

Ordinance No. 122298

Council Bill No. 115772

AN ORDINANCE adopting a budget, including a capital improvement program and position modifications, for the City of Seattle for fiscal year 2007.

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

Date Introduced:	<u>10/30/06</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>11.22.06</u>	
Date Returned to City Clerk:	Date Published: <u>8 pas</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: McL...  
Councilmember

## Committee Action:

11/14/06 PASS 8-0 SC, RC, JD, JG, DL, RM, TR, PS

11-20-06 Passed 9-0

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

Law Dept. Review

OMP Review

City Clerk Review

Electronic Copy Loaded

Indexed CW

ORDINANCE 122298

AN ORDINANCE adopting a budget, including a capital improvement program and position modifications, for the City of Seattle for fiscal year 2007.

WHEREAS, by Resolution 24964, the City Council adopted the concept of implementing the City's Capital Improvement Program through appropriations in budgets adopted annually to the greatest extent feasible; and

WHEREAS, the City's 2007-2012 Capital Improvement Program, in conjunction with the Capital Facilities, Utility and Transportation Elements of the Comprehensive Plan, is in accordance with the State Growth Management Act; and

WHEREAS, the Mayor has submitted a list of proposed position modifications as part of the "2007-2008 Proposed Budget" that has been filed in C.F. 308279; and

WHEREAS, the "2007-2008 Proposed Budget" includes certain appropriations for capital programs, and a "2007-2012 Proposed Capital Improvement Program" that has been filed in C.F. 308280; NOW, THEREFORE,

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

Section 1. (a) As contemplated by RCW Chapter 35.32A, the appropriations shown in the 2007 proposed budget submitted by the Mayor, filed as part of the "2007-2008 Proposed Budget" in Clerk File ("C.F.") 308279, as modified by the recommendations of the Budget Committee of the City Council as set forth in C.F. 308281 and adopted by the City Council on November 20, 2006, are hereby adopted as the appropriations for the City's Annual Budget. In case of conflicting modifications, the one of later date shall control.

(b) . The budget provisos set forth in C.F. 308281 are effective as restrictions on the purposes for which certain portions of appropriations are made. Use of any amount of these restricted portions of appropriations for any other purpose than that stated, or for any



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 2007-2012 proposed Capital Improvement Program ("CIP") submitted by  
5 the Mayor, filed as the "2007-2012 Proposed Capital Improvement Program" in C.F. 308280, as  
6 modified by the recommendations of the Budget Committee of the City Council as set forth in  
7 C.F. 308281 and adopted by the City Council on November 20, 2006, 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.  
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12 Section 3. (a) The officer and employee position modifications listed on pages 691  
13 through 698 of the 2007-2008 Proposed Budget in C.F. 308279, as modified by the  
14 recommendations of the Budget Committee of the City Council set forth in C.F. 308281 and  
15 adopted by the City Council on November 20, 2006, are effective January 1, 2007, or thereafter if  
16 otherwise provided.  
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18  
19 (b) The City anticipates that modifications to the position list that was  
20 effective as of January 1, 2006, resulting from (i) Subsection 3(a) of this ordinance, (ii) the  
21 reclassifications of regular positions made by the Personnel Director from January 1, 2006,  
22 through December 31, 2006, and (iii) the creation, modification, or abrogation of regular  
23 positions by ordinances passed from January 1, 2006, through December 31, 2006, will be  
24 reflected in a proposed list of the City's regular positions for each department or office as of  
25



1 January 1, 2007, that will be compiled by the Personnel Department and submitted to the City  
2 Council for possible action in early 2007.

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 2007 Adopted Budget  
7 for a budget control level that fairly encompasses a program or project assigned a project  
8 identification number in the 2007-2012 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 2007-2012 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 2007-2012  
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.  
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1 (b) None of the appropriations in the 2007 Adopted Budget can be spent on  
2 capital projects or programs, including, but not necessarily limited to, the planning, acquisition,  
3 construction, reconstruction, repair, replacement, rehabilitation, or improvement of streets, roads,  
4 highways, sidewalks, street and road lighting systems, traffic signals, bridges, domestic water  
5 systems, storm and sanitary sewer systems, parks, recreational facilities, law enforcement  
6 facilities, fire protection facilities, trails, libraries, administrative and/or judicial facilities, river  
7 and/or waterway flood control projects, and power transmission and generation facilities, unless  
8 said projects or programs are specifically identified and assigned a project identification number  
9 in the 2007-2012 Adopted CIP, or are added to the 2007-2012 Adopted CIP by a future  
10 amending ordinance.  
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13 (c) Of the appropriations in the 2007 Adopted Budget for Seattle Public Utilities  
14 and Seattle City Light, expenditure on any project or program identified and assigned a project  
15 identification number in the 2007-2012 Adopted CIP shall not exceed by more than \$1,000,000  
16 the total dollar amount shown as Appropriations Total in the 2007 column for that project or  
17 program in the 2007-2012 Adopted CIP as that CIP may be amended by ordinance from time to  
18 time, without future Council authorization by ordinance. Of the appropriations in the 2007  
19 Adopted Budget for the Seattle Department of Transportation, expenditure on any project or  
20 program identified and assigned a project identification number in the 2007-2012 Adopted CIP  
21 shall not exceed by more than \$1,000,000 the larger of the amount shown as Appropriations  
22 Total or the amount, if any, shown as Spending Plan in the 2007 column for that project or  
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1 program in the 2007-2012 Adopted CIP as that CIP may be amended by ordinance from time to  
2 time, without future Council authorization by ordinance.

3 (d) Moneys appropriated from funds, subfunds, accounts, and subaccounts in  
4 which are deposited the proceeds derived from the issuance of bonded obligations, shall be  
5 expended only in accordance with the terms, conditions, and restrictions of ordinances  
6 authorizing such obligations and establishing the respective funds.  
7

8 (e) Moneys appropriated from funds, subfunds, accounts, and subaccounts in  
9 which are deposited the proceeds of grants, financial assistance from the State of Washington or  
10 other governmental agencies, or gifts, bequests or devises to the City for specific purposes shall  
11 be expended only in accordance with applicable terms, conditions, restrictions and City  
12 ordinances.  
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14 (f) The 2007-2012 Adopted CIP is part of the 2007 Adopted Budget and  
15 identifies, among other projects, those capital projects funded wholly or in part from the proceeds  
16 of the taxes authorized in RCW 82.46.010 and/or RCW 82.46.035, and/or from the proceeds of  
17 bonds, for the repayment of which tax revenues under RCW 82.46.010 have been pledged. Such  
18 taxes are intended to be in addition to other funds that may be reasonably available for such  
19 capital projects.  
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21 (g) The portions of the 2007-2012 Adopted CIP pertaining to the City Light  
22 Department and Seattle Public Utilities, as those portions of the 2007-2012 Adopted CIP may be  
23 amended from time to time, are adopted as systems or plans of additions to, and betterments and  
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1 extensions of, the facilities, physical plants, or systems of the City Light Department and Seattle  
2 Public Utilities, respectively.

3 (h) The City's Director of Finance and Director of Executive Administration are  
4 authorized to draw and pay the necessary warrants or checks and to make any necessary transfers  
5 among funds and accounts.  
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7 (i) Except as limited by this Section or by Subsection 1(b) above, the funds  
8 appropriated in the 2007 Adopted Budget shall be subject to transfer for use with other projects  
9 as provided in SMC Chapter 5.08.  
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12 Section 5. The Mayor or, at the Mayor's request, the head of the department that is  
13 designated to carry out a project for and on behalf of The City of Seattle, is hereby authorized to  
14 submit such applications as may be deemed appropriate to the United States of America, or any  
15 of its departments, and the State of Washington, or any of its departments, for financial  
16 assistance in carrying out the authorized projects included in the 2007-2012 Adopted CIP; to  
17 make for and on behalf of the City all such assurances, promises, representations, and consent to  
18 suit, and/or covenants to comply with any applicable regulations of the United States relating to  
19 implementation of such projects and activities; to act in connection with such applications as the  
20 authorized representative of the City; to provide such additional information as may be required;  
21 and to prepare plans for implementation of such terms and conditions as may accompany such  
22 grants, provided the submission of such application shall not result in the making of a contract, in  
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1 incurring of any indebtedness, or in the acceptance of moneys imposing any duties or obligations  
2 upon the City except as shall be provided by this or other ordinance authorizing the same.

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4 Section 6. (a) The Director of Transportation, the Superintendent of Parks and  
5 Recreation, the Director of the Office of Arts and Cultural Affairs, the Director of Finance, the  
6 Superintendent of City Light, the Director of Seattle Public Utilities, the Director of the Fleets  
7 and Facilities Department, the Director of Executive Administration, the Librarian, the Chief  
8 Technology Officer, and the Director of the Seattle Center Department are authorized to  
9 negotiate for and enter into non-public works contracts, within their appropriation authority, to  
10 obtain property and services authorized in Section 4 to carry out those capital projects and  
11 programs included in the 2007-2012 Adopted CIP and assigned to their respective departments,  
12 commissions or offices.

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15 (b) The Board of Trustees of the Seattle Public Library is authorized, within its  
16 appropriation authority and consistent with Ordinances 119019, 119185, and 119378, to carry out  
17 the projects of the Libraries for All component of the Seattle Public Library 2007-2012 Adopted  
18 CIP. In so doing, the Board of Trustees is authorized to lease real property and enter into  
19 contracts with regard thereto.  
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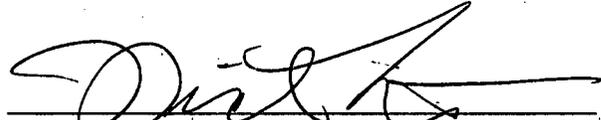
22  
23 Section 7. Preparation of plans and specifications, the execution of other contracts, and  
24 expenditures made or authorized consistent with the authority and prior to the effective date of  
25 this ordinance are hereby ratified and confirmed.  
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Section 8. 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 20<sup>th</sup> day of November, 2006, and signed by me in open session in authentication of its passage this 20<sup>th</sup> day of November, 2006.

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

Approved by me this 20<sup>th</sup> day of November, 2006.

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

Filed by me this 20<sup>th</sup> day of November, 2006.

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

(Seal)





# City of Seattle

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Gregory J. Nickels, Mayor

## Office of the Mayor

October 19, 2006

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

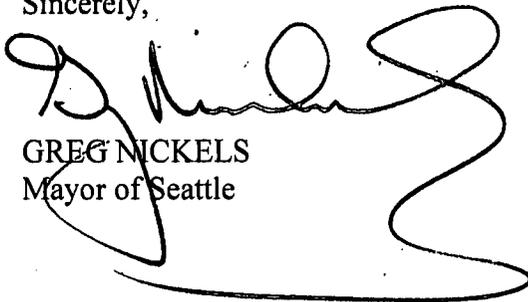
Dear Council President Licata:

I am pleased to transmit the attached Council Bill adopting the City of Seattle's 2007 Budget, which includes proposed position modifications and Seattle's Capital Improvement Program.

While the 2007 Budget is submitted during a period of strong regional economic growth, there are several looming issues that could significantly affect the City's finances during the biennium. Thus, the Proposed Budget focuses resources on a combination of one-time investments and ongoing enhancements that support my priorities of getting Seattle moving, keeping our neighborhoods safe, creating jobs and opportunity for all, and building strong families and healthy communities.

I would like to take this opportunity to thank you and all members of the Seattle City Council for your help in producing a responsible budget, and look forward to working together on the many challenges that lie ahead. Should you have any questions, please contact Dwight Dively at 684-5212.

Sincerely,



GREG NICKELS  
Mayor of Seattle

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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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**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>DOF Analyst/Phone:</b>
Finance	Karen Grove/684-5805	Karen Grove/684-5805

**Legislation Title:**

AN ORDINANCE adopting a budget, including a capital improvement program and position modifications, for the City of Seattle for fiscal year 2007.

• **Summary of the Legislation:**

This ordinance adopts the Mayor's Proposed 2007 Budget, which includes a capital improvement program, and position modifications for fiscal year 2007.

- **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 held one public hearing on October 11, 2006 and will hold a second hearing on October 30, 2006.

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

None.

STATE OF WASHINGTON - KING COUNTY

--SS.

205028  
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:122298-122303

was published on

12/04/06

The amount of the fee charged for the foregoing publication is the sum of \$ 82.80, which amount has been paid in full.

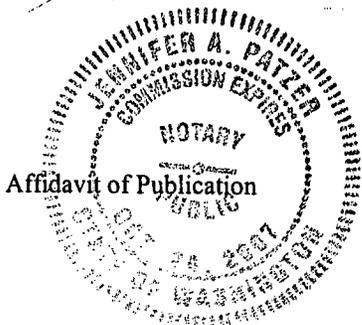
*[Handwritten signature]*

Subscribed and sworn to before me on

12/04/06

*[Handwritten signature]*

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 November 20, 2006, and published here by title only, will be mailed upon request, or can be accessed electronically at <http://clerk.ci.seattle.wa.us>. For further information, contact the Seattle City Clerk at 694-9344.

**ORDINANCE NO. 122303**

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

**ORDINANCE NO. 122302**

AN ORDINANCE authorizing, in 2006, acceptance of funding from non-City sources, authorizing the heads of the Department of Parks and Recreation, the Human Services Department, the Office for Civil Rights, the Seattle Department of Transportation, the Seattle Fire Department, the Municipal Court, the Seattle Police Department, the Seattle Public Library and Seattle Public Utilities to accept specified grants and private funding and to execute, deliver and perform corresponding agreements.

**ORDINANCE NO. 122301**

AN ORDINANCE amending the 2006 Adopted Budget, including the 2006-2011 Capital Improvement Program (CIP) and the Position List, changing appropriations to various departments and budget control levels, and from various funds in the Budget, and creating and abrogating positions, all by a three-fourths vote of the City Council.

**ORDINANCE NO. 122300**

AN ORDINANCE relating to an agreement between the City Light Department and the Fleets and Facilities Department for use, maintenance and habitat creation, restoration and enhancement of real property on the Duwamish River, authorizing the agreement, and imposing a restrictive covenant against the real property.

**ORDINANCE NO. 122299**

AN ORDINANCE regarding a Settlement Agreement between the City of Seattle and the United States Army Corps of Engineers for Clean Water Act permitting for the Joint Training Facility at 9401 Myers Way South in Seattle, authorizing execution and implementation of an agreement and imposing a restrictive covenant against the real property.

**ORDINANCE NO. 122298**

AN ORDINANCE adopting a budget, including a capital improvement program and position modifications, for the City of Seattle for fiscal year 2007.

Publication ordered by JUDITH PIPPIN, City Clerk.

Date of publication in the Seattle Daily Journal of Commerce, December 4, 2006.

12/4(206028)