

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact:	CBO Contact:
LEG	Esther Handy	n/a

* Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.

1. BILL SUMMARY

Legislation Title:

AN ORDINANCE amending Sections 5.24.020 and 5.24.030 of the Seattle Municipal Code (SMC) to adjust the thresholds upon which the City Council is briefed about settlement and claims matters in Executive Session; and amending SMC 5.24.020 to require twice-annual litigation briefings in Executive Session.

Summary and Background of the Legislation:

First, this bill creates a requirement that the City Attorney must provide two briefings per year to the City Council in Executive Session regarding the pending litigation that implicates the Seattle Municipal Code and implementing rules and regulations. These macro briefings give the City Council an opportunity to see trends in litigation or examine the policies that are subject to litigation.

Second, this bill modifies the settlement and claims thresholds that trigger a requirement for City Council briefing prior to the resolution of a settlement or claim. In 2001, the threshold for briefings was set at \$500,000 in Ordinance 120521. The amount has not been adjusted since that time. Likewise, the threshold for an Executive Session briefing on claims matters is established in SMC 5.24.030 was established in Ordinance 120521 in 2001 at \$100,000 and has not been adjusted since 2001. Together, the two statutes, SMC 5.24.020 and 5.24.030, establish briefing thresholds which require the City Attorney to brief the City Council on the judgement or settlement of a claim before resolving the matter. Minimally adjusting the thresholds for inflation would produce values 70% above their current levels. This legislation adjusts the thresholds to \$1,000,000 for a settlement of litigation and \$200,000 for settlement of a claim, with the goal to retain the original purposes for the Council receiving Executive Session briefings of significant settlement and claims matters. An adjustment tethered just above current inflation will retain the Council's present role in reviewing significant settlement and claims matters while allowing smaller amount settlements and claims to receive prompt attention and resolution.

2. CAPITAL IMPROVEMENT PROGRAM

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

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

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

If there are no changes to appropriations, revenues, or positions, please delete the table below.

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

No

Are there financial costs or other impacts of *not* implementing the legislation?

No

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

4. OTHER IMPLICATIONS

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

The City Attorney's Office (LAW) and Finance and Administrative Services

b. Is a public hearing required for this legislation?

No.

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

No.

d. Does this legislation affect a piece of property?

No.

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

Adjusting the briefing thresholds will expedite the resolution and release of lower dollar value claims to claimants, for example property damage claims. To the extent that vulnerable or historically disadvantaged communities experience damage to property and raise a claim with the city but must front-end costs while awaiting a settlement, removing the City Council briefing from the sequence of requirements that must occur prior to payment can reduce the amount of time before a claimant receives relief from their claim. This brings greater equity outcomes to the claimant process.

f. Climate Change Implications

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

No.

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

No.

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

N/A