



CITY OF SEATTLE

City Council

Agenda

Monday, July 19, 2021

2:00 PM

Remote Meeting. Call 253-215-8782; Meeting ID: 586 416 9164; or
Seattle Channel online.

M. Lorena González, President

Lisa Herbold, Member

Debora Juarez, Member

Andrew J. Lewis, Member

Tammy J. Morales, Member

Teresa Mosqueda, Member

Alex Pedersen, Member

Kshama Sawant, Member

Dan Strauss, Member

Chair Info: 206-684-8809; Lorena.González@seattle.gov

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<http://seattle.gov/cityclerk/accommodations>.



CITY OF SEATTLE

City Council Agenda

July 19, 2021 - 2:00 PM

Meeting Location:

Remote Meeting. Call 253-215-8782; Meeting ID: 586 416 9164; or Seattle Channel online.

Committee Website:

<http://www.seattle.gov/council>

In-person attendance is currently prohibited per Washington State Governor's Proclamation 20-28.15, until the COVID-19 State of Emergency is terminated or Proclamation 20-28 is rescinded by the Governor or State legislature. Meeting participation is limited to access by telephone conference line and online by the Seattle Channel.

Register online to speak during the Public Comment period at the 2:00 p.m. City Council meeting at <http://www.seattle.gov/council/committees/public-comment>.

Online registration to speak at the City Council meeting will begin two hours before the 2:00 p.m. meeting start time, and registration will end at the conclusion of the Public Comment period during the meeting. Speakers must be registered in order to be recognized by the Chair.

Submit written comments to all Councilmembers at Council@seattle.gov

Sign-up to provide Public Comment at the meeting at <http://www.seattle.gov/council/committees/public-comment>

Watch live streaming video of the meeting at <http://www.seattle.gov/council/watch-council-live>

Listen to the meeting by calling the Council Chamber Listen Line at 253-215-8782 Meeting ID: 586 416 9164
One Tap Mobile No. US: +12532158782,,5864169164#

A. CALL TO ORDER

B. ROLL CALL

C. PRESENTATIONS

D. APPROVAL OF THE JOURNAL

[Min 341](#) July 12, 2021

Attachments: [Minutes](#)

E. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR

Introduction and referral to Council committees of Council Bills (CB), Resolutions (Res), Appointments (Appt), and Clerk Files (CF) for committee recommendation.

[IRC 312](#) July 19, 2021

Attachments: [Introduction and Referral Calendar](#)

F. APPROVAL OF THE AGENDA**G. PUBLIC COMMENT**

Members of the public may sign up to address the Council for up to 2 minutes on matters on this agenda; total time allotted to public comment at this meeting is 20 minutes.

Register online to speak during the Public Comment period at the 2:00 p.m. City Council meeting at <http://www.seattle.gov/council/committees/public-comment>.

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H. PAYMENT OF BILLS

These are the only Bills which the City Charter allows to be introduced and passed at the same meeting.

[CB 120125](#) AN ORDINANCE appropriating money to pay certain audited claims for the week of July 5, 2021 through July 9, 2021 and ordering the payment thereof.

I. COMMITTEE REPORTS

Discussion and vote on Council Bills (CB), Resolutions (Res), Appointments (Appt), and Clerk Files (CF).

CITY COUNCIL:

1. [CB 120123](#) AN ORDINANCE relating to taxation; delaying the effective date of the heating oil tax on heating oil service providers under Chapter 5.47 of the Seattle Municipal Code; and delaying the date of the Office of Sustainability and Environment's first annual heating oil tax program status report.

Supporting**Documents:**[Summary and Fiscal Note](#)[Central Staff Memo](#)**FINANCE AND HOUSING COMMITTEE:**

2. [CB 120113](#) AN ORDINANCE relating to the Multifamily Housing Property Tax Exemption Program; amending Section 5.73.070 of the Seattle Municipal Code to temporarily allow certain extensions of the Multifamily Housing Property Tax Exemption program completion deadline as permitted by state law; and ratifying and confirming certain prior acts.

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 4 - Mosqueda, Herbold, González , Lewis

Opposed: None

Supporting**Documents:**[Summary and Fiscal Note](#)

3. [CB 120118](#) AN ORDINANCE related to creating a fund for Payroll Expense Tax revenues; adding a new Section 5.38.055 to the Seattle Municipal Code; and providing additional guidelines for expending proceeds.

The Committee recommends that City Council pass as amended the Council Bill (CB).

In Favor: 4 - Mosqueda, Herbold, González , Lewis

Opposed: None

Supporting**Documents:**[Summary and Fiscal Note](#)[Proposed Amendment 1](#)**GOVERNANCE AND EDUCATION COMMITTEE:**

4. [CB 120120](#) AN ORDINANCE relating to City employment of public records officers; returning positions to the civil service system; and amending Section 4.13.010 of the Seattle Municipal Code.
- The Committee recommends that City Council pass the Council Bill (CB).**
In Favor: 4 - González , Mosqueda, Sawant, Strauss
Opposed: None

Supporting Documents:

[Summary and Fiscal Note](#)

5. [CB 120124](#) AN ORDINANCE relating to the organization of City government; creating an Office of Economic and Revenue Forecasts; adding a new Chapter 3.44 to, amending Section 3.39.010 and 3.39.035 of, and repealing Section 3.40.060 and Chapter 3.82 of the Seattle Municipal Code.
- The Committee recommends that City Council pass the Council Bill (CB).**
In Favor: 4 - González , Mosqueda, Sawant, Strauss
Opposed: None

Supporting Documents:

[Summary and Fiscal Note](#)

J. ADOPTION OF OTHER RESOLUTIONS

K. OTHER BUSINESS

L. ADJOURNMENT



Legislation Text

File #: Min 341, **Version:** 1

July 12, 2021

SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor
Seattle, WA 98104



Journal of the Proceedings of the Seattle City Council

Monday, July 12, 2021

2:00 PM

Remote Meeting. Call 253-215-8782; Meeting ID: 586 416 9164; or
Seattle Channel online.

City Council

M. Lorena González, President

Lisa Herbold, Member

Debora Juarez, Member

Andrew J. Lewis, Member

Tammy J. Morales, Member

Teresa Mosqueda, Member

Alex Pedersen, Member

Kshama Sawant, Member

Dan Strauss, Member

Chair Info: 206-684-8809; Lorena.González@seattle.gov

In-person attendance is currently prohibited per Washington State Governor's Proclamation 20-28.15, until the COVID-19 State of Emergency is terminated or Proclamation 20-28 is rescinded by the Governor or State legislature. Meeting participation is limited to access by telephone conference line and online by the Seattle Channel.

A. CALL TO ORDER

The City Council of The City of Seattle met remotely pursuant to Washington State Governor's Proclamation 20-28.15, and guidance provided by the Attorney General's Office, on July 12, 2021, pursuant to the provisions of the City Charter. The meeting was called to order at 2:02 p.m., with Council President González presiding.

B. ROLL CALL

The following Councilmembers were present and participating electronically:

Present: 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

C. PRESENTATIONS

There were none.

D. APPROVAL OF THE JOURNAL

[Min 340](#) July 6, 2021

Motion was made, duly seconded and carried, to adopt the proposed Minutes by the following vote, and the President signed the Minutes:

In Favor: 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

E. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR

[IRC 311](#) July 12, 2021

Motion was made, duly seconded and carried, to adopt the proposed Introduction and Referral Calendar (IRC) by the following vote:

In Favor: 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

F. APPROVAL OF THE AGENDA

Motion was made, duly seconded and carried, to adopt the proposed Agenda.

G. PUBLIC COMMENT

By unanimous consent, the Council Rules were suspended to provide a 30 minute Public Comment period.

The following individuals addressed the Council:

- Howard Gale
- Daniel Kavanaugh
- Randy Kessler
- Logan Swan
- Jack Francis
- Margot Stewart
- Curtis Riggins
- Cassandra Oakes
- Sonja Ponath
- Valerie Schloredt
- Jordan Quinn
- Robert Jeffrey
- Dorian Mcdade
- Brione Scott
- Blythe Serrano
- Matt Smith
- Matthew Wylder
- Madeline Olson
- Julian Scott
- Sarah Champerowne
- Jonah Silverstein
- Raghav Kaushik
- Jason Sykes
- Murry Edwards
- Kody Zalewski
- Silvie Reynolds

H. PAYMENT OF BILLS

[CB 120122](#) **AN ORDINANCE appropriating money to pay certain audited claims for the week of June 28, 2021 through July 2, 2021 and ordering the payment thereof.**

Motion was made and duly seconded to pass Council Bill 120122.

The Motion carried, the Council Bill (CB) passed by the following vote, and the President signed the Council Bill (CB):

In Favor: 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

I. COMMITTEE REPORTS

TRANSPORTATION AND UTILITIES COMMITTEE:

1. [Res 32009](#) **A RESOLUTION providing an honorary designation of S Hill Street between 21st and 22nd Avenues S as “Clarence Acox Jr. Way.”**

The Committee recommends that City Council adopt the Resolution (Res).

In Favor: 5 - Pedersen, Strauss, González , Herbold, Morales
Opposed: None

The Resolution (Res) was adopted by the following vote, and the President signed the Resolution (Res):

In Favor: 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

By unanimous consent, the Council Rules were suspended to allow Laurie de Koch, Executive Director of Seattle Jazzed, to provide brief remarks.

2. [CB 120103](#) **AN ORDINANCE** relating to the City Light Department; authorizing the Chief Executive Officer and General Manager to execute a long-term lease and operating agreement with the Georgetown Steam Plant Community Development Authority for the use and occupancy of the City's Georgetown Steam Plant property, a National Historic Landmark; allowing the Authority to assume regular public programming in the Georgetown Steam Plant for the purposes of historical interpretation as well as education in the areas of science, technology, education, arts, math, and related events, and also to provide continual general upkeep and stewardship of the Georgetown Steam Plant, including the addition of amenities enabling more and better community access.

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 5 - Pedersen, Strauss, González , Herbold, Morales
Opposed: None

The Council Bill (CB) was passed by the following vote, and the President signed the Council Bill (CB):

In Favor: 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

3. [Res 32007](#) **A RESOLUTION** related to the City Light Department, adopting a 2022-2026 Strategic Plan for the City Light Department and endorsing the associated five-year rate path.

The Committee recommends that City Council adopt the Resolution (Res).

In Favor: 5 - Pedersen, Strauss, González , Herbold, Morales
Opposed: None

The Resolution (Res) was adopted by the following vote, and the President signed the Resolution (Res):

In Favor: 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

CITY COUNCIL:

4. [CB 120117](#) **AN ORDINANCE relating to City Finances; creating and changing the names of funds in the City Treasury; amending Ordinance 126161, which authorized an interfund loan; amending Ordinance 126237, which adopted the 2021 Budget, including the 2021-2026 Capital Improvement Program (CIP); changing appropriations to various departments and budget control levels, and from various funds in the Budget; and ratifying and confirming certain prior acts.**

Motion was made and duly seconded to pass Council Bill 120117.

The Motion carried, the Council Bill (CB) passed by the following vote, and the President signed the Council Bill (CB):

In Favor: 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

5. [Appt 01964](#) **Appointment of Georgio Brown as member, Historic Seattle Preservation and Development Authority Governing Council, for a term to November 30, 2024.**

Motion was made and duly seconded to confirm Appointment 1964.

The Motion carried, and the Appointment (Appt) was confirmed by the following vote:

In Favor: 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

6. [Appt 01965](#) **Appointment of Elizabeth Baskerville as member, International Special Review District Board, for a term to December 31, 2022.**

Motion was made and duly seconded to confirm Appointment 1965.

The Motion carried, and the Appointment (Appt) was confirmed by the following vote:

In Favor: 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

FINANCE AND HOUSING COMMITTEE:

7. [CB 120114](#) **AN ORDINANCE** relating to the Office of Housing; authorizing the acquisition of two parcels in South Park for the purpose of development of affordable housing and community ground floor space; placing the property under the jurisdiction of the Office of Housing; and ratifying and confirming certain prior acts.

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 4 - Mosqueda, Herbold, González , Lewis

Opposed: None

The Council Bill (CB) was passed by the following vote, and the President signed the Council Bill (CB):

In Favor: 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

J. ADOPTION OF OTHER RESOLUTIONS

There were none.

K. OTHER BUSINESS

There was none.

L. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 3:14 p.m.

Linda Barron, Deputy City Clerk

Signed by me in Open Session, upon approval of the Council, on July 19, 2021.

M. Lorena González, Council President of the City Council

Monica Martinez Simmons, City Clerk



Legislation Text

File #: IRC 312, **Version:** 1

July 19, 2021



Introduction and Referral Calendar

List of proposed Council Bills (CB), Resolutions (Res), Appointments (Appt) and Clerk Files (CF) to be introduced and referred to a City Council committee

Record No.	Title	Committee Referral
<u>By: Mosqueda</u>		
1. CB 120125	AN ORDINANCE appropriating money to pay certain audited claims for the week of July 5, 2021 through July 9, 2021 and ordering the payment thereof.	City Council
<u>By: Juarez</u>		
2. CB 120126	AN ORDINANCE relating to Seattle Parks and Recreation; authorizing an exchange of City-owned property at Walt Hundley Playfield for property owned by Seattle School District No. 1 adjacent to West Seattle Elementary School; authorizing execution, acceptance, and recording of quitclaim deeds; authorizing an interlocal agreement ensuring public outdoor recreation use of a portion of property deeded to Seattle Public Schools; and finding that the land exchange meets the requirements of Ordinance 118477, which adopted Initiative 42; and ratifying and confirming certain prior acts.	City Council
<u>By: Strauss</u>		
3. CB 120127	AN ORDINANCE approving and confirming the plat of "The Pines at Northgate" in the portions of Northeast Quarter of Southeast Quarter of Section 29, Township 26 North, Range 4 East, W.M. in King County, Washington.	City Council
<u>By: Pedersen</u>		
4. CF 314479	Designation of Facial Recognition Technology as Surveillance Technology pursuant to Seattle Surveillance Ordinance, Seattle Municipal Code 14.18.020.	City Council
<u>By: Morales</u>		
5. Appt 01970	Appointment of Adra D. D. Boo as member, Seattle Music Commission, for a term to August 31, 2024.	Community Economic Development Committee

By: Morales

6. [Appt 01971](#) Appointment of Bunnie Marie Moore as member, Seattle Music Commission, for a term to August 31, 2024. Community Economic Development Committee

By: Morales

7. [Appt 01972](#) Appointment of Jason Clackley as member, Seattle Music Commission, for a term to August 31, 2023. Community Economic Development Committee

By: Morales

8. [Appt 01973](#) Reappointment of Sue Ennis as member, Seattle Music Commission, for a term to August 31, 2023. Community Economic Development Committee

By: Morales

9. [Appt 01974](#) Appointment of Eric Lilavois as member, Seattle Music Commission, for a term to August 31, 2023. Community Economic Development Committee

By: Morales

10. [Appt 01975](#) Appointment of Denise Burnside as member, Seattle Music Commission, for a term to August 31, 2022. Community Economic Development Committee

By: Morales

11. [Appt 01976](#) Appointment of Caseyann McKay as member, Seattle Music Commission, for a term to August 31, 2022. Community Economic Development Committee

By: Morales

12. [Appt 01977](#) Appointment of Morgan Cain as member, Seattle Women's Commission, for a term to July 1, 2022. Community Economic Development Committee

By: Morales

13. [Appt 01978](#) Appointment of Kyla Evans as member, Seattle Women's Commission, for a term to July 1, 2022. Community Economic Development Committee

By: Morales

14. [Appt 01979](#) Appointment of Vinati Mamidala as member, Seattle Women's Commission, for a term to July 1, 2022. Community Economic Development Committee

By: Morales

15. [Appt 01980](#) Appointment of Rachel E. Morowitz as member, Seattle Women's Commission, for a term to July 1, 2022. Community Economic Development Committee

By: Morales

16. [Appt 01981](#) Appointment of Ophelia Parker as member, Seattle Women's Commission, for a term to July 1, 2023. Community Economic Development Committee

By: Morales

17. [Appt 01982](#) Appointment of Jema K. Turk as member, Seattle Women's Commission, for a term to July 1, 2023. Community Economic Development Committee

By: Mosqueda

18. [CB 120111](#) AN ORDINANCE authorizing, in 2021, acceptance of funding from non-City sources; authorizing the heads of the Executive Department, Human Services Department, City Light Department, Department of Transportation, Seattle Fire Department, and Seattle Parks and Recreation to accept specified grants, private funding, and subsidized loans and to execute, deliver, and perform corresponding agreements; and ratifying and confirming certain prior acts. Finance and Housing Committee

By: Mosqueda

19. [CB 120112](#) AN ORDINANCE amending Ordinance 126237, which adopted the 2021 Budget, including the 2021-2026 Capital Improvement Program (CIP); changing appropriations to various departments and budget control levels, and from various funds in the Budget; revising project allocations for certain projects in the 2021-2026 CIP; creating positions; modifying positions; abrogating positions; modifying or adding provisos; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council. Finance and Housing Committee

By: Mosqueda

20. [CB 120131](#) AN ORDINANCE amending Ordinance 126237, which adopted the 2021 Budget; changing appropriations to various departments and budget control levels, and from various funds in the Budget; lifting provisos; and ratifying and confirming certain prior acts; all by a 3/4 vote of the Finance and Housing Committee

City Council.

By: Mosqueda

21. [Appt 01983](#) Appointment of Steven Hooper Jr. as member, Domestic Workers Standards Board, for a term to February 28, 2023. Finance and Housing Committee

By: Mosqueda

22. [Appt 01984](#) Reappointment of Silvia Gonzalez as member, Domestic Workers Standards Board, for a term to February 28, 2024. Finance and Housing Committee

By: Mosqueda

23. [Appt 01985](#) Reappointment of Elizabeth Hunter-Keller as member, Domestic Workers Standards Board, for a term to February 28, 2024. Finance and Housing Committee

By: Mosqueda

24. [Appt 01986](#) Appointment of Marie Gabrielle Rosebert as member, Domestic Workers Standards Board, for a term to February 28, 2024. Finance and Housing Committee

By: Pedersen

25. [CB 120128](#) AN ORDINANCE relating to drainage services of Seattle Public Utilities; adjusting drainage rates to pass through changes to treatment rates charged by King County and meet capital financing requirements; amending Section 21.33.030 of the Seattle Municipal Code to reflect adjusted rates; and amending Section 21.76.040 of the Seattle Municipal Code to adjust credits to low-income customers. Transportation and Utilities Committee

By: Pedersen

26. [CB 120129](#) AN ORDINANCE relating to wastewater services of Seattle Public Utilities; adjusting wastewater rates to pass through changes to treatment rates charged by King County; amending Section 21.28.040 of the Seattle Municipal Code to reflect adjusted rates; and amending Section 21.76.040 of the Seattle Municipal Code to adjust credits to low-income customers. Transportation and Utilities Committee

By: Pedersen

27. [CB 120130](#) AN ORDINANCE relating to rates and charges for water services of Seattle Public Utilities; revising water rates and charges, and credits to low-income customers; and amending Sections 21.04.430, 21.04.440, and 21.76.040 of the Seattle Municipal Code. Transportation and Utilities Committee

By: Pedersen

28. [Appt 01919](#) Appointment of Timothy O. Skeel as member, City Light Review Panel, for a term to April 10, 2023. Transportation and Utilities Committee

By: Pedersen

29. [Appt 01987](#) Reappointment of Mikel Hansen as member, City Light Review Panel, for a term to April 12, 2024. Transportation and Utilities Committee

By: Pedersen

30. [Appt 01988](#) Appointment of Leo L. Lam as member, City Light Review Panel, for a term to September 30, 2022. Transportation and Utilities Committee

By: Pedersen

31. [Appt 01989](#) Appointment of Kerry Lynn Meade as member, City Light Review Panel, for a term to April 30, 2024. Transportation and Utilities Committee

By: Pedersen

32. [Appt 01990](#) Appointment of Joel Paisner as member, City Light Review Panel, for a term to April 30, 2024. Transportation and Utilities Committee

By: Pedersen

33. [Appt 01991](#) Appointment of Gretchen Glaub as member, Seattle Public Utilities 2018-2023 Strategic Business Plan Customer Review Panel, for a term to July 31, 2024. Transportation and Utilities Committee

By: Pedersen

34. [Appt 01992](#) Appointment of Maria McDaniel as member, Seattle Public Utilities 2018-2023 Strategic Business Plan Customer Review Panel, for a term to July 31, 2024. Transportation and Utilities Committee

By: Pedersen

35. [Appt 01993](#) Appointment of Khalid Mohamed as member, Seattle Public Utilities 2018-2023 Strategic Business Plan Customer Review Panel, for a term to July 31, 2024. Transportation and Utilities Committee

By: Pedersen

36. [Appt 01994](#) Appointment of Tiffany Sevilla as member, Seattle Public Utilities 2018-2023 Strategic Business Plan Customer Review Panel, for a term to July 31, 2024. Transportation and Utilities Committee

By: Pedersen

37. [Appt 01995](#)

Appointment of Miki Sodos as member, Seattle Public Utilities 2018-2023 Strategic Business Plan Customer Review Panel, for a term to July 31, 2024.

Transportation and
Utilities
Committee



Legislation Text

File #: CB 120125, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE appropriating money to pay certain audited claims for the week of July 5, 2021 through July 9, 2021 and ordering the payment thereof.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Payment of the sum of \$9,917,673.64 on PeopleSoft 9.2 mechanical warrants numbered 4100474089 - 4100475380 plus manual or cancellation issues for claims, E-Payables of \$87,891.93 on PeopleSoft 9.2 9100009619 - 9100009675 and Electronic Financial Transactions (EFT) in the amount of \$47,008,949.35 are presented for ratification by the City Council per RCW 42.24.180.

Section 2. Payment of the sum of \$51,836,147.01 on City General Salary Fund mechanical warrants numbered 51348820- 51349728 plus manual warrants, agencies warrants, and direct deposits numbered 280001 - 282713 representing Gross Payrolls for payroll ending date July 6, 2021 as detailed in the Payroll Summary Report for claims against the City which were audited by the Auditing Committee and reported by said committee to the City Council July 15, 2021 consistent with appropriations heretofore made for such purpose from the appropriate Funds, is hereby approved.

Section 3. Any act consistent with the authority of this ordinance taken prior to its effective date is hereby ratified and confirmed.

Section 4. 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 19th day of July 2021, and signed by me in open session in authentication of its passage this 19th day of July 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)



Legislation Text

File #: CB 120123, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to taxation; delaying the effective date of the heating oil tax on heating oil service providers under Chapter 5.47 of the Seattle Municipal Code; and delaying the date of the Office of Sustainability and Environment's first annual heating oil tax program status report.

WHEREAS, on September 23, 2019, the Seattle City Council passed Ordinance 125934 to add a new Chapter 5.47 to the Seattle Municipal Code to impose a tax on heating oil service providers; and

WHEREAS, under Section 16 of Ordinance 125934, the provisions of the ordinance imposing the heating oil tax take effect on September 1, 2020; and

WHEREAS, it is expected that many heating oil service providers will pass on the cost of the heating oil tax to their customers; and

WHEREAS, on March 11, 2020, the World Health Organization announced that the novel coronavirus (COVID-19) is officially a global pandemic; and

WHEREAS, on February 29, 2020, the Washington Governor issued Proclamation 20-05, proclaiming a state of emergency for all counties throughout the state of Washington in response to new cases of COVID-19; and

WHEREAS, on March 3, 2020, Mayor Durkan issued a Proclamation of Civil Emergency declaring a civil emergency within the City of Seattle based on the confirmed spread of COVID-19 in King County and the resulting deaths and illness; and

WHEREAS, the COVID-19 crisis and the state of emergency continue and are causing severe harm to the economy; and

WHEREAS, on August 17, 2020, the Council passed Ordinance 126144 to delay the effective date of the heating oil tax from September 1, 2020, to September 1, 2021; and

WHEREAS, imposing the heating oil tax on September 1, 2021, during the continued COVID-19 crisis may cause undue hardship to certain households that purchase heating oil; and

WHEREAS, the Seattle City Council intends therefore to further delay the effective date of the heating oil tax by six months to April 1, 2022; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 15 of Ordinance 125934, last amended by Ordinance 126144, is amended as follows:

Section 15. The Council requests that the Office of Sustainability and Environment (OSE):

A. Provide a status update on outreach efforts to date regarding the new heating oil tax by July 1, 2020. The update should include the number of households contacted; any changes in the number of low-income households with oil heat enrolled in the City's Utility Discount Program following outreach efforts; a summary of feedback from residents, labor unions, and heating oil service providers, received during outreach efforts, including a description of challenges encountered during the outreach process; and proposed strategies for overcoming these challenges, if applicable; and

B. Report annually on Heating Oil Tax program status, including the number of homes the City has helped convert from oil heat to electricity and outcomes of workforce development support, and collaborate with the Office of Economic Development, Seattle Department of Construction and Inspections, and the Office of Housing to determine a methodology to assess the following potential impacts of the Heating Oil Tax:

1. Job losses, gains, and retention in the Seattle area's home heating, ventilation, and air conditioning industry, with a focus on workers represented by labor unions and family-wage jobs, and what additional investments are necessary to support workers in the event of net job losses; and

2. Rates of conversion from oil heating systems to electric systems in homes occupied by

renters enrolled in the Utility Discount Program, including identifying who is paying the costs of conversion and whether additional measures are necessary to alleviate the costs if renters are overly burdened.

3. Analysis of the viability to extend the heating oil tax reimbursement to households whose income is between 70 percent state median income and 80 percent area median income. OSE is requested to report to Council by ~~((July))~~ April 1, ~~((2022))~~ 2023, and every year thereafter up to 2028.

Section 2. Section 16 of Ordinance 125934, last amended by Ordinance 126144, is amended as follows:

Section 16. Sections 1 through 13 of this ordinance shall take effect on ~~((September))~~ April 1, ~~((2021))~~ 2022, and no tax under Chapter 5.47 of the Seattle Municipal Code shall be imposed prior to ~~((September))~~ April 1, ~~((2021))~~ 2022.

Section 3. 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 _____ day of _____, 2021, and signed by me in open session in authentication of its passage this _____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
LEG	Yolanda Ho/x6-5989	N/A

** 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 taxation; delaying the effective date of the heating oil tax on heating oil service providers under Chapter 5.47 of the Seattle Municipal Code; and delaying the date of the Office of Sustainability and Environment’s first annual heating oil tax program status report.

Summary and background of the Legislation: Ordinance 125934 was passed in 2019, imposing a heating oil tax to take effect on September 1, 2020. Because of economic concerns as a result of the COVID-19 crisis and based on feedback from community organizations, the Council passed Ordinance 126144 in August 2020 to delay the effective date of the tax by one year to September 1, 2021. Recognizing that the pandemic continues to negatively impact residents, this legislation would extend the effective date delay by another six months from September 1, 2021, to April 1, 2022.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes X No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? X Yes ___ No

Appropriation change (\$):	General Fund \$		Other \$	
	2021	2022	2021	2022
Estimated revenue change (\$):	Revenue to General Fund		Revenue to Other Funds	
	2021	2022	2021	2022
	(788,175)	871,230		
Positions affected:	No. of Positions		Total FTE Change	
	2021	2022	2021	2022

Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

This legislation would result in the City forgoing collecting an estimated \$1.3 million in revenues from the heating oil tax.

Is there financial cost or other impacts of *not* implementing the legislation?

If the legislation is not passed by the Council, the heating oil tax will go into effect on September 1, 2021.

3.b. Revenues/Reimbursements

This legislation adds, changes, or deletes revenues or reimbursements.

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Dept	Revenue Source	2021 Revenue	2022 Estimated Revenue
General Fund 00100	OSE	Tax on sale of home heating oil	(788,175)	871,230
TOTAL			(788,175)	871,230

This table should reflect revenues/reimbursements that are a direct result of this legislation. In the event that the issues/projects associated with this ordinance/resolution have revenues or reimbursements that were, or will be, received because of previous or future legislation or budget actions, please provide details in the Notes section below. Do the revenue sources have match requirements? If so, what are they?

Is this change one-time or ongoing?

One-time, with annual updates to projected revenues and expenditures.

Revenue/Reimbursement Notes:

None.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

The Office of Sustainability and Environment (OSE) is responsible for overall program oversight and implementation and will receive tax revenues. The Office of Housing (OH) will be implementing the low-income conversions, funded by heating oil tax revenues. OSE will establish an MOU with OH for this work.

b. Is a public hearing required for this legislation?

No.

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No.

d. Does this legislation affect a piece of property?

No.

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

Delaying this tax is responsive to community concerns about adding additional financial burden to low- to middle-income households already impacted by the ongoing economic downturn caused by the COVID-19 civil emergency. Similar to the outreach process regarding last year's delay, OSE is anticipated to communicate this program change via a postcard to all Seattle residents with oil-heated homes, which would include an in-language statement providing a phone number to call for help getting the information translated.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

Forgoing heating oil tax revenues for another six months is expected to eliminate funding for 50 conversions from oil heat to electric heat pumps for low-income homes in 2021. While the greenhouse gas emissions (GHG) from this number of homes is relatively small, the intent of this tax is to accelerate the rate of conversions from oil heat to clean electric heat pump systems with the ultimate goal of eliminating oil heat systems by 2028, which currently account for about eight to nine percent of the Seattle's total GHG emissions. This delay could cause the City to fall short of achieving this goal.

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

No, though converting oil heat systems to electric heat pumps will add air conditioning and air filtration capacity to homes that may not currently have it, better preparing residents for hot weather and wildfire smoke, which are predicted to become more common as a result of global warming.

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s).

Not applicable.

List attachments/exhibits below:

None.

July 12, 2021

MEMORANDUM

To: City Council
From: Yolanda Ho, Analyst
Subject: Heating Oil Tax Delay – Council Bill 120123

On July 19, 2021, the City Council (Council) will consider and may vote on [Council Bill \(CB\) 120123](#) that would delay the effective date of the [Heating Oil Tax](#) from September 1, 2021, to April 1, 2022.

This memorandum describes: (1) the background of the Heating Oil Tax; (2) CB 120123; (3) impacts of CB 120123; (4) related policy considerations; and (5) next steps.

Background

In September 2019, the Council passed [Ordinance \(ORD\) 125934](#), establishing a new tax on heating oil beginning on September 1, 2020. The tax rate is \$0.236 per gallon of heating oil sold by heating oil service providers in Seattle (excluding biodiesels).

The tax and associated programs are intended to accelerate the rate of conversion from oil heat to electric heat pump systems, with the ultimate goal of requiring that all existing steel tanks be either decommissioned (i.e., removed or filled with some material to prevent collapse) or replaced by a modern non-corroding tank by December 31, 2028. This will help to eliminate ground contamination caused by deteriorating underground steel oil tanks associated with oil heating systems, most of which were installed between the 1920s and 1950s, and reduce greenhouse gas (GHG) emissions. Phasing out oil heat by 2030 is estimated to decrease residential building GHG emissions by 16 to 18 percent, which equals a reduction of about eight percent of Seattle's total building GHG emissions.

Of the roughly 16,000 households that use oil heat, the Office of Sustainability and Environment (OSE) estimates that around 925 of these households are enrolled in the City's Utility Discount Program (UDP) for income-qualified customers. The typical household pays about \$1,700 per year for heating oil, with no discounts available for low-income households. Assuming the tax will be passed directly on to customers, households who use oil heat will pay an average additional cost of \$120 per year.

Recognizing that this tax will disproportionately burden low-income households, most of the tax proceeds will be used to:

- Fully cover the costs for low-income households of converting from an oil heating system to an electric heat pump; and
- Reimburse low-income households up to \$120 annually to offset the added cost of the tax, either as a credit on their City Light account or as a check.

Converting low-income households with oil heat to electric heat pumps will provide them greater benefit from the UDP, and is expected to reduce their overall utility costs.

Tax revenues will also be used to:

- Expand the existing rebate program available to all households, supporting the conversion of about 1,200 homes to electric heat pumps;
- Provide education and outreach regarding the tax;
- Support overall program administration in OSE and the Office of Housing, which administers the heating system conversions; and
- Provide workforce development for four to five oil service providers and their employees with the goal of transitioning them to clean heating sales and installation.

On June 30, 2020, OSE, the Seattle Fire Department, and the Seattle Department of Construction and Inspections submitted a [report](#) to the Council evaluating the possibility of requiring that property owners replace or remove steel heating oil tanks. The report noted that the [Seattle Fire Code](#) would need to be amended to provide the City with the authority to enforce this mandate and recommended that instead of a requirement, the next Fire Code update should include an informational note as a preview for the potential requirement. This was addressed through the recent update to the Seattle Fire Code.¹ The City will continue to monitor progress to determine if a mandate is needed in the future.

Primarily in response to community concerns about the impacts of the Heating Oil Tax on low- and middle-income households during the COVID-19 crisis, the Council passed [ORD 126144](#) in August 2020 that delayed the effective date of the tax from September 1, 2020, to September 1, 2021. An additional rationale for the delay was related to the Washington's Pollution Liability Insurance Agency's (PLIA) new [Heating Oil Loan and Grant Program](#)² that could result in creating substantial financial liability for homeowners with oil heating systems who were not

¹ On February 16, 2021, the Council passed [Ordinance 126283](#) that adopted the 2018 Fire Code update, which included this note added to Section 603.3, "Due to the high prevalence of leaking oil storage tanks in Seattle and that because many may be beyond their useful life, posing a hazard to people, property, and the environment, Seattle Fire may propose a retroactive code change applying storage tank design standards to storage tanks that are of a specific vintage (e.g. 20 years of age or older)."

² The 2020 Washington State Legislature passed and the Governor signed [Substitute Senate Bill 6256](#) that transitions PLIA's Heating Oil Insurance Program to a Loan and Grant Program.

registered with PLIA prior to July 1, 2020. Rather than continuing their grant program that helped to cover up to \$60,000 of the costs of cleaning up residential oil tank leaks, PLIA is instead offering low-interest loans or grants up to \$75,000 (including a grant of up to \$5,000 to cover site assessment costs and \$1,000 for technical assistance) for those who register with the program after July 1, 2020. Depending on PLIA's final rule, this new program could disproportionately burden low- and middle-income households. PLIA is currently developing the program as a pilot for a year and will begin rulemaking in 2022.

This one-year effective date delay has caused projected total Heating Oil Tax revenues to decrease by about \$890,000, from \$7.88 million to \$6.99 million from 2021 to 2029. Revenues are expected to diminish over time as demand for heating oil decreases once houses convert to more efficient systems.

CB 120123

In a [report](#) to the Council dated June 1, 2021, OSE provided an update on PLIA's Heating Oil Loan and Grant Program (described above); summarized community feedback on whether the effective date of the tax should be further delayed; and offered analysis of various delay scenarios. Based on the feedback received and because PLIA has not yet adopted a final rule for the Heating Oil Loan and Grant Program, OSE proposed that the effective date of the Heating Oil Tax be further delayed by six months.

CB 120123 would delay the effective date of the tax from September 1, 2021, to April 1, 2022. An associated reporting request on the impacts of the tax and program activities would also be delayed from July 1, 2022, to April 1, 2023.

Impacts of CB 120123

Delaying the effective date of the Heating Oil Tax by another six months will avoid imposing an additional financial burden on households with oil heating systems during the ongoing economic crisis caused by the COVID-19 pandemic. The delay will also allow the City to continue working with PLIA on rulemaking for its Heating Oil Loan and Grant Program to avoid adverse impacts on low- and middle-income households.

The 2021 Adopted Budget anticipated tax revenues of \$788,175. This proposed six-month delay would result in the City forgoing a total of \$1.3 million in projected revenues in 2021 and 2022. This revenue would fund conversions from oil heating systems to more efficient electric heat pump systems for 50 low-income households and expand the City's existing electric heat pump rebate program³ to 100 additional households. Revenues would also be used to launch

³ Since 2014, the City has allocated \$200,000 General Fund to fund conversions of about 200 homes per year, providing up to \$1,500 to any household choosing to convert from oil heat to a high-efficiency electric heat pump system. Converting to an electric heat pump system typically costs between \$10,000 to \$15,000.

workforce development programs for oil service providers, education and outreach efforts, and other program activities described previously.

CB 120123 would delay these activities and may prevent the City from achieving its near-term goals to reduce GHG emissions. Assuming the tax goes into effect on April 1, 2022, as proposed, the City would fund these programs and activities next year, which will advance Seattle's climate goals and ensure a just transition for people whose jobs rely on fossil fuels.

Related Policy Considerations

Beginning in 2022, there will be an additional source of funding for these program activities as a result of the Council's adoption of [CB 119810](#), establishing a payroll expense tax, and [Resolution \(RES\) 31957](#), identifying spending priorities for payroll expense tax revenues, in July 2020. RES 31957 allocates nine percent⁴ of the tax proceeds for investments to advance the Green New Deal for Seattle. Strategies include transitioning housing from fossil fuel heating systems to electric systems and providing job training programs to workers who would be adversely impacted as Seattle shifts away from an economy reliant on fossil fuels.

Depending on the anticipated revenues and recommendations of the Green New Deal Oversight Board, the Council may want to consider whether the tax should be allowed to go into effect next year, given that a portion of the new payroll expense tax revenues may be used to fund Heating Oil Tax program activities starting in 2022.

Next Steps

The City Council is scheduled to consider and possibly vote on CB 120123 at its meeting on July 19, 2021. Council action on CB 120123 is needed no later than August 16 to delay the effective date of the Heating Oil Tax, which will otherwise go into effect on September 1.

cc: Dan Eder, Interim Director
Aly Pennucci, Policy and Budget Manager

⁴ Initial assumptions were that this would be about \$20 million, though this amount will likely be lower in 2022 if payroll tax revenues are needed to support base City services as anticipated. Based on the April 2021 revenue forecast presented by the City Budget Office, about half of the 2022 payroll tax revenues will be needed to support base services in the 2022 Budget.



Legislation Text

File #: CB 120113, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the Multifamily Housing Property Tax Exemption Program; amending Section 5.73.070 of the Seattle Municipal Code to temporarily allow certain extensions of the Multifamily Housing Property Tax Exemption program completion deadline as permitted by state law; and ratifying and confirming certain prior acts.

WHEREAS, the State Legislature passed Engrossed Second Substitute Senate Bill 5287 in 2021, which provides that local jurisdictions may extend the deadline for completion of any outstanding MFTE application requirements for applications submitted on or before February 15, 2020; and

WHEREAS, the City intends to temporarily allow certain Projects to apply for an extension of outstanding MFTE application requirements subject to certain requirements; and

WHEREAS, the COVID-19 Pandemic has impacted real-estate project timelines and caused delays; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 5.73.070 of the Seattle Municipal Code, last amended by Ordinance 125932, is amended as follows:

5.73.070 Extension of Conditional Certificate

A. The expiration date of the Conditional Certificate may be extended by the Director by up to 24 months provided the owner submits to the Director a written request, stating the grounds for the extension, at least 60 days prior to expiration of the Conditional Certificate according to subsection 5.73.060.D, together with a fee of \$500 for the City's administrative cost to process the request. The Director may grant an extension

if the Director determines that:

1. The anticipated failure to complete new multifamily housing or rehabilitation improvements within the required time period is due to circumstances beyond the control of the owner; and

2. The owner has been acting and could reasonably be expected to continue to act in good faith and with due diligence; and

3. All the conditions of the contract will be satisfied upon completion of the project.

B. If the Conditional Certificate expires according to subsection 5.73.060.D and a request for an extension is not received according to subsection 5.73.070.A or subsection 5.73.070.C, the City shall assume the MFTE application has been withdrawn by the owner.

C. In addition to an extension of 24 months according to subsection 5.73.070.A, for applications received by the Office of Housing on or before February 15, 2020, the expiration date of the Conditional Certificate may be extended by the Director by up to five years provided the owner submits to the Director a written request, stating the grounds for the extension and the revised Project completion date, together with a fee of \$500 for the City's administrative cost to process the request. The Director may grant an extension if the Director determines that:

1. The owner has sufficiently demonstrated that the failure or anticipated failure to complete the project prior to expiration of the Conditional Certificate is due to impacts from the COVID-19 pandemic that were beyond the control of the owner;

2. The owner has been acting and could reasonably be expected to continue to act in good faith and with due diligence;

3. A contract has been executed, the owner has complied with all conditions required to date according to the contract except for completion delays due to impacts from the COVID-19 pandemic, and all outstanding conditions of the contract will be satisfied upon completion of the project;

4. The up to five-year extension request according to this subsection 5.73.070.C was received by

the Director on or before September 30, 2021;

5. The Director previously approved a full 24-month extension of the expiration date for the Conditional Certificate according to subsection 5.73.070.A; and

6. The expiration date of the Conditional Certificate based on the first full 24- month extension approved by the Director according to subsection 5.73.070.A was no earlier than February 15, 2020 and no later than February 15, 2022.

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

Section 3. 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 _____ day of _____, 2021, and signed by me in open session in authentication of its passage this _____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Office of Housing	Jennifer LaBrecque/206-684-0354	Miguel Jimenez/

** 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 the Multifamily Housing Property Tax Exemption Program; amending Section 5.73.070 of the Seattle Municipal Code to temporarily allow certain extensions of the Multifamily Housing Property Tax Exemption program completion deadline as permitted by state law; and ratifying and confirming certain prior acts.

Summary and background of the Legislation: The legislation allows owners of projects delayed by COVID-19 five additional years by which time a Certificate of Occupancy must be issued, for a total of ten years total from time of application. This amendment is authorized by SB 5287, passed during this year’s state legislation session, and allows projects to proceed under old MFTE requirements (i.e. Program 4 or 5, depending on the date of the original application). Given the proposed conditions, Owners of approximately five projects or fewer are likely to pursue extensions to allow the maximum ten year timeline for project completion.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes No

Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

There are two ways to evaluate the MFTE program’s tax impacts and cost. The first and simplest approach quantifies the amount of exempted property tax burden – that is, the amount of property tax that MFTE property owners collectively avoid in a given year due to offering income and rent-restricted set-aside units. Other (non-exempt) taxpayers absorb this tax burden. The second way of evaluating MFTE’s tax impacts and cost considers the amount of net new property tax revenue that MFTE properties’ new construction value would have generated absent MFTE. As intended under State law, the majority of that potential revenue is forgone when MFTE properties’ new construction value is excluded from the tax base for the duration of the exemption period. The remainder of the net new revenue is collected, with the associated net new tax burden shifted to other taxpayers.

Is there financial cost or other impacts of *not* implementing the legislation?

No

3.a. Appropriations

This legislation adds, changes, or deletes appropriations.

3.b. Revenues/Reimbursements

This legislation adds, changes, or deletes revenues or reimbursements.

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Dept	Revenue Source	2021 Revenue	2022 Estimated Revenue
16600 / Office of Housing Operating Fund	OH	\$500 per extension request	\$2,500	\$0
TOTAL				

Is this change one-time or ongoing?

This is a one-time change; applicants may only apply for the additional five-year extension by September 30, 2021.

Revenue/Reimbursement Notes:

Revenue estimates assume owners of five different projects apply for an additional five-year extension. This is at the high end of what OH anticipates in terms of interest in the extension, given the conditions on which it may be granted.

3.c. Positions

This legislation adds, changes, or deletes positions.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

No

b. Is a public hearing required for this legislation?

No

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No

d. Does this legislation affect a piece of property?

No

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public? Because MFTE properties utilizing the additional 5 year extension will remain vested under older, less affordable versions of the program, MFTE units in those properties will be less affordable to members of vulnerable and historically disadvantaged communities than they would have been were owners to pursue exemptions according to the requirements currently required by SMC 5.73. However, if this legislation is not approved, property owners impacted by Covid may elect to move forward with development without MFTE. In that case, property taxes will not be shifted or foregone, but no units in properties delayed by Covid would have restricted rents. Rent limits under prior iterations of SMC Chapter 5.73 were closer to market-rate, notably for SEDUs, but the absence of rent caps could similarly reduce the ability of households from vulnerable or historically disadvantaged communities to lease units in the buildings.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

No

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

No

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s). N/A

List attachments/exhibits below:



Legislation Text

File #: CB 120118, **Version:** 2

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE related to creating a fund for Payroll Expense Tax revenues; adding a new Section 5.38.055 to the Seattle Municipal Code; and providing additional guidelines for expending proceeds.

WHEREAS, on July 6, 2020 the City Council passed Ordinance 126108, imposing a progressive tax on

businesses with payrolls of \$7 million and higher annually (“Payroll Expense Tax”); and

WHEREAS, on July 6, 2020 the City Council passed Ordinance 126109, establishing a spending plan for the proceeds from the Payroll Expense Tax and a Payroll Tax Oversight Committee to provide oversight on the services and programs supported by this tax; and

WHEREAS, pursuant to the spending plan in Ordinance 126109, proceeds from the Payroll Expense Tax received in 2021 are intended to provide one-time support for continuity of services of programs that would have otherwise been reduced due to the revenue impacts from the economic recession, and to replenish uses of the City’s fiscal reserves for COVID-19 emergency response purposes in 2020; and

WHEREAS, on July 20, 2020 the City Council adopted Resolution 31957 to establish a clear spending plan on proceeds from the Payroll Expense Tax received in 2022 and future years to support new investments in affordable housing and homelessness services, new investments in equitable development and economic resilience, support for small businesses in Seattle, and investments that advance Seattle’s Green New Deal along with administration of the tax; and

WHEREAS, Resolution 31957 was based on months of engagement with a broad set of stakeholders from business, labor, housing, homelessness services, environmental justice organizations and more who

agreed and supported the spending priorities in the resolution; and

WHEREAS, as the economy recovers from the COVID-19 induced recession, General Fund revenues continue to return to their pre-pandemic trends, allowing for the Emergency and Rainy Day funds to be replenished and requiring a significantly lower level of payroll expense tax support for basic services in 2021 and beyond; and

WHEREAS, prior to the economic recession caused by the COVID-19 emergency, the six-year Financial Plan for the General Fund, developed by the City Budget Office and published with the 2020 Adopted Budget book, included \$1,510,029,000 from all approved revenue sources to support General Fund expenditures in 2022, with increasing amounts in future years; and

WHEREAS, on July 20, 2020 the City Council adopted Ordinance 126109, detailing a request for an implementation plan to be submitted to Council for approval in 2021 and Council has been informed that the requested implementation plan will not be submitted; and

WHEREAS, creating a separate fund in the City treasury to account for Payroll Expense Tax proceeds and their uses will enhance financial transparency and accountability of using the proceeds for their intended purpose as established in Resolution 31957; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. A new JumpStart Payroll Expense Tax Fund (“JumpStart Fund”) is created in the City Treasury effective January 1, 2022, to which proceeds remitted to The City of Seattle (“City”) from revenues collected from the Payroll Expense Tax imposed under Chapter 5.38 of the Seattle Municipal Code, except for the revenues to support the expenditures in subsection 5.38.055.B.1, must be deposited, and from which expenditures may be paid for purposes described in Section 5.38.055 of the Seattle Municipal Code as added by this ordinance. The purpose of creating the JumpStart Fund is to separately account for revenues received from the tax and expended by City departments. The Fund shall receive earnings on its positive balances and pay interest on its negative balances. Revenues from the Payroll Expense Tax needed to support the expenditures in

subsection 5.38.055.B.1 may be deposited into the General Fund.

Section 2. A new Section 5.38.055 is added to the Seattle Municipal Code as follows:

5.38.055 Payroll expense tax - Allocation of proceeds

A. In any year where General Fund revenues from all sources approved as of January 1, 2020 are projected to be lower than \$1,510,029,000, an amount equal \$1,510,029,000 minus the projected General Fund collections from non-payroll expense tax sources may be transferred into the General Fund to support programs and services funded by the General Fund. Projected payroll expense tax revenues remaining after any transfer allowed by this subsection 5.38.055.A shall only be used to either expand existing programs or create new programs, including associated program cost increases, that are consistent with subsection 5.38.055.B, and the amounts may not be used to supplant appropriations from other funding sources.

B. Amounts remaining after accounting for the allowed uses in subsection 5.38.055.A shall be allocated in accordance with the spending plan adopted in Resolution 31957, and outlined in Ordinance 126109 as follows:

1. Up to five percent of the annual JumpStart Fund revenue total is to administer and evaluate the effectiveness of the payroll expense tax authorized this Chapter 5.38, to administer the investments described in subsections 5.38.055.B.2 through 5.38.055.B.5, and to evaluate the effectiveness of at least those investments described in subsection 5.38.055.B.4. If less than five percent of remaining funds are needed for administration and evaluation, any remaining funds may be used for other programs and services described in subsections 5.38.055.B.2 through 5.38.055.B.5.

2. Sixty-two percent of the annual JumpStart Fund revenue total is for housing and services, which is further allocated as follows:

a. Eighty-two percent of the housing and services portion is allocated for: (i) capital costs associated with the construction or acquisition of rental housing serving households with incomes at or below 30 percent of area median income (AMI), but may be used to support housing serving households with incomes

at or below 60 percent of AMI, when required to support the operational costs of a proposed housing project; (ii) operating and services costs of rental housing serving households with incomes at or below 30 percent of AMI; and (iii) associated infrastructure to support the ongoing operations costs for the housing, such as maintenance, retrofitting, and energy efficient upgrades to support the housing.

b. Thirteen percent of the housing and services portion is allocated for community focused acquisition and development of affordable housing, and to support affirmative marketing efforts and development and implementation of community preference plans.

c. Five percent of the housing and services portion is allocated for permanently affordable homeownership opportunities serving households with incomes at or below 80 percent of AMI.

3. Nine percent of the annual JumpStart Fund revenue total is to support the Equitable Development Initiative (EDI) that supports community-initiated equitable development projects that advance economic mobility and opportunity, prevent residential, commercial, and cultural displacement, build on local cultural assets, promote transportation mobility and connectivity, develop healthy and safe neighborhoods, and enable equitable access to all neighborhoods.

4. Fifteen percent of the annual JumpStart Fund revenue total is to support local businesses and tourism to spur the local economic recovery, and to provide economic stability for the city's workforce.

5. Nine percent of the annual JumpStart Fund revenue total is for investments that advance Seattle's Green New Deal as described in Resolution 31895.

C. Except as provided in subsection 5.38.055.A, all uses of Payroll Expense Tax revenues as proscribed in subsection 5.38.055.B shall be in addition to funding levels for similar or the same programs as included in the City's 2020 Adopted Budget and shall not supplant existing funding from any City fund or revenue source.

Section 4. 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 _____ day of _____, 2021, and signed by
me in open session in authentication of its passage this _____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Legislative	Tom Mikesell/4-8735	

** 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 related to creating a fund for Payroll Expense Tax revenues; adding a new Section 5.38.055 to the Seattle Municipal Code; and providing additional guidelines for expending proceeds.

Summary and background of the Legislation: This council bill would create a new JumpStart Payroll Expense Tax Fund in the City Treasury effective January 1, 2022. All proceeds from the City’s payroll expense tax would be deposited into the fund and used according to the provisions of the fund, which generally provide for payroll expense tax revenues deposited in the fund to be used as follows:

- 62% for affordable and low-income housing;
- 15% for local business and tourism support;
- 9% for Equitable Development Initiative investments;
- 9% for Green New Deal; and,
- Up to 5% for administering the tax.

In 2022 and thereafter a portion of the fund’s revenue may be used to offset shortfalls in base General Fund revenues compared to forecasts made prior to the Covid-19 pandemic.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes X No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes X No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?
No

Is there financial cost or other impacts of *not* implementing the legislation?
No

3.a. Appropriations

___ This legislation adds, changes, or deletes appropriations.

3.b. Revenues/Reimbursements

___ This legislation adds, changes, or deletes revenues or reimbursements.

3.c. Positions

___ This legislation adds, changes, or deletes positions.

4. OTHER IMPLICATIONS

- a. **Does this legislation affect any departments besides the originating department?**
This legislation would create a new fund in the City treasury requiring management by the Department of Finance & Administrative Services.
- b. **Is a public hearing required for this legislation?**
No.
- c. **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No.
- d. **Does this legislation affect a piece of property?**
No.
- e. **Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?**
N/A
- f. **Climate Change Implications**
 1. **Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?**
No.
 2. **Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**
No.

- g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?**

N/A

Amendment 1 to CB 120118 - JumpStart Payroll Expense Tax Fund ORD

Sponsor: Councilmember Mosqueda

Add a recital regarding housing investments and clarify language regarding 2021 Payroll Tax Revenues

Add a recital to CB 120018 as follows:

* * *

WHEREAS, on July 20, 2020 the City Council adopted Resolution 31957 to establish a clear spending plan on proceeds from the Payroll Expense Tax received in 2022 and future years to support new investments in affordable housing and homelessness services, new investments in equitable development and economic resilience, support for small businesses in Seattle, and investments that advance Seattle’s Green New Deal along with administration of the tax; and

WHEREAS, the post pandemic housing market provides opportunities to accelerate the acquisition and development of affordable housing. In response, the Council intends to consider providing direction and increased resources, if needed, to the Office of Housing to use funds appropriated for affordable housing acquisition and development in the 2022 City Budget for projects that apply for funding through the Office of Housing’s 2021 Fall Notice of Funding Availability for the Rental Production Program; and

WHEREAS, Resolution 31957 was based on months of engagement with a broad set of stakeholders from business, labor, housing, homelessness services, environmental justice organizations and more who agreed and supported the spending priorities in the resolution; and

* * *

Aly Pennucci
Full Council
Date: July 19, 2021
Version: 1

Add a new Section 3 to CB 120118 as follows:

Section 3. Notwithstanding the provisions of Sections 1 and 2 of this ordinance, all 2021 Payroll Expense Tax proceeds due to the City by January 31, 2022, pursuant to Seattle Municipal Code Section 5.38.060, shall be deposited into the General Fund to support adopted, revised, and continuing appropriations in the 2021 Budget.

Effect: This amendment would:

1. Add a recital expressing Council's intent to take action as part of their deliberations on the City's 2022 budget, to provide direction and add resources, if needed, to the Office of Housing to use 2022 appropriations to support projects that apply for funding through the Fall 2021 NOFA process and are identified by OH as projects they would fund if additional resources were available; and
2. Adds a new section clarifying the intent of CB 120118 to allow 2021 Payroll Expense Tax proceeds to be deposited into the general fund; all future year proceeds will be deposited into the JumpStart fund as required by CB 120118.



Legislation Text

File #: CB 120120, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to City employment of public records officers; returning positions to the civil service system; and amending Section 4.13.010 of the Seattle Municipal Code.

WHEREAS, The City of Seattle is required under the Washington State Public Records Act (PRA), chapter

42.56 RCW, to timely respond to requests for public records from members of the public; and

WHEREAS, consistent with the PRA, the City identifies Public Disclosure Officers (PDOs) to respond to

public disclosure requests; and

WHEREAS, the role of PDO is nonpolitical and falls outside of the group of employees who transition with the

electoral cycle; and

WHEREAS, continuity is important to the performance of the PRA compliance function; and

WHEREAS, the three departments with elected officials as the appointing authority - the Office of the Mayor,

the Legislative Department, and the City Attorney's Office - have less continuity in senior management

than other departments; and

WHEREAS, the City strives to provide all employees with continuity in expectations and standards, and the

Civil Service Commission will be able to provide the continuity to PDOs in those departments that

frequently transition through elections; and

WHEREAS, it is appropriate to grant civil service protections to these PDO roles; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Returning five positions from exempt to non-exempt Civil Service status. The following

positions are returned to Civil Service:

- 1 filled position (10005310) in the Office of the Mayor; Strategic Advisor 2, Exempt designated to Strategic Advisor 2, General Government
- 1 vacant position (10005310) in the Office of the Mayor; Strategic Advisor 2, Exempt designated to Strategic Advisor 2, General Government
- 1 filled position (10005302) in the Law Department; Strategic Advisor 2, Exempt designated to Strategic Advisor 2, General Government
- 1 filled position (10003762) in the Legislative Department; Strategic Advisor-Legislative
- 1 filled position (10005304) in the Legislative Department, Paralegal

Section 2. Section 4.13.010 of the Seattle Municipal Code, last amended by Ordinance 126337, is amended as follows:

4.13.010 Exemptions from the Civil Service and Public Safety Civil Service Systems

* * *

Employment Unit		Titles of Exempt Positions
* * *		
8.	Executive	Administrative Staff Assistant (CPC) (Pos
		Planning and Development Specialist, Sen
		All directors of offices in the Executive De
		All positions in the Office of the Mayor, ex (10005310)
		Executive Assistant (OED) (PosNo. 00025
		Planning & Development Specialist, Senio
* * *		
13.	Law	All positions in the Law Department, exce Administrative Support and Accounting Su (PosNo. 10005302)

14.	Legislative	All positions in the Legislative Department Administrative Support and Accounting Support Legislative (PosNo. 1003762), and Paralegal
* * *		

Section 4. 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 _____ day of _____, 2021, and signed by me in open session in authentication of its passage this _____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
LEG	Whitson/206-615-1674	N/A

** 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 City employment of public records officers; returning positions to the civil service system; and amending Section 4.13.010 of the Seattle Municipal Code.

Summary and background of the Legislation:

This bill would return five positions to the civil service. All five positions are filled by Public Records Officers whose duties are to respond to requests for the records of elected officials. Two positions are in the Mayor’s Office, two positions are in the Legislative Department, and one position is in the City Attorney’s Office. If adopted, civil service protections would be available to these employees, including the ability to appeal disciplinary demotions, suspensions, and terminations to the Civil Service Commission.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes X No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? X Yes ___ No

	General Fund \$		Other \$	
Appropriation change (\$):	2021	2022	2021	2022
	0	0	0	0
	Revenue to General Fund		Revenue to Other Funds	
Estimated revenue change (\$):	2021	2022	2021	2022
	0	0	0	0
	No. of Positions		Total FTE Change	
Positions affected:	2021	2022	2021	2022
	5	5	5	5

Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?
 None identified.

Is there financial cost or other impacts of *not* implementing the legislation?

None identified.

3.a. Appropriations

 This legislation adds, changes, or deletes appropriations.

3.b. Revenues/Reimbursements

 This legislation adds, changes, or deletes revenues or reimbursements.

3.c. Positions

 X This legislation adds, changes, or deletes positions.

Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact:

The legislation changes the titles for the following three positions, as shown:

Position # for Existing Positions	Position Title & Department*	Fund Name & #	Program & BCL	PT/FT	2021 Positions	2021 FTE	Does it sunset? (If yes, explain below in Position Notes)
10005310	StratAdvsr2, Exempt, Mayor's Office	00100 – General Fund	MO - PO-MA-X1A00 - Office of the Mayor	FT	(2)	(2.0)	No
10005310	StratAdvsr2, General Government, Mayor's Office	00100 – General Fund	MO - PO-MA-X1A00 - Office of the Mayor	FT	2	2.0	No
10005302	StratAdvsr2, Exempt, Law Department	00100 – General Fund	LAW - BO-LW-J1300 - Civil	FT	(1)	(1.0)	No
1005302	StratAdvsr2, General Government, Law Department	00100 – General Fund	LAW – BO-LW – J1300 – Civil	FT	1	1.0	No
TOTAL					0	0	

Position Notes:

In addition to the position title changes listed above, two General Fund full time positions in the Legislative Department (BSL LEG - BO-LG-G1000 - Legislative Department) would be returned to the civil service, as follows:

1 filled position (10003762) Strategic Advisor-Legislative

1 filled position (10005304) Paralegal

No title change is proposed for these two positions.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

In addition to two positions in the Legislative Department, this legislation would return two positions in the Office of the Mayor and one position in the Law Department to the civil service.

b. Is a public hearing required for this legislation?

No.

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No.

d. Does this legislation affect a piece of property?

No.

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

None identified.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

No.

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

No.

- g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s).**

Not applicable.

List attachments/exhibits below:



Legislation Text

File #: CB 120124, Version: 2

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the organization of City government; creating an Office of Economic and Revenue Forecasts; adding a new Chapter 3.44 to, amending Section 3.39.010 and 3.39.035 of, and repealing Section 3.40.060 and Chapter 3.82 of the Seattle Municipal Code.

WHEREAS, the City’s economic and revenue forecasts inform the level of resources available to support City services; and

WHEREAS, development and presentation of economic and revenue data by an organization that is independent of the legislative and executive branches of government minimizes the possibility of bias and expands transparency; and

WHEREAS, the Washington State Economic and Revenue Forecast Council provides independent economic and revenue forecasts to inform the Washington state budget process; and

WHEREAS, the King County Forecast Council provides independent economic and revenue forecasts to inform the King County budget process; and

WHEREAS, the Mayor and City Council believe that a similarly structured independent economic and revenue forecast council will similarly benefit and inform the Seattle city budget process; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. A new Chapter 3.44 of the Seattle Municipal Code is added to Subtitle II of Title 3 as follows:

CHAPTER 3.44 OFFICE OF ECONOMIC AND REVENUE FORECASTS

3.44.010 Economic and Revenue Forecast Council

A. Economic and Revenue Forecast Council (Forecast Council). There is established an Economic and

Revenue Forecast Council. The Forecast Council shall receive and review the general forecasts of local economic activity and the specific forecasts of the revenues that support the City's general government programs and services. The forecasts approved by the Forecast Council by the Director of the Office of Economic and Revenue Forecasts are the official city economic and revenue forecasts and shall serve as the basis for the estimates of revenues described in RCW 35.32A.030 and 35.32A.040, provided that the Mayor or Council shall have the authority to deviate from the official forecasts as provided in Section 3.44.010. Any Mayor or City Council deviation from the official forecasts must be described in writing, transmitted to the Forecast Council, and made available to the public. Additionally, any Mayor deviation must be described in writing and transmitted to the City Council, and any City Council deviation must be described in writing and transmitted to the Mayor.

B. Forecast Council composition. The Forecast Council shall be composed of the Mayor or designee, the Director of Finance, the Council President or designee, and the Chair of the City Council Finance Committee or designee. If the Council President and the Chair of the Council Finance Committee are the same individual, the position held by the Chair of the Council Finance Committee shall be determined by the Council President. The Forecast Council shall select one member to serve as Chair of the Forecast Council annually.

C. Approval of official economic and revenue forecasts. The Director of the Office of Economic and Revenue Forecasts (Director) shall present the forecasts described in Section 3.44.040 to the Forecast Council and shall make a recommendation on which of the scenarios (baseline, pessimistic, or optimistic) should serve as the official economic and revenue forecasts. If any member of the Forecast Council disagrees with the recommendation by the Director for the official forecasts, the member may call for a vote to approve, by affirmative vote of at least three members, approval of a different scenario before the date required in subsection 3.44.040.B. If the Forecast Council does not call for such a vote, the forecasts recommended by the Director become the approved official Forecast Council economic and revenue forecasts for that period.

D. Director of the Office of Economic and Revenue Forecasts

1. Appointing authority. The Forecast Council shall by a majority vote appoint the Director of the Office of Economic and Revenue Forecasts, who shall administer the Office of Economic and Revenue Forecasts established in Section 3.44.020. The Forecast Council may appoint an interim Director whenever the term of the current Director expires or the position is otherwise vacant.

2. Term. The first term of the Director shall last five years. The Forecast Council shall establish subsequent term lengths.

3. Salary. The Forecast Council, in consultation with the Seattle Department of Human Relations, or its successor, shall fix the compensation of the Director.

4. Hiring process. The Forecast Council shall conduct an open and competitive process to select the Director.

5. Annual performance review. The Chair of the Forecast Council shall, with input from all members of the Forecast Council, conduct an annual performance review of the Director.

6. Removal. The Director may be removed by a vote of at least three members of the Forecast Council only for cause, and only after the member(s) of the Forecast Council wishing to remove the Director give written notice, specifying the basis for the intended removal, to all members of the Forecast Council.

E. Annual work program

a. The Forecast Council shall review and approve annually, by a vote of at least three members of the Forecast Council, a work program for the Office. The work program shall include all economic and revenue forecasts and any recommended special studies to be conducted and managed by the Director.

b. The Forecast Council may amend the approved annual work plan to meet special circumstances as needed, including approving changes requested by the Director. No change to the work plan shall be made that adversely affects a forecast or study in progress without considering the recommendation of the Director.

F. Meetings. All meetings shall be open to the public, except the Forecast Council may hold an

executive session to consider matters as appropriate. The Director shall, in consultation with the Director of Finance, develop policies and procedures to ensure that confidential tax information is not reviewed or discussed in a manner that is open to the public. The Forecast Council shall, with input from the Director, establish the frequency of Forecast Council meetings.

G. The Forecast Council is further authorized to request the advice and assistance of City departments in the conduct of its duties and upon such request the head of each such department may designate a representative to meet with, advise, and assist the Forecast Council.

3.44.020 Office of Economic and Revenue Forecasts - Establishment and purposes

There is created an Office of Economic and Revenue Forecasts (Office). The Office shall staff the Forecast Council, perform economic and revenue forecasts, conduct special studies at the request of the Forecast Council, and provide ad hoc analytical support on economic and revenue estimation for legislative and executive staff consistent with the work program. Such analyses shall be nonpartisan, and confidential to the extent allowed by law.

In the course of performing this work, the Director of the Office of Economic and Revenue Forecasts (Director) shall work with the Director of Finance consistent with subsection 5.55.200.C.4 to access data related to the financial matters of any department, agency, program, or other entity that receives appropriations or funding of any type from the city. The Office and its staff shall be co-located with the City Finance Division and receive administrative support from the Department of Finance and Administrative Services, or its successor entity.

3.44.030 Director - Functions and powers

The Director of the Office of Economic and Revenue Forecasts functions and powers include but are not limited to the following:

A. Provide economic forecasting, including:

1. Monitoring forecasts for the national and state economies.
2. Developing forecasts for the regional economy.

B. Provide revenue forecasting and analysis for the following revenue sources and others as may be agreed to over time by the Forecast Council and the Director:

1. Retail Sales Tax
2. Business & Occupations Tax
3. Payroll Expense Tax
4. Real Estate Excise Tax
5. Private Utility Taxes
6. Business License Tax Certificate Fees
7. Assessed Value of real and personal property
8. Value of new construction (as input to Property Tax forecast).

C. In coordination with the Director of Finance, monitor revenue collections relative to forecasts.

D. Subject to the City's personnel ordinances and rules, appoint, assign, supervise and control all officers and employees in the Office. The Director shall be responsible for the employment and supervision of those employees whom they deem necessary to assist in the performance of the duties of the office.

E. The Director shall provide staff support to the Forecast Council.

F. The Director may enter into agreements to receive data, technical assistance, and staffing assistance from City departments, offices, and outside entities. Prior to receiving tax information, the Director shall enter into an agreement with the Director of Finance to establish policies and procedures to protect the confidentiality of any tax information provided by the Director of Finance. The Director is further authorized to establish a technical work group comprised of designated forecast staff from City departments to further promote the accuracy, robustness, and coordination across departments of the several forecasts undertaken within the departments.

G. The Director will develop an annual work plan for the Office and submit the work plan to the Forecast Council for review and approval as described in subsection 3.44.010.E.

H. Manage the preparation of the economic and revenue forecasts for the City as described in Section 3.44.040, to be used as the primary basis for estimates of revenues as described in subsection 3.44.010.A.

I. Provide ad hoc analyses on revenue and economic topics to executive and legislative staff. Such analyses shall be nonpartisan and confidential to the extent allowed by law.

J. Provide written reports, not less than quarterly, to the City Council's Finance Committee, or successor committee, on the performance of all forecasted revenues. The Chair of the Finance Committee shall provide direction to the Director on the expected format for such reports.

3.44.040 Revenue forecasts

The Director shall prepare and submit to the Forecast Council, and make available to the public, unofficial economic forecasts both of City revenues and for the Seattle region for the current fiscal year and the next five fiscal years. Each forecast will include three scenarios and assign probabilities to their occurrence: baseline; optimistic; and pessimistic. Forecasts shall be presented and approved each year by April 10, August 10, and the Wednesday immediately following the first Tuesday in November.

Section 2. Section 3.39.010 of the Seattle Municipal Code, enacted by Ordinance 123361, is amended as follows:

3.39.010 Department established-Purpose((=))

There is established a Department of Finance and Administrative Services.

A. The Department shall exercise general supervision over the financial affairs of the City, including but not limited to the following:

1. ~~((direct))~~ Direct City borrowing activities;
2. ~~((provide))~~ Provide policy direction concerning investments;
3. ~~((administer))~~ Administer licensing for regulation and/or revenue unless law or ordinance vests such power elsewhere; ~~((and))~~
4. ~~((provide))~~ Provide support to the Office of Economic and Revenue Forecasts;

5. ~~((provide))~~ Provide economic and policy analysis on matters related to these same revenue sources;

6. ~~((provide))~~ Provide assessments of local economic conditions and more general economic analyses, as appropriate and/or as requested;

7. ~~((provide))~~ Provide general oversight of the City's Retirement Boards; and

8. ~~((manage and maintain the City's accounting and))~~ Provide citywide oversight and management of the City's enterprise financial systems.

* * *

Section 3. Section 3.39.035 of the Seattle Municipal Code, last amended by Ordinance 125204, is amended as follows:

3.39.035 Director of Finance-Functions and powers

The Director of Finance's functions and powers include but are not limited to the following:

A. Provide support to the Office of Economic and Revenue Forecasts for economic forecasting~~((, in coordination with the City Budget Office, including:~~

~~1. Monitor forecasts for the national and state economies, and,~~

~~2. Develop forecasts for the region's and City's economies)).~~

B. Provide support to the Office of Economic and Revenue Forecasts for revenue forecasting and analysis~~((, in coordination with the City Budget Office,))~~ including:

~~((1. Develop and compile forecasts for revenues for the General Fund, Real Estate Excise Tax, Bridging the Gap program, and other special levy supported funds,~~

~~2. Monitor))~~ 1. Monitoring revenue collections relative to forecasts, and

~~((3.))~~ 2. Assessing and developing revenue policy options in response to emerging trends, changes in state policies, and requests by City officials (including the City Budget Office).

* * *

G. Report not less than quarterly to the Council's Finance (~~(& Budget)~~) Committee, or its successor committee, (~~(the performance of all major tax and fee revenue streams; the status of the City cash pool, including cash totals)~~) the cash position of each City Fund, performance of investments (~~(made from the pool)~~) in the common investment portfolio, and the status of (~~(any and)~~) all interfund loans authorized by ordinance. Such report may be in the form of an email to the members of the Council's Finance Committee, or its successor committee.~~(; and)~~

H. Report not less than annually to the City's Debt Management and Policy Advisory Committee as established by Section 3.76.010, or its successor committee, the status of City debts, debt service, debt capacity, and debt guarantees.

I. Report to the Council's Finance Committee, or its successor committee, the status of the budgetary fund balance of City funds, with the frequency and scope of this reporting to be determined at the discretion of the Director of Finance or when requested by the Chair of the Finance Committee.

J. In September 2022, and biennially thereafter, prepare and submit a citywide financial condition report to the Council's Finance Committee, or its successor, for the City Council and the people of Seattle. The report shall provide:

1. Information on the City's financial condition as of the end of the prior fiscal year; and
2. Historical trends on City financial indicators.

The report shall include analysis of financial indicators as identified by the Director of Finance, in consultation with the Director of the Office of Economic and Revenue Forecasts.

~~((H.))~~K. Financial oversight for specified City financial commitments, including:

1. Support the Director of the Office of Intergovernmental Relations by providing financial oversight of and monitoring the City's fiscal responsibilities related to public corporations established pursuant to ~~((Seattle Municipal Code))~~ Chapter 3.110, including City ~~((Public Development Authorities, Preservation and Development Authorities))~~ public development authorities, preservation and development authorities, and

the Museum Development Authority((7)) ;

2. Develop processes to monitor and report on City's use of federal stimulus and infrastructure funds((7-and,)) ; and

3. Assess the City's liabilities for compliance to the Americans with Disabilities Act.

~~((I. Report))~~ L. Submit a report in writing not less than quarterly to the Council's Finance ((& Budget)) Committee, or its successor committee, the status of any audits conducted by the Washington State Auditor's Office and act as a liaison to facilitate communication among City departments, the Washington State Auditor's Office, and the Seattle City Council. Such report may be in the form of an email to the members of the Council's Finance Committee, or its successor committee.

~~((At his or her discretion, and with))~~ With the approval of the Director of Finance and Administrative Services, the Director of Finance may delegate any of the duties authorized in this ~~((chapter))~~ Chapter 3.39 to any other qualified city employee.

Section 4. Section 3.40.060 of the Seattle Municipal Code, enacted by Ordinance 125204, is repealed:

~~**(3.40.060 Financial condition report**~~

~~A. In September, 2017, and September, 2018, and biennially thereafter, the City Auditor shall prepare a citywide financial condition report (the Report) for the City Council. The Report shall provide information to the people of Seattle on the City's financial condition and trends on the financial and economic indicators described in subsection 3.40.060.B.~~

~~B. The City Auditor shall endeavor to use the most reliable data available to produce the Report which shall include analysis of the following financial and economic indicators:~~

~~1. Revenues, including, but not limited to:~~

~~a. Sources of revenue, including, but not limited to, sales tax, property tax, fees, grants and utilities;~~

- ~~b. Revenue per resident;~~
 - ~~c. Uses of property tax revenue; and~~
 - ~~d. General fund revenue surpluses and shortfalls.~~
- ~~2. Expenditures, including, but not limited to:~~
 - ~~a. Expenditures by category (such as public safety, utilities, human services, etc.); and~~
 - ~~b. Expenditures per resident.~~
- ~~[3. Reserved.]~~
- ~~4. Debt, including, but not limited to:~~
 - ~~a. Debt per resident;~~
 - ~~b. Debt by type (such as bonds or lines of credit);~~
 - ~~c. City debt backed by the general fund; and~~
 - ~~d. City debt policies and ratings.~~
- ~~5. Property values (market and assessed values);~~
- ~~6. Employment, including but not limited to:~~
 - ~~a. Jobs, by industry;~~
 - ~~b. Unemployment rates;~~
 - ~~c. Income per resident; and~~
 - ~~d. Number of City employees by department or office.~~
- ~~[7. Reserved.]~~
- ~~[8. Reserved.]~~
- ~~9. City pensions and other liabilities, including, but not limited to:~~
 - ~~a. The employee retirement system; and~~
 - ~~b. Post-employment benefits.~~
- ~~10. Capital assets, including, but not limited to:~~

- ~~a. Infrastructure assets replacement value;~~
- ~~b. Infrastructure condition; and~~
- ~~c. Funding gap for infrastructure needs.~~

~~11. Financial and operating position, including, but not limited to:~~

- ~~a. Net position;~~
- ~~b. Business net position (utilities);~~
- ~~c. Government net position;~~
- ~~d. Liquidity;~~
- ~~e. Operating revenue surpluses and shortfalls;~~
- ~~f. Reserved and unreserved fund balances.~~

~~12. Other indicators and analysis as requested by the City Council.))~~

Section 5. Chapter 3.82 of the Seattle Municipal Code, enacted by Ordinance

124635, is repealed:

~~**((CHAPTER 3.82 ECONOMIC AND REVENUE FORECAST ADVISORY COMMITTEE**~~

~~**3.82.010 Committee established-Membership**~~

~~There is established an Economic and Revenue Forecast Advisory Committee ("Forecast Committee" in this Chapter 3.82) composed as follows:~~

- ~~A. The City Budget Director shall be its Chair;~~
- ~~B. The Chair of the City Council Budget Committee or its successor committee;~~
- ~~C. The General Manager and Chief Executive Officer of City Light;~~
- ~~D. The Director of Seattle Public Utilities;~~
- ~~E. The City Finance Director; and~~
- ~~F. The Director of the Central Staff Division of the City Council.~~

~~The President of the City Council (or in case of his or her absence, incapacity, disability or~~

~~disqualification, the acting President of the City Council) is authorized to designate alternate members to serve in the event of the absence, incapacity, disability or disqualification of the Chair of the Budget Committee and/or the Director of the Central Staff Division, and each Department Director is authorized to designate an alternate member to act in his or her stead in the event he or she is absent, incapacitated, disabled or disqualified from acting. If a Department Director is unable to designate his or her alternate, then the Mayor (or in case of his or her absence, incapacity, disability or disqualification, the acting Mayor pursuant to Section 9 of Article V of the Seattle City Charter) may designate the alternate. The City Attorney or his or her designated representative shall meet with and provide legal advice and assistance to the Forecast Committee in the conduct of its duties.~~

~~3.82.020 Functions designated.~~

~~A. The Forecast Committee is tasked with informing City decision makers of the assumptions and risks concerning the City's economic and revenue forecasts, and promoting internal consistency, where appropriate, across City forecasts.~~

~~B. The Forecast Committee shall be advisory to the City Budget Director, the City Finance Director, the General Manager and Chief Executive Officer of Seattle City Light, the Director of Seattle Public Utilities, the City Council and the Mayor. The Forecast Committee has the responsibility to review and assess forecasts for revenues that support the City's general government programs and services, as well as forecasts for utility load or demand. In addition, the Committee will review forecasts for components of the local economy that form the basis of City revenue and load forecasts. The Committee may also provide advice to City staff responsible for developing economic, revenue, or utility load forecasts.~~

~~C. The Forecast Committee is further authorized to request the advice and assistance of the City departments in the conduct of its duties and upon such request the head of each such department may designate a representative to meet with, advise and assist the Forecast Committee in the conduct of such duties.~~

~~D. The Forecast Committee shall meet at such times and intervals as suits the conduct of the City's~~

~~forecasting, financial and budget development processes.~~

~~E. The Forecast Committee is further authorized to establish a technical work group comprised of designated forecast staff from the City departments to further promote the accuracy, robustness and coordination across departments of the several forecasts undertaken within the departments.))~~

Section 6. 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 _____ day of _____, 2021, and signed by me in open session in authentication of its passage this _____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
LEG		Aly Pennucci / 4-8148

** 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 the organization of City government; creating an Office of Economic and Revenue Forecasts; adding a new Chapter 3.44 to, amending Section 3.39.010 and 3.39.035 of, and repealing Section 3.40.060 and Chapter 3.82 of the Seattle Municipal Code.

Summary and background of the Legislation: The proposed legislation would establish a new Office of Economic and Revenue Forecasts (ERFO) that is independent of the Executive and Legislative branches of City government, and updates certain financial reporting required by code. Similar to functions of the King County Office of Economic and Financial Analysis and the Washington State Economic and Revenue Forecast Council, the ERFO would provide independent forecasts and economic analyses. This legislation would implement the policy intent of the Council Budget Action (CBA) [FG-001-A-003](#), included in the 2021 Adopted Budget through.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes ___x_ No

If yes, please fill out the table below and attach a new (if creating a project) or marked-up (if amending) CIP Page to the Council Bill. Please include the spending plan as part of the attached CIP Page. If no, please delete the table.

Project Name:	Project I.D.:	Project Location:	Start Date:	End Date:	Total Project Cost Through 2026:

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes ___x_ No

Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

The new office will require about \$660,000 of ongoing General Fund (GF) support; about \$170,000 of this is a transfer of existing resources from the City Budget Office; the remaining \$490,000 will require ongoing GF resources. The specific staffing model and budget authority is not part of this legislation and will take form, should this legislation pass,

through a supplemental budget adjustment in 2021, and the 2022 proposed budget deliberations.

Is there financial cost or other impacts of *not* implementing the legislation?

Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs or consequences.

If there are no changes to appropriations, revenues, or positions, please delete sections 3.a., 3.b., and 3.c. and answer the questions in Section 4.

3.a. Appropriations

_____ This legislation adds, changes, or deletes appropriations.

If this box is checked, please complete this section. If this box is not checked, please proceed to Revenues/Reimbursements.

Fund Name and number	Dept	Budget Control Level Name/#*	2021 Appropriation Change	2022 Estimated Appropriation Change
TOTAL				

**See budget book to obtain the appropriate Budget Control Level for your department.*

This table should reflect appropriations that are a direct result of this legislation. In the event that the project/programs associated with this ordinance had, or will have, appropriations in other legislation please provide details in the Appropriation Notes section below. If the appropriation is not completely supported by revenue/reimbursements listed below, please identify the funding source (e.g. available fund balance) to cover this appropriation in the notes section. Also indicate if the legislation changes appropriations one-time, ongoing, or both.

Is this change one-time or ongoing?

Please explain any complicated scenarios – e.g. three-year funding agreement but not permanent ongoing.

Appropriations Notes:

3.b. Revenues/Reimbursements

_____ This legislation adds, changes, or deletes revenues or reimbursements.

If this box is checked, please complete this section. If this box is not checked, please proceed to Positions.

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Dept	Revenue Source	2021 Revenue	2022 Estimated Revenue
TOTAL				

This table should reflect revenues/reimbursements that are a direct result of this legislation. In the event that the issues/projects associated with this ordinance/resolution have revenues or reimbursements that were, or will be, received because of previous or future legislation or budget actions, please provide details in the Notes section below. Do the revenue sources have match requirements? If so, what are they?

Is this change one-time or ongoing?

Please explain any complicated scenarios – e.g. three-year funding agreement but not permanent ongoing.

Revenue/Reimbursement Notes:

3.c. Positions

 This legislation adds, changes, or deletes positions.

If this box is checked, please complete this section. If this box is not checked, please proceed to Other Implications.

Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact:

Position # for Existing Positions	Position Title & Department*	Fund Name & #	Program & BCL	PT/FT	2021 Positions	2021 FTE	Does it sunset? (If yes, explain below in Position Notes)
TOTAL							

* List each position separately

This table should only reflect the actual number of positions created by this legislation. In the event that positions have been, or will be, created as a result of previous or future legislation or budget actions, please provide details in the Notes section below.

Position Notes:

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

If so, please list the affected department(s) and the nature of the impact (financial, operational, etc.).

Yes, this legislation will modify the forecasting work that the City Budget Office currently manages, transfer certain positions from CBO to the new office, and change how FAS interacts with the forecasting work, and adds responsibilities to FAS to provide some administrative support to the new office. It is anticipated that CBO will request additional funding, through future budget appropriation bills, for an economist position to backfill the 0.5 FTE position that would transfer to the ERFO, if approved, and to restore other healthcare economist work. These resources would continue to support the forecasting work that would remain within CBO.

b. Is a public hearing required for this legislation?

If yes, what public hearing(s) have been held to date, and/or what public hearing(s) are planned/required in the future?

No

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

For example, legislation related to sale of surplus property, condemnation, or certain capital projects with private partners may require publication of notice. If you aren't sure, please check with your lawyer. If publication of notice is required, describe any steps taken to comply with that requirement.

No

d. Does this legislation affect a piece of property?

If yes, and if a map or other visual representation of the property is not already included as an exhibit or attachment to the legislation itself, then you must include a map and/or other visual representation of the property and its location as an attachment to the fiscal note. Place a

note on the map attached to the fiscal note that indicates the map is intended for illustrative or informational purposes only and is not intended to modify anything in the legislation.

No

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

If yes, please explain how this legislation may impact vulnerable or historically disadvantaged communities. Using the racial equity toolkit is one way to help determine the legislation's impact on certain communities. If any aspect of the legislation involves communication or outreach to the public, please describe the plan for communicating with non-English speakers.

While there are not direct race and social justice impacts of this proposal identified by staff, as a key input into the City's budget processes, a more transparent forecasting process is one step towards providing more access to data that informs key decisions. A key component of achieving the RSJI goal of ending institutionalized racism is the examination of City policies, projects, initiatives, and budget decisions. The City's Budget lays out priorities in terms of policies and programs; an open process gives both branches, as well as the public and advocates, the opportunity to gain access to the information needed to help evaluate budget policies based on the facts before decisions are made.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

Please provide a qualitative response, considering net impacts. Are there potential carbon emissions impacts of not implementing the proposed legislation. Discuss any potential intersections of carbon emissions impacts and race and social justice impacts, if not previously described in Section 4e.

No

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

Describe the potential climate resiliency impacts of implementing or not implementing the proposed legislation. Discuss any potential intersections of climate resiliency and race and social justice impacts, if not previously described in Section 4e.

No

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s).

This answer should highlight measurable outputs and outcomes.

Creating a new office to provide independent forecasts and economic analyses is intended to increase transparency in the forecasting process, create a level playing field between both branches of government, enhance the City's work related to forecasts and other economic analysis, and creates consistency with other government entities. The outcomes could be measured through evaluation of the level of transparency (e.g., reviewing information made available to the public) and surveying elected officials, staff, and the public about the level of understanding of the process and benefits of the increased transparency after the office has been operating for some time.

List attachments/exhibits below: