



SEATTLE CITY COUNCIL

Finance and Housing Committee

Agenda

Friday, February 19, 2021

9:30 AM

Remote Meeting. Call 253-215-8782; Meeting ID: 586 416 9164; or
Seattle Channel online.

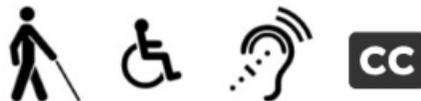
Teresa Mosqueda, Chair
Lisa Herbold, Vice-Chair
M. Lorena González, Member
Andrew J. Lewis, Member
Dan Strauss, Member
Tammy J. Morales, Alternate

Chair Info: 206-684-8808; Teresa.Mosqueda@seattle.gov

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Council Chamber Listen Line: 206-684-8566

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<http://seattle.gov/cityclerk/accommodations>.



SEATTLE CITY COUNCIL
Finance and Housing Committee
Agenda
February 19, 2021 - 9:30 AM

Meeting Location:

Remote Meeting. Call 253-215-8782; Meeting ID: 586 416 9164; or Seattle Channel online.

Committee Website:

<http://www.seattle.gov/council/committees/finance-and-housing>

This meeting also constitutes a meeting of the City Council, provided that the meeting shall be conducted as a committee meeting under the Council Rules and Procedures, and Council action shall be limited to committee business.

In-person attendance is currently prohibited per Washington State Governor's Proclamation 20-28.15, until the COVID-19 State of Emergency is terminated or Proclamation 20-28 is rescinded by the Governor or State legislature. Meeting participation is limited to access by telephone conference line and online by the Seattle Channel.

Register online to speak during the Public Comment period at the 9:30 a.m. Finance and Housing Committee meeting at <http://www.seattle.gov/council/committees/public-comment>.

Online registration to speak at the Finance and Housing Committee meeting will begin two hours before the 9:30 a.m. 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.

Submit written comments to Councilmember Mosqueda at Teresa.Mosqueda@seattle.gov

Sign-up to provide Public Comment at the meeting at <http://www.seattle.gov/council/committees/public-comment>

Watch live streaming video of the meeting at <http://www.seattle.gov/council/watch-council-live>

Listen to the meeting by calling the Council Chamber Listen Line at 253-215-8782 Meeting ID: 586 416 9164

One Tap Mobile No. US: +12532158782,,5864169164#

Please Note: Times listed are estimated

A. Call To Order

B. Approval of the Agenda

C. Public Comment

D. Items of Business

1. [Appt 01785](#) **Appointment of Rita Howard as member, Seattle Housing Authority Board, for a term to March 20, 2023.**

Attachments: [Appointment Packet](#)

Briefing, Discussion, and Possible Vote

Presenter: Rod Brandon, Seattle Housing Authority

2. [Appt 01786](#) **Appointment of Jaimée Marsh as member, Sweetened Beverage Tax Community Advisory Board, for a term to August 31, 2021.**

Attachments: [Appointment Packet](#)

Briefing, Discussion, and Possible Vote

Presenter: Alyssa Patrick, Office of Sustainability and Environment

3. [Appt 01787](#) **Appointment of Munira Mohamed as member, Sweetened Beverage Tax Community Advisory Board, for a term to August 31, 2023.**

Attachments: [Appointment Packet](#)

Briefing, Discussion, and Possible Vote

Presenter: Alyssa Patrick, Office of Sustainability and Environment

4. [Appt 01779](#) **Appointment of Steven Marchese as Director, Office of Labor Standards.**

Attachments: [Appointment Packet](#)

Supporting

Documents: [Marchese Confirmation Answers](#)

Briefing, Discussion, and Possible Vote

Presenter: Casey Sixkiller, Deputy Mayor

5. [Res 31991](#) **A RESOLUTION establishing a Watch List of large, complex, discrete capital projects that will require enhanced quarterly monitoring reports for the 2021 calendar year.**

Supporting

Documents: [Summary and Fiscal Note](#)
[Memo - Capital Oversight 2021 Watchlist](#)

Briefing, and Discussion

Presenter: Dan Eder, Council Central Staff

6. **Federal Funding for COVID Relief**

Briefing and Discussion

Presenters: Ben Noble, Director, City Budget Office; Aly Pennucci and Jeff Simms, Council Central Staff

E. Adjournment



Legislation Text

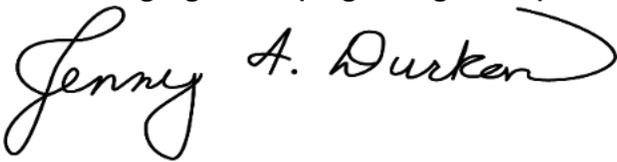
File #: Appt 01785, **Version:** 1

Appointment of Rita Howard as member, Seattle Housing Authority Board, for a term to March 20, 2023.

The Appointment Packet is provided as an attachment.

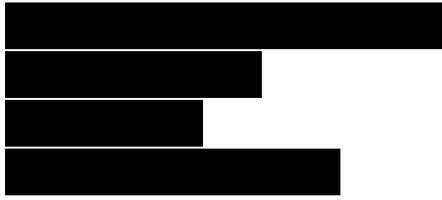


City of Seattle Boards & Commissions Notice of Appointment

Appointee Name: Rita Howard		
Board/Commission Name: Seattle Housing Authority Board		Position Title: Resident Commissioner; Position #1
<input checked="" type="checkbox"/> Appointment OR <input type="checkbox"/> Reappointment	City Council Confirmation required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Appointing Authority: <input type="checkbox"/> City Council <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Other:	Term of Position: * 3/21/2019 to 3/20/2023 <input checked="" type="checkbox"/> Serving remaining term of a vacant position	
Residential Neighborhood: Ravenna	Zip Code: 98115	Contact Phone No.:
Background: I am a retired nine-year resident of SHA's senior housing. I am very much committed to contributing to community, whether at the local level of the Ravenna School Apartments, where I currently reside, or on the larger stages of the city, state, country, or world. I have served as an officer of the Ravenna School Apartments Resident's council and contribute to causes in which I believe, including voter registration and cross-neighborhood liaisons through Seattle Parks and Recreation. I have an abiding interest in equity and service to the most vulnerable among us. The provision of low-income housing is certainly a cornerstone of how we take care of our community. It would be an honor and a privilege to serve on the SHA Board of Commissioners as a representative of SHA residents.		
Authorizing Signature (original signature): 		Appointing Signatory: Jenny A. Durkan Mayor, City of Seattle
Date Signed (appointed): 1/15/21		

*Term begin and end date is fixed and tied to the position and not the appointment date.

Rita Howard



PERSONAL STATEMENT

I am a retired nine-year resident of SHA's senior housing. I am very much committed to contributing to community, whether at the local level of the Ravenna School Apartments, where I currently reside, or on the larger stages of the city, state, country, or world. I have served as an officer of the Ravenna School Apartments Resident's council and contribute to causes in which I believe, including voter registration and cross-neighborhood liaisons through Seattle Parks and Recreation. I have an abiding interest in equity and service to the most vulnerable among us. The provision of low-income housing is certainly a cornerstone of how we take care of our community. It would be an honor and a privilege to serve on the SHA Board of Commissioners as a representative of SHA residents.

CURRENT ACTIVITIES

Member: Advisory Council of the Ravenna Eckstein Community Center

Member: Ravenna Park Community Gardeners

Member: First AME Church, Seattle

Facilitator: Grief Support Groups

Member: Board of Directors of the MLK Community Center

Volunteer: University Food Bank

PROFESSIONAL SKILLS

Technical Writing and Curriculum Development

Instruction and Facilitation (pre-K through College and Adult Ed)

Therapeutic Gardening and Landscape Management

ESL instruction

PREVIOUS EMPLOYERS

Self-employed

Seattle Public Schools

Microsoft

Boeing

The University of Rhode Island (Director of the Writing Center)

EDUCATION

BA from the University of California, Berkeley in Ethnic Studies

MA from California State University, Sonoma in Education

Certified ESL Instructor

Certificate in Therapeutic Garden Design, University of Washington

Certificate in Horticulture, Edmonds Community College



Legislation Text

File #: Appt 01786, **Version:** 1

Appointment of Jaimée Marsh as member, Sweetened Beverage Tax Community Advisory Board, for a term to August 31, 2021.

The Appointment Packet is provided as an attachment.



City of Seattle Boards & Commissions Notice of Appointment

Appointee Name: <i>Jaimée Marsh</i>		
Board/Commission Name: <i>Sweetened Beverage Tax Community Advisory Board</i>		Position Title: <i>Food Access Representative (Position #1)</i>
<input checked="" type="checkbox"/> Appointment OR <input type="checkbox"/> Reappointment		City Council Confirmation required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Appointing Authority: <input checked="" type="checkbox"/> City Council <input type="checkbox"/> Mayor <input type="checkbox"/> Other: <i>Fill in appointing authority</i>		Term of Position: * 9/1/2017 to 8/31/2021 <input checked="" type="checkbox"/> <i>Serving remaining term of a vacant position</i>
Residential Neighborhood: <i>Resides in Renton</i>	Zip Code: <i>98055</i>	Contact Phone No.:
Background: Originally from Spokane, WA, Jaimée Marsh specializes in community organizing, organizational development, assessment, and policy advocacy. For over 15 years, they applied this skill set to build community, shift power, and drive policy change, particularly with/for queer and trans people of color. Jaimée is an alum of the University of Michigan and University of Washington Schools of Social Work where they deepened their passion for cultivating creative spaces that center radical joy and healing, as well as fostering sustained partnerships between school systems and the community at large. Currently, Jaimée serves as Executive Director of FEEST, a non-profit organization centering youth as leaders working towards school food systems change in Seattle and South King County. Jaimée also centers youth power and racial justice via representation on the City of Seattle Environmental Justice Committee, the King County Children and Youth Advisory Board, and Seattle Art Museum’s Education & Community Engagement Committee.		
Authorizing Signature (original signature): 		Appointing Signatory: <i>Teresa Mosqueda</i> <i>Seattle City Councilmember, Pos.8</i>
Date Signed (appointed): 1/21/21		

*Term begin and end date is fixed and tied to the position and not the appointment date.

Jaimée Marsh, MSW



SUMMARY OF QUALIFICATIONS

Nationally and locally recognized social worker and administrator rooted in higher education with over 15 years of progressive leadership experience. Seasoned community organizer with a proven track record of driving policy change to shift power and resources toward queer and trans people of color, and first-generation and underrepresented young people and communities. A specialist and consultant in organizational capacity building, curating art-centered community-based programming, qualitative research and assessment. Engaging public speaker on topics such as racial equity, intercultural skill development, building inclusive spaces, and holistic health and wellness.

PROFESSIONAL HIGHLIGHTS

Food Empowerment Education & Sustainability Team (FEEST) – Seattle, WA (2019-Present)

Executive Director

- Cultivates the strategic plan and sustains youth organizing strategy to build healthier schools and food systems in South Seattle and South King County
- Works to shift public policy through regional advocacy, collaboration with local organizations, representation and participation in local coalitions, and cross-sector partnerships to further the mission and vision of FEEST's youth leaders
- Leads development of trusted relationships with youth, school leadership, board members, community members, as well as partnerships with external organizations
- Serves as Chief Executive and Chief Financial Officer overseeing all day to day administration and program operations

University of Washington Q Center – Seattle, WA (2013-2019)

Associate Director

- Co-directed a department and programs centering the experiences and needs of Lesbian, Gay, Bisexual, Transgender, & Queer (LGBTQ+) community members, including identity development support, group facilitation, brief crisis intervention, large scale celebration and education programs, leadership development, and connection to resources in the greater Seattle area
- Worked in partnership with the Director to develop and implement the Q Center's strategic plan, standard operating procedures, stewardship of resources, and strategic partnerships
- Provided consultations, developmental workshops, and thought leadership on issues related to gender identity, gender expression, and sexual orientation on campus, locally and nationally
- Led consultations, workshops, program evaluations, and campus needs assessments to shape policy advocacy and resource allocation
- Stewarded \$30,000 in grants and individual giving for healing projects centering queer and trans student of color
- Received local and national awards for commitment to social justice through innovative programs and activism centering queer and trans people of color

University of Michigan Office of Multi-Ethnic Student Affairs – Ann Arbor, MI (2011-2013)

Program Manager

- Supported the retention of students of color by developing and implementing co-curricular programs that promote cross-cultural engagement and intercultural skill development
- Developed and implemented the unit's outreach strategy to increase student-driven programming and extend services into underserved student populations
- Enhanced the unit's capacity for collaboration through leadership in cross-division committees and strengthening partnerships with academic units
- Strengthened partnerships between students, administrators, and faculty to develop and host the first support group and regional conference centering queer and trans students of color at the University of Michigan

National Center for Institutional Diversity – Ann Arbor, MI (2010-2011)

Research Assistant

- Engaged in youth-led, participatory action research to identify solutions for decreasing health and educational inequities in the Detroit metropolitan area
- Trained high school students in facilitation, research and evaluation methods in order to effectively assess the social climate of local high schools and improve school safety
- Worked in partnership with youth, scholars, community organizations, and local leaders to drive policy change efforts and implement environmental prevention strategies

Seattle Mathematics Engineering Science Achievement (MESA) (2004-2009)

Program Assistant

- Prepared low-income, first-generation, and students of color for success in math and science through mentorship, tutoring, and afterschool programming
- Coordinated 700 students and volunteers and managed over \$10,000 in donations and materials for the annual science competition and summer programs

COMMUNITY STEWARDSHIP

Seattle Art Museum – Seattle, WA (2018-Present)

Education and Community Engagement Committee Representative

Advancing Seattle Art Museum's commitment to racial equity in public engagement programs.

National Consortium of Higher Education LGBT Resource Professionals (2016-2018)

NW Regional Representative

Thought leader and mentor to colleagues employed at LGBTQ+ centers in the northwest and nationally. Chaired committee to co-author best practice recommendations for serving LGBTQ+ people of color.

EDUCATION AND TRAINING

University of Michigan – Ann Arbor, MI, Master of Social Work in Community Organizations, Minors in Social Policy & Evaluation

University of Washington – Seattle, WA, Bachelor of Arts in Social Welfare, Minors in Public Health & Geography

Intercultural Development Inventory, Qualified Administrator of Intercultural Competence Assessment

Sweetened Beverage Tax Community Advisory Board

11 Members: Pursuant to **Ordinance 125324**, all members subject to City Council confirmation, two and four-year terms for initial appointments, four-year terms thereafter:

- 5 City Council-appointed
- 6 Mayor-appointed

Roster:

*D	**G	RD	Position No.	Position Title	Name	Term Begin Date	Term End Date	Term #	Appointed By
2	NB	N/A	1.	Food Access Representative	Jaimée Marsh	9/1/2017	8/31/2021	1	Council
3	F	2	2.	Food Access Representative	Barbara Baquero	9/1/2019	8/31/2023	1	Mayor
6	F	5	3.	Food Access Representative	Rebecca Finkel	9/1/2019	8/31/2023	1	Mayor
			4.	Community Representative		9/1/2019	8/31/2023	1	Mayor
2	F	2	5.	Community Representative	Tanika Thompson	9/1/2019	8/31/2023	1	Council
1	F	2	6.	Public Health Representative	Christina Wong	9/1/2019	8/31/2023	1	Council
3	F	4	7.	Public Health Representative	Laura Flores Cantrell	9/1/2017	8/31/2021	1	Council
6	F	1	8.	Public Health Representative	Jennifer Hey	9/1/2017	8/31/2021	1	Mayor
			9.	Public Health Representative	Paul E. Sherman	9/1/2017	8/31/2021	1	Mayor
2	F	N/A	10.	Early Learning Representative	Munira Mohamed	9/1/2019	8/31/2023	1	Council
1	F	4	11.	Early Learning Representative	Dila Perera	9/1/2017	8/31/2021	1	Mayor

SELF-IDENTIFIED DIVERSITY CHART

	(1)		(2)		(3)		(4)		(5)		(6)		(7)		(8)		(9)	
	Male	Female	Transgender	NB/ O/ U	Asian	Black/ African American	Hispanic/ Latino	American Indian/ Alaska Native	Other	Caucasian/ Non-Hispanic	Pacific Islander	Middle Eastern	Multiracial					
Mayor		4			1		1			2								
Council		4		1	1	3	1											
Other																		
Total		8		1	2	3	2			2								

Key:

- *D List the corresponding *Diversity Chart* number (1 through 9)
 - **G List *gender*, **M**= Male, **F**= Female, **T**= Transgender, **NB**= Non-Binary **O**= Other **U**= Unknown
 - RD Residential Council District number 1 through 7 or N/A
- Diversity information is self-identified and is voluntary.*

**Term begin and end date is fixed and tied to the position and not the appointment date.*



Legislation Text

File #: Appt 01787, **Version:** 1

Appointment of Munira Mohamed as member, Sweetened Beverage Tax Community Advisory Board, for a term to August 31, 2023.

The Appointment Packet is provided as an attachment.



City of Seattle Boards & Commissions Notice of Appointment

Appointee Name: <i>Munira Mohamed</i>		
Board/Commission Name: <i>Sweetened Beverage Tax Community Advisory Board</i>		Position Title: <i>Early Learning Representative (Position #10)</i>
<input checked="" type="checkbox"/> Appointment OR <input type="checkbox"/> Reappointment		City Council Confirmation required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Appointing Authority: <input checked="" type="checkbox"/> City Council <input type="checkbox"/> Mayor <input type="checkbox"/> Other: <i>Fill in appointing authority</i>		Term of Position: * 9/1/2019 to 8/31/2023 <input checked="" type="checkbox"/> <i>Serving remaining term of a vacant position</i>
Residential Neighborhood: <i>Resides in Kent</i>	Zip Code: <i>98032</i>	Contact Phone No.:
Background: Munira Mohamed is the Executive Director of East African Community Services (EACS). She brings to this executive role more than 17 years of experience in the nonprofit sector with specific expertise in Early Childhood, equity-centered organizational development, and Business Management. Munira likes to say that she “hails from Somali by way of North Dakota.” She unapologetically embraces her refugee and immigrant roots. She notes that her unwavering commitment to issues of antiracism, equity, and economic justice for East African immigrant and refugee communities were “framed in personal, lived experience as the ‘Other.’” The connections between the lack of healthy, quality food in BIPOC neighborhoods, Black and Immigrant community obesity and health disparities, compelled Munira to launch Health Food Now and Fitness for Life; two programs designed to educate youth on the danger of sugary beverages, fast food, and the lack of exercise.		
Authorizing Signature (original signature): 		Appointing Signatory: <i>Teresa Mosqueda</i> <i>Seattle City Councilmember, Pos. 8</i>
Date Signed (appointed): 1/21/21		

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MUNIRA MOHAMED, M.B.A.

KEY SKILLS

Staff Management: Deep experience with team building, healthy group dynamics, and conflict resolution methods while committed to building strong teams and partnerships through exchange of knowledge, experience, and collaborative goal setting. Experience in personnel management, internal policy development, board governance, and fundraising. Proven expertise in designing, and managing systemic & process-oriented change within organizations, while conducting and preparing growth analysis & program expansion.

Program Management: Identifies program outcomes and consistently exceeds goals through delegating and communicating in creative ways that build on individual strengths while advancing overall objectives. Expertise in campaign organizing strategies, cultural proficiency assessment, social justice analysis, and capacity building.

Outstanding communication: organization and interpersonal skills, written and verbal. Fluent in English and Somali. Extensive experience working with individuals from a wide range of cross-cultural and socioeconomic backgrounds. Creative, resourceful and analytical, with solid problem solving abilities. Excellent project and multi-tasking abilities.

Policy Analysis: Consistently applies a values-based, solution-oriented approach to policy analysis and social change, with an emphasis on balancing the big picture perspective and attention to critical technical details.

EDUCATION

University of Phoenix, Phoenix, AZ **2009**

- **MASTER OF BUSINESS ADMINISTRATION (MBA)**
Emphasis in Human Resource Management; Corporate Finance; Marketing; Accounting; and Project Leadership

University of North Dakota **2007**

- **BACHELOR OF ARTS ■ BUSINESS MANAGEMENT**
Business Law; Business Economics; Financial Accounting; International Economics; Banking Theory, Law and Practice; Business Communication; Environmental Studies; Cost Accounting; Practical Auditing; Marketing; Management

PROFESSIONAL EXPERIENCE

EXECUTIVE DIRECTOR – East African Community Services, Seattle, WA **2017– Present**

- Leading organizations and departments through periods of substantial growth and transition.
- Developing and implementing innovative programs and services.
- Working with constituent groups including boards, committees, volunteers, and external audiences. Building and retaining exceptional staffs and creating excellent work environments.
- Overseeing and coordinating all aspects of budgeting and financial management.
- Prepared and executed annual operating plans for organization

COFOUNDER/DIRECTOR – CARE Center, Renton, WA **2011– 2016**

- Ensure ongoing local programmatic excellence, rigorous program evaluation, and consistent quality of finance and administration, fundraising, communications, and systems; recommend timelines and resources needed to achieve the strategic goals.
- Ensure effective systems to track scaling progress, and regularly evaluate program components, so as to measure successes that can be effectively communicated to the board, funders, and other constituents.
- Build partnerships, establish relationships with the funders, and political and community leaders.
- Design, implement, and manage all fundraising activities including individual giving and other related solicitations.
- Collaborated with youth and adult education services management team to ensure the effective coordination of program schedules and related events for youth and families.

COACH SUPERVISOR – Child Care Resources, Seattle, WA **2012 – 2017**

- Guided the work of 5 coaches & meet with them regularly to observe staff at childcare sites.
- Support staff in data bases and use coaching report and data bases to monitor staff's work to ensure meeting performance standards.
- Worked with the managers, Director, Regional Coordinator, and Professional Development Coordinator to ensure adequate training and professional development support for all coaches.

MUNIRA MOHAMED, M.B.A.

FAMILY ADVOCATE SUPERVISOR – **Denise Louie Education Center**, Seattle, WA 2010 – 2012

- Hire, train, coach and mentor visiting home representatives and family advocates and supply the tools and resources necessary for them to reach, communicate and assign services for at-risk communities and eligible families.
- Provide cultural competency training to new family advocates. Ensure compliance with Center's curriculum and Early Head Start (EHS) performance standards. Confirm eligibility of enrolled families and monitor ongoing program compliance. Deescalate and resolve various problems and issues.

COMPLIANCE TRAINER (3-month contract) – **Barwa Bank**, Doha, Qatar 2009 – 2010

- Worked with the bank's compliance officers and provided comprehensive training programs on policy development, compliance structures, effective identification and measurement controls, and general management procedures. Also trained professionals on AML surveillance procedures, CTR filing processes, and STR and AML reviews.

CASE MANAGER (full-time) - **Lutheran Social Services**, Fargo, ND 2007 – 2009

- Resettled refugees and immigrants from various world locations for this grass roots organization recognized for its long history of serving the most vulnerable members of society.
- Recruited, hired and trained a top-caliber team of professionals. Oversaw development and performance.
- Managed 40 cases (ongoing) involving 180-200 individuals, with 5-6 new cases added each month. Maintained files and submitted written reports, ensuring strict client confidentiality. Provided cross-cultural information and oriented refugees and immigrant families to new communities; ensuring a smooth process of resettlement.
- Oversaw various services, including medical, employer outreach, rental contracts, welfare applications, employment counseling, job placement and educational opportunities.

COMPLIANCE OFFICER (part-time) - **Dahabshiil, Inc.**, Fargo, ND 2007 – 2009

- Ensured compliance to all state, federal, global and corporate regulations for this international funds transfer company, with a particular focus on anti-money laundering policies and guidelines.
- Performed customer identification and verification procedures, and monitored transactions. Maintained detailed transaction records and reports. Communicated all suspicious activities to executive leadership.
- Updated, revised and implemented compliance procedures. Provided comprehensive training to employees on how to identify and properly report suspicious activities and transactions.

EXECUTIVE ASSISTANT / BUSINESS INTERN – **Gate Bank**, ND

- Interned at North Dakota second-largest bank with total assets of \$100 billion US). Assisted in various departments, including Human Resources, Market Research, Accounting, Reports, and Project Management.

RESTAURANT MANAGER / PAYROLL ADMINISTRATOR - **Giant Panda Restaurant**, Fargo, ND 1999 – 2003

- Directed business operations, including staffing, purchasing, advertising, marketing and customer services.
- Managed business accounting, including AR/AP and payroll processing. Purchased all food, beverage and supplies for events and daily operations. Ensured compliance to all city, state and federal safety regulations.

Sweetened Beverage Tax Community Advisory Board

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SELF-IDENTIFIED DIVERSITY CHART

	<div style="display: flex; justify-content: space-around; font-weight: bold;"> (1) (2) (3) (4) (5) (6) (7) (8) (9) </div>												
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Mayor		4			1		1			2			
Council		4		1	1	3	1						
Other													
Total		8		1	2	3	2			2			

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Legislation Text

File #: Appt 01779, **Version:** 1

Appointment of Steven Marchese as Director, Office of Labor Standards.

The Appointment Packet is provided as an attachment.

City of Seattle



Director Office of Labor Standards

**Confirmation Packet
January 8, 2021**

Steven Marchese



City of Seattle
Mayor Jenny A. Durkan

January 8, 2021

The Honorable M. Lorena González
President, Seattle City Council
Seattle City Hall, 2nd Floor
Seattle, WA 98104

Dear Council President González:

I am pleased to transmit to the City Council the following confirmation packet for my appointment of Steven Marchese as Director of the Office of Labor Standards (OLS).

The materials in this packet are divided into two sections:

A. Steven Marchese

This section contains Mr. Marchese's appointment and oath of office forms, his resume, and the press release announcing his appointment.

B. Background Check

This section contains the report on Mr. Marchese's background check.

Steven Marchese will join the City with over 20 years of public service experience. Most recently, Marchese served as Public Service Director for the Minnesota State Bar Association, leading efforts to link pro bono legal services to organization that serve the public. Additionally, he served as the director of the Saint Paul School Board. In this role he sustained relationships with community, employees, leadership, labor representatives, and elected official, all in service of bringing high quality education and respectful work environments

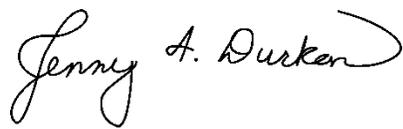
Marchese's legal background, experience working connecting community to legal services, his extensive work as a leader of St. Paul School District—working across unions, families, community, stakeholders, and elected leaders makes him a great candidate to further Seattle's work to create a better economy for workers and business alike.

Prior to launching the search, the Seattle Department of Human Resources conducted listening sessions with the OLS Advisory Board, OLS Staff and the OLS Leadership Team regarding the desired qualities of the Director. Recruitment efforts focused on employees of civil rights organizations centering worker issues, BIPOC professional legal associations and OLS stakeholders. The selection process included feedback from Department Directors (including OED, SOCR), members of the OLS staff and RSJI Change Team, the OLS Leadership Team, representatives of the OLS Advisor Board, the Small Business Advisory Committee, and local labor leaders.

My nomination of Steven as Director represents my vision for the Office of Labor Standards and I urge you to confirm him.

If you have any questions about the attached materials or need additional information, please contact Senior Deputy Mayor Mike Fong at 206-256-6191.

Sincerely,

A handwritten signature in black ink that reads "Jenny A. Durkan". The signature is written in a cursive style with a large, sweeping flourish at the end.

Jenny A. Durkan
Mayor of Seattle

SECTION

A



City of Seattle
Mayor Jenny A. Durkan

January 5, 2021

Steven Marchese
St. Paul, MN
Transmitted via e-mail

Dear Steven,

It gives me great pleasure to appoint you to the position of Director of the Office of Labor Standards at an annual salary of \$170,130.

Your appointment as Director is subject to City Council confirmation; therefore, you will need to attend the Council's confirmation hearings. Once confirmed by the City Council, you serve at the pleasure of the Mayor

Your contingent offer letter provided employment information related to the terms of your employment, benefits, vacation, holiday and sick leave.

I look forward to working with you in your role as Director and wish you success. We have much work ahead of us, and I am confident that the Office of Labor Standards will thrive under your leadership.

Sincerely,

A handwritten signature in black ink that reads "Jenny A. Durkan". The signature is fluid and cursive.

Jenny A. Durkan
Mayor of Seattle

cc: Seattle Department of Human Resources file



City of Seattle Department Head Notice of Appointment

Appointee Name: <i>Steven Marchese</i>		
City Department Name: <i>Office of Labor Standards</i>		Position Title: <i>Director</i>
<input checked="" type="checkbox"/> Appointment OR <input type="checkbox"/> Reappointment		Council Confirmation required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Appointing Authority: <input type="checkbox"/> Council <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Other: <i>Specify appointing authority</i>		Term of Office: <i>City Council Confirmation to Discretion of the Mayor</i>
Legislated Authority: <i>Seattle Municipal Code Section 3.15.002</i>		
Background: Steven Marchese will join the City with over 20 years of public service experience. Most recently, Marchese served as Public Service Director for the Minnesota State Bar Association, leading efforts to link pro bono legal services to organization that serve the public. Additionally, he served as the director of the Saint Paul School Board. In this role he sustained relationships with community, employees, leadership, labor representatives, and elected official, all in service of bringing high quality education and respectful work environments Marchese’s legal background, experience working connecting community to legal services, his extensive work as a leader of St. Paul School District—working across unions, families, community, stakeholders, and elected leaders makes him a great candidate to further Seattle’s work to create a better economy for workers and business alike.		
Date of Appointment: <i>1/8/2021</i>	Authorizing Signature (original signature): <i>Jenny A. Durkan</i>	Appointing Signatory: <i>Jenny A. Durkan</i> <i>Mayor</i>



**CITY OF SEATTLE - STATE OF WASHINGTON
OATH OF OFFICE**

STATE OF WASHINGTON

COUNTY OF KING

I, Steven Marchese, swear or affirm that I possess all the qualifications prescribed in the Seattle City Charter and the Seattle Municipal Code for the position of Director of the Office of Labor Standards; that I will support the Constitution of the United States, the Constitution of the State of Washington, and the Charter and Ordinances of the City of Seattle; and that I will faithfully conduct myself as *Director of the Office of Labor Standards*.

Steven Marchese

**Subscribed and sworn to before me
this _____ day of _____, 2021**

(affix seal)

Monica Martinez Simmons, City Clerk

STEVEN MARCHESE

[REDACTED]
Saint Paul, MN 55104
[REDACTED]
[REDACTED]

RECENT EXPERIENCE

Minnesota State Bar Association (MSBA), Minneapolis, MN.

Public Service Director (November 2009 – present)

Lead efforts to support pro bono programs throughout Minnesota by linking legal service organizations with interested volunteer private attorneys. Work with private firms and corporate legal offices to implement pro bono programs, including recruiting over 1000 new pro bono lawyers. Develop and manage annual statewide pro bono recognition program. Provide professional support to MSBA task forces and committees. Cultivate professional relationships with judges and judicial branch staff, legal aid program directors, law firm and corporate management, and local law school leadership. Manage MSBA access to justice program budget.

Saint Paul School Board, Saint Paul, MN.

Director (January 2016 – present)

Twice elected citywide to serve on seven-person governing board of St. Paul Public Schools (SPPS). Set policy for and provide oversight of school district, including hiring and supervision of Superintendent, Board Administrator and General Counsel. Review and approve over \$750 million annual operating budget. Develop and sustain relationships with key internal and external stakeholders, including building leadership, labor union representatives and elected officials. Provide guidance on labor negotiations and approve all contracts on behalf of district. Served as Treasurer for 2016 and 2017 and Vice-Chair for 2018 and 2019.

OTHER PROFESSIONAL EXPERIENCE

Authentic Strategies, LLC, Saint Paul, MN.

President/Founder (September 2008 – January 2014)

Created consulting practice to provide career and professional development support to legal employers and individuals. Services included professionalism and diversity training, mentor program development, effective communication training, career and legal writing coaching.

University of Minnesota Law School, Minneapolis, MN.

Director, Career & Professional Development Center (June 2005 – September 2008)

Associate Director of Career Services (June 2003 – June 2005)

Oversaw department administration, including financial management, program development and employee supervision. Counseled students and alumni regarding career development and job search strategies with focus on public service opportunities and judicial clerkships. Developed and delivered student programming regarding employment opportunities, job search skills and professionalism. Expanded law school's connections to local and national employers.

Larson King, LLP, Saint Paul, MN.

Associate Attorney (July 2001 – December 2002)

Practiced civil litigation at trial and appellate levels in insurance coverage, commercial, employment and product liability disputes.

Dykema Gossett, PLLC, Detroit, MI.

Of Counsel (February 1999 – July 2001)

While teaching at Syracuse University, served as co-counsel on behalf of plaintiff class in school desegregation litigation in Michigan.

Syracuse University College of Law, Syracuse, NY.

Legal Writing Professor (January 1999 – June 2001)

As a full-time faculty member, prepared and taught two sections of required first-year legal research, writing and practice course. Taught summer civil clinic and seminar on education law.

Harter, Secrest & Emery, LLP, Syracuse, NY.

Associate Attorney (January 1998 - January 1999)

Developed and deepened civil litigation practice in branch office of major upstate New York law firm. Assumed greater responsibility and additional pre-trial and court experience.

Dykema Gossett, PLLC, Ann Arbor, MI.

Associate Attorney (September 1995 - December 1997)

Practiced commercial and employment litigation in branch office of major Michigan law firm. Represented pro bono clients in civil rights and criminal appeals.

Honorable Charles L. Levin, Michigan Supreme Court, Detroit, MI.

Law Clerk (September 1994 - August 1995)

Honorable Wayne E. Alley, United States District Court for the Western District of Oklahoma, Oklahoma City, OK.

Law Clerk (August 1993 - August 1994)

OTHER PUBLIC SERVICE

Mayflower Early Childhood Center, Board of Directors, 2014-2015

St. Paul Civil Service Commission, Commissioner, 2012-2015

St. Anthony Park Elementary School, Site Council Parent Member, 2009-2012

Mayflower Community Congregational Church, Church Council Member, 2009-2012,
Associate Minister Search Committee Chair, 2012-2013

Community Shares Minnesota, Board of Directors, 2008-2012

Minneapolis Civil Rights Commission, Attorney Commissioner, 2002-2005

EDUCATION AND LICENSES

New York University School of Law, New York, NY.

Juris Doctor, 1993

Honors: Law School Commencement Speaker (one of three)

Law Review: Articles Editor, *Annual Survey of American Law*

Yale University, New Haven, CT.

Bachelor of Arts, History, *cum laude*, 1988

Honors: Katherine K. Walker Prize for Senior History Essay

Admitted to the practice of law in Minnesota, 2001. (Eligible for admission on motion.)



City of Seattle
Mayor Jenny A. Durkan

NEWS RELEASE FROM THE OFFICE OF THE MAYOR

Contact: Schulkin, Rachel Rachel.Schulkin@seattle.gov

Mayor Durkan Announces Steven Marchese as the New Director of the Office of Labor Standards

Seattle (December 7, 2020) – Seattle Mayor Jenny A. Durkan today announced that Steven Marchese will join the City of Seattle as the new director of the Office of Labor Standards (OLS). Marchese will join the City with over 20 years of public service experience. Most recently, Marchese served as Public Service Director for the Minnesota State Bar Association, leading efforts to link pro bono legal services to organizations that serve the public. Additionally, he served as the director of the Saint Paul School Board and worked closely with community, employees, leadership, labor representatives, and elected officials.

“Over the last three years, Seattle has passed major worker protections bills including new rights and wages for domestic workers and TNC drivers. All those who work in Seattle should make a living wage, be supported in their workplace, and have a place to reach out should they have concerns. COVID-19 has brought dozens of challenges for businesses and their employees, but we will emerge as a stronger more equitable City,” said Mayor Jenny Durkan. “As Steven begins this new role, I am grateful to Acting Director Jeneé Jahn and the entire OLS staff who have helped navigate an unprecedented year.”

“Seattle is a national leader in developing and supporting wage, labor, and workforce practices that create a fair and healthy economy for workers, businesses, and residents alike,” said Marchese. “And I am honored to join this team and build on these gains in a way that focuses on creating equity and addressing the historic disparities, particularly as Seattle rebuilds and recovers.”

Prior to launching the search the Seattle Department of Human Resources conducted listening sessions with the OLS Advisory Board, OLS Staff and the OLS Leadership Team regarding the desired qualities of the Director. Recruitment efforts focused on employees of civil rights organizations centering worker issues, BIPOC professional legal associations and OLS stakeholders. The selection process included feedback from Department Directors (including OED, SOCR), members of the OLS staff and RSJI Change Team, the OLS Leadership Team, representatives of the OLS Advisor Board, the Small Business Advisory Committee, and local labor leaders.

The Office of Labor Standards was created in April 2015 to implement the City’s labor standards for Minimum Wage, Paid Sick and Safe Time, Wage Theft, Fair Chance Employment (limiting the use of conviction and arrest records in employment decisions), Secure Scheduling, Hotel Employees Protections Ordinances, Domestic Workers Ordinance, Commuter Benefits Ordinance, Transportation Network Company Legislations and other laws the City may enact in the future.

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SECTION

B



City of Seattle

Seattle Department of Human Resources

Bobby Humes, Director

January 6, 2021

TO: Pam Inch, Senior Executive Recruiter SDHR

FROM: Annie Nguyen, Seattle Department of Human Resources

SUBJECT: Background check for Steve Marchese

The Seattle Department of Human Resources has received a copy of **Steve Marchese's** background check runs by Global Screening Solutions. There were no finds that would impact their employment eligibility.

Cc: Personnel File

Seattle Department of Human Resources

Seattle Municipal Tower, 700 5th Avenue Suite 5500, PO Box 34028, Seattle, WA 98124-4028
(206) 684-7999 • TTY:7-1-1 Fax: (206) 684-4157 • Employment Website: www.seattle.gov/jobs

An equal employment opportunity employer. Accommodations for people with disabilities provided upon request.



Seattle City Council Confirmation Questions & Answers
Steven Marchese – Director, Office of Labor Standards

Background

1. Why do you want to be the Director of the Office of Labor Standards (OLS)?

I am a child of the labor movement - my father was a Teamster truck driver in NY for close to 40 years and my grandmother was a garment worker, I see a direct connection between the life I have been able to lead as a result of the collective bargaining and labor protections they received in the late 20th century and the work of OLS at this moment in time. I have been involved in public service throughout my legal career, including most recently as public service director for the Minnesota State Bar Association and as a board member of the St. Paul School Board. My wife (who recently started as the new dean of the Evans School at the University of Washington) and I decided to relocate to Seattle and contribute to our new community. Moreover, I have been aware of the trailblazing work that has been done here in Seattle by OLS and have seen the influence it has had on worker protection efforts in the Twin Cities in Minnesota. I am excited to help lead these efforts, in collaboration with the City Council and Mayor's Office, as we seek to build towards a city that values the efforts of all workers and equalizes the imbalances of power that disproportionately impact BIPOC community members in Seattle.

2. What do you see as the biggest challenge to OLS in the coming year?

The past 18 months have been an extremely challenging and active time for worker protection efforts in Seattle. OLS now oversees 16 ordinances and the demands on staff resources to effectively implement all of these provisions are quite high. I believe OLS needs both sufficient staff and support resources to do the work already on the docket, as well as keep focused on new and emerging needs in the community. This will take both strong partnership with the City Council and Mayor's Office, as well as a commitment by all to prioritize scarce resources to build the office's capacity to do its work.

3. What do you want to accomplish in your first 90 days and year as Director?

In the first 90 days, I want to spend the majority of my time listening actively and learning about the office's work, developing intentional relationships with OLS staff, policy makers, community members and other external stakeholders. As a new arrival to Seattle, I know that there is a lot I do NOT know. I want to also keep an eye out for opportunities for enhanced collaboration and information sharing, as well as the chance to ask questions that help clarify embedded assumptions about how OLS works currently or has worked in the past. In my first year, I hope to work closely with OLS staff members and leadership to develop a 3-5 year strategic plan for the office's work. OLS has largely been responsive to developments external to the office since its creation. I would like to develop a strategic focus to the work that incorporates feedback from the Mayor's Office, City Council, City departments, labor and worker organizations, small businesses (in particular women- and minority-owned businesses), community members and BIPOC groups to chart a more long term strategic focus for OLS' ongoing and developing work.

4. What is your experience with enforcement and policy development of worker rights and labor standards?

As a practicing attorney, earlier in my career, I represented both employees and employers in employment discrimination and labor-related matters, among other areas of civil litigation. I have experience as an attorney commissioner on the Minneapolis Civil Rights Commission which meant that I was part of both policy development on civil rights for the city and the attorney panel lead for hearings on civil rights complaints under the city's ordinance. Several of these claims were employment-related. In addition, I have also served on the St. Paul Civil Service Commission which meant that I participated in reviewing grievances under the city's civil service laws. As a school board member, I have worked closely with the district's general counsel and assistant director of HR on developing policies that relate to worker rights for district staff, including the creation of internal whistleblowing protections and the creation of a separate EEO office within administration. Finally, I took course work in law school on labor and employment discrimination law, which provides me a basic framework to understand the regulatory frameworks for labor standards and workers rights protections.

Vision/Policy/New Workforce

5. What are the most pressing issues facing workers? What are your ideas for strengthening worker protections and building worker power? How can the City ensure that workers have access to safe, healthy and workplaces that provide living wages?

Economic disparities are increasing throughout the country, and Seattle is no exception. Workers face a market in which businesses use many different legal mechanisms to evade creating employer/employee relationships. The rise of gig economy jobs in which workers absorb the majority of risk without the benefit of wage and safety protections creates an environment ripe for abuse. Further, the ability of workers to bargain collectively and organize is made more challenging when work is not done in a central location, but remotely throughout the city in cars, homes and numerous other less visible and isolated locations. The city must step in to use its regulatory power and set up baseline protections for workers regardless of employment status. Focusing enforcement efforts on emerging uses of subcontracting in specific industries will allow the city to target sectors that are high violation and low complaint. Those sectors tend to disproportionately employ BIPOC and low income community members.

6. On the City's website and outreach materials, OLS describes itself as a leader on wage, labor, and workforce practices that enhance equity, address wage gaps, and create a fair and healthy economy for workers, businesses and residents. What does this mean to you? How do you see yourself supporting and leading this vision?

I have seen the impact of OLS' work nationally from my own perspective as an elected leader in Minnesota. When both Minneapolis and St. Paul looked for national models on which to base their own minimum wage and PSST ordinances, Seattle was one of the benchmarks advocates and policymakers used. OLS' work directly ties into and supports the broader work the city is doing to create a sustainable place for working people to grow and thrive. The office directly contributes to the well being of workers by setting standards that, when complied with and enforced, can help make it possible for workers to achieve the kind of life and success my own family experienced 30-40 years ago. I see my role as articulating the connections between OLS' work and the larger vision through broad media amplification, personal connections and the ongoing work of the OLS staff. I know that worker

protections can, wisely implemented, contribute positively to a larger overall effort to enhance equity and the quality of workers' lives.

7. How can the City center worker rights during the COVID-19 emergency while some businesses are facing extreme economic circumstances?

I believe this is a “both/and”, as opposed to “either/or” proposition. Clearly, small businesses are struggling to remain viable and, at the same time, workers are struggling to balance their personal safety with being able to continue to earn a wage, a need made all that more urgent by the high cost of living in Seattle. During this unprecedented time for workers and employers, OLS has been able to advance efforts to mitigate financial burdens on struggling businesses. For example, throughout 2020, OLS made efforts to ease financial hardships on employers who were under investigation and struggling due to the pandemic. OLS offered significant penalty reductions, particularly for small businesses. (Indeed, the largest financial remedy assessments in 2020 were against large employers subject to the Secure Scheduling Ordinance). OLS is able to offer payment plans to those businesses most in need and is in the process of negotiating multiple settlement agreements with payment plan terms. During this time, OLS also emphasized informal resolutions with businesses to remedy violations. In 2020, OLS initiated 16 informal negotiations, a nearly 30% increase from 2019. All of these efforts are designed to help keep the focus on employer compliance with much needed worker protections and standards, while also recognizing the financial burdens already placed on struggling employers. Further, OLS will continue to enforce the city's Paid Sick and Safe Time ordinance given the many issues raised during the COVID emergency that impact the health and safety of workers and their families. In a time of emergency, these kinds of protections can be lifesaving. Finally, as the city builds towards recovery, it will be necessary to continue to strengthen partnerships between OLS and other city agencies that work with the business community. For example, OLS and OED have been robustly coordinating through the Mayor's Community Needs departmental working group to build awareness of labor protections and resources as part of outreach to small businesses and workers through OED's partnerships and education channels.

8. Are there any missing components or unexplored options in the City's current approach to labor standards policy and enforcement that you believe should be addressed? If so, please describe here these issues and your ideas or suggestions for change.

While OLS staff have worked hard to implement both new and existing ordinances, some challenges persist. For example, there are increasingly large cases and class sizes for OLS investigations which makes it ever-more important to streamline remedy assessment and provide increased administrative support. Other potential areas for exploration to augment OLS enforcement include increasing support for private rights of action, increasing collaboration with the City Attorney's office to expand enforcement, and collaborating with other City departments in their contracting processes.

9. OLS has seen incredible growth since its inception in 2015 – how will you manage staff recruitment, training, and development with enforcing the City's labor standards; in particular with the multiple new (including emergency) ordinances that went into effect last year?

The first step is to complete hiring for our vacant positions. The pandemic disrupted plans to hire last year, but the hiring process for four vacancies is underway and the office is on track for initiating the hiring of the two new positions that were added to the 2021 budget. When you examine the work of

the office, it is meaningful, cutting-edge, and equity-driven, which makes recruitment less challenging. Professional development and training are also extremely important to help staff remain effective and at the forefront of the field. I have dedicated large portions of my career to the topic and I hope to employ that experience to the benefit of the OLS team. Our existing laws and our services require technical and substantive legal knowledge. Many of our laws, including recently passed ordinances that address the gig economy and domestic workers, have been some of the first in the nation which requires thoughtful analysis and consideration. I intend to ensure that our staff are equipped with the knowledge and skills to do so. Our work also requires deep understanding of how inequity and power manifest in workplaces and in our own work. We are fortunate to be able to fund professional development in our budget and that our staff have a growth mindset.

10. What is your vision for using strategic enforcement methods to obtain compliance with Seattle’s labor standards? What does “strategic enforcement” mean to you?

Strategic enforcement is an intentional, considered, and proactive approach that maximizes impact and drives equity. Severe power imbalances between worker and business are more deeply felt by low-wage workers, especially those who face additional barriers like those associated with immigration status, race, gender, criminal history, or have survived trafficking. Through directed investigations, triage and priority setting, industry research and knowledge, co-enforcement with community organizations, and effective communications, we can thoughtfully focus our attention and impact on the most egregious of cases, with the intent to cause ripple effects in those industries. It is also a long-term commitment that requires continued planning and holistic approaches. OLS has a long tradition of using education to create a culture of compliance, and strategic enforcement amplifies this approach. It also requires lasting relationship with labor and community partners because it is only with them that we can be the most effective.

11. Directed Investigations that target employers or industries which frequently violate labor laws are one way to ensure workers’ rights are more adequately protected – can you explain OLS’ success with directed investigations and how you anticipate using this tool especially in light of backlogs in case load?

OLS is a young and expanding agency with high demand on its services. Despite this, the office has worked diligently and has been successful in recent years to reduce its waitlist of cases. In the coming year, the office will continue to make progress with filling vacancies and through its efforts to continue to reduce case ages and prioritize the most impactful cases. Directed investigations are useful, especially in industries that have a high volume of violations but low worker complaints. OLS has been increasingly successful in using directed investigations as a strategic enforcement tool to target violations that were not being directly reported to OLS. In 2020, OLS filed nine directed investigations and assessed \$2.6 million in three resolved directed investigations. As of the beginning of 2021, OLS had 12 open directed investigations. On the other hand, OLS does not need to rely on directed investigations for gig worker investigations, as OLS has received voluminous complaints from workers in that industry.

To this end, the use of directed investigations is not conditioned on the complete resolution of a backlog – directed investigations are a tool appropriate for some industries, and the backlog is largely a result of an over-emphasis on a complaint-based system. Shifting the focus more aggressively towards a

strategic enforcement approach, in line with national labor standards enforcement trends, requires that directed investigations be pursued simultaneously with ongoing backlog resolution efforts.

12. What overall barriers do you see to compliance with our labor standards and how do you plan on overcoming these barriers? What new/emerging trends in labor standards enforcement would support more efficient enforcement?

To create a culture of compliance in the business community, we must first start with awareness. Our reach must be tailored to the needs of each community, including small business that are owned by low-income and historically disenfranchised communities that are not typically served by traditional outreach methods. We also must enlist trusted community partners to be messengers, which includes chambers of commerce, payroll providers, neighborhood business associations, and fellow departments. As I mentioned before, we have benefited from an increase in partnerships with departments this year which has expanded our reach and we plan to continue and build upon this collaboration.

In a similar vein is the trend in labor standards enforcement related to co-enforcement. These are formal and long-term partnerships with community and labor organizations that are trusted in low-wage workers' communities. Co-enforcement, among other things, helps labor standards agencies understand industry practices, identify violations, and connects us with workers during investigations.

13. Please describe your approach to managing external communications and media relations to promote OLS's policy development and enforcement achievements? What is your vision for maximizing publication of this information?

OLS's effectiveness is strongly tied to the public's awareness of our existence, our services, and about the rights and requirements of our laws. In particular, external communications and media expand the office's reach. We have to acknowledge that traditional media does not reach many communities that we need to reach (e.g. workers and business owners who are immigrants or people of color) and it will be important to elevate the office's profile through ethnic media channels and trusted community partners to reach those that might not be reached through traditional outlets. We can also expand our reach by relying on partnerships with fellow City departments. During the pandemic, we saw an expansion of collaborative outreach and communications efforts with departments like the Department of Neighborhoods, Office of Economic Development, the Office of Immigrant and Refugee Affairs, and the Seattle Office for Civil Rights. I would like to continue those partnerships. Finally, it will be helpful to continue to promote successful investigation outcomes to build public awareness of the office's effectiveness and knowledge of the importance of compliance with the city's ordinance protections.

14. Please describe your vision for innovation and creativity when it comes to labor standards in this city? How does partnership with the county, state, and federal government come into play?

Workers do not live their lives or work exclusively in one City. If anything, gig work and domestic work are a major illustration of this. Their work necessarily spans multiple jurisdictions, whether because of the nature of it or because it must be so to earn a sufficient living. To ensure we can further our mission to achieve a meaningful quality of life for every worker and a level playing field among businesses, innovation in other jurisdictions is key – whether that be at the county, state, or federal level. To that end, OLS has and will continue to be a resource and willing partner to other jurisdictions.

15. Do you have any thoughts about the adverse impacts of the Supreme Court’s decision in *Epic Systems Corp. v. Lewis* on Seattle workers’ ability to band together to challenge an employer’s illegal acts?

The Supreme Court’s decision in *Epic Systems* has accelerated the use of arbitration clauses and made it more difficult for workers to use class action litigation to seek redress for employer abuses. Clearly, OLS can’t stop the proliferation of arbitration clauses and the waivers that employers seek from workers as a condition of employment. However, the case increases the need for an active enforcement agency like OLS to address both existing and emerging abuses through the city’s regulatory powers. The city can continue to set a baseline for worker protections and use OLS’ enforcement capacity to address the most egregious and broad-based examples of wrongdoing by high visibility employers. *Epic Systems* does not stop the city from standing indirectly in the shoes of workers and might raise the potential for other affirmative litigation efforts, such as through the City Attorney’s office, as complimentary strategies for enforcement. Finally, this is an everchanging area of the law. OLS can use its public education capacity and relationships to help raise awareness of these new legal developments and enable workers to understand how to best secure their own rights.

16. OLS’ Labor Standard Advisory Commission (LSAC) has made recommendations on a proposal for a floor of transparency protections for independent contractors. How best can the City implement those recommendations?

The City can make sure that the fundamentals of good contracting practices apply for independent contractors. Rather than legislate an implied employer/employee relationship, the City can set baseline standards for what should be disclosed as part of the contracting process so that independent contractors have more information and awareness of those provisions that directly impact them the most. Such provisions would make it important to develop a strong public education and outreach effort to educate the community about them. Since many BIPOC community members will likely not be familiar with them, the City and OLS would need to make sure that outreach was accessible and targeted with support from community partners in COEF and BOEF.

Management Skills and Experience

17. OLS will soon have 30 FTEs – what is your experience leading a team of this size? Specifically, describe your experience managing a team, developing and implementing a budget, overseeing data collection and information systems, addressing internal personnel issues, and ensuring that work plans are followed?

For the past 11 years, as Public Service Director, I have managed, led, and implemented the state bar association’s public service and access to justice initiatives. This has included budget oversight responsibility for this work and management of/support for the association’s related committees and task forces. These groups have included up to 50 volunteer members with whom I have worked to develop workplans and keep on task. For the past five years, as a school board member, I have shared oversight with my colleagues over the St. Paul district’s \$800 million budget, the superintendent and over 6,000 staff and over 25 separate bargaining units. We also replaced a previous superintendent, hired an interim, and conducted a nationwide search for our current superintendent. In addition, we

developed an extensive strategic plan focused on addressing increasing academic outcomes, reducing outcome disparities based on race and increase social/emotional support for students. Finally, prior to my current work, for five years, I led a department of 4 permanent staff and 4 student workers at the University of Minnesota Law School.

18. How will you build staff and team relationships while employees are working remotely, and without a deep background in Seattle’s labor rights community? Provide specific examples.

As a new arrival in Seattle, I am committed to working intentionally and actively to develop positive relationships with staff and labor rights community stakeholders. While the current work environment creates some challenges, I intend to do the following over the next 3-6 months: 1) hold periodic 30 minute one on one meetings with all staff; 2) encourage, support and participate in efforts to build connections across office teams ; 3) meet with membership of OLS’ various advisory committees and grant recipients so they get to know me and I get to hear their observations, concerns and proposals; and 4) meet on a regular basis with other key department directors to better understand and coordinate our work. I am very clear about my need to spend most of the next several months listening to the experiences and insights of my new colleagues, strategic partners and community members. To be effective, I need to recognize that I don’t know what I don’t know and elevate/tap into the expertise of those who have been doing this work for many years and/or are closest and most directly impacted by the issues OLS is attempting to address.

19. The culture of an office or organization is critical – what will you do to ensure that OLS is an inclusive, supportive work environment where employees feel safe to voice concerns?

I start with my own personal work style – as the office leader, I intend to model and set expectations for working collaboratively, respectfully and with attention to how we nurture and sustain an inclusive culture. Again, as a new arrival, I need to immerse myself in the RSJI work already embedded in the office and city, participating in opportunities to build my own knowledge base and awareness with OCR as part of a cohort of new cabinet members and in community with other city leaders. OLS already has a strong RSJI and inclusive culture – I see my role as building on and enhancing what exists, not starting completely anew. That said, I also will emphasize that my “door” is open to staff regarding any aspect of their work and, through periodic check ins, hope to keep lines of communication fresh and current.

Working with Stakeholders and Constituents

20. What is your experience working with community-based organizations and business groups, including contracting with such organizations?

As a school board member in St. Paul, I have worked closely with both community-based organizations and business groups to support the school district and its many efforts. When I decided to run for school board in 2015, I knew I needed to connect with others who were interested in the well-being of our students. Over my years as board member, I have met frequently with parent organizations, organizations connected to BIPOC communities, faith-based organizations and business entities (such as the St. Paul Chamber of Commerce) to build relationships and educate about the needs of our students and district communities. SPPS contracts with a number of these organizations and, as a board member, I have been asked to review and approve many of these contracts as part of my oversight duties.

21. What is your experience working with labor unions and worker centers to advance and enforce labor standards?

I have partnered with labor unions as both a candidate for school board and sitting school board member. Part of this has been to educate myself about the needs of the district's workers and to also inform my own policymaking. Further, as one of the district's legal representatives, I have been involved in negotiations with all of our bargaining units. In 2017, our board made the decision to set a floor of \$15 hourly minimum for all staff before the city of St Paul adopted its own minimum wage ordinance. We did so because we believed we should be paying all staff a living wage, regardless of any external mandate.

22. Both worker and business communities can be skeptical and fearful of the government. How will you work to partner with organizations in the Community Outreach and Education Fund (COEF) and Business Outreach and Education Fund (BOEF), and build trust in the larger worker community (particularly low wage workers who are women, BIPOC and immigrant) and business community? How do you view the relationship between community-based outreach and OLS?

Community outreach is an essential component of OLS' effectiveness. OLS staff cannot be everywhere and the office needs community partners who are prepared with information about the ordinances to help educate both workers and businesses about their provisions and compliance. More importantly, community organizations can provide this information through organic community relationships in language- and culturally appropriate ways. I see COEF and BOEF partners as integral to this work and OLS staff have spent countless hours cultivating these relationships. I would like to continue to build the outreach team's capacity through strategic planning and support, as well as evaluate how existing partnerships are working so that funding can continue to be used in strategic ways. We also need to center the experiences of low wage workers in the development of policy and enforcement efforts – the connections created and sustained through BOEF and COEF grantees will continue to be all the more valuable as the office's work evolves.

23. How do you plan on ensuring outreach and enforcement is fair and equitable?

OLS staff have been deeply committed to using RSJI principles and toolkits to evaluate and guide both outreach and enforcement efforts. I hope to continue and build on this work. Moreover, I think it's important for the office to continuously examine how our efforts, both in terms of OLS staff and staff from contracted organizations, have been directly connected to impacted communities. OLS is using improved data collection to better track demographic data from both enforcement and outreach efforts to examine patterns that may highlight areas of underservice or new groups in need of attention. Further, both enforcement and outreach need to be adequately resourced to be effective and, in environments of scarcity, fairness and equity can be at risk as guiding values. I will advocate for both good strategic planning for both enforcement and outreach efforts to both guide the office's resource requests and direct existing efforts in intentional ways.

24. The lowest-wage workers, usually employed by large employers, are the most impacted by labor violations and are disproportionately women, people of color, members of our LGBTQIA community, immigrants and formerly incarcerated individuals. How do you anticipate being able to connect with these workers to develop strategies, policies and procedures to address both individual complaints as well as systemic discrimination?

Fortunately, OLS has existing working relationships and structures that form a strong basis for connecting with and strengthening the flow of information with and between the office and impacted low-wage worker communities. OLS has built strong community organization relationships through COEF, including Casa Latina and the Fair Work Center. These long-term strategic partnerships provide a two-way source of information – educating workers about labor protections and providing feedback on current policies and emerging needs/issues. Similar work has been done on the Domestic Workers Standards Board and the Labor Standards Advisory Board, each of which have provided or will provide important feedback on policy initiatives and raised awareness of worker needs. OLS can also tap into strategic communication avenues to amplify key messages about workers rights and labor protections, particularly as the office builds out its strategic enforcement work.

25. How can OLS strengthen partnerships and develop new initiatives with other City departments, including OED, DON, OIRA, and FAS among others, to promote awareness and compliance with the City’s labor standards?

For several years, OLS has had good working relationships with a number of city departments, including FAS (for business outreach), OED (similar for small businesses), OIRA (for connections with impacted communities) and OCR (similar). These relationships have been “baked into” the workflow and planning of OLS staff. However, the COVID emergency has also created the opportunity for OLS staff to work with a broader range of departments as part of the city’s Community Needs departmental working group. Some of the newer initiatives have been with Seattle City Library, Public Health, SDHR, DON, and others. The need for collaboration during the pandemic has been clear and OLS has been able to reach more people in impacted communities through these efforts. Going forward, as the city pivots towards recovery, there are opportunities to enhance compliance efforts via city contracting, as well as working with departments to champion labor protections with their own workforces through awareness and in the community through additional training and outreach partnerships.

26. How will you promote intergovernmental relations and foster partnerships with other governments (e.g. local, state, federal) and other labor standards organizations to advance the City’s labor standards development? What policies and programs would OLS recommend the City advocate for in its legislative agenda at the state and federal level?

OLS has benefited from many informal connections and formal agreements with other government agencies at the local and state level. By way of example, OLS has an agreement with the Washington State Department of Labor & Industries to further mutual outreach and enforcement goals, including providing accurate and easy-to-access educational materials and enhanced enforcement through case referrals and information sharing about laws and regulations of common concern and enforcement best practices. OLS staff have also been building strong relationships with the Center on Law and Social Policy (CLASP) and with national experts in municipal labor standards agencies to share best practices and lessons learned. OLS staff will continue to be in frequent contact with municipal, county, and State peers to provide insights into policy, enforcement, and outreach practices. As the leading labor enforcement agency in the state, OLS can offer a tremendous amount of technical assistance and support to other regional governmental entities. Looking forward, OLS staff have been exploring a more formal relationship with the Washington Advisory Committee on Trafficking (WashACT) to connect with its network of organizations and agencies that work collaboratively to combat human trafficking. Task force members share information on the issue of human trafficking, discuss developments in the field,

increase awareness of resources for survivors, identify and remedy gaps in services for survivors, and coordinate the investigation and prosecution of trafficking cases. As OLS staff deepen the office's strategic enforcement work, I see opportunities to leverage these connections. Finally, OLS staff has a strong, positive working relationship with the City's Department of Intergovernmental Relations. OLS can continue to feed relevant policy information to OIR staff to better inform legislative lobbying efforts in Olympia and elsewhere.

27. What would partnerships with labor unions look like to shape or influence economic and workforce development strategies? What other strategies would you use to support workers?

Labor unions provide important connections to the worker community and experience and offer the opportunity to be ambassadors to workers to understand the worker protections due to them, as well as provide critical feedback on the effectiveness of current OLS investigation and outreach efforts. In addition, union staff and organizers are at the frontlines of working directly with members from impacted communities and can highlight emerging enforcement, policy and education needs. Further, labor unions provide helpful contacts and resources that can enable OLS staff to build strategic enforcement efforts. For example, working with labor unions, OLS staff can determine and refine potential directed investigation targets. Finally, labor-supported entities like the Fair Work Center provide additional feedback and partnership opportunities for connecting workers to OLS staff, as well as keeping the information flowing on what is happening in workplaces throughout the city current and relevant.

28. What kinds of tools can OLS offer to businesses, especially small businesses who don't have dedicated HR staff, to help them navigate the City's labor laws?

a. What innovative ideas could build upon the existing BOEF and office outreach?

b. What current ideas would you like to prioritize, expand or deepen?

Small businesses, particularly ones owned by BIPOC community members, often lack access to relevant labor standards information and the capacity to track ongoing developments in the city's labor ordinances. The starting point for small businesses is education and outreach – OLS, in conjunction with other like BOEF-funded organizations, can provide culturally relevant support and technical assistance, as well as linguistically appropriate communications. Information can also flow more easily between OLS and small businesses because of these relationships through BOEF. Yet, there will also be the need to improve visibility – through trusted community intermediaries and targeted media, particularly for BIPOC community members. There have been helpful partnerships started with other city departments like OED, and OLS staff can work to strengthen them with the goal of providing better access to relevant information and technical assistance for businesses. Other BOEF funded partners (e.g., ethnic chambers of commerce) can also provide helpful resources, as well as more sector-based trade associations like the hospitality association, neighborhood small business associations, etc.

Race and Social Justice

29. In your role as OLS Director, how will you address racial and social inequities through the City's Race and Social Justice Initiative?

OLS staff have deeply embedded RSJI principles and practices in their work. As the new director, I would support these continued efforts and seek to learn about how they show up in the office's work going

forward. OLS staff have conducted numerous RETs over the past several years. As we examine implementation of more recently adopted ordinances, and we increase the office's outreach and enforcement capacities, I will want to make sure that we use the RET tools to help guide our work. I also know that I want to increase my understanding of and fluency with the RSJI and will be part of a cohort of new cabinet members who will be spending time with OCR staff to learn and share on this journey. I have used similar racial equity principles and frameworks to guide my own work on the St. Paul School Board and have familiarity with many of the similar concepts as they showed up in the education sector.

30. What are your specific ideas for addressing institutional and structural racism in the workplace?

Over the past several years, I have done much reading and thinking about my own personal work to increase my capacity to participate and lead antiracist work and use antiracist frameworks. The workplace is rife with instances in which racism constructs power relationships, access to employment opportunities, and negotiating ability, as well as determining what is worthy of public notice and awareness. To combat structural and institutional racism, I believe we need to continue disrupt the power imbalances and address new places and structures that have evolved to keep BIPOC disempowered. For example, addressing the use of independent contracting and subcontracting to evade labor law protections is top of mind for me and the office.

31. How will you incorporate racial equity principles into all aspects of OLS's work, including management, outreach, enforcement, and policy development?

As mentioned above, I have been working to improve my capacity to use antiracist and equity frameworks to guide my own work and leadership. As OLS director, I will center the use of antiracist and equity principles in my leadership, staff guidance, expectations and work development. As a matter of practice, I believe this means looking directly at existing and proposed policies, outreach efforts and enforcement and asking how they impact the communities most directly affected by the office's work. What are the racially predictable aspects, the blind spots and the gaps where someone(s) should be involved or heard but may not be? RETs provide helpful structural guidance for OLS staff to use as frameworks for evaluating new initiatives and policies. While the use of RETs is embedded in the office's work (as part of the office's annual workplan), we can use some of the techniques "on the fly". They can reflect embedded values in how OLS staff approach their work in ways that aren't necessarily about applying specific tools from RETs. I believe it will be important, as director, to lift up the narratives we learn through outreach efforts and the opportunities for office staff to learn from and share power with community members in venues like the DWSB and LSAC.

Relationship with City Council

32. What is your general philosophy for working and communicating effectively with the City Council? How do you plan to ensure that Councilmembers and their staff receive information from your department to make policy and financial decisions? How will you be responsive to Council requests, specifically regarding priorities that may differ from those of the Executive Branch?

OLS has benefitted from a strong collaboration with the City Council since its inception. I am grateful for this background and the history of consistent support for the office's mission and work. I believe it is essential to be in close contact with the City Council as lead policy maker to both assess existing OLS

efforts, evaluate the office's resource needs and develop future initiatives that will meet our shared goals of supporting workers to make our city more livable and equitable, as well as address embedded racial and economic inequities in BIPOC communities. I hope to meet regularly with Councilmembers and Council staff as part of my work and will seek open, transparent communication because I believe it leads to better policy making. I understand the role of oversight and policymaking from my own experience as a school board member and also know that this role differs from the role of the executive. To the extent feasible and practicable, I want to be an honest broker focused on the underlying shared goals we all have for improving the lives of working families in Seattle.

Audit

33. On December 19, 2019, the City of Seattle City Auditor published a "Seattle Minimum Wage Enforcement Audit" with 14 recommendations for strengthening OLS's strategic enforcement efforts. In a written response to the recommendations, OLS agreed in full or in part with 12 audit recommendations and disagreed with two recommendations. In 2020, OLS made progress on implementation some of these recommendations. What will be your approach to implementing remaining recommendations? What recommendations are you prioritizing and why? What recommendations do you think might require further consideration or modification?

Though I have only been with the office for a few weeks now, a value that permeates the staff's work is innovation and a constant desire to continue to improve their craft to further their mission to improve worker's lives. This is why I believe the office, despite the challenges and outsized workload that the team carried last year, has made significant progress on incorporating many recommendations into its work. If the City Auditor accepts our assessment, OLS will have implemented half of the recommendations in 2020 and will have taken many steps to implement the remaining recommendations.

Based on my discussions with staff and initial assessment, there are some that will require additional evaluation. By way of example, one of the recommendations relates to development of a more comprehensive outreach plan. As in its response to the audit, OLS agreed with this recommendation and noted that the creation of a distinct outreach team headed by a newly created temporary position of Outreach Manager was necessary. OLS employs many winning strategies for thoughtful and targeted outreach, including its equity-driven approach to its Community and Business Outreach and Education Fund partners. And, I believe it is critical to resource the team's efforts through permanent leadership staffing which will enhance, amplify, and better coordinate existing efforts.

Another ever present priority, which is the subject of one of the Audit's recommendations, is ensuring that we are equipping ourselves with the most effective enforcement tools. The office has made many efforts to work with the City Attorney's Office to increase the efficacy of our enforcement and this will remain a priority moving forward, especially given that demand for our services will always outmatch our resourcing.



Legislation Text

File #: Res 31991, **Version:** 1

CITY OF SEATTLE

RESOLUTION _____

A RESOLUTION establishing a Watch List of large, complex, discrete capital projects that will require enhanced quarterly monitoring reports for the 2021 calendar year.

WHEREAS, Seattle’s Capital Improvement Program (CIP) identifies planned spending and revenues for City capital projects during the upcoming six-year period; and

WHEREAS, updates to the CIP are adopted by the Seattle City Council (“Council”) as part of the annual and supplemental budget process; and

WHEREAS, CIP oversight is a critical function of the Council; and

WHEREAS, effective CIP oversight ensures transparent, accountable use of public dollars; and

WHEREAS, the Council’s ability to perform effective capital oversight is dependent on access to thorough information and the opportunity to review and process this information in a timely manner; and

WHEREAS, some capital projects such as the City’s Elliott Bay Seawall Project and the utilities’ New Customer Information System cost millions of dollars more their original proposed budget; and enhanced, timely reporting could have improved the Council’s oversight by communicating potential project risks before the risks were realized; and

WHEREAS, oversight for the 2020-2025 Adopted CIP was improved via Council and City Budget Office review of capital project development and delivery, including seeking information from and holding conversations with some of the major capital departments on their project management practices and contingency budgeting, and conducting meetings to jointly discuss capital project issues across departments; and

WHEREAS, there is opportunity to continue improving CIP reporting and accountability to the Council and to use the Council's budgeting authority to improve financial oversight; and

WHEREAS, the City benefits from effective Executive management controls and Council oversight for projects that have a significant financial, policy, or programmatic impact on the City and its residents; and

WHEREAS, in November 2016 the Council adopted and the Mayor signed Resolution 31720 to "institute new rigor in capital project oversight that will increase appropriate and timely oversight and provide more transparency to the public," through, among other things, "[e]nhanced regular CIP reporting developed in conjunction with the City Budget Office, including but not limited to quarterly reports to the Budget Committee on project scope, schedule, or budget deviations"; and

WHEREAS, in order to provide uniformity across City departments, and to communicate progress of projects during the budget process and in monitoring reports, City capital departments agreed to use common terminology identifying project stages; and

WHEREAS, the City Council imposed stage-based provisos for selected projects in 2018 and 2019 to allow spending of authorized appropriations only for specified activities unless and until the City Council passes future separate ordinances lifting such provisos; and

WHEREAS, the Council adopted Resolution 31853, establishing enhanced reporting requirements for the City's Capital Improvement Program projects and establishing the City's intent to use a stage-gate appropriation process for selected projects; and

WHEREAS, the Council has annually adopted a Watch List of projects since 2019, consistent with Resolution 31853; and

WHEREAS, on January 14, 2021, the Executive transmitted for Council's consideration a Proposed Watch List of projects requiring enhanced quarterly reports consistent with Resolution 31853; NOW,

THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE MAYOR
CONCURRING, THAT:**

Section 1. The Seattle City Council (“Council”) establishes the following as the 2021 Watch List of capital projects as shown in Table 1:

Table 1: 2021 Watch List

	Dept	CIP Project ID	Project Title
A.	Fin. and Admin. Services	MC-FA-FS31	Fire Station 31 Replacement
B.	Information Technology Department	MC-IT-C6304	Criminal Justice Information System Projects
C.	Seattle City Light (SCL)	MC-CL-ZT8307	Alaskan Way Viaduct and Seawall Replacement - Utility Relocations
D.	SCL	MC-CL-YR8351	Overhead Equipment Replacements (Pole Replacement)
E.	Seattle Department of Transportation (SDOT)	MC-TR-C072	Alaskan Way Main Corridor
F.	SDOT	MC-TR-C040	Center City Streetcar Connector
G.	SDOT	MC-TR-C073	Overlook Walk and East-West Connections Project
H.	SDOT	MC-TR-C051	Madison BRT - RapidRide G Line
I.	SDOT	MC-TR-C013	RapidRide Roosevelt
J.	SDOT	MC-TR-C030	Northgate Bridge and Cycle Track
K.	SDOT	MC-TR-C042	Delridge Way SW - RapidRide H Line
L.	SDOT	MC-TR-C110	West Seattle Bridge Immediate Response
M.	SDOT	MC-TR-C102	Northlake Retaining Wall
N.	Seattle Parks & Recreation (SPR)	MC-PR-41040	Lake City Community Center Improvements
O.	SPR	MC-PR-21007	Parks Central Waterfront Piers Rehabilitation
P.	Seattle Public Utilities (SPU)	MC-SU-C3614	Ship Canal Water Quality Project
Q.	SPU	MC-SU-C3806	South Park Stormwater Program

Section 2. The Council requests that the Mayor submit an enhanced quarterly report for each project on the 2021 Watch List in the manner and on the timeline described in Resolution 31853. The Council further requests that the Mayor continue to provide information as soon as practicable about these and other large, complex, discrete capital projects whenever significant budget, schedule, or scope risks are developing that may require Council decisions. Similarly, and consistent with Resolution 31853, the Council invites the Mayor to add any other projects to the 2021 Watch List through the course of the year and then to provide enhanced quarterly reporting for those other capital projects in order to enable the Council to make critical policy choices - changing funding, adjusting scope, etc. - as early as possible and before identified risks develop into actual implementation challenges.

Section 3. The Council intends to review the enhanced quarterly reports and to determine whether and how to stage Council approval of funding for each project on the 2021 Watch List.

Section 4. The City Council anticipates that the Finance and Housing Committee (or successor committee) will review the enhanced quarterly reports.

Adopted by the City Council the _____ day of _____, 2021, and signed by me in open session in authentication of its adoption this _____ day of _____, 2021.

President _____ of the City Council

The Mayor concurred the _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Legislative	Dan Eder/x4-8147	Caleb Wagenaar/x3-9228

** 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: A RESOLUTION establishing a Watch List of large, complex, discrete capital projects that will require enhanced quarterly monitoring reports for the 2021 calendar year.

Summary and background of the Legislation: This resolution establishes the capital projects with a significant financial, policy, or programmatic impact on the City and its residents. The resolution requests that the Executive provide enhanced quarterly reporting for this list of projects in a manner consistent with Resolution 31853.

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes No

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?

If so, describe the nature of the impacts. This could include increased operating and maintenance costs, for example.

Is there financial cost or other impacts of *not* implementing the legislation? No.

3.a. Appropriations

___ **This legislation adds, changes, or deletes appropriations.**

Is this change one-time or ongoing? One-time.

3.b. Revenues/Reimbursements

___ **This legislation adds, changes, or deletes revenues or reimbursements.**

3.c. Positions

___ **This legislation adds, changes, or deletes positions.**

4. OTHER IMPLICATIONS

- a. **Does this legislation affect any departments besides the originating department?** Yes. The resolution requests that several Executive Departments provide enhanced quarterly capital project reports as shown in the resolution (Section 1, Table 1).
- 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?** None identified.
- 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).** Not applicable.

February 18, 2021

MEMORANDUM

To: Finance and Housing Committee
From: Dan Eder, Interim Director
Subject: 2021 Watch List – Enhanced Quarterly Reporting for Capital Projects

On February 19, 2021, the Finance and Housing Committee (Committee) will consider and may vote on [Resolution 31991](#) memorializing the selection of capital projects for which the Executive will provide enhanced quarterly reporting (“2021 Watch List”).

Consistent with [Resolution 31853](#) (adopted in 2018), the Executive submitted a proposed 2021 Watch List on January 14, 2021. The Executive’s proposed 2021 Watch List is reflected in the resolution as a starting place for Council’s consideration. The Committee can add to or otherwise change the list by amending the resolution. However, the Executive requests that the 2021 Watch List be kept to a manageable size because it is a non-trivial effort to compile the enhanced quarterly reports. The proposed list is provided in Table 1.

Table 1: Proposed 2021 Watch List

	Dept	CIP Project ID	Project Title
a.	Fin. and Admin. Services	MC-FA-FS31	Fire Station 31 Replacement
b.	Information Technology Department	MC-IT-C6304	Criminal Justice Information System Projects
c.	Seattle City Light (SCL)	MC-CL-ZT8307	Alaskan Way Viaduct and Seawall Replacement - Utility Relocations
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l.	SDOT	MC-TR-C110	West Seattle Bridge Immediate Response
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p.	Seattle Public Utilities (SPU)	MC-SU-C3614	Ship Canal Water Quality Project
q.	SPU	MC-SU-C3806	South Park Stormwater Program

Consistent with Resolution 31853, the Executive plans to submit an enhanced quarterly report substantially in the form shown in Attachment A for each project selected to be on the 2021

Watch List. Additionally, the Executive will provide summary level information about the other capital projects (i.e., all non-programmatic capital projects that are *not* on the 2021 Watch List).

Background:

The Council established expectations for enhanced reporting requirements for Capital Improvement Program projects in November 2018 through Resolution 31853. This resolution established a detailed format for the quarterly reports and a process for determining an annual “Watch List” of projects for which the Executive would provide quarterly reports. Specifically, by January 15 of each year, the Executive will propose a list of projects for inclusion on the annual Watch List. The Council communicated its intent to establish a final annual Watch List by resolution.

In Resolution 31853, the Council signaled an intent to:

“provide heightened [capital project] oversight ... on selected capital projects with unclear scopes; shifting estimated costs; uncertain capital funding plans; ill-defined operating costs, plans, or funding plans; and other perceived significant questions about scope, schedule, and budget” (Resolution 31853 at Section 6).

Due to the pandemic, the Executive submitted only abbreviated versions of the quarterly reports for projects on the 2020 Watch List.

Attachments:

- A. Enhanced Quarterly Report Format for 2021 Watch List Projects

Attachment A. Enhanced Quarterly Report Format for 2021 Watch List Projects

Specific project details utilized for illustrative purposes.

CIP Quarterly Monitoring Report	CIP PROJECT TITLE	Qx 2021
READER'S GUIDE TO WATCH LIST MONITORING REPORT		

Project Overview

Department:	SDOT
Project ID:	MC-TR-C037
Project Name:	Project A
Current Project Stage:	Stage 3: Design

Project Summary

Departments provide a summary of the CIP Project and explain what work was accomplished during the previous quarter.

**Department Submits Project Photo of Progress
Made in Current Quarter (or rendering for
projects that are not in construction).**

		2018			
		Q1	Q2	Q3	Q4
Project Risk Profile and Mitigation Plan	Risk Status:				

Risk indicators are driven by six primary risk factors: Scope, Schedule, Budget, Coordination (Interdepartmental, and Outside Agency), Community Impact, and Political. Departments rank their risk on a scale of 1 (low) to 3 (high) and the indicator light is based on the average of those scores. A Green indicator means the department has ranked all their risk elements as a "1". A Yellow indicator means that, at a minimum, two or more risk elements have been ranked as a "2". A Red indicator is triggered if any risk element has been ranked as a "3" or all risk elements have been ranked at a "2".

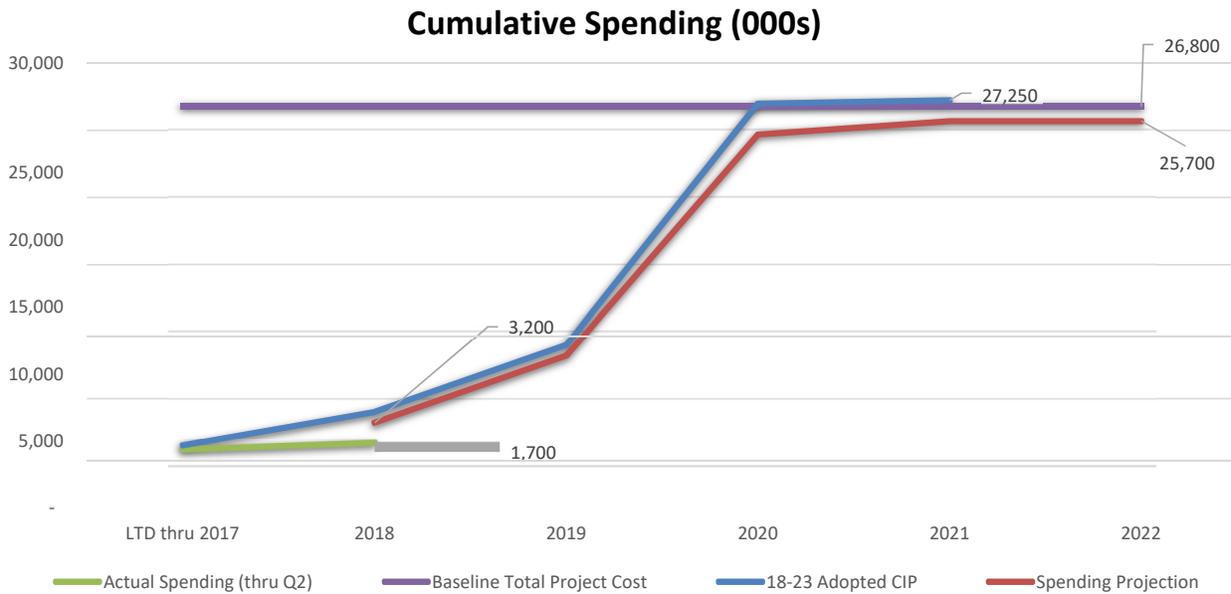
A **Green** indicator light means that the department has mitigated all known risks and they do not anticipate needing Council action in the near future. A **Yellow** indicator means that the department has identified a number of risks and has mitigated most of them, but there is a chance that they could have project impacts, which could require Council action. A **Red** indicator means that risks are present that do not have mitigation in place and will most likely require Council action.

We recognize that these risks categories are not independent variables and one risk factor directly influences another. Therefore, the risk indicator average is not a scientific measure but rather a judgement by the departments. With that in mind, we have encouraged the departments to use this narrative section to explain the risk ranking and elaborate on risks that are continuing, or emerging.

READER'S GUIDE TO WATCH LIST MONITORING REPORT

The Budget Summary Table and Chart are for illustrative purpose.

Budget Summary (000s):	LTD thru						Total
	2017	2018	2019	2020	2021	2022	
Baseline Total Project Cost							26,800
18-23 Adopted CIP	1,500	2,500	5,000	18,000	1,000	250	28,250
Actual Spending (thru Q2)	1,200	500					1,700
Spending Projection	1,200	2,000	5,000	16,500	1,000	-	25,700
Projection Variance (Over/(Under))							(2,550)



Explanation for Adopted CIP Budget to Projection Variance (if applicable)

In this section departments provide a summary of the budget. The narrative in this section will focus on the spending projection and what is driving any variance from the Adopted Total Project Cost. Note that the Chart is Cumulative each year in order to display the totals over the life of the project.

Baseline Total Project Cost: For new projects that come into the CIP and are included as Watch List projects, the Baseline Total Project Cost will be established and included at the 30% Design milestone. This will provide a benchmark from which to measure project cost and scope adjustments. Many of the projects we are reporting on in this new Q2 monitoring report are in late stage design or construction. Therefore, we default the previous Adopted Total Project Cost as the Baseline Total Project Cost.

18-23 Adopted CIP: This is the budget that was included in the 2018-2023 Capital Improvement Program, and what was displayed on the Project Page.

Actual Spending: This the Life to Date Spending through the prior year, and the Year to Date spending through the current period.

Spending Projection: This is the amount the department is forecasting they will spend on the project as of the current period.

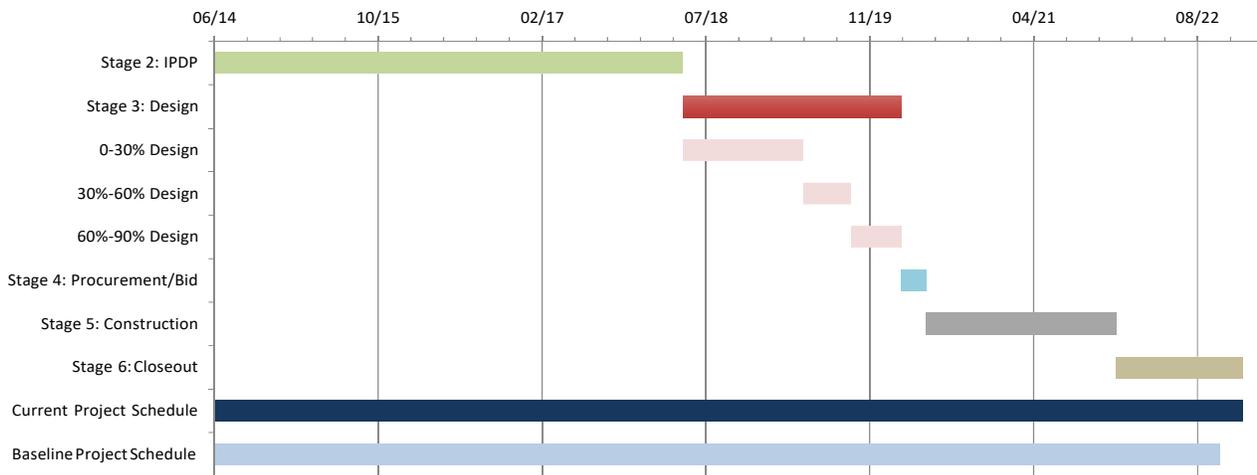
Projection Variance (Over/(Under)): This is the variance between the Adopted CIP amount, and the Spending Projection.

READER'S GUIDE TO WATCH LIST MONITORING REPORT

Project Schedule v Original Baseline Schedule

Start: 6/1/2014

End: 10/26/2022 (Projected)



Explain Schedule Variance

The schedule section provides an opportunity for a department to discuss any schedule milestones and/or schedule variances. Because we are implementing this new approach to monitoring in the middle or late stages of some large projects, we will be modifying the schedule chart accordingly. Some of the current Watch List projects will not show the schedule by each stage because the stage was completed many months, or years ago. For all new projects, we will include a schedule for each stage of the project. As we update the schedules, we will keep a "baseline" schedule to which we can compare the current project schedule.

For some projects, this section will include the schedule for the key elements of design (30%, 60%, 90%). These are important milestones in a project's development because of key scope decisions that must be made. This schedule information will help to inform Council on when they should weigh in on these elements of the project.

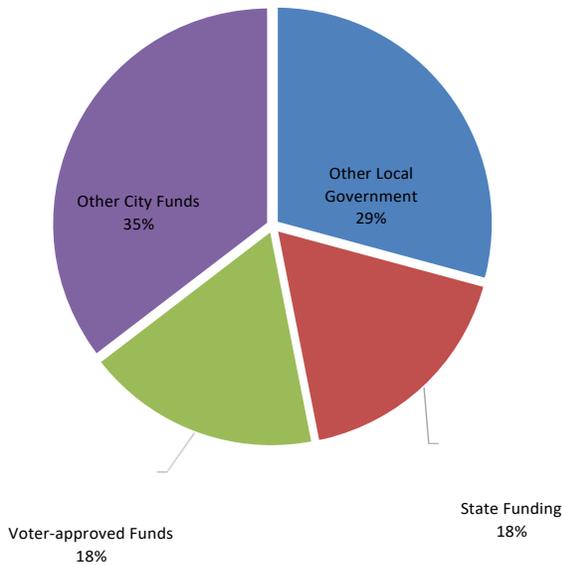
READER'S GUIDE TO WATCH LIST MONITORING REPORT

Project Funding by Source (000s)

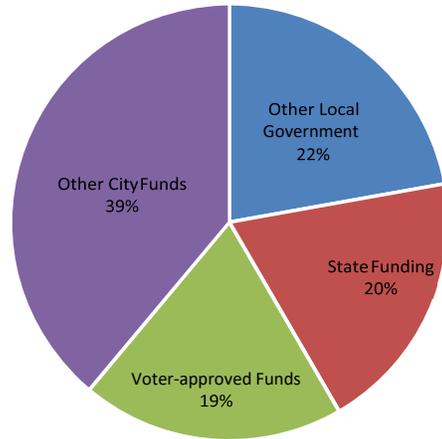
Adopted CIP Funding: \$ 28,250

Projected Funding: \$ 25,700

Adopted CIP Funding Plan



Projected Funding Plan



Funding Variance	Adopted	Projection	Δ
Other Local Government	8,250	5,700	(2,550)
State Funding	5,000	5,000	-
Voter-approved Funds	5,000	5,000	-
Other City Funds	10,000	10,000	-
Total	\$ 28,250	\$ 25,700	\$ (2,550)

Action Plan to Address Funding Gap (if applicable)

The "Project Funding by Source" section is where the department will communicate its plan to address any potential funding gaps. Projects with Red indicator lights (and sometimes yellow) will almost always have a budget/financial risk and therefore a funding strategy will be included. If the variance to budget is large enough, the department will come to Council to approve the new funding.

The Project Funding by Source page is not included for Utility Watch List projects because those projects are generally fully funded by rates.



Legislation Text

File #: Inf 1755, **Version:** 1

Federal Funding for COVID Relief