

Ordinance No. 124279

Council Bill No. 117914

AN ORDINANCE authorizing the acceptance of a conditional gift of funds from the Mark and Susan Torrance Foundation and Rails to Trails Conservancy to be applied towards the purchase of automated bicycle and pedestrian counters, the installation of said counters, the posting of data collected by some of these counters on a public facing website, and expressing the City's gratitude for the gift, and ratifying and confirming prior acts.

Related Legislation File:

Date Introduced and Referred: <u>9.9.13</u>	To: (committee): <u>Transportation</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <u>9/16/13</u>	Date Presented to Mayor: <u>9/20/13</u>
Date Signed by Mayor: <u>9.25.13</u>	Date Returned to City Clerk: <u>9.26.13</u>
Published by Title Only <input checked="" type="checkbox"/>	Date Vetoed by Mayor:
Published in Full Text	
Date Veto Published:	Date Passed Over Veto:
Date Veto Sustained:	Date Returned Without Signature:

The City of Seattle – Legislative Department

Council Bill/Ordinance sponsored by: Tom Rasmussen

Committee Action:

Date	Recommendation	Vote
<u>9-10-13</u>	<u>PASS</u>	<u>TR BH 2-0</u>

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

Full Council Action:

Date	Decision	Vote
<u>Sept. 16, 2013</u>	<u>Passed</u>	<u>9-0</u>

Law Department

CITY OF SEATTLE
ORDINANCE 124279
COUNCIL BILL 117914

1 AN ORDINANCE authorizing the acceptance of a conditional gift of funds from the Mark and
2 Susan Torrance Foundation and Rails to Trails Conservancy to be applied towards the
3 purchase of automated bicycle and pedestrian counters, the installation of said counters,
4 the posting of data collected by some of these counters on a public facing website,
5 expressing the City's gratitude for the gift, and ratifying and confirming prior acts.

6
7
8 WHEREAS, the City of Seattle, through the Seattle Department of Transportation (SDOT),
9 currently conducts systematic quarterly spot counts of cyclists and pedestrians to monitor
10 their use of the City's transportation network; and

11 WHEREAS, SDOT seeks to extend the value of its systematic quarterly spot counts and other
12 spot counts of bicycles and pedestrians by collecting data using automated counters at
13 selected locations to be used to model monthly and annual volumes from spot count data;
14 and

15 WHEREAS, the Rails to Trails Conservancy has selected Seattle as one of twelve urban areas to
16 participate in its Trail Modeling and Assessment Platform (T-MAP) project that seeks to
17 collect usage data on multi-use trails nationwide and use this data to build predictive
18 demand models and assessment tools; and

19 WHEREAS, SDOT sees participation in the T-MAP project as having the potential to provide
20 tools and models directly useful to future transportation planning and prioritization for
21 non-motorized modes; and

22 WHEREAS, the Mark and Susan Torrance Foundation and Rails to Trails Conservancy wish to
23 make a leveraged gift of funds to be applied towards the purchase of automated counting
24 equipment for non-motorized modes, provide funds to be applied towards the installation
25 and operation of said equipment, and provide funds for the posting of data collected by
26 some of these counters on a public facing website; and

27 WHEREAS, SDOT has appropriated funds for counting pedestrians and bicycles in its current
28 budget; and

WHEREAS, while the City is open to accepting third party private donations to pay for
additional automated counting equipment contingent on the ability of the City to operate
and maintain such equipment; NOW, THEREFORE,



BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

1
2 Section 1. The Director of Transportation is authorized to accept, subject to the
3 conditions laid out in Sections 2 and 3 of this Ordinance, a gift of funds from the Mark and
4 Susan Torrance Foundation and Rails to Trails Conservancy in the amount of \$47,000 to be
5 applied by the SDOT towards the purchase of automated bicycle and pedestrian counting
6 equipment and the installation and operation of said equipment. The gifted funds shall be placed,
7 when received, in a deferred revenue/mitigation account under the administration of SDOT until
8 such time they are utilized for the purpose stated in this Ordinance.

9
10 Section 2. In accepting the gift noted in Section 1 of this Ordinance, the City of Seattle
11 agrees to install the following types of automated counters at the locations listed below. If any of
12 these locations are later determined to be unsuitable, the parties will identify a mutually
13 agreeable alternative course of action.

- 14 1. An autonomous battery-powered combined bicycle and pedestrian counter with
15 directional detection and cellular data transmission on the Elliott Bay Trail in or
16 near Myrtle Edwards Park
- 17 2. A bicycle counter and display with directional detection, cellular data
18 transmission, a public facing website displaying current and historic counts, and
19 real time illuminated display of daily and annual counts, and an autonomous
20 battery-powered pedestrian counter in a protective post with directional detection
21 and cellular data transmission on the Burke-Gilman Trail at 15th Ave NE
- 22 3. An autonomous battery-powered combined bicycle and pedestrian counter with
23 directional detection and cellular data transmission on the Mountains to Sound
24 Trail near the I-90 Bridge



- 1 4. An autonomous battery-powered bicycle counter with directional detection, and
2 cellular data transmission on the Broadway Cycle Track
- 3 5. An autonomous battery-powered bicycle counter with directional detection,
4 selective counting ability on shared roadways, and cellular data transmission on a
5 Neighborhood Greenway in Seattle
- 6 6. An autonomous battery-powered combined bicycle and pedestrian counter with
7 directional detection and cellular data transmission on the Chief Sealth Trail
- 8 7. An autonomous battery-powered combined bicycle and pedestrian counter with
9 directional detection and cellular data transmission on the Burke-Gilman Trail

10
11 Section 3. The City of Seattle agrees to share all data collected from the equipment listed
12 in Section 2 with the Trail Modeling and Assessment Platform (T-MAP) project for the duration
13 of that project.

14
15 Section 4. The Director of Transportation is authorized to purchase and install the
16 equipment listed in Section 2 of this Ordinance, and the City of Seattle shall own the counters,
17 website, and resulting data, and shall maintain these items as funds allow. SDOT will supply the
18 Mark and Susan Torrance Foundation and Rails to Trails Conservancy funders with copies of
19 invoices for the purchases of said equipment.

20
21 Section 5. On behalf of the citizens of The City of Seattle, the City hereby expresses its
22 gratitude to the Mark and Susan Torrance Foundation and Rails to Trails Conservancy for their
23 generous donations.



1 Section 6. Any act consistent with the authority of this ordinance taken after its passage
2 and prior to its effective date is hereby ratified and confirmed.

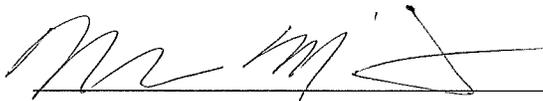
3 Section 7. This ordinance shall take effect and be in force 30 days after its approval by
4 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
5 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

6
7 Passed by the City Council the 16th day of September, 2013, and
8 signed by me in open session in authentication of its passage this
9 16th day of September, 2013.

10
11 

12 President _____ of the City Council

13
14 Approved by me this 25th day of September 2013.

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16 

17 Michael McGinn, Mayor

18
19 Filed by me this 26th day of September, 2013.

20
21 
22 for Monica Martinez Simmons, City Clerk

23 (Seal)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
SDOT	Craig Moore (4-5099)	Christie Parker (4-5211)

Legislation Title:

AN ORDINANCE authorizing the acceptance of a conditional gift of funds from the Mark and Susan Torrance Foundation and Rails to Trails Conservancy to be applied towards the purchase of automated bicycle and pedestrian counters, the installation of said counters, the posting of data collected by some of these counters on a public facing website, expressing the City's gratitude for the gift, and ratifying and confirming prior acts.

Summary of the Legislation:

The legislation authorizes the Seattle Department of Transportation (SDOT) to accept a conditional gift of funds from the Mark and Susan Torrance Foundation and Rails to Trails Conservancy to be applied towards the purchase of automated bicycle and pedestrian counters, the installation of said counters, and the posting of data collected by some of these counters on a public facing website.

Background:

The Mark and Susan Torrance Foundation, one of the donors of this gift, has previously gifted similar equipment to the City of Seattle, documented in ordinances 123956 and 124118.

Please check one of the following:

This legislation does not have any financial implications.

This legislation has financial implications.

Appropriations:

Fund Name and Number	Department	Budget Control Level	2013 Appropriation	2014 Anticipated Appropriation
Transportation Operating Fund (10310)	SDOT	17003 – Mobility Operations.	\$47,000	\$
TOTAL			\$47,000	\$

Appropriations Notes:

The gift requires SDOT fund the balance of the equipment purchase and installation costs. The



funds for this work were appropriated in the 2013 budget.

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Department	Revenue Source	2013 Revenue	2014 Revenue
Transportation Operating Fund (10310)	SDOT	Gift	\$47,000	0
TOTAL			\$47,000	0

Revenue/Reimbursement Notes:

A conditional gift of \$47,000 will be received from the Mark and Susan Torrance Foundation and Rails to Trails Conservancy. The gifted funds shall be placed, when received, in a deferred revenue/mitigation account under the administration of SDOT until such time they are utilized for the purpose stated in this Ordinance.

Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact: *None*

Position Title and Department	Position # for Existing Positions	Fund Name & #	PT/FT	2013 Positions	2013 FTE	2014 Positions	2014 FTE
TOTAL							

Spending/Cash Flow:

Fund Name & #	Department	Budget Control Level	2013 Expenditures	2014 Anticipated Expenditures
Transportation Operating Fund (10310)	SDOT	17003 – Mobility Operations	\$23,000	\$24,000
TOTAL			\$23,000	\$24,000

Spending/Cash Flow Notes:

All Equipment purchases and some installation costs will be incurred in 2013. The remainder of the installation costs will be incurred in 2014.

Other Implications:

- a) **Does the legislation have indirect financial implications, or long-term implications?**
 SDOT will be responsible for approximately \$500.00 in annual operating costs for the



life of the totem and approximately \$500.00 annually in maintenance costs for the other seven installations. This will be funded from the department's operating budget (Traffic Data and Records TG355450) and does not require new appropriation.

- b) What is the financial cost of not implementing the legislation?**
Not implementing the legislation would result in the loss of a gift with a total value of approximately \$47,000.
- c) Does this legislation affect any departments besides the originating department?**
No.
- d) What are the possible alternatives to the legislation that could achieve the same or similar objectives?** None.
- e) Is a public hearing required for this legislation?**
No.
- f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No.
- g) Does this legislation affect a piece of property?**
No.
- h) Other Issues:**

List attachments to the fiscal note below:
None





City of Seattle
Office of the Mayor

August 27, 2013

Honorable Sally J. Clark
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Clark:

I am pleased to transmit the attached proposed Council Bill that accepts a conditional gift of funds from the Mark and Susan Torrance Foundation and Rails to Trails Conservancy. The gift will be applied towards the purchase of automated bicycle and pedestrian counters, the installation of said counters and the posting of data collected by some of these counters on a public facing website. The ordinance also expresses the City's gratitude for the gift.

The Rails to Trails Conservancy (RTC) selected Seattle as one of twelve urban areas to participate in its Trail Modeling and Assessment Platform (T-MAP) project. The project's goal is to collect usage data on multi-use trails nationwide and use this data to build predictive demand models and assessment tools. As a part of the T-MAP project, RTC would like to make a gift of funds to be applied towards the purchase of data collection equipment. Participation in the T-MAP project has the potential to provide tools and models directly useful to future transportation planning and prioritization for non-motorized travel modes in the City of Seattle.

The Mark and Susan Torrance Foundation (MSTF) wishes to make a leveraged gift of funds towards the purchase, installation, and operation of automated counting equipment for non-motorized travel. The Seattle Department of Transportation (SDOT) has funds appropriated in its 2013 budget to bicycle and pedestrian counting and will use these funds to leverage the RTC and MSTF gifts.

The resulting bicycle and pedestrian counter installations will enhance SDOT's bicycle and pedestrian data program and supply data for valuable academic research into prediction and assessment tools for non-motorized modes of travel. Thank you for your consideration of this legislation. Should you have questions, please contact Kristen Simpson at (206) 684-5054.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

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STATE OF WASHINGTON -- KING COUNTY

--SS.

303313
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:124272-290 TITLE ONLY

was published on

10/09/13

The amount of the fee charged for the foregoing publication is the sum of \$321.75 which amount has been paid in full.



[Signature]
Subscribed and sworn to before me on
10/09/2013 *[Signature]*

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

City of Seattle

The full text of the following legislation, passed by the City Council on September 16, 2013, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>. Contact: Office of the City Clerk at (206) 684-8344.

ORDINANCE NO. 124272

AN ORDINANCE relating to land use and zoning; amending the Official Land Use Map to rezone properties located at 525 Northeast Northgate Way from Neighborhood Commercial 3 with a 66 foot height limit (NC3-65) to NC3 with an 85 foot height limit (NC3-85) and accepting a Property Use and Development Agreement in connection with the rezone.

ORDINANCE NO. 124273

AN ORDINANCE relating to the Seattle Building Code, amending Chapter 22.100.010 of the Seattle Municipal Code, and adopting by reference Chapters 2 through 29, Chapters 31 through 33 and Chapter 35 of the 2012 International Building Code, and amending certain of those chapters; adopting a new Chapter 1 related to administration, permitting and enforcement; adopting a new Chapter 30 related to elevators and conveying systems, and repealing Sections 2-33 of Ordinance 123384.

ORDINANCE NO. 124274

AN ORDINANCE relating to the Seattle Plumbing Code, repealing Section 22.500.010 of the Seattle Municipal Code, amending Section 22.502.016 of the Seattle Municipal Code; and adopting by reference Chapter 51-56 of the Washington Administrative Code, and amending certain of those chapters; adopting a new Chapter 1 related to administration, permitting and enforcement; and repealing Sections 2-46 of Ordinance 119774.

ORDINANCE NO. 124275

AN ORDINANCE relating to the Seattle Mechanical Code, amending Chapter 22.400.010 of the Seattle Municipal Code, and adopting by reference Chapters 2 through 9, and Chapters 11 through 15 of the 2012 International Mechanical Code, and amending certain of those chapters; adopting a new Chapter 1 related to administration, permitting and enforcement; and repealing Sections 2-13 of Ordinance 123380.

ORDINANCE NO. 124276

AN ORDINANCE relating to the Seattle Fuel Gas Code amending Section 22.420.010 and adopting by reference Chapters 2 through 8 of the 2012 International Fuel Gas Code, and amending certain of those chapters; adopting a new Chapter 1 for the Seattle Fuel Gas Code related to administration, permitting and enforcement; and repealing Sections 2-7 of Ordinance 123381.

ORDINANCE NO. 124277

AN ORDINANCE accepting for general street purposes 13 deeds and one correction deed conveyed to the City of Seattle by the Central Puget Sound Regional Transit Authority ("Sound Transit") in connection with the Central Link Light Rail Transit Project as agreed to in a Property Acquisition and Transfer Procedures Agreement between the City of Seattle and Sound Transit, dated August 12, 2003 ("Property Transfer

Agreement"); laying off, opening, widening, extending, and establishing portions of the rights-of-way located on Martin Luther King Jr. Way South between South Holly Street and South Othello Street; placing the real property conveyed by the deeds under the jurisdiction of the Seattle Department of Transportation; and ratifying and confirming certain prior acts.

ORDINANCE NO. 124278

AN ORDINANCE vacating the south 240 feet of the alley adjacent to Lots 4-11 in Block 33, D.T. Denny's Home Addition to the City of Seattle, on the petition of the Burkheimer Family Limited Liability Company, a Washington limited liability company, and accepting a Property Use and Development Agreement as reflected in Clerk File 309868.

State of Washington, King County

ORDINANCE NO. 124279

AN ORDINANCE authorizing the acceptance of a conditional gift of funds from the Mark and Susan Torrance Foundation and Rails to Trails Conservancy to be applied towards the purchase of automated bicycle and pedestrian counters, the installation of said counters, the posting of data collected by some of these counters on a public facing website, expressing the City's gratitude for the gift, and ratifying and confirming prior acts.

ORDINANCE NO. 124280

AN ORDINANCE relating to the City Light Department; authorizing the General Manager and Chief Executive Officer to execute an amendment to an agreement with the Sacramento Municipal Utility District.

ORDINANCE NO. 124281

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

ORDINANCE NO. 124282

AN ORDINANCE relating to the Seattle Residential Code, amending Section 22.150.010, and adopting by reference Chapters 2 through 10, 12 through 24, Section P2904, 44, and Appendices F and G of the 2012 International Residential Code, and amending certain of those chapters; adopting a new Chapter 1 related to administration, permitting and enforcement; and repealing Sections 2-18 of Ordinance 123383.

ORDINANCE NO. 124283

AN ORDINANCE relating to the Seattle Existing Building Code, amending Chapter 22.110 of the Seattle Municipal Code and adopting by reference Chapters 2 through 5, 7 through 11, 13 through 16, A1, and A3 through A6 of the 2012 International Existing Building Code; amending certain of those chapters, and adopting a new Chapter 1 related to administration, permitting and enforcement; and repealing Sections 2-12 of Ordinance 123379.

ORDINANCE NO. 124284

An Ordinance relating to the Seattle Energy Code, amending Section 22.700.010 of the Seattle Municipal Code; and adopting by reference Chapters 51-11C and 51-11R of the Washington Administrative Code, and amending certain of those chapters; and repealing Sections 2-18 of Ordinance 123430.

ORDINANCE NO. 124285

AN ORDINANCE related to establishing a Local Infrastructure Project Area for Downtown and South Lake Union; authorizing the Mayor to execute an interlocal agreement with King County.

ORDINANCE NO. 124286

AN ORDINANCE accepting an allocation of transferrable development rights and adopting an infrastructure funding plan to support the creation of a Landscape Conservation and Local Infrastructure Program.

ORDINANCE NO. 124287

AN ORDINANCE creating a Local Infrastructure Project Area and amending Sections 23.48.011, 23.49.011, and 23.58A.044 of the Seattle Municipal Code to implement a Landscape Conservation and Local Infrastructure Program.

ORDINANCE NO. 124288

AN ORDINANCE relating to the Seattle Fire Code, adopting as the Seattle Fire Code the 2012 edition of the International Fire Code with some exceptions, amending and adding various provisions to that code; amending Section 22.600.020 of the Seattle Municipal Code; and repealing Sections 2-44 of Ordinance 123393.

ORDINANCE NO. 124289

AN ORDINANCE related to the Central Puget Sound Regional Transit Authority ("Sound Transit") authorizing the Director of the Seattle Department of Transportation to execute an amendment to the Agreement between the City of Seattle and Sound Transit for Grant of Non-Exclusive Use of a Light Rail Transit Way as related to the Central Link Light Rail Transit Project to reflect the approved alignment for the Link Light Rail Transit Project, including the revised Northgate Link Extension and portion of the East Link segment located within the City of Seattle.

ORDINANCE NO. 124290

AN ORDINANCE relating to grant funds from non-City sources; authorizing the Director of Transportation (Director) to accept specified grants and execute related agreements for and on behalf of the City; changing appropriations in the 2013 Adopted Budget for the Seattle Department of Transportation (SDOT); adding a new project; revising allocations for certain projects in the 2013-2018 CIP; and ratifying and confirming certain prior acts.

Date of publication in the Seattle Daily Journal of Commerce, October 9, 2013.

10/9(303813)