

Ordinance No. 122560

Council Bill No. 116054

AN ORDINANCE adopting a budget, including a capital improvement program and position modifications, for the City of Seattle for fiscal year 2008.

CF No. \_\_\_\_\_

Date Introduced:	<u>Oct. 22, 2007</u>	
Date 1st Referred:	To: (committee) <u>Budget</u>	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote: <u>9-0</u>	
Date Presented to Mayor:	Date Approved: <u>11-26-2007</u>	
Date Returned to City Clerk:	Date Published: <u>8</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: Richard J. McIver  
Councilmember

## Committee Action:

11-19-07 Budget Pass 9-0

11-19-07 Full Council Passed 9-0

This file is complete and ready for presentation to Full Council. Committee: \_\_\_\_\_  
(initial/date)

*Law Department*

Law Dept. Review

OMP Review

City Clerk Review

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Indexed



# City of Seattle

Gregory J. Nickels, Mayor

## Office of the Mayor

September 24, 2007

Honorable Nick Licata, President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

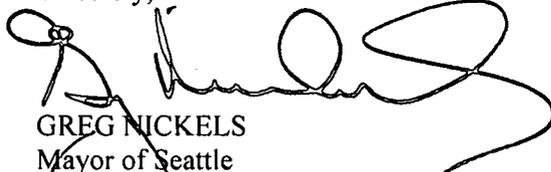
Dear Council President Licata:

I am pleased to transmit the attached proposed Council Bill that would adopt the City of Seattle's 2008 Budget, including position modifications and Seattle's 2008-2013 Capital Improvement Program. With an overarching focus on climate change and protecting our environment, the Proposed Budget supports my priorities for 2008, which include transportation, public safety, neighborhood enrichment, and customer service. Among the many proposed programs and initiatives I set forth in the 2008 Proposed Budget are the addition of 20 patrol officers in the Seattle Police Department; raising the Business and Occupation tax threshold from \$50,000 to \$80,000 to support Seattle's small businesses; a two-year motorcycle medic unit pilot project to be deployed downtown during peak demand periods; a new City Light windstorm response system and control center; funding for additional programs to provide housing for chronically homeless individuals; additional park safety, development, and improvements throughout the city; continuation of a Rainier Beach youth program; implementation of the citywide skatepark plan; new investments in arts programs; additional funding for the Seattle Climate Action Now program to help residents reduce greenhouse gas emissions from their homes and vehicles; a building efficiency program to reduce carbon dioxide emissions from City-owned facilities; the purchase of additional hybrid vehicles; and implementation of a 311 information system that will provide a single phone number to access City services and improve customer service.

I am submitting the 2008 Proposed Budget during a period of strong regional economic growth resulting from a low unemployment rate, strong retail sales, a robust real estate market, and new construction throughout the city. Although these factors leave us in a strong financial position for 2008-2009, we anticipate new funding demands and difficult challenges in the next five years. Of immediate concern is a change in tax law made by the state legislature that alters the way the municipal Business and Occupation (B&O) Tax is imposed, thereby reducing the City's annual revenue by more than \$20 million. My 2008 Proposed Budget addresses this, and other longer-term funding problems, while creating a sustainable budget for the future.

I thank you and all members of the Seattle City Council for your help in producing a responsible and thoughtful budget. Should you have any questions, please contact Dwight Dively at 684-5212.

Sincerely,



GREG NICKELS  
Mayor of Seattle

600 Fourth Avenue, 7<sup>th</sup> Floor, P.O. Box 94749, Seattle, WA 98124-4749

Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, E:mail: [mayors.office@seattle.gov](mailto:mayors.office@seattle.gov)

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1 purpose expressly excluded, whether by transfer pursuant to SMC Chapter 5.08 or by any other  
2 means, is prohibited.

3  
4 Section 2. The 2008-2013 proposed Capital Improvement Program (“CIP”) submitted by  
5 the Mayor, filed as the “2008-2013 Proposed Capital Improvement Program” in C.F. 308946, as  
6 modified by the recommendations of the Budget Committee of the City Council as set forth in  
7 C.F. 308947 and adopted by the City Council on November 19, 2007, is hereby adopted as the  
8 City’s six-year Capital Improvement Program. In case of conflicting modifications, the one of  
9 later date shall control.  
10

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12  
13 Section 3. (a) The officer and employee position modifications listed on pages 677  
14 through 680 of the 2008 Proposed Budget in C.F. 308945, as modified by the recommendations  
15 of the Budget Committee of the City Council set forth in C.F. 308947 and adopted by the City  
16 Council on November 19, 2007, are effective January 1, 2008, or thereafter if otherwise  
17 provided.  
18

19 (b) The City anticipates that modifications to the position list that was  
20 effective as of January 1, 2007, resulting from (i) Subsection 3(a) of this ordinance, (ii) the  
21 reclassifications of regular positions made by the Personnel Director from January 1, 2007  
22 through December 31, 2007, and (iii) the creation, modification, or abrogation of regular  
23 positions by ordinances passed from January 1, 2007 through December 31, 2007, will be  
24 reflected in a proposed list of the City’s regular positions for each department or office as of  
25  
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27



1 January 1, 2008, that will be compiled by the Personnel Department and submitted to the City  
2 Council for possible action in early 2008.

3  
4 Section 4. (a) Subject to and consistent with applicable provisions of the State  
5 Constitution and laws, and the City Charter and ordinances of The City of Seattle, and subject to  
6 the conditions in Subsection 1(b) above, the appropriation of money in the 2008 Adopted Budget  
7 for a budget control level that fairly encompasses a program or project assigned a project  
8 identification number in the 2008-2013 Adopted CIP constitutes authority for the designated City  
9 department, commission, or office, as appropriate and, after compliance with the State  
10 Environmental Policy Act, to acquire personal property, obtain options to acquire real property,  
11 negotiate to acquire right-of-way and other real property interests, prepare plans and designs,  
12 demolish, construct, and make improvements, and obtain any ancillary services, including,  
13 without limitation, planning, engineering, design, appraisal, escrow, title insurance, construction,  
14 inspection, environmental audits and remediation appraisals or other reviews, all in order to carry  
15 out the project or program substantially as described in the 2008-2013 Adopted CIP. Each  
16 department may obtain the authorized services or property using City staff or by contract as  
17 authorized in Section 6 below. Where projects or programs are identified in the 2008-2013  
18 Adopted CIP as to be carried out by other entities wholly or in part with City funds, the  
19 appropriation constitutes authority to provide such funds to such other entities for such purposes,  
20 subject to applicable laws and ordinances.

21  
22 (b) None of the appropriations in the 2008 Adopted Budget can be spent on  
23 capital projects or programs, including, but not necessarily limited to, the planning, acquisition,  
24



1 construction, reconstruction, repair, replacement, rehabilitation, or improvement of streets, roads,  
2 highways, sidewalks, street and road lighting systems, traffic signals, bridges, domestic water  
3 systems, storm and sanitary sewer systems, parks, recreational facilities, law enforcement  
4 facilities, fire protection facilities, trails, libraries, administrative and/or judicial facilities, river  
5 and/or waterway flood control projects, and power transmission and generation facilities, unless  
6 said projects or programs are specifically identified and assigned a project identification number  
7 in the 2008-2013 Adopted CIP, or are added to the 2008-2013 Adopted CIP by a future  
8 amending ordinance.  
9

10 (c) Of the appropriations in the 2008 Adopted Budget for Seattle Public Utilities  
11 and Seattle City Light, expenditure on any project or program identified and assigned a project  
12 identification number in the 2008-2013 Adopted CIP shall not exceed by more than \$1,000,000  
13 the total dollar amount shown as Appropriations Total in the 2008 column for that project or  
14 program in the 2008-2013 Adopted CIP as that CIP may be amended by ordinance from time to  
15 time, without future Council authorization by ordinance. Of the appropriations in the 2008  
16 Adopted Budget for the Seattle Department of Transportation, expenditure on any project or  
17 program identified and assigned a project identification number in the 2008-2013 Adopted CIP  
18 shall not exceed by more than \$1,000,000 the larger of the amount shown as Appropriations  
19 Total or the amount, if any, shown as Spending Plan in the 2008 column for that project or  
20 program in the 2008-2013 Adopted CIP as that CIP may be amended by ordinance from time to  
21 time, without future Council authorization by ordinance.  
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25 (d) Moneys appropriated from funds, subfunds, accounts, and subaccounts in  
26 which are deposited the proceeds derived from the issuance of bonded obligations, shall be  
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1 expended only in accordance with the terms, conditions, and restrictions of ordinances  
2 authorizing such obligations and establishing the respective funds.

3 (e) Moneys appropriated from funds, subfunds, accounts, and subaccounts in  
4 which are deposited the proceeds of grants, financial assistance from the State of Washington or  
5 other governmental agencies, or gifts, bequests or devises to the City for specific purposes shall  
6 be expended only in accordance with applicable terms, conditions, restrictions and City  
7 ordinances.  
8

9 (f) The 2008-2013 Adopted CIP is part of the 2008 Adopted Budget and  
10 identifies, among other projects, those capital projects funded wholly or in part from the proceeds  
11 of the taxes authorized in RCW 82.46.010 and/or RCW 82.46.035, and/or from the proceeds of  
12 bonds, for the repayment of which tax revenues under RCW 82.46.010 have been pledged. Such  
13 taxes are intended to be in addition to other funds that may be reasonably available for such  
14 capital projects.  
15

16 (g) The portions of the 2008-2013 Adopted CIP pertaining to the City Light  
17 Department and Seattle Public Utilities, as those portions of the 2008-2013 Adopted CIP may be  
18 amended from time to time, are adopted as systems or plans of additions to, and betterments and  
19 extensions of, the facilities, physical plants, or systems of the City Light Department and Seattle  
20 Public Utilities, respectively.  
21

22 (h) The City's Director of Finance and Director of Executive Administration are  
23 authorized to draw and pay the necessary warrants or checks and to make any necessary transfers  
24 among funds and accounts.  
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1 (i) Except as limited by this Section or by Subsection 1(b) above, the funds  
2 appropriated in the 2008 Adopted Budget shall be subject to transfer for use with other projects  
3 as provided in SMC Chapter 5.08.  
4

5 Section 5. The Mayor or, at the Mayor's request, the head of the department that is  
6 designated to carry out a project for and on behalf of The City of Seattle, is hereby authorized to  
7 submit such applications as may be deemed appropriate to the United States of America, or any  
8 of its departments, and the State of Washington, or any of its departments, for financial  
9 assistance in carrying out the authorized projects included in the 2008-2013 Adopted CIP; to  
10 make for and on behalf of the City all such assurances, promises, representations, and consent to  
11 suit, and/or covenants to comply with any applicable regulations of the United States relating to  
12 implementation of such projects and activities; to act in connection with such applications as the  
13 authorized representative of the City; to provide such additional information as may be required;  
14 and to prepare plans for implementation of such terms and conditions as may accompany such  
15 grants, provided the submission of such application shall not result in the making of a contract, in  
16 incurring of any indebtedness, or in the acceptance of moneys imposing any duties or obligations  
17 upon the City except as shall be provided by this or another ordinance authorizing the same.  
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22 Section 6. (a) The Director of Transportation, the Superintendent of Parks and  
23 Recreation, the Director of the Office of Arts and Cultural Affairs, the Director of Finance, the  
24 Superintendent of City Light, the Director of Seattle Public Utilities, the Director of the Fleets  
25 and Facilities Department, the Director of Executive Administration, the Librarian, the Chief  
26  
27



1 Technology Officer, and the Director of the Seattle Center Department are authorized to  
2 negotiate for and enter into non-public works contracts, within their appropriation authority, to  
3 obtain property and services authorized in Section 4 to carry out those capital projects and  
4 programs included in the 2008-2013 Adopted CIP and assigned to their respective departments,  
5 commissions or offices.

6  
7 (b) The Board of Trustees of the Seattle Public Library is authorized, within its  
8 appropriation authority and consistent with Ordinances 119019, 119020, 119185, 119378, and  
9 119778, to carry out the projects of the Libraries for All component of the Seattle Public Library  
10 2008-2013 Adopted CIP. In so doing, the Board of Trustees is authorized to lease real property  
11 and enter into contracts with regard thereto.  
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14 Section 7. Preparation of plans and specifications, the execution of other contracts, and  
15 expenditures made or authorized consistent with the authority and prior to the effective date of  
16 this ordinance are hereby ratified and confirmed.  
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19 Section 8. The provisions of this ordinance are declared to be separate and severable. If  
20 one or more of the provisions of this ordinance shall be declared by any court of competent  
21 jurisdiction to be contrary to law, then such provision or provisions shall be null and void and  
22 severed from the rest of the ordinance and all other provisions shall remain valid and  
23 enforceable.  
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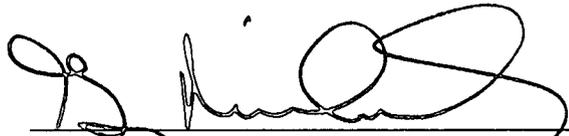
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Section 9. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 19<sup>th</sup> day of November, 2007, and signed by me in open session in authentication of its passage this 19<sup>th</sup> day of November, 2007.

  
\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved by me this 26<sup>th</sup> day of November, 2007.

  
\_\_\_\_\_  
Gregory J. Nickels, Mayor

Filed by me this 26<sup>th</sup> day of November, 2007.

  
\_\_\_\_\_  
City Clerk

(Seal)



**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>DOF Analyst/Phone:</b>
Finance	Linda Taylor-Manning/684-8376	Lawand Anderson/233-3780

**Legislation Title:**

AN ORDINANCE adopting a budget, including a capital improvement program and position modifications, for the City of Seattle for fiscal year 2008.

• **Summary of the Legislation:**

This ordinance adopts the Mayor's Proposed 2008 Budget, which includes Seattle's 2008-2013 Capital Improvement Program (CIP), and position modifications for fiscal year 2008.

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

This legislation is submitted annually to adopt the City of Seattle's budget for the next fiscal year.

- *Please check one of the following:*

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

**This legislation has financial implications.** *(Please complete all relevant sections that follow.)*

Please see the Adopted Budget, CIP, and report of position modifications for detailed information.

- **What is the financial cost of not implementing the legislation?**

RCW 35.32A.050 states that, "Not later than thirty days prior to the beginning of the ensuing fiscal year the City Council shall, by ordinance, adopt the budget submitted by the Mayor as modified by the City Council." This legislation is the mechanism by which the Seattle City Council adopts the final budget.



- **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** *(Include any potential alternatives to the proposed legislation, such as reducing fee-supported activities, identifying outside funding sources for fee-supported activities, etc.)*

None

- **Is the legislation subject to public hearing requirements:** *(If yes, what public hearings have been held to date, and/or what plans are in place to hold a public hearing(s) in the future.)*

Yes. The City Council's Budget Committee will hold one public hearing on October 10, 2007 and will hold a second hearing on October 30, 2007.

**Please list attachments to the fiscal note below:**

None.



STATE OF WASHINGTON – KING COUNTY

--SS.

217864  
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 12<sup>th</sup> 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: TITLE ONLY ORD ~~122572~~ 122560

was published on

11/28/07

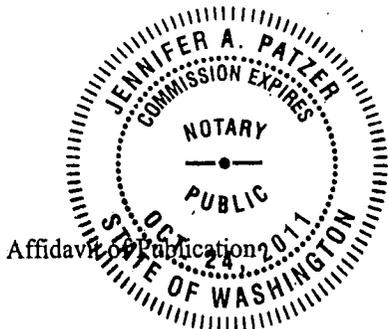
The amount of the fee charged for the foregoing publication is the sum of \$ 153.45, which amount has been paid in full.

*Barbara Olesky*

Subscribed and sworn to before me on

11/28/07

Notary public for the State of Washington,  
residing in Seattle



Affidavit of Publication 2011

# State of Washington, King County

## City of Seattle

### TITLE-ONLY PUBLICATION

The full text of the following ordinances, passed by the City Council on November 19, 2007, and published here by title only, will be mailed, at no cost, on request for two months after this publication. For further information, contact the Seattle City Clerk at 684-8344.

#### ORDINANCE NO. 122572

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

#### ORDINANCE NO. 122570

AN ORDINANCE amending the 2007 Adopted Budget, including the 2007-2012 Capital Improvement Program (CIP), changing appropriations to various departments and from various funds in the Budget, creating an exempt position, and establishing a Capital Improvement Project, all by a three-fourths vote of the City Council.

#### ORDINANCE NO. 122569

AN ORDINANCE relating to compensation for certain City officers and employees not covered by collective bargaining agreements and providing salary increases effective December 26, 2007; January 7, 2009; and January 6, 2010; and providing payment therefor.

#### ORDINANCE NO. 122568

AN ORDINANCE relating to indigent public defense services, authorizing the Director of Executive Administration to negotiate and execute amendments to the terms of the agreements with Associated Counsel for the Accused and The Defender Association for indigent public defense services for a period of six months.

#### ORDINANCE NO. 122566

AN ORDINANCE amending the 2007 Adopted Budget, changing appropriations to various departments and budget control levels; and from various funds in the Budget, all by a three-fourths vote of the City Council.

#### ORDINANCE NO. 122565

AN ORDINANCE implementing a court order regarding the City Light Department's funding of a greenhouse gas offset program; transferring cash from the General Subfund to reimburse the Light Fund for expenditures under the offset program.

#### ORDINANCE NO. 122562

AN ORDINANCE related to parking lot management agreements between the City of Seattle and the Pike Place Market Preservation and Development Authority, authorizing the execution of said agreements, and directing the deposit of revenues into the Cumulative Reserve Subfund, Unrestricted Subaccount.

#### ORDINANCE NO. 122560

AN ORDINANCE adopting a budget, including a capital improvement program and position modifications, for the City of Seattle for fiscal year 2008.

#### ORDINANCE NO. 122559

AN ORDINANCE eliminating the Engineering Services Fund; providing for the disposition of its assets and liabilities; amending Ordinance 116441 as amended by Ordinance 120537; and amending Chapter 5.76 of the Municipal Code in connection therewith.

#### ORDINANCE NO. 122558

AN ORDINANCE relating to the Joint Training Facility Project; amending Ordinance 121179, as previously amended by Ordinances 121363, 121980, and 122289 to extend the term of an interfund loan.

#### ORDINANCE NO. 122557

AN ORDINANCE relating to the Revenue Stabilization Account of the Cumulative Reserve Subfund; authorizing an increase in the maximum balance allowed in the Revenue Stabilization Account; and amending Seattle Municipal Code Subsection 5.80.020 in connection therewith.

#### ORDINANCE NO. 122555

AN ORDINANCE authorizing the Director of Finance, or the Director's designee, to execute a Second Amendment to the Lease and Concession Agreement between the City of Seattle and BH Music Center.

Joe J. Marquez, Information Specialist,  
Seattle City Clerk's Office

(206) 233-5039

The Office of the City Clerk supports open government and the democratic process by preserving and maximizing public access to the City's official and historical records, promoting City-wide compliance with records retention law, and facilitating the legislative process.

Date of publication in the Seattle Daily Journal of Commerce, November 28, 2007.

11/28(217864)