Seattle Municipal Code as last amended by  
7 Ordinance 121720 is amended as follows:

8  
9 **20.60.140 Escalation of dollar limits.**

10 A. (~~As of January 1, 1997, a~~)All monetary amounts specified in Sections 20.60.106  
11 and 20.60.110 shall be(~~annually~~) adjusted annually hereafter by the Director, consistent with  
12 the formula described in (~~SMC~~) Section 20.50.120 for adjustment of the consultant selection  
13 threshold, so that the thresholds for competitive bidding for purchases and (~~the~~) consultant  
14 selection (~~threshold~~) are maintained at the same amount.

15  
16 B. (~~As of January 1, 1997, t~~) The monetary amounts specified in Section 20.60.112  
17 shall be adjusted every five (~~(5)~~)years by the Director (~~immediately~~) following publication of  
18 the preceding year's annual Consumer Price Index. Monetary amounts shall be adjusted by the  
19 percentage change for the five year period ending in the preceding year in the annual Consumer  
20 Price Index for all urban consumers (CPI-U) Seattle-Tacoma-Bremerton, WA metropolitan area,  
21 All Items (1982-84 = 100), or a successor index thereto, as determined by the U.S. Department  
22 of Labor, Bureau of Labor Statistics, to eliminate the effects of inflation or deflation on  
23 purchasing power and the authority granted by this subchapter. Such monetary amount, as  
24  
25  
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27



1 adjusted, in Section 20.60.112 shall be rounded upwards to the nearest ~~((F))~~thousand ~~(( Dollars~~  
2 ~~(\$1,000)))~~.

3  
4 Section 316. Section 20.60.206 of the Seattle Municipal Code, last amended by Ordinance  
5 121720, is amended as follows:

6 **20.60.206 Annual report.**

7  
8 The Director shall provide an annual report to the City Council each year on the status of buy  
9 recycled activities. This report shall include data on the City's purchases of recycled content  
10 products, recyclable products, and reusable products. The Director may require periodic  
11 reporting by other departments to the Department of Finance and Administrative  
12 Services~~((Executive Administration))~~ for the purpose of developing this report.

13  
14  
15 Section 317. Section 20.70.010 of the Seattle Municipal Code, last amended by Ordinance  
16 121723, is amended as follows:

17 **20.70.010 Purpose.**

18 The Director of ~~((the Department of))~~ Finance and Administrative Services~~((Executive~~  
19 ~~Administration))~~ has the authority to debar contractors to prevent them from entering into certain  
20 contracts with the City of Seattle as described in this Chapter.  
21

22  
23 Section 318. Section 20.70.020 of the Seattle Municipal Code, last amended by Ordinance  
24 121723, is amended as follows:

25 **20.70.020 Definitions.**



1 Terms used in this Chapter shall have the following definitions unless otherwise defined, or  
2 unless the context in which the term is used clearly indicates to the contrary.

3 A. "Contracting Authority" means the Department of Finance and Administrative  
4 Services~~((Executive Administration))~~ or any City Agency to which the City Council or the  
5 Department of Finance and Administrative Services~~((Executive Administration))~~ has delegated  
6 the authority to enter into contracts.

7 B. "Contract" means a contract for public work as that term is defined in RCW  
8 39.040.010, a purchasing contract as provided in ~~((SMC))~~ Section 20.60.100 et seq., or a  
9 consultant contract as provided in ~~((SMC))~~ Chapter~~(( ))~~ 20.50.

10 C. "Contractor" means a person, association, partnership, corporation or other legal entity  
11 that has performed services for the City under a Contract.

12 D. "Date of Service" means the day a Contractor receives actual service, or if served by  
13 certified mail, the date noted as the date of receipt by the U.S. Postal service.

14 E. "Debarment Authority" means a person to whom the Director ~~((of Executive~~  
15 ~~Administration))~~ has delegated the authority to perform any of the duties set forth in this  
16 Chapter.

17 F. "Debar," "Debarred," or "Debarment" means to forbid a Contractor from entering into  
18 any Contract with the City or to act as a subcontractor on a Contract with the City.

19 G. "Director" means the Director of ~~((the Department of))~~ Finance and Administrative  
20 Services~~((Executive Administration))~~.

21 H. "Notice Protest" means a written response to or contest of the Notice of Debarment.



1 I. "Notice of Debarment" means the document reflecting the preliminary determination  
2 by the Director that a Contractor should be Debarred.

3 J. "Notice of Investigation" means a document reflecting the initiation of a Debarment  
4 investigation.

5 K. "Order of Debarment" means the document reflecting the decision by the Director to  
6 Debar a Contractor.

7  
8  
9 Section 319. Section 20.70.050 of the Seattle Municipal Code, last amended by Ordinance  
10 121723, is amended as follows:

11 **20.70.050 Procedures.**

12 A. Notice of Investigation. The Director or any Contracting Authority may initiate an  
13 investigation of a Contractor. The Director or Contracting Authority shall notify the Contractor  
14 in writing that an investigation has been initiated and the allegations that form the basis for the  
15 investigation. The Notice of Investigation shall be either personally served or sent by certified  
16 mail. The Contractor shall have ~~((twenty-one (21)))~~21((21)) days from the Date of Service of the  
17 notice of investigation and allegations on the Contractor to file an answer to the allegations.  
18

19 B. Investigation Results. The results of the investigation shall be in writing and shall  
20 state, at a minimum, the allegation(s), the conclusion(s) reached regarding the allegation(s), the  
21 facts upon which the conclusion(s) are based, and the investigator's recommendation, including a  
22 recommended length of Debarment, if any. If the investigator is a Contracting Authority, it shall  
23 forward the results of the investigation to the Director. The Director shall personally serve or  
24 send by certified mail, the results of the investigation to the Contractor.  
25  
26  
27



1 C. Findings and Notice of Debarment. The Director shall consider both the results of the  
2 investigation and the Contractor's answer, if any, to the allegation(s). The Director shall make a  
3 preliminary determination on whether the Contractor should be Debarred within six  
4 (((6)))months of the Date of Service of the Notice of Investigation and provide the Contractor  
5 with findings, or the matter will be dismissed, unless the Director provides notice to the  
6 Contractor that there is good cause to extend the period of investigation for an additional specific  
7 period of time. If, after reviewing the results of the investigation and the Contractor's answer to  
8 the allegations, the Director determines that a Contractor should be Debarred, the Director shall  
9 notify the Respondent of the City's intent to issue an Order of Debarment. The Notice of  
10 Debarment shall be in writing, and shall be either personally served or sent by certified mail. The  
11 Notice of Debarment shall include:

- 12 1. A statement that the City intends to issue an Order of Debarment prohibiting  
13 the Respondent from submitting a bid or proposal on a Contract with the City and  
14 from acting as a Contractor or subcontractor on a Contract with the City;
- 15 2. A statement of the reasons for Debarment, including the allegation(s), the  
16 conclusion(s) reached regarding the allegation(s), and the facts upon which the  
17 conclusion(s) are based;
- 18 3. The proposed length of Debarment; and
- 19 4. Information on how the Respondent can contest the Notice.

20  
21  
22  
23 If the Director determines that the Contractor should not be debarred, the Director shall issue a  
24 written determination to that effect.

25 D. Notice Protest.  
26  
27



1 1. A Respondent may contest the Notice of Debarment by filing a written Notice  
2 Protest with the Director no later than (~~fourteen~~)14(~~(-)~~) calendar days after the  
3 Date of Service of the Notice of Debarment. Unless waived by the Director, filing  
4 a Notice Protest is an administrative remedy that the Respondent must exhaust  
5 before seeking judicial review.

6 2. If the Respondent does not timely contest the Notice of Debarment, the  
7 Director shall issue an Order of Debarment, which shall set forth:  
8

9 a. The contracting activities from which the Respondent is barred from  
10 participating;

11 b. The length of the Debarment;

12 c. A brief statement of the facts upon which the Debarment is based; and,

13 d. A response to any written comments submitted by the Respondent.  
14

15 3. The Notice Protest must state the reasons why the Respondent alleges the  
16 Notice of Debarment is erroneous, provide copies of any documents that support  
17 the Respondent's arguments, provide the names and/or sworn written statements  
18 of all witnesses that have knowledge of relevant information related to the  
19 proposed Debarment, identify any other specific information that supports the  
20 Respondent's arguments, and specify a desired remedy.  
21

22 4. The Contractor may request a hearing to discuss the Notice Protest and, if such  
23 request is granted, may discuss only those issues raised in the Notice Protest  
24 unless the Director allows otherwise. If a hearing is held, the Department of  
25 Finance and Administrative Services(~~Executive Administration~~) shall have the  
26



1 burden of establishing by a preponderance of the evidence that the grounds exist  
2 for an Order of Debarment.

3 5. The Director shall consider the Notice of Debarment, the Respondent's Notice  
4 Protest, and, if a hearing is held, the evidence presented at the hearing. The  
5 Director shall issue a final written decision and Order regarding whether the  
6 Contractor should be Debarred. If the Director issues an Order of Debarment, that  
7 Order shall state:  
8

- 9 a. The contracting activities from which the Respondent is barred from  
10 participating;  
11 b. The length of the Debarment; and  
12 c. Findings and conclusions upon which the Debarment is based.  
13

14 The Director's decision shall be the final administrative decision of the City.

15 L. "Performance Evaluation" means an evaluation conducted by the City of performance  
16 under a Contract or as part of any City Contractor performance evaluation program for  
17 Contracts.

18 M. "Respondent" means a Contractor against which the City has initiated Debarment  
19 proceedings.  
20

21  
22 Section 320. Section 20.76.020 of the Seattle Municipal Code as last amended by  
23 Ordinance 120794 is amended as follows:

24 **20.76.020 Acceptance of awards.**  
25  
26  
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1 If the City Council shall accept the awards for any improvement, or if the time allowed by law  
2 for rejecting the same shall have expired, the Director of Finance and Administrative  
3 Services~~((Executive Administration))~~ shall notify the Clerk of the Superior Court, the County  
4 Assessor and the City Attorney of such acceptance or such expiration of time for rejection.  
5

6  
7 Section 321. Section 20.76.040 of the Seattle Municipal Code as last amended by  
8 Ordinance 120794 is amended as follows:

9 **20.76.040 Mode of "payment by bonds."**

10 In case the City Council shall provide for the payment of special assessments in any such  
11 proceeding by the mode of "payment by bonds," it shall specify the term of such bonds, the  
12 maximum rate of interest thereon, and shall provide that bonds of such improvement district  
13 shall be issued in an amount equal to the sum of the assessments levied for such local  
14 improvement, less the amount of such assessments paid in cash into the special fund created for  
15 such local improvement during the ~~((thirty-))~~30~~((+))~~ day period following the date of the first  
16 publication of the notice of collection of the Director of Finance and Administrative  
17 Services~~((Executive Administration))~~, and the bonds may be sold and delivered, in such manner  
18 as the City Council may by ordinance or resolution direct.  
19  
20  
21

22 Section 322. Section 20.76.050 of the Seattle Municipal Code as last amended by  
23 Ordinance 116368 is amended as follows:

24 **20.76.050 Sale of bonds.**  
25  
26  
27



1 A. When the mode of "payment by bonds" is adopted for any such improvement, such  
2 bonds may be sold and delivered either upon bids or at private sale, as provided in this section.  
3 When the sale of such bonds upon bids shall be authorized, the ~~Finance~~ Director of Finance and  
4 Administrative Services shall advertise the same for sale in at least one ~~((1))~~ issue of the  
5 official newspaper of the City not less than ten ~~((10))~~ days prior to the date of sale. The  
6 advertisement shall state the approximate amount and date of the bonds, the number of years in  
7 which they shall mature and that bids shall be for bonds bearing no greater than ~~((eight))~~ 8-  
8 percent ~~(8%)~~ interest on bonds issued to mature in ~~((twelve-))~~ 12 ~~(())~~ years or less and bearing no  
9 greater than six percent ~~(6%)~~ interest on bonds issued to mature in ~~((twenty-two-))~~ 22 ~~(())~~ years,  
10 and that no bid for less than par and accrued interest will be considered. The time and place  
11 when and where bids will be received shall also be stated in the advertisement. The ~~((Finance))~~  
12 Director shall report all such bids to the City Council, who shall promptly act upon the same.  
13 The action of the City Council in accepting any such bids shall be by resolution. Bidders shall  
14 bid for such bonds upon forms prepared by the City with the approval of the City Attorney.

15  
16  
17 B. When the sale of such bonds at private sale shall be authorized, the City Council shall,  
18 in the ordinance or resolution authorizing such sale, specify the rate of interest which such bonds  
19 shall bear.  
20

21  
22 Section 323. Section 20.76.060 of the Seattle Municipal Code as last amended by  
23 Ordinance 120794 is amended as follows:

24 **20.76.060 Payment in installments.**  
25  
26  
27



1 Whenever the City shall have sold bonds of any such local improvement district, either upon bids  
2 or at private sale, as in this subchapter, the assessments for such improvement shall be payable in  
3 installments, and notice thereof shall be given, and the collection and enforcement thereof had as  
4 provided by law and this subchapter. In the case of sale upon bids, the City Clerk shall transmit  
5 to the Director of Finance and Administrative Services a certified copy of the resolution  
6 accepting any such bid, and in the case of sale at private sale the Director of Finance and  
7 Administrative Services shall certify that such bonds have been sold, pursuant to the resolution  
8 of the City Council directing such sale, and in either case the Director (~~of Executive~~  
9 ~~Administration~~) thereupon shall proceed with the collection and enforcement of such  
10 assessments under the mode of "payment by bonds." As to assessments payable in ten (~~(10)~~) or  
11 less annual installments, the Director (~~of Executive Administration~~) shall annually extend the  
12 installments of principal and interest upon the unpaid balance as shown upon such roll, and as to  
13 assessments payable in (~~twenty~~) 20 (~~(20)~~) annual installments, the Director (~~of Executive~~  
14 ~~Administration~~) shall for the first ten (~~(10)~~) years annually extend the installments of interest  
15 upon such roll, and for the last ten (~~(10)~~) years the Director (~~of Executive Administration~~)  
16 shall annually extend the installments of principal and interest upon the unpaid balance as shown  
17 upon such roll.  
18  
19  
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21

22 Section 324. Section 20.76.070 of the Seattle Municipal Code as last amended by  
23 Ordinance 120794 is amended as follows:

24 **20.76.070 Certificates of purchase.**  
25  
26  
27



1 A. Two ~~((2-))~~ years after the date of delinquency of an assessment payable by the mode  
2 of "immediate payment," or of an installment of an assessment payable by the mode of "payment  
3 by bonds," it shall be the duty of the Director of Finance and Administrative Services~~((Executive  
4 Administration))~~ to proceed to sell the property described in any such local assessment roll for  
5 the amount of such delinquent assessment, or installment, together with the penalty and interest  
6 accruing to date of sale, and for the costs of the sale; provided, it shall be the duty of the Director  
7 ~~((of Executive Administration))~~ in the case of the last installment of an assessment payable by  
8 the mode of "payment by bonds" to proceed with the sale provided for in this section at the  
9 expiration of ~~((twenty-one (21)))~~ 21 ~~((1))~~ months from the date of the delinquency of the last  
10 installment.  
11

12 B. Certificates of purchase shall be executed and delivered by the Director of Finance and  
13 Administrative Services~~((Executive Administration))~~ to the purchasers at such sale, and  
14 assessment deeds shall be executed and delivered by him to the persons thereunto entitled. All  
15 steps and proceedings required to be done in connection with such sale, certificates of purchase  
16 and assessment deeds shall be had and conducted according to law and this subchapter.  
17

18 C. When assessments, or installments of assessments, have been delinquent the full  
19 period provided by law and ordinances of the City, before which such assessments or  
20 installments of assessments are subject to sale, the Director of Finance and Administrative  
21 Services~~((Executive Administration))~~ shall certify that there are delinquent and unpaid  
22 assessments or installments thereof, giving the district number and installment thereof, if it be an  
23 installment roll, ordinance number under which it was created, street name, nature of the  
24 improvement and the date of delinquency.  
25  
26  
27



1 D. The Director of Finance and Administrative Services~~((Executive Administration))~~  
2 shall sell all the property described upon the roll upon which assessments are levied to satisfy all  
3 such delinquent and unpaid assessments or installments thereof, together with interest, penalties  
4 and costs as provided by law.

5 E. Such warrant, issued for the purpose of making sale of the delinquent property, shall  
6 be deemed and taken as an execution against the property for the amount of the assessments or  
7 installments thereof, with interest, penalties and costs.  
8

9  
10 Section 325. Section 20.76.080 of the Seattle Municipal Code as last amended by  
11 Ordinance 120794 is amended as follows:

12 **20.76.080 Special fund.**

13 The City Council shall, by ordinance, create a special fund for each such improvement district to  
14 be called "Local Improvement Fund, Condemnation Award, District No. \_\_\_\_\_," into which  
15 shall be placed the proceeds of the sale of bonds for such improvement, all sums paid on account  
16 of assessments levied for such improvement including all interest and penalty thereon, and all  
17 sums received from rents, profits and income from the property condemned by such proceeding,  
18 and from which shall be paid all warrants issued upon transcripts of judgments on awards and all  
19 bonds issued for such improvement. Provided, that if the fund is solvent at the time payment is  
20 ordered, the Director of Finance and Administrative Services~~((Executive Administration in  
21 consultation with the Director of Finance))~~ may elect to make payment for the cost and expense  
22 of the improvement by check.  
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1 Section 326. Section 20.76.090 of the Seattle Municipal Code as last amended by  
2 Ordinance 120794 is amended as follows:

3 **20.76.090 Issuance of bonds.**

4 At the expiration of ~~((thirty-))~~30(~~(+)~~) days after the date of first publication of the ~~Executive~~  
5 ~~Administration~~ Director's notice of any such assessments payable in installments, the Director of  
6 Finance and Administrative Services~~((Executive Administration))~~ shall record the total amount  
7  
8 of the assessment, the total amount paid to him or her to redeem any lots, tracts, or parcels of  
9 land, or other property, from the assessment levied thereon, and the total amount unpaid on such  
10 assessment; whereupon the Mayor and Director of Finance and Administrative Services shall  
11 issue the bonds of such local improvement condemnation award district, in an amount equal to  
12 the amount remaining unpaid on the assessment roll as shown by such report. The bonds  
13 provided for in this section shall not be issued prior to ~~twenty-())~~20(~~(+)~~) days after the expiration  
14 of the ~~((thirty-))~~30(~~(+)~~) days abovementioned.  
15  
16

17 Section 327. Section 20.76.110 of the Seattle Municipal Code as last amended by  
18 Ordinance 116368 is amended as follows:

19 **20.76.110 Bond registry.**

20  
21 The ~~((City Finance))~~ Director of Finance and Administrative Services shall keep in his or her  
22 office a register of all such bonds issued. He or she shall enter therein the Local Improvement  
23 Fund District number for which the same are issued, and the date, amount and number of each  
24 bond and the term of payment.  
25  
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27



1 Section 328. Section 20.76.120 of the Seattle Municipal Code as last amended by  
2 Ordinance 120794 is amended as follows:

3 **20.76.120 Warrants or checks -- When issued.**

4 The Director of Finance and Administrative Services (~~and the Director of Executive~~  
5 ~~Administration~~)) shall issue no warrants or checks for any condemnation awards, interest or costs  
6 prior to the acceptance of such awards by the City Council as provided for in Section 20.76.020,  
7 but such warrants or checks may be issued at any time thereafter.  
8

9  
10 Section 329. Section 20.76.130 of the Seattle Municipal Code as last amended by  
11 Ordinance 120794 is amended as follows:

12 **20.76.130 Payment of awards, interest and costs.**

13 The proceeds of the sale of bonds issued therefor, together with the proceeds of the collection of  
14 special assessments therefor, made during the ~~((thirty-))~~30((9)) day period following the date of  
15 the first publication of the Director of Finance and Administrative Services'~~((Executive~~  
16 ~~Administration's~~)) notice of collection, shall be applied by the Director of Finance and  
17 Administrative Services~~((Executive Administration))~~ in payment of awards, interest and costs of  
18 any judgment in any eminent domain proceedings, and the redemption of any warrants issued in  
19 payment of any portion of such judgment. No priority of payment shall exist as between any  
20 such warrants and any portion of such judgment, but warrants shall be paid in the order of their  
21 issuance; provided, that warrants payable to the General Fund may be held until warrants issued  
22 for the payment of awards have been paid. If the applicable fund is solvent at the time payment is  
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1 ordered, the Director of Finance and Administrative Services (~~Executive Administration in~~  
2 ~~consultation with the Director of Finance~~)) may elect to make payment by check.

3  
4 Section 330. Section 20.76.140 of the Seattle Municipal Code as last amended by  
5 Ordinance 120794 is amended as follows:

6 **20.76.140 Items of cost.**

7  
8 In preparing the assessment roll to pay the cost and expense of any such condemnation  
9 improvement as provided in this subchapter, the Board of Eminent Domain Commissioners shall  
10 include the costs and expenses of the proceedings up to the time of the filing of the assessment  
11 roll, together with the probable further costs and expenses of the proceedings, including therein a  
12 charge against each description of property appearing upon any assessment roll in the following  
13 sum: In case of "immediate payment" of assessment, (~~One Dollar~~)\$1(~~)~~) per description; in  
14 case of assessment payable in five (~~5~~)annual installments, the sum of (~~Two Dollars~~  
15 ~~)~~)\$2(~~)~~) per description; in case of assessment payable in ten (~~10~~)annual installments, the  
16 sum of (~~Three Dollars and Fifty Cents~~)\$3.50(~~)~~) per description; in case of assessment  
17 payable in (~~fifteen~~)15(~~)~~) annual installments, (~~Four Dollars and Thirty Cents~~)\$4.30(~~)~~)  
18 per description; in case of assessment payable in (~~twenty~~)20(~~)~~) annual installments of either  
19 principal or interest, (~~Five Dollars~~)\$5(~~)~~) per description, which is the charge for accounting,  
20 clerical labor, books and blanks used by the Director of Finance and Administrative  
21 Services(~~Executive Administration~~); provided, however, that when any assessment payable in  
22 installments is paid in full within the (~~thirty~~)30(~~)~~) day period fixed by law for the payment  
23 of assessments without interest, the Director (~~of Executive Administration~~) shall allow a rebate  
24  
25  
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1 of the( ~~Director of Executive Administration's~~) charge in this section provided in excess of  
2 (~~One Dollar~~)\$1(~~(3)~~) per description.  
3

4 Section 331. Section 20.76.200 of the Seattle Municipal Code as last amended by  
5 Ordinance 120794 is amended as follows:  
6

7 **20.76.200 Payment of local improvement assessments against condemned property.**

8 For the purpose of making payment of all local improvement assessments that may exist against  
9 any lot, tract or parcel of land which has been condemned for street or other purposes, the  
10 Director of Finance and Administrative Services(~~Executive Administration~~), previous to the  
11 issuance of any warrant in payment for property condemned in any condemnation proceeding,  
12 shall determine the amount of all unpaid local improvement assessments that may exist against  
13 the property, and thereupon two (~~(2)~~)warrants in favor of the respondents shall be issued on  
14 the condemnation fund, one (~~(1)~~)warrant in the amount of the unpaid assessments which shall  
15 be endorsed to the General Fund by the respondent, and one (~~(1)~~)warrant for the amount of the  
16 award less the unpaid assessments. The Director (~~of Executive Administration~~) shall draw a  
17 warrant on the General Fund in favor of the local improvement district or districts entitled  
18 thereto for the amount of the unpaid assessments, the General Fund to be reimbursed for the  
19 amounts so paid out when sufficient moneys have been paid into the Condemnation Fund to  
20 meet the warrant thereon drawn in favor of the General Fund in payment of the assessments as  
21 set forth in this section. If the applicable fund is solvent at the time payment is ordered, the  
22 Director (~~of Executive Administration~~) may elect to make payment by check.  
23  
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1 Section 332. Section 20.76.230 of the Seattle Municipal Code as last amended by  
2 Ordinance 120794 is amended as follows:

3 **20.76.230 Offsetting compensation against damages -- Court certificate.**

4 Any person or persons wishing to offset an award of compensation or damages, or both, against  
5 any assessment, as provided in Section 20.76.220, shall receipt upon the execution docket of the  
6 court in which such award is made, and make satisfaction, on the execution docket, of the  
7 amount so sought to be made an offset; and shall procure from the Clerk of the court and present  
8 to the Director of Finance and Administrative Services~~((Executive Administration))~~ a certificate  
9 under the seal of the court specifying the amount of which satisfaction has been made on the  
10 execution docket, the date of such satisfaction, the number and a brief title of the proceeding,  
11 including the number of the ordinance under which the proceeding was prosecuted.  
12  
13  
14

15 Section 333. Section 20.76.240 of the Seattle Municipal Code as last amended by  
16 Ordinance 120794 is amended as follows:

17 **20.76.240 Offsetting compensation against damages -- Cancellation of assessment roll.**

18 The Director of Finance and Administrative Services~~((Executive Administration))~~, upon receipt  
19 of the certificate provided for in Section 20.76.230 is authorized and directed to cancel such  
20 assessment upon the assessment roll, to the amount specified in the certificate, making suitable  
21 notation thereof upon the assessment roll.  
22  
23

24 Section 334. Section 20.76.260 of the Seattle Municipal Code as last amended by  
25 Ordinance 120794 is amended as follows:  
26  
27



**20.76.260 Acceptance of condemnation fund warrants in payment of assessments.**

1  
2 Whenever an owner of property, assessed in a condemnation proceeding of the City, shall desire  
3 to make full payment of such assessment prior to date of sale of his or her property for the  
4 assessment, the Director of Finance and Administrative Services~~((Executive Administration))~~ is  
5 authorized and directed to accept condemnation fund warrants, or parts thereof, in payment of  
6 such assessments levied to raise money for the benefit of the particular condemnation fund  
7 against or upon which said warrants were issued, and he or she shall treat all of such transactions  
8 as cash transactions making proper entry thereof upon City records.  
9

10  
11 Section 335. Section 20.76.270 of the Seattle Municipal Code as last amended by  
12 Ordinance 120794 is amended as follows:

13  
14 **20.76.270 Acceptance of certificates of purchase for delinquent condemnation award**  
15 **assessments.**

16 The Director of Finance and Administrative Services~~((Executive Administration))~~ is authorized  
17 and directed to accept the redemption of certificates of purchase issued for delinquent  
18 condemnation award assessments and installments thereof, and held in trust by the City for the  
19 condemnation award districts, where the last installment of the assessment is two ~~((2))~~ or more  
20 years delinquent, upon the payment of the principal of the certificates of purchase and interest  
21 thereon at the rate of ~~((eight))~~ 8-percent ~~((8%))~~ per year from date of issuance to date of  
22 redemption.  
23  
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1 Section 336. Section 20.76.280 of the Seattle Municipal Code as last amended by  
2 Ordinance 120794 is amended as follows:

3 **20.76.280 Segregation of condemnation assessments.**

4 A. The Director of Finance and Administrative Services~~((Executive Administration))~~ is  
5 authorized to collect and receive from any owner or owners of any subdivision or subdivisions of  
6 any lot, tract or parcel of land upon which a condemnation assessment has been, or may  
7 hereafter, be made, such portion of the assessment or assessments levied or to be levied against  
8 such lot, tract or parcel of land in the payment of the condemnation improvement as the ~~((City))~~  
9 Director of Transportation shall certify to be chargeable to such subdivision or subdivisions in  
10 accordance with state law. Upon receipt of a certified copy of a resolution of the legislative  
11 authority authorizing such segregation the Director of Finance and Administrative  
12 Services~~((Executive Administration))~~ shall enter such segregation, together with the amount of  
13 the bonded interest with respect thereto, upon the assessment records, and upon payment thereof,  
14 together with any penalties accruing according to law and any additional interest due with  
15 respect to such segregated portion, give a proper receipt; provided that this section shall not  
16 authorize the segregation of any assessment which has been delinquent for a period of two ~~((2))~~  
17 years or more, or in any case where it appears that such property, when or as already divided  
18 according to the requested segregation, is not or would not be of sufficient value, or is not or  
19 would not be in such condition or title, as to provide adequate security for the payment of the  
20 total amount of the unpaid assessment, penalties, interest and costs charged or chargeable against  
21 the undivided whole. In such instances, upon a recommendation by the Director of Finance and  
22 Administrative Services~~((Executive Administration))~~, the City Council shall determine such  
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24  
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1 question of fact. No segregation of any assessment on unplatted lands or large platted tracts shall  
2 be made until a plat thereof has been furnished the ((City)) Director of Transportation by the  
3 applicant, showing that the proposed segregation of property will conform to the system of  
4 streets as platted in adjacent territory. In all such instances, upon a recommendation by the  
5 ((City)) Director of Transportation, the City Council shall determine such question of fact.

6  
7 B. Whenever, on account of the filing of a plat or replat or on account of a sale or  
8 contract to sell or other proper evidence of the change of ownership of a divided portion of any  
9 lot, tract or parcel of land assessed in such improvement district, it shall appear to be to the best  
10 interest of the City to segregate such assessments, the ((City)) Director of Transportation is  
11 authorized to make the proper certification as provided in this section, upon the written  
12 application of the owner, approved by the Director of Finance and Administrative  
13 Services((Executive Administration)), and confirmed by City Council resolution, and upon  
14 payment of the fee hereinafter provided. In all instances it shall be the duty of the ((City))  
15 Director of Transportation to submit the necessary resolution for segregation for City Council  
16 approval.  
17

18 C. A fee of ((Ten Dollars-))\$10((-00)) shall be charged for each tract of land for which a  
19 segregation is to be made together with a fee of ((Five Dollars-))\$5((-00)) per description for  
20 each description added to the assessment roll, to defray the reasonable costs of the reasonable  
21 engineering and clerical work involved, by such certificate of the ((City)) Director of  
22 Transportation, as approved by City Council resolution. Such fees shall be paid to the Director  
23 Finance and Administrative Services((Executive Administration)), and shall be deposited in the  
24 General Fund.  
25  
26  
27



1  
2 Section 337. Section 20.80.010 of the Seattle Municipal Code as last amended by  
3 Ordinance 120794 is amended as follows:

4 **20.80.010 Contract for sale of foreclosed property.**

5 The Director of Finance and Administrative Services~~((Executive Administration))~~, is authorized  
6 to enter into contracts from time to time for and on behalf of the City for the sale, at not less than  
7 the appraised value thereof, determined as provided in Section 20.80.030, or at a price not less  
8 than enough to pay all taxes and assessments in full of any real property acquired by the City  
9 upon foreclosure of local improvement assessments and of any real property which the City may  
10 acquire from King County to protect the lien of any such assessments outstanding against such  
11 property, or any part thereof. Any such property shall be sold for cash, or on terms providing for  
12 the payment of ~~((one-fifth-))~~1/5~~(( ))~~ of the purchase price in cash at the time of execution by the  
13 purchaser of the contract of sale and the remainder of such price to be paid in installments over a  
14 period not exceeding five ~~((5-))~~years, with interest on deferred payments at the rate of not less  
15 than five percent ~~((5%-))~~ per year, or on such terms as may be approved by the City Council.  
16 No contract for the sale of any such property shall be valid or binding upon the City unless the  
17 same has first been authorized by the City Council by ordinance.  
18  
19  
20  
21

22 Section 338. Section 20.80.020 of the Seattle Municipal Code as last amended  
23 by Ordinance 120794 is amended as follows:

24 **20.80.020 Deposit on purchase of foreclosed property.**



1 The Director of Finance and Administrative Services~~((Executive Administration))~~, is authorized  
2 for and on behalf of the City to accept deposits of money amounting to not less than ~~((five-))~~ 5-  
3 percent ~~((5%))~~ of the purchase price of any property proposed to be sold as earnest money and  
4 to issue his or her receipt therefor. Any such deposit shall be placed in the Guaranty Deposit  
5 Fund, and if the depositor fails, through no fault of the City, to enter into a contract for the  
6 purchase of the property involved within ten ~~((10-))~~ days after the Director ~~((of Executive~~  
7 ~~Administration))~~ notifies him or her that a duly authorized or approved contract, executed on  
8 behalf of the City, is ready for execution on his or her part, such deposit shall be deemed  
9 forfeited and become the property of the City, and the amount thereof shall be transferred to the  
10 Local Improvement Guaranty Fund. If the depositor enters into such contract within the time  
11 mentioned in this section, the amount of the deposit shall be credited upon the purchase price  
12 agreed to be paid and shall be transferred to the Fund of the Local Improvement District levying  
13 the assessments, and if the district has been closed to the Local Improvement Guaranty Fund. If  
14 the City fails, by reason of any fault on its part, to make available for execution by the depositor  
15 such contract of sale within ~~((sixty-))~~ 60(9) days after the receipt of the deposit, the depositor  
16 may, at his option, demand the return of his deposit.  
17  
18  
19  
20

21 Section 339. Section 20.80.030 of the Seattle Municipal Code as last amended by  
22 Ordinance 120794 is amended as follows:

23 **20.80.030 Authority to contract with professional realtors.**

24 The Director of Finance and Administrative Services~~((Executive Administration))~~ is authorized  
25 on behalf of the City to contract from time to time with professional realtors or real estate  
26  
27



1 appraisers to ascertain for purposes of sale the value of City property acquired in the  
2 enforcement and for the protection of local improvement assessment liens, and in such  
3 connection the Director (~~(of Executive Administration)~~) is authorized to negotiate the terms of  
4 such employment, including the fees therefor, payment of which fees shall be charged to the  
5 appropriate item in the annual City budget.  
6

7  
8 Section 340. Subsection E of Section 20.84.030 of the Seattle Municipal Code, which  
9 section was last amended by Ordinance 121998, is amended as follows:

10 \* \* \*

11 E. City Department Head means the Director or highest administrative official, e.g., the  
12 Director of Transportation, Superintendent of Parks and Recreation, (~~(Fleets and Facilities~~  
13 ~~Director,~~) or Director of Finance and Administrative Services, among others, of the City  
14 Department having authority over and responsibility for the applicable Program or Project and its  
15 costs.  
16

17 \* \* \*

18 Section 341. Section 21.04.020 of the Seattle Municipal Code, last amended by Ordinance  
19 121276, is amended as follows:

20 **21.04.020 Connection to water supply system -- Application.**

21 Any person desiring to have premises connected with the water supply system of the City shall  
22 present at the office of the Seattle Public Utilities a copy of a building permit or a regular  
23 certified copy from the Director of the Department of Planning and Development, containing his  
24 or her name, description of the lot, block and addition and the official house number of the  
25  
26  
27



1 premises on which water is desired, and shall make application therefor upon a printed form to  
2 be furnished for that purpose, which application shall contain the description of the premises  
3 where such water is desired, and shall specify the size of service pipe required and shall state  
4 fully the purposes for which water is to be used, and shall be signed by the owner of the premises  
5 to be served or his duly authorized agent, and shall be filed in the office of the Director, and at  
6 the time of filing such application the applicant shall pay to the Director of Finance and  
7 Administrative Services~~((Executive Administration))~~ and make his or her receipt therefor, the  
8 fees for installation of water service provided in this chapter.  
9

10  
11 Section 342. Section 21.04.050 of the Seattle Municipal Code as last amended by  
12 Ordinance 120794 is further amended as follows:

13 **21.04.050 Connection -- City responsibility.**

14  
15 Upon the presentation at the office of the Director of the Director of Executive Administration's  
16 receipt for the installation fees and the execution of the contract provided for in Section  
17 21.04.030, the Director shall cause the premises described in the application, if the same abut  
18 upon a street in which there is a City water main, to be connected with the City's water main by a  
19 service pipe extending at right angles from the main to the property line, except as provided in  
20 Sections 21.04.060, 21.04.070, and 21.04.080. The City connection, which shall include a union  
21 placed at the end of pipe, and a stopcock placed within the curblin, shall be maintained by and  
22 kept within the exclusive control of the City.  
23  
24  
25  
26  
27



1 Section 343. Section 21.04.260 of the Seattle Municipal Code as last amended by  
2 Ordinance 120794 is amended as follows:

3 **21.04.260 Accounts to be in name of owner or leaseholder.**

4 A. All accounts for water shall be kept only in the name of the owner of the premises for  
5 which service was installed, provided, however, that persons holding under recorded lease may  
6 be supplied on their own account, and in such cases the Director may require such deposit of  
7 money with the Director of Finance and Administrative Services~~((Executive Administration))~~ of  
8 the City as in his or her judgment shall be necessary to protect the City against any and all  
9 delinquent and unpaid charges for water or other charges on account of such service. The  
10 property owner shall have the right to have water bills mailed to a tenant, or agent, but this shall  
11 not relieve the property from liability for water charges incurred.

12 B. The Director of Seattle Public Utilities may establish and collect charges based on  
13 actual costs, for special meter readings ordered in connection with property ownership or  
14 occupancy changes.

15 Section 344. Section 21.16.050 of the Seattle Municipal Code as last amended by  
16 Ordinance 120794 is amended as follows:

17 **21.16.050 Connection -- Notice to owner or occupant.**

18 A. Whenever any land, buildings, or premises are required to be connected with the  
19 public sewer system as provided in Section 21.16.040, the Director of Health, upon notice from  
20 the Director of Seattle Public Utilities that a connection is accessible, shall serve upon the owner  
21 or occupant of the lands, buildings, premises or habitable structures, a notice in writing  
22  
23  
24  
25  
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27



1 specifying the time within which such connection must be made, which time shall not be more  
2 than ~~((sixty-))~~60~~(( ))~~ days from the date of delivery of such notice.

3 B. If such owner or occupant shall fail or neglect to connect the land, buildings, premises  
4 or habitable structures to the public sewer system within the time specified, the Director of  
5 Health shall notify the Director of Seattle Public Utilities, whereupon the Director of Seattle  
6 Public Utilities may make such connection and the connection cost plus ~~((fifteen))~~ 15-percent  
7 ~~((15%))~~ thereof, for engineering design and administrative costs, shall be charged to the owner  
8 or occupant, and a bill showing the amount thereof shall be mailed or delivered to the owner or  
9 occupant, or posted upon the premises, whereupon the amount shall immediately be paid to the  
10 ~~((City))~~ Director of Finance and Administrative Services~~((Executive Administration))~~. The  
11 amount of said costs or any portion thereof which becomes delinquent shall immediately become  
12 a lien upon the premises and such lien may be foreclosed by the City as provided by State law.  
13  
14

15  
16 Section 345. Section 21.16.060 of the Seattle Municipal Code, last amended by Ordinance  
17 122036, is amended as follows:

18 **21.16.060 Registered side sewer contractor -- Qualification -- Registration -- Insurance --**  
19 **Bond -- Registration expiration and renewal.**

20 A. To register as a registered side sewer contractor (RSSC), each applicant must:

- 21 1. Pay a registration fee of \$200 to the Director of the Department of Planning and  
22 Development;
- 23 2. Successfully complete an oral and written examination administered by the  
24 Director of the Department of Planning and Development, or employ an  
25 individual who has successfully completed the examination. Each applicant for  
26  
27



1 the oral and written exam must pay to the Director of the Department of Planning  
2 and Development an examination fee of \$100 to take the examination required by  
3 this subsection;

4 3. Provide to the Director of the Department of Planning and Development a  
5 roster of all individuals employed by the applicant who have passed the  
6 examination provided for in subsection A2 of this Section;

7  
8 4. Provide evidence to the Department of Planning and Development that the  
9 applicant possesses a current Washington State Contractor's license;

10 5. Provide evidence to the Department of Planning and Development that the  
11 applicant possesses a current City Business license issued pursuant to Section  
12 5.55.030 of the Seattle Municipal Code;

13 6. File with the Risk Management Division of the Department of Finance and  
14 Administrative Services~~((Executive Administration))~~ a certificate of insurance  
15 that meets the standards of subsection B, and maintain the insurance as required  
16 by subsection B;

17  
18 7. Post with the City Clerk and maintain in full force and effect a bond as required  
19 by subsection C of this section;

20  
21 8. Agree in writing, to defend, indemnify and hold harmless the City from all  
22 claims, actions or damages of every kind and description, including reasonable  
23 attorney fees and necessary litigation expenses incurred by the City, that may  
24 accrue to or be suffered by any person arising out of any opening in any street,  
25 alley, avenue or other public place made by the registered contractor or those in  
26



1 the registered contractor's employ, in making any connection with any public or  
2 private sewer, or for any other purpose or object associated with side sewer  
3 construction and related activities, except for such losses that directly result from  
4 the sole negligence of the City; and

5 9. Agree in writing to provide direct on-site supervision in compliance with  
6 Section 21.16.055 of all work located in a public place that is to be performed by  
7 or on behalf of the registered side sewer contractor, including without limitation  
8 all work relating to installation, alteration, extension, connection to or repair of  
9 the side sewer.  
10

11 B. Insurance. Each applicant for side sewer contractor registration shall file with the Risk  
12 Management Division of the Department of Finance and Administrative Services~~((Executive  
13 Administration))~~ certification of insurance, and each registered side sewer contractor shall  
14 maintain in full force and effect insurance from insurers acceptable to the Risk Management  
15 Division ~~((of the Department of Executive Administration))~~. The certification shall state that the  
16 applicant/contractor carries comprehensive general liability insurance with limits of not less than  
17 \$1,000,000~~((,000))~~ for each occurrence combined single limit bodily injury and property damage.  
18 Such policy shall contain an endorsement or policy wording naming the City as an additional  
19 insured or, in lieu of naming the City as an additional insured, insuring the obligation described  
20 in subsection A8 above to indemnify the City, and providing for not less than 30 days prior  
21 written notice to the City of any change, cancellation or expiration of such policy.  
22

23  
24 C. Each registered side sewer contractor shall post with the City Clerk and maintain in  
25 full force and effect a bond in the sum of \$30,000~~((,000))~~ conditioned that the contractor shall  
26  
27



1 replace and restore such street, alley, avenue or other public place as required by ((SMC))

2 Section 21.16.280. If a claim is made on the bond, the registered side sewer contractor shall  
3 immediately post with the City Clerk a new bond with the same terms and conditions.

4 D. Expiration of Registration. All registrations issued under this chapter automatically  
5 expire on January 31 of each year and must be renewed pursuant to the provisions of subsection

6 E.

7 E. Renewal of Registration. In order to renew a registration, the contractor shall:

8 1. Pay a renewal fee of \$150((-00)).

9 2. Provide proof of compliance with the requirements of subsections  
10 21.16.060, A(2) through (9).

11 3. Provide the name(s) of the person or persons who have successfully passed the  
12 oral and written examination required by Subsection A(2) and who are currently  
13 employed by the side sewer contractor applying for renewal.

14 F. Failure to Renew. A contractor seeking to renew a side sewer contractor registration  
15 more than one year after its expiration must provide proof of compliance with all of the initial  
16 registration requirements of Subsection A.

17 Section 346. Section 20.16.110 of the Seattle Municipal Code as last amended by  
18 Ordinance 120794 is amended as follows:

19 **21.16.110 Permit for temporary connection.**

20 The Director of Seattle Public Utilities may, upon receiving an application containing such  
21 information as is required by this chapter, issue a permit for a temporary connection to a  
22



1 combined sewer, sanitary sewer, side sewer, storm drain or natural outlet, and may include as a  
2 condition to the issuance of a permit a requirement to connect to another combined sewer,  
3 sanitary sewer, side sewer, storm drain or natural outlet at some later date. The permit may be  
4 revoked by the Director of Seattle Public Utilities at any time upon ~~((sixty-))~~60(~~(-))~~ days' notice  
5 posted upon the premises and directed to the owner or occupant of the premises; and in the event  
6 the side sewer or drains are not disconnected or reconstructed as required at the expiration of  
7 ~~((sixty-))~~60(~~(-))~~ days the Director of Seattle Public Utilities may disconnect the same and  
8 reconstruct it as necessary, and charge the cost plus ~~((fifteen))~~ 15-percent ~~((15%))~~ thereof, for  
9 engineering design and administration costs, to the owner or occupant. Such charges shall be  
10 immediately payable to the ~~((City))~~ Director of Finance and Administrative Services~~((Executive~~  
11 ~~Administration))~~ following a written notice of the amount thereof given to such owner or  
12 occupant or posted on the premises. The amount of said costs or any portion thereof which  
13 becomes delinquent shall immediately become a lien upon the premises and such lien may be  
14 foreclosed by the City as provided by state law. The Director of Seattle Public Utilities may  
15 require that the applicant record with ~~((the))~~ King County ~~((Department of Records and~~  
16 ~~Elections))~~ an acceptable instrument agreeing to reconstruct the side sewer if required to do so,  
17 and to save the City harmless from all damage or claims resulting to the City by reason of such  
18 temporary connection or disconnection, and exhibit to the Director of Seattle Public Utilities the  
19 recording number of said instrument.  
20  
21  
22

23  
24 Section 347. Section 21.16.160 of the Seattle Municipal Code as last amended by  
25 Ordinance 120794 is amended as follows:  
26  
27



**21.16.160 Filling of excavations.**

1  
2 A. For side sewers in King County, all excavations in any public area by a registered side  
3 sewer contractor shall be filled and/or covered in such a manner that no significant settlement  
4 shall occur for a period of two ~~((2))~~ years.

5 B. Work within the limits of any public area shall be prosecuted to completion with due  
6 diligence, and if any excavation is left open, whether covered or uncovered, beyond a time  
7 reasonably necessary to fill the same, the Director of Seattle Public Utilities may cause the same  
8 to be backfilled and the public area restored forthwith. Cost incurred by the Director of Seattle  
9 Public Utilities in such work plus ~~((fifteen))~~ 15-percent ~~((15%))~~ for administrative costs shall  
10 be charged to the side sewer contractor in charge of such work and shall be immediately payable  
11 to the ~~((City))~~ Director of Finance and Administrative Services~~((Executive Administration))~~ by  
12 the contractor upon written notification of the amount thereof given to the contractor or posted  
13 on the premises.  
14  
15

16  
17 Section 348. Section 21.16.180 of the Seattle Municipal Code as last amended by  
18 Ordinance 120794 is amended as follows:

19 **21.16.180 Repair of inoperative or inadequate sewer or drain.**

20  
21 Where it is determined by the Director of Health or the Director of Seattle Public Utilities that a  
22 side sewer, drain, ditch, or natural watercourse is obstructed, broken, inoperative or inadequate  
23 and is a menace to health, or is liable to cause damage to public or private property, the Director  
24 of Health and/or the Director of Seattle Public Utilities may give notice to the owner of the side  
25 sewer and, if different than the owner of the side sewer, to the owner or occupant of the property  
26  
27



1 in which such condition exists. The owner or occupant shall correct such condition within the  
2 time specified in the written notice. If the owner or occupant shall fail to correct such condition  
3 within the time specified in such notice, the Director of Seattle Public Utilities may perform such  
4 work as may be necessary to comply with this chapter. The cost of such work done by the  
5 Director of Seattle Public Utilities, plus ~~((fifteen))~~ 15-percent ~~((15%))~~ for administrative costs,  
6 shall be charged to the property owner or occupant and shall become immediately payable to the  
7 ~~((City))~~ Director of Finance and Administrative Services~~((Executive Administration))~~ upon  
8 written notice of such amount being given to the property owner or occupant or posted upon the  
9 premises. The amount of said costs or any portion thereof which becomes delinquent shall  
10 immediately become a lien upon the premises and such lien may be foreclosed by the City as  
11 provided by state law.  
12  
13

14  
15 Section 349. Section 21.24.070 of the Seattle Municipal Code as last amended by  
16 Ordinance 120794 is amended as follows:

17 **21.24.070 Fee payment.**

18 The fee shall be paid to the ~~((City))~~ Director of Finance and Administrative Services~~((Executive  
19 Administration))~~ before the permit is issued and the amount of the fee paid shall be shown on the  
20 permit and on the record of the side sewer connection maintained in the office of the ~~((City))  
21 Director of Seattle Public Utilities.22~~

23  
24 Section 350. Section 21.24.090 of the Seattle Municipal Code as last amended by  
25 Ordinance 120794 is amended as follows:  
26  
27



**21.24.090 Refund of sewer permit fees.**

1  
2 Whenever a sewer permit has been issued and a fee paid therefor and either no rights are  
3 exercised pursuant thereto and such permit is surrendered or the fee charged is erroneous for any  
4 reason and application is made for refund, the Director of Seattle Public Utilities shall certify the  
5 facts justifying such refund, the amount thereof, and his or her approval of such refund, and upon  
6 presentation of such certificate, the ((City)) Director of Finance and Administrative  
7 Services((~~Executive Administration~~)) is authorized to draw and to pay a warrant on the General  
8 Fund in the amount of such refund and the necessary appropriations are hereby made from any  
9 surplus in the fund. If the applicable fund is solvent at the time payment is ordered, the Director  
10 of Finance and Administrative Services((~~Executive Administration~~)) may elect to make payment  
11 by check.  
12  
13  
14

15 Section 351. Section 21.28.010 of the Seattle Municipal Code as last amended by  
16 Ordinance 120794 is amended as follows:

**21.28.010 Sewerage system a public utility.**

17  
18 It is necessary for the public health, safety and welfare that the existing sewerage system of the  
19 City, in conjunction with the storm and surface water sewers, together with such extensions,  
20 additions and improvements thereto as may from time to time be authorized, continue to be  
21 maintained, conducted and operated as a public utility of the City within the Seattle Public  
22 Utilities. The Seattle Public Utilities shall have jurisdiction over those properties, interests, and  
23 physical and intangible rights of every kind and nature owned or held by the City within its  
24 boundaries which comprise or relate to storm and surface water sewers, including all facilities  
25  
26  
27



1 constructed and to be constructed with moneys from the Drainage and Wastewater Fund,  
2 formerly the Sewer Improvement Fund, but excepting such properties, interests and rights under  
3 the jurisdiction of the Parks and Recreation Department, the Seattle Center Department, the City  
4 Light Department and the Department of ~~((Fleets and Facilities))~~ Finance and Administrative  
5 Services. Nothing contained in this chapter is intended to be nor shall be construed to create or  
6 form the basis for any liability on the part of the City, or its officers, employees or agents, for  
7 any injury or damage resulting from or by reason of any act or omission in connection with the  
8 implementation or enforcement of this chapter on the part of the City by its officers, employees  
9 or agents.  
10

11  
12 Section 352. Section 21.28.020 of the Seattle Municipal Code as last amended by  
13 Ordinance 120794 is amended as follows:

14 **21.28.020 Administration of utility.**

15  
16 The Director of Seattle Public Utilities, through the Seattle Public Utilities, shall operate and  
17 administer drainage and wastewater functions and enforce this chapter and there shall be kept a  
18 classified system of accounts of revenues and disbursements as prescribed by the State Auditor,  
19 Division of Municipal Corporations, in conjunction with the ~~((City))~~ Director of Finance and  
20 Administrative Services~~((Executive Administration))~~, as required by law.  
21

22  
23 Section 353. Section 21.28.250 of the Seattle Municipal Code as last amended by  
24 Ordinance 120794 is amended as follows:

25 **21.28.250 Wastewater charges -- When payable.**



1 The wastewater charge provided in this chapter shall be payable at the office of the ((City))  
2 Director of Finance and Administrative Services ((~~Executive Administration~~))-at the same time  
3 as the water bill for the premises is payable((; and payment for water shall not be accepted unless  
4 payment of the wastewater charge is made at the same time)).

5  
6 Section 354. Section 21.28.260 of the Seattle Municipal Code as last amended by  
7 Ordinance 120794 is amended as follows:

8  
9 **21.28.260 Billing and collection of wastewater charges.**

10 The rates and charges set out in this chapter shall be effective and shall be computed and billed  
11 monthly or bimonthly by the Director of Seattle Public Utilities, as a separate charge on the  
12 water bill, or through a direct invoice, and shall become due and payable to the City of Seattle  
13 ((~~Director of Executive Administration~~)) as stated in such billing; and any wastewater rate or  
14 charge which becomes delinquent shall immediately become a lien upon the premises and such  
15 lien may be foreclosed by the City as provided by state law. Wastewater charges or any part  
16 thereof which become delinquent shall bear interest as authorized by RCW 35.67.200, at the rate  
17 of ((~~eight (8)~~)) 8-percent per year, or such rate as may hereafter be authorized by state law,  
18 computed on a monthly basis. Interest shall be added to all wastewater charges that remain  
19 unpaid ((~~thirty (30)~~)) 30(~~(30)~~) days or more from their billing date and shall continue until such  
20 charges are paid. As authorized, RCW 35.67.200 shall have the effect and the City shall have a  
21 lien for all delinquent and unpaid wastewater charges, including interest thereon, against any  
22 parcel for which the wastewater charges are delinquent. The lien shall have superiority as  
23 established by RCW 35.67.200 and shall be foreclosed or otherwise enforced in the manner  
24  
25  
26  
27



1 provided in RCW 35.67.210 through RCW 35.67.290. In the case of actions to collect  
2 delinquencies, the City shall seek also to collect reimbursement of reasonable costs of collection  
3 including but not limited to attorney's fees, staff time, and filing fees. As an additional and  
4 concurrent method of the collection of any such wastewater rate or charge, the Director of Seattle  
5 Public Utilities shall have the authority to cut off the water service or supply from the premises  
6 to which such rate or charge for wastewater has attached until such rates and charges are paid.  
7  
8

9 Section 355. Section 21.28.350 of the Seattle Municipal Code as last amended by  
10 Ordinance 120794 is amended as follows:

11 **21.28.350 Refunds of wastewater charges.**

12 The Director of Seattle Public Utilities is authorized to make refunds where any amount paid for  
13 wastewater services is found to be erroneous, or where adjustments have been made by him or  
14 her as authorized by this chapter, and the ((City)) Director of Finance and Administrative  
15 Services((Executive Administration)) is authorized to draw and to pay the necessary warrants on  
16 the Drainage and Wastewater Fund upon certification by the Director of Seattle Public Utilities  
17 that the refund is authorized. If the applicable fund is solvent at the time payment is ordered, the  
18 Director may elect to make payment by check, electronic payment or credit card.  
19  
20  
21

22 Section 356. Section 21.36.087 of the Seattle Municipal Code as last amended by  
23 Ordinance 120794 is amended as follows:

24 **21.36.087 White goods and bulky items.**



1 A. The Director of Seattle Public Utilities may determine from time to time the items  
2 eligible for pickup under the Seattle Public Utilities' program for collection of white goods and  
3 bulky items, and after consultation with the Director of Finance and Administrative  
4 Services~~((Executive Administration))~~, arrange for the disposition of the items collected~~((without~~  
5 ~~regard to the procedures of Section 3.18.824))~~.

6 B. "White goods" are large household appliances, such as refrigerators, iceboxes, stoves,  
7 washing machines, dryers, dishwashing machines and air conditioners. "Bulky items" include  
8 and are illustrated by such articles for household use as furniture, mattresses, box springs,  
9 television sets, stereos, and wardrobes. Neither term includes motor vehicles or hulks; car parts  
10 and tires; commercial machinery or equipment; lumber and building materials; or hazardous  
11 wastes.  
12

13 C. By delivering possession to the collector, the customer relinquishes title to the white  
14 goods and bulky items picked up. The Seattle Public Utilities may decline to accept such items  
15 that contain refuse, contraband, or hazardous wastes.  
16

17 D. The Director of Seattle Public Utilities may:

- 18 1. Remove all hazardous and toxic constituents, including the recovery of  
19 CFCs (chlorofluorocarbons), from white goods delivered to the City  
20 recycling and disposal stations and require that the resultant scrap metal  
21 not be landfilled;
- 22 2. Accept a maximum of two ~~((2))~~ white goods per load at a rate  
23 established in subsection A of Section 21.40.080 and subsection D of  
24 Section 21.40.080;  
25  
26  
27



- 1                   3. Reject vehicle loads at the City's recycling and disposal stations which  
2                   contain more than two (~~((2))~~) white goods or white goods from non-  
3                   Seattle residents and provide information to the haulers of rejected loads  
4                   on alternative disposal sites for white goods available within Seattle;  
5                   4. Direct white goods from charitable organizations qualified under  
6                   Section 21.40.080 to the City's selected white-goods processor.

7  
8  
9                   Section 357. Section 21.40.030 of the Seattle Municipal Code as last amended by  
10 Ordinance 120794 is amended as follows:

11                   **21.40.030 Administration.**

12                   The Director of Seattle Public Utilities, through the Seattle Public Utilities, shall operate and  
13                   administer such public utility and enforce this chapter; and there shall be kept by him or her a  
14                   classified system of accounts of revenues and disbursements as prescribed by the State Auditor,  
15                   Division of Municipal Corporations, in conjunction with the ((City)) Director of Finance and  
16                   Administrative Services(~~(Executive Administration)~~), as required by law in such connection.  
17  
18

19                   Section 358. Section 21.40.120 of the Seattle Municipal Code as last amended by  
20 Ordinance 120794 is amended as follows:

21                   **21.40.120 Payment of charges -- Delinquency and lien.**

22                   A. Garbage and rubbish collection charges imposed by this chapter shall be payable up to  
23                   three (~~((3))~~) months in advance at the office of the ((City)) Director of Finance and  
24                   Administrative Services(~~(Executive Administration)~~) and at the same time that water utility  
25  
26  
27



1 charges are due and payable with respect to residences or other dwelling units  
2 contemporaneously served, and partial payment on any bill will first be credited to amounts due  
3 for garbage and rubbish collection services, then to charges for wastewater services, and the  
4 balance to outstanding charges for water services. The charges imposed under Sections  
5 21.40.050, 21.40.060, and 21.40.080 shall apply to all residences and other dwelling units,  
6 whether occupied or not; provided, however, that where no portion of the premises is being used  
7 and occupied as a dwelling place the owner or agent responsible therefor may apply to the  
8 Director of Seattle Public Utilities for an adjustment to garbage and rubbish collection charges.  
9 In such connection the Director of Seattle Public Utilities may from time to time reduce the  
10 liability for such charges upon request therefor whenever he or she is satisfied that the premises  
11 are not being used and occupied as a dwelling place. Garbage and rubbish collection charges  
12 shall be computed and billed from time to time by the Director of Seattle Public Utilities as a  
13 separate charge on the water bill for residences or dwelling units served, and the Director of  
14 Seattle Public Utilities shall establish common billing practices and procedures to the extent  
15 permitted by law.  
16  
17

18 B. Garbage and rubbish collection charges shall be against the premises served and when  
19 such charges have not been paid within ~~((ninety-))~~90(~~(9))~~ days after billing, they shall constitute  
20 a lien against the residence or dwelling units served. Notice of the City's lien specifying the  
21 amount due, the period covered and giving the legal description of the premises sought to be  
22 charged may be filed with the County Auditor within the time required and may be foreclosed in  
23 the manner and within the time prescribed for liens for labor and material, as authorized by RCW  
24 35.21.140.  
25  
26  
27



1 C. Penalty interest at the rate of ~~((twelve-))12\_((+))~~ percent per year, computed monthly,  
2 shall be added to garbage and rubbish collection charges imposed under Sections 21.40.050 and  
3 21.40.060 through the combined utility bill, or any part thereof, that become delinquent. Penalty  
4 interest shall be imposed on all such charges that remain unpaid ~~((thirty-))30((+))~~ days after their  
5 bill date and shall continue until such charges are paid.  
6

7  
8 Section 359. Section 21.60.410 of the Seattle Municipal Code as last amended by  
9 Ordinance 107614 is repealed.  
10

11 Section 360. Section 21.60.420 of the Seattle Municipal Code as last amended by  
12 Ordinance 107614 is repealed.  
13

14  
15 Section 361. Section 21.60.430 of the Seattle Municipal Code as last amended by  
16 Ordinance 107614 is repealed.  
17

18 Section 362. Section 21.60.450 of the Seattle Municipal Code as last amended by  
19 Ordinance 107614 is amended as follows:  
20

21 **21.60.450 Connection point.**

22 Except in areas of the cable district in which, by the terms of the grantee's franchise, no  
23 construction is required, the grantee shall, on payment of the installation charge prescribed in  
24 accordance with Sections 21.60.300 through 21.60.320, provide a connection, overhead or  
25 underground ~~((in))~~ at the discretion of the City Light Department~~((Board of Public Works))~~, to  
26  
27



1 any point located not more than ~~((three hundred feet ()))~~300 feet~~((?))~~ from grantee's nearest  
2 distribution cable, and shall not accept payment for an installation charge unless there is a  
3 distribution cable within ~~((three hundred feet ()))~~300 feet~~((?))~~ of the subscriber's property or a  
4 specific written agreement has been entered into with the subscriber regarding the cost of a  
5 connection over a distance greater than ~~((three hundred feet ()))~~300 feet~~((?))~~.

6  
7  
8 Section 363. Section 21.68.020 of the Seattle Municipal Code as last amended by  
9 Ordinance 106157 is amended as follows:

10 **21.68.020 Area described.**

11 Everyone engaged in the distribution of electrical energy for light, heat or power by wires or  
12 using or maintaining wires for telephone, telegraph or other electrical service in the City, shall  
13 have all wires and appliances used for the purposes stated in this section, and situated on, in, or  
14 over the streets, alleys and other public places within the boundaries of the areas described in this  
15 section, placed underground and all poles removed when and as directed by ~~((the Board of Public  
16 Works of the City))~~ the City Light Department ~~((Board of Public Works))~~, so to do; said areas  
17 being bounded and described as follows:  
18

19 Beginning at the intersection of the south line of South Jackson Street and the west line of  
20 Alaskan Way South; thence north along said west line to the westerly line of Alaskan Way;  
21 thence northerly along said westerly line to the north line of West Denny Way; thence east along  
22 said north line and along the north line of Denny Way to the centerline of Second Avenue North;  
23 thence north along said centerline to the centerline of Thomas Street; thence west along last  
24 described centerline to the centerline of First Avenue North; thence north along last described  
25  
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1 centerline to the centerline of Republican Street; thence east along last described centerline to the  
2 centerline of Warren Avenue North; thence north along last described centerline to the centerline  
3 of Mercer Street; thence east along last described centerline to the centerline of Third Avenue  
4 North; thence north along last described centerline to the centerline of Roy Street; thence east  
5 along last described centerline to the centerline of Fourth Avenue North; thence south along last  
6 described centerline to the centerline of Mercer Street; thence east along last described centerline  
7 to the centerline of Fifth Avenue North; thence south along last described centerline to the north  
8 line of Denny Way; thence east along said north line to the easterly line of the Central Freeway;  
9 thence southerly along said easterly line to the south line of South Jackson Street; thence west  
10 along said south line to the east line of Occidental Avenue South; thence south to the south line  
11 of South King Street; thence west to the east line of Occidental Avenue South; thence south to  
12 the south line of South Connecticut Street; thence west to the west line of Occidental Avenue  
13 South; thence north to the north line of South King Street; thence east to the west line of  
14 Occidental Avenue South; thence north to the south line of South Jackson Street; thence west  
15 along said south line to beginning; also all of the Central Freeway inside the limits of the City  
16 lying within the area of limited access as approved by the City by Ordinance ((No.)) 86152 and  
17 such resolutions as have hereto or which may hereafter be approved, defining specifically the  
18 limits of the Freeway;  
19  
20  
21  
22 as illustrated by the blueprint map marked Exhibit "A" attached to Ordinance 90695<sup>1</sup> and by this  
23 reference made a part of this subchapter and

24 Beginning at the intersection of the west margin of 15th Avenue N.E. and the south margin of  
25 N.E. 50th Street; thence northerly along the westerly margin of 15th Avenue N.E. to the south  
26



1 margin of N.E. 55th Street; thence westerly along the south margin of N.E. 55th Street to the east  
2 margin of University Way N.E.; thence southerly along the east margin of University Way N.E.  
3 to the south margin of N.E. 50th Street; thence westerly along the south margin of N.E. 50th  
4 Street to the northwest corner of Lot 1, Block 1 of McGuire and Holden Addition; thence  
5 southerly along the platted centerline of said Block 1 to the north margin of N.E. 47th Street;  
6 thence southerly across N.E. 47th Street to the northwest corner of Lot 1, Block 2 of said  
7 Addition; thence southerly along the platted centerline of said Block 2 to the north margin of  
8 N.E. 45th Street; thence southerly across N.E. 45th Street to the northwest corner of Lot 1, Block  
9 A of Brooklyn Supplemental Addition; thence southerly along the platted centerline of said  
10 Block A to the north margin of N.E. 43rd Street; thence southerly across N.E. 43rd Street to the  
11 northwest corner of Lot 1, Block B of said Supplemental Addition; thence southerly along the  
12 platted centerline of said Block B to the north margin of N.E. 42nd Street; thence southerly  
13 across N.E. 42nd Street to the northwest corner of lot 1, Block C of Brooklyn Supplemental  
14 Addition; thence southerly along the platted centerline of said Block C to the northerly margin of  
15 N.E. Campus Parkway; thence easterly along the north margin of N.E. Campus Parkway to the  
16 west margin of 15th Avenue N.E.; thence northerly along the westerly margin of 15th Avenue  
17 N.E. to the south margin of N.E. 50th Street, the point of beginning; all in the City of Seattle;  
18 as illustrated by the blueprint map marked Exhibit "B" attached to Ordinance 90695<sup>1</sup> and by this  
19 reference made a part of this subchapter.  
20  
21  
22

23 Section 364. Section 21.68.030 of the Seattle Municipal Code as last amended by  
24 Ordinance 90695 is amended as follows:

25 **21.68.030 Undergrounding required.**  
26  
27



1 Everyone owning, using or maintaining any such wires (~~be, and they~~) are directed, ordered and  
2 required to place the same underground as their interest therein may appear, and at their own cost  
3 and expense, and thereafter, at their own cost and expense, to maintain and replace the  
4 underground wires as public interest may require and to the satisfaction, and subject to the  
5 supervision, of the Seattle Department of Transportation in consultation with the City Light  
6 Department and Seattle Public Utilities, as appropriate~~((Board of Public Works of the City))~~.  
7 Pavement or sidewalk restoration and repair shall be completed to the satisfaction of the Seattle  
8 Department of Transportation; sewer, water main, or public utility equipment or facilities  
9 restoration and repair shall be completed to the satisfaction of Seattle Public Utilities; and  
10 electrical connections, and electrical equipment, wiring, or conduit restoration or repair, shall be  
11 completed to the satisfaction of the City Light Department.  
12  
13  
14

15 Section 365. Section 21.68.040 of the Seattle Municipal Code as last amended by  
16 Ordinance 90695 is amended as follows:

17 **21.68.040 Commencement of work.**

18 Everyone owning, using or maintaining such wires be, and they are directed, ordered and  
19 required to commence forthwith and to diligently prosecute the work of placing such wires  
20 underground at the direction, under the supervision of and in accordance with plans and  
21 specifications approved by the Seattle Department of Transportation in consultation with the City  
22 Light Department and Seattle Public Utilities, as appropriate~~((Board of Public Works))~~;  
23 provided, however, that in any part of the areas where streets are being paved or repaved, the  
24 work shall be completed before such paving or repaving.  
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26  
27



1  
2 Section 366. Section 21.68.050 of the Seattle Municipal Code as last amended by  
3 Ordinance 90695 is amended as follows:

4 **21.68.050 Restoration of pavement and public utility equipment.**

5 The owners of such wires shall, at their own cost and expense, cause to be restored to good  
6 condition and repair, ~~((to the satisfaction of the Board of Public Works)),~~ any pavement,  
7 sidewalk, sewer, water main, or public utility equipment or facilities disturbed in connection with  
8 the work of removing any existing poles supporting the wires referred to in this subchapter in  
9 said areas, or in connection with the placing of such wires underground; such restoration and  
10 repair to be made pursuant to ordinances relating thereto. Pavement or sidewalk restoration and  
11 repair shall be completed to the satisfaction of the Seattle Department of Transportation; sewer,  
12 water main, or public utility equipment or facilities restoration and repair shall be completed to  
13 the satisfaction of Seattle Public Utilities; and electrical connections, and electrical equipment,  
14 wiring, or conduit restoration or repair, shall be completed to the satisfaction of the City Light  
15 Department.  
16  
17  
18

19  
20 Section 367. Section 21.68.060 of the Seattle Municipal Code as last amended by  
21 Ordinance 90695 is amended as follows:

22 **21.68.060 Maintenance and replacement of wires.**

23 After said wires have been placed underground,~~((F))~~ those owning said wires shall, ~~((after the~~  
24 ~~same shall have been placed underground,))~~ in accordance with this subchapter, maintain,  
25 remove, move or replace the ~~((same))~~ wires, ~~((or))~~ apparatus, or ~~((the))~~ conduits that  
26  
27



1 contain, ~~((ing, the same))~~ or are used in connection ~~((there))~~ with, the wires on order of the Seattle  
2 Department of Transportation in consultation with the City Light Department and Seattle Public  
3 Utilities, as appropriate, and ~~(Board of Public Works))~~ as the public interest may require, ~~((and to~~  
4 ~~the satisfaction of the Board.))~~

5  
6 Section 368. Section 21.68.090 of the Seattle Municipal Code as last amended by  
7 Ordinance 96796 is amended as follows:

8 **21.68.090 Undergrounding required -- Restoration of pavement and public utility**  
9 **equipment.**

10  
11 Everyone owning, using or maintaining such wires and appurtenances in said streets, alleys, and  
12 other public places ~~((be and they))~~ are directed, ordered and required to commence forthwith and  
13 to prosecute and complete the work of placing such wires and appurtenances underground and of  
14 removing overhead facilities at the direction, under the supervision of and in accordance with  
15 plans and specifications approved by the Seattle Department of Transportation in consultation  
16 with Seattle City Light and Seattle Public Utilities as appropriate, ~~((the Board of Public Works,~~  
17 ~~and to thereafter cause to be restored to good condition and repair~~~~((to the satisfaction of the~~  
18 ~~Board))~~ any pavements, sidewalks, sewer, water main or public utility equipment or facilities  
19 disturbed in connection with such work, and shall thereafter maintain, remove, move or replace  
20 such underground facilities on order of the City of Seattle ~~((and to the satisfaction of the Board))~~  
21 as the public interest may require. Pavement or sidewalk restoration and repair shall be  
22 completed to the satisfaction of the Seattle Department of Transportation; sewer, water main, or  
23 public utility equipment or facilities restoration and repair shall be completed to the satisfaction  
24  
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1 of Seattle Public Utilities; and electrical connections, and electrical equipment, wiring, or  
2 conduit restoration or repair, shall be completed to the satisfaction of the City Light Department.

3  
4 Section 369. Section 21.68.100 of the Seattle Municipal Code as last amended by  
5 Ordinance 96796 is amended as follows:

6 **21.68.100 CATV connections.**

7  
8 When electrical, telephone, telegraph or CATV or other electric services are available to  
9 customers from underground facilities within the district describ((i))ed in Section 21.68.080, or a  
10 part thereof, the owners of the facilities or services shall notify the City Light Department and,  
11 under the Department's ((Board of Public Works, and, under the Board's)) direction and  
12 supervision, the owners of the facilities or services shall then notify each such customer and/or  
13 property owner within the district, or such part thereof, that such services shall be thereafter  
14 available only from such underground facilities. Property owners and/or customers desiring  
15 continued electric services within said district, or part thereof, shall within ((ninety(-))90((-))  
16 days of receipt of such notice, provide at their own expense on their own property necessary  
17 underground facilities for conducting such services from such underground facilities to any  
18 building and structure on their property, and the above notices shall so provide.  
19  
20  
21

22 Section 370. Section 21.68.130 of the Seattle Municipal Code as last amended by  
23 Ordinance 96797 is amended as follows:

24 **21.68.130 Area described.**



1 Everyone engaged in the distribution of electric energy by overhead wires and appurtenances or  
2 using or maintaining wires and appurtenances for telephone, telegraph, CATV, or other electric  
3 service shall at their own expense, subject to the aid and assistance of urban renewal project  
4 funds if, or to the extent that, such funds are legally available for such work, remove and place  
5 underground all wires and appurtenances used for the purposes stated in this section in the  
6 streets, alleys and other public places within the boundaries of the district described in this  
7 section, and at the direction, under the supervision of, and in accordance with plans and  
8 specifications approved by the Seattle Department of Transportation in consultation with the City  
9 Light Department and Seattle Public Utilities, as appropriate~~((Board of Public Works))~~, said  
10 district being bounded and described as follows:  
11

12 Beginning at the intersection of the west margin of United States Interstate Highway No. 5 and  
13 the south margin of South Dakota Street; thence westerly along the south margin of South  
14 Dakota Street to the east margin of 5th Avenue South; thence southerly along the east margin of  
15 5th Avenue South to the south margin of South Alaska Street; thence easterly along the south  
16 margin of South Alaska Street to the west margin of United States Interstate Highway No. 5;  
17 thence northerly along the west margin of United States Interstate Highway No. 5 to the south  
18 margin of South Dakota Street, the point of beginning; all in the City of Seattle;  
19 and as illustrated by the blueprint map marked Exhibit "A-1"<sup>1</sup> attached to Ordinance 96797 and  
20 by this reference made a part of this subchapter.  
21  
22  
23

24 Section 371. Section 21.68.140 of the Seattle Municipal Code as last amended by  
25 Ordinance 96797 is amended as follows:  
26  
27



1     **21.68.140 Undergrounding required -- Restoration of pavement and public utility**  
2     **equipment.**

3     Everyone owning, using or maintaining such wires and appurtenances in said streets, alleys, and  
4     other public places be and they are directed, ordered and required to commence forthwith and to  
5     prosecute and complete the work of placing such wires and appurtenances underground and of  
6     removing overhead facilities at the direction, under the supervision of and in accordance with  
7     plans and specifications approved by the Seattle Department of Transportation in consultation  
8     with the City Light Department and Seattle Public Utilities ((Board of Public Works)), as  
9     appropriate, and to thereafter cause to be restored to good condition and repair ~~((to the~~  
10    ~~satisfaction of the Board))~~ any pavements, sidewalks, sewer, water main or public utility  
11    equipment or facilities disturbed in connection with such work, and shall thereafter maintain,  
12    remove, move or replace such underground facilities on order of the City of Seattle ~~((and to the~~  
13    ~~satisfaction of the Board))~~ as the public interest may require. Pavement or sidewalk restoration  
14    and repair shall be completed to the satisfaction of the Seattle Department of Transportation;  
15    sewer, water main, or public utility equipment or facilities restoration and repair shall be  
16    completed to the satisfaction of Seattle Public Utilities; and electrical connections, and electrical  
17    equipment, wiring, or conduit restoration or repair, shall be completed to the satisfaction of the  
18    City Light Department.

19  
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22  
23           Section 372. Section 21.68.150 of the Seattle Municipal Code as last amended by  
24    Ordinance 96797 is amended as follows:

25     **21.68.150 CATV connections.**



1 When electrical, telephone, telegraph or CATV or other electric services are available to  
2 customers from underground facilities within the district described in Section 21.68.130, or a  
3 part thereof, the owners of the facilities or services shall notify the The City Light Department  
4 (~~Board of Public Works~~), and, under the Department's (~~Board's~~) direction and supervision  
5 shall then notify each such customer and/or property owner within the district, or such part  
6 thereof, that such services shall be thereafter available only from such underground facilities.  
7

8 Property owners and/or customers desiring continued electric services within said district, or part  
9 thereof, shall within (~~ninety (90)~~) days of receipt of such notice, provide at their own  
10 expense on their own property necessary underground facilities for conducting such services  
11 from such underground facilities to any building and structure on their property, and the above  
12 notices shall so provide.  
13

14  
15 Section 373. Section 21.68.180 of the Seattle Municipal Code as last amended by  
16 Ordinance 99641 is amended as follows:

17 **21.68.180 Area described.**

18 Everyone engaged in the distribution of electric energy by overhead wires and appurtenances or  
19 using or maintaining wires and appurtenances for telephone, telegraph, CATV, or other electric  
20 service shall at their own expense, subject to the aid and assistance of urban renewal project  
21 funds if, or to the extent that, such funds are legally available for such work, remove and place  
22 underground all wires and appurtenances used for the purposes stated in this section in the  
23 streets, alleys and other public places within the boundaries of the district described in this  
24 section, and at the direction, under the supervision of, and in accordance with plans and  
25  
26  
27



1 specifications approved by the Seattle Department of Transportation in consultation with the City

2 Light Department and Seattle Public Utilities, as appropriate, ((Board of Public Works)), said

3 district being bounded and described as follows:

4 Beginning at the intersection of the centerline of East Yesler Way and a line drawn midway  
5 between 28th Avenue and 29th Avenue; thence north along last described midway line to its  
6 intersection with the south line of Lots 1 and 2, Block 11, Gamma Poncin's Addition, as recorded  
7 in Volume 20 of Plats, page 51, Records of King County, Washington; thence west along said  
8 south line and same produced west to its intersection with the centerline of 28th Avenue; thence  
9 north along last described centerline to its intersection with the centerline of East Cherry Street;  
10 thence east along last described centerline to its intersection with a line drawn midway between  
11 32nd Avenue and 33rd Avenue; thence south along last described midway line to its intersection  
12 with the centerline of East Alder Street; thence east along last described centerline to its  
13 intersection with the production northwesterly of the northeasterly line of Lot 3, Block 3, Dodge  
14 and Dodge Addition, as recorded in Volume 3 of Plats, page 106, Records of King County,  
15 Washington; thence southeasterly along said produced and northeasterly line and same produced  
16 southeasterly to its intersection with the centerline of Lake Dell Avenue; thence southerly along  
17 last described centerline to its intersection with the production north of the centerline of the  
18 vacated alley as platted adjoining Block 49 in Yesler's Third Addition as recorded in Volume 6  
19 of Plats, page 41, Records of King County, Washington; thence south along last described  
20 centerline and same produced south to its intersection with the centerline of East Yesler Way;  
21 thence west along last described centerline to the beginning;



1 and as illustrated by the blueprint map marked Exhibit "A"<sup>1</sup> attached to Ordinance 99641 and by  
2 this reference made a part of this subchapter.

3  
4 Section 374. Section 21.68.190 of the Seattle Municipal Code as last amended by  
5 Ordinance 99641 is amended as follows:

6 **21.68.190 Undergrounding required -- Restoration of pavement and public utility**  
7 **equipment.**

8  
9 Everyone owning, using or maintaining such wires and appurtenances in said streets, alleys, and  
10 other public places be and they are directed, ordered and required to commence forthwith and to  
11 prosecute and complete the work of placing such wires and appurtenances underground and of  
12 removing overhead facilities at the direction, under the supervision of and in accordance with  
13 plans and specifications approved by the Seattle Department of Transportation in consultation  
14 with the City Light Department and Seattle Public Utilities, as appropriate,~~((Board of Public~~  
15 ~~Works))~~, and to thereafter cause to be restored to good condition and repair~~((to the satisfaction~~  
16 ~~of the Board))~~ any pavements, sidewalks, sewer, water main or public utility equipment or  
17 facilities disturbed in connection with such work, and shall thereafter maintain, remove, move or  
18 replace such underground facilities on order~~((and to the satisfaction of the Board))~~ of the City of  
19 Seattle as the public interest may require. Pavement or sidewalk restoration and repair shall be  
20 completed to the satisfaction of the Seattle Department of Transportation; sewer, water main, or  
21 public utility equipment or facilities restoration and repair shall be completed to the satisfaction  
22 of Seattle Public Utilities; and electrical connections, and electrical equipment, wiring, or  
23 conduit restoration or repair, shall be completed to the satisfaction of the City Light Department.  
24  
25  
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1  
2 Section 375. Section 21.68.200 of the Seattle Municipal Code as last amended by  
3 Ordinance 99641 is amended as follows:

4 **21.68.200 CATV connection.**

5 When electrical, telephone, telegraph or CATV or other electric services are available to  
6 customers from underground facilities within the district described in Section 21.68.180, or a  
7 part thereof, the owners of the facilities or services shall notify the City Light Department  
8 ~~((Board of Public Works))~~, and, under the Department's ~~((Board's))~~ direction and supervision  
9 shall then notify each such customer and/or property owner within the district, or such part  
10 thereof, that such services shall be thereafter available only from such underground facilities.  
11

12 Property owners and/or customers desiring continued electric services within said district, or part  
13 thereof, shall within ~~((ninety-))~~90~~(( ))~~ days of receipt of such notice, provide space on their own  
14 property for installation of the necessary underground facilities for conducting such services  
15 from such underground facilities to any building and structure on their property, and the above  
16 notices shall so provide.  
17

18  
19  
20 Section 376. Section 21.72.010 of the Seattle Municipal Code as last amended by  
21 Ordinance 120794 is amended as follows:

22 **21.72.010 Use of City Directors' names prohibited.**

23 Statements for the collection of City utility charges shall not use or direct the use of the personal  
24 name of the ~~((Director of Finance or the))~~ Director of Finance and Administrative  
25 Services ~~((Executive Administration))~~ for or in connection with the payment of such charges.  
26  
27



1  
2 Section 377. Section 21.76.060 of the Seattle Municipal Code as last amended by  
3 Ordinance 120794 is amended as follows:

4 **21.76.060 Authority of Director of Finance and Administrative Services~~((Executive~~  
5 ~~Administration))~~.**

6 A. The Director of Finance and Administrative Services~~((Executive Administration))~~ is  
7 authorized to apportion the total amount of utility credits made to bills as provided for in  
8 Sections 21.76.010, 21.76.040 and 21.76.050.

9 B. To reimburse the Light Fund for utility credits made to lighting bills as provided for in  
10 Section 21.76.050, the Director of Finance and Administrative Services~~((Executive~~  
11 ~~Administration))~~, is authorized to make the necessary transfers from the Water, ~~((Sewer))~~  
12 Drainage and Wastewater, and Solid Waste Fund ~~((and Street Utility Sub-Fund))~~ in accordance  
13 with Section 21.76.040  
14  
15  
16

17 Section 378. Section 22.208.110 of the Seattle Municipal Code as last amended by  
18 Ordinance 120794 is amended as follows:

19 **22.208.110 Recovery of costs.**

20 A. If the costs incurred by the Director pursuant to Section 22.208.100 for repairs,  
21 alterations or improvements, or of vacating and closing, or of demolition and removal are not  
22 paid after a written demand upon the owner and other persons named as responsible parties in the  
23 complaint, such costs shall be assessed against the property for which the costs were incurred in  
24 the manner provided below.  
25  
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1 B. If the building is removed or demolished by the Director, the Director shall, if  
2 possible, sell the salvageable materials from the building and shall apply the proceeds of the sale  
3 to the reimbursement of the costs of demolition and removal. Any funds remaining shall be paid  
4 to the owner.

5 C. After notice to the owner and other persons with an ownership interest as shown on  
6 the litigation guarantee that all or a portion of the costs have not been paid, the Director shall  
7 notify the ((City)) Director of Finance and Administrative Services((~~Executive Administration~~))  
8 of the amount due and owing, and upon receipt of the notification the ((City)) Director of  
9 Finance and Administrative Services((~~Executive Administration~~)) shall certify the amount to  
10 ((~~the~~)) King County ((~~Financial Management Office~~)) for assessment.  
11

12 D. Upon certification by the ((City)) Director of Finance and Administrative  
13 Services((~~Executive Administration~~)) of the amount due and owing, ((~~the Director of the~~)) King  
14 County ((~~Financial Management Office or designee~~)) shall enter the amount of the assessment  
15 upon the tax rolls against the real property for the current year to be collected at the same time as  
16 the general taxes and with interest at the rates and in the manner provided in RCW 84.56.020 for  
17 delinquent taxes. When collected, it shall be deposited in the General Fund of the City and  
18 credited to the Housing and Abatement Account provided in Section 22.202.050.  
19

20 E. The assessment shall constitute a lien against the property which shall be of equal rank  
21 with state, county and municipal taxes.  
22

23  
24 Section 379. Section 22.220.100 of the Seattle Municipal Code as last amended by  
25 Ordinance 120794 is amended as follows:  
26



**22.220.100 Downtown Housing Maintenance Account.**

1  
2 A. There is hereby created in the City Treasury an account in the Low-Income Housing  
3 Fund designated the "Downtown Housing Maintenance Account," from which account grants  
4 and loans as specified in Section 22.220.090 of this chapter may be made to owners or receivers  
5 to assist them in placing low-income rental units in habitable condition and from which account  
6 shall be paid costs and expenses incurred by the City in connection with the repair of low-income  
7 rental units or buildings that can feasibly be made habitable.

8  
9 B. Money from the following sources shall be deposited in the fund:

10 1. Such sums as may be received by gift, bequest or contractual arrangement for  
11 maintenance and rehabilitation of downtown low-income rental housing purposes;

12 and

13 2. Such sums as may be recovered by the City as repayment of loans or as  
14 reimbursement of costs or expenses of repair of units that were found to be  
15 uninhabitable where such funds originated from this account.

16  
17 C. The moneys in the account are hereby appropriated for the purposes described above  
18 and the ((City)) Director of Finance and Administrative Services((Executive Administration)) is  
19 authorized to draw and to pay the necessary warrants upon vouchers approved by the Director of  
20 Housing from the appropriated account. If the applicable fund is solvent at the time payment is  
21 ordered, the Director of Finance and Administrative Services((Executive Administration)) may  
22 elect to make payment by check, electronic payment, or credit card.



1 Section 380. Section 22.900D.170 of the Seattle Municipal Code as last amended by  
2 Ordinance 120181 is amended as follows :

3 **22.900D.170 Design Commission fees.**

4 A. City Capital Improvement Projects, as Defined in Section 3.58.020 Design  
5 Commission fees shall be assessed at a rate of ~~((Three-Tenths of One ()))~~0.3~~(( ))~~ percent of the  
6 construction cost for City capital improvement projects for which billing will commence on or  
7 before December 31, 1998, except as specified in subsections B and D of this section. Billing  
8 will occur at the time of contract award by the Department of Finance, who will forward the bills  
9 to the Department for distribution to appropriate City departments. Payment will be made  
10 through a fund transfer to the Department Operating Fund.  
11

12 B. Major City Capital Improvement Projects. Except as specified in subsection D of this  
13 section, Design Commission fees shall be assessed at a rate of up to ~~((Three-Tenths of One  
14 ()))~~0.3~~(( ))~~ percent of the construction cost for major City capital improvement projects (greater  
15 than ~~((Ten Million Dollars ()))~~\$10,000,000~~((-.00))~~) construction budget) for which billing will  
16 commence on or before December 31, 1998. The fee shall be set through negotiations with the  
17 City Budget Director and the Design Commission. Billing shall occur in accordance with a  
18 schedule agreed upon by the City Budget Director and the Design Commission.  
19  
20

21 C. 1. For City capital improvement projects, as defined in Section 3.58.020, for  
22 which no billing commenced under subsection A or B on or before December 31,  
23 1998, and that do not fall within an exception in subsection D of this section, the  
24 City Budget Director, the Design Commission, and each affected City department  
25 will attempt to agree on that department's projects, that are expected to be  
26  
27  
28



1 assessed by the Design Commission in the following year. If no agreement is  
2 reached by a date established by the City Budget Director, the City Budget  
3 Director will establish the list of such projects. The City Budget Director may  
4 establish the assessable appropriation of a City capital improvement below the  
5 actual appropriation in order that the project not be assessed an unduly high fee  
6 relative to the cost of the anticipated Design Commission review.

7  
8 2. The City Budget Director will assess a uniform fee of up to ~~((0))one-((1~~  
9 ~~)))percent~~ of the total of all departments' capital improvement project  
10 appropriations for those projects assessable for Design Commission fees. Such fee  
11 shall be set so as to be sufficient, when combined with other funding sources, to  
12 support the anticipated costs of the Design Commission for the following year,  
13 but in no case shall the fee exceed ~~((0))one-((1))percent~~.

14  
15 3. The Director of Planning and Development~~((Design, Construction and Land~~  
16 ~~Use))~~ shall bill each department in the amount determined by the City Budget  
17 Director, and that amount shall be paid by fund transfer to the Department  
18 Operating Fund.

19  
20 4. If a capital improvement project's appropriation has been included in a fee  
21 assessed under this section, but Design Commission review of that project is  
22 delayed into a future year, that appropriation amount shall not be counted again in  
23 the calculation of the fee for any future year. If review of a project on which a fee  
24 has been assessed under this subsection C is canceled, or if review commences on  
25 a project that, but for timeliness, would have been included but was not included  
26  
27



1 in the calculation of a fee under this subsection C, the City Budget Director shall  
2 adjust the department's total assessable appropriation downwards or upwards,  
3 respectively, when establishing the subsequent year's fee.

4 D. Special Exceptions. The Commission will bill the following projects at the hourly rate  
5 of ~~((One Hundred Dollars (-))\$100((-00)))~~ per hour per Commissioner for subcommittee review,  
6 or ~~((Seven Hundred Dollars (-))\$700((-00)))~~ per hour for full Commission review, except that fees  
7 may be waived, in whole or in part, at the discretion of the Commission with the concurrence of  
8 the City Budget Director in the following circumstances:  
9

10 1. Whenever Commission fees, if charged, would be disproportionate to the sums  
11 available and could cause abandonment of the project for the following types of  
12 projects: art-works, projects funded by grants and donations, neighborhood self-  
13 help projects undertaken by volunteers and nonprofit organizations, and small  
14 capital improvements;

15  
16 2. For low-income and special needs housing projects subject to Design  
17 Commission review.

18 E. Street Use Permit Reviews. Street use permit reviews, which are required before  
19 issuance of a street use permit for improvements within the public right-of-way, will be billed at  
20 the hourly rate of ~~((One Hundred Dollars (-))\$100((-00)))~~ per hour per Commissioner for  
21 subcommittee review, or ~~((Seven Hundred Dollars (-))\$700((-00)))~~ per hour for full ~~((Com-~~  
22 ~~mission))~~ Commission review. Billing will be sent to the Seattle Department of Transportation  
23 for inclusion into the plan review costs charged to the applicant, or be billed directly by the  
24 Department. For those projects billed through the Seattle Department of Transportation, payment  
25  
26  
27



1 will be made by a fund transfer from the Seattle Transportation Operating Fund to the  
2 Department Operating Fund from funds paid by the applicant.

3 F. Early Master Use Permit Stage or Projects Outside City Contract Process. For design  
4 review at an early Master Use Permit stage or for projects outside The City of Seattle contract  
5 award process, Design Commission fees will be billed by the Department at an hourly rate of  
6 ~~((One Hundred Dollars (-))\$100((-00)))~~ per hour per Commissioner for subcommittee review, or  
7 ~~((Seven Hundred Dollars (-))\$700((-00)))~~ per hour for full Commission review.  
8

9  
10 Section 381. Section 22.904.060 of the Seattle Municipal Code as last amended by  
11 Ordinance 120794 is amended as follows:

12 **22.904.060 License applications.**

13 Applications for mobile home park licenses and renewals thereof shall be made to the Director of  
14 Finance and Administrative Services~~((Executive Administration))~~ upon forms provided by  
15 him/her and shall set forth the name and residence address of the applicant, the location of the  
16 mobile home park, and the number of mobile home lots to which such license applies. The  
17 Director of Finance and Administrative Services~~((Executive Administration))~~ thereupon shall  
18 request the Director of Public Health, the Director of Planning and Development~~((Construction  
19 and Land Use))~~ and the Fire Chief to inspect the premises therein described and the fixtures and  
20 facilities to be used. If the Director of Public Health, Director of Planning and  
21 Development~~((Construction and Land Use))~~ and the Fire Chief find, upon inspection, that such  
22 premises, fixtures and facilities are constructed, installed, operated and maintained in compliance  
23 with this chapter and other applicable ordinances, they shall approve the application and so  
24  
25  
26  
27



1 notify the Director of Finance and Administrative Services~~((Executive Administration))~~, who  
2 shall issue the license. If the Director of Public Health, Director of Planning and  
3 Development~~((Construction and Land Use))~~ or the Fire Chief shall find that the premises,  
4 fixtures or facilities are not constructed, installed, operated or maintained in compliance with this  
5 chapter or any other applicable ordinance, he/she shall forthwith disapprove the application and  
6 so notify the applicant and the Director of Finance and Administrative Services~~((Executive~~  
7 ~~Administration))~~, citing the reason therefor. If, after ~~((thirty-))~~30(~~( ))~~ days from date of  
8 application for a new license, or, in the case of renewal, upon expiration of an existing license,  
9 approval of the Director of Public Health, Director of Planning and Development~~((Construction~~  
10 ~~and Land Use))~~ and the Fire Chief are not forthcoming, the Director of Finance and  
11 Administrative Services~~((Executive Administration))~~ thereupon shall deny the license.  
12  
13  
14

15 Section 382. Section 22.904.070 of the Seattle Municipal Code as last amended by  
16 Ordinance 120794 is amended as follows:

17 **22.904.070 License revocation.**

18 Any mobile home park license may be revoked by the Director of Finance and Administrative  
19 Services~~((Executive Administration))~~ in the manner and subject to the procedure provided in the  
20 License Code<sup>1</sup> upon the filing with him or her by the Director of Public Health, the Director of  
21 Planning and Development~~((Construction and Land Use))~~ or the Fire Chief of a written notice  
22 stating the premises licensed or any fixtures or facilities used therein have become or are unsafe  
23 or unsanitary, or that otherwise they are not being operated or maintained in compliance with the  
24 provisions of this chapter or any other applicable ordinance.  
25  
26  
27



1  
2 Section 383. Section 23.22.066 of the Seattle Municipal Code as last amended by  
3 Ordinance 120794 is amended as follows:

4 **23.22.066 Technical standards for final plat.**

5 A. The final plat shall be prepared upon the best grade of tracing medium and shall be  
6 ~~((eighteen))18-(())~~ inches by ~~((twenty-two))22-(())~~ inches in size. The accuracy and  
7 completeness of the map shall be the sole responsibility of a registered land surveyor whose seal  
8 shall appear on the plat and who shall make field surveys and investigations as necessary to  
9 insure that the map is complete and accurate in every detail. The preparation of the tracing shall  
10 be by an experienced draftsman and work shall conform to established standards of  
11 workmanship. The final plat shall be presented at a scale not smaller than ~~((one~~  
12 ~~hundred))100(())~~ feet to ~~((one))1(())~~-inch and shall contain and show the following:

- 15 1. The name of the subdivision;
- 16 2. The lines, widths and names of all streets, avenues, places, parks or other  
17 public property, and the location of monuments marking the same;
- 18 3. The length and direction of all lot lines, also the angles made by lot lines with  
19 the street lines;
- 20 4. The location of control points and monuments together with all ties;
- 21 5. The names of all subdivisions immediately adjacent;
- 22 6. The scale and north point;
- 23 7. The boundary of the tract as covered by the plat showing courses and distance  
24 on the plat;
- 25
- 26
- 27



1 8. The initial point;

2 9. All protective improvements and restrictions on uses;

3 10. All dedications and all conveyances to a homeowner's nonprofit maintenance  
4 corporation in lieu of dedication.

5 B. In the case of a replat, the lots, blocks, streets, alleys, easements and parks appearing  
6 on the original plat shall be shown by dotted lines in their proper position in relation to the new  
7 arrangement of the plat, and the new plat shall be shown clearly in solid lines to avoid ambiguity.

8 C. The description, dedication, acknowledgment, certificates of the ((City)) Director of  
9 Finance and Administrative Services((~~Executive Administration~~)) and County official  
10 performing the duties of the County Treasurer, certificates of approval by the Director of  
11 Transportation, the City Clerk and the Director, and recording certificate, shall be lettered with  
12 india ink or substantially equivalent lettering material and shall be substantially in the form set  
13 forth in the Director of Transportation's Subdivision Manual.  
14  
15

16  
17 Section 384. Section 23.44.051 of the Seattle Municipal Code, last amended by Ordinance  
18 123046, is amended as follows:

19 **23.44.051 Bed and breakfasts**

20 A bed and breakfast use is permitted if it meets the following standards:

21 A. General Provisions.

22 1. The bed and breakfast use must have a business license issued by the  
23 Department of Finance and Administrative Services((~~Executive Administration~~));  
24  
25  
26  
27



1 2. The bed and breakfast use must be operated by an owner who owns at least a  
2 ((~~fifty~~))50\_((~~-~~))percent interest in the dwelling in which the bed and breakfast is  
3 located;

4 3. An owner who owns at least a ((~~fifty~~))50\_((~~-~~))percent interest in the dwelling  
5 must reside in the structure in which the bed and breakfast use is located during  
6 any period in which rooms are rented to guests;

7 4. No more than two ((~~2~~))people who reside outside the dwelling unit may be  
8 employed, with or without compensation, in the operation of the bed and  
9 breakfast use;

10 5. The bed and breakfast use is operated within the principal structure, and a bed  
11 and breakfast use may not locate in a principal structure that is less than five  
12 ((~~5~~))years old;

13 6. There is no evidence of the bed and breakfast use from the exterior of the  
14 structure except for a sign permitted by ((~~S~~))subsection 23.55.020D\_1;

15 7. The bed and breakfast use has no more than five ((~~5~~))guest rooms, provided  
16 that this limitation does not apply to bed and breakfasts that were established on  
17 or before and have been continuously operated as a bed and breakfast since April  
18 1, 1987; and  
19

20 8. Parking is provided as required in Chapter 23.54.  
21

22 B. Alterations to single-family structures. Interior and exterior alterations consistent with  
23 the development standards of the underlying zone are permitted.  
24  
25  
26  
27



1 C. Dispersion. Any lot line of property containing any proposed new bed and breakfast  
2 use must be located ((~~six hundred (-)~~)600(~~(-)~~)) feet or more from any lot line of any other bed and  
3 breakfast use.

4 D. Neighborhood Mitigation provisions.

5 1. The owner will make public transit information available to patrons, and the  
6 owner's operating plan must describe how the transit information will be made  
7 available to patrons.  
8

9 2. The design of the structure in which the use is located and the orientation of the  
10 access will minimize impacts, such as noise, light and parking, to neighboring  
11 structures.

12 3. The owner's operating plan includes quiet hours, limits on programmed on-site  
13 outdoor activities, and parking policies to minimize impacts on residential  
14 neighbors.  
15

16 4. The delivery of goods and services associated with the bed and breakfast use  
17 are accommodated at a time and in a manner that will limit, to the extent feasible,  
18 impacts on surrounding properties.  
19

20 5. The operating plan shall be distributed to all residents and property owners  
21 within ((~~three hundred (-)~~)300(~~(-)~~))feet of the proposed bed and breakfast use. The  
22 distributed plan shall reference this Section and provide contact information for  
23 the Department of Planning and Development's Review and Inspection Center  
24 and contact information for the operator of the bed and breakfast. Applicants for a  
25 permit to establish a bed and breakfast use shall provide proof to the Department  
26  
27  
28



1 of Planning and Development that they made a good faith effort to provide the  
2 required distribution prior to issuance of a permit establishing the use.  
3

4 Section 385. Section 25.05.914 of the Seattle Municipal Code as last amended by  
5 Ordinance 120794 is amended as follows:

6 **25.05.914 SEPA costs and fees.**

7  
8 (See WAC 197-11-914).

9 A. For the purpose of reimbursing the City for necessary costs and expenses related to its  
10 compliance with the SEPA rules and this chapter in connection with private projects, the  
11 following schedule of fees, in addition to those otherwise provided by ordinance, is established:

12 1. For a threshold determination which requires information in addition to that  
13 contained in or accompanying the environmental checklist, a fee in an amount  
14 equal to the actual costs and expenses incurred by the City in conducting any  
15 studies or investigations necessary to provide such information; provided that the  
16 fee shall not be less than ~~((Twenty Dollars (\$) \$20( )))~~ nor more than ~~((Five  
17 Hundred Dollars (\$) \$500( )))~~;

18  
19 2. For all private projects requiring an EIS for which the City is the lead agency  
20 and for which the responsible official determines that the EIS shall be prepared by  
21 employees of the City, or that the City will contract directly with a consultant or  
22 consultants for the preparation of an EIS, a fee in an amount equal to the actual  
23 costs and expenses incurred by the City in preparing the EIS. Such fee shall also  
24 apply when the applicant prepares the EIS, and the responsible official determines  
25  
26  
27



1 that substantial rewriting or reassessing of impacts must be performed by  
2 employees of the City to insure compliance with the provisions of the SEPA  
3 Guidelines and this subchapter.

4 3. When the responsible official is the Director of Planning and  
5 Development~~((Construction and land use ))~~, fees shall be paid as described in the  
6 Permit Fee Ordinance ( Chapter 22.900).

7  
8 B. If the responsible official determines that an EIS is required, and that the EIS shall be  
9 prepared by employees of the City or by a consultant or consultants retained by the City, or that  
10 the applicant-prepared EIS shall be substantially rewritten by employees of the City, the private  
11 applicant shall be advised by the responsible official of the estimated costs and expenses of  
12 preparing or rewriting the EIS prior to actual preparation or rewriting, and the private applicant  
13 shall post bond or otherwise insure payment of such costs and expenses. The ultimate charge to  
14 the applicant shall not exceed the estimate. A consultant or consultants shall be selected by the  
15 responsible official in consultation with the private applicant.

16  
17 C. All fees owed the City under this section shall be paid in full by the private applicant  
18 prior to final action by the City on the private project. Any fee owed the City under subsection  
19 A1 shall be paid by the private applicant prior to the initiation of actual preparation of an EIS (if  
20 required) or actual rewriting of an applicant-prepared EIS by the City of its consultant(s). If the  
21 private applicant disputes the amount of fee charged, the fee may be paid under protest and  
22 without prejudice to the applicant's right to file a claim and bring an action to recover the fee.

23  
24 D. Proceeds from fees and charges imposed pursuant to this subchapter shall be  
25 transmitted to the ~~((City))~~ Director of Finance and Administrative Services ~~((Executive~~  
26



1 Administration)) and shall be deposited in the General Fund; provided, that proceeds from fees  
2 and charges collected by the Director of Planning and Development((~~Construction and land~~  
3 use))shall be deposited in the Department of Planning and Development((~~Construction and land~~  
4 use )) Fund.

5  
6 Section 386. Section 25.28.350 of the Seattle Municipal Code as last amended by  
7 Ordinance 120794 is amended as follows:

8  
9 **25.28.350 Abatement.**

10 A. In addition to or as an alternative to any other judicial or administrative remedy  
11 provided in this subchapter or by law or other ordinance, the Superintendent may order  
12 conditions which constitute a violation of this subchapter to be abated. The Superintendent may  
13 order any owner of a building in violation of this subchapter, or rules and regulations adopted  
14 hereunder, to commence corrective work and to complete the work within such time as the  
15 Superintendent determines reasonable under circumstances. If the owner fails to comply with a  
16 final order, the Superintendent, by such means and with such assistance as may be available to  
17 him, is authorized to cause such building to be repaired, altered or improved and the costs thereof  
18 shall be recovered by the City in the manner provided by law.

19  
20  
21 B. The cost of such work shall be paid from amounts appropriate for abatement purposes.  
22 Unless the amount of the costs thereof are repaid within ((~~sixty-~~)60(~~0~~)) days of the completion  
23 of the work, they shall be assessed against the real property as to which such costs were incurred.  
24 Upon certification by the Superintendent to the ((City)) Director of Finance and Administrative  
25 Services ((~~Executive Administration~~)) of the assessment amount being due and owing, the  
26



1 ((City)) Director of Finance and Administrative Services (~~Executive Administration~~) shall  
2 certify the amount to the county official performing the duties of the County Treasurer, who shall  
3 enter the amount of such assessment upon the tax rolls against such real property for the current  
4 year to be collected at the same time and with interest at such rates and in such manner as  
5 provided for in RCW 84.56.020, as now or hereafter amended, for delinquent taxes, and when  
6 collected, shall be deposited in the General Fund and credited to the Minimum Maintenance  
7 Historic Building Fund as provided in Section 25.28.260. The assessment shall constitute a lien  
8 against the property of equal rank with state, county, and municipal taxes.  
9

10  
11 Section 387. A new Chapter 5.34 is added to the Seattle Municipal Code as follows:

12 **5.34 Small Donations**

13 The Director of Finance and Administrative Services is authorized, for amounts up to  
14 \$15,000, to accept and deposit donations to the City for its trust accounts, accept anonymous  
15 donations of cash to the City, and accept restricted or unrestricted donations of funds from  
16 identified or unidentified donors. The Director shall keep and maintain a record of each such  
17 donation including the date of the donation, name (if identified) of the donor, the exact dollar  
18 amount of the donation, the receiving department, the fund or funds that the donation dollars  
19 were deposited into, and a brief description of the purpose of the donation, if any.  
20  
21

22  
23 **AMENDMENTS TO CODIFIED ORDINANCE ATTACHMENTS**

24 Section 388. Sections 1, 4, 5, and 6 of Attachment B of Ordinance 122857 are amended  
25 as follows:  
26  
27



1. DIRECTOR'S AUTHORITY

1 The Director shall prepare facility use agreements for Events and Event-related services at the  
2 Seattle Center for overall terms of not more than five years, with the approval of the City  
3 Attorney and the guidance of the Risk Manager and the City Budget Director~~((of Finance))~~, and  
4 in accordance with all applicable City of Seattle ordinances and policies. Facility use agreements  
5 with terms in excess of two years shall be subject to review by the City Budget Director~~((of  
6 Finance))~~.  
7

8 The Director shall promulgate rules and guidelines containing regulations and standards for the  
9 application of fees, charges, and terms and conditions of use for Seattle Center facilities that are  
10 consistent with the policies expressed herein.  
11

12 \* \* \*

13 4. SEATTLE CENTER PRODUCTIONS EVENTS

14 The Director is authorized to negotiate and enter into agreements to sponsor Events at Seattle  
15 Center. These Events shall comply with the Guidelines for Seattle Center Co-Sponsored Events.  
16 The City's financial support for the Event shall be based on the relevancy of the Event to the  
17 goals contained in the Seattle Center Vision Statement and on availability of appropriate  
18 facilities. Approval by the City Budget Director ~~((of Finance))~~ is required for agreements where  
19 the City's financial support exceeds \$25,000. Application for status as a Seattle Center  
20 Productions Event is open to everyone. Seattle Center shall determine whether to sponsor the  
21 Event as a Seattle Center Production and the terms and conditions of such sponsorship  
22  
23

24 5. EVENTS CO-PROMOTED BY SEATTLE CENTER



1 The Director is authorized to negotiate and enter into agreements as a co-promotion partner for  
2 Events in any Facility. For these Events, all sources of Event revenue and Event-related expenses  
3 may be shared with the co-promoter. Co-promotion decisions shall be made judiciously for  
4 sound business reasons with the intent of achieving Seattle Center goals, increasing use of the  
5 facilities and maximizing revenue for the City. Approval by the City Budget Director ((of  
6 Finance)) is required for agreements where the City's risk for potential loss, excluding the cost of  
7 facility rental, exceeds \$50,000.  
8

9  
10 **6. EVENTS PROMOTED BY SEATTLE CENTER**

11 The Director is authorized to enter into agreements as a promoter of Events in any Facility. For  
12 these Events, City shall retain all sources of Event revenue and shall be responsible for all Event-  
13 related expenses. Decisions to self-promote Events shall be made judiciously for sound business  
14 reasons with the intent of achieving Seattle Center goals, increasing use of the facilities and  
15 maximizing revenue for the City. Approval by the City Budget Director ((of Finance)) is  
16 required for agreements where the City's risk for potential loss exceeds \$50,000.  
17

18 \* \* \*

19  
20  
21 **AMENDMENTS TO UNCODIFIED ORDINANCES**

22  
23 Section 389. Subsections 4c and 4g of Ordinance 123177 are amended as follows:

24 Section 4.

25 \* \* \*



1 (c) Without future Council authorization by ordinance, expenditures in 2010 on any project  
2 or program identified and assigned a project identification number in the 2010-2015 Adopted CIP  
3 for Seattle City Light, Seattle Public Utilities, or the Seattle Department of Transportation, other  
4 than expenditures pursuant to unspent capital appropriations carried forward from 2009 into 2010,  
5 in accordance with RCW 35.32A.080 and allocated to the same project or program, shall not exceed  
6 by more than \$1,000,000 the amount shown as the Appropriations Total in the 2010 column for that  
7 project or program. The City Budget Office (~~(Department of Finance)~~) shall certify to the Chair of  
8 the City Council Finance and Budget Committee a list of those unspent capital appropriation or  
9 allocation amounts not subject to the expenditure restriction imposed by this subsection by May 1,  
10 2010. The list shall include the project identification number and the dollar amount by project or  
11 program not subject to the expenditure restriction, at minimum. The Chair of the City Council  
12 Finance and Budget Committee shall then file this certification with the City Clerk.  
13

14 \* \* \*

15  
16 (g) The City's Director of Finance and Administrative Services is (~~Director of Executive~~  
17 ~~Administration are~~) authorized to draw and pay the necessary warrants or checks and to make any  
18 necessary transfers among funds and accounts.  
19

20 \* \* \*

21 Section 390. Section 6 of Ordinance 123177 is amended as follows:

22 \* \* \*

23 Section 6. The Director of Transportation, the Superintendent of Parks and Recreation, the  
24 Director of the Office of Arts and Cultural Affairs, the City Budget Director, the Director of Finance  
25 and Administrative Services, the Superintendent of City Light, the Director of Seattle Public  
26



1 Utilities, (~~the Director of the Fleets and Facilities Department, the Director of Executive~~  
2 ~~Administration~~),) the City Librarian, the Chief Technology Officer, and the Director of the Seattle  
3 Center Department are authorized to negotiate for and enter into non-public works contracts, within  
4 their appropriation authority, to obtain property and services authorized in Section 4 to carry out  
5 those capital projects and programs included in the 2010-2015 Adopted CIP and assigned to their  
6 respective departments or offices.  
7

8  
9 Section 391. Section 7 of Ordinance 123177 is amended as follows:

10 Section 7. A new barrier fund entitled the Transit Benefit Subfund of the General  
11 Fund is created in the City Treasury.

12 (a) The purpose of the Transit Benefit Subfund is to support the ongoing provision of  
13 commute trip transit subsidies to the employees of the City of Seattle.  
14

15 (b) The Transit Benefit Subfund shall receive authorized associated revenues including, but  
16 not limited to, interfund transfers; revenues from federal, state, county, or other grants or transfers;  
17 private funding, donations or gifts; and other monies as authorized by ordinance.

18 (c) The Director of Finance and Administrative Services (~~Executive Administration~~) is  
19 responsible for administering the Transit Benefit Subfund and (~~The Director of Finance~~) is  
20 authorized to create other Accounts or Subaccounts as may be needed to implement the Subfund's  
21 purpose and intent as established by this ordinance.  
22

23  
24 Section 392. Pacific Place Garage. Sections 2 and 3 of Ordinance 119158, as last  
25 amended by Ordinance 120794, are amended as follows:  
26  
27



1                   Section 2. The ~~((Fleets and Facilities))~~ Department of Finance and Administrative  
2                   Services is hereby assigned responsibility for operations of the Garage in accordance with  
3                   the terms of the Umbrella Agreement and Parking Agreement authorized by Ordinance  
4                   118011, as those agreements may be amended or supplemented from time to time, but the  
5                   rates to be charged for parking in the Garage shall be set by the Director~~((of Finance))~~  
6                   consistent with that Agreement.  
7

8  
9                   Section 3. The ~~((Fleets and Facilities))~~ Director of Finance and Administrative  
10                  Services is hereby authorized to approve minor changes to the Condominium Declaration  
11                  authorized by Ordinance 118349. Such changes may include, but are not limited to,  
12                  transfer of small areas such as stairwells between the units and the establishment of new  
13                  common areas. No change that would substantially affect the value of the Garage Unit  
14                  may be made unless approved by ordinance.  
15  
16

17  
18                  Section 393. Non-cash transfer of surplus computer equipment. Sections 1 and 2 of  
19 Ordinance 119145 as last amended by 120794 are amended as follows:

20                  Section 1. The Department of ~~((Executive Administration))~~ Finance and  
21                  Administrative Services is hereby authorized to develop and implement a program  
22                  whereby computer equipment no longer needed by City departments may, after being  
23                  declared surplus to the City as a whole, be made available to the Seattle School District  
24                  No. 1 (the "School District") and to not-for-profit private or public community service  
25                  agencies who will use that equipment to accomplish City goals. Equipment acquired with  
26  
27



1 funding from restricted sources shall be disposed of only in ways permitted by the source  
2 of funding; in the case of Seattle Public Utilities and Seattle City Light, surplus computer  
3 equipment may be disposed of under this ordinance only after the utility has received  
4 from a non-utility source compensation for any true and full value that equipment may  
5 have.

6  
7  
8 Section 2. The Director of (~~Executive Administration~~) Finance and  
9 Administrative Services is authorized to enter into an agreement with the School District  
10 to transfer to the School District, with or without stated consideration, from time to time,  
11 whatever surplus City computer equipment the Director (~~of Executive Administration~~)  
12 determines will support the educational mission of the School District.

13  
14  
15 Section 394. Local Improvement District No. 6747. Section 5 of Ordinance 117921 as last  
16 amended by Ordinance 120794 is amended as follows:

17  
18 Section 5. The sum charged against any lot, tract and parcel of land or other  
19 property, or any portion thereof, may be paid during the thirty day period allowed for  
20 payment of assessments without penalty or interest. In the event that thereafter the  
21 effective interest charge has not been determined at the time payment of an assessment is  
22 tendered, the Director of (~~Executive Administration~~) Finance and Administrative  
23 Services is authorized to assume an interest rate based on the estimated local  
24  
25  
26  
27



1 improvement district bond rate if bonds were sold at that time, compute the sum due as if  
2 that rate applied, and deposit the amount collected in the local improvement district fund.  
3

4 Section 395. Local Improvement District No. 6746. Section 5 of Ordinance 117190 as last  
5 amended by Ordinance 120794 is amended as follows:  
6

7  
8 Section 5. The sum charged against any lot, tract and parcel of land or other  
9 property, or any portion thereof, may be paid during the thirty day period allowed for  
10 payment of assessments without penalty or interest. In the event that thereafter the  
11 effective interest charge has not been determined at the time payment of an assessment is  
12 tendered, the Director of (~~Executive Administration~~) Finance and Administrative  
13 Services is authorized to assume an interest rate based on the estimated local  
14 improvement district bond rate if bonds were sold at that time, compute the sum due as if  
15 that rate applied, and deposit the amount collected in the local improvement district fund.  
16  
17

18 Section 396. Acceptance of Debit Card Transactions. Sections 1, 2, and 3 of Ordinance  
19 117524 as last amended by 120794 are amended as follows:  
20

21  
22 Section 1. Authority to Contract. The Director of (~~Executive Administration~~)  
23 Finance and Administrative Services is hereby authorized for and on behalf of The City  
24 of Seattle to execute an agreement or agreements with one or more banks for the use of  
25 point of sale terminals for debit card payment by the public of fees, fines, and taxes  
26  
27



1 imposed by the City. The agreement(s) shall provide for acceptance of point of sale  
2 terminal transaction cards; may provide for payment by the City for costs incurred for  
3 installation of point of sale terminals for accounts of similar size and volume subject to  
4 change from time to time; and may provide for use of equipment provided by the bank.  
5 The City reserves the authority to execute agreements with other companies offering  
6 point of sale terminal transaction services for the payment of ~~((e))~~City imposed fines,  
7 fees, and taxes.  
8

9  
10 Section 2. Authority to approve departments and set limits. Effective upon  
11 execution of the agreement(s) authorized in Section 1, the Director of ~~((Executive  
12 Administration))~~ Finance and Administrative Services is authorized, in his or her  
13 discretion, to approve a City department or departments to accept debit card transactions  
14 for the payment of City-imposed fines, fees, and taxes. No Department shall accept debit  
15 cards for the payment of city imposed fines, fees, and taxes without such approval. The  
16 Director of ~~((Executive Administration))~~ Finance and Administrative Services is further  
17 authorized to establish appropriate business practices and set any limitations concerning  
18 the acceptance of such transactions on participating departments.  
19  
20

21  
22 Section 3. Cost. Each department authorized by the Director of ~~((Executive  
23 Administration))~~ Finance and Administrative Services to accept point of sale “debit card”  
24 terminal transactions shall be responsible for any related costs incurred for accepting  
25 point of sale “debit card” terminal transaction cards for payment of City-imposed fines,  
26  
27



1 fees, and taxes that it collects or that are collected on its behalf. The Department of  
2 ~~((Executive Administration))~~ Finance and Administrative Services will deduct any  
3 related charges from amounts credited to each department's revenue account.  
4

5 Section 397. Acceptance of Credit Cards. Sections 1, 2, and 3 of Ordinance 117375 as  
6 last amended by 120794 are amended as follows:  
7

8  
9 Section 1. Authority to Contract. The Director of ~~((Executive Administration))~~  
10 Finance and Administrative Services is hereby authorized for and on behalf of The City  
11 of Seattle to execute an agreement or agreements with one or more banks for the use of  
12 credit cards for payment by the public of fees and fines imposed by the City of Seattle.  
13 The agreement shall provide for acceptance of Visa and MasterCard credit cards; may  
14 provide for acceptance of other credit cards; may provide for payment by the City of fees  
15 in accordance with the bank's schedule of fees for accounts of similar volume subject to  
16 change from time to time; and may provide for use of equipment provided by the bank.  
17 The City reserves the authority to execute agreements with other companies offering  
18 credit card services for the payment of city imposed fees and fines.  
19  
20

21  
22 Section 2. Authority to approve departments and set limits. Effective upon  
23 execution of the agreement authorized in Section 1, the Director of ~~((Executive~~  
24 ~~Administration))~~ Finance and Administrative Services is authorized, in his or her  
25 discretion, to approve a city department or city departments to accept credit cards for the  
26  
27



1 payment of city imposed fines and fees. No departments shall accept credit cards for the  
2 payment of city imposed fines and fees without such approval. The Director of  
3 ~~((Executive Administration))~~ Finance and Administrative Services is further authorized  
4 to establish appropriate business practices and set any limitations concerning the  
5 acceptance of credit cards on participating departments.  
6

7  
8 Section 3. Cost. Each department authorized by the Director of ~~((Executive  
9 Administration))~~ Finance and Administrative Services to accept credit cards shall be  
10 solely responsible for the costs incurred for accepting credit cards for payment of city  
11 imposed fines and fees that it collects or that are collected on its behalf. The Department  
12 of Finance and Administrative Services ~~((Executive Administration))~~ will deduct bank  
13 charges from amounts credited to each department's revenue account.  
14

15  
16 Section 398. Section 3 of Ordinance 123252 is amended as follows:

17 Section 3. Employees who earn vacation under Seattle Municipal Code Chapter  
18 4.34 and are otherwise eligible may voluntarily authorize payment of a cash amount  
19 equivalent to no less than one and no more than 20 hours of accumulated and unused  
20 vacation in one-hour increments and to designate that such cash shall be forwarded by the  
21 City to the agency identified in Section 2 for earthquake relief efforts in Haiti and or in  
22 Chile during the second quarter of 2010. Eligible employees may also voluntarily  
23 authorize payment of a cash amount equivalent to no less than one and no more than 20  
24 hours of accumulated and unused vacation in one-hour increments and to designate that  
25  
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1 such cash shall be forwarded by the City to the agency identified in Section 2 for  
2 earthquake relief efforts in Haiti and or in Chile during the third quarter of 2010;  
3 provided that the combined total contribution may not exceed 40 hours of vacation.

4 A. The amount of vacation donated by any eligible and participating employee  
5 shall be converted to cash at the straight-time rate of pay in effect for the  
6 employee's regular position title, exclusive of premium, shift differential or  
7 longevity payment, at the time of donation.  
8

9 B. The cash resulting from converted vacation hours shall be transmitted by the  
10 Director of Finance and Administrative Services (~~Executive Administration~~) to  
11 the designated agency specifically for use in the relief efforts related to the 2010  
12 earthquake in Haiti and or in Chile.  
13

14  
15 Section 399. Section 4 of Ordinance 123013 is amended as follows:

16 Section 4. Levy Revenues.

17 A. Unless otherwise directed by ordinance, all revenues collected from the  
18 additional taxes authorized pursuant to this ordinance shall be deposited in the  
19 Low-Income Housing Fund to be used to finance housing for low-income  
20 households and otherwise to provide for the housing needs of such households.  
21

22 The Director of Finance and Administrative Services (~~Executive~~  
23 ~~Administration~~) is authorized to create other subfunds or accounts within the  
24 Low-Income Housing Fund as may be needed or appropriate to implement the  
25 purposes of this ordinance.  
26  
27



1  
2 Section 400. Sections 3 and 7 of Ordinance 122232 are amended as follows:

3 Section 3. Deposit of Levy Proceeds. All Levy Proceeds shall be placed in and  
4 segregated within the Transportation Fund. The Levy Proceeds may be temporarily  
5 deposited or invested in such manner as may be lawful for the investment of City money  
6 and all investment earnings shall be deposited in the Transportation Fund. The Director  
7 of Finance and Administrative Services~~((Executive Administration))~~ is authorized to  
8 create other subfunds or accounts as may be needed to implement the purposes of this  
9 ordinance.  
10

11  
12 Section 7. Oversight Committee.

13 Conditioned upon voter approval of the ballot proposition submitted by this ordinance,  
14 there is established an Oversight Committee to monitor revenues, expenditures, and  
15 program and project implementation, and to advise the City Council, the Mayor and the  
16 Seattle Department of Transportation on responding to program and project cost savings  
17 or overruns. The Committee would also annually review the Seattle Department of  
18 Transportation's program and project priorities, spending and revised financial plans. The  
19 Oversight Committee may make recommendations to the Mayor and City Council  
20 regarding the spending of Levy Proceeds.  
21

22 The Oversight Committee shall consist of ~~((fifteen-))~~15~~(( ))~~ members: a City Council  
23 member (the Chair of the City Council's Transportation Committee or its successor  
24 committee with responsibility for transportation), the City Budget Director~~((-of Finance))~~,  
25  
26  
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28



1 one representative each chosen by and from among the respective members of the Seattle  
2 Pedestrian Advisory Board, Seattle Bicycle Advisory Board and Seattle Freight Advisory  
3 Committee, five ~~((5))~~ Seattle residents appointed by the City Council and five ~~((5))~~  
4 Seattle residents appointed by the Mayor.

5 The ten appointed members shall be appointed to four ~~((4))~~ year staggered terms subject  
6 to reappointment, except that two of them (one mayoral appointee and one Council  
7 appointee) shall be initially appointed for a two year term, four (two mayoral appointees  
8 and two Council appointees) for a three ~~((3))~~ year term, and four (two mayoral  
9 appointees and two Council appointees) for a four ~~((4))~~ year term. Upon the resignation,  
10 retirement, death, incapacity or removal of an Oversight Committee member, the  
11 authority appointing such member may appoint a replacement for the balance of the term.

12 All five members appointed by the Mayor shall be subject to confirmation by the City  
13 Council.

14 The Oversight Committee may adopt rules for its own procedures, including quorum  
15 requirements and the frequency of meetings. Meetings of the Oversight Committee will  
16 be open to the public unless, had the Oversight Committee been subject to Chapter 42.30  
17 RCW, that law would not have required that the meeting or portion of the meeting be  
18 open to the public. The Oversight Committee members shall select a Chair.

19 The Oversight Committee will make annual reports to the Mayor and City Council and  
20 will prepare a triennial report to the citizens of Seattle. Between January 1 and July 31 of  
21 2015, the Oversight Committee is requested to make a recommendation to the Mayor and  
22 City Council regarding (1) the advisability of proposing to the voters of Seattle another  
23  
24  
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1 levy to authorize additional property taxes for implementation of the 20-year spending  
2 plan adopted in Resolution 30915 and the appropriate magnitude of such a levy, and (2)  
3 any recommended adjustments to the remaining period of the proposed 20-((-))year  
4 spending plan. The factors to be considered by the Oversight Committee in making any  
5 such recommendations will include, but are not limited to: (a) the City's success in  
6 project implementation, including its ability to manage and control project costs; (b) the  
7 availability of alternative revenue sources that provide a more direct link between the tax  
8 or fee paid and the use of the City's transportation system; and (c) the underlying need for  
9 funding to support the uses identified in Section 6. The Mayor and the Council will  
10 consider any timely recommendations that may have been made by the Oversight  
11 Committee.  
12

13 The Seattle Department of Transportation shall provide staff and logistical support for the  
14 Oversight Committee. Members shall serve without pay, but may be reimbursed for their  
15 expenses, including payments for child care while attending meetings. The Oversight  
16 Committee shall continue in existence through December 31, 2015, and thereafter if so  
17 provided by ordinance.  
18  
19  
20

21 **AMENDMENTS TO UNCODIFIED ORDINANCE ATTACHMENTS**

22  
23 Section 401. Program Updates, Attachment A, Section V of Ordinance 122991 is  
24 amended as follows:

25 Attachment A  
26  
27



## V. PROGRAM UPDATES

1  
2 The Director of Finance and Administrative Services (~~Executive~~  
3 ~~Administration~~), or his or her (~~their~~) designee, shall serve as  
4 Program Administrator. The Program Administrator shall  
5 periodically review and update this Program to reflect changes in  
6 risks to customers and the soundness of the City from Identity  
7 Theft. In doing so, the Program Administrator shall consider the  
8 City's experiences with Identity Theft situations, changes in  
9 Identity Theft methods, changes in Identity Theft detection and  
10 prevention methods, and changes in the City's business  
11 arrangements with other entities. After considering these factors,  
12 the Program Administrator will determine whether changes to the  
13 Program, including the listing of Red Flags, are warranted. If  
14 warranted, the Program Administrator will update the Program or  
15 present the City Council with his or her recommended changes and  
16 the City Council will make a determination of whether to accept,  
17 modify or reject those changes to the Program.  
18  
19  
20  
21

22 Section 402. Each reference in previously-enacted uncodified ordinances to "Purchasing  
23 Agent," "Department of Administrative Services," "Director of Administrative Services,"  
24 "Department of Licenses and Consumer Affairs," "Director of Licenses and Consumer Affairs,"  
25 "Executive Services Department," "Director of Executive Services," "Department of Executive  
26  
27  
28



1 Administration,” “Director of Executive Administration,” “Fleets and Facilities Department,”  
2 “Fleets and Facilities Director,” or “Board of Public Works,” unless otherwise specified in this  
3 ordinance shall be deemed to be a reference to “Department of Finance and Administrative  
4 Services” or “Director of Finance and Administrative Services” as may be applicable, except  
5 where the historical reference to “Purchasing Agent,” “Department of Administrative Services,”  
6 “Director of Administrative Services,” “Department of Licenses and Consumer Affairs,”  
7 “Director of Licenses and Consumer Affairs,” “Executive Services Department,” “Director of  
8 Executive Services,” “Department of Executive Administration,” “Director of Executive  
9 Administration,” “Fleets and Facilities Department,” “Fleets and Facilities Director,” or “Board  
10 of Public Works,” is called for by context.  
11  
12  
13

#### 14 MISCELLANEOUS PROVISIONS

15 Section 403. The Director of Finance and Administrative Services, under the authority of  
16 the Mayor, shall have the power to make administrative decisions necessary to carry out the  
17 intent of this ordinance.  
18

19 Section 404. The Director of Finance, under the authority of the Mayor, shall have the  
20 power to make administrative decisions necessary to carry out the intent of this ordinance.  
21  
22

23 Section 405. The City Budget Director, under the authority of the Mayor, shall have the  
24 power to make administrative decisions necessary to carry out the intent of this ordinance.  
25  
26  
27



1 Section 406. The headings in this ordinance are for reference purposes only. They have  
2 no legal effect, and shall not be codified.

3  
4 Section 407. In the event any section or subsection of the Seattle Municipal Code  
5 purported to be amended or recodified herein has heretofore been repealed, that earlier repeal  
6 shall be given full effect, and nothing in this ordinance shall be construed to re-enact or preserve  
7 that section or subsection.  
8

9  
10 Section 408. It is the express intent of the City Council that, in the event a subsequent  
11 ordinance refers to a position or office that was abolished by this ordinance, that reference shall  
12 be deemed to be to the new position or office created by this ordinance, and shall not be  
13 construed to resurrect the old position or office unless it expressly so provides by reference to  
14 this ordinance.  
15

16  
17 Section 409. It is the express intent of the City Council that, in the event a subsequent  
18 ordinance refers to or amends a section or subsection of the Seattle Municipal Code or a  
19 previously enacted ordinance that is amended or recodified herein, but the later ordinance fails to  
20 account for the change made by this ordinance, the two sets of amendments should be given  
21 effect together if at all possible.  
22

23  
24 Section 410. This ordinance does not affect any existing right acquired or liability or  
25 obligation incurred under the sections amended or repealed in this ordinance or under any rule or  
26



1 order adopted under those sections, nor does it affect any proceeding instituted under those  
2 sections.

3  
4 Section 411. The several provisions of this ordinance are declared to be separate and  
5 severable and the invalidity of any clause, sentence, paragraph, subdivision, section, or portion of  
6 this ordinance, or the invalidity of the application thereof to any person or circumstance, shall  
7 not affect the validity of the remainder of this ordinance of the validity of its application to other  
8 persons or circumstances.  
9

10  
11 Section 412. Any act consistent with the authority and prior to the effective date of this  
12 ordinance is ratified and confirmed.  
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1 Section 413. This ordinance shall take effect and be in force 30 days from and after its  
2 approval by the Mayor, but if not approved and returned by the Mayor within ten days after  
3 presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4  
5 Passed by a two-thirds (2/3) vote of all the members of the City Council the 26<sup>th</sup> day of  
6 July, 2010, and signed by me in open session in authentication of its passage this 26<sup>th</sup>  
7 day of July, 2010.

8  
9  
10   
11 \_\_\_\_\_  
12 President \_\_\_\_\_ of the City Council

13  
14 Approved by me this 30<sup>th</sup> day of July, 2010.

15  
16   
17 \_\_\_\_\_  
18 Michael McGinn, Mayor

19  
20 Filed by me this 30<sup>th</sup> day of July, 2010.

21  
22   
23 \_\_\_\_\_  
24 City Clerk

25 (Seal)

26  
27 **Exhibit 1: Expenditure Allowances By Budget Control Level**  
28 **(Amendments to Attachment A of Budget Adoption Ordinance 123177)**



**Exhibit I**

**Amendments to Attachment A of Ordinance 123177**

<b>Fund</b>	<b>Department</b>	<b>BCL Code</b>	<b>BCL Name</b>	<b>BCL Purpose</b>
2003 Fire Facilities Subfund	((Fleets and Facilities Department)) Finance and Administrative Services	34440-A1FL1	Neighborhood Fire Stations (34440-CIP)	The purpose of the Neighborhood Fire Stations Budget Control Level (BCL) is to replace and renovate fire stations and other emergency response facilities as part of the Fire Facilities and Emergency Response Levy program. This BCL is funded by 2003 Fire Facilities Fund dollars (Fund 34440).
2008 Multipurpose LTGO Bond Fund	((Fleets and Facilities Department)) Finance and Administrative Services	35200-A1FL1	Neighborhood Fire Stations (35200-CIP)	The purpose of the Neighborhood Fire Stations Budget Control Level (BCL) is to replace and renovate fire stations and other emergency response facilities as part of the Fire Facilities and Emergency Response Levy program. This BCL is funded by 2008 LTGO Bond dollars (Fund 35200).
2010 Multipurpose LTGO Bond Fund	((Department of Executive Administration)) Finance and Administrative Services	DEBTISSUE	Debt Issuance Costs	The purpose of the Debt Issuance Costs Budget Control Level is to create the appropriation authority to pay debt issuance costs related to the 2010 Multipurpose Limited Tax General Obligation (LTGO) Debt Issuance.
2010 Multipurpose LTGO Bond Fund	((Fleets and Facilities Department)) Finance and Administrative Services	35400-A1FL1	Neighborhood Fire Stations (35400-CIP)	The purpose of the Neighborhood Fire Stations Budget Control Level (BCL) is to replace and renovate fire stations and other emergency response facilities as part of the Fire Facilities and Emergency Response Levy program. This BCL is funded by 2010 LTGO Bond dollars (Fund 35400).
Bond Interest and Redemption	((Department of Executive Administration)) Finance and Administrative Services	DEBTBIRF	Bond Interest and Redemption	The purpose of the Bond Interest and Redemption Budget Control Level is to create legal appropriation authority for debt service payments to be made through the Bond Interest and Redemption Fund (BIRF) from outside sources.



**Exhibit I**

**Amendments to Attachment A of Ordinance 123177**

<b>Fund</b>	<b>Department</b>	<b>BCL Code</b>	<b>BCL Name</b>	<b>BCL Purpose</b>
Cumulative Reserve Subfund - REET I Subaccount (00163)	<del>((Department of Executive Administration)) Finance and Administrative Services</del>	2CCE0-1	1998B Capital Facilities Refunding REET I	The purpose of the 1998B Capital Facilities Refunding REET I Budget Control Level is to pay debt service on 1998 Series B Limited Tax General Obligation bonds, which were issued to refund bonds issued in 1992 at lower interest rates.
Cumulative Reserve Subfund - Unrestricted Subaccount (00164)	<del>((Fleets and Facilities Department)) Finance and Administrative Services</del>	00164-A1GM4	Preliminary Engineering (00164-CIP)	The purpose of the Preliminary Engineering Budget Control Level (BCL) is to conduct engineering studies helping plan capital projects in general government facilities. This BCL is funded by CRS Unrestricted dollars (Fund 00164).
Cumulative Reserve Subfund - Unrestricted Subaccount (00164)	<del>((Fleets and Facilities Department)) Finance and Administrative Services</del>	00164-A51647	Garden of Remembrance (00164-CIP)	The purpose of the Garden of Remembrance Budget Control Level (BCL) is to provide City support for replacing components of the memorial located at the Benaroya Concert Hall. This BCL is funded by CRS Unrestricted dollars (Fund 00164).
Cumulative Reserve Subfund, Asset Preservation Subaccount - <del>((Fleets and General Facilities</del> ) (00168)	<del>((Fleets and Facilities Department)) Finance and Administrative Services</del>	00168-A1AP1	Asset Preservation - Civic Core (00168-CIP)	The purpose of the Asset Preservation - Civic Core Budget Control Level (BCL) is to replace components of Civic Core buildings at the end of their useful lives. This BCL is funded by CRS Asset Preservation Subaccount - <del>((Fleets and General Facilities</del> ) (Fund 00168).
Cumulative Reserve Subfund, Asset Preservation Subaccount - <del>((Fleets and General Facilities</del> ) (00168)	<del>((Fleets and Facilities Department)) Finance and Administrative Services</del>	00168-A1AP2	Asset Preservation - Seattle Municipal Tower (00168-CIP)	The purpose of the Asset Preservation - Seattle Municipal Tower Budget Control Level (BCL) is to replace components of the Seattle Municipal Tower at the end of their useful lives. This BCL is funded by CRS Asset Preservation Subaccount - <del>((Fleets and General Facilities</del> ) (Fund 00168).



**Exhibit I**

**Amendments to Attachment A of Ordinance 123177**

<b>Fund</b>	<b>Department</b>	<b>BCL Code</b>	<b>BCL Name</b>	<b>BCL Purpose</b>
Cumulative Reserve Subfund, Asset Preservation Subaccount – ((Fleets-and)) General Facilities (00168)	((Fleets-and Facilities Department)) Finance and Administrative Services	00168-A1AP4	Asset Preservation - Shops and Yards (00168-CIP)	The purpose of the Asset Preservation - Shops and Yards Budget Control Level (BCL) is to replace components of shop and yard facilities at the end of their useful lives. This BCL is funded by CRS Asset Preservation Subaccount – ((Fleets-and)) General Facilities dollars (Fund 00168).
Cumulative Reserve Subfund, Asset Preservation Subaccount – ((Fleets-and)) General Facilities (00168)	((Fleets-and Facilities Department)) Finance and Administrative Services	00168-A1AP6	Asset Preservation - Public Safety Facilities (00168-CIP)	The purpose of the Asset Preservation - Public Safety Facilities Budget Control Level (BCL) is to replace components of public safety facilities at the end of their useful lives. This BCL is funded by CRS Asset Preservation Subaccount – ((Fleets-and)) General Facilities dollars (Fund 00168).
Cumulative Reserve Subfund, Revenue Stabilization Account (00166)	((Department of Executive Administration)) Finance and Administrative Services	2CR60	Revenue Stabilization Reserve	The purpose of the Revenue Stabilization Reserve Budget Control Level is to transfer resources from the Revenue Stabilization Account of the Cumulative Reserve Subfund to the General Subfund or other funds supporting the City's general government services. These appropriations are implemented as operating transfers from the Revenue Stabilization Account to the funds or subfunds they support.
Fleets and Facilities Fund	((Fleets-and Facilities Department)) Finance and Administrative Services	50300-A1GM1	General Government Facilities - General (50300-CIP)	The purpose of the General Government Facilities - General Budget Control Level (BCL) is to execute capital projects in general government facilities. This BCL is funded by Fleets and Facilities Fund dollars (Fund 50300).



**Exhibit I**

**Amendments to Attachment A of Ordinance 123177**

Fund	Department	BCL Code	BCL Name	BCL Purpose
Fleets and Facilities Fund	((Fleets and Facilities Department)) <u>Finance and Administrative Services</u>	A1000	Administration	The purpose of the Administration Budget Control Level is to provide executive leadership and a range of planning and support functions, including policy and strategic analysis, budget development and monitoring, financial analysis and reporting, accounting services, information technology services, human resource services, office administration, and central departmental services such as contract review and legislative coordination. These functions promote solid business systems, optimal resource allocation, and compliance with Citywide financial, technology, and personnel policies.
Fleets and Facilities Fund	((Fleets and Facilities Department)) <u>Finance and Administrative Services</u>	A2000	Fleet Services	The purpose of the Fleet Services Budget Control Level is to provide fleet vehicles to City departments; assess and implement environmental initiatives related to both the composition of the City's fleet and the fuels that power it; actively manage and maintain the fleet; procure and distribute fuel; and operate a centralized motor pool. The goal of these functions is to create and support an environmentally responsible and cost-effective Citywide fleet that helps all City departments carry out their work as efficiently as possible.
Fleets and Facilities Fund	((Fleets and Facilities Department)) <u>Finance and Administrative Services</u>	A3000	Facility Operations	The purpose of the Facility Operations Budget Control Level is to manage most of the City's general government facilities, including the downtown civic campus, police precincts, fire stations, shops and yards, and several parking facilities. Functions include property management, environmental analysis, implementation of environmentally sustainable facility investments, facility maintenance and repair, janitorial services, security services, and event scheduling. The Facility Operations team is also responsible for warehouse, real estate, and mail services throughout the City. These functions promote well-managed, clean, safe, and highly efficient buildings and grounds that house City employees and serve the public.
Fleets and Facilities Fund	((Fleets and Facilities Department)) <u>Finance and Administrative Services</u>	A3100	Technical Services	The purpose of the Technical Services Budget Control Level is to plan and administer <del>FDS</del> the Fleets and Facilities Capital Improvement Program. This division attempts to ensure that the City develops high-quality and environmentally sustainable capital facilities for City staff and functions.



**Exhibit I**

**Amendments to Attachment A of Ordinance 123177**

<b>Fund</b>	<b>Department</b>	<b>BCL Code</b>	<b>BCL Name</b>	<b>BCL Purpose</b>
Fleets and Facilities Fund	<del>((Fleets and Facilities Department)) Finance and Administrative Services</del>	A4000	Judgment and Claims	The Judgment and Claims Budget Control Level pays for judgments, settlements, claims, and other eligible expenses associated with legal claims and suits against the City. Premiums are based on average percentage of Judgment/Claims expenses incurred by the Department over the previous five years.
General Subfund	<del>((Department of Executive Administration)) Finance and Administrative Services</del>	C8100	Executive Management	The purpose of the Executive Management Budget Control Level is to provide executive direction and leadership; strategic, financial and operational planning; risk management and human resource services; and administrative support so that Department managers, staff, and other decision-makers can make informed decisions on how to best serve City customers.
General Subfund	<del>((Department of Executive Administration)) Finance and Administrative Services</del>	C8200	Financial Services	The purpose of the Financial Services Budget Control Level is to perform financial transactions, provide financial reporting, and receive and disburse funds so that the City remains fiscally solvent.
General Subfund	<del>((Department of Executive Administration)) Finance and Administrative Services</del>	C8400	Business Technology	The purpose of the Business Technology Budget Control Level is to plan, strategize, develop, implement, and maintain business technologies to support the City's business activities.
General Subfund	<del>((Department of Executive Administration)) Finance and Administrative Services</del>	C8500	Revenue and Consumer Affairs	The purpose of the Revenue and Consumer Affairs Budget Control Level is to administer and enforce the City's license and tax codes for Seattle residents with the goal that budget expectations are met and consumer protection standards are upheld.



**Exhibit I**

**Amendments to Attachment A of Ordinance 123177**

<b>Fund</b>	<b>Department</b>	<b>BCL Code</b>	<b>BCL Name</b>	<b>BCL Purpose</b>
General Subfund	<del>((Department of Executive Administration)) Finance and Administrative Services</del>	C8600	Seattle Animal Shelter	The purpose of the Seattle Animal Shelter Budget Control Level is to provide enforcement, animal care, and spay and neuter services in Seattle to control pet overpopulation and foster public safety.
General Subfund	<del>((Department of Executive Administration)) Finance and Administrative Services</del>	C8700	Contracting and Purchasing Services	The purpose of the Contracting Budget Control Level (BCL) is to anticipate and meet customer contracting and purchasing needs; provide education throughout the contracting process; administer policy and law; implement the City's various social objectives in contracting; and provide fair, thorough, and responsive service to customers so they can meet their business needs in an affordable and timely manner. This BCL also supports the efforts and services provided by the Urban League's Contractor Development and Competitiveness Center (CDCC) for the development of small, economically-disadvantaged businesses, including women and minority firms, as authorized by Ordinance 120888.
General Subfund	<del>((Department of Executive/ Finance and Administrative Services</del>	CZ000	<del>((Finance)) Financial Planning and Oversight</del>	The purpose of the <del>((Finance)) Financial Planning and Oversight Budget Control Level</del> is to develop and monitor the budget, issue and manage debt, establish financial policies and plans, and implement overall financial controls for the City. <del>((The department)) Functions</del> also include oversight of <del>((ees))</del> policy on City taxes, investments, accounting and related activities.
General Subfund	Department of Neighborhoods/ <del>Finance and Administrative Services</del>	13800	<del>((Customer Service Bureau)) Office of Constituent Services</del>	The purpose of the <del>((Customer Service Bureau)) Office of Constituent Services</del> is to assist Seattle residents in accessing services, to resolve complaints, and to provide appropriate and timely responses from City government.



**Exhibit I**

**Amendments to Attachment A of Ordinance 123177**

Fund	Department (Department of Executive Administration)) Finance and Administrative Services	BCL Code	BCL Name	BCL Purpose
Judgment/ Claims Subfund		CI000	Judgment Claims - General	The purpose of the Judgment Claims - General Budget Control Level is to provide for the payment of legal claims and suits brought against the City government. The subfund receives appropriations from the General Subfund and the utilities to pay for the judgments, settlements, claims, and other eligible expenses expected in the following year. Unused balances, if any, may reduce the contributions required in succeeding years. General Fund-supported departments with 2% or more of historical Judgment/Claims costs make premium payments to the subfund directly from their budgets. Finance General covers premiums for departments with less than 2% of historical Judgment/Claims costs. Utilities pay their actual expenses as incurred through this budget control level.
Parking Garage Operations Fund	((Fleets and Facilities Department)) Finance and Administrative Services	46011	Pacific Place Garage	The purpose of the Pacific Place Garage Budget Control Level is to provide appropriation authority for the City's expenses to operate the Pacific Place Garage, which is located between Sixth and Seventh Avenues and Pine and Olive Streets in downtown Seattle. The City took over responsibility for the Garage in November 1998.
Pike Place Levy	((Executive)) Finance and Administrative Services	PKLVYBCL-01	Pike Place Market Renovation	The purpose of the Pike Place Market Renovation Budget Control Level is to provide appropriation authority for the City's disbursement of funds to the Pike Place Market Preservation and Development Authority (PDA) in compliance with the "Agreement regarding Levy Proceeds by and between the City of Seattle and the Pike Place Market Preservation and Development Authority" related to renovation and improvements to the Pike Place Market.
Pike Place Levy	((Executive)) Finance and Administrative Services	PKLVYBCL-02	Pike Place Market Renovation Debt Service	The purpose of the Pike Place Market Renovation Debt Service Budget Control Level is to provide appropriation authority for the City's payment of debt service for debt issued in support of the Pike Place Market Renovation funded by levy proceeds.
Transit Benefit Subfund	((Department of Executive Administration)) Finance and Administrative Services	TRANSITB1	Transit Benefit	The purpose of the Transit Benefit Budget Control Level is to provide appropriation authority for the transit benefits offered to City employees. The Transit Benefit Subfund receives payments from Finance General and fee-supported departments to pay for reduced cost King County Metro and Washington State Ferry transit passes and related administrative expenses.



**Exhibit I**

**Amendments to Attachment A of Ordinance 123177**



**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>DOF Analyst/Phone:</b>
Department of Finance, Department of Executive Administration, Fleets and Facilities Department	Jan Oscherwitz – 4-8510 Lisa Peyer -4-0503	Greg Shiring 6-4085

**Legislation Title:**

AN ORDINANCE relating to certain functions of the executive branch of City government; creating a City Budget Office, creating a Department of Finance and Administrative Services; establishing the duties of the new office and department; abolishing the Department of Finance, Fleets and Facilities Department, and Department of Executive Administration and reassigning certain functions currently performed by those departments; reassigning certain functions from the Department of Neighborhoods; assigning certain functions to the Office of Intergovernmental Relations; assigning certain functions to the Office of Economic Development; transferring and making changes to certain positions, some of which are exempt; designating positions as exempt from civil service; making provisions for transition; amending the 2010 Adopted Budget; changing the names, departmental associations, and purpose statements of various Budget Control Levels; amending Ordinances 117190, 117375, 117524, 117921, 119145, 119158, 122232, 122857, 123013, 123177, 123252, and Attachment A to Ordinance 122991; repealing obsolete provisions in the Seattle Municipal Code; adding Chapters 3.39, 3.126, 3.127, and 5.34; repealing Chapters 3.04, 3.18, 3.38, 4.68, 20.49, and Sections 3.104.020, 3.106.010, 3.108.010, 4.20.150, 4.20.375, 5.04.040, 10.24.030, 10.38.050, 20.20.030, 21.60.410, 21.60.420, and 21.60.430; adding, amending, updating, and/or clarifying sections in Chapters 3.02, 3.06, 3.14, 3.28, 3.30, 3.33, 3.35, 3.40, 3.58, 3.70, 3.73, 3.76, 3.90, 3.116, 3.121, 3.124, 4.04, 4.08, 4.13, 4.14, 4.20, 4.24, 4.28, 4.36, 4.40, 4.44, 4.70, 4.72, 4.96, 4.100, 5.04, 5.06, 5.08, 5.09, 5.10, 5.12, 5.14, 5.16, 5.20, 5.22, 5.24, 5.30, 5.33, 5.40, 5.45, 5.55, 5.56, 5.64, 5.78, 5.80, 6.02, 6.10, 6.14, 6.20 6.36, 6.38, 6.42, 6.48, 6.102, 6.202, 6.222, 6.270, 6.295, 6.310, 6.315, 7.04, 7.08, 7.20, 7.25, 7.26, 9.25, 9.26, 10.02, 10.08, 10.11, 10.46, 11.16, 11.23, 11.30, 11.50, 11.60, 12A.08, 12A.62, 15.04, 15.38, 15.42, 15.52, 15.62, 16.08, 18.12, 18.28, 20.04, 20.08, 20.12, 20.20, 20.38, 20.40, 20.42, 20.45, 20.48, 20.50, 20.60, 20.70, 20.76, 20.80, 20.84, 21.04, 21.16, 21.24, 21.28, 21.36, 21.40, 21.60, 21.68, 21.72, 21.76, 22.208, 22.220, 22.900D, 22.904, 23.22, 23.44, 25.05, and 25.28 of the Seattle Municipal Code; and ratifying and confirming certain prior acts all by a 2/3<sup>rd</sup> vote of the City Council.

• **Summary of the Legislation:**

This legislation creates a new Department of Finance and Administrative Services (FAS), which includes the former Department of Executive Administration, Fleets and Facilities Department, economic forecasting and debt management functions from the former Department of Finance, and the Customer Service Bureau unit that currently resides in the



Department of Neighborhoods. Additionally, the legislation creates a new City Budget Office (CBO) within the Executive Department that is responsible for conducting long-term financial planning and managing the City's expenditures by developing and monitoring an annual budget to support core City services and the Mayor's and Council's priorities. The legislation also transfers the Director of Finance position from DOF to FAS, with the appointment of the position remaining subject to confirmation by the City Council, and transfers responsibility for Public Development Authority oversight from DOF to the Office of Intergovernmental Relations. Upon its passage, the Bill will abolish the Department of Finance, Fleets and Facilities Department, and Department of Executive Administration, and update the Seattle Municipal Code, the 2010 position list and the 2010 Adopted Budget to reflect these changes. Finally the proposed legislation updates and amends the Seattle Municipal Code to reflect current practice and repeal obsolete references.

**Background:** The proposed reorganization of City departments will result in more centralized and focused budget planning and oversight, and a closer integration of financial policies with financial administration and management.

Under this proposal, the new FAS will incorporate functions from the former Fleets and Facilities Department, Department of Executive Administration, and the Customer Service Bureau, as well as the revenue forecasting, debt management, and tax policy functions that were previously performed by the Department of Finance. The creation of FAS will integrate financial policies with financial management, allowing for, among other things, greater efficiencies, better integration of the City's financial and accounting procedures and systems, and efficiencies in the provision of customer service.

The new CBO will provide a strong emphasis on long-term financial planning, and will prepare and enforce the City's budget; and develop revenue and debt strategies to support the budget in a more centralized manner. The creation of CBO will improve financial reporting and transparency of the City's budget documents, and integrate expenditure forecasting with long-term revenues and debt policies to create balanced and sustainable budgets.

The proposed reorganization will be accomplished without additional costs and without a net increase in FTEs.

- *Please check one of the following:*

**This legislation does not have any financial implications.**

**This legislation has financial implications**

***Appropriations:***

Fund Name and Number	Department	Budget Control Level*	2010 Appropriation	2011 Anticipated Appropriation
See below				
<b>TOTAL</b>				

**Notes:** Although this legislation amends Attachment A of Ordinance 123177 (the Budget Adoption Ordinance for 2010) by changing department names, Budget Control Level (BCL) names, and BCL purpose statements as reflected in Exhibit 1 attached to the Ordinance, the legislation is budget neutral. FAS will have responsibility for the BCLs of the former Department of Executive Administration and the former Fleets and Facilities Department. The Executive (through CBO) and FAS will share responsibility for the budget authority associated with the BCL of the former DOF. FAS will have authority over the appropriations associated with the positions and debt management function being transferred from DOF to FAS. CBO will have responsibility for the remainder of the DOF BCL appropriations. The departments will manage this authority through an interdepartmental agreement. Similarly, FAS will have authority over the appropriations associated with the positions and functions of the Customer Service Bureau transferred from DON to FAS and this authority will likewise be managed through an interdepartmental agreement. The 2011 Proposed Budget will align budget control levels with the appropriate departments.

**Anticipated Revenue/Reimbursement: Resulting From This Legislation:**

Fund Name and Number	Department	Revenue Source	2010 Revenue	2011 Revenue
<b>TOTAL</b>				

**Notes:** Not applicable.

**Total Regular Positions Created, Modified, Or Abrogated Through This Legislation, Including FTE Impact:**

Position Title and Department	Position # for Existing Positions	Fund Name & #	PT/FT	2010 Positions	2010 FTE	2011 Positions*	2011 FTE*
Strategic Advisor 3, Exempt / Dept of Executive Administration	00017090	General Subfund / 00100	Current - PT ; Proposed - FT	No net change	+0.50 FTE	No net change	+0.50 FTE
<b>TOTAL</b>				<b>0</b>	<b>0.50</b>	<b>0</b>	<b>0.50</b>



**Notes:** There are no new positions associated with this legislation. A total of 7 positions (6.5 FTE) (1 Executive 3, 1 Investments/ Debt Director, 1 Strategic Advisor 3, Exempt, 3 Strategic Advisor 2, Exempt, and 1 Strategic Advisor 2, CSPI&P) will transfer from DOF to FAS. The remaining 30 positions (1 Exec 4, 1 Exec 2, 5 Strategic Advisor 3, Exempt, 19 Strategic Advisor 2, Exempt, 1 Strategic Advisor 2, CSPI&P, 1 Executive Assistant, 1 Administrative Staff Analyst, and 1 Admin Spec III), in DOF will transfer to CBO. In addition, a total of 7 positions (1 Admin Spec I-BU, 1 Admin Spec II-BU, 3 Complaint Investigators, 1 Admin Staff Analyst, and 1 Executive 1) will transfer from DON to FAS.

One existing position at DEA, described in the table above, includes an FTE Status Change from 0.50 FTE (Part Time) to 1.00 FTE (Full Time).

- **Do positions sunset in the future?** No.
- **Spending/Cash Flow:** Not Applicable.

Fund Name & #	Department	Budget Control Level*	2010 Expenditures	2011 Anticipated Expenditures
TOTAL				

**Notes:**

- **What is the financial cost of not implementing the legislation?** This legislation allows the City to reorganize certain functions without having to create new position or budget authority. The reorganization allows for mid-year 2010 cuts. Detailed information will be presented in June.
- **Does this legislation affect any departments besides the originating department?** This legislation updates various obsolete sections of the Seattle Municipal Code. Staff from SPU, SDOT, Seattle City Light, DPD, OIR, and DON have reviewed sections of the code that affect their departments or offices.
- **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** An alternative to this legislation is to maintain the status quo. This will not allow for efficiencies and improved integration of functions anticipated from the merger of these departments.
- **Is the legislation subject to public hearing requirements:** No
- **Other Issues** (including long-term implications of the legislation):
- **List attachments to the fiscal note below:**





**City of Seattle**  
Office of the Mayor

June 8, 2010

Honorable Richard Conlin, President  
Seattle City Council  
City Hall, Second Floor

Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill relating to a reorganization of City government that creates a new Department of Finance and Administrative Services (FAS), as well as a City Budget Office (CBO) within the Executive Department. The legislation also transfers the Director of Finance position to FAS. The appointment of this position remains subject to confirmation by the Seattle City Council. Finally, the Bill abolishes the Department of Finance, Fleets and Facilities Department, and Department of Executive Administration; transfers the Customer Services Bureau from the Department of Neighborhoods to the Office of Constituent Services in FAS; and amends various portions of the Seattle Municipal Code. The proposed reorganization will result in more centralized and focused budget planning and oversight, and a closer integration of financial policies with financial administration and management.

Under this proposal, the new Department of Finance and Administrative Services will incorporate functions from the former Fleets and Facilities Department, Department of Executive Administration, and the Customer Service Bureau, as well as the revenue forecasting, debt management, and tax policy functions that were previously performed by the Department of Finance. The creation of FAS will integrate financial policies with financial management, allowing for, among other things, greater efficiencies, better integration of the City's financial and accounting procedures and systems, and efficiencies in the provision of customer service.

The new CBO will provide a strong emphasis on long-term financial planning, including the preparation and enforcement of the City's budget, and the development of revenue and debt strategies to support the budget in a more centralized manner. The creation of CBO will improve financial reporting and transparency of the City's budget documents, and integrate expenditure forecasting with long-term revenues and debt policies to create balanced and sustainable budgets.

Thank you for your consideration of this legislation. If you have questions regarding the City Budget Office, please call Beth Goldberg at 233-7115. If you have questions regarding the proposed Department of Finance and Administrative Services, please call Fred Podesta at 386-0041.

Sincerely,

Michael McGinn  
Mayor of Seattle

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