

Ordinance No. 122438

Council Bill No. 115936

AN ORDINANCE related to the Seattle Bicycle Advisory Board; repealing Section 7 of Ordinance 120325; and reaffirming the participation of a Get Engaged young adult representative on the Seattle Bicycle Advisory Board.

CF No. _____

Date Introduced:	<u>7-9-07</u>	
Date 1st Referred:	<u>7-9-07</u>	To: (committee) <u>Transportation</u>
Date Re - Referred:		To: (committee)
Date Re - Referred:		To: (committee)
Date of Final Passage:	<u>7-16-07</u>	Full Council Vote: <u>9-0</u>
Date Presented to Mayor:	<u>7-17-07</u>	Date Approved: <u>Unsigned by Mayor</u>
Date Returned to City Clerk:	<u>7-27-07</u>	Date Published: <u>3</u> T.O. <input checked="" type="checkbox"/> F.T. <input type="checkbox"/>
Date Vetoed by Mayor:		Date Veto Published:
Date Passed Over Veto:		Veto Sustained:

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: _____

Jan Drago
Councilmember

Committee Action:

Do Pass, 4-0, 07-10-07 (JD, JG, RC, TR)

7-16-07 Passed 9-0

This file is complete and ready for presentation to Full Council.

Committee: BC 07/10/07
(Initial/Date)

Law Department

Law Dept. Review

OMP
Review

City Clerk
Review

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ORDINANCE 122438

AN ORDINANCE related to the Seattle Bicycle Advisory Board; repealing Section 7 of Ordinance 120325; and reaffirming the participation of a Get Engaged young adult representative on the Seattle Bicycle Advisory Board.

WHEREAS, the City Council created the 11-member Seattle Bicycle Advisory Board (SBAB) in 1977 by Resolution 25534; and

WHEREAS, Resolution 25534 was amended by Ordinance 120325, which added a young adult representative to the SBAB through the formation of the Get Engaged program; and

WHEREAS, in accordance with Resolution 25534, the role of the SBAB is to review proposed actions concerning bicycling and bicyclists in the City and to raise public awareness of bicycling issues, among other responsibilities; and

WHEREAS, the Seattle Department of Transportation is finalizing a Bicycle Master Plan, the objectives of which are to increase bicycling in Seattle and to improve the safety of bicyclists throughout Seattle; and

WHEREAS, the SBAB will play an essential oversight role over the next 10 years to successfully implement the 450 miles of bicycle improvements recommended by the Bicycle Master Plan; and

WHEREAS, through Resolution 30995, the City Council reaffirmed the importance and purpose of the SBAB, reestablished the SBAB membership composition, revised the SBAB appointment process, reestablished certain duties and responsibilities of the SBAB, and superseded Resolution 25534; and

WHEREAS, Seattle Municipal Code (SMC) Chapter 3.51 specifies that a Get Engaged young adult position may, by ordinance, be added to City boards and commissions; NOW
THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 7 of Ordinance 120325 is hereby repealed.

~~((Section 7. The first resolution subsection of Resolution 25534 (Seattle Bicycle Advisory Board) is amended to read as follows:~~

~~That it is the intent of the City Council to create the Seattle Bicycle Advisory Board which shall advise the City Council, the Mayor, and all the departments and offices of the City on matters related to bicycling, and the impact which actions by the City may have upon~~

~~bicycling, and shall have the opportunity to contribute to all aspects of the City's planning processes insofar as they may relate to bicycling.~~

~~BE IT FURTHER RESOLVED:~~

~~That the Seattle Bicycle Advisory Board shall be composed of 11 members appointed by the Mayor, subject to confirmation by the City Council to serve staggered terms of one and two years.~~

~~1. That board members shall be representatives of:~~

- ~~a. Bike and cycling organizations;~~
- ~~b. Bicycle dealers;~~
- ~~c. Organizations concerned with safety;~~
- ~~d. Representatives of business organizations;~~
- ~~e. Interested private citizens concerned with urban cycling issues.~~

~~2. In addition to the members described above, one designated young adult position shall be added to this Board pursuant to the Get Engaged Program, SMC Chapter 3.51. The terms of service related to a young adult member's role on the Board shall be as set forth in that chapter.~~

~~3. That said Board shall review proposed actions concerning bicycling and bicyclists in the City and advise the Mayor and City Council with the assistance of an interdisciplinary task force consisting of representatives of the following City departments and offices:~~

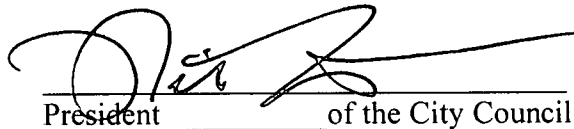
- ~~a. SEATRAN;~~
- ~~b. Seattle Department of Parks and Recreation;~~
- ~~c. Seattle City Light;~~
- ~~d. Office of Economic Development;~~
- ~~e. Seattle Police Department;~~
- ~~f. Strategic Planning Office; and,~~
- ~~g. Department of Finance.))~~



1 Section 2. In addition to the membership of the Seattle Bicycle Advisory Board (SBAB),
2 as described in Resolution 30995, the City Council reaffirms that one designated young adult
3 position shall participate on the SBAB pursuant to the Get Engaged Program, as described in
4 Seattle Municipal Code (SMC) Chapter 3.51. The terms of service and the appointment process
5 related to the Get Engaged young adult member's role on the SBAB shall be as set forth in that
6 chapter.
7

8 Section 3. This ordinance shall take effect and be in force thirty (30) days from and after
9 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
10 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

11 Passed by the City Council the 16th day of July, 2007 and signed by me in open
12 session in authentication of its passage this 16th day of July, 2007
13

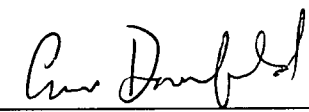
14 
15 President _____ of the City Council

16 Approved by me this _____ day of _____, 20____.

17 Returned Unsigned

18 _____ by Mayor _____
19 Gregory J. Nickels, Mayor

20 Filed by me this 27th day of July, 2007

21 
22 _____
23 acting City Clerk

24 (Seal)

Returned Unsigned
by Mayor

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Legislative	Casey Hanewall/4-8147	N/A

Legislation Title: AN ORDINANCE related to the Seattle Bicycle Advisory Board; repealing Section 7 of Ordinance 120325; and reaffirming the inclusion of a Get Engaged young adult representative on the Seattle Bicycle Advisory Board.

• **Summary of the Legislation:**

Although the Seattle Bicycle Advisory Board (SBAB) was created by Resolution 25534, the SBAB appointment process was enacted by Ordinance 120352. As a result, changes to the SBAB appointment process can only be made by amending or deleting Section 7 of Ordinance 120352, which references the SBAB. The proposed ordinance would take the second of these two approaches, deleting references to the SBAB from Ordinance 120325. This action in turn allows the Council to revise the appointment process for the Seattle Bicycle Advisory Board (SBAB) by superseding Resolution 25534 through the adoption of a new resolution. Resolution 30995 supersedes Resolution 25534, and is a companion piece of legislation to this ordinance.

The goal of these multiple actions is to change the SBAB appointment process. Currently, the Mayor appoints all 11 SBAB members, in addition to the Get Engaged youth member, subject to Council approval. Resolution 30995 would provide the Mayor with the authority to make 6 appointments to SBAB, subject to Council approval, whereas the Council would be given authority for 5 appointments. The Mayor would continue to nominate the Get Engaged position.

- **Background:** *(Include brief description of the purpose and context of legislation and include record of previous legislation and funding history, if applicable):*

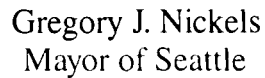
The 11-member SBAB was formed by City Council in 1977 to review proposed actions concerning bicycling and bicyclists in the City and to raise public awareness of bicycling issues, among other responsibilities. In the original resolution, a hand-written amendment was added on the date of adoption of the resolution that provided for the Mayor, subject to Council approval, to appoint all 11 SBAB members. In comparison, the board that most closely resembles the SBAB in function—the Seattle Pedestrian Advisory Board (SPAB)—has a different appointment process. Of the 11 SPAB members, the Mayor appoints six, subject to Council approval, and the Council appoints five.

This ordinance would allow for the Council to adopt a resolution adjusting the SBAB appointment process. However, by deleting Section 7 from Ordinance 120352, this ordinance would also delete the Get Engaged position from the SBAB, even though the Council wants to maintain Get Engaged representation on the SBAB. SMC 3.51 states that a Get Engaged member can be added to a board only through ordinance, and therefore Resolution 30995 cannot recreate the Get Engaged position. Therefore, this ordinance also reaffirms the existence of a Get Engaged position on the SBAB by reaffirming that this role remains a part of the SBAB membership detailed in Resolution 30995.

- *Please check one of the following:*

X **This legislation does not have any financial implications.** *(Stop here and delete the remainder of this document prior to saving and printing.)*





APR 31 PM 2:37
OFFICIAL

July 30, 2007

The Honorable Nick Licata
The Honorable Members of the Seattle City Council
Seattle City Council
CH-02-01

Dear Council President Licata and Members of the City Council:

I am returning Council Bill 115936 (related to the Seattle Bicycle Advisory Board) unsigned. The Seattle Bicycle Advisory Board (SBAB), created in 1977, has provided outstanding service to the City of Seattle during my tenure as Mayor. Of particular note is the feedback and community outreach the SBAB provided on the recent development of the Bicycle Master Plan.

This Board has enjoyed thirty years of success in advising the city on issues of importance to the bicycling community and to transportation challenges facing the city in general. I cannot in good faith recommend altering the composition of a successful Board simply for the sake of change. If you have questions regarding this matter, you may contact Emelie East at 684-9202.

Sincerely,

GREG NICKELS
Mayor of Seattle



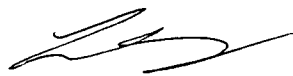
**Legislative Department
Office of City Clerk
Memorandum**

Date: July 31, 2007
To: Councilmembers
From: Laurel Humphrey for Judith E. Pippin, City Clerk
Subject: Mayor's Return of Council Bill No. 115936, **Unsigned**
(relates to Bicycle Advisory Board).

On the reverse is Mayor Nickels' letter of explanation regarding his decision not to sign Council Bill No. 115936, related to the Seattle Bicycle Advisory Board.



**Legislative Department
Office of City Clerk
Memorandum**

Date: July 27, 2007
To: Councilmembers
From: Laurel Humphrey for Judith E. Pippin, City Clerk 
Subject: Mayor's Return of Council Bill No. 115936, **Unsigned**
(relates to the Seattle Bicycle Advisory Board.)

Today, July 27, 2007, Mayor Nickels returned Council Bill No. 115936 (Ordinance 122438) to this office without his signature of approval. This is the Bill relating to the Seattle Bicycle Advisory Board.

Mayor's Office staff members have indicated that Mayor Nickels will provide a letter of explanation on July 30, 2007.

The absence of the Mayor's signature indicates neither his approval nor disapproval of the Council Bill, as addressed in Seattle Municipal Code 1.04.020 and City Charter Article IV, Section 12.

However, a Bill returned by the Mayor unsigned is considered "approved" for purposes of the Bill becoming an Ordinance, and therefore law, within the City of Seattle.

No further action on the part of Council is required.

STATE OF WASHINGTON – KING COUNTY

--SS.

214002
CITY OF SEATTLE, CLERKS OFFICE

No.

Affidavit of Publication

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.

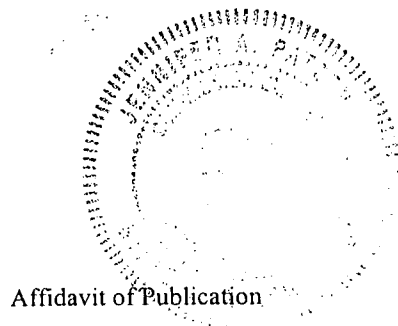
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:122438&122439 TITLE

was published on

08/01/07

The amount of the fee charged for the foregoing publication is the sum of \$ 34.88, which amount has been paid in full.



Affidavit of Publication

Mal

Subscribed and sworn to before me on

08/01/07 *Jennifer A. Patterson*

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

