



Legislation Details (With Text)

File #: CB 119763 **Version:** 2 **Name:** CB 119763
Type: Ordinance (Ord) **Status:** Passed
In control: City Clerk

On agenda: 3/30/2020

Final Action: 4/1/2020 **Ord. No.** Ord 126062

Title: AN ORDINANCE related to City finances; creating a fund for depositing donations, gifts, and grants related to The City of Seattle’s response to the COVID-19 pandemic; creating a Budget Summary Level; amending Ordinance 126000, which adopted the 2020 Budget; changing appropriations to various departments and budget control levels, and from various funds in the Budget; declaring an emergency; and establishing an immediate effective date; all by a 3/4 vote of the City Council.

Sponsors: M. Lorena González

Indexes:

Attachments: 1. Summary and Fiscal Note, 2. Central Staff Memo, 3. Proposed Amendment 1 v2, 4. Proposed Amendment 2, 5. Proposed Amendment 3 v2, 6. Signed Ordinance 126062, 7. Affidavit of Publication

Date	Ver.	Action By	Action	Result
4/1/2020	2	City Clerk	attested by City Clerk	
4/1/2020	2	Mayor	returned	
4/1/2020	2	Mayor	Signed	
4/1/2020	2	City Clerk	submitted for Mayor's signature	
3/30/2020	1	City Council	passed as amended	Pass
3/23/2020	1	City Council	referred	
3/20/2020	1	Council President's Office	sent for review	
3/20/2020	1	City Clerk	sent for review	
3/20/2020	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE related to City finances; creating a fund for depositing donations, gifts, and grants related to The City of Seattle’s response to the COVID-19 pandemic; creating a Budget Summary Level; amending Ordinance 126000, which adopted the 2020 Budget; changing appropriations to various departments and budget control levels, and from various funds in the Budget; declaring an emergency; and establishing an immediate effective date; all by a 3/4 vote of the City Council.

WHEREAS, Article I, § 1 of the City Charter states that The City of Seattle may accept “gifts and donations of all kinds...and do all acts necessary to carry out the purposes” of the gifts and donations”; and

WHEREAS, Seattle Municipal Code subsection 10.02.030.A contemplates that, during a proclaimed civil emergency, the Mayor may accept “gifts, grants, or loans,” with the Council considering “appropriate legislation” relating to the acceptance; and

WHEREAS, given the scope of emergency proclaimed by the Mayor on March 3, 2020, as well as Seattle Municipal Code subsection 10.02.030.A’s requirements, creating a fund to administer gifts the Mayor accepts during a proclaimed civil emergency is an efficient way to use gifts accepted by the Mayor; and

WHEREAS, on March 3, 2020, Mayor Durkan proclaimed the existence of a civil emergency in the City of Seattle due to confirmed cases and deaths from COVID-19 in the Seattle area; and

WHEREAS, in response to COVID-19, the Governor of Washington has closed or limited operations of many businesses and encouraged social distancing as a means of mitigating the pandemic in the City of Seattle; and

WHEREAS, these actions are appropriate and vital for public health reasons, but have severe impacts on small businesses, workers and people who live in Seattle; and

WHEREAS, many philanthropic and corporate partners generously wish to donate resources to assist people and businesses in need; and

WHEREAS, the Mayor and City Council wish to establish a City Fund to accept, track, and distribute these contributions; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City Council (“Council”) makes the following legislative findings of fact and declarations:

A. In the exercise of The City of Seattle’s police powers, the City is granted authority to pass regulations designed to protect and promote public peace, health, safety, welfare, and prosperity.

B. On January 24, 2020, the Seattle Office of Emergency Management announced that the first reported case in Washington and in the United States of novel coronavirus (COVID-19) occurred in Snohomish County.

C. On February 28, 2020, Public Health - Seattle and King County announced the first King County and United States death due to COVID-19 at Evergreen Hospital in Kirkland, Washington.

D. On February 29, 2020, Washington Governor Jay Inslee declared a state of emergency in response to new cases of COVID-19, directing state agencies to use all resources necessary to prepare for and respond to the outbreak.

E. On March 3, 2020, Mayor Jenny Durkan issued a proclamation of civil emergency in response to new cases of COVID-19, authorizing the Mayor to exercise the emergency powers necessary for the protection of the public peace, safety, and welfare.

F. On March 11, 2020, Washington Governor Jay Inslee amended his emergency order to prohibit gatherings of 250 people or more for social, spiritual and recreational activities including, but not limited to, community, civic, public, leisure, faith-based, or sporting events; parades; concerts; festivals; conventions; fundraisers; and similar activities.

G. On March 12, 2020, Washington Governor Jay Inslee announced that all schools in King, Snohomish, and Pierce Counties will close through April 24, 2020.

H. On March 12, 2020, Public Health - Seattle and King County confirmed 270 cases of COVID-19, including 27 deaths, in King County.

I. In light of COVID-19 spreading person-to-person and particularly between people who are in close contact with one another, the Centers for Disease Control and Prevention (CDC) has recommended that: those who are mildly ill self-isolate by staying home, avoiding public areas, and avoiding transportation; sensitive populations avoid people who are sick; and everyone practice self-distancing.

J. Public Health - Seattle and King County has recommended that people at higher risk of severe illness stay home and away from large groups of people as much as possible. People at higher risk include people: over 60 years of age; with underlying health conditions, including heart disease, lung disease, or diabetes; with weakened immune systems; and who are pregnant.

K. Public Health - Seattle and King County has recommended that employers take steps to make it more feasible for their employees to work in ways that minimize close contact with large numbers of people, including maximizing telecommuting options and maximizing flexibility in sick leave benefits for those who are ill or at high risk.

L. To alleviate the economic disruption from following appropriate measures during the emergency, it is anticipated that gifts or donations might be made to the City, and the Mayor may under Seattle Municipal Code subsection 10.02.030.A to accept them without requiring Council approval at the time of acceptance.

M. Legislation establishing a system to accept gifts or donations during a proclaimed civil emergency through a fund and appropriations gives the City needed flexibility to disburse those funds in situations like the current emergency when time is of the essence.

N. Immediate implementation of this ordinance is necessary for maximum efficacy of funding distribution and alleviating economic disruption to the city, its residents, and its businesses.

Section 2. A new COVID-19 Donation Fund is created in the City Treasury effective immediately, to which revenues may be deposited, and from which associated expenditures may be paid including, but not limited to, City administration costs for the purposes described in Section 3 of this ordinance.

Section 3. The purpose of the COVID-19 Donation Fund is to address impacts of the COVID-19 civil emergency in the City of Seattle by providing resources to external organizations and individuals. Permissible uses include:

- Food assistance for persons in need
- Financial assistance to small businesses
- Assistance with child care costs
- Loan guarantees for small businesses or individuals
- Rent assistance for small businesses or individuals
- Operating assistance to cultural and non profit organizations

- Emergency Housing and Homelessness supports

Section 4. The new COVID-19 Donation Fund shall receive revenues in the form of donations, gifts, or grants from organizations, corporations, businesses, or people who wish to assist the City of Seattle in its recovery from the COVID-19 pandemic. The Fund shall receive earnings on its positive balances and pay interest on its negative balances.

Section 5. The Director of the Department of Finance and Administrative Services shall have responsibility for administering the COVID-19 Donation Fund. The Director of Finance is authorized to create other accounts and subaccounts as may be needed to implement the Fund’s purpose and intent as established by this ordinance.

Section 6. A new Budget Summary Level is created for purposes of distributing donations, gifts and grants accepted by the City into the COVID-19 Donation Fund. The purpose of the COVID-19 Donation Budget Summary Level is to provide resources for addressing impacts of the COVID-19 civil emergency in the City of Seattle.

Section 7. The Mayor or the Mayor’s designee has the authority to accept donations to the COVID-19 Donation Fund without receiving the approval of the City Council in order to expedite the emergency response. All donations to and appropriations from the Fund will be tracked and published quarterly so long as there are active donations to or appropriations from it. The quarterly reports shall be submitted by the City Budget Office to the Mayor and City Council no later than 60 days from the end of the quarter.

Section 8. In order to pay for necessary costs and expenses incurred or to be incurred in 2020, but for which insufficient appropriations were made due to causes that could not reasonably have been foreseen at the time of making the 2020 Budget, contingent appropriations for the following items in the 2020 Budget are increased from the funds shown, as follows:

Item	Department	Fund	Budget Summary Level/BCL Code	Amount
8.1	Finance General	COVID-19 Donation Fund	COVID-19 Donation	\$30,000,000

The appropriation authority contained in this section increases in direct proportion to and is contingent on receipt of donations, grants, or gifts by the City.

Section 9. Based on the findings of fact set forth in Section 1 of this ordinance, the Council finds and declares that this ordinance is a public emergency ordinance, which shall take effect immediately and is necessary for the protection of the public health, safety, and welfare.

Section 10. The Council requests that the Mayor provide a weekly report on the sources and uses of funds deposited in the COVID-19 Donation Fund created by Section 2 of this ordinance. The report shall include, at a minimum, information on the names of private donors, restrictions or covenants applied to the City's use of donated funds, information on City planning and outreach processes for the use of funds, the categories of use as described in Section 3, permissible uses, and information about residents and businesses receiving distributions from the fund. The weekly report may be combined with information provided in the weekly reports requested in Resolution 31937.

Section 11. By reason of the findings set out in Section 1, and the emergency that is hereby declared to exist, this ordinance shall become effective immediately upon its passage by a 3/4 vote of the Council and its approval by the Mayor, as provided by Article 4, subsection 1.1 of the Charter of the City.

Passed by a 3/4 vote of all the members of the City Council the _____ day of _____, 2020, and signed by me in open session in authentication of its passage this _____ day of _____, 2020.

President _____ of the City Council

Approved by me this _____ day of _____, 2020.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2020.

Monica Martinez Simmons, City Clerk

(Seal)