

Ordinance No. 123375

Council Bill No. 116941

AN ORDINANCE relating to the Belltown/Queen Anne Waterfront Connections – Thomas Street Project; removing restrictions in the 2010 Adopted Budget that limit the Seattle Department of Transportation’s spending on the Belltown/Queen Anne Waterfront Connections – Thomas Street Project.

CF No. _____

| | | |
|------------------------------|---|---|
| Date Introduced: | <u>8.9.10</u> | |
| Date 1st Referred: | To: (committee) <u>Transportation</u> | |
| Date Re - Referred: | To: (committee) | |
| Date Re - Referred: | To: (committee) | |
| Date of Final Passage: | Full Council Vote: 8.16.10 <u>9.0</u> | |
| Date Presented to Mayor: | Date Approved: <u>8.17.10</u> <u>8.23.10</u> | |
| Date Returned to City Clerk: | 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: | |

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Rasmussen
Councilmember

Committee Action:

8/10/10 PASS TRIGTB
3-0

8.16.10 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 | Electronic Copy Loaded | Indexed |
|------------------|------------|-------------------|------------------------|---------|

ORDINANCE 123375

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3 AN ORDINANCE relating to the Belltown/Queen Anne Waterfront Connections – Thomas
4 Street Project; removing restrictions in the 2010 Adopted Budget that limit the Seattle
5 Department of Transportation’s spending on the Belltown/Queen Anne Waterfront
6 Connections – Thomas Street Project.

7 WHEREAS, the 2010-2015 Adopted Capital Improvement Program includes an unsecured
8 funding gap of \$3,993,000 for the Belltown/Queen Anne Waterfront Connections –
9 Thomas Street Project; and

10 WHEREAS, the City's 2010 Adopted Budget includes an appropriation for the Seattle
11 Department of Transportation (SDOT) Belltown/Queen Anne Waterfront Connections –
12 Thomas Street Project with a proviso restricting spending until authorized by a future
13 ordinance; and

14 WHEREAS, the 2010 budget proviso restricting spending on the Belltown/Queen Anne
15 Waterfront Connections – Thomas Street Project anticipated that Council would not
16 authorize further spending until SDOT and the Department of Parks and Recreation
17 provide Council with a specific proposal for completing this project by modifying the
18 scope or filling the funding gap; and

19 WHEREAS, on August 4, 2010, the King County Project Evaluation Committee recommended
20 additional funding for the Belltown/Queen Anne Waterfront Connections – Thomas
21 Street Project in the amount of \$3,960,000; and

22 WHEREAS, the City anticipates that the King County Project Evaluation Committee’s funding
23 recommendation for the Belltown/Queen Anne Waterfront Connections – Thomas Street
24 Project will be approved by the Puget Sound Regional Council’s Executive Board on
25 September 21, 2010; and

26 WHEREAS, the remaining funding gap of \$33,000 for the Belltown/Queen Anne Waterfront
27 Connections – Thomas Street Project is well within the budgeted contingency for the
28 project total budget of \$10,001,000; and

WHEREAS, the City anticipates that the Belltown/Queen Anne Waterfront Connections –
Thomas Street Project will be fully funded once the Puget Sound Regional Council takes
final action on September 21, 2010; and



1 WHEREAS, it is in the City's best interests to complete design and begin construction of the
2 Belltown/Queen Anne Waterfront Connections – Thomas Street Project as soon as
3 possible to create construction jobs, minimize construction costs, and complete this vital
4 link for bicycles and pedestrians between the Uptown and Belltown neighborhoods and
5 the waterfront trail in Myrtle Edwards Park; NOW, THEREFORE,

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

7 Section 1. The restrictions imposed by the following 2010 Adopted Budget Proviso are
8 removed and are no longer restrictions for any purpose.

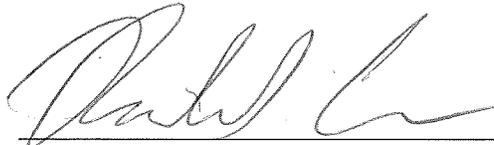
| Department | Green Sheet | Proviso Description | Budget Control Level |
|----------------|-------------|---|----------------------|
| Transportation | 61-1-A-4 | In addition to the restrictions imposed in Section 4(c) of the ordinance adopting the 2010 budget and any other restrictions imposed by law, none of the 2008 Parks Levy Fund money appropriated in the 2010 budget for the Seattle Department of Transportation's (SDOT's) Mobility-Capital BCL, and none of the 2000 Parks Levy Fund money appropriated for SDOT and carried forward from a previous year, may be spent for the Belltown/Queen Anne Waterfront Connections – Thomas Street CIP Project (Project ID: TC366210) until authorized by future ordinance. Council anticipates that such authority will not be granted until SDOT and the Department of Parks and Recreation provide Council with a specific proposal for completing this project by modifying the scope or filling the funding gap. | Mobility-Capital |



1 Section 2. 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.

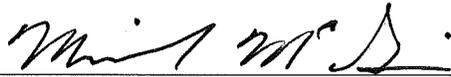
4 Passed by the City Council the 16th day of August, 2010, and
5 signed by me in open session in authentication of its passage this

6 16th day of August, 2010.
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10 President _____ of the City Council

11 Approved by me this 23rd day of August, 2010.
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15 Michael McGinn, Mayor

16 Filed by me this 23rd day of August, 2010.
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19 City Clerk
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(Seal)
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FISCAL NOTE FOR CAPITAL PROJECTS ONLY

| | | |
|------------------------------|------------------------------|---------------------------|
| Department: | Contact Person/Phone: | DOF Analyst/Phone: |
| Department of Transportation | Dorinda Costa/615-0765 | Stephen Barham/733-9084 |

Legislation Title:

AN ORDINANCE relating to the Belltown/Queen Anne Waterfront Connections – Thomas Street Project; removing restrictions in the 2010 Adopted Budget that limit the Seattle Department of Transportation’s spending on the Belltown/Queen Anne Waterfront Connections – Thomas Street Project.

Summary and background of the Legislation:

This legislation removes the restrictions imposed by the following 2010 Adopted Budget Proviso on the Seattle Department of Transportation’s (SDOT’s) 2010 appropriations and money appropriated for SDOT and carried forward from a previous year for the Belltown/Queen Anne Waterfront Connections – Thomas St. project:

| Department | Green Sheet | Proviso Description | Budget Control Level |
|----------------|-------------|--|----------------------|
| Transportation | 61-1-A-4 | In addition to the restrictions imposed in Section 4(c) of the ordinance adopting the 2010 budget and any other restrictions imposed by law, none of the 2008 Parks Levy Fund money appropriated in the 2010 budget for the Seattle Department of Transportation’s (SDOT’s) Mobility-Capital BCL, and none of the 2000 Parks Levy Fund money appropriated for SDOT and carried forward from a previous year, may be spent for the Belltown/Queen Anne Waterfront Connections – Thomas Street CIP Project (Project ID: TC366210) until authorized by future ordinance. Council anticipates that such authority will not be granted until SDOT and the Department of Parks and Recreation provide Council with a specific proposal for completing this project by modifying the scope or filling | Mobility-Capital |



| | | | |
|--|--|------------------|--|
| | | the funding gap. | |
|--|--|------------------|--|

The 2010-2015 Adopted Capital Improvement Program includes an unsecured funding gap of \$3,993,000 for the Belltown/Queen Anne Waterfront Connections – Thomas St. project. On August 4, 2010, the King County Project Evaluation Committee recommended additional funding for the project in the amount of \$3,960,000. The City anticipates that the King County Project Evaluation Committee’s funding recommendation will be approved by the Puget Sound Regional Council’s Executive Board on September 21, 2010. The remaining funding gap of \$33,000 is well within the budgeted contingency for the project total budget of \$10,001,000. As a result, the City anticipates that the Belltown/Queen Anne Waterfront Connections – Thomas St. project will be fully funded once the Puget Sound Regional Council takes final action on September 21, 2010.

The revised funding plan is summarized below:

| Funding Source | Status | Amount (in millions) |
|--------------------------------|----------------|-------------------------|
| Seattle Parks Levies | Secured | \$3.57 |
| Federal Grants | Secured | \$1.34 |
| King County | Secured | \$0.86 |
| Seattle Real Estate Excise Tax | Secured | \$0.24 |
| 2010 Federal Grant | Pending | \$3.96 |
| Total Funding | | \$9.97 |

SDOT needs unrestricted spending of previous appropriations for this project in order to complete the final design and advertise for construction by the end of the year. As part of the Proposed 2011-2016 CIP, SDOT will amend the funding plan for the project to reflect the new grant. It is in the City’s best interest to complete design and begin construction of the Belltown/Queen Anne Waterfront Connections – Thomas St. project as soon as possible to create construction jobs, minimize construction costs, and complete this vital link for bicycles and pedestrians between the Uptown and Belltown neighborhoods and the waterfront trail in Myrtle Edwards Park.

- Please check any of the following that apply:

This legislation creates, funds, or anticipates a new CIP Project. (Please note whether the current CIP is being amended through this ordinance, or provide the Ordinance or Council Bill number of the separate legislation that has amended/is amending the CIP.)

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.)



Note: This legislation removes provisos but does not modify the appropriations or spending plan in the 2010 Adopted Budget or 2010-2015 Adopted CIP.

- **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):*

If the legislation is not implemented, final design work, advertising for construction contract bids, and construction on the Belltown/Queen Anne Waterfront Connections – Thomas Street Project will continue to be delayed. Design is between 90% and 100% complete, and environmental review, right-of-way, and permitting activities are also near completion. All activities are on hold in compliance with the budget proviso. Delays to the construction schedule may result in increased project costs.

- **Does this legislation affect any departments besides the originating department?** • *If so, please list the affected department(s), the nature of the impact (financial, operational, etc.), and indicate which staff members in the other department(s) are aware of this Bill.*

No.

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

- **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?)*

No.

- **Other Issues** *(including long-term implications of the legislation):* None.
- **List attachments to the fiscal note below:** *(Please include headers with version numbers on all attachments, as well footers with the document's name (e.g., DOF Property Tax Fisc Att*

Attachment 1: 2010 Budget City Council Green Sheet 61-1-A-4.

2010 City Council Budget Action (Green Sheet)

Approved

| Tab | Action | Option | Version |
|-----|--------|--------|---------|
| 61 | 1 | A | 4 |

Budget Action Title: Rescind Green Sheet 61-1-A-3 and impose a budget proviso restricting appropriations for SDOT's Belltown/Queen Anne Waterfront Connections - Thomas Street CIP Project

Councilmembers: Burgess; Godden; Rasmussen

Staff Analyst: Norm Schwab

Council Bill or Resolution:

Budget Committee Vote:

| Date | Result | TB | SC | RC | JD | JG | BH | NL | RM | TR |
|------------|---------|----|----|----|----|----|----|----|----|----|
| 11/23/2009 | Pass 9- | Y | Y | Y | Y | Y | Y | Y | Y | Y |

Summary of Dollar Effect

See the following pages for detailed technical information

| | 2010 Increase (Decrease) |
|-------------------------------------|--------------------------|
| General Subfund | |
| General Subfund Revenues | \$0 |
| <u>General Subfund Expenditures</u> | <u>\$0</u> |
| Net Balance Effect | \$0 |
| Other Funds | |
| Other Funds Revenues | \$0 |
| <u>Other Funds Expenditures</u> | <u>\$0</u> |
| Net Balance Effect | \$0 |
| Total All Funds | |
| Total Budget Balance Effect | \$0 |

Description of proposed budget action:

This green sheet would rescind Green Sheet 61-1-A-3 in order to correctly apply a proviso to the Seattle Department of Transportation's budget.

This green sheet would impose the following proviso:

* Has Proviso * Note: This action rescinds 61-1-A-3



| <i>Tab</i> | <i>Action</i> | <i>Option</i> | <i>Version</i> |
|------------|---------------|---------------|----------------|
| 61 | 1 | A | 4 |

“In addition to the restrictions imposed in Section 4(c) of the ordinance adopting a 2010 budget and any other restriction imposed by law, none of the 2008 Parks Levy Fund money appropriated in the 2010 budget for the Seattle Department of Transportation’s (SDOT’s) Mobility-Capital BCL, and none of the 2000 Parks Levy Fund money appropriated for SDOT and carried forward from a previous year, may be spent for the Belltown/Queen Anne Waterfront Connections - Thomas Street CIP Project (Project ID: TC366210) until authorized by future ordinance. Council anticipates that such authority will not be granted until SDOT and the Department of Parks and Recreation provide Council with a specific proposal for completing this project by modifying the scope or filling the funding gap.”

Background. This project was started in 2003 and originally scheduled for construction in 2005. This connection is called for in the Uptown and Belltown Neighborhood Plans. Funding for the project was included in the 2000 and 2008 Park Levies (\$2,069,000 and \$1,500,000, respectively). When the 2008 Parks Levy was developed last year, the additional \$1.5 million was provided to fill an SDOT estimated funding gap so the project could proceed to construction. SDOT’s estimate was based on a conceptual design. Since then, SDOT has proceeded to 90% construction design, with a current increase in the estimated project construction cost from approximately \$3.75 million to \$7.75 million, leaving a \$4 million funding gap. The proposed 2010-2015 CIP shows that SDOT has spent approximately \$1.3 million, including \$879,000 in 2000 Parks Levy funds (Life to Date Expenditures) on design and community involvement. The Proposed 2010-2015 CIP states that the project has been suspended due to lack of funding.

Council requests in a related Statement of Legislative Intent that SDOT work collaboratively with the Department of Parks and Recreation to provide the Council with ways to complete the project or reallocate the Parks Levy funds to another project(s). The SLI requests a report back on this by March 31, 2010.





City of Seattle
Office of the Mayor

August 9, 2010

Honorable Richard Conlin
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Conlin:

I am pleased to transmit the attached proposed council bill that lifts the budget proviso placed on funding for the Belltown/Queen Anne Waterfront Connections – Thomas St. project. Approval of this council bill will allow the Seattle Department of Transportation (SDOT) to move forward with construction of the project.

On August 4, 2010, the King County Project Evaluation Committee recommended additional funding for the Belltown/Queen Anne Waterfront Connections – Thomas St. project in the amount of \$3,960,000. The City anticipates that the King County Project Evaluation Committee's funding recommendation will be approved by the Puget Sound Regional Council's Executive Board on September 21, 2010. This grant award will fill the remaining funding gap for the project, and will allow SDOT to move forward to construct this vital link for bicycles and pedestrians between the Uptown and Belltown neighborhoods and the waterfront trail in Myrtle Edwards Park.

Moving forward now will allow SDOT to advertise for construction by the end of this year and begin construction early next year. It is in the City's best interests to complete design and begin construction as soon as possible to create construction jobs and minimize construction costs. Thank you for your consideration of this legislation. Should you have questions, please contact Dorinda Costa at 615-0765.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council



STATE OF WASHINGTON – KING COUNTY

--SS.

259830
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 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

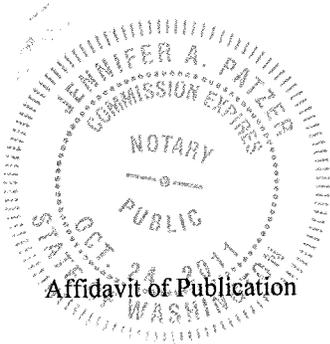
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:123375,-76&123385

was published on

09/01/10

The amount of the fee charged for the foregoing publication is the sum of \$ 47.78, which amount has been paid in full.



Affidavit of Publication

Subscribed and sworn to before me on
09/01/10 _____

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

TITLE-ONLY PUBLICATION

The full text of the following ordinances, passed by the City Council on August 16, 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.

ORDINANCE NO. 123375

AN ORDINANCE relating to the Belltown/Queen Anne Waterfront Connections-Thomas Street Project; removing restrictions in the 2010 Adopted Budget that limit the Seattle Department of Transportation's spending on the Belltown/Queen Anne Waterfront Connections-Thomas Street Project.

ORDINANCE NO. 123376

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

ORDINANCE NO. 123385

AN ORDINANCE relating to the 2010 budget, lifting provisos and imposing a proviso restricting the use of appropriations for developing the Seattle Transit Master Plan.

Publication ordered by the City Clerk
Date of publication in the Seattle Daily
Journal of Commerce, September 1, 2010.
9/1(259830)