



SEATTLE CITY COUNCIL

Legislative Summary

CB 118895

Record No.: CB 118895

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125250

In Control: City Clerk

File Created: 12/08/2016

Final Action: 02/02/2017

Title: AN ORDINANCE relating to Seattle Public Utilities; harmonizing the City Position List and the Seattle Municipal Code; amending Sections 3.32.010, 3.32.020 and 3.32.030 of the Seattle Municipal Code, and adding a new Section 3.32.011 to the Seattle Municipal Code.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Herbold

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: adam.schaefer@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	12/13/2016	Mayor's leg transmitted to Council	City Clerk			
	Action Text: The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk						
	Notes:						
1	City Clerk	12/13/2016	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
	Notes:						
1	Council President's Office	12/15/2016	sent for review	Civil Rights, Utilities, Economic Development, and Arts Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Civil Rights, Utilities, Economic Development, and Arts Committee						
	Notes:						

- 1 Full Council 01/17/2017 referred Civil Rights,
Utilities, Economic
Development, and
Arts Committee
- Action Text:** The Council Bill (CB) was referred. to the Civil Rights, Utilities, Economic Development, and Arts Committee
- Notes:**
- 1 Civil Rights, Utilities, 01/24/2017 pass Pass
Economic Development,
and Arts Committee
- Action Text:** The Committee recommends that Full Council pass the Council Bill (CB).
- In Favor: 1 Chair Herbold
- Opposed: 0
- 1 Full Council 01/30/2017 passed Pass
- Action Text:** The Council Bill (CB) was passed by the following vote, and the President signed the Bill:
- Notes:**
- In Favor: 8 Councilmember Burgess, Councilmember González , Council President Harrell, Councilmember Herbold, Councilmember Johnson, Councilmember Juarez, Councilmember O'Brien, Councilmember Sawant
- Opposed: 0
- Absent(NV): 1 Councilmember Bagshaw
- 1 City Clerk 02/01/2017 submitted for Mayor
Mayor's signature
- 1 Mayor 02/02/2017 Signed
- 1 Mayor 02/02/2017 returned City Clerk
- 1 City Clerk 02/02/2017 attested by City Clerk
- Action Text:** The Ordinance (Ord) was attested by City Clerk.
- Notes:**
-

CITY OF SEATTLE

ORDINANCE

125250

COUNCIL BILL

118895

AN ORDINANCE relating to Seattle Public Utilities; harmonizing the City Position List and the Seattle Municipal Code; amending Sections 3.32.010, 3.32.020 and 3.32.030 of the Seattle Municipal Code, and adding a new Section 3.32.011 to the Seattle Municipal Code.

WHEREAS, Ordinance 125164 created a compensation program for Seattle Public Utilities General Manager/Chief Executive Officer; and

WHEREAS, the Seattle Municipal Code currently refers to the Director of Seattle Public Utilities; and

WHEREAS, harmony between the Seattle Municipal Code and City Position List should be attained when possible; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 3.32.010 of the Seattle Municipal Code, last amended by Ordinance 118396, is amended as follows:

3.32.010 Seattle Public Utilities— ~~((Director.))~~ General Manager and Chief Executive Officer

A. There shall be the Seattle Public Utilities consisting of the municipal water system, the solid waste, drainage and wastewater, engineering services, and related executive management functions, and the customer service call center and construction engineering functions formerly within the City Light Department, the head of which shall be the ~~((Director))~~ General Manager and Chief Executive Officer of Seattle Public Utilities.

1 B. The ~~((Director))~~ General Manager and Chief Executive Officer of Seattle Public
2 Utilities shall be appointed by the Mayor and confirmed by a majority of the City Council, and
3 shall serve for a four ~~((4))~~ year term.

4 Section 2. Section 3.32.020 of the Seattle Municipal Code, last amended by Ordinance
5 118396, is amended as follows:

6 **3.32.020 Adoption of rules ~~((r))~~**

7 Pursuant to ~~((the Administrative Code (Ordinance 102228)))~~ Chapter 3.02, the ~~((Director))~~
8 General Manager and Chief Executive Officer of Seattle Public Utilities may adopt whatever
9 rule ~~((he or she deems))~~ deemed useful for the conduct of the Seattle Public Utilities business.

10 Section 3. Section 3.32.030 of the Seattle Municipal Code, last amended by Ordinance
11 118396, is amended as follows:

12 **3.32.030 ~~((Director's))~~ General Manager and Chief Executive Officer's duties ~~((r))~~**

13 Under the direction of the Mayor, the functions of the ~~((Director))~~ General Manager and Chief
14 Executive Officer of Seattle Public Utilities include:

15 A. Operating, maintaining, managing, and controlling the municipal water system and
16 related facilities;

17 B. Managing, controlling, operating, and maintaining the municipal sewerage utility
18 system;

19 C. Managing, controlling, operating, and maintaining the municipal solid waste utility
20 and resource recovery programs and projects;

21 D. Maintaining a repository of City survey, graphic, climatic, soils, and engineering
22 records; of City activities and contracts affecting drainage and the City's rights and duties with
23 respect to stream flows and riparian rights within the City;

1 E. Managing, controlling, and operating a central customer service call center for the
2 City's utility operations;

3 F. Enforcing and implementing City ordinances, contracts, and rules which relate to the
4 Seattle Public Utilities;

5 G. Appointing, supervising, and controlling officers and employees of the Seattle Public
6 Utilities, subject to personnel ordinances and rules of the City;

7 H. Making surveys, maps, profiles, plans, specifications, estimates, and reports in
8 connection with the Seattle Public Utilities;

9 I. Laying out, directing, constructing, and supervising all public works of the Seattle
10 Public Utilities, and providing engineering and construction engineering services to other City
11 departments as requested by those departments;

12 J. Performing other duties as assigned by the City.

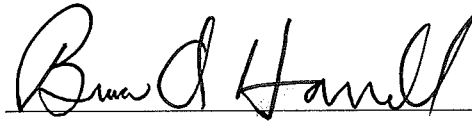
13 Section 4. A new Section 3.32.011 is added to the Seattle Municipal Code as follows:

14 **3.32.011 Director of Seattle Public Utilities and General Manager and Chief Executive**
15 **Officer of Seattle Public Utilities**

16 All references in the Seattle Municipal Code, City of Seattle ordinances and resolutions, and
17 other documents to the Director of Seattle Public Utilities shall be construed to refer to the
18 General Manager and Chief Executive Officer of Seattle Public Utilities.

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

Passed by the City Council the 30th day of January, 2017,
and signed by me in open session in authentication of its passage this 30th day of
January, 2017.



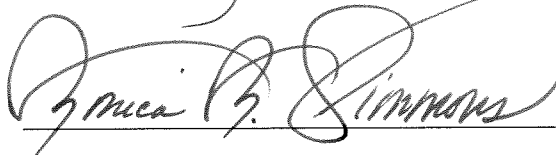
President _____ of the City Council

Approved by me this 2nd day of February, 2017.



Edward B. Murray, Mayor

Filed by me this 2nd day of February, 2017.



Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Contact Person/Phone:	Executive Contact/Phone:
City Budget Office	Adam Schaefer / 4-8358	Ben Noble / 4-8160

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to Seattle Public Utilities; amending Sections 3.32.010, 3.32.020 and 3.32.030 of the Seattle Municipal Code, and adding a new Section 3.32.011 to the Seattle Municipal Code.

Summary and background of the Legislation: This legislation harmonizes the Seattle Municipal Code with the City's adopted Position List.

Council passed Ordinance 125164 in October 2016, establishing a pay band for the General Manager and Chief Executive Officer of Public Utilities, and changing the position title for that position from Executive 4 to General Manager/Chief Executive Officer.

It was the Executive's intent to change the position title throughout the City's nomenclature, but necessary amendments to the Seattle Municipal Code (SMC) were not made at that time. This legislation makes those changes to SMC Chapter 3.32 and adds a section that points all references to "Director of Seattle Public Utilities" to "General Manager and Chief Executive Officer of Seattle Public Utilities."

2. CAPITAL IMPROVEMENT PROGRAM

 This legislation creates, funds, or amends a CIP Project.

3. SUMMARY OF FINANCIAL IMPLICATIONS

 X This legislation does not amend the Adopted Budget.

4. OTHER IMPLICATIONS

- a) **Does the legislation have indirect or long-term financial impacts to the City of Seattle that are not reflected in the above?**
No.
- b) **Is there financial cost or other impacts of not implementing the legislation?**
Having two different titles in official City documents for the same position may cause confusion.
- c) **Does this legislation affect any departments besides the originating department?**
Seattle Public Utilities.

- d) Is a public hearing required for this legislation?**
No.
- e) Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?**
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) Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?**
None.
- i) If this legislation includes a new initiative or a major programmatic expansion: What are the long-term and measurable goals of the program? Please describe how this legislation would help achieve the program's desired goals.**
Not applicable.
- j) Other Issues:**

List attachments/exhibits below:

STATE OF WASHINGTON -- KING COUNTY

--SS.

346287

No. 125249,20,51,52,53,54,55

CITY OF SEATTLE, CLERKS OFFICE

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.

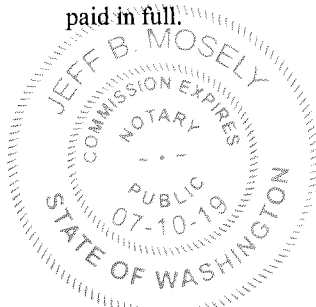
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:TITLE ONLY ORDINANCE

was published on

02/14/17

The amount of the fee charged for the foregoing publication is the sum of \$208.65 which amount has been paid in full.



A handwritten signature in black ink, appearing to be "M. B. Mosely", written over a horizontal line.

Subscribed and sworn to before me on

02/14/2017

A handwritten signature in black ink, appearing to be "Jeff B. Mosely", written over a horizontal line.
Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on January 30, 2017, and published below by title only, will be mailed upon request, or can be accessed at <https://seattle.legistar.com/Legislation.aspx>. 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 125249

AN ORDINANCE amending Ordinance 124874; modifying the use of the open space improvements over and across Utah Avenue South between South Stacy Street and South Lander Street for First and Utah Street Associates, LLC; and ratifying and confirming certain prior acts.

Ordinance 125250

AN ORDINANCE relating to Seattle Public Utilities; harmonizing the City Position List and the Seattle Municipal Code; amending Sections 3.32.010, 3.32.020 and 3.32.030 of the Seattle Municipal Code, and adding a new Section 3.32.011 to the Seattle Municipal Code.

Ordinance 125251

AN ORDINANCE amending Section 15.04.100 of the Seattle Municipal Code to allow the Director of Transportation the authority to credit certain use fees in exchange for voluntary transportation improvements of equal value in the public right-of-way.

Ordinance 125252

AN ORDINANCE accepting various deeds for street or alley purposes and a limited purpose easement for public access, use, and maintenance; laying off, opening, widening, extending, and establishing portions of rights of way; placing the real property conveyed by said deeds and easement under the jurisdiction of the Seattle Department of Transportation; and ratifying and confirming certain prior acts. (This ordinance concerns the following rights of way: the alley in Block 21, North Seattle; University Way Northeast, Northeast 50th Street, and Brooklyn Avenue Northeast abutting Block 6, University Heights; the alley in Block 24, Addition to the Town of Seattle, as laid out by A. A. Denny (Commonly known as A. A. Denny's 3rd Addition to the City of Seattle); the alley in Block 23 and Block 51, Second Addition to the Town of Seattle as laid off by the Heirs of Sara A. Bell, (deceased) (Commonly known as Heirs of Sarah A. Bell's 2nd Addition to the City of Seattle); the alley in Block 4, University Heights; the alley in Block 12, North Seattle; the alley in Block 91, Woodlawn Addition to Green Lake; the alley in Block

18, University Park Addition to the City of Seattle; the alley in Section 5, Township 24 North, Range 4 East, W. M.; the alley in Block 50, Boston Co's Plat of West Seattle; the alley in Block 15, Hillman City Addition to the City of Seattle, Division Number 6; the alley in Block 2, Harvard Heights; the alley in Block 46, Central Seattle; South Holgate Street abutting Block 46, Central Seattle; the alley in Block 82, D. T. Denny's Home Addition to the City of Seattle; the alley in Block 5, Supplemental Plat of Blocks 5-8 & 17 of Eastern Addition; the alley in Block 25, Brooklyn Addition to Seattle; the alley in Block 2, Capitol Hill Addition to the City of Seattle, Division No. 1; the alley in Block 107, David T. Denny's First Addition to North Seattle; Mercer Street abutting Block 107, David T. Denny's First Addition to North Seattle; and public access to public benefit areas in the Yesler Terrace Community Platt as set forth in King County Recording Number 20141209001425.)

Ordinance 125253

AN ORDINANCE relating to the City's traffic code; amending Sections 11.14.660, 11.60.570, 11.66.025, 11.60.240, 11.60.370,

11.60.420, 11.82.180, 11.84.020 and 11.84.400 of the Seattle Municipal Code, adding Sections 11.14.083 and 11.66.060 to the Seattle Municipal Code and repealing Sections 11.86.020 and 11.86.040 of the Seattle Municipal Code to conform the Seattle Municipal Code with changes in state law and make technical corrections.

Ordinance 125254

AN ORDINANCE relating to the City's criminal code; amending Sections 3.33.030, 12A.08.140, 12A.08.170, 12A.10.150, 12A.14.010, 12A.14.160, and 12A.16.040 of the Seattle Municipal Code; adding Sections 12A.08.165, 12A.08.180, 12A.08.190, and 12A.10.160 to the Seattle Municipal Code; and repealing Sections 6.36.010, 6.36.020, 6.36.030, 6.36.040, 6.36.050, 6.36.060, 6.36.070, and 6.36.080 of the Seattle Municipal Code to conform the Seattle Municipal Code with changes in state law and make technical corrections.

Ordinance 125255

AN ORDINANCE relating to the City Light Department; accepting statutory warranty deeds to the Swan property in King County, Washington, the Bettys Family Trust, Bettys Trust, Crossman, Farm and Fowl, LLC, Frol, James, Jones, Learned's Little Houses, LLC, Nelson, Trowbridge, and Weatherburn properties in Skagit County, Washington, and the Watkins et al. property in Snohomish County, Washington; accepting a quit claim deed to Skagit Land Trust properties in Skagit County, for salmon habitat protection purposes; declaring certain real property rights surplus and no longer required for providing public utility service or other municipal purposes; ratifying the grants of Deeds of Right to the State of Washington on the Bettys Family Trust, Bettys Trust, Crossman, Frol, Jones, Nelson, and Watkins et al. properties for salmon recovery and conservation purposes; placing said lands under the jurisdiction of the City Light Department; and ratifying and confirming certain prior acts.

Date of publication in the Seattle Daily Journal of Commerce, February 14, 2017.
2/14(346287)