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1	CITY OF SEATTLE	
2	ORDINANCE 126910	
3	COUNCIL BILL 120665	
	COUNCIE BILL <u>120005</u>	
4 5	AN ORDINANCE amending Sections 5.24.020 and 5.24.030 of the Seattle Municipal Code	
6	(SMC) to adjust the thresholds upon which the City Council is briefed about settlement	
7 8	and claims matters in Executive Session; and amending SMC 5.24.020 to require twice- annual litigation briefings in Executive Session.	
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10	WHEREAS, the statute regarding payment of judgments, Section 5.24.020 of the Seattle	
11	Municipal Code (SMC), was originally established in 1979 and presently requires that	
12	prior to authorizing any litigation settlements over \$500,000, "the City Attorney shall	
13	brief the City Council regarding the proposed settlement during executive session called	
14	pursuant to RCW 42.30.110"; and	
15	WHEREAS, the threshold for briefings was set at \$500,000 in Ordinance 120521 in 2001 and	
16	has not been adjusted since that time; and	
17	WHEREAS, likewise, the threshold for an Executive Session briefing on claims matters as	
18	established in SMC 5.24.030 was established in Ordinance 120521 in 2001 at \$100,000	
19	and has not been adjusted since 2001; and	
20	WHEREAS, adjusting the thresholds for inflation would produce values 70 percent above their	
21	current levels and retain the original purposes for the Council receiving Executive	
22	Session briefings of significant settlement and claims matters; and	
23	WHEREAS, adjusting the thresholds for settlement and claims briefings will retain the Council's	
24	present role in reviewing significant settlement and claims matters while allowing	
25	smaller-amount settlements and claims to receive prompt attention and resolution; and	
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	V2
1	WHEREAS, Resolution 31847 established Policy 12, which became effective on January 1,
2	2019, and requires the Director of Finance, the Director of Risk Management, and the
3	City Attorney to provide an annual briefing on individual settlements over \$200,000 to
4	Council in Executive Session; and
5	WHEREAS, Resolution 31847 maintains Council's ability to receive aggregated data on the
6	City's claims and track trends that inform future policy decisions; and
7	WHEREAS, just as Council sees benefit from aggregated claims briefings in Executive Session,
8	this ordinance will amend SMC 5.24.020 to require twice-annual Executive Sessions to
9	discuss litigation impacting the laws and regulations of Seattle to bring awareness to
10	larger trends; NOW, THEREFORE,
11	BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:
12	Section 1. Section 5.24.020 of the Seattle Municipal Code, last amended by Ordinance
13	125492, is amended as follows:
14	5.24.020 Payment of judgments
15	A. Twice annually, in March and September, the City Attorney shall provide a summary
16	briefing to the City Council in Executive Session on significant litigation that challenges or
17	materially impacts provisions of the Seattle Municipal Code or its implementing rules and
18	regulations.
19	<u>B.</u> The City Attorney may authorize payment of any settlement arising out of litigation
20	against the City or any judgment against the City. Prior to authorizing settlement of any litigation
21	for an amount over ((\$500,000)) <u>\$1,000,000</u> , the City Attorney shall brief the City Council
22	regarding the proposed settlement during executive session called pursuant to RCW 42.30.110.
23	Prior to authorizing a settlement involving significant financial or policy issues, the City

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1	Attorney shall consult with the City Budget Director, the Director of Finance and Administrative
2	Services, and the head of the relevant department. Upon a presentation by the City Attorney to
3	the Director of Finance and Administrative Services of either a copy of a Release and Order of
4	Dismissal or a copy of a judgment against the City, entered in an appropriate court, and having
5	attached thereto a statement in writing, signed by the City Attorney, to the effect that the right of
6	appeal from such judgment has been expressly waived, or that the time for an appeal has expired,
7	the Director of Finance and Administrative Services shall issue a check upon the
8	Judgment/Claims Fund for the amount of such judgment, and costs if awarded to the claimant by
9	the court. The City Council may periodically review the briefing threshold amount against
10	inflation to determine whether the threshold is appropriate for the purposes of this section.
11	Section 2. Section 5.24.030 of the Seattle Municipal Code, last amended by Ordinance
12	123361, is amended as follows:
13	5.24.030 Payment of claims
14	The Director of Finance and Administrative Services may authorize payment of any claim
15	against the City, including claims brought in the small claims department of the district court
16	pursuant to chapter 12.40 RCW. Prior to authorizing settlement of any claim for an amount over
17	((\$100,000)) \$200,000, the Director of Finance and Administrative Services and the City
18	Attorney shall brief the City Council regarding the proposed settlement during executive session
19	called pursuant to RCW 42.30.110. Prior to authorizing a settlement involving significant legal
20	or policy issues, the Director of Finance and Administrative Services shall consult with the City
21	Budget Director, the City Attorney and the head of the relevant department.

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1	Section 3. This ordinance shall take effect and be in force 30 days after its approval by
2	the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3	shall take effect as provided by Seattle Municipal Code Section 1.04.020.
4	Passed by the City Council the <u>26th</u> day of <u>September</u> , 2023,
5	and signed by me in open session in authentication of its passage this <u>26th</u> day of
6	September , 2023.
7 8	Debara fune President of the City Council
9	Approved / \Box returned unsigned / \Box vetoed this 2nd day of October , 2023.
10	Bruce Q. Hanell
11	Bruce A. Harrell, Mayor
12	Filed by me this 2nd day of October , 2023.
10	be De
13 14	Scheereen Dedman, City Clerk
15	(Seal)
16	Attachments (if any):