



Legislation Details (With Text)

File #: CB 120529 **Version:** 1 **Name:** CB 120529
Type: Ordinance (Ord) **Status:** Passed
In control: City Clerk

On agenda: 3/21/2023
Final Action: 3/24/2023 **Ord. No.** Ord 126787

Title: AN ORDINANCE relating to the organization of City government; clarifying the structure for the Charter position of Director of Finance; repealing Section 3.39.033 of the Seattle Municipal Code; and amending Sections 3.39.010, 3.39.030, 3.39.035, and 3.39.070 of the Seattle Municipal Code.

Sponsors: Teresa Mosqueda

Indexes:

Attachments: 1. Summary and Fiscal Note, 2. Presentation, 3. Signed Ordinance 126787, 4. Affidavit of Publication

Date	Ver.	Action By	Action	Result
3/24/2023	1	City Clerk	attested by City Clerk	
3/24/2023	1	Mayor	returned	
3/24/2023	1	Mayor	Signed	
3/24/2023	1	City Clerk	submitted for Mayor's signature	
3/21/2023	1	City Council	passed	Pass
3/15/2023	1	Finance and Housing Committee	pass	Pass
3/14/2023	1	City Council	referred	
3/2/2023	1	Council President's Office	sent for review	
3/1/2023	1	City Clerk	sent for review	
3/1/2023	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the organization of City government; clarifying the structure for the Charter position of Director of Finance; repealing Section 3.39.033 of the Seattle Municipal Code; and amending Sections 3.39.010, 3.39.030, 3.39.035, and 3.39.070 of the Seattle Municipal Code.

WHEREAS, the Department of Finance and the Director of Finance are established by Seattle City Charter

Article VIII, Section 1; and

WHEREAS, Sections 3.39.010, 3.39.030, 3.39.033, 3.39.035, and 3.39.070 of the Seattle Municipal Code

contain language that make the reporting structure of the Director of Finance unclear, and the Mayor

and City Council wish to clarify the structure of the Department of Finance and its employees; and WHEREAS, it is the intent of the Mayor and City Council to undertake a holistic review of the organization of the City's finance, budget, and forecast functions in coming years, as resources allow, to determine those functions' most efficient and effective organization; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 3.39.010 of the Seattle Municipal Code, last amended by Ordinance 126395, 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 City borrowing activities;
2. Provide policy direction concerning investments;
3. Administer licensing for regulation and/or revenue unless law or ordinance vests such power elsewhere;
4. Provide support to the Office of Economic and Revenue Forecasts;
5. Provide economic and policy analysis on matters related to these same revenue sources;
6. Provide assessments of local economic conditions and more general economic analyses, as appropriate and/or as requested;
7. Provide general oversight of the City's Retirement Boards; and
8. Provide citywide oversight and management of the City's enterprise financial systems.

* * *

E. Within the Department there is established (~~(a Finance Division)~~) an Office of City Finance, which shall be the Department of Finance for the purposes of Article VIII, Section 1 of the City Charter. The ((

~~Finance Division))~~ Office of City Finance shall perform such duties of the Department of Finance and Administrative Services as described in subsection 3.39.010 A and Section 3.39.035, plus those assigned at the discretion of the Director of Finance and Administrative Services.

* * *

Section 2. Section 3.39.030 of the Seattle Municipal Code, enacted by Ordinance 123361, is amended as follows:

3.39.030 Director of Finance-Appointment and removal((,))

The Director of Finance manages the ~~((Finance Division))~~ Office of City Finance housed within the Department of Finance and Administrative Services, and is the Director of Finance referenced in Article VIII, Section 1 of the City Charter. The Director of Finance~~((, who shall report to the Director of Finance and Administrative Services,))~~ shall be appointed by the Mayor subject to confirmation by a majority of the City Council, and shall be subject to reappointment and reconfirmation every four years. The Director of Finance ~~((Director))~~ may be removed by the Mayor by filing a statement of ~~((his or her))~~ reasons for the removal with the City Council.

Section 3. Section 3.39.033 of the Seattle Municipal Code, enacted by Ordinance 123361, is repealed:

~~**((3.39.033 Joint Appointment of the Director of Finance and Administrative Services and the Director of Finance.**~~

~~The positions of Director of Finance and Director of Finance and Administrative Services are not incompatible offices and may be held by the same person. Should the Mayor choose to appoint the same person to concurrently fill the Director of Finance and the Director of Finance and Administrative Services positions, the Mayor shall make a single appointment to the two positions. If a concurrent appointment is confirmed by the City Council, both offices shall report to the Mayor.))~~

Section 4. Section 3.39.035 of the Seattle Municipal Code, last amended by Ordinance 126395, 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))~~ Providing support to the Office of Economic and Revenue Forecasts for economic forecasting.

B. ~~((Provide))~~ Providing support to the Office of Economic and Revenue Forecasts for revenue forecasting and analysis including:

1. Monitoring revenue collections relative to forecasts, and
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).

C. ~~((Manage))~~ Managing City tax administration:

1. ~~((Create and administer))~~ Creating and administering rules and procedures for City-levied taxes,
2. ~~((Ensure))~~ Ensuring processing tax information is efficient,
3. Maintaining existing and develop new strategies for ensuring tax compliance, and~~((;))~~
4. Overseeing process to adjudicate taxpayer appeals about tax liabilities.

D. In accordance with City ~~((Ordinances))~~ ordinances, the Seattle Municipal Code, and applicable state or federal laws, ~~((provide))~~ providing general oversight of City retirement boards including:

1. The Seattle City Employees' Retirement System. Duties shall include:
 - a. ~~((Provide))~~ Providing fund monitoring,
 - b. ~~((Oversee))~~ Overseeing fund management,
 - c. ~~((Assess and deliberate))~~ Assessing and deliberating investment policies,
 - d. ~~((Assess and deliberate))~~ Assessing and deliberating contribution policies,
 - e. ~~((Assess and deliberate))~~ Assessing and deliberating benefit policies, and~~((;))~~
 - f. ~~((Support))~~ Supporting members of the Board of Administration of the Seattle City

Employees' Retirement System and the City's elected officials in their assessment of the system's financial integrity.

2. Police Relief and Pension Fund - general oversight,
3. Firemen's Relief and Pension Fund - general oversight, and((;))
4. The City of Seattle Voluntary Deferred Compensation Plan and Trust Committee. Duties shall

include:

- a. Overseeing plan administration, and((;))
- b. Assessing fund selection options.

E. Debt administration, in coordination with the City Budget Office, including:

1. Developing and maintaining general policies for City debt,
2. Assessing proposals for use of debt(~~(; ensure)~~) and ensuring proposals consistent to debt

policies,

3. (~~(Issue)~~) Issuing debt,
4. (~~(Ensure)~~) Ensuring compliance (~~((tø))~~) with federal, state, City, and bond restrictions for use of bond proceeds, and((;))
5. (~~(Ensure)~~) Ensuring debt service is paid from appropriate funds.

F. (~~(Manage)~~) Managing City borrowing and investor relations, applying for bond ratings, (~~(execute and issue)~~) executing and issuing all appropriate documents including contracts and other documents for and on behalf of the City in connection with the issuance of bonds and other debt instruments as authorized by ordinance or resolution, retaining financial and other necessary consultants, keeping all necessary registers of creditors, and (~~(arrange)~~) arranging for repayment of debts(~~((;))~~) .

G. Reporting not less than quarterly to the Council's Finance Committee, or its successor committee, the cash position of each City Fund, performance of investments in the common investment portfolio, and the status of 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.

H. Reporting 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. Reporting 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))~~ preparing and submitting 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.

K. Financial oversight for specified City financial commitments, including:

1. Supporting 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 Chapter 3.110, including City public development authorities, preservation and development authorities, and the Museum Development Authority; and

2. Developing processes to monitor and report on City's use of federal stimulus and infrastructure funds ~~((; and~~

3. ~~Assessing the City's liabilities for compliance to the Americans with Disabilities Act))~~ .

L. Submitting a report in writing not less than quarterly to the Council's Finance 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.

~~((With the approval of the Director of Finance and Administrative Services, the))~~ The Director of Finance may delegate any of the duties authorized in this Chapter 3.39 to any other qualified city employee.

Section 5. Section 3.39.070 of the Seattle Municipal Code, enacted by Ordinance 123361, is amended as follows:

3.39.070 Designation of delegates in City offices and departments~~((:))~~

A. The Director of Finance ~~((and Administrative Services))~~ is authorized to designate and appoint the head of a department, office, board, or other administrative unit, and with ~~((his or her))~~ the Director of Finance's concurrence subordinate officers therein, as delegates for the express purpose of authenticating and certifying vouchers, payrolls, and other central financial management transactions of the City, and updating vendor file information. Delegates so designated shall assume responsibility for ensuring that all claims that have been incurred by their respective administrative units are just, due and unpaid obligations and that materials were furnished, services were rendered or labor was performed as stated on each such claim, and that the vendor file information has been updated.

B. The Director of Finance ~~((and Administrative Services))~~ may at ~~((his or her))~~ discretionarily withdraw any or all authority delegated.

Section 6. The budget transfer rules described in Chapter 5.08 of the Seattle Municipal Code do not apply to the City Finance Budget Summary Level (BO-FA-CITYFINAN).

Section 7. Intent. The intent of this ordinance is to clarify the reporting structure for the Director of Finance, a Charter office. The intent is that the Director of Finance and subordinate officers (which compose the Charter office of the Department of Finance) are employees of the Department of Finance and Administrative Services (FAS) for purposes of budgeting, accounting, and administrative functions. The

Director of Finance controls the day-to-day operations of the Charter office of Department of Finance, which is organized as the Office of City Finance in FAS. The employees of the Department of Finance report to, and have their work directed by, the Director of Finance. The Director of Finance remains the appointing authority for subordinate employees of the Department of Finance (Office of City Finance in FAS). Further, it is the intent of the Mayor and City Council to review the organization of the City's finance, budget, and forecast functions in the coming years, as resources allow, to determine those functions' most efficient and effective organization.

Section 8. 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 _____, 2023, and signed by me in open session in authentication of its passage this ____ day of _____, 2023.

President _____ of the City Council

Approved / returned unsigned / vetoed this ____ day of _____, 2023.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2023.

Elizabeth A. Adkisson, Interim City Clerk

(Seal)