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**Ordinance No. 106019**

AN ORDINANCE relating to street vacations; amending Section 1 of Ordinance 96020 to require reimbursement of the City Engineering Department's costs in processing vacations requested by City Departments, municipal corporations, state and federal agencies, and certain institutions.

REPEALED - ORD.

COMPTROLLER  
FILE NUMBER

109740

**Council Bill No. 97909**

INTRODUCED: NOV 15 1976	BY: EXECUTIVE REQUEST
REFERRED: NOV 15 1976	TO: Budget
REFERRED:	
REFERRED:	
REPORTED: NOV 22 1976	SECOND READING: NOV 22 1976
THIRD READING: NOV 22 1976	SIGNED: NOV 22 1976
PRESENTED TO MAYOR: NOV 23 1976	APPROVED: DEC 3 1976
RETD. TO CITY CLERK: DEC 3 1976	PUBLISHED:
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:

LAW DEPARTMENT

Innocent Photo  
195

FBI  
BLOCK  
E.O.  
12958  
SECRET

REPEALED - ORD.

109740

ORDINANCE 106019

AN ORDINANCE relating to street vacations; amending Section 1 of Ordinance 96020 to require reimbursement of the City Engineering Department's costs in processing vacations requested by City Departments, municipal corporations, state and federal agencies, and certain institutions.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Section 1 of Ordinance 96020, as last amended by Ordinance 102342, is further amended to read as follows:

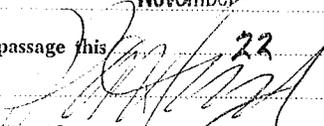
AMENDED ORD.  
106750

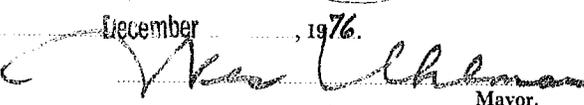
Section 1. Ordinances vacating any street or alley, or any part thereof, pursuant to the provisions of RCW Ch. 35.79 shall provide that the same shall not become effective until the owners of property abutting upon the street or alley, or part thereof so vacated pay to the City one-half of the appraised value of the area so vacated unless such payment is made prior to the introduction of any such ordinances; provided, that such compensation shall not be required in connection with the vacation of any street or alley, or any part thereof, which has been requested by City Departments, other municipal corporations or state or federal agencies or by non-profit institutions of higher education accredited by a recognized accrediting agency and requiring regular attendance by students in classes conducted at the institution, nor shall appraisals be secured, nor appraisal fees required in connection with such vacations; provided further, that such City Departments, municipal corporations, state and federal agencies, and non-profit institutions shall, prior to the introduction of an ordinance vacating any such street or alley or part thereof pursuant to the request of such department, municipal corporation, state or federal agency,

(To be used for all Ordinances except Emergency.)

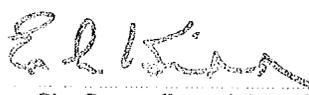
or non-profit institution, pay to the City an amount equal to the costs incurred by the City Engineering Department in processing the requested vacation, such costs to be accumulated against the work order or job number established for each vacation and certified by the City Engineer or his authorized agent as being the full amount of the costs incurred.

Section 2... This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 22 day of November, 1976,  
and signed by me in open session in authentication of its passage this 22 day of  
November, 1976.  
  
President of the City Council.

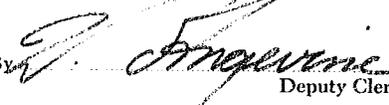
Approved by me this 3 day of December, 1976.  
  
Mayor.

Filed by me this 3 day of December, 1976.

Attest:   
City Comptroller and City Clerk.

(SEAL)

Published

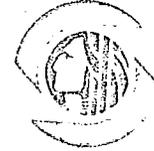
By:   
Deputy Clerk.

## Your City, Seattle

Executive Department-Office of Management and Budget

Walter H. Hurdley, Director  
Wes Uhlman, Mayor

September 30, 1976



The City Council  
City of Seattle

Honorable Members:

Transmitted herewith is the 1977 Proposed Executive Budget and proposed legislation implementing certain provisions of that budget and the Data Processing Plan. It should be noted that several pieces of documentation and certain other information as outlined below will be provided to the City Council on or about the dates indicated.

### I. Budget in Brief

The 1977 Budget in Brief will be available on October 6, 1976. On that date, OMB will provide copies of that document to the City Council.

### II. Salary Adjustments

The 1977 Proposed Budget contains a reservation in Finance-General of approximately \$6.2 million for salary increases effective September 1, 1976, for the period January-December, 1977 and increases effective September 1, 1977 for the period September-December, 1977. The magnitude of these increases was not known at the time the Proposed Budget went to print. The September 1, 1976 increase is now known and on approximately October 20, 1976, OMB will transmit to the Council the following:

- (1) Legislation providing for the appropriation of funds for the period September-December, 1976 for salary increases;
- (2) Budget errata which provide for distribution to program categories of a portion of the monies currently reserved in Finance-General in the 1977 Proposed Budget;
- (3) Budget errata to correct typographical and other errors in the 1977 Proposed Budget.

### III. Issue Papers

As was the case last year, OMB will provide to the City Council a series of Issue Papers addressing certain issues previously identified by the City Council, the Mayor or OMB. These will be transmitted to the Council on or about October 22, 1976.

The City Council  
Page 2  
September 30, 1976

IV. Budget Coding

OMB is currently compiling Budget coding (line item detail) by program category for use by OMB, the City Council and ultimately IFS' coding. OMB will provide the Council with a copy of this coding when it is completed. It should be noted that this material will be a copy of hand-written materials which OMB will not provide in typed form.

V. Budget Balance

As sent by the Mayor to the printer, the 1977 Proposed Budget was in balance. Council action on September 23, 1976 in over-riding the Mayor's veto of Ordinance 105860 (placing a charter amendment on the November 2, 1976, general state election ballot) has put the Budget \$85,000 out of balance. The position of the Mayor with regard to this imbalance is that the Mayor's Proposed Budget was submitted to the City Council in balance and that a specific Council action has put the Budget out of balance and it is therefore the responsibility of the Council to provide specific funding for this item. Council action on the Budget must include increasing Object 4111-Election Expenses in Finance-General by \$85,000 to bring the Budget back into balance.

VI. Ordinances

The 1977 Proposed Budget, like its predecessors, is accompanied by a large number of ordinances designed to implement various program and fiscal aspects of the Budget. The ordinances are summarized briefly below. Details will be provided upon request.

The most common feature of these ordinances is increased fees. Several ordinances speak to increase in fees or the alteration of fee structures. The amusement license structure is proposed for change - to bring the fee structure more into line with the admission tax, which is not levied upon licensed activities. A single ordinance proposes to raise regulatory license fees in order to permit the City to more nearly recover its costs in regulating licensed activities.

Other ordinances speak to new or higher fees for a variety of health, land use and building matters.

The rationale behind each fee increase or fee imposition will be provided upon request.

ORDINANCE SUMMARIES

Group A - Fund Ordinances

1. Anti-cessionary Grant Fund - Legislation is proposed to establish a new City fund to permit receipt and disbursement of and proper

and separate accounting for Federal anti-recessionary countercyclical funds. Title II of the Public Works Employment Act of 1976 (P.L. 94-369) authorized this one-time program to provide state and local governments with funds for basic services. The intent is to maintain employment during times of high national unemployment. Payments are to be based in part upon the Federal Revenue Sharing allocation formulas and partly upon the relationship the unemployment rate for a state or local area bears to the national rate. At the time the 1977 Proposed Budget was printed the President had not signed the appropriations bill for this program.

2. Revenue Sharing Abandonment - These two ordinances would abandon small appropriations and/or allocations of General Revenue Sharing money. The monies have not been used nor will they be used for the purposes originally intended. The abandonments and rescissions include:

a.) MARKET STREET DEVELOPMENT	-	Recission	\$ 5,500
b.) AID TO L.I.D.'s	-	Recission	65
c.) FILIPINO YOUTH ASSOCIATION	-	Abandonment	1,801
d.) HOME DELIVERED MEALS	-	Abandonment	80
e.) SENIOR SERVICES AND CENTERS-	-	Abandonment	8,787
		TOTAL	\$ 16,233

3. Revenue Sharing and Anti-recessionary Appropriations - These two ordinances would appropriate the anticipated City revenues and fund balances from these sources. For 1977, as for 1975 and 1976, the sole use to which these funds will be put is to pay for a portion of the personal services costs of the Fire Suppression and Patrol Operations Categories of the Fire and Police Departments respectively.

4. Fund Transfers - Over \$ 1 million from two long inactive City funds (Special Revolving Fund, Series "A", the predecessor of the L.I.D. Guaranty Fund; and Seattle Fire District Number 5 Fund, the depository for property tax proceeds of King County Fire District Number 5, which is served by the Seattle Fire Department) is proposed to be transferred to the General Fund. Opinions from the City's Corporation Counsel, which are available upon request, indicate that both transfers are legal.

5. Abolition of Fund - Contingent Fund "C", the temporary resting place for monies collected from a variety of sources (utility occupation tax, general business and occupation tax, admission tax, animal licenses, business licenses, fines and forfeits, etc.), will disappear if this ordinance is approved. At present, monies received during a month from this fund's sources are not distributed to the ultimate recipient funds (General and Parks and Recreation) until the last day of the month. This means that up to several million dollars ultimately destined for recipient funds is locked up in Contingent Fund "C" for periods of from one to 31 days, thereby exacerbating the cash problems of the recipient funds.

The primary practical function of Contingent Fund "C" is to permit payment of refunds due to tax and fee payers. The 1977 Proposed Budget includes an amount in Finance-General to pay these refunds.

This will permit the abolition of Contingent Fund "C" and prorote a somewhat better cash position during certain times of the year for the General and Parks and Recreation funds.

Group B - Taxes

1. Utility Occupation Tax - Cable Television - Cable television franchisees, through 1976, have paid the City a 6 percent franchise fee based upon gross subscriber revenue. Federal Communications Commission rules forbid local jurisdictions from imposing franchise fees of more than 3 percent of gross subscriber revenue unless regulation costs in excess of the revenue generated by such a fee could be demonstrated. In Seattle, a 3 percent fee would generate more than the cost of the City's Office of Cable Communications. The City recently authorized multi-year franchises for local cable communications companies. No franchise fee was included in that ordinance. The attached ordinance would extend the utilities occupation tax to cable communications companies at a 3 percent rate. The tax will be based upon gross income.

2. Business and Occupation Tax  
The Business and Occupation Tax Ordinance (Ordinance 72630) is the subject of several proposed amendments. One change would bring penalties into line with those imposed under the Utilities Occupation Tax (Ordinance 62662). Another would raise the minimum tax from \$2.00 per quarter and \$8.00 per year to \$5.00 per quarter and \$20.00 per year in order to bring the amount collected more into line with return processing costs. Other changes concerning the B & O tax relate to fees.

Group C - Licenses, Fees and Charges

1. Business Licenses - General - The basic business registration fee for businesses subject to the Business and Occupation Tax is proposed at \$10.00 for 1977 - up from \$1.00. This is being proposed to more nearly recover the costs of setting up an account.

A new small business license of \$10.00 per year is being proposed for those businesses grossing less than \$5,000. Businesses holding this license would be exempt from the reporting and payment requirements of the Business and Occupation Tax.

2. Business Licenses - Regulatory - A proposed ordinance would amend Ordinance 48022 to raise the fees for more than 25 licenses. These increases are proposed to permit the City to recover more fully its processing and regulation costs. A listing of the licenses affected is included in the discussion of General Fund revenues in the Proposed Budget.

Also being proposed is a restructuring of the City's amusement licenses. The proposal would establish a fee structure, based upon the "per

play" charge for amusement devices, which would more nearly approximate the revenue which could be derived from the imposition of the City's 5 percent Admission Tax upon these activities. The Department of Licenses and Consumer Affairs is preparing a package of back-up information for later transmittal to the City Council. A proposal, alluded to in the 1977 Proposed Budget, which would change the fee structure for the City's cabaret license to reduce fee-imposed barriers to entry is not being forwarded with the Proposed Budget because it is expected to have no impact upon revenues. It is anticipated that this proposal will be transmitted to the City Council late in 1976. Several licenses are proposed for repeal. Another proposed ordinance is designed to impose penalties for the late renewal of licenses.

### 3. Land Use and Building Fees

Three ordinances are being proposed to increase fees for various land use permits and services: subdivisions, short subdivisions, planned unit developments, zoning map changes, administrative conditional uses, council conditional uses, appeals, variances and sign control variances. The proposed fees are designed to allow the City to recover a higher percentage of its processing, investigation and review costs. These costs far exceed fee revenue according to studies by the Building Department, the Department of Community Development and the Office of Management and Budget.

Also being proposed are increases in the permit fees for buildings, boilers, electrical work, elevators and signs. The legislation proposing these increased fees will be transmitted to the City Council within a few weeks. It does not accompany the 1977 Proposed Budget because these fees will be based upon 1977 estimated costs including the September 1, 1976, salary adjustment.

### 4. Parks and Recreation Fees

Ordinance 96453 permits the Superintendent of Parks and Recreation to establish, pursuant to City Council Resolution, fees and charges for activities, facilities and services provided by the Department of Parks and Recreation. A resolution is being proposed, pursuant to which fees for 1977 would be established. These include:

- (a) Raising the moorage fee from 95 cents to \$1.10 per dock foot;
- (b) Increasing fees at the South Area Athletic Complex in Tukwila;
- (c) Imposing a zoo entrance fee;
- (d) Imposing admission fees at the new aquarium designed to help make the facility nearly self-sufficient in terms of operating costs;
- (e) Imposing court fees at the new indoor tennis center at least sufficient to meet operating costs; and
- (f) eliminating annual and semi-annual golf cards for all but senior citizens and persons aged 17 and under.

Details concerning these fee changes and new fees are provided in the 1977 Proposed Fee Schedule.

5. Public Health Fees and Charges  
An increase is being proposed for side sewer permit fees in order to bring cost recovery back to the historical level of 40 percent. Permit fees for side sewer repair will not be increased under this proposal.

Also proposed are increases in fees for sewage disposal system permits and for reports on water supply or individual sewage disposal systems. A new fee is proposed for water samples. All these proposed fees are intended to permit the Department of Public Health to recover its costs associated with these activities. Other fee increases referred to in the 1977 Proposed Budget require King County approval only.

6. Other Fees and Charges

- (a) Board of Public Works Fees - Board of Public Works contract administration fees are proposed at \$5.50 per day - up from \$4.00. This increase would mean that General Fund expenditures for Board contract administration activities would be balanced by Board-generated General Fund revenues.
- (b) Human Rights' Affirmative Action and Contract Compliance Fees - The fee established by Ordinance 102812 would be replaced by an equal fee under a more workable proposal.
- (c) Street Vacations - A proposed ordinance would require government agencies and non-profit institutions requesting street vacations to pay the General Fund an amount equal to the costs incurred in processing the vacation. This amount would almost certainly be less than the amount (one-half of assessed valuation) normally paid for street vacations.
- (d) Vehicle Overload Permits - State law requires all cities to impose certain minimum fees for vehicle overload permits. The minimum annual fee has been raised to \$50. The City's present annual fee is \$30. The Board of Public Works will transmit to the City Council a resolution authorizing the increase to \$50.
- (e) Public Utility Inspection Fees - Section 30B of Ordinance 90047 permits the City Engineer to establish these fees. For 1977, the City Engineer will impose a 10 percent surcharge upon present fees.
- (f) Signs for Magic Carpet Extension - An ordinance is being proposed which would appropriate \$5,000 from the Transit Fund to help pay for signs related to the proposed extension of Magic Carpet transit service into the Denny Regrade. Concurrence of the Municipality of Metropolitan Seattle is required for this proposed appropriation.
- (g) Mutual and Offsetting Benefit Agreements - Lease agreements and legislation will be sent to the City Council soon concerning 17 properties leased from the City under mutual and off-setting benefit agreements. All 17 will be required to pay some cash rent in 1977.

These ordinances have not been reviewed by the Corporation Council, although a complete set of these ordinances with a copy of this letter has been forwarded to the Law Department.

The City Council  
Page 7  
September 30, 1976

OMB is prepared to provide you with any information you may need to proceed with your review of the Mayor's 1977 Proposed Budget. Please feel free to call on OMB staff as you require their assistance.

Sincerely,

Les Uhlman  
Mayor

by

Walter R. Hundley  
Budget Director

WRH:RVC:GP:ms

Attachments

# DRAFT

## ORDINANCE \_\_\_\_\_

1  
2  
3 AN ORDINANCE relating to street vacations; amending Section 1  
4 of Ordinance 96020 to require reimbursement of the City  
5 Engineering Department's costs in processing vacations  
6 requested by certain corporations, agencies and institutions  
7 exempted from charges imposed thereby.

8 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

9 Section 1. That Section 1 of Ordinance 96020, as amended  
10 by 98929 and 102342, is hereby amended to read as follows:

11 Section 1. Ordinances vacating any street or alley, or any  
12 part thereof, pursuant to the provisions of RCW Ch. 35.79 shall  
13 provide that the same shall not become effective until the owners  
14 of property abutting upon the street or alley, or part thereof so  
15 vacated pay to the City one-half of the appraised value of the  
16 area so vacated unless such payment is made prior to the intro-  
17 duction of any such ordinances; provided, that such compensation  
18 shall not be required in connection with the vacation of any  
19 street or alley, or any part thereof, which has been requested by  
20 City Departments, other municipal corporations or state or federal  
21 agencies or by non-profit institutions of higher education accred-  
22 ited by a recognized accrediting agency and requiring regular  
23 attendance by students in classes conducted at the institution,  
24 nor shall appraisals be secured, nor appraisal fees required in  
25 connection with such vacations; however, in lieu of such compen-  
26 sation, subject City Departments, municipal corporations, state  
27 and federal agencies, and non-profit institutions shall pay to the  
28 General Fund of the City an amount equal to the costs incurred by  
the City Engineering Department in processing the vacation of the  
street or alley, or any part thereof requested by said Depart-  
ments, corporations, agencies or institutions, prior to the intro-  
duction of the ordinance vacating such streets or alleys, or any  
parts thereof, such costs to be accumulated against either a work  
order or job number established for each vacation and certified by  
the City Engineer or his authorized agent as being valid.

(To be used for all Ordinances except Emergency.)

Section <sup>2</sup>..... This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the..... day of....., 19 ..,  
and signed by me in open session in authentication of its passage this..... day of  
....., 19 ..

President..... of the City Council.

Approved by me this..... day of....., 19 ..

Mayor.

Filed by me this..... day of....., 19 ..

Attest:.....  
City Comptroller and City Clerk.

(SEAL)

Published ..... By..... Deputy Clerk.

# The City of Seattle Legislative Department

MR. PRESIDENT:

Date Reported  
and Adopted

Your Committee on BUDGET

NOV 22 1976

to which was referred

C.B. 97909

Relating to street vacations; amending Section 1 of Ordinance 96020 to require reimbursement of the City Engineering Department's costs in processing vacations requested by City Departments, municipal corporations, state and federal agencies, and certain institutions.

RECOMMEND THAT THE SAME DO PASS

*Ginn Hill*

BUD.  
Chairman

Chairman

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Committee

Committee

**ORDINANCE 106019**

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Section 2. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 22nd day of November, 1976, and signed by me in open session in authentication of its passage this 22nd day of November, 1976.

SAM SMITH,

President of the City Council.

Approved by me this 3rd day of December, 1976.

WES UHLMAN,

Mayor.

Filed by me this 3rd day of December, 1976.

Attest: E. L. KIDD,  
City Comptroller and  
City Clerk.

(Seal) By W. ANGEVINE,  
Deputy Clerk.

Publication ordered by E. L. KIDD, Comptroller and City Clerk.

Date of Official Publication in the Daily Journal of Commerce, Seattle, December 7, 1976.

(C-725)

C-725

### Affidavit of Publication

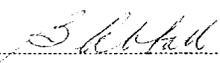
STATE OF WASHINGTON,  
KING COUNTY—SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a.....

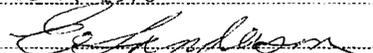
ORDINANCE NO. 106019

was published on Dec 7, 1976



Subscribed and sworn to before me on

Dec 7, 1976

  
Notary Public for the State of Washington,  
residing in Seattle.