

Ordinance No. 123385

Council Bill No. 116940

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.

Related Legislation File: 31238

Date Introduced and Referred: <u>8.9.10</u>	To: (committee): <u>Transportation</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <u>8.16.10</u>	Date Presented to Mayor: <u>8.17.10</u>
Date Signed by Mayor: Returned Unsigned by Mayor	Date Returned to City Clerk: <u>August 26, 2010</u>
Published by Title Only <input checked="" type="checkbox"/>	Date Vetoed by Mayor:
Published in Full Text	Date Passed Over Veto:
Date Veto Published:	Date Returned Without Signature:

The City of Seattle – Legislative Department

Council Bill/Ordinance sponsored by: Tom Roemer

Committee Action:

Date	Recommendation	Vote
<u>8-10-10</u>	<u>PASS</u>	<u>TRIGTBNLMO 5-0</u>

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

Full Council Action:

Date	Decision	Vote
<u>8.16.10</u>	<u>Passed</u>	<u>9-0</u>

Law Department

1 Proviso:

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

13 Proviso:

14 The Seattle Department of Transportation (SDOT) is authorized to spend any money
15 from SDOT's Major Projects Budget Control Level to coordinate with Council and Council
16 Central Staff to frame for Council's review and future approval the vision, goals, schedule, and
17 scope of work to update the Transportation Strategic Plan's Seattle Transit Plan (STP); however,
18 no money, not yet encumbered or expended, from SDOT's Major Projects Budget Control Level
19 may be spent or encumbered for any other staff or consultant work to implement the update to
20 the STP until authorized by future ordinance.
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22 Section 4. Ordinance 123177, adopting the 2010 Budget, is amended by deleting the
23 following proviso to the Major Maintenance/Replacement Budget Control Level (19001) in the
24 Seattle Department of Transportation Budget.
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1 Proviso:

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

9 Section 5. Ordinance 123177, adopting the 2010 Budget, is amended by deleting the
10 following proviso to the Mobility-Capital Budget Control Level (19003) in the Seattle
11 Department of Transportation Budget.
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13 Proviso:

14 The Seattle Department of Transportation (SDOT) is authorized to spend any money
15 from SDOT's Mobility-Capital Budget Control Level to coordinate with Council and Council
16 Central Staff to frame for Council's review and future approval the vision, goals, schedule, and
17 scope of work to update the Transportation Strategic Plan's Seattle Transit Plan (STP); however,
18 no money, not yet encumbered or expended, from SDOT's Mobility-Capital Budget Control
19 Level may be spent or encumbered for any other staff or consultant work to implement the
20 update to the STP until authorized by future ordinance.
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22 Section 6. Ordinance 123177, adopting the 2010 Budget, is amended by deleting the
23 following proviso to the Bridges & Structures Budget Control Level (17001) in the Seattle
24 Department of Transportation Budget.
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Proviso:

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2 The Seattle Department of Transportation (SDOT) is authorized to spend any money
3 from SDOT's Bridges & Structures Budget Control Level to coordinate with Council and
4 Council Central Staff to frame for Council's review and future approval the vision, goals,
5 schedule, and scope of work to update the Transportation Strategic Plan's Seattle Transit Plan
6 (STP); however, no money, not yet encumbered or expended, from SDOT's Bridges &
7 Structures Budget Control Level may be spent or encumbered for any other staff or consultant
8 work to implement the update to the STP until authorized by future ordinance.
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10 Section 7. Ordinance 123177, adopting the 2010 Budget, is amended by deleting the
11 following proviso to the Department Management Budget Control Level (18001) in the Seattle
12 Department of Transportation Budget.
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Proviso:

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15 The Seattle Department of Transportation (SDOT) is authorized to spend any money
16 from SDOT's Department Management Budget Control Level to coordinate with Council and
17 Council Central Staff to frame for Council's review and future approval the vision, goals,
18 schedule, and scope of work to update the Transportation Strategic Plan's Seattle Transit Plan
19 (STP); however, no money, not yet encumbered or expended, from SDOT's Department
20 Management Budget Control Level may be spent or encumbered for any other staff or consultant
21 work to implement the update to the STP until authorized by future ordinance.
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23 Section 8. Ordinance 123177, adopting the 2010 Budget, is amended by deleting the
24 following proviso to the Engineering Services Budget Control Level (17002) in the Seattle
25 Department of Transportation Budget.
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1 Proviso:

2 The Seattle Department of Transportation (SDOT) is authorized to spend any money
3 from SDOT's Engineering Services Budget Control Level to coordinate with Council and
4 Council Central Staff to frame for Council's review and future approval the vision, goals,
5 schedule, and scope of work to update the Transportation Strategic Plan's Seattle Transit Plan
6 (STP); however, no money, not yet encumbered or expended, from SDOT's Engineering
7 Services Budget Control Level may be spent or encumbered for any other staff or consultant
8 work to implement the update to the STP until authorized by future ordinance.
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10 Section 9. Ordinance 123177, adopting the 2010 Budget, is amended by deleting the
11 following proviso to the General Expense Budget Control Level (18002) in the Seattle
12 Department of Transportation Budget.
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14 Proviso:

15 The Seattle Department of Transportation (SDOT) is authorized to spend any money
16 from SDOT's General Expense Budget Control Level to coordinate with Council and Council
17 Central Staff to frame for Council's review and future approval the vision, goals, schedule, and
18 scope of work to update the Transportation Strategic Plan's Seattle Transit Plan (STP); however,
19 no money, not yet encumbered or expended, from SDOT's General Expense Budget Control
20 Level may be spent or encumbered for any other staff or consultant work to implement the
21 update to the STP until authorized by future ordinance.
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23 Section 10. Ordinance 123177, adopting the 2010 Budget, is amended by deleting the
24 following proviso to the Mobility-Operations Budget Control Level (17003) in the Seattle
25 Department of Transportation Budget.
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1 Proviso:

2 The Seattle Department of Transportation (SDOT) is authorized to spend any money
3 from SDOT's Street Maintenance Budget Control Level to coordinate with Council and Council
4 Central Staff to frame for Council's review and future approval the vision, goals, schedule, and
5 scope of work to update the Transportation Strategic Plan's Seattle Transit Plan (STP); however,
6 no money, not yet encumbered or expended, from SDOT's Street Maintenance Budget Control
7 Level may be spent or encumbered for any other staff or consultant work to implement the
8 update to the STP until authorized by future ordinance.
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10 Section 13. Ordinance 123177, adopting the 2010 Budget, is amended by deleting the
11 following proviso to the Urban Forestry Budget Control Level (17006) in the Seattle Department
12 of Transportation Budget.

13 Proviso:

14 The Seattle Department of Transportation (SDOT) is authorized to spend any money
15 from SDOT's Urban Forestry Budget Control Level to coordinate with Council and Council
16 Central Staff to frame for Council's review and future approval the vision, goals, schedule, and
17 scope of work to update the Transportation Strategic Plan's Seattle Transit Plan (STP); however,
18 no money, not yet encumbered or expended, from SDOT's Urban Forestry Budget Control Level
19 may be spent or encumbered for any other staff or consultant work to implement the update to
20 the STP until authorized by future ordinance.
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23 Section 14. Ordinance 123177, adopting the 2010 Budget, is amended by adding the
24 following proviso:
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1 No more than \$300,000 appropriated in the 2010 budget for the Seattle Department of
2 Transportation (SDOT) may be spent on consulting services to develop a Transit Master Plan
3 (TMP) until authorized by future ordinance. Council anticipates that such authority will not be
4 granted until SDOT completes phase one of the TMP project. This maximum amount of
5 \$300,000 may be spent only on the following phase one consulting services:

6
7 Project Management (Task 1)

- 8 • Project scope and work plan
9 • Team meetings
10 • Council and Mayoral briefings
11

12 Systems Analysis (Tasks 2, 4, and 5)

- 13 • Existing and future conditions (“Briefing Book”)
14 • Transit system principles and performance
15 • User experience and mode integration
16 • Governance and funding
17 • Gap analysis
18

19 Outcome-based Evaluation Framework (Task 3)

- 20 • Transit goals confirmation workshop
21 • Prioritization of policy objectives
22 • In-depth market assessment for priority connections
23 • Framework for modal assignments
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26 Public Outreach and Engagement (Task 6)




- Formation of public advisory committee, executive and inter-agency teams
- Stakeholder roundtables and interviews
- Development of project website and communications materials

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2 Section 15. This ordinance shall take effect and be in force immediately upon its
3 approval by the Mayor or, if not approved and returned by the Mayor within ten days after
4 presentation, then on the eleventh day after its presentation to the Mayor or, if vetoed by the
5 Mayor, then immediately upon override of the Mayor's veto by the Council.

6 Passed by the City Council the 16^r day of August, 2010, and
7 signed by me in open session in authentication of its passage this
8 16^r day of August, 2010.

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10
11 
12 President _____ of the City Council

13
14 Approved by me this _____ day of _____, 2010.

**Returned Unsigned
by Mayor**

15
16 _____
17 Michael McGinn, Mayor

18 Filed by me this 26th day of August, 2010.

19
20 
21 _____
22 City Clerk

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28 (Seal)





**Legislative Department
Office of City Clerk
Memorandum**

Date: August 27, 2010
To: Councilmembers
From: Emilia M. Sanchez, Council Clerk
Subject: Mayor's Return of Council Bill No. 116940, Unsigned

On August 26, 2010, the Mayor returned Council Bill No. 116940, relating to 2010 budget provisos on the development of a Seattle Transit Master Plan, to this office without his signature. This Bill was passed by the Transportation committee on August 10, 2010.

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. The effective date of this Ordinance is 30 days from the date it was returned, unless otherwise stated in the Bill.

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Legislative	Mike Fong/5-1675	N/A

Legislation Title: 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.

• **Summary of the Legislation:**

This legislation lifts 12 provisos put in place via Ordinance 123325 that restricted the Executive from implementing work associated with developing a Transit Master Plan (TMP). The legislation authorizes the Seattle Department of Transportation to proceed with phase one of the TMP project and spend up to \$300,000 for consulting services. The legislation also imposes a new proviso on spending by SDOT, limiting expenditures to \$300,000 for consulting services until Council takes further legislative action.

• **Background:**

In June, Council passed Ordinance 123325 imposing spending restrictions on SDOT related to planning and development of a TMP. Council enacted this legislation in order to provide the Executive and Council the opportunity to discuss and develop a more detailed scope of work and agree to a vision and set of goals for the TMP. Resolution 31238 reflects the agreed upon elements for proceeding. As a result, with this legislation, Council is authorizing phase one of the TMP project to begin. Upon reviewing the deliverables from phase one, Council will consider authorizing funding and allowing the Executive to advance to phase two.

 This legislation does not have any financial implications.

X **This legislation has financial implications.**

This legislation does not change SDOT appropriation authority. It lifts an existing proviso on funding that currently exists within SDOT's appropriations from the 2010 budget. The legislation imposes a new proviso by limiting expenditures for consulting services to \$300,000 for developing the TMP until additional funding is authorized by Council ordinance.





Michael McGinn
Mayor
City of Seattle

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CITY OF SEATTLE

2010 AUG 31 PM 2:02

CITY CLERK

August 31, 2010

The Honorable Tom Rasmussen
Seattle City Council
Seattle City Hall, Second Floor
CH-02-10

Dear Councilmember Rasmussen:

I am pleased that we have reached a partial agreement on the lifting of the Transit Master Plan proviso and I have signed into law Resolution 31238 which authorizes the City to move forward with this important planning process. However, I have decided to let Ordinance 116940, which places further provisos on the expenditure of funds, become law without my signature. Let me explain why.

I am concerned that the delay caused by the imposition of this proviso has made it hard to implement a 2011 ballot measure on light rail. With the partial lift of the proviso, we are now working hard to meet those deadlines; any further delays on the part of the council could make a 2011 ballot measure impossible.

I encourage you to move swiftly, both with the appointment of the advisory committee and then with the secondary review of progress and the full lifting of the remaining proviso. The advisory committee will need to be empanelled in September, before the council's review of the annual budget.

Throughout our discussion surrounding this proviso I believe that we could have reached an amicable agreement on scope. The use of a proviso in this instance has simply caused unnecessary delay and complexity.

As mentioned in my previous letter on this topic, I am optimistic that there is more than enough common ground for us to move forward together to develop a comprehensive, realistic and achievable plan that will set a sound vision for the future of transit in Seattle.

Sincerely,

Michael McGinn
Mayor

Copy: The Honorable Members of the Seattle City Council
Ben Noble, Director, Seattle Council Central Staff

MM/tk

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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.

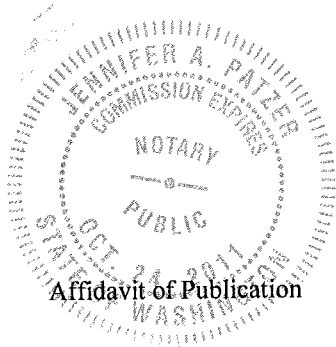
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

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)