

Ordinance No. 123325

Council Bill No. 116878

AN ORDINANCE relating to the Transportation Strategic Plan; amending Ordinance 123177, which adopted the 2010 Budget, by restricting the use of appropriations for the update to the Transportation Strategic Plan's Seattle Transit Plan element.

# The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: \_\_\_\_\_

Councilmember

## Committee Action:

6-8-10 pass 2-0 TR, JG - M.O. Abstained

6/14/10 Full Council PASSED 8-0 (Excused: Bogshaw)

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

Date Introduced: <u>June 1, 2010</u>		
Date 1st Referred:	To: (committee) <u>Transportation</u>	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage: <u>June 14, 2010</u>	Full Council Vote: <u>8-0</u>	
Date Presented to Mayor: <u>June 14, 2010</u>	Date Approved: <del>6-14-10</del> <u>Returned Unsigned by Mayor</u>	
Date Returned to City Clerk: <u>6-23-10</u>	Date Published:	T.O. <input checked="" type="checkbox"/> F.T. <input type="checkbox"/>
Date Vetoed by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

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

*Law Department*

Law Dept. Review

OMP Review

City Clerk Review

Electronic Copy Loaded

Indexed



**Legislative Department  
Office of City Clerk  
Memorandum**

**Date:** June 23, 2010  
**To:** Councilmembers  
**From:** Laurel Humphrey   
**Subject:** Mayor's Return of Council Bill No. 116878, **Unsigned**

Today, June 23, 2010, Mayor McGinn returned Council Bill No. 116878 to the City Clerk's Office without his signature of approval. CB 116878 is a bill relating to the Transportation Strategic Plan. Mayor McGinn's letter of explanation is attached.

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.



**Michael McGinn**  
Mayor, City of Seattle

June 23, 2010

Honorable Richard Conlin  
President,  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

Dear Council President Conlin,

I've decided to transmit Council Bill No. 116878 back to you without my signature. Let me explain why.

The existence of a budget proviso indicates that the Council has significant concern about the scope of the Transit Master Plan.

My primary concern is that this proviso may be intended to remove the option of studying light rail entirely, preventing SDOT from doing a thorough study of all modes of transit.

My goals relating to the update of the Transit Master Plan are to gather data about city and neighborhood needs, and then to match those needs to the best transit mode, whether that be bus, electric trolley, street car, or light rail. It would be a mistake to specifically remove light rail as one of the studied transit alternatives.

I understand that staff will continue to meet to finalize details on a mutually agreeable scope of work, but feel strongly that at this stage of planning, we should leave all options on the table.

I am happy to discuss this with you directly in more detail and look forward to beginning work on a new Transit Master Plan.

Sincerely,

Mike McGinn  
Mayor

Seattle City Hall, 7<sup>th</sup> Floor  
600 Fourth Avenue  
PO Box 94749  
Seattle, WA 98124-4749

Tel (206) 684-4000  
Fax (206) 684-5360  
[www.seattle.gov/mayor](http://www.seattle.gov/mayor)  
[mike.mcginn@seattle.gov](mailto:mike.mcginn@seattle.gov)

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ORDINANCE 123325

1 AN ORDINANCE relating to the Transportation Strategic Plan; amending Ordinance 123177,  
2 which adopted the 2010 Budget, by restricting the use of appropriations for the update to  
3 the Transportation Strategic Plan's Seattle Transit Plan element.

4 WHEREAS, the Mayor has proposed and the City Council has approved a 2010 Budget and  
5 20010-2015 Capital Improvement Program; and

6 WHEREAS, the Council has previously adopted a Transportation Strategic Plan through  
7 Resolution 31141 that included the Seattle Transit Plan; and

8 WHEREAS, the Seattle Department of Transportation has provided the Council with a proposal  
9 to update the Transportation Strategic Plan's Seattle Transit Plan element (to be renamed  
the Transit Master Plan); and

10 WHEREAS, the Council wishes to review and potentially approve the vision, goal statement,  
11 schedule, and proposed scope of work to be undertaken by the Executive for this effort;  
12 NOW, THEREFORE,

13 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

14 Section 1. Ordinance 123177, adopting the 2010 Budget, is amended by adding the  
15 following proviso to the Executive Department's Office of the Mayor.

16 Proviso:

17 The Executive Department's Office of the Mayor is authorized to spend any money from  
18 the Office of the Mayor Budget Control Level (X1A00) to coordinate with Council and Council  
19 Central Staff to frame for Council review and approval the vision, goals, schedule, and scope of  
20 work to update the Transportation Strategic Plan's Seattle Transit Plan (STP); however, no  
21 money, not yet encumbered or expended, from the Office of the Mayor Budget Control Level  
22 may be spent or encumbered for any other staff or consultant work to implement the update to  
23 the STP until authorized by future ordinance.  
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1 Section 2. Ordinance 123177, adopting the 2010 Budget, is amended by adding the  
2 following proviso to the Major Projects Budget Control Level (19002) in the Seattle Department  
3 of Transportation Budget.

4 Proviso:

5 The Seattle Department of Transportation (SDOT) is authorized to spend any money  
6 from SDOT's Major Projects Budget Control Level to coordinate with Council and Council  
7 Central Staff to frame for Council's review and future approval the vision, goals, schedule, and  
8 scope of work to update the Transportation Strategic Plan's Seattle Transit Plan (STP); however,  
9 no money, not yet encumbered or expended, from SDOT's Major Projects Budget Control Level  
10 may be spent or encumbered for any other staff or consultant work to implement the update to  
11 the STP until authorized by future ordinance.

12 Section 3. Ordinance 123177, adopting the 2010 Budget, is amended by adding the  
13 following proviso to the Major Maintenance/Replacement Budget Control Level (19001) in the  
14 Seattle Department of Transportation Budget.

15 Proviso:

16 The Seattle Department of Transportation (SDOT) is authorized to spend any money  
17 from SDOT's Major Maintenance/Replacement Budget Control Level to coordinate with  
18 Council and Council Central Staff to frame for Council's review and future approval the vision,  
19 goals, schedule, and scope of work to update the Transportation Strategic Plan's Seattle Transit  
20 Plan (STP); however, no money, not yet encumbered or expended, from SDOT's Major  
21 Maintenance/Replacement Budget Control Level may be spent or encumbered for any other staff  
22 or consultant work to implement the update to the STP until authorized by future ordinance.  
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1 Section 4. Ordinance 123177, adopting the 2010 Budget, is amended by adding the  
2 following proviso to the Mobility-Capital Budget Control Level (19003) in the Seattle  
3 Department of Transportation Budget.

4 Proviso:

5 The Seattle Department of Transportation (SDOT) is authorized to spend any money  
6 from SDOT's Mobility-Capital Budget Control Level to coordinate with Council and Council  
7 Central Staff to frame for Council's review and future approval the vision, goals, schedule, and  
8 scope of work to update the Transportation Strategic Plan's Seattle Transit Plan (STP); however,  
9 no money, not yet encumbered or expended, from SDOT's Mobility-Capital Budget Control  
10 Level may be spent or encumbered for any other staff or consultant work to implement the  
11 update to the STP until authorized by future ordinance.

12 Section 5. Ordinance 123177, adopting the 2010 Budget, is amended by adding the  
13 following proviso to the Bridges & Structures Budget Control Level (17001) in the Seattle  
14 Department of Transportation Budget.

15 Proviso:

16 The Seattle Department of Transportation (SDOT) is authorized to spend any money  
17 from SDOT's Bridges & Structures Budget Control Level to coordinate with Council and  
18 Council Central Staff to frame for Council's review and future approval the vision, goals,  
19 schedule, and scope of work to update the Transportation Strategic Plan's Seattle Transit Plan  
20 (STP); however, no money, not yet encumbered or expended, from SDOT's Bridges &  
21 Structures Budget Control Level may be spent or encumbered for any other staff or consultant  
22 work to implement the update to the STP until authorized by future ordinance.  
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1 Section 6. Ordinance 123177, adopting the 2010 Budget, is amended by adding the  
2 following proviso to the Department Management Budget Control Level (18001) in the Seattle  
3 Department of Transportation Budget.

4 Proviso:

5 The Seattle Department of Transportation (SDOT) is authorized to spend any money  
6 from SDOT's Department Management Budget Control Level to coordinate with Council and  
7 Council Central Staff to frame for Council's review and future approval the vision, goals,  
8 schedule, and scope of work to update the Transportation Strategic Plan's Seattle Transit Plan  
9 (STP); however, no money, not yet encumbered or expended, from SDOT's Department  
10 Management Budget Control Level may be spent or encumbered for any other staff or consultant  
11 work to implement the update to the STP until authorized by future ordinance.

12 Section 7. Ordinance 123177, adopting the 2010 Budget, is amended by adding the  
13 following proviso to the Engineering Services Budget Control Level (17002) in the Seattle  
14 Department of Transportation Budget.

15 Proviso:

16 The Seattle Department of Transportation (SDOT) is authorized to spend any money  
17 from SDOT's Engineering Services Budget Control Level to coordinate with Council and  
18 Council Central Staff to frame for Council's review and future approval the vision, goals,  
19 schedule, and scope of work to update the Transportation Strategic Plan's Seattle Transit Plan  
20 (STP); however, no money, not yet encumbered or expended, from SDOT's Engineering  
21 Services Budget Control Level may be spent or encumbered for any other staff or consultant  
22 work to implement the update to the STP until authorized by future ordinance.  
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1 Section 8. Ordinance 123177, adopting the 2010 Budget, is amended by adding the  
2 following proviso to the General Expense Budget Control Level (18002) in the Seattle  
3 Department of Transportation Budget.

4 Proviso:

5 The Seattle Department of Transportation (SDOT) is authorized to spend any money  
6 from SDOT's General Expense Budget Control Level to coordinate with Council and Council  
7 Central Staff to frame for Council's review and future approval the vision, goals, schedule, and  
8 scope of work to update the Transportation Strategic Plan's Seattle Transit Plan (STP); however,  
9 no money, not yet encumbered or expended, from SDOT's General Expense Budget Control  
10 Level may be spent or encumbered for any other staff or consultant work to implement the  
11 update to the STP until authorized by future ordinance.

12 Section 9. Ordinance 123177, adopting the 2010 Budget, is amended by adding the  
13 following proviso to the Mobility-Operations Budget Control Level (17003) in the Seattle  
14 Department of Transportation Budget.

15 Proviso:

16 The Seattle Department of Transportation (SDOT) is authorized to spend any money  
17 from SDOT's Mobility-Operations Budget Control Level to coordinate with Council and  
18 Council Central Staff to frame for Council's review and future approval the vision, goals,  
19 schedule, and scope of work to update the Transportation Strategic Plan's Seattle Transit Plan  
20 (STP); however, no money, not yet encumbered or expended, from SDOT's Mobility-Operations  
21 Budget Control Level may be spent or encumbered for any other staff or consultant work to  
22 implement the update to the STP until authorized by future ordinance.  
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1 Section 10. Ordinance 123177, adopting the 2010 Budget, is amended by adding the  
2 following proviso to the ROW Management Budget Control Level (17004) in the Seattle  
3 Department of Transportation Budget.

4 Proviso:

5 The Seattle Department of Transportation (SDOT) is authorized to spend any money  
6 from SDOT's ROW Management Budget Control Level to coordinate with Council and Council  
7 Central Staff to frame for Council's review and future approval the vision, goals, schedule, and  
8 scope of work to update the Transportation Strategic Plan's Seattle Transit Plan (STP); however,  
9 no money, not yet encumbered or expended, from SDOT's ROW Management Budget Control  
10 Level may be spent or encumbered for any other staff or consultant work to implement the  
11 update to the STP until authorized by future ordinance.

12 Section 11. Ordinance 123177, adopting the 2010 Budget, is amended by adding the  
13 following proviso to the Street Maintenance Budget Control Level (17005) in the Seattle  
14 Department of Transportation Budget.

15 Proviso:

16 The Seattle Department of Transportation (SDOT) is authorized to spend any money  
17 from SDOT's Street Maintenance Budget Control Level to coordinate with Council and Council  
18 Central Staff to frame for Council's review and future approval the vision, goals, schedule, and  
19 scope of work to update the Transportation Strategic Plan's Seattle Transit Plan (STP); however,  
20 no money, not yet encumbered or expended, from SDOT's Street Maintenance Budget Control  
21 Level may be spent or encumbered for any other staff or consultant work to implement the  
22 update to the STP until authorized by future ordinance.  
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1 Section 12. Ordinance 123177, adopting the 2010 Budget, is amended by adding the  
2 following proviso to the Urban Forestry Budget Control Level (17006) in the Seattle Department  
3 of Transportation Budget.

4 Proviso:

5 The Seattle Department of Transportation (SDOT) is authorized to spend any money  
6 from SDOT's Urban Forestry Budget Control Level to coordinate with Council and Council  
7 Central Staff to frame for Council's review and future approval the vision, goals, schedule, and  
8 scope of work to update the Transportation Strategic Plan's Seattle Transit Plan (STP); however,  
9 no money, not yet encumbered or expended, from SDOT's Urban Forestry Budget Control Level  
10 may be spent or encumbered for any other staff or consultant work to implement the update to  
11 the STP until authorized by future ordinance.

12 Section 13. This ordinance shall take effect and be in force immediately upon its  
13 approval by the Mayor or, if not approved and returned by the Mayor within ten days after  
14 presentation, then on the eleventh day after its presentation to the Mayor or, if vetoed by the  
15 Mayor, then immediately upon override of the Mayor's veto by the Council.  
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Passed by a majority vote of all the members of the City Council the 14<sup>th</sup> day of  
June, 2010, and signed by me in open session in authentication of its  
passage this 14<sup>th</sup> day of June, 2010.

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

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
**Returned Unsigned by Mayor**  
\_\_\_\_\_

Michael McGinn, Mayor

Filed by me this 23<sup>rd</sup> day of June, 2010.

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

(Seal)



**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>DOF Analyst/Phone:</b>
Legislative	Dan Eder x4-8147	n/a

**Legislation Title:**

An ordinance relating to the Transportation Strategic Plan; amending Ordinance 123177, which adopted the 2010 Budget, by restricting the use of appropriations for the update to the Transportation Strategic Plan's Seattle Transit Plan element.

• **Summary of the Legislation:**

This legislation would impose budget provisos on all Budget Control Levels (BCL) in the Seattle Department of Transportation (SDOT) as well as a budget proviso on the Executive Department's Office of the Mayor BCL. The budget provisos would restrict spending on an update to the Seattle Transit Plan (to be renamed the Transit Master Plan) until Council adopts a future ordinance lifting the proviso.

• **Background:**

Council has indicated a desire to review whether to move forward with an update to the adopted Seattle Transit Plan at this time. In the event that Council determines that it wants to move forward with such an update, Council has also indicated a desire to review and approve the goals, vision, and scope of the update.

• *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.**



**Appropriations:** *This table should detail existing appropriations and reflect appropriations that are a direct result of this legislation. If this legislation does not directly change an appropriation, but has budget impacts, please explain in the notes section below:*

Fund Name and Number	Department	Budget Control Level*	Existing 2010 Appropriation
Transp. Operating Fund	SDOT	Bridges and Structures 17001	\$ 7,244,982
Transp. Operating Fund	SDOT	Engineering Svcs 17002	\$ 2,279,746
Transp. Operating Fund	SDOT	Mobility-Operations 17003	\$ 35,113,375
Transp. Operating Fund	SDOT	ROW Management 17004	\$ 11,304,009
Transp. Operating Fund	SDOT	Street Maintenance 17005	\$ 28,246,349
Transp. Operating Fund	SDOT	Urban Forestry 17006	\$ 4,371,488
Transp. Operating Fund	SDOT	Department Mgmt 18001	\$ 3,496,610
Transp. Operating Fund	SDOT	General Expense 18002	\$ 20,782,274
Transp. Operating Fund	SDOT	Major Maint/Repl 19001	\$ 84,847,001
Transp. Operating Fund	SDOT	Major Projects 19002	\$ 75,177,130
Transp. Operating Fund	SDOT	Mobility-Capital 19003	\$ 37,335,000
Finance General	Executive	Office of the Mayor	\$ 3,691,788
<b>TOTAL</b>			<b>\$313,889,752</b>

This ordinance would impose provisos restricting spending from all of SDOT Budget Control Levels and from the Office of the Mayor's Budget Control Level for implementing an update to the adopted Seattle Transit Plan. The provisos would allow SDOT or the Mayor's Office to frame for Council review and approval the vision, goals, schedule, and scope of work for an update to the Seattle Transit Plan. The proviso would not allow SDOT or the Mayor's Office to implement the planned update to the Seattle Transit Plan or otherwise encumber funding until a future ordinance is passed by the City Council.

**Notes:**

- **What is the financial cost of not implementing the legislation:** *(Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs if the legislation is not implemented):*

Council has approved all appropriations needed for the update in 2010. This legislation provides an opportunity for Council to review and approve the vision, goals, schedule, and scope of work prior to commencing the update to the Seattle Transit Plan.

- **What are the possible alternatives to the legislation that could achieve the same or similar objectives** *(Include any potential alternatives to the proposed legislation, including using an existing facility to fulfill the uses envisioned by the proposed project, adding components to or subtracting components from the total proposed project, contracting with an*



Author's Full Name/Typist Initials  
File Name – Department, Short Description, Type of Document (e.g., DOF Fourth Quarter Supplemental FISC)  
Hard-coded Date  
Version #

*outside organization to provide the services the proposed project would fill, or other alternatives):*

None identified.

- **Other Issues** *(including long-term implications of the legislation):*

None identified.

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

No attachments.

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STATE OF WASHINGTON – KING COUNTY

--SS.

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256755  
CITY OF SEATTLE, CLERKS OFFICE

No. TITLE ONLY

**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:123321,323-329

was published on

06/25/40

The amount of the fee charged for the foregoing publication is the sum of \$ 122.85, which amount has been paid in full.



*[Handwritten Signature]*

Subscribed and sworn to before me on

06/25/40

*[Handwritten Signature]*

Notary public for the State of Washington,  
residing in Seattle

# City of Seattle

## TITLE-ONLY PUBLICATION

The full text of the following ordinances, passed by the City Council on June 14, 2010, and published here by title only, will be mailed upon request, or can be accessed at <http://clerk.ci.seattle.wa.us>. For further information, contact the Seattle City Clerk at 684-8344.

State

King County

### ORDINANCE NO. 123321

AN ORDINANCE relating to Seattle Public Utilities and the Department of Neighborhoods; declaring the SW Barton Street Pump Station property, located at the southwest corner of SW Barton Street and 34th Avenue SW, Seattle, as surplus to utility needs, and authorizing transfer of the property's jurisdiction from Seattle Public Utilities to the Seattle Department of Neighborhoods for the establishment of a community garden.

### ORDINANCE NO. 123323

AN ORDINANCE relating to Seattle Public Utilities; authorizing the purchase of approximately 67.7 acres of real property in Section 36, Township 23 North, Range 8 East, W.M. in King County, Washington, commonly called the Mount Washington property, adjacent to the Cedar River Municipal Watershed, from the Washington State Parks and Recreation Commission, granting a recreational trail easement over a portion of the property, and ratifying and confirming certain prior acts.

### ORDINANCE NO. 123324

AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to accept an easement for water, sewer and drainage infrastructure in 7040 36th Avenue NE, Seattle, and declaring an easement in the above property surplus to the City of Seattle's needs.

### ORDINANCE NO. 123325

AN ORDINANCE relating to the Transportation Strategic Plan; amending Ordinance 123177, which adopted the 2010 Budget, by restricting the use of appropriations for the update to the Transportation Strategic Plan's Seattle Transit Plan element.

### ORDINANCE NO. 123326

AN ORDINANCE relating to the construction of a new Fire Station 21; transferring jurisdiction of a portion of Lots 18, 19, 20 and 21, Block 2, Hillman's Lake Front Addition to the City of Seattle, Division Number 3, from the Fleets and Facilities Department or its successors to the Seattle Department of Transportation for street purposes to widen the alleyway in said block; and laying off, opening, widening, extending, and establishing the alleyway on the property transferred.

### ORDINANCE NO. 123327

AN ORDINANCE vacating the alley in Block 70, Terry's 1st Addition to the Town of Seattle, on the petition of FH, LLC, a Washington limited liability company; and accepting a Property Use and Development Agreement related herein (Clerk File 307256).

### ORDINANCE NO. 123328

AN ORDINANCE relating to the Mercer Corridor Project; removing restrictions in the 2009 Adopted Budget and the 2010 Adopted Budget that limit the Seattle Department of Transportation's spending on the

Mercer Corridor Project; and removing restrictions in the First Quarter 2009 Supplemental Budget Ordinance that limits Seattle City Light's spending on the Mercer Corridor Relocations Project.

### ORDINANCE NO. 123329

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

Publication ordered by the City Clerk  
Date of publication in the Seattle Daily Journal of Commerce, June 25, 2010.

6/25(256755)