

RESOLUTION No. 30805

A RESOLUTION regarding the future of the Seattle monorail Green Line.

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Law Department

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RESOLUTION 30805

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3 A RESOLUTION regarding the future of the Seattle monorail Green Line.

4 WHEREAS, in 2002, the Seattle Popular Monorail Authority (SPMA) was established by voters
5 in Seattle to plan, finance, build, acquire, complete, operate, charge for, and maintain an
6 approximately 14-mile-long monorail transit line as set forth in the Seattle Popular
7 Monorail Plan (Green Line), to be funded by motor vehicle excise taxes collected from
8 Seattle residents; and

9 WHEREAS, the SPMA and the City of Seattle share the goal of developing an efficient,
10 integrated, cost-effective public transit system that can serve the citizens of Seattle and
11 the broader region; and

12 WHEREAS, the SMPA is a separate governmental entity that is independent of the City of
13 Seattle; and

14 WHEREAS, SPMA staff negotiated a proposed contract with the sole bidder on the Green Line
15 project, and in June 2005 publicly announced the contract and a financing plan to go with
16 it; and

17 WHEREAS, the financing plan recommended by SPMA staff differed significantly from what
18 was represented to voters in Seattle when they approved creation of the SPMA and
19 funding for the Green Line; and

20 WHEREAS, the projected tax revenues for the SPMA are significantly less than anticipated
21 when voters in Seattle approved creation of the SPMA and funding for the Green Line;
22 and

23 WHEREAS, on June 30, 2005, the SPMA Board rejected the SPMA staff-recommended
24 financing plan; and

25 WHEREAS, since the financing plan was rejected the SPMA staff has not provided an
26 alternative financing or construction plan to the SPMA Board, the City of Seattle, or the
27 citizens of Seattle; and

28 WHEREAS, the Green Line cannot as a practical matter be built without using City-owned
property, including City streets and other rights-of-way; and

1 WHEREAS, the City of Seattle has the authority to stop the SPMA from using City streets and
2 other property for the Green Line, because state law (RCW 35.95A.050(1)) prevents the
SPMA from using City-owned property without the City's consent; and

3 WHEREAS, in Ordinance 121517 the City stated that its consent for the SPMA to use City
4 streets and other rights of way would not be deemed complete until the City Council
5 votes by resolution to allow City departments to issue project construction permits to the
SPMA for the Green Line; and

6 WHEREAS, in Ordinance 121466 the City established Monorail Design Guidelines that called
7 for excellence in design in the development of the Green Line; and

8 WHEREAS, in Resolution 30629, the City Council expressed its intent to require substantial
9 evidence that the entire Green Line is capable of being constructed within the budget
available to the SPMA; and

10 WHEREAS, in Resolution 30693 the City Council expressed its intent to hire independent
11 consultants with professional experience in public transportation funding and bond
12 markets to assist the City Council in determining whether to allow issuance of project
13 construction permits for the Green Line, including having the consultants assess the
SPMA's proposed financing plan; and

14 WHEREAS, without the report of the independent consultants, the City Council cannot and has
15 not voted by resolution to give final City consent to the use of streets and other rights of
way for the Green Line; and

16 WHEREAS, on September 16th the Mayor recommended that the City Council place an advisory
17 ballot measure regarding continued City support for the Green Line on the November 8,
18 2005 general election ballot, if the SPMA does not act first to place before the voters a
19 measure to provide additional funding or substantially reduce the scope of the Green
Line, NOW, THEREFORE,

20 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE THAT:**

21 Section 1. An advisory ballot measure with regard to continued City support for the
22 Green Line project would not serve the City's interest at this time. Such a ballot would not
23 resolve the uncertainty surrounding the future of the SPMA. An advisory vote in support of the
24 Green Line would not address the funding shortfall that now confronts the project. An advisory
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1 vote against the Green Line would not necessarily lead to the termination of the project or the
2 dissolution of the SPMA.

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4 Section 2. Evidence to date shows that the existing voter-approved authority for a 1.4%
5 motor vehicle excise tax does not provide the SPMA with sufficient tax revenues to finance the
6 full, 14-mile-long Green Line in a prudent and responsible manner. It is therefore incumbent
7 upon the SPMA to present the voters of Seattle with a ballot measure that will require the voters
8 to either: (i) increase the SPMA's tax revenues and/or reduce the project's scope and cost; or (ii)
9 terminate the project. The SPMA must act expeditiously to put such a measure before voters in
10 Seattle or risk having the State Legislature take direct action to dissolve the SPMA or to
11 otherwise intervene. This is a matter that should be resolved directly by voters in Seattle.
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15 Section 3. The City Council will not take any of the additional legislative actions needed
16 to allow construction of the Green Line project unless and until:

- 17
- 18 a) The SPMA provides a credible commitment to the City, in the form of a SPMA
19 Board-approved resolution, that it will put a measure on the ballot in the form
20 described in Section 2 on which voters in Seattle may vote on or before February 7,
21 2006. The SPMA must make this commitment before October 13, 2005; and
 - 22 b) The City Council is provided sufficient time before a vote on this measure to
23 complete a thorough, independent assessment of the SPMA's final, detailed financing
24 plan for the revised Green Line for which the SPMA will be seeking voter approval.
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1 The City Council has the sole discretion to determine how much time is needed for
2 this assessment; and

3 c) The City Council determines that the SPMA's financing plan is both feasible and
4 prudent; and

5 d) The City Council is satisfied that the Green Line will achieve the goal of excellence in
6 design, in accordance with Ordinance 121466; and

7 e) The City Council has concluded that any proposal for phased construction or a
8 truncated Green Line will, at its initial opening, provide the City with a cost-effective
9 transit line with sufficient capacity and scope to serve as an integrated component of
10 the region's transportation system, in the event that later phases cannot be completed.
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Section 4. If the SMPA has not acted by December 23, 2005 to place a ballot measure in the form described in Section 2 before the voters, the City Council will seek the dissolution of the SMPA by all means available, including but not limited to a direct appeal to the State Legislature.

Adopted by the City Council the ____ day of _____, 2005, and signed by me in open session in authentication of its adoption this ____ day of _____, 2005.

President _____ of the City Council

Filed by me this ____ day of _____, 2005.

City Clerk

(Seal)