

CITY OF SEATTLE
ORDINANCE 126251
COUNCIL BILL 119960

AN ORDINANCE regarding the Transit Service Funding Agreement with King County; authorizing the Director of the Seattle Department of Transportation to execute an amendment to the agreement extending the term to June 30, 2021; and ratifying and confirming certain prior acts.

WHEREAS, in November 2014, Seattle voters approved Seattle Transportation Benefit District (STBD) Proposition 1, approving a \$60 annual vehicle license fee and 0.1 percent sales tax for the purpose of purchasing transit service from King County Metro Transit (“Metro Transit”); and

WHEREAS, on February 27, 2015, Ordinance 124720¹ was enacted, authorizing the Director of the Seattle Department of Transportation (SDOT) to execute an interlocal agreement (“Agreement”) with Metro Transit to purchase the transit service necessary to implement the transit service approved by voters through the STBD measure; and

WHEREAS, Section 4 of the Agreement provides that Metro Transit’s General Manager and the SDOT Director may extend the Agreement for up to three years without additional approval by the City Council and, in 2018, SDOT and Metro Transit did, in fact, execute an extension to the current Agreement through December 31, 2020; and

WHEREAS, the current Metro Transit service period through which The City of Seattle (“City”) is purchasing fixed route bus service started on September 19, 2020, and ends on March 20, 2021; and

¹ <http://clerk.seattle.gov/search/ordinances/124720>

1 WHEREAS, the City’s STBD-funded partnership with Metro Transit to provide Via to Transit
2 on-demand service in the Rainier Valley runs through April 1, 2021; and

3 WHEREAS, final reconciliations and invoices will be issued following the end of the above-
4 noted service terms; and

5 WHEREAS, the King County Council passed Ordinance 19169 on September 29, 2020,
6 approving “Amendment No. 5” to the Agreement, which would extend it through June
7 30, 2021, NOW, THEREFORE,

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

9 Section 1. The Seattle Department of Transportation (SDOT) Director, or the Director’s
10 designee, is hereby authorized and directed to execute on behalf of The City of Seattle
11 Amendment No. 5 to the Transit Service Funding Agreement by and between The City of
12 Seattle, in substantially the form as described in Attachment A to this ordinance.

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

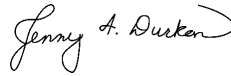
1 Section 3. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 7th day of _____, December, 2020,
5 and signed by me in open session in authentication of its passage this 7th day of
6 _____, December, 2020.



7 _____
8 President _____ of the City Council

9 Approved by me this 11th day of December, 2020.



10 _____
11 Jenny A. Durkan, Mayor

12 Filed by me this 11th day of December, 20.



13 _____
14 Monica Martinez Simmons, City Clerk

15 (Seal)

16 Attachments:
17 Attachment A – Amendment No. 5 to the Transit Service Funding Agreement by and Between
18 King County and The City of Seattle

**AMENDMENT No. 5
TO THE
TRANSIT SERVICE FUNDING AGREEMENT
BY AND BETWEEN
KING COUNTY
AND
THE CITY OF SEATTLE**

This Amendment No. 5 to the Transit Service Funding Agreement (“Amendment No. 5” or the “Fifth Amendment”) is made by and between King County, a political subdivision of the State of Washington and home rule charter county with broad powers to provide public transportation within the County's geographic boundaries, by and through the King County Metro Transit Department (the “County” or “Metro Transit”) and the City of Seattle, a Washington municipal corporation, by and through the Seattle Department of Transportation (the “City” or “SDOT”) both of which entities may be referred to hereinafter individually as a “Party” and collectively as the “Parties.”

- A. In February 2015, Ordinance 17978 was enacted, approving The Transit Service Funding Agreement (the “Agreement”) between King County and the city of Seattle.
- B. The original term was set to expire December 31, 2017.
- C. Section 4 of the Agreement provides that the General Manager and the Director may extend the Agreement for up to three (3) years without additional approval by the County Council or the City Council.
- D. In December 2017, the Parties executed an amendment to extend the Agreement until June 30, 2018.
- E. In June 2018, the Parties executed another amendment to extend the Agreement until December 31, 2020—three years from the initial expiration date.
- F. The Parties desire to extend the Agreement an additional six (6) months, until June 30, 2021.

NOW, THEREFORE, in consideration of the terms, conditions and mutual covenants set forth herein, the Parties agree to amend the Agreement as follows:

- 1. Section 4 of the Agreement, “Agreement Duration,” is hereby modified by extending the expiration date of the Agreement to June 30, 2021.

2. Except as specifically provided for in this Amendment No. 5, all other provisions of the Agreement shall remain unchanged and in full force and effect.
3. Capitalized terms contained herein, unless otherwise defined, are intended to have the same meaning and effect as that set forth in the Agreement.
4. This Amendment No. 5 shall be effective as of January 1, 2021.

IN WITNESS WHEREOF, the Parties hereto have caused their duly authorized representatives to execute this Amendment No. 5 to the Agreement as of the date set forth below their signatures.

KING COUNTY

CITY OF SEATTLE

By: _____
Terry White
General Manager
Metro Transit Department

By: _____
Sam Zimbabwe
Director
Seattle Department of Transportation

Date: _____

Date: _____