



CITY OF SEATTLE

City Council

Agenda

Tuesday, December 10, 2024

2:00 PM

**Council Chamber, City Hall
600 4th Avenue
Seattle, WA 98104**

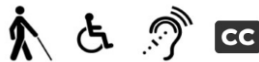
**Sara Nelson, Council President
Joy Hollingsworth, Member
Robert Kettle, Member
Cathy Moore, Member
Tammy J. Morales, Member
Alexis Mercedes Rinck, Member
Maritza Rivera, Member
Rob Saka, Member
Dan Strauss, Member**

Chair Info: 206-684-8809; Sara.Nelson@seattle.gov

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Council Chamber Listen Line: 206-684-8566

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CITY OF SEATTLE

City Council Agenda

December 10, 2024 - 2:00 PM

Meeting Location:

Council Chamber, City Hall, 600 4th Avenue, Seattle, WA 98104

Committee Website:

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

Members of the public may register for remote or in-person Public Comment to address the Council. Details on how to provide Public Comment are listed below:

Remote Public Comment - Register online to speak during the Public Comment period at

<https://www.seattle.gov/council/committees/public-comment>

Online registration to speak will begin one hour before the 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.

In-Person Public Comment - Register to speak on the Public Comment sign-up sheet located inside Council Chambers at least 15 minutes prior to the meeting start time. 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 prior to 10 a.m. on the day of the meeting at Council@seattle.gov or at Seattle City Hall, Attn: Council Public Comment, 600 4th Ave., Floor 2, Seattle, WA 98104.

A. CALL TO ORDER

B. ROLL CALL

C. PRESENTATIONS

D. 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.

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 459](#)

December 10, 2024

Attachments: [Introduction and Referral Calendar](#)

F. APPROVAL OF THE AGENDA**G. APPROVAL OF CONSENT CALENDAR**

The Consent Calendar consists of routine items. A Councilmember may request that an item be removed from the Consent Calendar and placed on the regular agenda.

Journal:

1. [Min 496](#) December 3, 2024

Attachments: [Minutes](#)

Bills:

2. [CB 120923](#) AN ORDINANCE appropriating money to pay certain claims for the week of November 25, 2024, through November 29, 2024, and ordering the payment thereof; and ratifying and confirming certain prior acts.

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

H. COMMITTEE REPORTS

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

CITY COUNCIL:

1. [CB 120919](#) AN ORDINANCE relating to City employment; providing wage increases for 2025 and 2026 for certain non-represented City job titles; and providing adjustments to certain non-represented job titles.

Supporting

Documents: [Summary and Fiscal Note](#)
[Central Staff Memo](#)

2. [CB 120920](#) AN ORDINANCE relating to City employment, commonly referred to as the Pay Zone Ordinance; adjusting the pay zones for titles in the City's discretionary pay programs; and ratifying and confirming certain prior acts.

Supporting

Documents: [Summary and Fiscal Note](#)
[Central Staff Memo](#)

LAND USE COMMITTEE:

3. [CB 120833](#) AN ORDINANCE relating to land use and zoning; amending subsection 23.49.156.A of the Seattle Municipal Code to clarify bonus allowances in the Living Building Pilot Program.

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

In Favor: 4 - Morales, Strauss, Rinck, Rivera

Opposed: None

Abstain: 1 - Moore

Supporting

Documents: [Summary and Fiscal Note](#)

I. ITEMS REMOVED FROM CONSENT CALENDAR**J. ADOPTION OF OTHER RESOLUTIONS****K. OTHER BUSINESS****L. ADJOURNMENT**



Legislation Text

File #: IRC 459, **Version:** 1

December 10, 2024



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: Strauss</u>		
1. CB 120923	AN ORDINANCE appropriating money to pay certain claims for the week of November 25, 2024, through November 29, 2024, and ordering the payment thereof; and ratifying and confirming certain prior acts.	City Council
<u>By: Nelson</u>		
2. CB 120925	AN ORDINANCE relating to City employment, commonly referred to as the Fourth Quarter 2024 Employment Ordinance; exempting positions from the Civil Service System; returning positions to the Civil Service System; retitling existing titles; establishing new titles; and adjusting salaries for existing titles; all by a 2/3 vote of the City Council.	Governance, Accountability, and Economic Development Committee
<u>By: Moore</u>		
3. Appt 03044	Appointment of Hannah Glover as member, Seattle Women's Commission, for a term to July 1, 2026.	Housing and Human Services Committee
<u>By: Saka</u>		
4. CB 120924	AN ORDINANCE granting Pike Place Market Preservation and Development Authority permission to continue maintaining and operating a pedestrian skybridge over and across Western Avenue, approximately 300 feet north of Pike Street; repealing Section 7 of Ordinance 114388; and providing for acceptance of the permit and conditions.	Transportation Committee
<u>By: Saka</u>		
5. Res 32158	A RESOLUTION granting conceptual approval to install, maintain, and operate a below-grade pedestrian tunnel under and across Boren Avenue North, north of Denny Way; as proposed by Onni Boren Ave Seattle LLC, as part of the construction of 121 Boren Avenue North, in the South Lake Union neighborhood.	Transportation Committee
<u>By: Saka</u>		
6. Res 32159	A RESOLUTION granting conceptual approval to install, maintain, and operate a below-grade private thermal energy	Transportation Committee

exchange system under and across Boren Avenue North, north of Denny Way; as proposed by Onni Boren Ave Seattle LLC, as part of the construction of 121 Boren Avenue North, in the South Lake Union neighborhood.



Legislation Text

File #: Min 496, **Version:** 1

December 3, 2024

SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor
Seattle, WA 98104



Journal of the Proceedings of the Seattle City Council

Tuesday, December 10, 2024

2:00 PM

Council Chamber, City Hall

600 4th Avenue

Seattle, WA 98104

City Council

Sara Nelson, Council President

Joy Hollingsworth, Member

Robert Kettle, Member

Cathy Moore, Member

Tammy J. Morales, Member

Alexis Mercedes Rinck, Member

Maritza Rivera, Member

Rob Saka, Member

Dan Strauss, Member

Chair Info: 206-684-8809; Sara.Nelson@seattle.gov

- A. CALL TO ORDER
- B. ROLL CALL
- C. PRESENTATIONS
- D. PUBLIC COMMENT
- E. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR:
- F. APPROVAL OF THE AGENDA
- G. APPROVAL OF CONSENT CALENDAR

Journal:

Bills:

H. COMMITTEE REPORTS

CITY COUNCIL:

- 1. [CB 120919](#) AN ORDINANCE relating to City employment; providing wage increases for 2025 and 2026 for certain non-represented City job titles; and providing adjustments to certain non-represented job titles.

- 2. [CB 120920](#) AN ORDINANCE relating to City employment, commonly referred to as the Pay Zone Ordinance; adjusting the pay zones for titles in the City’s discretionary pay programs; and ratifying and confirming certain prior acts.

LAND USE COMMITTEE:

- 3. [CB 120833](#) AN ORDINANCE relating to land use and zoning; amending subsection 23.49.156.A of the Seattle Municipal Code to clarify bonus allowances in the Living Building Pilot Program.

The Committee recommends that City Council pass the Council Bill (CB).
In Favor: 4 - Morales, Strauss, Rinck, Rivera
Opposed: None
Abstain: 1 - Moore

I. ITEMS REMOVED FROM CONSENT CALENDAR

J. ADOPTION OF OTHER RESOLUTIONS

K. OTHER BUSINESS

L. ADJOURNMENT



Legislation Text

File #: CB 120923, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE appropriating money to pay certain claims for the week of November 25, 2024, through November 29, 2024, and ordering the payment thereof; and ratifying and confirming certain prior acts.
BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Payment of the sum of \$12,803,365.01 on PeopleSoft 9.2 mechanical warrants numbered 4100878066 - 4100879757 plus manual or cancellation issues for claims, e-payables of \$72,996.12 on PeopleSoft 9.2 9100014956 - 9100014972, and electronic financial transactions (EFT) in the amount of \$88,669,303.79 are presented to the City Council under RCW 42.24.180 and approved consistent with remaining appropriations in the current Budget as amended.

Section 2. RCW 35.32A.090(1) states, “There shall be no orders, authorizations, allowances, contracts or payments made or attempted to be made in excess of the expenditure allowances authorized in the final budget as adopted or modified as provided in this chapter, and any such attempted excess expenditure shall be void and shall never be the foundation of a claim against the city.”

Section 3. Any act consistent with the authority of this ordinance taken prior to its effective date is 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 10th of December, 2024, and signed by me in open session in

authentication of its passage this 10th of December, 2024.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2024.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2024.

Scheereen Dedman, City Clerk

(Seal)

SUMMARY and FISCAL NOTE

Department:	Dept. Contact:	CBO Contact:
Office of City Finance	Julie Johnson	Lorine Cheung

1. BILL SUMMARY

Legislation Title:

An ordinance appropriating money to pay certain claims for the week of November 25, 2024, through November 29, 2024, and ordering the payment thereof; and ratifying and confirming certain prior acts. Claims include all financial payment obligations for bills and payroll paid out of PeopleSoft for the covered.

Summary and Background of the Legislation:

RCW 42.24.180 requires that payment of certain claims be authorized by the City Council. This bill, prepared each week by the City Treasury, authorizes the payments of funds that were previously appropriated by the City Council, so the passage of this bill does not have a direct result on the City's budget.

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation have financial impacts to the City? Yes No

This bill authorizes the payments of funds that were previously appropriated by the City Council, so the passage of this bill does not have a direct result on the City's budget.

If the legislation has costs, but they can be absorbed within existing operations, please describe how those costs can be absorbed. The description should clearly describe if the absorbed costs are achievable because the department had excess resources within their existing budget or if by absorbing these costs the department is deprioritizing other work that would have used these resources.

Please describe any financial costs or other impacts of *not* implementing the legislation. The legislation authorizes the payment of valid claims. If the City does not pay its legal obligations it could face greater legal and financial liability.

4. OTHER IMPLICATIONS

- a. **Please describe how this legislation may affect any departments besides the originating department.**

This type of legislation authorizes payment of bill and payroll expenses for all City departments.

- b. **Does this legislation affect a piece of property? If yes, please attach a map and explain any impacts on the property. Please attach any Environmental Impact Statements, Determinations of Non-Significance, or other reports generated for this property.**

No.

- c. **Please describe any perceived implication for the principles of the Race and Social Justice Initiative.**

- i. **How does this legislation impact vulnerable or historically disadvantaged communities? How did you arrive at this conclusion? In your response please consider impacts within City government (employees, internal programs) as well as in the broader community.**

N/A

- ii. **Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.**

N/A

- iii. **What is the Language Access Plan for any communications to the public?**

N/A

- d. **Climate Change Implications**

- i. **Emissions: How is this legislation likely to increase or decrease carbon emissions in a material way? Please attach any studies or other materials that were used to inform this response.**

N/A

- ii. **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.**

N/A

- e. **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)? What mechanisms will be used to measure progress towards meeting those goals?**

N/A

5. CHECKLIST

- Is a public hearing required?**
- Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required?**
- If this legislation changes spending and/or revenues for a fund, have you reviewed the relevant fund policies and determined that this legislation complies?**
- Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization?**

6. ATTACHMENTS

Summary Attachments: None.



Legislation Text

File #: CB 120919, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to City employment; providing wage increases for 2025 and 2026 for certain non-represented City job titles; and providing adjustments to certain non-represented job titles.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. As requested by the Seattle Human Resources Director and recommended by the Mayor, effective January 1, 2025, the base wage rates for all non-represented job titles, except non-represented job titles at the Library and those job titles listed in Section 2 of this ordinance, shall be increased by 4 percent. The 2025 base wage increases shall be implemented as soon as practicable, with retroactive pay to January 1, 2025, as appropriate.

Section 2. Non-represented job titles at the Library and those job titles listed below are excluded from the wage increase described in Section 1 of this ordinance:

Chief Technology Officer
City Attorney, Assistant
City Light General Manager and Chief Executive Officer
Contract Employee-Intermittent
Councilmember
Electric Utility Executive, All Classes
Executive Manager-City Auditor
Executive Manager-Legislative
Executive, All Classes
Hearing Examiner, All Classes
Hearing Examiner-Pro Tempore-Intermittent
High School Intern-Intermittent
Information Technology Professional, All Classes

Investments/Debt Director, All Classes
Legislative Assistant
Legislative Assistant-Intermittent
Magistrate
Manager, All Classes
Mayoral Staff Assistant, All Classes
Members of Boards or Commissions with Session or Meeting Rates
Municipal Judge
Municipal Judge-Pro Tempore-Day-Intermittent
Power Marketer
Seattle Fire Chief
Seattle Police Chief
Seattle Public Utilities General Manager and Chief Executive Officer
Strategic Advisor, All Classes
Strategic Advisor-Audit
Strategic Advisor-Legislative
Volunteer Firefighter-Skagit Project
Volunteer Firefighter-Skagit Project-Intermittent
Work Training Enrollee-Intermittent
Work Training Enrollee-Tier II-Intermittent
Youth Employment Enrollee-Summer-Intermittent
Youth Employment Enrollee-Summer-NC-Intermittent

Section 3. Before applying the 4 percent wage increase provided by Section 1 of this ordinance, the following non-represented job titles shall also receive an increase to their base wage rates consistent with wage increases negotiated for identical represented job titles in the PROTEC17 Professional, Technical, Senior Business, Senior Professional and Administrative Support Unit. Hourly base wage rates for the following non-represented job titles shall correspond with the hourly base wage rates for 2025 of the identical represented job titles, as set forth in the “Agreement By and Between The City of Seattle and PROTEC17 Units: Professional, Technical, Senior Business, Senior Professional and Administrative Support,” which agreement is effective

January 1, 2023, through December 31, 2026:

Accounting Technician I
Accounting Technician II
Accounting Technician III
Accounting Technician Supervisor
Administrative Specialist I
Administrative Specialist II
Administrative Specialist III
Administrative Support Assistant
Administrative Support Supervisor
Public Relations Specialist
Public Relations Specialist, Senior
Safety & Health Specialist
Safety & Health Specialist, Senior

Section 4. As requested by the Seattle Human Resources Director and recommended by the Mayor, effective December 31, 2025, base wage rates for 2026 for all non-represented job titles, except non-represented job titles at the Library and those job titles identified in Section 2 of this ordinance, shall be increased by 100 percent of the annual average growth rate of the bi-monthly Seattle-Tacoma-Bellevue Area Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) for the period June 2023 through June 2024 to the period June 2024 through June 2025. However, this percentage increase shall not be less than 2 percent and shall not exceed 4 percent. After calculating new base wage rates using this formula, the base wage rates for 2026 shall have an additional 1 percent added, the total not to exceed 5 percent. Section 5. This ordinance shall take effect as provided by Seattle Municipal Code Sections 1.04.020 and 1.04.070.

Passed by the City Council the _____ day of _____, 2024, and signed by me in open session in authentication of its passage this _____ day of _____, 2024.

President _____ of the City Council

Approved / returned unsigned / vetoed this ____ day of _____, 2024.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2024.

Scheereen Dedman, City Clerk

(Seal)

SUMMARY and FISCAL NOTE

Department:	Dept. Contact:	CBO Contact:
Seattle Department of Human Resources	Amanda Grumbach	Kailani DeVille

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to City employment; providing wage increases for 2025 and 2026 for certain non-represented City job titles; and providing adjustments to certain non-represented job titles.

Summary and Background of the Legislation

This legislation authorizes the same wage increases and negotiated wage adjustments for 2025 and 2026 for certain non-represented City employees that were agreed to between the City and the Coalition of City Unions (“Coalition”) in Council Bill 120757. Historically, the City has provided the same benefits and other conditions of employment and opportunities for wage increases for employees represented by Coalition unions as for non-represented employees. The purpose of this legislation is to extend the same increases for Coalition employee to non-represented employees. Non-represented employees of the City Library system and those job titles identified in Section 2 of the bill are excluded from the wage increases authorized in this legislation.

This legislation would:

1. Provide a 4.0 percent wage increase for most non-represented employees in “step progression” job titles (job titles not in the discretionary pay programs) for 2025. Non-represented employees in Library positions and/or in discretionary pay programs are specifically excluded from this wage increase.
2. Provide negotiated wage adjustments, in addition to the 4.0 percent wage increase, for 13 non-represented titles consistent with the negotiated wage adjustments that identical titles represented in the Coalition will receive in 2025.
3. Provide up to a 5.0 percent wage increase for most non-represented employees in “step progression” job titles for 2026. Base wage rates for 2026 will be increased by 100 percent of the annual average growth rate of the bi-monthly Seattle-Tacoma-Bellevue Area Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) for the period June 2023 through June 2024 to the period June 2024 through June 2025. This percentage increase will not be less than 2 percent and not exceed 4 percent. After calculating the percentage increase using this formula, an additional 1 percent will be added (the total not to exceed 5 percent) to arrive at the base wage rates for 2026.

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation have financial impacts to the City? Yes No

The financial impacts related to this legislation are included in the 2025-2026 Budget. Ongoing impacts (2027-2028) are included in planning reserves of the respective Six Year Financial Plans included in the 2025-2026 Budget.

Companion legislation, commonly referred to as the Pay Zone Ordinance, will adjust the pay zone structure for the City's discretionary pay programs, which is necessary to implement the wage increases described in this legislation.

3.d. Other Impacts

Does the legislation have other financial impacts to The City of Seattle, including direct or indirect, one-time or ongoing costs, that are not included in Sections 3.a through 3.c? If so, please describe these financial impacts.

It is possible that changes in the proposed legislation could result in additional pay adjustments that are required to avoid compression between manager and employee compensation. These impacts are being explored, but do not have an estimate at the time of this transmittal.

If the legislation has costs, but they can be absorbed within existing operations, please describe how those costs can be absorbed. The description should clearly describe if the absorbed costs are achievable because the department had excess resources within their existing budget or if by absorbing these costs the department is deprioritizing other work that would have used these resources.

N/A

Please describe any financial costs or other impacts of *not* implementing the legislation.

If this legislation is not implemented, non-represented City employees will not have access to the same level of pay as Coalition members for the items identified in this legislation. This would also be a departure from historical practice. Disparate pay rates for same bodies of work may result, in addition to potential morale issues between non-represented and represented employees. There may be additional risks associated with not implementing this legislation.

4. OTHER IMPLICATIONS

a. Please describe how this legislation may affect any departments besides the originating department.

Most City departments would be affected by this legislation. This legislation will impact City departments' budgets, but will not have operational impacts.

- b. Does this legislation affect a piece of property? If yes, please attach a map and explain any impacts on the property. Please attach any Environmental Impact Statements, Determinations of Non-Significance, or other reports generated for this property.**
No.
- c. Please describe any perceived implication for the principles of the Race and Social Justice Initiative.**
- i. How does this legislation impact vulnerable or historically disadvantaged communities? How did you arrive at this conclusion? In your response please consider impacts within City government (employees, internal programs) as well as in the broader community.**
This legislation includes enhancements to for employees, many of whom are BIPOC and women.
 - ii. Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.**
N/A
 - iii. What is the Language Access Plan for any communications to the public?**
N/A
- d. Climate Change Implications**
- i. Emissions: How is this legislation likely to increase or decrease carbon emissions in a material way? Please attach any studies or other materials that were used to inform this response.**
N/A
 - ii. 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.
- e. 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)? What mechanisms will be used to measure progress towards meeting those goals?**
N/A

5. CHECKLIST

- Is a public hearing required?
- Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required?

- If this legislation changes spending and/or revenues for a fund, have you reviewed the relevant fund policies and determined that this legislation complies?**
- Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization?**

6. ATTACHMENTS

Summary Attachments: None

December 6, 2024

MEMORANDUM

To: Seattle City Council
From: Karina Bull, Analyst
Subject: Council Bill 120919: 2025-2026 Non-represented Employee Wages

On December 10, 2024, the Seattle City Council (Council) will discuss and possibly vote on [Council Bill \(CB\) 120919](#), which would provide wage adjustments in 2025 and 2026 for non-represented City employees in certain “step progression” job titles (i.e., positions with salary increments awarded in discrete steps as tenure with the City increases with little discretion available to the appointing authority to increase or decrease wages).¹ This memo provides a high-level summary of the bill and identifies next steps.

Summary

This legislation would adjust wages in 2025 and 2026 for City employees in step progression job titles that are not represented by a labor organization. Effective January 1, 2025, this legislation would cover about 1,800 non-represented employees. The last wage adjustments for these job titles occurred earlier this year as part of a legislative package that included Coalition Collective Bargaining Agreements, 2023-2026 ([ORD 127005](#)), 2023-2024 Non-Represented Employee Economic Items ([ORD 127006](#)), and the 2023-2024 Pay Zone Ordinance ([ORD 127007](#)).

The wage adjustments for these non-represented employees would be consistent with wage adjustments for represented employees covered by the Coalition of City Unions (Coalition) collective bargaining agreements ([ORD 127005](#)). Historically, the City has provided the same wage increases, benefits, and other conditions of employment for non-represented employees as for Coalition members. The proposed wage adjustments are as follows:

- Annual wage increases
 - 2025 – Four percent.
 - 2026 – Up to five percent (local inflation, minimum two percent and maximum four percent, plus an additional one percent).
- Market rate adjustments
 - 13 job titles would receive an additional wage adjustment based on the market rates for similarly situated, public sector positions. The amount would be consistent with negotiated wage adjustments for identical, represented job titles in agreements between the City and PROTEC 17 Units.

¹ For more information on the step progression pay program, see the [City of Seattle Salary Schedule and Compensation Plan](#) (page 3).

This legislation would exclude non-represented job titles at the Library and 36 other non-represented job titles. Most of the excluded job titles would be those in discretionary pay programs, such as the Accountability Pay for Executives Program and Strategic Advisors and Managers compensation program.² Other excluded job titles would include those with intermittent classifications (e.g., Contract Employee, High School Intern, Work Training Enrollee, Youth Employment Enrollee), Volunteer Fire Fighters in the Skagit Project, and members of Boards or Commissions.³

Financial Impacts

The 2025-2026 Adopted Budget includes appropriations to implement wage adjustments for employees covered by this legislation. Additionally, the Six-year Financial Plans in the 2025-2026 Adopted Budget assume ongoing impacts of wage increases in planning reserves.

Next Steps

If the Council votes to approve CB 120919, the City would be authorized to implement the proposed wage adjustments for covered non-represented job titles. The 2025 wage adjustment would be implemented as soon as practicable, with retroactive pay to January 1, 2025, as appropriate.

Please contact Karina Bull if you have questions about the proposed legislation.

cc: Ben Noble, Director
Yolanda Ho, Deputy Director
Lish Whitson, Supervising Analyst

² The 2025 Pay Zone Ordinance ([CB 120920](#)) would adjust the pay bands in 2025 for job titles in the discretionary pay programs.

³ SDHR's Workforce Analytics and Reporting Unit (WARU) could adjust the wages of the other excluded job titles in a separate, non-legislative process.



Legislation Text

File #: CB 120920, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to City employment, commonly referred to as the Pay Zone Ordinance; adjusting the pay zones for titles in the City’s discretionary pay programs; and ratifying and confirming certain prior acts.

WHEREAS, the Accountability Pay for Executives (APEX) Program is set forth in Seattle Municipal Code Section 4.20.380, which provides for adjustments to the pay zones based on a biennial labor market analysis of selected benchmark titles as recommended by the Seattle Human Resources Director; and

WHEREAS, the Manager and Strategic Advisor Compensation Program is set forth in Seattle Municipal Code Section 4.20.390, which provides for adjustments to the pay zones based on a biennial labor market analysis of selected benchmark titles as recommended by the Seattle Human Resources Director; and

WHEREAS, the Electric Utility Executive (EUE) Compensation Program is set forth in Seattle Municipal Code Section 4.20.401, which provides for adjustments to the pay zones at least every two years as recommended by the Seattle Human Resources Director; and

WHEREAS, the Information Technology Professional (ITP) Compensation Program is set forth in Seattle Municipal Code Section 4.20.430, which provides for adjustments to the pay zones based on a biennial labor market analysis of selected benchmark titles as recommended by the Seattle Human Resources Director; and

WHEREAS, the Investments/Debt Director Compensation Program is set forth in Seattle Municipal Code 4.20.450, which provides for adjustments to the pay band at least every two years as recommended by the Seattle Human Resources Director; and

WHEREAS, Ordinance 118851, Ordinance 119954, Ordinance 120119, Ordinance 120819, and Ordinance 126193 provide that the Seattle Human Resources Director shall act on behalf of the Legislative Department's appointing authority to recommend all future adjustments to pay bands in the Legislative Department Broadbands; and

WHEREAS, the Power Marketing Compensation Program was established by Ordinance 119351, which provides for adjustments to the pay band at least every two years as recommended by the Seattle Human Resources Director; and

WHEREAS, the City Light General Manager and Chief Executive Officer Compensation Program was established by Ordinance 121176 and Ordinance 124507, which together provide for adjustments to the pay band at least every two years as recommended by the Seattle Human Resources Director; and

WHEREAS, Ordinance 121787 established the Mayoral Staff Assistant Discretionary Pay Program and provides for future adjustments to the pay zones to be consistent with cost-of-living adjustments awarded to non-represented City Step Pay Program titles; and

WHEREAS, the Assistant City Attorney (ACA) Discretionary Pay Program was established by Ordinance 122007, which provides for adjustments to the pay band at least every two years as recommended by the Seattle Human Resources Director; and

WHEREAS, the Seattle Police Chief Compensation Program was established by Ordinance 124510, which provides for adjustments to the pay band at least every two years as recommended by the Seattle Human Resources Director for approval by the City Council; and

WHEREAS, the Magistrate Compensation Program was established by Ordinance 124586, which provides for adjustments to the pay band at least every two years as recommended by the Seattle Human Resources Director; and

WHEREAS, the Seattle Public Utilities General Manager and Chief Executive Officer Compensation Program was established by Ordinance 125164, which provides for adjustments to the pay band at least every

two years as recommended by the Seattle Human Resources Director; and

WHEREAS, the Seattle Information Technology Chief Technology Officer Compensation Program was established by Ordinance 126029, which provides for adjustments to the pay band at least every two years as recommended by the Seattle Human Resources Director; and

WHEREAS, the Seattle Fire Chief Compensation Program was established by Ordinance 126513, which provides for adjustments to the pay band at least every two years as recommended by the Seattle Human Resources Director for approval by the City Council; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Adjusting the pay zones for 2025 for titles in the Accountability Pay for Executives (APEX) Discretionary Pay Program. As recommended by the Seattle Human Resources Director, the pay zones in the APEX Compensation Program will be adjusted as shown below. The rates for 2025 shall be effective January 1, 2025.

<u>APEX Titles</u>	<u>2025 Pay Zone Rates</u>
Executive 1	\$54.63 - \$90.16
Executive 2	\$64.56 - \$106.52
Executive 3	\$76.22 - \$125.78
Executive 4	\$89.92 - \$148.36

Section 2. Adjusting the pay zones for 2025 for titles in the Manager and Strategic Advisor Compensation Program. As recommended by the Seattle Human Resources Director, the pay zones in the Strategic Advisor and Manager Discretionary Pay Program will be adjusted as shown below. The adjustments to each pay zone shall encompass all occupational groups that constitute the class series. The rates for 2025 shall be effective January 1, 2025.

<u>Manager Titles</u>	<u>2025 Pay Zone Rates</u>
Manager 1 (all classes)	\$50.08 - \$75.12
Manager 2 (all classes)	\$54.60 - \$81.93
Manager 3 (all classes)	\$59.75 - \$89.61

Strategic Advisor Titles	2025 Pay Zone Rates
Strategic Advisor 1 (all classes)	\$50.08 - \$75.12
Strategic Advisor 2 (all classes)	\$54.60 - \$81.93
Strategic Advisor 3 (all classes)	\$59.75 - \$89.61

Section 3. Adjusting the pay zones for 2025 for titles in the Electric Utility Executive (EUE) Compensation Program. As recommended by the Seattle Human Resources Director, the pay zones for titles in the EUE Compensation Program shall be adjusted as shown below. The rates for 2025 shall be effective January 1, 2025.

EUE Titles	2025 Pay Zone Rates
Electric Utility Executive 1	\$65.68 - \$105.05
Electric Utility Executive 2	\$75.50 - \$120.79
Electric Utility Executive 3, Director	\$98.45 - \$157.52
Electric Utility Executive 3, Officer	\$112.60 - \$180.16

Section 4. Adjusting the pay zones for 2025 for titles in the Information Technology Professional (ITP) Compensation Pay Program. As recommended by the Seattle Human Resources Director, the pay zones in the Information Technology Professional Compensation Program will be adjusted as shown below. The rates for 2025 shall be effective January 1, 2025.

ITP Titles	2025 Pay Zone Rates
Information Technology Professional A, Exempt	\$60.10 - \$90.16
Information Technology Professional B (Non-Represented)	\$52.63 - \$79.00
Information Technology C (Non-Represented)	\$46.03 - \$69.04

Section 5. Adjusting the pay zones for 2025 for titles in the Investments/Debt Director Compensation

Program. As recommended by the Seattle Human Resources Director, the pay zones for the following titles shall be adjusted as shown below. The rates for 2025 shall be effective January 1, 2025.

Investments/Debt Director Titles	2025 Pay Zone Rates
Investments/Debt Director	\$60.33 - \$120.61
Assistant Investments/Debt Director	\$60.33 - \$120.61

Section 6. Adjusting the pay zones for 2025 for titles in the Legislative Department and associated titles in the City Auditor’s Office. As recommended by the Seattle Human Resources Director, the pay zones for the following titles shall be adjusted as shown below. The rates for 2025 shall be effective January 1, 2025.

Legislative Titles	2025 Pay Zone Rates
Executive Manager-Legislative	\$54.63 - \$148.36
Executive Manager-City Auditor	\$54.63 - \$148.36
Hearing Examiner	\$62.74 - \$144.19
Hearing Examiner, Deputy	\$62.74 - \$144.19
Legislative Assistant	\$21.70 - \$73.87
Manager-Legislative	\$50.08 - \$89.61
Strategic Advisor-Audit	\$50.08 - \$89.61
Strategic Advisor-Legislative	\$50.08 - \$89.61

Section 7. Adjusting the pay zones for 2023, 2024, and 2025 for titles in the Power Marketing Compensation Program. As recommended by the Seattle Human Resources Director, the pay zones for the Power Marketing Compensation Program shall be as shown below. The rates for 2023 shall be effective January 4, 2023. The rates for 2024 shall be effective January 3, 2024. The rates for 2025 shall be effective January 1, 2025.

Power Marketer	2023 Pay Zone Rates	2024 Pay Zone Rates	2025 Pay Zone Rates
Power Marketer (represented and non-represented)	\$53.71 - \$93.46	\$56.13 - \$97.67	\$58.26 - \$101.38

Section 8. Adjusting the pay zone for 2025 in the City Light General Manager and Chief Executive

Officer Compensation Program. As recommended by the Seattle Human Resources Director, the pay zone for the City Light General Manager and Chief Executive Officer Compensation Program shall be as shown below. The rates for 2025 shall be effective January 1, 2025.

City Light General Manager & CEO	2025 Pay Zone Rates
City Light General Manager & CEO	\$157.28 - \$251.67

Section 9. Adjusting the pay zones for 2025 for titles in the Executive Department - Mayor’s Office. As recommended by the Seattle Human Resources Director, the pay zones for the following titles shall be adjusted consistent with cost-of-living adjustments awarded to non-represented City Step Pay Program titles. The rates for 2025 shall be effective January 1, 2025.

Mayoral Staff Assistant Titles	2025 Pay Zone Rates
Mayoral Staff Assistant 1	\$22.09 - \$43.21
Mayoral Staff Assistant 2	\$38.00 - \$76.01

Section 10. Adjusting the pay zone for 2025 in the Assistant City Attorney (ACA) Discretionary Pay Program. As recommended by the Seattle Human Resources Director, the pay zones for the Assistant City Attorney Compensation Program shall be adjusted as shown below. The rates for 2025 shall be effective January 1, 2025.

ACA Title	2025 Pay Zone Rates
City Attorney, Assistant	\$44.18 - \$106.05

Section 11. Adjusting the pay zone for 2025 in the Seattle Police Chief Compensation Program. As recommended by the Seattle Human Resources Director, the pay zone for the Seattle Police Chief Compensation Program shall be as shown below. The rates for 2025 shall be effective January 1, 2025.

Seattle Police Chief	2025 Pay Zone Rates
Seattle Police Chief	\$108.31 - \$173.31

Section 12. Adjusting the pay zone for 2025 in the Magistrate Compensation Program. As recommended by the Seattle Human Resources Director, the pay zone for the Magistrate Compensation Program shall be as shown below. The rates for 2025 shall be effective January 1, 2025.

<u>Magistrate2025 Pay Zone Rates</u>	
Magistrate	\$57.10 - \$85.68

Section 13. Adjusting the pay zone for 2025 in the Seattle Public Utilities General Manager and Chief Executive Officer Compensation Program. As recommended by the Seattle Human Resources Director, the pay zone for the Seattle Public Utilities General Manager and Chief Executive Officer Compensation Program shall be as shown below. The rates for 2025 shall be effective January 1, 2025.

<u>SPU General Manager & CEO2025 Pay Zone Rates</u>	
SPU General Manager & CEO	\$131.84 - \$210.95

Section 14. Adjusting the pay zone for 2025 in the Chief Technology Officer Compensation Program. As recommended by the Seattle Human Resources Director, the pay zone for the Chief Technology Officer shall be as shown below. The rates for 2025 shall be effective January 1, 2025.

<u>Chief Technology Officer2025 Pay Zone Rates</u>	
Chief Technology Officer	\$100.17 - \$165.28

Section 15. Adjusting the pay zone for 2025 in the Seattle Fire Chief Compensation Program. As recommended by the Seattle Human Resources Director, the pay zone for the Seattle Fire Chief Compensation Program shall be as shown below. The rates for 2025 shall be effective January 1, 2025.

<u>Seattle Fire Chief2025 Pay Zone Rates</u>	
Seattle Fire Chief	\$108.31 - \$173.31

Section 16. Any act consistent with the authority of this ordinance taken prior to its effective date is ratified and confirmed.

Section 17. This ordinance shall take effect as provided by Seattle Municipal Code Sections 1.04.020 and 1.04.070.

Passed by the City Council the _____ day of _____, 2024, and signed by me in open session in authentication of its passage this _____ day of _____, 2024.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2024.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2024.

Scheereen Dedman, City Clerk

(Seal)

SUMMARY and FISCAL NOTE

Department:	Dept. Contact:	CBO Contact:
Seattle Department of Human Resources	Amanda Grumbach	Kailani DeVille

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to City employment, commonly referred to as the Pay Zone Ordinance; adjusting the pay zones for titles in the City’s discretionary pay programs; and ratifying and confirming certain prior acts.

Summary and Background of the Legislation: This legislation proposes the adjustments to the pay structures for various discretionary pay programs, including the Accountability Pay for Executives (APEX) Program; Manager and Strategic Advisor Compensation Program; Electric Utility Executive (EUE) Compensation Program; Information Technology Professional (ITP) Compensation Program; Investments/Debt Director Compensation Program; Legislative Department’s Broadbands; Power Marketing Compensation Program; Seattle City Light General Manager and Chief Executive Officer Compensation Program; Mayoral Staff Assistant Discretionary Pay Program; Assistant City Attorney Discretionary Pay Program; Seattle Police Chief Compensation Program; Magistrate Program; Seattle Public Utilities General Manager and Chief Executive Officer Compensation Program; Seattle Information Technology Chief Technology Officer Compensation Program; and the Seattle Fire Chief Compensation Program. The proposed adjustments are consistent with the percentage increases that are reflected in the City’s negotiated agreements with the Coalition of City Unions.

Various pay programs, collectively known as discretionary pay programs, provide for annual or biennial review of the salary structures to remain competitive in the labor market. These adjustments do not automatically create additional costs. However, the Executive included proposed appropriations to implement wage adjustments for employees covered by the Pay Zone legislation in the 2025-2026 Proposed Budget.

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation have financial impacts to the City? Yes No

Compensation changes to non-represented employees who serve in affected titles are discretionary and, in this sense, this legislation has no immediate fiscal impact. Past practice indicates that while this legislation is limited to 2025 (including 2023 and 2024 for Power

Marketers), pay zone changes consistent with the compensation increases provided under the Coalition agreement will be proposed for 2026.

3.d. Other Impacts

Does the legislation have other financial impacts to The City of Seattle, including direct or indirect, one-time or ongoing costs, that are not included in Sections 3.a through 3.c? If so, please describe these financial impacts.

While this legislation provides adjustments to the pay structures for the various discretionary pay programs, it does not set individual employee pay rates or provide additional appropriation authority. Companion legislation impacts wages for individual represented and non-represented employees and cost estimates for each of those pieces of legislation can be found in their corresponding Summary and Fiscal Notes.

If the legislation has costs, but they can be absorbed within existing operations, please describe how those costs can be absorbed. The description should clearly describe if the absorbed costs are achievable because the department had excess resources within their existing budget or if by absorbing these costs the department is deprioritizing other work that would have used these resources.

N/A

Please describe any financial costs or other impacts of *not* implementing the legislation.

The legislation is needed to implement elements of collective bargaining agreements and other labor agreements authorized by other legislation.

4. OTHER IMPLICATIONS

a. Please describe how this legislation may affect any departments besides the originating department.

This legislation provides adjustments to the pay structures for the various discretionary pay programs. The discretionary pay programs include positions across all City departments.

b. Does this legislation affect a piece of property? If yes, please attach a map and explain any impacts on the property. Please attach any Environmental Impact Statements, Determinations of Non-Significance, or other reports generated for this property.

No.

c. Please describe any perceived implication for the principles of the Race and Social Justice Initiative.

i. How does this legislation impact vulnerable or historically disadvantaged communities? How did you arrive at this conclusion? In your response please consider impacts within City government (employees, internal programs) as well as in the broader community.

N/A

ii. **Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.**

iii. **What is the Language Access Plan for any communications to the public?**
N/A

d. Climate Change Implications

i. **Emissions: How is this legislation likely to increase or decrease carbon emissions in a material way? Please attach any studies or other materials that were used to inform this response.**

N/A

ii. **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.**

N/A

e. **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)? What mechanisms will be used to measure progress towards meeting those goals?**

N/A

5. CHECKLIST

- Is a public hearing required?**
- Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required?**
- If this legislation changes spending and/or revenues for a fund, have you reviewed the relevant fund policies and determined that this legislation complies?**
- Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization?**

6. ATTACHMENTS

Summary Attachments: None

December 06, 2024

MEMORANDUM

To: Seattle City Council
From: Karina Bull, Analyst
Subject: Council Bill 120920: 2025 Pay Zone Ordinance

On December 10, 2024, the Seattle City Council (Council) will discuss and possibly vote on [Council Bill 120920](#), which would adjust pay bands for City of Seattle (City) discretionary pay programs. This memo provides a high-level summary of the bill and identifies next steps.

Summary

This legislation would adjust the pay bands for City discretionary pay programs by four percent in 2025 and would also include additional adjustments for Power Marketers.¹ The City's discretionary pay programs include:

1. Broad categories of job titles that are filled by many employees, such as the Accountability Pay Executives Program (APEX), the Strategic Advisor and Manager Compensation (SAM) Programs, and Information Technology Professionals; and
2. Individual compensation programs such as those for the City Light General Manager & CEO, Police Chief, Chief Technology Officer, and Fire Chief.

Discretionary pay programs differ from the “step progression” pay programs in that the appointing authority (i.e., head of department) can set a salary within a broad pay zone. The step progression pay program is comprised of salary increments awarded in discrete steps as tenure with the City increases with little discretion available to the appointing authority to increase or decrease wages.²

The Seattle Department of Human Resources (SDHR) Director periodically recommends adjustments to the pay bands to ensure compliance with discretionary pay program requirements in the Seattle Municipal Code and to establish competitive salary structures. The last adjustment to these pay bands occurred earlier this year as part of a legislative package that included Coalition Collective Bargaining Agreements, 2023-2026 ([ORD 127005](#)), Non-Represented Employee Economic Items ([ORD 127006](#)), and the 2023-2024 Pay Zone Ordinance ([ORD 127007](#)).

¹ In accordance with the collective bargaining agreement between the City and the International Brotherhood of Electrical Workers Local 77 Power Marketers Unit ([ORD 127047](#)), the Power Marketer job title would also include a 6.0 percent increase in 2023 and 4.5 percent increase in 2024.

² For more information on the discretionary pay program and step progression pay program, see the [City of Seattle 2023 Salary Schedule and Compensation Plan](#) (page 3).

The SDHR Director’s current recommendation to increase the pay bands by four percent would align with the 2025 annual wage increase (AWI) for employees represented by the Coalition. Historically, the City has provided the same benefits and other conditions of employment, including opportunities for wage increases, for employees represented by Coalition unions as for non-represented employees.

Currently, there are 2,500 employees in discretionary pay programs, including 900 represented employees and 1,600 non-represented employees. Represented employees in these pay programs will receive a salary increase subject to the terms of their collective bargaining agreement (e.g., Coalition members will receive a four percent increase). Non-represented employees in these pay programs will be eligible for a salary increase subject to the discretion of their appointing authority.

Financial Impacts

As compensation changes for employees in discretionary pay programs are subject to the terms of collective bargaining agreements or an appointing authority’s discretion, this legislation would not directly result in increased costs for departments.

However, the 2025-2026 Adopted Budget does include appropriations to implement wage adjustments for employees covered by this legislation. Additionally, the Six-year Financial Plans in the 2025-2026 Adopted Budget assume ongoing impacts of wage increases in planning reserves.

Next Steps

If the Council votes to approve CB 120920, appointing authorities would be authorized to provide discretionary wage adjustments for employees within the increased pay bands. For most discretionary pay programs, the pay zone adjustment would be effective January 1, 2025.³

Please contact Karina Bull if you have questions about the proposed legislation.

cc: Ben Noble, Director
Yolanda Ho, Deputy Director
Lish Whitson, Supervising Analyst

³ For Power Marketers, the rates for 2023 would be effective January 4, 2023; the rates for 2024 would be effective January 3, 2024; and the rates for 2025 would be effective January 1, 2025.



Legislation Text

File #: CB 120833, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to land use and zoning; amending subsection 23.49.156.A of the Seattle Municipal Code to clarify bonus allowances in the Living Building Pilot Program.

WHEREAS, on December 14, 2009, the Seattle City Council adopted Ordinance 123206, establishing a Living Building Pilot program; and

WHEREAS, the Council intended for the Living Building Pilot Program (LBPP) to be one of the City's

Climate Strategies to fundamentally reshape Seattle's building and transportation systems for a fossil-free future; and

WHEREAS, Seattle's buildings produce over one-third of the city's greenhouse gases and, reducing these building emissions is critical in becoming a carbon-neutral community by 2050; and

WHEREAS, as part of the LBPP, projects explore fundamentally different approaches to building design, construction, and operations, and LBPP applicants are eligible for additional height and/or floor area ratio bonuses as well as departures from the Land Use Code; and

WHEREAS, early design guidance for project 3036043-LU was applied for under 3034374-EG. The Master Use Permit for the project was reviewed by the Design Review Board and approved by the Director of the Department of Construction and Inspections granting certain departures under the LBPP including additional height; and

WHEREAS, the Master Use Permit decision 3036043-LU, was appealed by Belltown Livability Coalition to the Seattle Hearing Examiner along with a request for code interpretation alleging that the subject lot

was not eligible for additional height under the LBPP because the height limitation was constrained by a lot size restriction codified in subsection 23.49.156.A of the Seattle Municipal Code (SMC); and

WHEREAS, as part of the appeal, Seattle Department of Construction and Inspections (SDCI) interpreted SMC 23.49.156.A.1 in light of the LBPP code provisions including SMC 23.40.060 and SMC 23.49.008.F and concluded that the subject development project could take advantage of height bonuses to 175 feet without a minimum lot size of 19,000 square feet under the LBPP; and

WHEREAS, the Hearing Examiner disagreed with SDCI's interpretation, stating that "The legislative body set the minimum lot size at 19,000 square feet for buildings over 145 feet. Regardless of policy reasonableness, only the City Council has authority to enact code. The Examiner only interprets that code. The legislative body could provide set criteria so the Department could determine appropriate lot sizes when specified criteria are met or waive the lot size requirement entirely for living buildings. It has not done so"; and

WHEREAS, the Examiner's determination would limit the intent of the LBPP and constrain the City's goal of providing more housing, especially family-sized housing; and

WHEREAS, SDCI proposes this code amendment to explicitly authorize building height in excess of 145 feet in the Downtown Mixed Residential zone on lots smaller than 19,000 square feet in size to enable the City to allow the proposed 182 units of housing in the Downtown Urban Center, including ten three-bedroom units as proposed in Master Use Permit 3036043-LU and to encourage additional lots in the Downtown Urban Center to apply for the LBPP; and

WHEREAS, this ordinance is necessary to make clear that the City Council intends that the LBPP may allow height bonuses for buildings in the LBPP located in the downtown mixed residential/commercial zone regardless of lot size and incentivize additional properties in this zone to join the LBPP; and

WHEREAS, SDCI evaluated the environmental impact of the proposed ordinance, prepared a threshold determination under the State Environmental Policy Act (SEPA) and sought public comment on the

ordinance; however, the ordinance is exempt from administrative or judicial appeal under RCW 36.70A.070(2) for certain development regulations and non-project actions that “increase housing capacity, increase housing affordability, and mitigate displacement”; and

WHEREAS, this ordinance is exempt from administrative or judicial appeal because the ordinance will increase housing capacity, including at least 182 units, ten of which are family-sized units as well as anticipated additional units in the zone; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsection 23.49.156.A of the Seattle Municipal Code, which section was last amended by Ordinance 125371, is amended as follows:

23.49.156 Downtown Mixed Residential, minimum lot size

A. This subsection 23.49.156.A applies to DMR zones outside of South Downtown.

1. The minimum lot size is 19,000 square feet for any structure over 145 feet high, except that a project in a DMR zone that is part of the Living Building Pilot Program pursuant to Section 23.40.060 and uses a height bonus pursuant to subsections 23.40.060.C.5, 23.40.070.C.5, or 23.49.008.F, is exempt from this requirement. Pursuant to subsection 23.76.026.E, an applicant may elect to use this exemption even if the applicant’s application vested before the effective date of this ordinance.

2. To meet the minimum lot size requirement, a lot may be combined with one or more abutting lots, whether occupied by existing structures or not, provided that:

- a. The total area of the combined lots meets the minimum lot size requirement;
- b. All lots have frontage on the same avenue;
- c. Any existing structure does not exceed a height of 145 feet;
- d. The lot coverage of both the proposed and any existing structures does not exceed applicable lot coverage limits in Section 23.49.158; and
- e. The fee owners of the abutting lot(s) execute a deed or other agreement, recorded with

the King County Recorder's Office as an encumbrance on the abutting lot(s), that restricts future development of the abutting lot(s) to a maximum height of 145 feet for the life of the proposed structure, and that precludes the use of the abutting lot(s) in combination with any other abutting lots for purposes of meeting the minimum lot size requirements for any other lot.

* * *

Section 2. This ordinance shall take effect as provided by Seattle Municipal Code Sections 1.04.020 and 1.04.070.

Passed by the City Council the _____ day of _____, 2024, and signed by me in open session in authentication of its passage this _____ day of _____, 2024.

President _____ of the City Council

Approved / returned unsigned / vetoed this ____ day of _____, 2024.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2024.

Scheereen Dedman, City Clerk

(Seal)

SUMMARY and FISCAL NOTE

Department:	Dept. Contact:	CBO Contact:
SDCI	David VanSike	Christie Parker

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to land use and zoning; amending subsection 23.49.156.A of the Seattle Municipal Code to clarify bonus allowances in the Living Building Pilot Program.

Summary and Background of the Legislation: This legislation amends the Land Use Code (Title 23) in subsection 23.49.156.A to clarify and improve the function of the Living Building Pilot Program. The legislation clarifies that projects in the pilot program can use height bonuses to exceed 145 feet in height regardless of lot size under SMC 23.49.156.A in the Downtown Mixed Residential zone.

The Living Building Pilot Program is intended to promote the public interest by encouraging the development of innovative “living” buildings that can reduce environmental impacts, test new technologies, and serve as a model for development throughout the region and country. The ordinance establishing the Living Building Pilot Program became effective in January 2010 and has been revised since. SMC 23.40.060.A establishes an end date of the Program, December 31, 2030, or a maximum of 20 enrollments, whichever comes first. To date, 15 projects have enrolled with only five opportunities remaining. The amendment would allow an important case study for a living building and provide needed housing in the Belltown Neighborhood.

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation have financial impacts to the City? Yes No

4. OTHER IMPLICATIONS

- a. **Please describe how this legislation may affect any departments besides the originating department.** This legislation is not anticipated to affect any other department.
- b. **Does this legislation affect a piece of property? If yes, please attach a map and explain any impacts on the property. Please attach any Environmental Impact Statements, Determinations of Non-Significance, or other reports generated for this property.**
While there is one known project that would benefit from the legislation, it would affect any property in the Downtown Mixed Residential zone that is less than 19,000 square feet and

that is enrolled in the Living Building Pilot Program. Since the Living Building Pilot Program has only five more available opportunities, the number of affected properties would not exceed five.

- c. **Please describe any perceived implication for the principles of the Race and Social Justice Initiative.**
- i. **How does this legislation impact vulnerable or historically disadvantaged communities? How did you arrive at this conclusion? In your response please consider impacts within City government (employees, internal programs) as well as in the broader community.** The proposed amendment was reviewed by SDCI staff and is not anticipated to impact vulnerable or disadvantaged communities.
 - ii. **Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.** Not applicable for this ordinance.
 - iii. **What is the Language Access Plan for any communications to the public?** SDCI would provide translation or other services, if requested.
- d. **Climate Change Implications**
- i. **Emissions: How is this legislation likely to increase or decrease carbon emissions in a material way? Please attach any studies or other materials that were used to inform this response.** Since this legislation involves use of the Living Building Pilot Program, any new structures built under these provisions would have the likely effect of reducing carbon emissions over those built using conventional practices.
 - ii. **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.** Since this legislation involves the Living Building Pilot Program, it would help to increase Seattle’s resiliency to climate change. The Living Building Pilot Program requires buildings to be built on non-environmentally sensitive sites, use recycled materials, generate as much or more energy as they use through sustainable sources, capture as much rainwater as they use, treat wastewater on site, and meet a number of other standards.
- e. **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)? What mechanisms will be used to measure progress towards meeting those goals?** While the legislation is not a new initiative, it serves to clarify that the existing Living Building Pilot Program may utilize bonuses in code, which will further help the Program to meet its goals.

5. CHECKLIST

- Is a public hearing required?** Yes, The City Council must hold a public hearing, to be scheduled before the Land Use Committee.
- Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required?** Yes. Publication of notice of the Council public hearing will be made in The Daily Journal of Commerce and in the City’s Land Use Information Bulletin (LUIB). Environmental review under the State Environmental Policy Act (SEPA) is also required for this legislation, and publication of notice of the environmental determination was made in The Daily Journal of Commerce and in the Land Use Information Bulletin in July 2024.
- If this legislation changes spending and/or revenues for a fund, have you reviewed the relevant fund policies and determined that this legislation complies?**
- Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization?**

6. ATTACHMENTS

Summary Attachments: None.