



CITY OF SEATTLE

City Council

Agenda

Tuesday, May 24, 2022

2:00 PM

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

Debora Juarez, Council President

Lisa Herbold, Member

Andrew J. Lewis, Member

Tammy J. Morales, Member

Teresa Mosqueda, Member

Sara Nelson, Member

Alex Pedersen, Member

Kshama Sawant, Member

Dan Strauss, Member

Chair Info: 206-684-8805; Debora.Juarez@seattle.gov

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CITY OF SEATTLE

City Council Agenda

May 24, 2022 - 2:00 PM

Meeting Location:

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

Committee Website:

<http://www.seattle.gov/council>

Pursuant to Washington State Governor's Proclamation No. 20-28.15 and Senate Concurrent Resolution 8402, this public meeting will be held remotely. Meeting participation is limited to access by the telephone number provided on the meeting agenda, and the meeting is accessible via telephone and Seattle Channel online.

Register online to speak during the Public Comment period at the 2:00 p.m. City Council meeting at <http://www.seattle.gov/council/committees/public-comment>.

Online registration to speak at the City Council meeting will begin two hours before the 2:00 p.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 all Councilmembers at Council@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#

A. CALL TO ORDER

B. ROLL CALL

C. PRESENTATIONS

D. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR:

Introduction and referral to Council committees of Council Bills (CB), Resolutions (Res), Appointments (Appt), and Clerk Files (CF) for committee recommendation.

[IRC 350](#)

May 24, 2022

Attachments: [Introduction and Referral Calendar](#)

E. APPROVAL OF CONSENT CALENDAR

The Consent Calendar consists of routine items. A Councilmember may request that an item be removed from the Consent Calendar and placed on the regular agenda.

Journal:

[Min 380](#)

May 17, 2022

Attachments: [May 17, 2022](#)

Bills:

[CB 120331](#)

AN ORDINANCE appropriating money to pay certain claims for the week of May 9, 2022 through May 13, 2022 and ordering the payment thereof; and ratifying and confirming certain prior acts.

Resolution:**Appointments:****GOVERNANCE, NATIVE COMMUNITIES, AND TRIBAL GOVERNMENTS
COMMITTEE:**

[Appt 02208](#) Appointment of Chalia Stallings-Ala'ilima as member, Seattle Ethics and Elections Commission, for a term to December 31, 2024.

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Juarez, Pedersen, Mosqueda

Opposed: None

Attachments: [Appointment Packet](#)

[Appt 02209](#) Appointment of Danielle Alvarado as member, Labor Standards Advisory Commission, for a term to April 30, 2024.

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Juarez, Pedersen, Mosqueda

Opposed: None

Attachments: [Appointment Packet](#)

[Appt 02210](#) Appointment of Dustin Lambro as member, Labor Standards Advisory Commission, for a term to April 30, 2024.

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Juarez, Pedersen, Mosqueda

Opposed: None

Attachments: [Appointment Packet](#)

NEIGHBORHOODS, EDUCATION, CIVIL RIGHTS, AND CULTURE COMMITTEE:

[Appt 02107](#) Reappointment of Paul Neal as member, Pike Place Market Preservation and Development Authority Governing Council, for a term to June 30, 2024.

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 4 - Morales, Lewis, Nelson, Strauss

Opposed: None

Attachments: [Appointment Packet](#)

[Appt 02189](#) Appointment of Leslie Buker as member, Pike Place Market Historical Commission, for a term to December 1, 2023.

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 4 - Morales, Lewis, Nelson, Strauss

Opposed: None

Attachments: [Appointment Packet](#)

[Appt 02190](#) Reappointment of Stephanie Young as member, Pike Place Market Historical Commission, for a term to December 1, 2024.

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 4 - Morales, Lewis, Nelson, Strauss

Opposed: None

Attachments: [Appointment Packet](#)

F. APPROVAL OF THE AGENDA

G. PUBLIC COMMENT

Members of the public may sign up to address the Council for up to 2 minutes on matters on this agenda; total time allotted to public comment at this meeting is 20 minutes.

Register online to speak during the Public Comment period at the 2:00 p.m. City Council meeting at

<http://www.seattle.gov/council/committees/public-comment>.

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Speakers must be registered in order to be recognized by the Chair.

H. COMMITTEE REPORTS

Discussion and vote on Council Bills (CB), Resolutions (Res), Appointments (Appt), and Clerk Files (CF).

CITY COUNCIL:

1. [CB 120324](#) AN ORDINANCE amending Ordinance 126490, which adopted the 2022 Budget; changing appropriations to various departments and budget control levels, and from various funds in the 2022 Budget; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

Supporting Documents: [Summary and Fiscal Note](#)

2. [CB 120327](#) AN ORDINANCE relating to the City Light and Seattle Public Utilities Departments; temporarily removing the charge of interest on delinquent utility consumption and utilization accounts; superseding several sections under Title 21 that authorize and require the collection of interest on delinquent utility consumption and utilization accounts; and ratifying and confirming certain prior acts.

Supporting Documents: [Summary and Fiscal Note](#)

3. [CB 120328](#) AN ORDINANCE relating to the City Light Department; amending terms and conditions pertaining to the emergency bill assistance program and temporarily expanding access to assistance to certain eligible households for a limited time in response to the Coronavirus Disease 2019 (“COVID-19”) emergency; and amending Section 21.49.042 of the Seattle Municipal Code.

Supporting Documents: [Summary and Fiscal Note](#)

4. [CB 120329](#) AN ORDINANCE relating to Seattle Public Utilities’ Emergency Assistance Program; temporarily extending increased assistance related to COVID-induced customer delinquencies; and amending Section 21.76.065 of the Seattle Municipal Code.

Supporting Documents: [Summary and Fiscal Note](#)

FINANCE AND HOUSING COMMITTEE:

5. [CB 120316](#) AN ORDINANCE amending Ordinance 126490, which adopted the 2022 Budget, including the 2022-2027 Capital Improvement Program (CIP); changing appropriations to various departments and budget control levels, and from various funds in the Budget; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 5 - Mosqueda, Herbold, Pedersen, Nelson, Lewis

Opposed: None

Supporting

Documents:

[Summary and Fiscal Note](#)

[Summary Att A – 2021 Carry Forward Ordinance](#)

[Summary Detail Table](#)

6. [CB 120317](#) AN ORDINANCE amending Ordinance 126237, which adopted the 2021 Budget, including the 2021-2026 Capital Improvement Program (CIP); changing appropriations to various departments and budget control levels, and from various funds in the Budget; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 5 - Mosqueda, Herbold, Pedersen, Nelson, Lewis

Opposed: None

Supporting

Documents:

[Summary and Fiscal Note](#)

[Summary Att A – 2021 Budget Exceptions Ordinance](#)

[Summary Detail Table](#)

7. [CB 120318](#) AN ORDINANCE relating to appropriations for the Executive Department; amending Ordinance 126490, which adopted the 2022 Budget; changing appropriations and creating new positions in the Office of Housing; all by a 3/4 vote of the City Council.

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 5 - Mosqueda, Herbold, Pedersen, Nelson, Lewis

Opposed: None

Supporting Documents: [Summary and Fiscal Note](#)

PUBLIC SAFETY AND HUMAN SERVICES COMMITTEE:

8. [CB 120320](#) AN ORDINANCE relating to appropriations for the Seattle Police Department; amending a proviso imposed by Ordinance 126490, which adopted the 2022 Budget; and ratifying and confirming certain prior acts.

The Committee recommends that City Council pass as amended the Council Bill (CB).

In Favor: 4 - Herbold, Lewis, Nelson, Pedersen

Opposed: 1 - Mosqueda

Supporting Documents: [Summary and Fiscal Note](#)

9. [Res 32050](#) A RESOLUTION relating to the Seattle Police Department; stating the Council's intent to lift a proviso on anticipated 2022 salary and benefits savings to fund staffing incentives for uniformed police officers.

The Committee recommends that City Council adopt as amended the Resolution (Res).

In Favor: 4 - Herbold, Lewis, Nelson, Pedersen

Opposed: 1 - Mosqueda

Supporting Documents: [Summary and Fiscal Note](#)

TRANSPORTATION AND SEATTLE PUBLIC UTILITIES COMMITTEE:

10. [CB 120300](#) AN ORDINANCE, granting permission to 2001 Sixth L.L.C. to continue operating and maintaining a utility tunnel under the alley between 5th Avenue and 6th Avenue, north of Virginia Street; repealing Section 8 of Ordinance 119437; and providing acceptance of the permit and conditions.

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 4 - Pedersen, Strauss, Herbold, Morales

Opposed: None

Supporting

Documents:

[Summary and Fiscal Note](#)

[Summary Att A - 2001 Sixth L.L.C. Tunnel Area Map](#)

[Summary Att B - 2001 Sixth L.L.C. Tunnel Fee](#)

[Assessment](#)

11. [CB 120301](#) AN ORDINANCE granting King County permission to continue maintaining and operating two pedestrian tunnels under and across 9th Avenue, between Alder Street and Jefferson Street; repealing Section 8 of Ordinance 123842; and providing for acceptance of the permit and conditions.

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 4 - Pedersen, Strauss, Herbold, Morales

Opposed: None

Supporting

Documents:

[Summary and Fiscal Note](#)

[Summary Att A – KC Harborview Tunnels Area Map](#)

[Summary Att B – KC Harborview Tunnels Photos](#)

[Summary Att C - KC Harborview Tunnels Fee](#)

[Assessment](#)

12. [CB 120302](#) AN ORDINANCE granting Swedish Health Services permission to continue maintaining and operating an existing pedestrian skybridge over and across Cherry Street, west of Broadway and east of Minor Avenue; repealing Section 9 of Ordinance 123048; and providing for the acceptance of the permit and conditions.

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 4 - Pedersen, Strauss, Herbold, Morales

Opposed: None

Supporting Documents:

[Summary and Fiscal Note](#)

[Summary Att A - Swedish Cherry St Skybridge Area Map](#)

[Summary Att B - Swedish Cherry St Skybridge Photos](#)

[Summary Att C - Swedish Cherry St Skybridge Annual Fee Assessment Summary](#)

13. [Res 32053](#) A RESOLUTION granting conceptual approval to construct, maintain, and operate private communication conduit under and across Latona Avenue Northeast, north of Northeast Northlake Way; as proposed by Dunn Lumber Company, as part of the construction of a new lumber warehouse in the Wallingford neighborhood.

The Committee recommends that City Council adopt the Resolution (Res).

In Favor: 4 - Pedersen, Strauss, Herbold, Morales

Opposed: None

Supporting Documents:

[Summary and Fiscal Note](#)

[Summary Att A – 3800 Latona Ave NE Communication Conduit Area Map](#)

SUSTAINABILITY AND RENTERS' RIGHTS

14. [CB 120330](#) AN ORDINANCE relating to just cause eviction: changing the terms of certain eviction defenses; and amending Sections 22.205.090 and 22.205.100 of the Seattle Municipal Code.

The Committee recommends that City Council pass as amended the Council Bill (CB).

In Favor: 2 - Sawant, Lewis

Opposed: 1 - Juarez

Abstain: 1 - Nelson

Supporting Documents: [Summary and Fiscal Note](#)

I. ADOPTION OF OTHER RESOLUTIONS

J. OTHER BUSINESS

K. ADJOURNMENT



Legislation Text

File #: IRC 350, **Version:** 1

May 24, 2022



Introduction and Referral Calendar

List of proposed Council Bills (CB), Resolutions (Res), Appointments (Appt) and Clerk Files (CF) to be introduced and referred to a City Council committee

Record No.	Title	Committee Referral
<u>By: Mosqueda</u>		
1. CB 120331	AN ORDINANCE appropriating money to pay certain claims for the week of May 9, 2022 through May 13, 2022 and ordering the payment thereof; and ratifying and confirming certain prior acts.	City Council
<u>By: Juarez</u>		
2. CB 120332	AN ORDINANCE relating to City employment; authorizing the execution of a collective bargaining agreement between The City of Seattle and the Seattle Police Management Association to be effective January 1, 2020 through December 31, 2023; and ratifying and confirming certain prior acts.	Council President's Office
<u>By: No Sponsor Required</u>		
3. CF 314494	Council concept approval and waiver or modification of development standards for replacement of Fire Station 31 at 11302 Meridian Ave N (Project No. 3038025-LU, Type V).	Land Use and Neighborhoods Committee



Legislation Text

File #: Min 380, **Version:** 1

May 17, 2022

SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor
Seattle, WA 98104



Journal of the Proceedings of the Seattle City Council

Tuesday, May 17, 2022

2:00 PM

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

City Council

Debora Juarez, Council President

Lisa Herbold, Member

Andrew J. Lewis, Member

Tammy J. Morales, Member

Teresa Mosqueda, Member

Sara Nelson, Member

Alex Pedersen, Member

Kshama Sawant, Member

Dan Strauss, Member

Chair Info: 206-684-8805; Debora.Juarez@seattle.gov

Pursuant to Washington State Governor's Proclamation No. 20-28.15 and Senate Concurrent Resolution 8402, this public meeting will be held remotely. Meeting participation is limited to access by the telephone number provided on the meeting agenda, and the meeting is accessible via telephone and Seattle Channel online.

A. CALL TO ORDER

The City Council of The City of Seattle met remotely pursuant to Washington State Governor's Proclamation 20-28.15, and guidance provided by the Attorney General's Office, on May 17, 2022, pursuant to the provisions of the City Charter. The meeting was called to order at 2:01 p.m., with Council President Juarez presiding.

B. ROLL CALL

The following Councilmembers were present and participating electronically:

Present: 6 - Juarez, Herbold, Morales, Nelson, Pedersen, Strauss

Excused: 2 - Mosqueda, Sawant

Late Arrival: 1 - Lewis

C. PRESENTATIONS

There were none.

Councilmember Lewis joined the meeting at 2:02 p.m.

D. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR:

[IRC 349](#)**May 17, 2022**ACTION 1:

Motion was made and duly seconded to adopt the Introduction and Referral Calendar.

ACTION 2:

Motion was made by Councilmember Morales, duly seconded and carried, to amend the proposed Introduction and Referral Calendar by introducing Council Bill 120300, and by referring it to the Sustainability and Renters' Rights Committee.

Council Bill 120300, AN ORDINANCE relating to just cause eviction; changing the terms of certain eviction defenses; and amending Sections 22.205.090 and 22.205.100 of the Seattle Municipal Code.

ACTION 3:

Motion was made and duly seconded to adopt the proposed Introduction and Referral Calendar as amended.

The Motion carried, and the Introduction & Referral Calendar (IRC) was adopted as amended by the following vote:

In Favor: 7 - Juarez, Herbold, Lewis, Morales, Nelson, Pedersen, Strauss

Opposed: None

E. APPROVAL OF CONSENT CALENDAR

Motion was made, duly seconded and carried, to adopt the Consent Calendar.

Journal:[Min 379](#)**May 10, 2022**

The item was adopted on the Consent Calendar by the following vote, and the President signed the Minutes:

In Favor: 7 - Juarez, Herbold, Lewis, Morales, Nelson, Pedersen, Strauss

Opposed: None

Bills:

[CB 120326](#) AN ORDINANCE appropriating money to pay certain claims for the week of May 2, 2022 through May 6, 2022 and ordering the payment thereof; and ratifying and confirming certain prior acts.

The item was passed on the Consent Calendar by the following vote, and the President signed the Council Bill:

In Favor: 7 - Juarez, Herbold, Lewis, Morales, Nelson, Pedersen, Strauss

Opposed: None

Resolution:

Appointments:

LAND USE COMMITTEE:

[Appt 02196](#) Appointment of Matt Aalfs as member, Seattle Design Commission, for a term to February 28, 2024.

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 5 - Strauss, Morales, Mosqueda, Nelson, Pedersen

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 7 - Juarez, Herbold, Lewis, Morales, Nelson, Pedersen, Strauss

Opposed: None

[Appt 02197](#) **Appointment of Erica Bush as member, Seattle Design Commission, for a term to February 28, 2024.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 5 - Strauss, Morales, Mosqueda, Nelson, Pedersen

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 7 - Juarez, Herbold, Lewis, Morales, Nelson, Pedersen, Strauss

Opposed: None

[Appt 02198](#) **Appointment of Puja Shaw as member, Seattle Design Commission, for a term to February 28, 2024.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 5 - Strauss, Morales, Mosqueda, Nelson, Pedersen

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 7 - Juarez, Herbold, Lewis, Morales, Nelson, Pedersen, Strauss

Opposed: None

[Appt 02199](#) **Appointment of Vinita Sidhu as Chair, Seattle Design Commission, for a term to February 28, 2023.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 5 - Strauss, Morales, Mosqueda, Nelson, Pedersen

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 7 - Juarez, Herbold, Lewis, Morales, Nelson, Pedersen, Strauss

Opposed: None

[Appt 02200](#) **Reappointment of Elizabeth Conner as member, Seattle Design Commission, for a term to February 28, 2024.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 5 - Strauss, Morales, Mosqueda, Nelson, Pedersen

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 7 - Juarez, Herbold, Lewis, Morales, Nelson, Pedersen, Strauss

Opposed: None

[Appt 02201](#) **Appointment of Joseph Sisneros as member, Urban Forestry Commission, for a term to March 31, 2023.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 5 - Strauss, Morales, Mosqueda, Nelson, Pedersen

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 7 - Juarez, Herbold, Lewis, Morales, Nelson, Pedersen, Strauss

Opposed: None

[Appt 02202](#) **Appointment of Lia Hall as member, Urban Forestry Commission, for a term to March 31, 2024.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 5 - Strauss, Morales, Mosqueda, Nelson, Pedersen

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 7 - Juarez, Herbold, Lewis, Morales, Nelson, Pedersen, Strauss

Opposed: None

[Appt 02203](#) **Appointment of Hao Liang as member, Urban Forestry Commission, for a term to March 31, 2024.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 5 - Strauss, Morales, Mosqueda, Nelson, Pedersen

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 7 - Juarez, Herbold, Lewis, Morales, Nelson, Pedersen, Strauss

Opposed: None

[Appt 02204](#) **Appointment of Rebecca B. Neumann as member, Urban Forestry Commission, for a term to March 31, 2024.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 5 - Strauss, Morales, Mosqueda, Nelson, Pedersen

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 7 - Juarez, Herbold, Lewis, Morales, Nelson, Pedersen, Strauss

Opposed: None

[Appt 02205](#) **Appointment of Falisha Kurji as member, Urban Forestry Commission, for a term to March 31, 2025.**

The Committee recommends that City Council confirm as amended the Appointment (Appt).

In Favor: 5 - Strauss, Morales, Mosqueda, Nelson, Pedersen

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 7 - Juarez, Herbold, Lewis, Morales, Nelson, Pedersen, Strauss

Opposed: None

[Appt 02207](#) **Reappointment of Joshua N. Morris as member, Urban Forestry Commission, for a term to March 31, 2025.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 5 - Strauss, Morales, Mosqueda, Nelson, Pedersen

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 7 - Juarez, Herbold, Lewis, Morales, Nelson, Pedersen, Strauss

Opposed: None

F. APPROVAL OF THE AGENDA

Motion was made, duly seconded and carried, to adopt the proposed Agenda.

G. PUBLIC COMMENT

The following individuals addressed the Council:

Howard Gale
Cynthia Spiess
David Haines
Jennifer Lee

H. COMMITTEE REPORTS

ECONOMIC DEVELOPMENT, TECHNOLOGY, AND CITY LIGHT COMMITTEE:

1. [CB 120307](#) **AN ORDINANCE relating to surveillance technology implementation; authorizing approval of uses and accepting the 2021 surveillance impact report and 2021 executive overview for the Seattle Police Department's use of Audio Recording Systems.**

The Committee recommends that City Council pass as amended the Council Bill (CB).

In Favor: 3 - Nelson, Herbold, Strauss

Opposed: None

The Council Bill (CB) was passed by the following vote, and the President signed the Council Bill (CB):

In Favor: 6 - Juarez, Herbold, Lewis, Nelson, Pedersen, Strauss

Opposed: None

Absent(NV): 1 - Morales

2. [CB 120309](#) **AN ORDINANCE relating to surveillance technology implementation; authorizing approval of uses and accepting the 2021 surveillance impact report and 2021 executive overview for the Seattle Police Department's use of IBM i2 iBase.**

The Committee recommends that City Council pass as amended the Council Bill (CB).

In Favor: 3 - Nelson, Herbold, Strauss

Opposed: None

The Council Bill (CB) was passed by the following vote, and the President signed the Council Bill (CB):

In Favor: 7 - Juarez, Herbold, Lewis, Morales, Nelson, Pedersen, Strauss

Opposed: None

GOVERNANCE, NATIVE COMMUNITIES, AND TRIBAL GOVERNMENTS COMMITTEE:

3. [Res 32051](#) **A RESOLUTION revising certain General Rules and Procedures of the Seattle City Council; amending Rules III and V in Attachment 1 of Resolution 32029.**

The Committee recommends that City Council adopt as amended the Resolution (Res).

In Favor: 5 - Juarez, Pedersen, Mosqueda, Sawant, Strauss

Opposed: None

The Resolution (Res) was adopted by the following vote, and the President signed the Resolution (Res):

In Favor: 7 - Juarez, Herbold, Lewis, Morales, Nelson, Pedersen, Strauss

Opposed: None

I. ADOPTION OF OTHER RESOLUTIONS

There were none.

J. OTHER BUSINESS

There was none.

K. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 2:37 p.m.

Jodee Schwinn, Deputy City Clerk

Signed by me in Open Session, upon approval of the Council, on May 24, 2022.

Debora Juarez, Council President of the City Council

Monica Martinez Simmons, City Clerk



Legislation Text

File #: CB 120331, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE appropriating money to pay certain claims for the week of May 9, 2022 through May 13, 2022 and ordering the payment thereof; and ratifying and confirming certain prior acts.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Payment of the sum of \$22,458,773.71 on PeopleSoft 9.2 mechanical warrants numbered 4100572683 - 4100575075 plus manual or cancellation issues for claims, e-payables of \$76,982.70 on PeopleSoft 9.2 9100011697 - 9100011759, and electronic financial transactions (EFT) in the amount of \$63,300,976.16 are presented to the City Council under RCW 42.24.180 and approved consistent with remaining appropriations in the current Budget as amended.

Section 2. Payment of the sum of \$53,375,146.23 on City General Salary Fund mechanical warrants numbered 51363495 - 51364146 plus manual warrants, agencies warrants, and direct deposits numbered 200001 - 202807 representing Gross Payrolls for payroll ending date May 10, 2022, as detailed in the Payroll Summary Report for claims against the City that were reported to the City Council May 19, 2022, is approved consistent with remaining appropriations in the current budget as amended.

Section 3. RCW 35.32A.090(1) states, “There shall be no orders, authorizations, allowances, contracts or payments made or attempted to be made in excess of the expenditure allowances authorized in the final budget as adopted or modified as provided in this chapter, and any such attempted excess expenditure shall be void and shall never be the foundation of a claim against the city.”

Section 4. Any act consistent with the authority of this ordinance taken prior to its effective date is

ratified and confirmed.

Section 5. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 24th day of May, 2022, and signed by me in open session in authentication of its passage this 24th day of May, 2022.

President _____ of the City Council

Approved / returned unsigned / vetoed this ____ day of _____, 2022.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2022.

Monica Martinez Simmons, City Clerk

(Seal)



Legislation Text

File #: Appt 02208, **Version:** 1

Appointment of Chalia Stallings-Ala'ilima as member, Seattle Ethics and Elections Commission, for a term to December 31, 2024.

The Appointment Packet is provided as an attachment.



City of Seattle Boards & Commissions Notice of Appointment

Appointee Name: Chalia Stallings-Ala'ilima		
Board/Commission Name: Seattle Ethics and Elections Commission		Position Title: Member
<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: <i>Fill in appointing authority</i>	Term of Position: * 1/1/2022 to 12/31/2024 <input type="checkbox"/> Serving remaining term of a vacant position	
Residential Neighborhood: Rainier Valley	Zip Code: 98118	Contact Phone No.: [REDACTED]
Background: Chalia Stallings-Ala'ilima has worked as an Assistant Attorney General in the Attorney General's office since 2008, and has served in the Civil Rights Division since 2016. She is a past president of the Loren Miller Bar Association and a board member of the University of Washington School of Law Foundation. She holds a BA from the University of Washington, and is a graduate of the University of Washington School of Law.		
Authorizing Signature (original signature):  Date Signed (appointed): 4/20/2022		Appointing Signatory: Bruce A. Harrell Mayor of Seattle

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

Chalia Stallings-Ala'ilima

PROFESSIONAL EXPERIENCE

Seattle Municipal Court, Seattle, *Judge/Magistrate Pro Tempore* 2019-present
Adjudicate alleged violations of the Seattle Municipal Code.

Washington State Attorney General's Office (AGO), Seattle 2008-present

Wing Luke Civil Rights Division, *Assistant Attorney General* 2016-present

Investigate and litigate civil rights violations (e.g. *Washington v. Matheson Flight Extenders*, *Karnoski v. Trump*), including leading the State's first Healthy Starts Act action through trial (*Washington v. Colmar*) and managing multi-state matters (e.g. *New York v. U.S. Dep't of Justice*). Review investigative file and make criminal charging recommendation for in-custody death involving police officers, represent the Washington State Human Rights Commission (e.g. *WSHRC v. Haney Truck Line*), write amicus curiae briefs (e.g. *Galvez v. Cissna*), analyze legislation, coordinate statewide advice and develop model policies for the 2019 Keep Washington Working Act, and supervise COVID-19 Eviction Moratorium enforcement matters. Recruit for the office at University of Washington (UW) diversity fair. Earn Performance Plus awards every year.

- Diversity Advisory Committee, *Co-Chair*, 2013-2018 2010-present
- People of Color Affinity Group 2015-present
- Sexual Harassment Response Team 2017-present
- Law Clerk Program Division Lead 2010-2014, 2018
- Leadership Team 2016

Social & Health Services Division, *Assistant Attorney General* 2008-2016

Litigate civil child welfare actions of state intervention over parental constitutional rights. Participate in alternative dispute resolution to improve family reunification success and racial disproportionality rates.

- King County Superior Court Family Treatment Court 2011-2016
- Indian Child Welfare Acts Division Lead 2013-2016
- UW Master of Social Work, Child Welfare Training & Advancement Program, *Instructor* 2013-2015
- King County Early Learning Table of Ten 2014-2015
- King County Parents for Parents 2011-2014

PRO BONO LEGAL EXPERIENCE

Washington State Bar Association (WSBA) 2010-present

Provide legal research and discourse on issues impacting the administration of justice, including accessibility and equity for the public. Mentor new lawyers and law students and participate at governance meetings.

- Office of Civil Legal Aid Oversight Committee, *Vice Chair*, 2020-present 2018-present
- Civil Rights Law Section, *Executive Committee*, WSBA Equity & Disparity Workgroup 2019-present
- World Peace Through Law Section, *Executive Committee* 2014-2018
- Committee For Diversity, *Communications/Outreach Co-Chair*, WSBA membership study 2010-2013

Loren Miller Bar Association, *President*, 2016-2017, ***Secretary***, 2013-2016 2010-present

Support the state's affiliate to the National Bar Association in addressing diversity in the legal profession, access to justice, and disproportionality in the law through mentorship, education, amicus curiae briefs, policy support, judicial evaluation, and community service. Chaired annual fundraising dinner.

- King County Bar Association Neighborhood Legal Clinic 2015-2018
- King County Inquest Reform Coalition 2017-2018
- Washington Supreme Court GR 37 Work Group 2017-2018

National Lawyers Guild, *Legal Observer* 2020-present

Observe the exercise of First Amendment rights. Attend trainings and Seattle chapter meetings.

Chalia Stallings-Ala'ilima

CIVIC INVOLVEMENT AND LEADERSHIP

Present to lawyers, students, and community members on various topics, including civil rights law and diversity in the legal profession. Judge for mock trial, moot court, and ethics competitions.

University of Washington School of Law Foundation, Board Member 2018-present
Manage funds donated to support the school's programming and initiatives.

Judicial Institute, Board Member, 2019-present, Fellow, 2019 2015, 2019-present
Preparation for judicial candidacy through mentorship and training clinic for experienced attorneys whose entry to the bench will increase diverse representation on the bench.

AWAAG - WFSE Local 5297, Inclusion, Diversity, & Equity Advancement Officer 2020-present
Lead and advise newly formed union of assistant attorneys general as Executive Board's first IDEA officer.

King County Bar Association, Trustee 2021-present
Manage 5,600 member ass'n; Diversity and Nominations & Leadership Development Committees liaison.

Seattle Police Department Officer-Involved Shooting Force Review Board, Citizen Observer 2017-2019
Visit incident sites, review investigation file, and actively participate on the review board.

JustLead Washington Leadership Academy, Fellow 2017
Cohort-based study of poverty, systemic racism, bias, and oppression.

EDUCATION

University of Washington (UW) School of Law, Juris Doctor 2008
Leadership in Minority, Asian/Pacific American, and Native American Law Student Associations 2005-2008
UW Transportation Services, *Citation Hearing Officer* 2006-2008
UW Graduate and Professional Student Senate 2006-2008
Tribal Court Criminal Public Defense Clinic 2007-2008
Washington State Supreme Court, *Extern for Justice Bobbe B. Bridge* 2007

University of Washington, Bachelor of Arts, Philosophy 2005
Polynesian Student Alliance, *Vice President*, 2004 2001-2008
Associated Students of the UW Student Senate 2003-2005
Refugee Women's Alliance Center, *Tutor* 2003-2005

HONORS

AGO Senior Counsel 2020
Legal Foundation of Washington Goldmark Award, *Team Award* 2018
Loren Miller Bar Association Excellence in the Legal Profession Award, *Team Award* 2017
WSBA Achieving Professional Excellence (APEX) in Diversity Award 2016
AGO William T. Tanner Award 2015
AGO Excellence Award 2014
UW Costco Diversity Scholarship 2001-2005

PUBLICATIONS

Wash. State Office of the Atty. Gen. Bob Ferguson, *Keep Washington Working Model Guidance* (2020).

Chalia Stallings-Ala'ilima, Julio Thompson, *Affirmative Civil Rights Enforcement Chapter*, in *State Attorneys General Powers & Responsibilities*, edited by Emily Myers, Nat'l Ass'n of Attys. Gen. (4th ed. 2019).

Chalia Stallings-Ala'ilima, *Protecting Veterans' Access to Housing*, in *Emerging Issues for Attorneys General Offices*, Nat'l Attys. Gen. Training & Research Inst., 3 NAGTRI Journal 3, at 25-27 (2018).

Wash. State Office of the Atty. Gen. Bob Ferguson, *Guidance Concerning Immigration Enforcement* (2017).

Seattle Ethics and Elections Commission

7 Members: Pursuant to Seattle Municipal Code 3.70.020, all members subject to City Council confirmation, 3-year terms:

- 3 Mayor- appointed
- 3 City Council- appointed
- 1 Other Appointing Authority: Commission

Roster:

*D	**G	RD	Position No.	Position Title	Name	Term Begin Date	Term End Date	Term #	Appointed By
6	F	7	1	Member	Kristin Hawes	1/1/21	12/31/23	1	Mayor
6	M	6	2	Member	Richard Shordt	1/1/22	12/31/24	1	City Council
7	F	2	3	Member	Chalia Stallings-Ali'ilima	1/1/22	12/31/24	1	Mayor
6	F	3	4	Member	Susan Taylor	1/1/19	12/31/21	1	Commission
5	M	6	5	Member	Hardeep Singh Rekhi	1/1/20	12/31/22	2	City Council
6	M	3	6	Member	Zach Pekelis Jones	1/1/20	12/31/22	1	Mayor
6	M	3	7	Member	Jeffery Winmill	1/1/21	12/31/23	1	City Council

SELF-IDENTIFIED DIVERSITY CHART

	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	1	2								2	1		
Council	3								1	2			
Other		1								1			
Total	4	3							1	5	1		

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.



Legislation Text

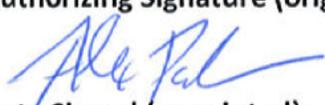
File #: Appt 02209, **Version:** 1

Appointment of Danielle Alvarado as member, Labor Standards Advisory Commission, for a term to April 30, 2024.

The Appointment Packet is provided as an attachment.



City of Seattle Boards & Commissions Notice of Appointment

Appointee Name: <i>Danielle Alvarado</i>		
Board/Commission Name: <i>Labor Standards Advisory Commission</i>		Position Title: <i>Member</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: * 5/1/2022 to 4/30/2024 <input type="checkbox"/> <i>Serving remaining term of a vacant position</i>	
Residential Neighborhood: Rainier Valley // District 2	Zip Code: 98118	Contact Phone No.: [REDACTED]
Background: <p>Danielle Alvarado has more than a decade of experience working in movements for racial and economic justice across the country. She has worked as a legal services attorney in both immigration and employment cases, and understands the many barriers low-income communities face enforcing their rights. She is passionate about access to justice for immigrants, speakers of other languages, and communities of color and brings a focus on race equity to everything she does.</p> <p>For the past three years she has worked at Fair Work Center, which has partnered with OLS through the COEF program since its inception. As Legal Director, she oversaw the Legal Clinic's representation of workers who had experienced wage theft, harassment, and retaliation cases under Seattle labor standards and state law. This work included participating in OLS rulemaking, tracking implementation of multiple new labor standards, and supporting the work of the Domestic Worker Standards Board. As Executive Director, she continues to advocate for public policy that is well developed and designed to be effective and accessible. In both roles she has partnered closely with the Office of Labor Standards and City Council to support Seattle's efforts as a national leader in advancing strong workplace protections that cover all workers and help Seattle's economy grow.</p> <p>Danielle has also been involved in several policy and community advocacy efforts at the state level on issues including wage liens, universal access to income support, health and safety, and industry specific reforms focused on domestic workers, independent contractors, and immigrant workers.</p>		
Authorizing Signature (original signature):  Date Signed (appointed): 5/2/22		Appointing Signatory: <i>Alex Pedersen</i> <i>Vice Chair, Governance, Native Communities, and Tribal Governments Committee</i>

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

Danielle Alvarado

LEGAL & ORGANIZATIONAL LEADERSHIP EXPERIENCE

Fair Work Center

Legal Director

April 2019 – Present

Seattle, WA

Oversees legal department which provides free employment legal services to low-wage workers, with a focus on serving immigrant workers and workers of color. Works with education and organizing team to develop strategic enforcement campaigns targeting priority industries with high violations of labor law. Serves on the organization's leadership team, participating in developing strategic plan, securing government and foundation funding, and managing relationships with policymakers, partner organizations, and enforcement agencies.

Community Development Project at the Urban Justice Center

Immigrants' Rights Staff Attorney

October 2016 – April 2019

New York, NY

Represented individual clients in complex immigration litigation, with a focus on labor trafficking and immigration relief for worker organizers and victims of workplace crimes. Developed legal strategies to support organizing campaigns in partnership with grassroots partners and facilitated community education and know your rights trainings. Served as interim manager for team of five during leadership transition, maintained funder and partner relationships, and oversaw grant reporting. Led staff committees that managed communications, rebranding and Executive Director search as organization spun off as independent 501(c)(3).

Central American Refugee Center (CARECEN)

2016

September 2015 - October

Immigrant Justice Corps Fellow/ Staff Attorney

Hempstead, NY

Staff Attorney in Child Refugee Unit, representing Central American immigrant youth in removal proceedings. Supervised paralegal and interns, and established practice management systems to manage docket of five attorneys. Coordinated pro bono project, serving as liaison to participating firm, and providing training and mentoring to new volunteers.

Justice at Work

Legal Intern

September 2014 - May 2015

Boston, MA

Researched codes of conduct models to inform worker center's campaign to improve fish industry conditions.

New Orleans Workers' Center for Racial Justice

Michael Maggio Immigrants' Rights Fellow

June 2014 - August 2014

New Orleans, LA

Drafted supporting documentation for U-visa petitions, prosecutorial discretion requests, and fact-checking affidavits for National Labor Relations Board (NLRB) charges. Prepared clients to appear before NLRB investigators.

No More Deaths

Short-Term Custody Standards Advocacy Coordinator

September 2008 - July 2012

Tucson, AZ

Developed and implemented an advocacy strategy to establish Border Patrol detention standards, including establishing new partnerships with national advocates and elected officials. Interviewed recent deportees abused by Border Patrol, oversaw the publication of two reports, and managed volunteers conducting interviews at three different shelters.

Leadership Conference on Civil Rights

April 2012 - June 2012

Field Organizer

Jackson, MS

Conducted Know Your Rights trainings to rural immigrant communities in response to anti-immigrant initiatives introduced at state level. Coordinated regional organizing training for 40 grassroots community leaders.

EDUCATION**Northeastern University School of Law**

Juris Doctor, May 2015

Honors & Activities: Maggio Immigrant Rights Fellow; Recipient of National Lawyers Guild C.B. King Law Student Award; Latino Law Students Association, Chair

Whitman College

Bachelor of Arts, Politics, May 2007

LANGUAGES: Spanish**BAR ADMISSIONS:** New York (2016), Washington (2021)

Labor Standards Advisory Commission

15 Members: Pursuant to *Ord. 124643*, all members subject to City Council confirmation, 2-year terms:

- 7 City Council-appointed
- 7 Mayor-appointed
- 1 Other Appointing Authority-appointed (specify): Commission-appointed

Roster:

*D	**G	RD	Position No.	Position Title	Name	Term Begin Date	Term End Date	Term #	Appointed By
	F	2	1.	Commissioner	Elizabeth Ford	5/1/21	4/30/23	2	Mayor
			2.	Commissioner	Alexis Rodich	5/1/22	4/30/24	1	Mayor
2	M	2	3.	Commissioner	Afeworki Ghebreiyesus	5/1/21	4/30/23	1	Mayor
			4.	Commissioner	Annie Wise	5/1/20	4/30/22	1	Mayor
			5.	Commissioner	Vacant	5/1/21	4/30/23		Mayor
			6.	Commissioner	Vacant	5/1/22	4/30/24		Mayor
			7.	Commissioner	Diana Ochoa	5/1/21	4/30/23	1	Mayor
			8.	Commissioner	Danielle Alvarado	5/1/22	4/30/24	1	City Council
			9.	Commissioner	Will Pittz	5/1/21	4/30/23	2	City Council
6	F	1	10.	Commissioner	Dustin Lambro	5/1/22	4/30/24	1	City Council
			11.	Commissioner	Gay Gilmore	5/1/21	4/30/23	2	City Council
6	F	NA	12.	Commissioner	Ilona Lohrey	5/1/22	4/30/24	2	City Council
			13.	Commissioner	Vacant	5/1/21	4/30/23		City Council
1	F	3	14.	Commissioner	Jeanie Chunn	5/1/22	4/30/24	2	City Council
1	M	2	15.	Commissioner	Joel Shapiro	5/1/21	04/30/23	1	Commission

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	1	1				1							
Council		3			1					2			
Other	1				1								
Total	2	4			2	1				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.



Legislation Text

File #: Appt 02210, **Version:** 1

Appointment of Dustin Lambro as member, Labor Standards Advisory Commission, for a term to April 30, 2024.

The Appointment Packet is provided as an attachment.



City of Seattle Boards & Commissions Notice of Appointment

Appointee Name: <i>Dustin Lambro</i>	
Board/Commission Name: <i>Labor Standards Advisory Commission</i>	Position Title: <i>Member</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: * 5/1/2022 to 4/30/2024 <input type="checkbox"/> <i>Serving remaining term of a vacant position</i>
Residential Neighborhood: Renton	Zip Code: 98055 Contact Phone No.: [REDACTED]
Background: Dustin Lambro is the Political & Legislative Director at UFCW 3000 and the elected President of MLK Labor since 2019. He is a former Political Director at Teamsters 117, which advocated for a new section of labor standards at the City of Seattle in 2020. He played a role in labor standards policy work in Seattle since 2013 beginning with the increase to the minimum wage, supporting funding for OLS, and passing paid sick leave for gig workers. Currently, he is working as an advocate to pass legislation to create training standards for cannabis workers at the City of Seattle and in King County.	
Authorizing Signature (original signature):  Date Signed (appointed): 5/2/22	Appointing Signatory: <i>Alex Pedersen</i> <i>Vice Chair, Governance, Native Communities, and Tribal Governments Committee</i>

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

DUSTIN LAMBRO

- Created a successful political program at the largest Teamster local in the Western US, and collaborated with diverse stakeholders on a number of key policy victories at the federal, state and local level
- Elected President of the largest Central Labor Council in Washington State in 2019, and reelected to a three-year term by acclimation in 2021
- Elected by voters in 2021 as a Commissioner to Public Hospital District #1 in Washington State, and raised over \$20,000 for the campaign
- Assembled the largest coalition on any ballot measure campaign in Washington State history, activating more than 860 organizations to support marriage equality. Carefully tracked the endorsements process for each partner, using both internal and external strategies.
- Led a coalition to put together a 3,000-person rally in support of health insurance reform in eight days, the largest OFA rally on that single issue in 2009 or 2010.
- Trained and led multiple negotiations committees from anywhere between 2 and 25 Union members.

PROFESSIONAL EXPERIENCE

Political & Legislative Director, UFCW 3000

March 2022-Present

UFCW 3000 is the largest Union in Washington State, representing grocery, health care, cannabis and food processing workers throughout Washington, Northern Idaho and Eastern Oregon.

Political Director, Teamsters Local 117

May 2013 –February 2022

Teamsters Local 117 represents 17,000 members in the public and private sector throughout Washington State.

- Recruited, trained and resourced a Statewide Political Advisory Committee to conduct candidate interviews for any candidate who wanted an endorsement from our local Union
- As the PAC Chair of the King County Labor Council, helped recruit and resource a diverse group of 12 Union members to run for local office in South King County in 2017, with a win rate of 75%
- Worked with a coalition of state employee Unions on contract campaigns to win funding for state employee contracts two biennia in a row, despite having a divided legislature in 2015 and 2017

Outreach & Political Director, Washington United for Marriage

May 2012 – December 2012

Washington United for Marriage was the campaign to approve Referendum 74, the ballot measure in 2012 that asked voters to approve or reject marriage equality for same-sex couples.

- Hired, trained, and managed a staff of nine Outreach Department team members.
- Responsible for assembling and activating coalition partners from small businesses, faith, labor, communities of color, LGBT, and non-profit organizations across the state. Our coalition numbered more than 860 partners, the largest in state ballot measure history.
- Conducted presentations to a broad group of organizations ranging from groups of five to two hundred.
- Led the development of tailored communications and outreach programs specific to each coalition partner.

State Director, Organizing for America - WA

April 2009 – May 2012

Organizing for America was a project of the Democratic National Committee formed after the 2008 Obama campaign to help organize support in states for President Obama's political and legislative agenda. Obama for America was the official campaign for the President's reelection.

- Hired, trained, and managed a staff of three Regional Field Directors geographically covering all of Washington State.
- Developed and maintained strong relationships with the congressional delegation and organizational allies in the broader labor, progressive, constituency and social justice community statewide.
- Created and implemented our advocacy program to recruit and train 28 volunteer teams to contact Members of Congress on a broad range of policy issues.
- Served as the Deputy Coordinated Campaign Director during the 2010 midterm cycle for the Washington State Democrats and implemented the Get Out the Vote plan in which we reelected Senator Patty Murray in a critical year for Democrats nationwide.

Regional Field Director, Campaign for Change

May 2008 – December 2008

The Campaign for Change was a project of the Washington State Democrats, funded by Obama for America and Governor Gregoire's re-election campaign, that worked for the election of Democrats up and down the ballot.

- Hired, trained, and supervised a team of nine field organizers responsible for meeting and exceeding specific numerical and qualitative campaign goals for the Southwest region of Washington state.
- Developed and managed all political and constituency relationships throughout Southwest Washington with party leaders, labor Unions, state legislators and progressive organizations.
- Planned and executed all campaign events in the Southwest region of Washington with surrogates and elected officials.

ELECTED EXPERIENCE

Commissioner, King County Public Hospital District #1 (2022-)

King County Labor Council, Delegate and PAC Chair (May 2015-2019); President (2019-present)

Precinct Committee Officer: 43rd Legislative District Democrats (February 2013-2018); 33rd District Democrats (2019-present)

EDUCATION

BA, Politics, Whitman College, Walla Walla, WA

Labor Standards Advisory Commission

15 Members: Pursuant to *Ord. 124643*, all members subject to City Council confirmation, 2-year terms:

- 7 City Council-appointed
- 7 Mayor-appointed
- 1 Other Appointing Authority-appointed (specify): Commission-appointed

Roster:

*D	**G	RD	Position No.	Position Title	Name	Term Begin Date	Term End Date	Term #	Appointed By
	F	2	1.	Commissioner	Elizabeth Ford	5/1/21	4/30/23	2	Mayor
			2.	Commissioner	Alexis Rodich	5/1/22	4/30/24	1	Mayor
2	M	2	3.	Commissioner	Afeworki Ghebreiyesus	5/1/21	4/30/23	1	Mayor
			4.	Commissioner	Annie Wise	5/1/20	4/30/22	1	Mayor
			5.	Commissioner	Vacant	5/1/21	4/30/23		Mayor
			6.	Commissioner	Vacant	5/1/22	4/30/24		Mayor
			7.	Commissioner	Diana Ochoa	5/1/21	4/30/23	1	Mayor
			8.	Commissioner	Danielle Alvarado	5/1/22	4/30/24	1	City Council
			9.	Commissioner	Will Pittz	5/1/21	4/30/23	2	City Council
6	F	1	10.	Commissioner	Dustin Lambro	5/1/22	4/30/24	1	City Council
			11.	Commissioner	Gay Gilmore	5/1/21	4/30/23	2	City Council
6	F	NA	12.	Commissioner	Ilona Lohrey	5/1/22	4/30/24	2	City Council
			13.	Commissioner	Vacant	5/1/21	4/30/23		City Council
1	F	3	14.	Commissioner	Jeanie Chunn	5/1/22	4/30/24	2	City Council
1	M	2	15.	Commissioner	Joel Shapiro	5/1/21	04/30/23	1	Commission

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	1	1				1							
Council		3			1					2			
Other	1				1								
Total	2	4			2	1				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.



Legislation Text

File #: Appt 02107, **Version:** 1

Reappointment of Paul Neal as member, Pike Place Market Preservation and Development Authority Governing Council, for a term to June 30, 2024.

The Appointment Packet is provided as an attachment.



City of Seattle Boards & Commissions Notice of Appointment

Appointee Name: <i>Paul Neal</i>		
Board/Commission Name: <i>Pike Place Market Preservation & Development Authority</i>		Position Title: <i>"Member"</i>
<input type="checkbox"/> Appointment OR <input checked="" type="checkbox"/> Reappointment		Council Confirmation required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Appointing Authority: <input type="checkbox"/> Council <input type="checkbox"/> Mayor <input checked="" type="checkbox"/> Other: <i>PDA Governing</i>	Date Appointed: <i>7/29/2021</i>	Term of Position: * <i>7/1/2021</i> to <i>6/30/2024</i>
Residential Neighborhood: <i>Seattle</i>	Zip Code: <i>98112</i>	Contact Phone No.: <div style="background-color: black; width: 100px; height: 15px;"></div>
Background: <p>Paul is the principal of 6h Consulting, a marketing and brand consultancy he created in 2001. The firm helps organizations of all types and sizes build richer, stronger relationships with customers, in line with their overall business goals. Its work includes strategic planning, market analysis, product development, brand development, and communications planning.</p> <p>Prior to forming 6h, Paul was senior vice president for strategy at Cole & Weber. Over the course of his career, he has helped grow some of the most powerful global brands. Past and current clients include Alfa Romeo, Boeing, Coca-Cola, Experian, HP, Nestle, and Zegna. He has lectured on branding and marketing at the University of Arkansas, the University of Washington and Seattle University. Advancing the work of community building and social justice organizations has also been a significant professional and personal focus. Since forming 6h, Paul has consulted with the Bill & Melinda Gates Foundation, Pike Place Market Foundation, Pivotal Ventures, Seattle Parks Foundation, and Wing Luke Museum of the Asian American Experience. Paul is a graduate of Leadership Tomorrow and a past board president of the Northwest AIDS Foundation and Photo Center Northwest.</p>		
Authorizing Signature (original signature): <i>Colleen Bowman</i>	Appointing Signatory: <i>Colleen Bowman</i> <i>PDA Council Chair</i>	

*Term begin and end date is fixed and tied to the position and not appointment date or appointee.
 August 30, 2016

Last revised

Pike Place Market Preservation and Development Authority

March 2021

12 Members: Pursuant to RCW 35.21.730 and Seattle Municipal Code 3.110; all subject to City Council confirmation, 4-year terms:

- 4 Mayor-appointed
- 8 Other Appointing Authority-appointed (specify): (4) Constituency and (4) PDA Governing Council

Roster:

*D	**G	RD	Position No.	Position Title	Name	Term Begin Date	Term End Date	Term #	Appointed By
6	M	7	1.	Member	JJ McKay	7/1/18	6/30/22	1	Mayor
6	M	3	2.	Member	Paul Neal	7/1/21	6/30/24	2	Governing Council
	M	7	3.	Member	Devin McComb	7/1/17	6/30/21	1	Mayor
6	M	7	4.	Member	Nick Setten	7/1/18	6/30/22	1	Constituency
6	M	N/A	5.	Member	Mark Brady	7/1/17	6/30/21	1	Constituency
1	M		6.	Member	Ray Ishii	7/1/19	6/30/23	1	Governing Council
1	M	7	7.	Member	Gundeep Signh	7/1/20	6/30/24	1	Mayor
									Governing Council
8	M	3	8.	Member	Abraham Dairi	7/1/18	6/30/22	1	Governing Council
	M		9.	Member	Gordon McIntyre	7/1/20	6/30/24	1	Constituency
5	M		10.	Member	David Ghoddousi	7/1/19	6/30/23	5	Constituency
									Governing Council
6	F		11.	Member	Patrice Barrentine	7/1/20	6/30/24	2	Governing Council
6	F	3	12.	Member	Jan Hendrickson	7/1/19	6/30/23	2	Mayor

SELF-IDENTIFIED DIVERSITY CHART

	(1)		(2)		(3)		(4)		(5)		(6)		(7)		(8)		(9)	
	Men	Women	Transgender	Unknown	Asian	Black/ African American	Hispanic/ Latino	American Indian/ Alaska Native	Other	Caucasian/ Non- Hispanic	Pacific Islander	Middle Eastern	Multiracial					
Mayor	3	1			1					2								
Gov. Council	3	1			1					2		1						
Other	4								1	1								
Total	9	2			2				1	5		1						

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.



Legislation Text

File #: Appt 02189, **Version:** 1

Appointment of Leslie Buker as member, Pike Place Market Historical Commission, for a term to December 1, 2023.

The Appointment Packet is provided as an attachment.



City of Seattle Boards & Commissions Notice of Appointment

Appointee Name: Leslie Buker		
Board/Commission Name: Pike Place Market Historical Commission		Position Title: Position 2 – Friends of the Market
<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	Date Appointed: mm/dd/yy.	Term of Position: * 12/2/2020 to 12/1/2023 <input checked="" type="checkbox"/> Serving remaining term of a vacant position
Residential Neighborhood: Downtown	Zip Code: 98101	Contact Phone No.: [REDACTED]
Background: Leslie Buker’s extensive background in design, marketing, communication, and the arts make her an ideal candidate for the Pike Place Market Historical Commission, given the Market’s focus on creativity and small businesses. She resides in downtown Seattle, cherishing the opportunity to live in a designated Seattle landmark building. She values the vital role that public markets serve in anchoring communities and seeks to lend her skills towards preserving the Market as a valuable artistic, business, and community asset.		
Authorizing Signature (original signature):  Date: 3/29/2022		Appointing Signatory: Bruce A. Harrell Mayor of Seattle

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

Experience

POP

www.WeArePOP.com

October 2015 - Present

Associate Design Director

Freelance - POSSIBLE

May 2015 - October 2015

Art Director

Publicis Seattle

June 2008 - May 2015

Art Director

Y&R Chicago

Summer 2007

Art Direction Intern

Education

VCU Brandcenter

2006 - 2008

M.S. Mass Communications, Art Direction

University of Virginia

2002 - 2006

B.A. Psychology & Anthropology

Awards

Richmond Show

Silver Cannonball 2007

Suicide Prevention Lifeline.org

Virginia Film Festival

Official Film Selection 2005

Pike Place Market Historical Commission

12 Members: Pursuant to Ordinances 100475 & 124935, all members subject to City Council confirmation, 3-year terms:

- 0 City Council-appointed
- 12 Mayor-appointed
- 0 Other Appointing Authority-appointed (specify):

Roster:

*D	**G	RD	Position No.	Position Title	Name	Term Begin Date	Term End Date	Term #	Appointed By
2	M	2	1.	Friends of the Market	Christopher Bown	12-2-19	12-1-22	1	Mayor
6	F	7	2.	Friends of the Market	Leslie Buker	12-2-20	12-1-23	1	Mayor
1	F	7	3.	Architect	Grace Leong	12-2-19	12-1-22	1	Mayor
			4.	Architect	Vacant	12-2-20	12-1-23		Mayor
6	F	7	5.	Merchant	Lauren Rudeck	12-2-17	12-1-20	2	Mayor
8	F	N/A	6.	Merchant	Golnaz Mohammadi	12-2-19	12-1-22	1	Mayor
			7.	Resident	Vacant	12-2-21	12-1-24		Mayor
			8.	Resident	Vacant	12-2-20	12-1-23		Mayor
6	F	N/A	9.	Property Owner	Lisa Martin	12-2-19	12-1-22	1	Mayor
			10.	Allied Arts of Seattle	Vacant	12-2-21	12-1-24		Mayor
6	M	1	11.	Allied Arts of Seattle	Samuel Farrazaino	12-2-17	12-1-20	2	Mayor
1	F	7	12.	At-Large	Stephanie Young	12-2-21	12-1-24	2	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	2	6	0	0	2	1	0	0	0	7	0	1	0
Council	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	2	6	0	0	2	1	0	0	0	4	0	1	0

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.



Legislation Text

File #: Appt 02190, **Version:** 1

Reappointment of Stephanie Young as member, Pike Place Market Historical Commission, for a term to December 1, 2024.

The Appointment Packet is provided as an attachment.



City of Seattle Boards & Commissions Notice of Appointment

Appointee Name: Stephanie Young		
Board/Commission Name: Pike Place Market Historical Commission		Position Title: Position 12 – At Large
<input type="checkbox"/> Appointment OR <input checked="" 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	Date Appointed: mm/dd/yy.	Term of Position: * 12/2/2021 to 12/1/2024 <input type="checkbox"/> Serving remaining term of a vacant position
Residential Neighborhood: Downtown	Zip Code: 98101	Contact Phone No.: [REDACTED]
Background: Stephanie Young is strongly recommended for re-appointment following an eventful first term in which the Commission faced a number of complex decisions stemming from the Covid-19 pandemic. As the Commission’s work intersected with issues of economic turmoil, public safety, and public health, she provided a consistently balanced and community-centered approach to decision-making. Her skills quickly gained her a great deal of respect from her peers and she was nominated to serve as Vice Chair within one year of beginning service on the Commission.		
Authorizing Signature (original signature):  Date: 3/29/2022		Appointing Signatory: Bruce A. Harrell Mayor of Seattle

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

STEPHANIE YOUNG

QUALIFICATIONS

Executive Leader and senior leadership team collaborator with a successful track record of turning around sales and troubled projects, improving net income, and building strong teams.

Highlights include:

- **Overview:** Characterized as a skilled problem-solver...successfully leads multi-million dollar companies through turnaround, reorganization, and cultural change.
- **Profit-Oriented:** Restructured sales and developed marketing initiatives to attract 50% more new customers each month with no increase in marketing expenditures.
- **Operations:** Proactive leader with comprehensive management skills in multiple disciplines: clinical operations, financial analysis, marketing, sales, information technology (IT), vendor negotiations...implemented new technologies that reduced operating expenses approximately 14%.
- **Finance:** Strengths include financial analysis, building decision support models developing metrics for accountability, and comparative analyses of organizations...grew return on assets from single to double digits and improved net income from 5-figures to a healthy 6-figure amount.

CAREER SKILLS/KNOWLEDGE

- | | |
|------------------------------|------------------------------|
| ▪ Strategic Planning | ▪ Operations turnaround |
| ▪ Market growth/segmentation | ▪ Sales productivity/growth |
| ▪ Revenue/profit turnaround | ▪ ROI growth strategies |
| ▪ Developing metrics | ▪ Profit and Loss |
| ▪ Marketing/sales management | ▪ National accounts programs |
-

PROFESSIONAL HIGHLIGHTS

FRIENDS OF THE MARKET, SEATTLE, WA (2014 – Present)

Board Member (2016): Working to educate others about the history of the Pike Place Market and preserve the unique character of Seattle's unique neighborhood.

- Organize and manage the non-profit's major fundraising arm – mobilizing the volunteers who deliver the Pike Place Market tours

EDWARD JONES, SEATTLE, WA (2017)

Financial Advisor: Worked with clients to develop personal financial strategies.

SLALOM CONSULTING, SEATTLE, WA (2010 – 2015)

Business Consultant: Improving throughput, decreasing time to market, compliance management, change agent, decreasing time to market, migrating to new technologies and establishing performance standards for clients.

- Identified and implemented improvement changes to help a client double their throughput without adding resources
- Defined and implemented new programs to guide clients through compliance changes in their respective industries (healthcare and financial reform)
- Guided a client through a significant business reorganization with no interruption to their current operations and customer service
- Turned around a troubled team to meet an aggressive project deadline that resulted in \$20,000/month savings

GENERAL ELECTRIC HEALTHCARE, SEATTLE, WASHINGTON (2007-2010)

Operational Excellence Leader: Reducing cycle time, streamlining processes, and improving customer satisfaction for existing and new GE Healthcare hospital customers.

- Leading a development team to open up a new market for our software products ■ Designing & building global operations
- Using lean and six sigma principles to reduce software implementation time by 50%, leading to faster revenue recognition and eliminating cost overruns that increase costs.

RADIOLOGY CONSULTANTS IMAGING, KIRKLAND, WASHINGTON (2005-2007)

Executive Director: Turned around declining revenues and falling profits for a \$30 million company.

- Amid established competition, opened new clinic in Everett on schedule and within budget, contributing 9% growth in its first year.
- Despite declining reimbursements, delivered approximately thirty-one-fold increase in profits.
- Developed and implemented new sales strategies and incentive plans to grow market share, attract new physicians, retain existing accounts, and lessen the impact of cyclical declines from key customers.

POINT B SOLUTIONS GROUP, SEATTLE, WASHINGTON (2003-2005)

Consultant: Solved numerous operations problems for clients in a variety of Fortune 500 companies in industries including healthcare, retail, high-tech software, telecom, and insurance.

- Turned around a struggling IT team to implement a plant-wide employee security system.
- Simultaneously managed 4 key projects for Starbucks, averting a catastrophic power outage in the corporate data center and saving the company approximately \$500,000 annually in maintenance costs.
- Recovered approximately \$1.9 million in cash for a major healthcare organization and tightened up processes to help avoid future losses.
- Developed and published high profile intranet training program for Microsoft.
- Directed the development and implementation of software to pinpoint mobile phone “trouble spots”, ultimately reducing cell phone returns and warranty costs for AT&T Wireless.

HEWLETT-PACKARD, BELLEVUE, WASHINGTON (1996-2003)

Communications Manager: Developed and implemented sales strategies and programs for the North American Services Sales Organization.

- Implemented post-merger integration programs for Compaq and HP sales forces, including the sales forecast system (Oracle Online).
- Instituted and managed the first intranet communications tool for the HP sales force, reducing disparate communications from 26 product divisions into a single format.

Business Developer: Established business alliances with prospective leaders in the emerging Internet software development market.

- Investigated new product development in “e-Services” for the telecom market. ■ Created new “go-to-market” strategies with HP alliance partners.

Account Manager: As a major revenue-producer, sold products to major account (Boeing) and contributed \$10 to \$20 million to top line revenue.

- Consistently exceeded goals for revenue attainment on quotas,
- Established strong sales presence throughout Boeing Commercial, Defense, and Space organizations.
- Led project teams to deliver results for major Enterprise Resource Planning (ERP) initiative – billed as the largest effort of its time.

PACIFIC COOKWARE, BELLINGHAM, WASHINGTON (1993-1995)

Founder: Built and subsequently sold successful retail cookware store and cooking school.

- Despite a recessionary economy, earned profits in the first year of operations and continued growth until the establishment’s sale.

Additional experience in high-tech direct sales and account management with major corporations. Prior background in financial services industry, gaining hands-on experience as Assets/Liability Analyst (Assistant Vice President), Systems Analyst, and Bond Broker.

EDUCATION

M.B.A.	Beta Gamma Sigma	University of Washington, Seattle
B.A. Economics	Phi Beta Kappa	University of California, Berkeley

◆◆REFERENCES UPON REQUEST◆◆

Pike Place Market Historical Commission

12 Members: Pursuant to Ordinances 100475 & 124935, all members subject to City Council confirmation, 3-year terms:

- 0 City Council-appointed
- 12 Mayor-appointed
- 0 Other Appointing Authority-appointed (specify):

Roster:

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6	F	7	5.	Merchant	Lauren Rudeck	12-2-17	12-1-20	2	Mayor
8	F	N/A	6.	Merchant	Golnaz Mohammadi	12-2-19	12-1-22	1	Mayor
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1	F	7	12.	At-Large	Stephanie Young	12-2-21	12-1-24	2	Mayor

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					(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	2	6	0	0	2	1	0	0	0	7	0	1	0
Council	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	2	6	0	0	2	1	0	0	0	4	0	1	0

Key:

- *D List the corresponding Diversity Chart number (1 through 9)
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Legislation Text

File #: CB 120324, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE amending Ordinance 126490, which adopted the 2022 Budget; changing appropriations to various departments and budget control levels, and from various funds in the 2022 Budget; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

WHEREAS, in December 2021, the City adopted Ordinance 126503, which increased wages for certain non-represented City employees, Ordinance 126504, which increased wages for City employees in certain pay bands, Ordinance 126505, which provided City employees with an additional paid holiday for Juneteenth, and Ordinance 126516, which increased wages for certain represented City employees; and

WHEREAS, in March 2022, the City adopted Ordinance 126559, which provided City employees with an additional paid holiday for Indigenous Peoples' Day; and

WHEREAS, in April 2022, the City adopted Ordinance 126565, which increased wages for certain represented City employees; and

WHEREAS, the City was holding the funding needed to pay for these costs in reserves for the General Fund and in some department funds while staff determined the correct dollar amounts to distribute to City departments for these increased costs; and

WHEREAS, the City is now ready to appropriate funds to departments to cover these additional labor costs;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. In order to pay for necessary costs and expenses related to Annual Wage Increases for City employees in 2022, but for which insufficient appropriations were made due to causes that could not reasonably

have been foreseen at the time of the making of the 2022 Budget, appropriations for the following items in the 2022 Budget are increased from the funds shown, as follows:

Item	Department	Fund	Budget Summary Level/ BCL Code	Amount
1.1	Executive (City Budget Office)	General Fund (00100)	City Budget Office (00100-BO-CB-CZ000)	\$223,080
1.2	Civil Service Commissions	General Fund (00100)	Civil Service Commissions (00100-BO-VC-V1CIV)	\$15,625
1.3	Community Police Commission	General Fund (00100)	Office of the Community Police Commission (00100-BO-CP-X1P00)	\$50,019
1.4	Community Safety and Communications Center	General Fund (00100)	Community Safety and Communications Center (00100-BO-CS-10000)	\$647,938
1.5	Department of Education and Early Learning	General Fund (00100)	Early Learning (00100-BO-EE-IL100)	\$68,438
1.6	Department of Education and Early Learning	General Fund (00100)	K-12 Programs (00100-BO-EE-IL200)	\$5,570
1.7	Department of Education and Early Learning	General Fund (00100)	Leadership and Administration (00100-BO-EE-IL700)	\$12,102
1.8	Department of Education and Early Learning	Sweetened Beverage Tax Fund (00155)	Early Learning (00155-BO-EE-IL100)	\$39,327
1.9	Department of Education and Early Learning	Sweetened Beverage Tax Fund (00155)	Leadership and Administration (00155-BO-EE-IL700)	\$10,902
1.10	Department of Education and Early Learning	Families Education Preschool Promise Levy (17871)	Early Learning (17871-BO-EE-IL100)	\$198,503
1.11	Department of Education and Early Learning	Families Education Preschool Promise Levy (17871)	K-12 Programs (17871-BO-EE-IL200)	\$79,368
1.12	Department of Education and Early Learning	Families Education Preschool Promise Levy (17871)	Leadership and Administration (17871-BO-EE-IL700)	\$148,287
1.13	Department of Education and Early Learning	Families Education Preschool Promise Levy (17871)	Post-Secondary Programs (17871-BO-EE-IL300)	\$6,927
1.14	Department of Neighborhoods	General Fund (00100)	Community Building (00100-BO-DN-I3300)	\$191,835

1.15	Department of Neighborhoods	General Fund (00100)	Community Grants (00100-BO-DN-I3400)	\$37,170
1.16	Department of Neighborhoods	General Fund (00100)	Leadership and Administration (00100-BO-DN-I3100)	\$103,174
1.17	Department of Neighborhoods	Sweetened Beverage Tax Fund (00155)	Community Grants (00155-BO-DN-I3400)	\$27,166
1.18	Department of Neighborhoods	Payroll Expense Tax (14500)	Community Building (14500-BO-DN-I3300)	\$5,293
1.19	Employees' Retirement System	Employees' Retirement Fund (61030)	Employee Benefit Management (61030-BO-RE-R1E00)	\$175,080
1.20	Ethics and Elections Commission	General Fund (00100)	Ethics and Elections (00100-BO-ET-V1T00)	\$33,958
1.21	Ethics and Elections Commission	Election Vouchers Fund (12300)	Election Vouchers (12300-BO-ET-VT123)	\$16,243
1.22	Finance General	General Fund (00100)	Appropriation to Special Funds (00100-BO-FG-2QA00)	\$1,818,741
1.23	Firefighter's Pension	Fireman's Pension Fund (61040)	Firefighters Pension (61040-BO-FP-R2F01)	\$26,736
1.24	Human Services Department	General Fund (00100)	Addressing Homelessness (00100-BO-HS-H3000)	\$55,709
1.25	Human Services Department	General Fund (00100)	Leadership and Administration (00100-BO-HS-H5000)	\$275,349
1.26	Human Services Department	General Fund (00100)	Preparing Youth for Success (00100-BO-HS-H2000)	\$103,056
1.27	Human Services Department	General Fund (00100)	Promoting Healthy Aging (00100-BO-HS-H6000)	\$158,091
1.28	Human Services Department	General Fund (00100)	Promoting Public Health (00100-BO-HS-H7000)	\$6,438
1.29	Human Services Department	General Fund (00100)	Supporting Affordability and Livability (00100-BO-HS-H1000)	\$52,826
1.30	Human Services Department	General Fund (00100)	Supporting Safe Communities (00100-BO-HS-H4000)	\$126,433
1.31	Human Services Department	Sweetened Beverage Tax Fund (00155)	Leadership and Administration (00155-BO-HS-H5000)	\$6,554

1.32	Human Services Department	Sweetened Beverage Tax Fund (00155)	Supporting Affordability and Livability (00155-BO-HS-H1000)	\$15,842
1.33	Law Department	General Fund (00100)	Civil (00100-BO-LW-J1300)	\$646,165
1.34	Law Department	General Fund (00100)	Criminal (00100-BO-LW-J1500)	\$331,411
1.35	Law Department	General Fund (00100)	Leadership and Administration (00100-BO-LW-J1100)	\$106,609
1.36	Law Department	General Fund (00100)	Precinct Liaison (00100-BO-LW-J1700)	\$27,620
1.37	Legislative Department	General Fund (00100)	Leadership and Administration (00100-BO-LG-G2000)	\$43,910
1.38	Legislative Department	General Fund (00100)	Legislative Department (00100-BO-LG-G1000)	\$484,276
1.39	Executive (Office for Civil Rights)	General Fund (00100)	Civil Rights (00100-BO-CR-X1R00)	\$171,855
1.40	Executive (Office of Arts and Culture)	General Fund (00100)	Arts and Cultural Programs (00100-BO-AR-VA160)	\$1,400
1.41	Executive (Office of Arts and Culture)	Municipal Arts Fund (12010)	Leadership and Administration (12010-BO-AR-VA150)	\$14,031
1.42	Executive (Office of Arts and Culture)	Municipal Arts Fund (12010)	Public Art (12010-BO-AR-2VMA0)	\$37,603
1.43	Executive (Office of Arts and Culture)	Arts and Culture Fund (12400)	Arts and Cultural Programs (12400-BO-AR-VA160)	\$79,987
1.44	Executive (Office of Arts and Culture)	Arts and Culture Fund (12400)	Cultural Space (12400-BO-AR-VA170)	\$4,071
1.45	Executive (Office of Arts and Culture)	Arts and Culture Fund (12400)	Leadership and Administration (12400-BO-AR-VA150)	\$48,115
1.46	Office of Economic and Revenue Forecasts	General Fund (00100)	Economic and Revenue Forecasts (00100-BO-ER-10000)	\$17,061
1.47	Executive (Office of Economic Development)	General Fund (00100)	Business Services (00100-BO-ED-X1D00)	\$160,382
1.48	Executive (Office of Economic Development)	General Fund (00100)	Leadership and Administration (00100-BO-ED-ADMIN)	\$46,932

1.49	Executive (Office of Emergency Management)	General Fund (00100)	Office of Emergency Management (00100-BO-EP-10000)	\$69,002
1.50	Office of Hearing Examiner	General Fund (00100)	Office of the Hearing Examiner (00100-BO-HX-V1X00)	\$27,493
1.51	Executive (Office of Housing)	Payroll Expense Tax (14500)	Homeownership & Sustainability (14500-BO-HU-2000)	\$4,163
1.52	Executive (Office of Housing)	Office of Housing Fund (16600)	Homeownership & Sustainability (16600-BO-HU-2000)	\$77,662
1.53	Executive (Office of Housing)	Office of Housing Fund (16600)	Leadership and Administration (16600-BO-HU-1000)	\$108,217
1.54	Executive (Office of Housing)	Office of Housing Fund (16600)	Multifamily Housing (16600-BO-HU-3000)	\$72,094
1.55	Executive (Office of Immigrant and Refugee Affairs)	General Fund (00100)	Office of Immigrant and Refugee Affairs (00100-BO-IA-X1N00)	\$58,943
1.56	Office of Inspector General for Public Safety	General Fund (00100)	Office of Inspector General for Public Safety (00100-BO-IG-1000)	\$97,883
1.57	Executive (Office of Intergovernmental Relations)	General Fund (00100)	Office of Intergovernmental Relations (00100-BO-IR-X1G00)	\$66,398
1.58	Executive (Office of Labor Standards)	Office of Labor Standards Fund (00190)	Office of Labor Standards (00190-BO-LS-1000)	\$160,417
1.59	Executive (Office of Planning and Community Development)	General Fund (00100)	Planning and Community Development (00100-BO-PC-X2P00)	\$236,164
1.60	Executive (Office of Planning and Community Development)	Payroll Expense Tax (14500)	Planning and Community Development (14500-BO-PC-X2P00)	\$14,104
1.61	Executive (Office of Planning and Community Development)	REET I Capital Fund (30010)	Design Commission (30010-BO-PC-X2P10)	\$17,830
1.62	Executive (Office of Sustainability and Environment)	General Fund (00100)	Office of Sustainability and Environment (00100-BO-SE-X1000)	\$126,597

1.63	Executive (Office of Sustainability and Environment)	Sweetened Beverage Tax Fund (00155)	Office of Sustainability and Environment (00155-BO-SE-X1000)	\$39,574
1.64	Executive (Office of Sustainability and Environment)	Payroll Expense Tax (14500)	Office of Sustainability and Environment (14500-BO-SE-X1000)	\$4,000
1.65	Office of the City Auditor	General Fund (00100)	Office of the City Auditor (00100-BO-AD-VG000)	\$68,589
1.66	Executive (Office of the Employee Ombud)	General Fund (00100)	Office of Employee Ombud (00100-BO-EM-V10MB)	\$33,268
1.67	Executive (Office of the Mayor)	General Fund (00100)	Office of the Mayor (00100-BO-MA-X1A00)	\$219,096
1.68	Police Relief and Pension	Police Relief & Pension Fund (61060)	Police Relief and Pension (61060-BO-PP-RP604)	\$26,559
1.69	Seattle Center	General Fund (00100)	Campus (00100-BO-SC-60000)	\$282,352
1.70	Seattle Center	General Fund (00100)	Leadership and Administration (00100-BO-SC-69000)	\$39,881
1.71	Seattle Center	General Fund (00100)	McCaw Hall (00100-BO-SC-65000)	\$15,505
1.72	Seattle Center	Seattle Center Fund (11410)	Campus (11410-BO-SC-60000)	\$467,922
1.73	Seattle Center	Seattle Center Fund (11410)	Leadership and Administration (11410-BO-SC-69000)	(\$50,626)
1.74	Seattle Center	Seattle Center McCaw Hall Fund (11430)	McCaw Hall (11430-BO-SC-65000)	\$157,853
1.75	Seattle City Light	Light Fund (41000)	Customer Care (41000-BO-CL-CUSTCARE)	\$1,030,717
1.76	Seattle City Light	Light Fund (41000)	Leadership and Administration (41000-BO-CL-ADMIN)	\$2,440,308
1.77	Seattle City Light	Light Fund (41000)	Power Supply O&M (41000-BO-CL-PWRSUPPLY)	\$410,710
1.78	Seattle City Light	Light Fund (41000)	Utility Operations O&M (41000-BO-CL-UTILOPS)	\$2,973,290
1.79	Seattle Department of Construction and Inspections	General Fund (00100)	Compliance (00100-BO-CI-U2400)	\$228,046

1.80	Seattle Department of Construction and Inspections	General Fund (00100)	Government Policy, Safety & Support (00100-BO-CI-U2600)	\$45,032
1.81	Seattle Department of Construction and Inspections	General Fund (00100)	Inspections (00100-BO-CI-U23A0)	\$6,869
1.82	Seattle Department of Construction and Inspections	General Fund (00100)	Land Use Services (00100-BO-CI-U2200)	\$10,504
1.83	Seattle Department of Construction and Inspections	Construction and Inspections (48100)	Compliance (48100-BO-CI-U2400)	\$111,436
1.84	Seattle Department of Construction and Inspections	Construction and Inspections (48100)	Government Policy, Safety & Support (48100-BO-CI-U2600)	\$27,201
1.85	Seattle Department of Construction and Inspections	Construction and Inspections (48100)	Inspections (48100-BO-CI-U23A0)	\$678,264
1.86	Seattle Department of Construction and Inspections	Construction and Inspections (48100)	Land Use Services (48100-BO-CI-U2200)	\$590,742
1.87	Seattle Department of Construction and Inspections	Construction and Inspections (48100)	Permit Services (48100-BO-CI-U2300)	\$633,396
1.88	Seattle Department of Construction and Inspections	Construction and Inspections (48100)	Process Improvements & Technology (48100-BO-CI-U2800)	\$51,142
1.89	Seattle Department of Human Resources	General Fund (00100)	HR Services (00100-BO-HR-N6000)	\$401,910
1.90	Seattle Department of Human Resources	General Fund (00100)	Leadership and Administration (00100-BO-HR-N5000)	\$224,855
1.91	Seattle Department of Transportation	General Fund (00100)	Bridges & Structures (00100-BO-TR-17001)	\$132,102
1.92	Seattle Department of Transportation	General Fund (00100)	Maintenance Operations (00100-BO-TR-17005)	\$251,148
1.93	Seattle Department of Transportation	General Fund (00100)	Mobility Operations (00100-BO-TR-17003)	\$429,889
1.94	Seattle Department of Transportation	General Fund (00100)	Parking Enforcement (00100-BO-TR-17006)	\$650,393
1.95	Seattle Department of Transportation	Move Seattle Levy Fund (10398)	Bridges & Structures (10398-BO-TR-17001)	\$66,671

1.96	Seattle Department of Transportation	Move Seattle Levy Fund (10398)	Maintenance Operations (10398-BO-TR-17005)	\$59,322
1.97	Seattle Department of Transportation	Move Seattle Levy Fund (10398)	Mobility Operations (10398-BO-TR-17003)	\$128,217
1.98	Seattle Department of Transportation	Seattle Streetcar Operations (10800)	First Hill Streetcar Operations (10800-BO-TR-12002)	\$11,344
1.99	Seattle Department of Transportation	Seattle Streetcar Operations (10800)	South Lake Union Streetcar Operations (10800-BO-TR-12001)	\$7,301
1.100	Seattle Department of Transportation	Transportation Fund (13000)	Bridges & Structures (13000-BO-TR-17001)	\$145,385
1.101	Seattle Department of Transportation	Transportation Fund (13000)	Maintenance Operations (13000-BO-TR-17005)	\$462,295
1.102	Seattle Department of Transportation	Transportation Fund (13000)	Mobility Operations (13000-BO-TR-17003)	\$427,242
1.103	Seattle Department of Transportation	Transportation Fund (13000)	ROW Management (13000-BO-TR-17004)	\$1,177,269
1.104	Seattle Department of Transportation	Transportation Fund (13000)	Waterfront and Civic Projects (13000-BO-TR-16000)	\$35,111
1.105	Seattle Department of Transportation	School Safety Traffic and Pedestrian Improvement Fund (18500)	Mobility Operations (18500-BO-TR-17003)	\$19,571
1.106	Seattle Department of Transportation	Transportation Benefit District Fund (19900)	Bridges & Structures (19900-BO-TR-17001)	\$12,222
1.107	Seattle Department of Transportation	Transportation Benefit District Fund (19900)	Maintenance Operations (19900-BO-TR-17005)	\$66,774
1.108	Seattle Department of Transportation	Transportation Benefit District Fund (19900)	Mobility Operations (19900-BO-TR-17003)	\$57,441
1.109	Seattle Fire Department	General Fund (00100)	Fire Prevention (00100-BO-FD-F5000)	\$51,452
1.110	Seattle Fire Department	General Fund (00100)	Leadership and Administration (00100-BO-FD-F1000)	\$63,636
1.111	Seattle Fire Department	General Fund (00100)	Operations (00100-BO-FD-F3000)	\$858,101
1.112	Seattle Municipal Court	General Fund (00100)	Administration (00100-BO-MC-3000)	\$171,215
1.113	Seattle Municipal Court	General Fund (00100)	Court Compliance (00100-BO-MC-4000)	\$160,489

1.114	Seattle Municipal Court	General Fund (00100)	Court Operations (00100-BO-MC-2000)	\$545,687
1.115	Seattle Parks and Recreation	General Fund (00100)	Departmentwide Programs (00100-BO-PR-30000)	\$93,396
1.116	Seattle Parks and Recreation	General Fund (00100)	Leadership and Administration (00100-BO-PR-20000)	\$658,834
1.117	Seattle Parks and Recreation	General Fund (00100)	Parks and Facilities Maintenance and Repairs (00100-BO-PR-10000)	\$1,452,436
1.118	Seattle Parks and Recreation	General Fund (00100)	Recreation Facility Programs (00100-BO-PR-50000)	\$434,401
1.119	Seattle Parks and Recreation	Park And Recreation Fund (10200)	Departmentwide Programs (10200-BO-PR-30000)	\$201,132
1.120	Seattle Parks and Recreation	Park And Recreation Fund (10200)	Golf Programs (10200-BO-PR-60000)	\$89,786
1.121	Seattle Parks and Recreation	Park And Recreation Fund (10200)	Leadership and Administration (10200-BO-PR-20000)	(\$128,634)
1.122	Seattle Parks and Recreation	Park And Recreation Fund (10200)	Parks and Facilities Maintenance and Repairs (10200-BO-PR-10000)	(\$329,824)
1.123	Seattle Parks and Recreation	Park And Recreation Fund (10200)	Recreation Facility Programs (10200-BO-PR-50000)	\$257,326
1.124	Seattle Parks and Recreation	Seattle Park District Fund (19710)	Departmentwide Programs (19710-BO-PR-30000)	\$30,646
1.125	Seattle Parks and Recreation	Seattle Park District Fund (19710)	Leadership and Administration (19710-BO-PR-20000)	\$365,169
1.126	Seattle Parks and Recreation	Seattle Park District Fund (19710)	Parks and Facilities Maintenance and Repairs (19710-BO-PR-10000)	\$690,560
1.127	Seattle Parks and Recreation	Seattle Park District Fund (19710)	Recreation Facility Programs (19710-BO-PR-50000)	\$337,173
1.128	Seattle Police Department	General Fund (00100)	Administrative Operations (00100-BO-SP-P8000)	\$42,621
1.129	Seattle Police Department	General Fund (00100)	Chief of Police (00100-BO-SP-P1000)	\$137,930
1.130	Seattle Police Department	General Fund (00100)	Collaborative Policing (00100-BO-SP-P4000)	\$109,919

			(00100-BO-SP-P7000)	
1.131	Seattle Police Department	General Fund (00100)	Compliance and Professional Standards Bureau (00100-BO-SP-P2000)	\$24,985
1.132	Seattle Police Department	General Fund (00100)	Criminal Investigations (00100-BO-SP-P7000)	\$242,563
1.133	Seattle Police Department	General Fund (00100)	East Precinct (00100-BO-SP-P6600)	\$8,241
1.134	Seattle Police Department	General Fund (00100)	Leadership and Administration (00100-BO-SP-P1600)	\$425,846
1.135	Seattle Police Department	General Fund (00100)	North Precinct (00100-BO-SP-P6200)	\$7,333
1.136	Seattle Police Department	General Fund (00100)	Office of Police Accountability (00100-BO-SP-P1300)	\$74,825
1.137	Seattle Police Department	General Fund (00100)	Patrol Operations (00100-BO-SP-P1800)	\$21,065
1.138	Seattle Police Department	General Fund (00100)	South Precinct (00100-BO-SP-P6500)	\$8,805
1.139	Seattle Police Department	General Fund (00100)	Southwest Precinct (00100-BO-SP-P6700)	\$7,452
1.140	Seattle Police Department	General Fund (00100)	Special Operations (00100-BO-SP-P3400)	\$47,569
1.141	Seattle Police Department	General Fund (00100)	West Precinct (00100-BO-SP-P6100)	\$7,061
1.142	Seattle Police Department	School Safety Traffic and Pedestrian Improvement Fund (18500)	School Zone Camera Program (18500-BO-SP-P9000)	\$2,841
1.143	Seattle Public Library	Library Fund (10410)	The Seattle Public Library (10410-BO-SPL)	\$1,605,029
1.144	Seattle Public Library	2019 Library Levy Fund (18200)	The Seattle Public Library (18200-BO-SPL)	\$576,327
Total				\$32,761,660

Section 2. In order to pay for necessary costs and expenses related to implementing two new City holidays in 2022, but for which insufficient appropriations were made due to causes that could not reasonably have been foreseen at the time of the making of the 2022 Budget, appropriations for the following items in the 2022

Budget are modified, as follows:

Item	Department	Fund	Budget Summary Level/ BCL Code	Amount
2.1	Finance General	General Fund (00100)	General Purpose (00100-BO-FG-2QD00)	(\$500,000)
2.2	Finance General	Light Fund (41000)	General Purpose (41000-BO-FG-2QD00)	(\$20,000)
2.3	Finance General	Water Fund (43000)	General Purpose (43000-BO-FG-2QD00)	(\$50,000)
2.4	Finance General	Drainage and Wastewater Fund (44010)	General Purpose (44010-BO-FG-2QD00)	(\$50,000)
2.5	Seattle Center	General Fund (00100)	Campus (00100-BO-SC-60000)	\$62,005
2.6	Seattle City Light	Light Fund (41000)	Leadership and Administration (41000-BO-CL-ADMIN)	\$40,000
2.7	Seattle Fire Department	General Fund (00100)	Operations (00100-BO-FD-F3000)	\$224,000
2.8	Seattle Police Department	General Fund (00100)	East Precinct (00100-BO-SP-P6600)	\$68,000
2.9	Seattle Police Department	General Fund (00100)	North Precinct (00100-BO-SP-P6200)	\$107,000
2.10	Seattle Police Department	General Fund (00100)	South Precinct (00100-BO-SP-P6500)	\$76,000
2.11	Seattle Police Department	General Fund (00100)	Southwest Precinct (00100-BO-SP-P6700)	\$52,000
2.12	Seattle Police Department	General Fund (00100)	West Precinct (00100-BO-SP-P6100)	\$97,000
Total				\$106,005

Section 3. Any act consistent with the authority of this ordinance taken after its passage and prior to its effective date is ratified and confirmed.

Section 4. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by

Seattle Municipal Code Section 1.04.020.

Passed by a 3/4 vote of all the members of the City Council the _____ day of _____, 2022, and signed by me in open session in authentication of its passage this _____ day of _____, 2022.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2022.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2022.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
City Budget Office	Anna Hurst / 733-9317	

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

1. BILL SUMMARY

Legislation Title: AN ORDINANCE amending Ordinance 126490, which adopted the 2022 Budget; changing appropriations to various departments and budget control levels, and from various funds in the 2022 Budget; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

Summary and Background of the Legislation: In late 2021 and early 2022, the City adopted a number of Ordinances relating to compensation of City personnel:

- Ordinance 126505 provided City employees with an additional paid holiday for Juneteenth (November 2021).
- Ordinance 126516 increased wages for certain represented City employees (December 2021)
- Ordinance 126503 increased wages for certain non-represented City employees (December 2021).
- Ordinance 126504 increased wages for City employees in certain pay bands (December 2021).
- Ordinance 126599 provided City employees with an additional paid holiday for Indigenous Peoples' Day (March 2022)
- Ordinance (CB 120298) *****increased wages for certain represented City employees (April 2022)

Funds to cover the costs associated with these bills was being held in reserves in the General Fund and in some department funds until the exact appropriation amounts to each department had been determined. This legislation appropriates those funds to City departments.

Appropriations for the Juneteenth holiday were appropriated in Finance General in the 2022 Adopted Budget and will be transferred to department budgets as needed through this legislation.

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? X Yes No

Appropriation change (\$):	General Fund \$		Other \$	
	2022	2023 (EST)	2022	2023 (EST)
	\$15,400,956	\$15,400,956	\$17,360,707	\$17,360,707
Estimated revenue change (\$):	Revenue to General Fund		Revenue to Other Funds	
	2022	2023	2022	2023
Positions affected:	No. of Positions		Total FTE Change	
	2022	2023	2022	2023

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?
 No.

Are there financial costs or other impacts of *not* implementing the legislation?
 This bill is required for the City to meet financial obligations previously authorized.

3.a. Appropriations

This legislation adds, changes, or deletes appropriations.

Appropriations changes related to wage increases for certain employees as previously adopted by the City and its unions are contained in Section 1 of the Council Bill/Ordinance.

Appropriations changes related to costs of implementing the new Juneteenth and Indigenous Peoples’ Day City holidays are contained in Section 2 of the Council Bill/Ordinance.

Is this change one-time or ongoing?
 The appropriations increases authorized by this legislation are for the 2022 budget although costs are ongoing and will be included in the 2023 Proposed Budget.

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?
 This legislation authorizes additional 2022 appropriations across most City departments.

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?

N/A

f. Climate Change Implications

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

No.

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

No.

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

N/A

Summary Attachments:



Legislation Text

File #: CB 120327, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the City Light and Seattle Public Utilities Departments; temporarily removing the charge of interest on delinquent utility consumption and utilization accounts; superseding several sections under Title 21 that authorize and require the collection of interest on delinquent utility consumption and utilization accounts; and ratifying and confirming certain prior acts.

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency, beginning on January 27, 2020, as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States; and

WHEREAS, the Governor of the State of Washington on February 29, 2020 issued Proclamation 20-05, proclaiming a State of Emergency for all counties throughout the state of Washington; and

WHEREAS, on March 3, 2020, Seattle Mayor Jenny A. Durkan proclaimed a civil emergency exists in the City of Seattle; and

WHEREAS, while this practice of social distancing is critical in mitigating the rate of spread of the COVID-19 virus, it is having significant negative economic effects on the national and regional economy, in particular small businesses and workers in large sectors of the Seattle-area economy who cannot work remotely; and

WHEREAS, Seattle Public Utilities has several Seattle Municipal Code provisions requiring collection of interest on delinquent utility consumption and utilization charges; and

WHEREAS, Seattle Municipal Code ("SMC") Section 21.49.130 authorizes the City Light Department to charge interest on delinquent utility consumption and utilization accounts, but requires compliance with

SMC Chapter 3.02 procedures for any changes; and

WHEREAS, a consistent temporary policy towards relief from the collection of interest on delinquent utility consumption and utilization policy is intended for utility ratepayers having difficulty paying their bills in full; and

WHEREAS, the relief effectuated by Ordinance 126355, which extended the policy, expired January 1, 2022, necessitating another ordinance to continue the relief; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. No new interest charges shall be added to utility consumption and utilization accounts for residential customers, customers that are non-profit organizations as defined under Seattle Municipal Code subsection 5.30.040.C, or commercial customers with taxable gross annual receipts of less than \$5 million in 2019 on bills issued from January 1, 2022 through June 30, 2023.

Section 2. To the extent the following sections or subsections of the Seattle Municipal Code that authorize or require the collection of interest on delinquent utility customer consumption and utilization charges are inconsistent with Section 1 of this ordinance, they are superseded during the time period stated in Section 1:

- 21.04.470.D (Bills for water used - Delinquency);
- 21.28.260 (Billing and collection of wastewater charges);
- 21.33.110 (Delinquent payments - Enforcement procedures);
- 21.40.070 (Commercial collection rates and charges);
- 21.40.080 (Recycling and disposal station rates);
- 21.40.120.C (Payment of charges - delinquency and lien); and
- 21.49.130.E (Authority).

Section 3. Any act consistent with the authority of this ordinance taken prior to its effective date is

ratified and confirmed.

Section 4. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2022, and signed by me in open session in authentication of its passage this _____ day of _____, 2022.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2022.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2022.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
City Light	Kirsty Grainger 684-3713	Greg Shiring 386-4085
Seattle Public Utilities	Paula Laschober 684-0958	Akshay Iyengar 684-0716

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

1. BILL SUMMARY

Legislation Title:

AN ORDINANCE relating to the City Light and Seattle Public Utilities Departments; temporarily removing the charge of interest on delinquent utility consumption and utilization accounts; superseding several sections under Title 21 that authorize and require the collection of interest on delinquent utility consumption and utilization accounts; and ratifying and confirming certain prior acts.

Summary and background of the Legislation:

The COVID-19 outbreak caused severe negative effects to the national economy and regional economy, particularly for small businesses and workers in sectors that cannot work remotely. In response, both the State of Washington and the City declared an emergency and took several steps to provide economic assistance to vulnerable people and businesses. One such measure is to provide utility bill relief to struggling ratepayers.

In March of 2020, the City approved legislation temporarily suspending requirements for interest charges and late payment fees for all residential customers, non-profit organizations and businesses with taxable gross receipts of less than \$5 million. That waiver was subsequently extended multiple times, the most recent of which lasting until January 1, 2022. This proposed ordinance would continue the extension until June 30, 2023. It is expected to be the final extension as the two utilities move toward the resumption of normal business operations.

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes X 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?

Yes. Both utilities pay City taxes on revenues, so this legislation will also proportionately reduce 2022 revenue for the City General Fund by an estimated \$360,000 (SCL) + \$328,000

(SPU) = \$688,000. Neither utility assumed these (higher) amounts in their revenue expectations as part of the 2022 budget, so this does not reflect a reduction to the Adopted General Fund Budget.

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

None that are not described in this fiscal note.

3.a. Appropriations

This legislation adds, changes, or deletes appropriations.

3.b. Revenues/Reimbursements

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

Anticipated Revenue/Reimbursement Resulting from This Legislation:

This table shows the anticipated reduction to revenue as a result of this legislation:

Fund Name and Number	Dept	Revenue Source	2022 Revenue	2023 Estimated Revenue
Light - 41000	SCL	Interest and Late Fees	-\$6,000,000	-\$3,000,000
SPU – Water 43000	SPU	Interest and Late Fees	-\$1,100,000	-\$580,000
SPU – Drainage & Wastewater 45000	SPU	Interest and Late Fees	-\$1,100,000	-\$535,000
SPU – Solid Waste 45010	SPU	Interest and Late Fees	-\$505,000	-\$252,000
TOTAL			-\$8,705,000	-\$4,367,000

Is this change one-time or ongoing?

This change is temporary. This final extension will sunset on June 30, 2023.

Revenue/Reimbursement Notes:

The significant revenue reductions represent an estimate of the expected late fees and interest fees given the current high balance of overdue account balances. Neither utility incorporated these higher late fees and interest charges in their revenue plans for either 2022 or 2023. In addition to the revenue reduction directly attributable to interest charges and late fees, this policy change will increase revenue risk for both utilities and the general fund through tax revenue. Both utilities will monitor to assess risk and fiscal impacts.

3.c. Positions

This legislation adds, changes, or deletes positions.

4. OTHER IMPLICATIONS

- a. Does this legislation affect any departments besides the originating department?**
Both utilities pay City taxes on revenues, and this legislation will also proportionately reduce revenue for the City General Fund.
- 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?**
This legislation should have a positive impact on locally-owned businesses, non-profits, and on disadvantaged communities. Language access provision can be developed to lower barriers to access for non-English speakers.
- f. Climate Change Implications**
- 1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?**
No.
 - 2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**
No.
- g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?**
N/A.

Summary Attachments: None.



Legislation Text

File #: CB 120328, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the City Light Department; amending terms and conditions pertaining to the emergency bill assistance program and temporarily expanding access to assistance to certain eligible households for a limited time in response to the Coronavirus Disease 2019 (“COVID-19”) emergency; and amending Section 21.49.042 of the Seattle Municipal Code.

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency due to the outbreak of Coronavirus Disease 2019 (“COVID-19”) in the United States; and

WHEREAS, on February 29, 2020, the Governor of the State of Washington issued Proclamation 20-05, proclaiming a State of Emergency for all counties throughout the State of Washington; and

WHEREAS, on March 3, 2020, Seattle Mayor Jenny Durkan proclaimed that a civil emergency exists in The City of Seattle; and

WHEREAS, on September 21, 2021, in response to the continued threat posed by the COVID-19 Delta variant, Seattle Mayor Jenny Durkan issued Executive Order 2021-07, ordering the City Light Department (“City Light”) to resume disconnections for nonpayment no earlier than January 15, 2022; and

WHEREAS, The City of Seattle’s disconnection moratorium expired on April 15, 2022, and City Light plans to launch an extensive outreach and engagement campaign to customers with electric bill arrearages; and

WHEREAS, Revised Code of Washington (RCW) 35.92.020(5) authorizes cities to aid low-income persons in connection with services provided under chapter 35.92 RCW, Municipal Utilities; and

WHEREAS, Seattle Municipal Code Section 21.49.042 authorizes an emergency low-income bill assistance

program whereby customers meeting certain criteria may receive a credit against delinquent bills; and WHEREAS, the COVID-19 pandemic has had an adverse financial impact on many City Light customers; and WHEREAS, the presence of the Omicron variant continues to impact economic activity and recovery in many sectors; and

WHEREAS, the state of Washington has committed \$1 million in state funds for utility arrearages for income eligible customers; and

WHEREAS, more than 17,000 City Light residential customers have an overdue balance greater than \$250 as of March 31, 2022, despite the temporary expansion of access to the Emergency Bill Assistance Program's second bill credit in Ordinance 126493; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 21.49.042 of the Seattle Municipal Code, last amended by Ordinance 126493, is amended as follows:

21.49.042 Emergency Bill Assistance Program

A. An emergency credit of up to 100 percent of a customer's delinquent bills not to exceed a maximum credit as provided in subsection 21.49.042.C may be granted by the Department to income-eligible residential accounts, metered for a single household that qualify under the following criteria:

1. Total household income does not exceed 80 percent of the Washington State median income;
- and
2. Have completed any Department program application where income eligibility is verified; and
 3. Have received a ten-day notice from the Department notifying them that payment or payment arrangements must be made to prevent disconnection or have a past due balance greater than \$250 on an active service agreement.

B. A customer is eligible for the emergency credit once each calendar year, or twice each calendar year if the household includes at least one minor child.

C. (~~In 2021, the maximum credit shall be \$500~~). In 2022 and subsequent years, the maximum credit (~~from 2021~~) of \$500 shall be adjusted annually by the Department to reflect the average change in electric bills for residential customers.

D. The Department may, at its discretion, require a payment plan for the unpaid balance as a condition of receiving emergency assistance under the program.

E. Until December 31, (~~2022~~) 2023, households qualifying under subsection 21.49.042.A who do not have minor children in the household may receive a second emergency assistance credit within the same calendar year, notwithstanding anything in subsection 21.49.042.B.

F. For customers eligible to receive two credits in one calendar year, the Department, at its discretion, may grant one credit exceeding the maximum single credit amount under subsection 21.49.042.C so long as the total amount credited to a customer during a calendar year does not exceed two times the single maximum credit.

Section 2. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2022, and signed by me in open session in authentication of its passage this _____ day of _____, 2022.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2022.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2022.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Seattle City Light	Maura Brueger/206-684-3015	Greg Shiring/206-386-4085

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

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to the City Light Department; amending terms and conditions pertaining to the emergency bill assistance program and temporarily expanding access to assistance to certain eligible households for a limited time in response to the Coronavirus Disease 2019 (“COVID-19”) emergency; and amending Section 21.49.042 of the Seattle Municipal Code.

Summary and background of the Legislation: The ordinance would temporarily amend the terms of the Emergency Bill Assistance Program which is operated by Seattle City Light (SCL).

Households with income at or below 80% of the State Median Income (SMI) are eligible for assistance. The Emergency Bill Assistance Programs (EBAP) provides a credit toward the customer’s current outstanding balance, up to a maximum dollar limit set in SMC. The credit cannot exceed the customer’s outstanding balance.

Under normal program operation, households without minor children are eligible for one credit per year and households with minor children are eligible for two credits per year. Through Ordinance 126493, SMC 21.49.042.E SCL amended EBAP to allow all income-eligible households—with or without eligible minor children—to access two EBAP credits through the end of 2022. This time-limited change was designed to help SCL customers who experienced financial hardships resulting from the local, regional, and national economic impact of COVID-19. Due to the prolonged impact of COVID and the extension of the City of Seattle’s Utility Disconnection Moratorium until April 15, 2022, Seattle City Light has not resumed the full credit cycle, including disconnects as originally planned for early 2022. SCL anticipates resuming the full cycle in mid-2022.

This proposed ordinance authorizes City Light to extend the eligibility for two credits to all income-eligible households through the end of 2023. For customers eligible to receive two credits in one calendar year, the Department, at its discretion, may grant one credit exceeding the maximum single credit amount under subsection 21.49.042.C so long as the total amount credited to a customer during a calendar year does not exceed two times the single maximum credit. the Department may at its discretion apply these credits to customer bills up to the total maximum dollar amount from these two credits.

In 2021, SCL provided \$1.8M in EBAP assistance to 3,500 customers to help reduce their past due balanced. With the resumption of regular collection activities including sending ten-day disconnect notices slated for mid-2022, SCL anticipates additional customer demand for emergency assistance. Industry-wide, receiving a disconnection notice remains the primary

driver behind most customers reaching out to their utility to inquire about payment arrangements and other assistance programs. SCL projects that there are likely several thousand additional eligible residential customers currently in arrears who would benefit from expanded access to up to two EBAP credits.

As SCL initiates intensive customer outreach efforts to connect customers with payment arrangements as well as one-time and ongoing payment assistance programs, interest in the EBAP will likely increase. The expanded allocation of two EBAP credits for all customers, along with access to additional assistance efforts, will help avert economically vulnerable customers from disconnection for non-payment. The state of Washington has also committed \$1 million in state funds for utility arrearages for income eligible customers during 2022 and 2023.

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?

No.

Is there financial cost or other impacts of *not* implementing the legislation?

No.

4. OTHER IMPLICATIONS

- a. Does this legislation affect any departments besides the originating department?
No.
- 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?
Seattle City Light's Emergency Bill Assistance Program provides support to lower-income households in paying their electricity bill, reducing their outstanding debt, and preventing

disconnection of electric service for non-payment. People of color, people with disabilities, and historically disadvantaged communities are disproportionately represented in lower income households. According to information provided by Pew Research Center, COVID-19 has disproportionately impacted BIPOC households. Job losses have increased more quickly among BIPOC households than white households and BIPOC households are much less likely to have financial reserves to cover expenses in the case of emergencies.

As part of its Road to Recovery effort, Seattle City Light will be evaluating our overdue receivables in an intentional way, comparing delinquencies at the census tract level with American Community Survey/Census income and language data.

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)?

The goal is to reduce the number of lower income households who have overdue balances and thereby reduce the number of lower income households who will be impacted when Seattle City Light resumes disconnection for non-payment. This legislation would temporarily increase assistance to income-eligible customers who have been disproportionately affected by the negative economic impacts of COVID-19.

List attachments/exhibits below:



Legislation Text

File #: CB 120329, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to Seattle Public Utilities' Emergency Assistance Program; temporarily extending increased assistance related to COVID-induced customer delinquencies; and amending Section 21.76.065 of the Seattle Municipal Code.

WHEREAS, Seattle Municipal Code Section 21.76.065 established Seattle Public Utilities' low-income emergency assistance program; and

WHEREAS, Seattle Municipal Code Section 21.76.065 provides once-a-year emergency bill payment assistance for low-income SPU customers; and

WHEREAS, Seattle Municipal Code Section 21.76.065 provides twice-a-year emergency bill payment assistance for low-income SPU customers who have minor children in the household; and

WHEREAS, the COVID-19 pandemic and economic fallout have created widespread financial hardship across the community, increased utility account delinquencies, and growing debt and arrears for customers;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 21.76.065 of the Seattle Municipal Code, last amended by Ordinance 126494, is amended as follows:

21.76.065 Low income emergency assistance program

A. Qualification. Upon satisfactory proof, emergency assistance shall be issued to each household for which a member of the household is billed, by Seattle Public Utilities (SPU), for water, wastewater, or solid waste services and has annual income that, when combined with the annual income of all household members,

does not exceed 80 percent of the Washington State median income for the number of individuals in the household as computed annually by the state or the City.

B. Application. Applicants shall provide the information required by the Human Services Department or SPU, on forms and in the manner determined by the Human Services Department or SPU.

C. Emergency credit. Customers with SPU residential accounts, metered for a single-family residence, and determined by the Human Services Department or SPU to be eligible under subsection 21.76.065.A, shall receive an emergency credit of 100 percent of the customer's delinquent bills up to a maximum credit defined in subsection 21.76.065.D, but may only receive such credit once each calendar year unless a minor child lives with the customer. When a minor child lives in the household, the customer may receive an emergency credit twice each calendar year.

D. Maximum credit defined. ~~((In 2006, the maximum credit shall be \$200.))~~ In ~~((2007))~~ 2022 and subsequent years, the maximum amount ~~((from 2006))~~ of \$477 shall be adjusted annually by SPU to reflect the average growth in combined water, sewer, and solid waste bills for residential customers.

E. SPU may, at its discretion, require a payment plan for the unpaid balance as a condition of receiving emergency assistance under this program.

F. Temporary COVID-19 assistance. Until December 31, ~~((2022))~~ 2023, households qualifying under subsection 21.76.065.A who do not have minor children in the household may receive a second emergency assistance credit within the same calendar year, notwithstanding anything in subsection 21.76.065.C.

G. For customers eligible to receive two credits in one calendar year, the Department, at its discretion, may grant one credit exceeding the maximum single credit amount under subsection 21.76.065.D so long as the total amount credited to a customer during a calendar year does not exceed two times the single maximum credit.

Section 2. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2022,
and signed by me in open session in authentication of its passage this _____ day of
_____, 2022.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2022.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2022.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Seattle Public Utilities	Leslie Brinson/206-615-1367	Saroja Reddy/206-615-1232

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

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to Seattle Public Utilities’ Emergency Assistance Program; temporarily extending increased assistance related to COVID-induced customer delinquencies; and amending Section 21.76.065 of the Seattle Municipal Code.

Summary and background of the Legislation: Seattle Public Utilities and Seattle City light each has a program to provide qualifying households without minor children one emergency assistance credit per year and households with minor children two credits per year. For SPU customers, one Emergency Assistance Program (EAP) credit in 2022 is \$477; two credits provide \$954 on emergency assistance.

In the initial stages of the COVID-19 pandemic, the City approved the first of multiple short-term changes to the two utilities’ emergency ratepayer assistance programs under which qualifying households – with or without eligible minor children – may access two credits through the end of 2022. The most recent of these benefit increases expires at the end of 2022. To help low-income customers get their COVID-induced arrears under control, this proposed legislation would extend the benefits to December 31, 2023, enabling income-eligible households without children to access two EAP credits for an additional year.

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?
No.

Are there financial costs or other impacts of *not* implementing the legislation?
Not implementing this legislation would negatively impact SPU’s ability to reduce the number of delinquencies, increasing water shut-offs among low-income customers in 2023.

3.a. Appropriations

This legislation adds, changes, or deletes appropriations.

3.b. Revenues/Reimbursements

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

Use of SPU's Emergency Assistance Program steeply increased in 2020 and 2021 and is expected continue through 2022 and into 2023.

EAP Utilization	2019	2020	2021
Number of households served	634	1,665	2,243
Total assistance	\$244,000	\$932,000	\$1,500,000

The financial impact of this ordinance is difficult to estimate because there are no current data on the composition of households accessing the program and whether they have children. This data was last collected in 2020 when approximately 64% of the households that accessed EAP that year did not have children in the household. If this percentage remains constant, we could expect a 47% increase over 2020 usage of EAP credits from this ordinance. However, given significant migratory and demographic changes resulting from the COVID pandemic, it cannot be assumed the percentage will be the same in 2023 as in 2020.

3.c. Positions

This legislation adds, changes, or deletes positions.

4. OTHER IMPLICATIONS

- a. Does this legislation affect any departments besides the originating department?
No.
- 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?

This legislation would increase assistance from the Emergency Assistance Program to lower-income households for program/calendar year 2023. People of color, people with disabilities, and historically disadvantaged communities are disproportionately represented in lower-income households, so expanding this program will disproportionately assist these communities.

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)?

This legislation would temporarily increase assistance to certain eligible households through the Emergency Assistance Program operated by Seattle Public Utilities. The goal is to reduce the number of low-income households experiencing account delinquency due to arrears accrued during the COVID emergency.

Summary Attachments:



Legislation Text

File #: CB 120316, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE amending Ordinance 126490, which adopted the 2022 Budget, including the 2022-2027 Capital Improvement Program (CIP); changing appropriations to various departments and budget control levels, and from various funds in the Budget; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. In order to pay for necessary costs and expenses incurred or to be incurred, but for which insufficient appropriations were made due to causes that could not reasonably have been foreseen at the time of making the 2022 Budget, appropriations for the following items in the 2022 Budget are increased from the funds shown, as follows:

Item	Department	Fund	Budget Summary Level/ BCL Code	Amount
1.1	Civil Service Commissions	General Fund (00100)	Civil Service Commissions (00100-BO-VC-V1CIV)	\$115,000
1.2	Community Safety and Communications Center	General Fund (00100)	Community Safety and Communications Center (00100-BO-CS-10000)	\$329,126
1.3	Community Safety and Communications Center	General Fund (00100)	Community Safety and Communications Center (00100-BO-CS-10000)	\$50,000
1.4	Department of Education and Early Learning	Sweetened Beverage Tax Fund (00155)	Early Learning (00155-BO-EE-IL100)	\$1,500,000
1.5	Department of Education and Early Learning	Families Education Preschool Promise Levy (17871)	K-12 Programs (17871-BO-EE-IL200)	\$530,000

1.6	Department of Education and Early Learning	Families Education Preschool Promise Levy (17871)	Post-Secondary Programs (17871-BO-EE-IL300)	\$100,000
1.7	Department of Education and Early Learning	Families Education Preschool Promise Levy (17871)	K-12 Programs (17871-BO-EE-IL200)	\$5,411,169
1.8	Department of Education and Early Learning	General Fund (00100)	K-12 Programs (00100-BO-EE-IL200)	\$55,417
1.9	Department of Finance and Administrative Services	General Fund (00100)	Regulatory Compliance and Consumer Protection (00100-BO-FA-RCCP)	\$1,470,875
1.10	Department of Finance and Administrative Services	Fleet Capital Fund (50321)	Fleet Capital Program (50321-BO-FA-FLEETCAP)	\$6,357,137
1.11	Department of Finance and Administrative Services	Finance and Administrative Services Fund (50300)	Facilities Services (50300-BO-FA-FACILITY)	\$1,301,004
1.12	Department of Finance and Administrative Services	Finance and Administrative Services Fund (50300)	Facilities Services (50300-BO-FA-FACILITY)	\$411,000
1.13	Department of Finance and Administrative Services	Finance and Administrative Services Fund (50300)	Facilities Services (50300-BO-FA-FACILITY)	\$500,000
1.14	Department of Neighborhoods	General Fund (00100)	Community Building (00100-BO-DN-I3300)	\$161,000
1.15	Department of Neighborhoods	Sweetened Beverage Tax Fund (00155)	Community Grants (00155-BO-DN-I3400)	\$226,000
1.16	Employees' Retirement System	Employees' Retirement Fund (61030)	Employee Benefit Management (61030-BO-RE-R1E00)	\$839,496

1.17	Finance General	Unrestricted Cumulative Reserve Fund (00164)	General Purpose (00164-BO-FG-2QD00)	\$550,000
1.18	Finance General	2021 Multipurpose LTGO Bond Fund (36800)	Appropriation to Special Funds (36800-BO-FG-2QA00)	\$5,102,513
1.19	Finance General	Unrestricted Cumulative Reserve Fund (00164)	General Purpose (00164-BO-FG-2QD00)	\$2,000,000
1.20	Finance General	General Fund (00100)	General Purpose (00100-BO-FG-2QD00)	\$27,200,000
1.21	Human Services Department	General Fund (00100)	Addressing Homelessness (00100-BO-HS-H3000)	\$200,000
1.22	Human Services Department	General Fund (00100)	Supporting Safe Communities (00100-BO-HS-H4000)	\$1,353,582
1.23	Human Services Department	General Fund (00100)	Supporting Affordability and Livability (00100-BO-HS-H1000)	\$100,000
		Unrestricted Cumulative Reserve Fund (00164)	Supporting Affordability and Livability (00164-BO-HS-H1000)	\$500,000
1.24	Human Services Department	General Fund (00100)	Leadership and Administration (00100-BO-HS-H5000)	\$400,000
1.25	Human Services Department	Human Services Fund (16200)	Supporting Affordability and Livability (16200-BO-HS-H1000)	\$229,510
1.26	Human Services Department	General Fund (00100)	Addressing Homelessness (00100-BO-HS-H3000)	\$137,000
1.27	Executive (Office of Housing)	General Fund (00100)	Multifamily Housing (00100-BO-HU-3000)	\$8,000,000
1.28	Executive (Office of Planning and Community Development)	General Fund (00100)	Equitable Development Initiative (00100-BO-PC-X2P40)	\$36,486,666

		Short-Term Rental Tax Fund (12200)	Equitable Development Initiative (12200-BO-PC-X2P40)	\$1,094,893
		Unrestricted Cumulative Reserve Fund (00164)	Equitable Development Initiative (00164-BO-PC-X2P40)	\$263,000
1.29	Executive (Office of Planning and Community Development)	General Fund (00100)	Planning and Community Development (00100-BO-PC-X2P00)	\$30,000
1.30	Executive (Office of the Mayor)	General Fund (00100)	Office of the Mayor (00100-BO-MA-X1A00)	\$20,000
1.31	Seattle City Light	Light Fund (41000)	Environmental Affairs O&M (41000-BO-CL-V)	\$1,403,999
1.32	Seattle City Light	Light Fund (41000)	Environmental Affairs O&M (41000-BO-CL-V)	\$689,353
1.33	Seattle City Light	Light Fund (41000)	Leadership and Administration (41000-BO-CL-A)	\$459,582
1.34	Seattle City Light	Light Fund (41000)	Customer Service (41000-BO-CL-C)	\$1,877,490
			Energy Innovation and Resources O&M (41000-BO-CL-P)	\$415,401
1.35	Seattle City Light	Light Fund (41000)	Customer Service (41000-BO-CL-C)	\$480,390
1.36	Seattle City Light	Light Fund (41000)	Customer Service (41000-BO-CL-C)	\$509,865
1.37	Seattle City Light	Light Fund (41000)	Environmental Affairs O&M (41000-BO-CL-V)	\$852,110
1.38	Seattle Department of Construction and Inspections	Construction and Inspections (48100)	Inspections (48100-BO-CI-U23A0)	\$455,000
1.39	Seattle Department of Construction and Inspections	General Fund (00100)	Inspections (00100-BO-CI-U23A0)	\$35,000

1.40	Seattle Department of Construction and Inspections	REET I Capital Fund (30010)	Compliance (30010-BO-CI-U2400)	\$100,000
1.41	Seattle Department of Construction and Inspections	Construction and Inspections (48100)	Process Improvements & Technology (48100-BO-CI-U2800)	\$322,142
1.42	Seattle Department of Human Resources	General Fund (00100)	HR Services (00100-BO-HR-N6000)	\$1,370,254
1.43	Seattle Department of Human Resources	General Fund (00100)	Leadership and Administration (00100-BO-HR-N5000)	\$913,291
1.44	Seattle Department of Human Resources	General Fund (00100)	Leadership and Administration (00100-BO-HR-N5000)	\$300,000
1.45	Seattle Department of Human Resources	General Fund (00100)	HR Services (00100-BO-HR-N6000)	\$251,000
1.46	Seattle Department of Transportation	Seattle Streetcar Operations (10800)	South Lake Union Streetcar Operations (10800-BO-TR-12001)	\$216,961
1.47	Seattle Department of Transportation	Seattle Streetcar Operations (10800)	First Hill Streetcar Operations (10800-BO-TR-12002)	\$229,311
1.48	Seattle Department of Transportation	Transportation Fund (13000)	Mobility Operations (13000-BO-TR-17003)	\$3,400,663
1.49	Seattle Department of Transportation	General Fund (00100)	Mobility Operations (00100-BO-TR-17003)	\$38,189
1.50	Seattle Department of Transportation	Transportation Benefit District Fund (19900)	Mobility Operations (19900-BO-TR-17003)	\$357,136
1.51	Seattle Fire Department	General Fund (00100)	Leadership and Administration (00100-BO-FD-F1000)	\$127,616
1.52	Seattle Parks and Recreation	Park And Recreation Fund (10200)	Golf Programs (10200-BO-PR-60000)	\$320,000
1.53	Seattle Parks and Recreation	Seattle Park District Fund (19710)	Leadership and Administration (19710-BO-PR-20000)	\$700,000

1.54	Seattle Police Department	General Fund (00100)	Leadership and Administration (00100-BO-SP-P1600)	\$110,000
1.55	Seattle Police Department	General Fund (00100)	Leadership and Administration (00100-BO-SP-P1600)	\$150,000
1.56	Seattle Public Library	2019 Library Levy Fund (18200)	The Seattle Public Library (18200-BO-SPL)	\$50,000
1.57	Seattle Public Library	2019 Library Levy Fund (18200)	The Seattle Public Library (18200-BO-SPL)	\$81,400
1.58	Seattle Public Library	Library Fund (10410)	The Seattle Public Library (10410-BO-SPL)	\$100,500
1.59	Seattle Public Library	2012 Library Levy Fund (18100)	The Seattle Public Library (18100-BO-SPL)	\$12,000
			The Seattle Public Library (18100-BO-SPL)	\$31,750
1.60	Seattle Public Library	2019 Library Levy Fund (18200)	The Seattle Public Library (18200-BO-SPL)	\$200,000
1.61	Seattle Public Library	2019 Library Levy Fund (18200)	The Seattle Public Library (18200-BO-SPL)	\$615,000
1.62	Seattle Public Utilities	General Fund (00100)	Utility Service and Operations (00100-BO-SU-N200B)	\$407,150
1.63	Seattle Information Technology Department	Information Technology Fund (50410)	Applications (50410-BO-IT-D0600)	\$508,620
1.64	Seattle Information Technology Department	Information Technology Fund (50410)	Applications (50410-BO-IT-D0600)	\$404,089
1.65	Seattle Information Technology Department	Information Technology Fund (50410)	Applications (50410-BO-IT-D0600)	\$127,616
1.66	Seattle Information Technology Department	Information Technology Fund (50410)	Applications (50410-BO-IT-D0600)	\$329,176
1.67	Executive (Office of Arts and Culture)	General Fund (00100)	Cultural Space (00100-BO-AR-VA170)	\$5,674,320

1.68	Executive (Office of Immigrant and Refugee Affairs)	General Fund (00100)	Office of Immigrant and Refugee Affairs (00100-BO-IA-X1N00)	\$32,000
1.69	Executive (Office of Immigrant and Refugee Affairs)	General Fund (00100)	Office of Immigrant and Refugee Affairs (00100-BO-IA-X1N00)	\$40,000
1.70	Executive (Office of Immigrant and Refugee Affairs)	General Fund (00100)	Office of Immigrant and Refugee Affairs (00100-BO-IA-X1N00)	\$6,086
Total				\$127,728,848

Section 2. Any act consistent with the authority of this ordinance taken after its passage and prior to its effective date is ratified and confirmed.

Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by a 3/4 vote of all the members of the City Council the _____ day of _____, 2022, and signed by me in open session in authentication of its passage this _____ day of _____, 2022.

 President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2022.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2022.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
City Budget Office	Caleb Wagenaar/733-9228	Caleb Wagenaar/733-9228

* 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: AN ORDINANCE amending Ordinance 126490, which adopted the 2022 Budget, including the 2022-2027 Capital Improvement Program (CIP); changing appropriations to various departments and budget control levels, and from various funds in the Budget; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

Summary and background of the Legislation: This legislation appropriates unexpended non-capital appropriations from the 2021 Budget to the 2022 Budget.

RCW 35.32A.080 states: “The whole or any part of any appropriation provided in the budget for operating and maintenance expenses remaining unexpended or unencumbered at the close of the fiscal year shall automatically lapse, except any such appropriation as the city council shall continue by ordinance.” This legislation requests continuances for unexpended 2021 appropriations for non-capital purposes in the amount of \$127.5 million. Appropriations were made in the 2021 Budget for these expenditures but for various reasons, spending was not initiated or completed during the 2021 fiscal year. This ordinance re-appropriates these funds, which lapsed at the end of 2021, in most cases for the same purposes that the funds were dedicated to in 2021.

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? X Yes No

Appropriation change (\$):	General Fund \$		Other \$	
	2022	2023	2022	2023
	\$85,563,572	\$0	\$42,165,276	\$0
Estimated revenue change (\$):	Revenue to General Fund		Revenue to Other Funds	
	2022	2023	2022	2023
	\$0	\$0	\$0	\$0
Positions affected:	No. of Positions		Total FTE Change	
	2022	2023	2022	2023
	0	0	0	0

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

No. Please see Summary Attachment A for details on 2021 carry forward spending.

Is there financial cost or other impacts of *not* implementing the legislation?

The objectives supported by these resources could not be achieved without this legislation.

3.a. Appropriations

This legislation adds, changes, or deletes appropriations.

See Summary Attachment A for details on 2021 carry forward appropriation.

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, this legislation impacts most departments' 2022 budgets. The budget appropriation contained in this legislation provides appropriation authority to cover unanticipated spending above previously authorized during 2021.

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?

See Summary Attachment A for any associated implications.

f. Climate Change Implications

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

See Summary Attachment A for any associated implications.

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.

See Summary Attachment A for any associated implications.

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).

See Summary Attachment A for any associated implications.

List attachments/exhibits below:

Summary Attachment A – 2021 Carry Forward Ordinance Summary Detail Table

2021 Carry Forward Ordinance Summary Detail Table

Item #	Title	Description	Amount/FTE
Section 1 – Appropriation Increases			
1.1	2021 Carryforward Civil Service Vaccine Mandate Appeals (Civil Service Commissions)	This item increases one-time appropriation authority by \$115,000 to the BO-VC-V1CIV Civil Service Commissions BSL. These resources will be used to increase the department's capacity for appeals and hearing related to vaccine mandate separations, both for the Civil Service Commission (CSC) and Public Safety Civil Service Commission (PSCSC).	\$115,000
1.2	Protocol Dispatch System Carryforward (Community Safety and Communications Center)	This item increases appropriation by \$329,126 in the Community Safety BSL (BO-CS-10000). Seattle IT and CSCC continue to work on the protocol dispatch system, but CSCC has not yet been billed for these costs. This appropriation will ensure there is sufficient project appropriation for Seattle IT to charge against.	\$329,126
1.3	Basic Operating Supplies Carryforward (Community Safety and Communications Center)	This item increases appropriation by \$50,000 in the Community Safety BSL (BO-CS-10000). As part of the separation process from the Seattle Police Department, CSCC is in the process of purchasing furniture that will help the department further accommodate future dispatchers and ensure they have basic workstations available during their shifts.	\$50,000

Item #	Title	Description	Amount/FTE
1.4	PN-3 Grants (Department of Education and Early Learning)	This item increases appropriation authority by \$1.5M to Budget Control Level (0155-BO-EE-IL100) and provides resources to DEEL to finalize the Prenatal-3 grant programming that was initiated in 2021. Providers and amounts have already been identified. The Prenatal-3 grant program recommended by the Sweetened Beverage Tax Community Advisory Board (CAB). This program provides funding to community-based organizations that specialize in high-quality prenatal-to-three and kindergarten readiness services that seek to reduce disparities in outcomes for children based on race, gender, or other socioeconomic factors. Priority is given to organizations that offer culturally and linguistically relevant services and outreach, as well as those led by people of color and serving communities of color and/or low-income communities.	\$1,500,000
1.5	Youth-Led Social Justice Mini-Grants (Department of Education and Early Learning)	This item increases appropriation authority by \$530K to Budget Control Level (17871-BO-EE-IL200) to support Youth-Led Social Justice Mini-Grants not executed by year-end 2021. The fund source is the Families, Education, Preschool and Promise (FEPP) Levy.	\$530,000
1.6	Seattle Promise Contract Contingency (Department of Education and Early Learning)	This item increases appropriation authority by \$100K to Budget Control Level (17871-BO-EE-IL300) to support the 2021-22 school year Seattle Promise contract with Seattle Colleges. The cost model informing the Promise budget in the FEPP Implementation and Evaluation dedicated a portion of funding to serve as contingency, supporting unforeseen contract and program support needs throughout the school year. This funding was only allocated in the IE Plan budget for the first 3 years of the Levy, which requires a carryforward or supplemental budget request in future years.	\$100,000

Item #	Title	Description	Amount/FTE
1.7	K-12 2021-22 SY Contracts (Department of Education and Early Learning)	This item increases appropriation authority by \$5.4M to Budget Control Level (17871-BO-EE-IL200) to fund 2021-22 school year contracts not encumbered at year-end and MOAs with City departments that do not get encumbered. This funding supports DEEL contracts with Public Health Seattle King County for School Based Health, Seattle Public Schools for Culturally Specific and Responsive programming, and 2 community-based organizations for Opportunities and Access programming. This funding also supports MOAs with HSD for Homelessness programming through the YWCA and Parks and Recreation for Sports and Transportation programming through Seattle Public Schools.	\$5,411,169
1.8	Upward Bound GF (Department of Education and Early Learning)	This item increases appropriation authority by \$55K to Budget Control Level (00100-BO-EE-IL200). This funding is part of a 25% matching General Fund commitment to the federal grant for Upward Bound supporting the 2021-22 SY. The Upward Bound program serves high school students from low-income families and the goal of the program is to increase the rate at which participants complete secondary education and enroll in and graduate from institutions of post-secondary education.	\$55,417
1.9	Carryforward of TNC Funding for Technology Solutions (Department of Finance and Administrative Services)	This item increases appropriation authority by \$1,470,875 to the General Fund Regulatory Compliance and Consumer Protection Budget Control Level (00100-BO-FA-RCCP) in the Department of Finance and Administrative Services (FAS). This amount will fund solutions to Transportation Regulation Industry Project issues, which currently hamper administration of Transportation Network Company regulations. This also includes \$400,000 for the contract with Gray Quarter, who will develop and implement the fore-hire and driver licensing/permitting with Accela.	\$1,470,875

Item #	Title	Description	Amount/FTE
1.10	Fleet Capital Carryforward Request (Department of Finance and Administrative Services)	This item increases appropriation authority by \$6,357,137 to the Fleet Capital Fund Fleet Capital Program Budget Control Level (50321-BO-FA-FLEETCAP) in the Department of Finance and Administrative Services (FAS). This amount is unspent available budget from 2021 that will carry forward for ongoing vehicle purchases.	\$6,357,137
1.11	Facilities Services Carryforward Request (Department of Finance and Administrative Services)	This item increases appropriation authority by \$1,301,004 to the Finance & Admin Services Fund Facilities Services Budget Control Level (50300-BO-FA-FACILITY) in the Department of Finance and Administrative Services (FAS). \$1,200,000 of this request is for Facilities Operations Internal Service Requests (FOISR) project budgets and \$101,004 is for 2021 Facility maintenance projects that are carrying work into 2022. FOISRs are made by FAS' Facilities division to FAS' Capital Development division for work that Facilities cannot complete. The 2022 request includes items such as roof replacements and HVAC repair/replacement.	\$1,301,004
1.12	Carryforward of Logistics and Emergency Management projects initiated at the end of 2021 (Department of Finance and Administrative Services)	This item increases appropriation authority by \$411,000 to the Finance & Administrative Services Facilities Services Budget Control Level (50300-BO-FA-FACILITY) in the Finance & Administrative Services Department (FAS). \$151,000 is for a 2021 blanket purchase order to upgrade Emergency Operations Center lighting which was not completed in 2021 and will incur 2022 spending. \$260,000 will provide and install replacement switches across FAS security network Entrance Controls to mitigate server and network failures.	\$411,000

Item #	Title	Description	Amount/FTE
1.13	Carryforward SPD evidence warehouse budget (Department of Finance and Administrative Services)	This item increases appropriation authority by \$500,000 to the Finance & Admin Services Fund Facilities Services Budget Control Level (50300-BO-FA-FACILITY) in the Department of Finance and Administrative Services (FAS). This request is to carryforward the budget to cover the expected cost of providing additional evidence warehouse space needed for the Seattle Police Department as current storage space is insufficient.	\$500,000
1.14	Redistricting expenses (Department of Neighborhoods)	This item increases appropriation authority by \$161,000 in the General Fund Department of Neighborhoods Community Building Budget Control Level (00100-BO-DN-I3300) and provides resources for the Department of Neighborhoods to fund the City of Seattle Redistricting process as outlined in Article IV, Section 2, Subdivision D of the City Charter. Funds were not spent in 2021 due to delays in Commissioner nominations: the Commission was originally scheduled to start its work in August 2021, contract with a qualified GIS Mapping Consultant executed in September, and conducting community outreach started in October. However, all five Commissioners were not approved until November, delaying the contracting process for a GIS Mapping Consultant as well as the community education and engagement programming. Funds will be used for language access services, partnership with community-based organizations, partnership with Community Liaisons, software mapping tools, and other program expenses including services to increase access to public forums. No resources for this purpose exist in the 2022 Adopted Budget. The budget authority for this item was not associated with a proviso in 2021.	\$161,000

Item #	Title	Description	Amount/FTE
1.15	Food Equity Fund (SBTC-funded) (Department of Neighborhoods)	This item increases appropriation authority by \$226,000 in the Department of Neighborhoods General Fund Community Grants Budget Control Level (00155-BO-DN-I3400) and provides resources for the Department of Neighborhoods Food Equity Funds. This fund administers investments in community work led by those most impacted by food and health inequities: Black, Indigenous, and People of Color (BIPOC), immigrants, refugees, and people with low income. The dollars will be added to the Tier 2 Food Equity Fund award process and contracted by the end of 2022. Funds were not awarded in 2021 because DON needed time to have a grant set up to release the funds, and not all United Way of King County Community Food Fund projects and Food Access Opportunity Fund projects were able to, or interested in, extending into 2021. The budget authority for this item was not associated with a proviso in 2021.	\$226,000
1.16	Carry Forward Unspent 2021 to 2022 (Employees' Retirement System)	This item increases appropriation authority by \$839,496 in the Employees' Retirement Fund Employee Benefit Management Budget Control Level (61030-BO-RE-R1E00) and provides resources for SCERS to expense in 2022 service hours purchased in 2021 as it undertakes maintenance and improvements to its Pension Administration System (PAS).	\$839,496
1.17	Public Restroom Reserve (Finance General)	This item increases appropriation authority by \$550,000 in the Cumulative Reserve Subfund – Unrestricted Fund's General Purpose Budget Control Level (00164-BO-FG-2QD00) in Finance General. Funding was initially added in the 2020 Adopted Budget for capital costs related to development of a public restroom in the University District and will be carried forward for use by the Seattle Parks and Recreation Department to expand access to existing SPR restrooms.	\$550,000

Item #	Title	Description	Amount/FTE
1.18	2021 LTGO Bond Carryforward for ITD Projects (Finance General)	This item increases appropriation authority by \$5,102,513 in the 2021 Multipurpose LTGO Bond Fund's Appropriation to Special Funds Budget Control Level (36800-BO-FG-2QA00) in Finance General to carry forward funds for the Seattle Information Technology Department (ITD). Finance General occasionally holds bond proceeds on behalf of ITD and the department bills the bond fund as costs are incurred.	\$5,102,513
1.19	West Wing Capital Improvements (Finance General)	This item carries forward \$2 million of appropriations in the Cumulative Reserve Subfund - Unrestricted Fund General Purpose Budget Control Level of Finance General (00164-BO-FG-2QD00). These funds were added to the 2020 Adopted Budget as part of the High Barrier Workgroup recommendations. The funds would be used for a partnership between the City and King County to create a 40-60 bed, comprehensive place-based treatment center at the “West Wing” of the King County Correctional Facility. The treatment center will provide enhanced shelter case management, including intensive on-site treatment for mental health and substance use disorder issues.	\$2,000,000
1.20	Participatory Budgeting Reserve (Finance General)	This item increases appropriation authority by \$27,200,000 in Finance General's General Fund (00100) Reserves Budget Control Level (BO-FG-2QD00) for Participatory Budgeting. The City Council reduced funding by this amount in the 2022 Adopted Budget assuming resources from 2021 would carry forward to offset the reduction.	\$27,200,000
1.21	Tiny House Village Operating Funding (Human Services Department)	This item increases appropriation authority by \$200,000 to the General Fund Addressing Homelessness Budget Control Level (00100-BO-HS-H3000) and provides resources to the Human Services Department for homelessness services. This budget was added in 2021 for expanded homeless village sites and was not spent due to limited capacity to implement new programs.	\$200,000

Item #	Title	Description	Amount/FTE
1.22	Community Safety Capacity Building Administration Carryforward (Human Services Department)	This item increases appropriation authority by \$1,353,582 to the General Fund Supporting Safe Communities Budget Control Level (00100-BO-HS-H4000) and provides resources to the Human Services Department for administration of Community Safety Capacity Building funds. These funds were appropriated in the 2021 adopted budget and provide administration support for contracts resulting from the 2021 Community Safety RFP. Budget authority is needed in 2022 to fund staffing and other program administration needs.	\$1,353,582
1.23	Lambert House Facilities Funding (Human Services Department)	This item increases appropriation authority by \$100,000 to the General Fund Supporting Affordability & Livability Budget Control Level (00100-BO-HS-H1000) and \$500,000 to the Cumulative Reserve Fund Supporting Affordability & Livability Budget Control Level (00164-BO-HS-H100) and provides resources to the Human Services Department for a community facility for LGBTQ youth. This budget was originally appropriated in 2020 and was not spent. Budget authority is needed in 2022 to fund a contract to support this facility work.	\$600,000
1.24	Finance Position Funding (Human Services Department)	This item increases appropriation authority by \$400,000 to the General Fund Leadership & Administration Budget Control Level (00100-BO-HS-H5000) and provides resources to the Human Services Department for increased finance capacity. Eight FTEs were added in the 2022 Adopted Budget with partial funding. Budget authority is needed in 2022 to fully fund these positions.	\$400,000

Item #	Title	Description	Amount/FTE
1.25	Utility Discount Program Funding (Human Services Department)	This item increases appropriation authority by \$229,510 to the Human Services Fund Supporting Affordability & Livability Budget Control Level (16200-BO-HS-H1000) and provides resources to the Human Services Department for the Utility Discount Program. This budget was added in 2021 to support a one-time expansion of the Utility Discount Program to address increased need due to COVID and is backed by revenue from Seattle City Light and Seattle Public Utilities. This funding will pay for temporary staff support in 2022 to enroll Seattle residents in the Utility Discount Program.	\$229,510
1.26	Homelessness Facility Improvements Funding (Human Services Department)	This item increases appropriation authority by \$137,000 to the General Fund Addressing Homelessness Budget Control Level (00100-BO-HS-H3000) and provides resources to the Human Services Department for homelessness services. Budget authority is needed in 2022 to pay for improvements to a homeless services facility.	\$137,000
1.27	GF Rental Assistance Carryforward (Office of Housing)	This item increases appropriation authority by \$8,000,000 in the Office of Housing Multifamily Housing Budget Control Level (00100-BO-HU-3000) for General Fund-backed rental assistance.	\$8,000,000
1.28	EDI Awards (Office of Planning and Community Development)	This item increases appropriation authority by \$37,844,559 in the Equitable Development Initiative Budget Control Level (BO-PC-X2P40) and provides resources to the Office of Planning and Community Development for Equitable Development (EDI) projects that have not yet been contracted. Of the total amount, \$36,486,666 is from the General Fund (00100), \$263,000 is from CRS-U (Fund 00164), and \$1,094,893 is from Short-Term Rental Tax (Fund 12200). The contracting process for these long-term projects often take multiple years and do not always get contracted within the year of the associated EDI RFP.	\$37,844,559

Item #	Title	Description	Amount/FTE
1.29	Interdepartmental Agreement OPCD/DON (Office of Planning and Community Development)	This item increases appropriation authority by \$30,000 in the General Fund Planning and Community Development Budget Control Level (00100-BO-PC-X2P00) and provides resources for the Office of Planning and Community Development to pay for an interdepartmental agreement with the Department of Neighborhoods (DON). OPCD is paying DON for Community Liaisons' work on the Comprehensive Plan outreach. This work is not yet complete and will continue in 2022.	\$30,000
1.30	Operational support for the Mayor's Office (Office of the Mayor)	This item increases appropriation by \$20,000 to the Office of the Mayor Budget Summary Level and provides resources to the Mayor's Office appropriation needed to cover 2021 costs billed in 2022.	\$20,000
1.31	Greenhouse Gas Carryforward (Seattle City Light)	This item increases appropriation authority by \$1,403,999 in the Environmental Affairs O&M BSL and provides resources for SCL to fulfill Greenhouse Gas neutrality obligations in 2022. These are 2021 unspent funds which need to be carried forward into 2022 in order to maintain neutrality obligations within City Light's existing and future 2022 contracts.	\$1,403,999
1.32	Environmental Conservation Contracts and Historical Preservation (Seattle City Light)	This item increases appropriation authority by \$689,353 in the Environmental Affairs O&M BSL and provides resources for SCL to fulfill contractual obligations to perform research necessary to preserve fisheries as part of the Tolt Relicensing project, and to preserve historical artifacts within the Georgetown Steamplant. These are 2021 unspent funds which need to be carried forward into 2022. Funds were unspent due to delayed work, that will be achieved in 2022 in addition to all other planned projects.	\$689,353

Item #	Title	Description	Amount/FTE
1.33	Organizational Change Management Carryforward (Seattle City Light)	This item increases appropriation authority by \$459,582 in the Leadership and Administration BSL to provide unspent 2021 Organizational Change Management (OCM) programmatic support in 2022. OCM implementation in 2022 will support the Advanced Metering Infrastructure project's intersection with Time-of-Day Billing functionality, the Utility Assistance Program, Return to Office projects, Road to Recovery, and Grid Modernization projects.	\$459,582
1.34	Transportation Electrification Carryforward (Seattle City Light)	This item increases appropriation authority by a total of \$2,292,891 – \$1,877,490 to the Customer Care BSL and \$415,401 to the Energy Innovation and Resources BSL. These are 2021 unspent funds which need to be carried forward into 2022 in order ensure SCL meets commitments to City Council and City Light's Strategic Plan planned work in 2022.	\$2,292,891
1.35	Greenup Carryforward (Seattle City Light)	This item increases appropriation authority by \$480,390 to the Customer Care BSL. These are 2021 unspent funds which need to be carried forward into 2022 in order ensure the purchase of RECs for five solar projects to maintain City Light's GHG neutrality goal in 2022.	\$480,390
1.36	Conservation Deferred Special Carryforward (Seattle City Light)	This item increases appropriation authority by \$509,865 to the Customer Care BSL. These are 2021 unspent deferred O&M funds which need to be carried forward into 2022. In 2022 Deferred O&M Projects are being converted into CIP projects, and leftover funds are being rolled from 2021 to 2022 on a one time basis in order to effectively fund the multi-year CIP project.	\$509,865
1.37	Environment Deferred O&M Carryforward Request (Seattle City Light)	This item increases appropriation authority by \$852,110 to the Environmental Affairs BSL. These are 2021 unspent deferred O&M funds which need to be carried forward into 2022. In 2022 Deferred O&M Projects are being converted into CIP projects, and leftover funds are being rolled from 2021 to 2022 on a one-time basis in order to effectively fund the multi-year CIP project.	\$852,110

Item #	Title	Description	Amount/FTE
1.38	Fleet Acquisition in Inspections (Seattle Department of Construction and Inspections)	This item increases appropriation authority by \$455,000 in the Construction and Inspections Fund Inspections BSL (48100-BO-CI-U23A0) and provides resources to the Seattle Department of Construction and Inspections (SDCI) for the purchase of vehicles associated with supplemental budget additions in 2021. Due to supply chain delays, vehicles SDCI ordered in 2021 will not be delivered and paid for until 2022.	\$455,000
1.39	Fleet Acquisition for Electrical License Compliance Inspector (Seattle Department of Construction and Inspections)	This item increases appropriation authority by \$35,000 in the General Fund Inspections BSL (00100-BO-CI-U23A0) and provides resources to the Seattle Department of Construction and Inspections (SDCI) to purchase a vehicle for an Electrical License Compliance Inspector position. Due to COVID and supply chain delays, this vehicle could not be purchased during 2021.	\$35,000
1.40	Tenant Relocation Assistance Ordinance (Seattle Department of Construction and Inspections)	This item increases appropriation authority by \$100,000 in the REET 1 Code Compliance BSL (30010-BO-CI-U2400) and provides resources to the Seattle Department of Construction and Inspections (SDCI) for Tenant Registration and Inspection Ordinance payments. Due to the COVID pandemic and a moratorium on evictions, funds were not expended in 2021 and there is a possibility that a backlog of tenant relocations may result in a cost shift from 2021 to 2022.	\$100,000
1.41	Accela/PeopleSoft Integration (Seattle Department of Construction and Inspections)	This item increases appropriation authority by \$322,142 in the Construction and Inspections Fund Process Improvement & Technology (PI&T) BSL (48100-BO-CI-U2800) and provides resources to SDCI for the Accela/PeopleSoft Interface. Funding for this project was included in the mid-year supplemental budget ordinance (126470) so that SDCI could develop an interface to transfer accounts receivable transactions from Accela to PeopleSoft. The work has not been completed and will carry over into 2022.	\$322,142

Item #	Title	Description	Amount/FTE
1.42	Wage Study project one-time funding carryforward (Seattle Department of Human Resources)	This item increases appropriation authority by \$1,370,254 in the General Fund HR Services Budget Control Level (00100-BO-HR-N6000) and provides resources for the Seattle Department of Human Resources to continue work on the Coalition Wage Study project. The initial \$2 million budget authority for this two-year project was added as one-time appropriation in the 2020 Adopted budget. The project was delayed due to COVID impacts and is now scheduled to end December 31, 2022. The planned scope of work cannot be completed without carryforward of the one-time budget authority.	\$1,370,254
1.43	IT projects one-time funding carryforward (Seattle Department of Human Resources)	This item increases appropriation authority by \$913,291 in the General Fund Leadership and Administration Budget Control Level (00100-BO-HR-N5000) and provides resources for the Seattle Department of Human Resources to pay for two information technology projects delayed from the 2020 Seattle Department of Information Technology (ITD) work schedule. The project to replace the legacy Compensation and Classification tracking system is under way and the project to implement a new customer relations management system is delayed to 2023. The planned scope of work cannot be completed without carryforward of the one-time budget authority.	\$913,291
1.44	Future to Work Program Costs (Seattle Department of Human Resources)	This item increases appropriation authority by \$300,000 in the General Fund HR Services Budget Control Level (00100-BO-HR-N5000 Leadership and Administration) and provides resources for the Seattle Department of Human Resources (SDHR) to complete the Future to Work program, of which vaccine verification is a critical component. The proposal uses savings from 2021 one-time funding for vaccine verification and an IT project transition completed ahead of schedule.	\$300,000

Item #	Title	Description	Amount/FTE
1.45	Emergency entry-level firefighters exam (Seattle Department of Human Resources)	This item increases appropriation authority by \$251,000 in the General Fund HR Services Budget Control Level (00100-BO-HR-N6000) and provides resources for the Seattle Department of Human Resources (SDHR) to administer an out-of-cycle entry-level firefighter's exam process in 2022. SFD is experiencing severe staffing challenges and worked with the Public Safety Civil Service Commission (PSCSC) to order an emergency administration of the entry Firefighter exam, to produce a new eligibility register as soon as possible.	\$251,000
1.46	SLU Streetcar Operations (Seattle Department of Transportation)	This item increases appropriation authority by \$216,961 to Streetcar Operating Fund - South Lake Union Streetcar Operations BSL (10800-BO-TR-12001) and provides resources to the Seattle Department of Transportation for the 2022 Budget Reconciliation with King County Metro for South Lake Union Streetcar Operations. Per the Interlocal Agreement (ILA) with King County Metro, executed in December 2019, actual expenses are reconciled against the budget of the previous year.	\$216,961
1.47	First Hill Streetcar Operations (Seattle Department of Transportation)	This item increases appropriation authority by \$229,311 in the Streetcar Operating Fund - First Hill Streetcar Operations (10800-BO-TR-12002) and provides resources to the Seattle Department of Transportation for the 2022 Budget Reconciliation with King County Metro for First Hill Streetcar Operations. Per the Interlocal Agreement (ILA) with King County Metro, executed in December 2019, actual expenses are reconciled against the budget of the previous year.	\$229,311

Item #	Title	Description	Amount/FTE
1.48	Reconnect West Seattle Carryforward (Seattle Department of Transportation)	This item increases appropriation authority by \$3,400,663 to the Transportation Fund - Mobility Operations Budget Control Level and provides resources to the Seattle Department of Transportation for Reconnect West Seattle. These expenses include Radar Speed Signs, Signal Programming and Intelligent Transportation System, Transportation Operations Center 24/7, Low Bridge Access Program and Enforcement, Detour and Traffic Data Collection, Traffic Control, Sidewalk Beveling, and Water Taxi. These West Seattle Bridge Program O&M project expenses were all budgeted in 2021 but were intended to be utilized over the course of the full project timeline, which runs until late 2022.	\$3,400,663
1.49	Carryforward for Signal Electrician AWI Retro (Seattle Department of Transportation)	This item increases appropriation authority by \$38,189 in the General Fund - Mobility Operations BCL (00100-BO-TR-17003). The appropriation increase in 2022 provides funding for a 2021 Annual Wage Increase for Signal Electricians that will be retroactively paid in 2022.	\$38,189
1.50	Seattle Transportation Plan STBD Fund Carryforward (Seattle Department of Transportation)	This item increases appropriation authority by \$357,136 in the Seattle Transportation Benefit District Fund - Mobility Operations BCL (19900-BO-TR-17003) and provides resources to the Seattle Department of Transportation for the Integrated Transportation Plan. This work is a multi-year effort, with a multi-year funding plan, to update the City's transportation plan for future transportation projects and programs. The effort seeks to coordinate all the City's modal plans into a unified transportation plan. Work began in 2021 and will continue through 2022 and 2023.	\$357,136

Item #	Title	Description	Amount/FTE
1.51	IT Emergency Medical Dispatch Project (Seattle Fire Department)	This item increases appropriation authority by \$127,616 in the Leadership and Administration BSL. The budget carryforward is necessary for ITD to support the SFD's Emergency Medical Dispatch Project. The last phase of this project involves implementation of Artificial Intelligence (AI) on medical equipment to accurately detect symptoms to notify 911 dispatchers. SFD is looking to conduct a clinical study in order to fully use this technology and this requires close coordination with SFD dispatch, the UW Medical Center and the project team to complete. This work has been delayed due to limited resource availability. The costs associated with this work will be direct billed to SFD.	\$127,616
1.52	2021 Golf Incentive Payout (Seattle Parks and Recreation)	This item increases appropriation authority by \$320,000 to Seattle Parks and Recreation (SPR) in the Park and Recreation Fund to the Golf Programs Budget Control Level (10200-BO-PR-60000) and provides resources for the 2021 incentive payment made to Premier, operator of the four City-owned public golf courses (Interbay, Jackson, Jefferson, and West Seattle). Per the management agreement with Premier, the City pays Premier a revenue growth incentive fee equal to 10% of the excess revenues generated by the golf courses. In 2021, the courses generated approximately \$3M above Premier's 2021 revenue target.	\$320,000

Item #	Title	Description	Amount/FTE
1.53	Waterfront Park Carryforward (Seattle Parks and Recreation)	This item increases appropriation by \$700,000 to Seattle Parks and Recreation (SPR) in the Park District Fund to the Leadership and Administration Budget Control Level (19710-BO-PR-20000) and provides resources to cover anticipated increased expenses for maintenance and of Waterfront Park including Pier 63 and additional park and open space elements of the development project currently underway. The underspending of operation and maintenance funds is the result of the overall delay in the Waterfront construction schedule. Funds will be used in 2022 to cover additional maintenance costs beyond the resources included in the Adopted Budget, and this action is in line with an agreement between the SPR and the Friends of Waterfront Seattle.	\$700,000
1.54	Backgrounding Contract Carryforward (Seattle Police Department)	This item increases appropriation authority by \$110,000 in the General Fund Leadership and Administration Budget Control Level (00100-BO-SP-P1600) and provides resources for the Seattle Police Department to contract with a third-party backgrounding service to prevent sworn staffing shortages in the SPD Background Unit from further impeding the hiring process. The contract was initiated in 2021 but was not finalized until January 2022. The contract will run through December 2022.	\$110,000
1.55	Mental Health Professional Program Carryforward (Seattle Police Department)	This item increases appropriation authority by \$150,000 in the General Fund Leadership and Administration Budget Control Level (00100-BO-SP-P1600) and provides resources for the Seattle Police Department to expand mental health resources for police employees. The contract will provide a precinct based mental health care program comprised of a Mental Health Director and three Mental Health Professionals to bring evidence based and evidence informed services to our employees. The contract was initiated in 2021, but was not finalized before the end of the year.	\$150,000

Item #	Title	Description	Amount/FTE
1.56	Collection Diversity Audit (Seattle Public Library)	This item increases appropriation authority by \$50,000 to the Library Programs and Services Division (B4PUB) and provides resources for Technical and Collection Services to undertake a collection diversity audit. This project was approved using 2021 budget authority, however due to staffing shortages on the Technical and Collection Services team, this work was deferred to 2022. This important project will help the Library purchase materials, both physical and digital, that address gaps in the collection related to vulnerable or historically disadvantaged communities and also the non-dominant culture.	\$50,000
1.57	AMH System Maintenance and Support (Seattle Public Library)	This item increases appropriation authority by \$81,400 to the Library Programs and Services Division (B4PUB) and provides resources related to support and maintenance of the Automated Materials Handling System. This represents resources that are designated to support the Library’s central Automated Materials Handling System. This critical piece of infrastructure is in the process of being replaced, however this project was delayed owing to COVID-19 pandemic and replacement is expected to begin in 2022.	\$81,400
1.58	Union Training Fund (Seattle Public Library)	This item increases appropriation authority by \$100,500 to the Human Resources Division (B5HRS). These funds are related to unspent resources designated for use by the Librarian’s union (Local 2083). Carry-forward of these funds is stipulated in the Library & AFSCME labor contract – Article 25, Section 4.	\$100,500

Item #	Title	Description	Amount/FTE
1.59	Furniture Purchases at the Central Library and Branches (Seattle Public Library)	This item increases appropriation authority by \$43,750 to the Administrative Services Division (B1ADM) and provides resources for the building and facilities team to cover the cost of furniture replacement in branches and at the Central Library. The Furniture budget is programmed on a multi-year basis and draws in funding from multiple sources—the 2012 Library Levy and 2019 Library Levy being two of them. Some furniture purchases were deferred due capacity constraints owing to the COVID-19 pandemic, however there still exists a need to replace these worn out and damaged pieces of furniture system-wide. The resources associated with the 2012 Library Levy are expected to be fully spent by the end of the year.	\$43,750
1.60	Future of the Library (Seattle Public Library)	This item increases appropriation authority by \$200,000 to the Chief Librarian’s Office Division (B2CTL) and provides resources for the Future of the Library study. The 2019 Library Levy provided \$200,000 in resources to undertake a Future of the Library study. Due to the COVID-19 pandemic and related budget reductions, this work was deferred from 2020. Due to the resignation of and subsequent search for a new Chief Librarian, this project was placed on hold until 2022.	\$200,000
1.61	IT Switch Replacements and Equipment Support (Seattle Public Library)	This item increases appropriation authority by \$615,000 to the Library Programs and Services Division (B4PUB) and provides resources for Information Technology to purchase needed IT infrastructure equipment and network switches. This equipment was on back order due to 2021 supply chain constraints. These purchases are part of a multi-year IT equipment replacement plan, and are needed to ensure business continuity. Purchases are expected to be received by mid-2022.	\$615,000

Item #	Title	Description	Amount/FTE
1.62	General Fund - SPU Carry Forward for Public Hygiene Program (Seattle Public Utilities)	This item increases appropriation authority in the Utility Services and Operations BSL (N200B) by \$407,150 to provides funding for ongoing invoices related to the Public Hygiene Program, as well as General Fund obligations that were incurred on Utility funds.	\$407,150
1.63	SDHR IT Initiatives: CARATS System Replacement (Seattle Information Technology Department)	This item increases appropriation authority by \$508,620 in the Applications BSL. The budget carryforward is necessary for ITD to support the SDHR's CARATS system replacement. This project has been delayed due to limited resource availability. The costs associated with this work will be direct billed to SDHR.	\$508,620
1.64	SDHR IT Initiatives: SDHR CUSTOMER SVC TRACKING SYS (Seattle Information Technology Department)	This item increases appropriation authority by \$404,089 in the Applications BSL. Originally this project was delayed due to staffing. Now there are conversations about how best to move this project forward in light of the work on the new HCM system. The budget carryforward is necessary for ITD to support the SDHR Customer Service Tracking System. The costs associated with this work will be direct billed to SDHR.	\$404,089
1.65	SFD IT Initiatives: EMERGENCY MED DISPATCH PROT (Seattle Information Technology Department)	This item increases appropriation authority by \$127,616 in the Applications BSL. The budget carryforward is necessary for ITD to support the SFD's Emergency Medical Dispatch Project. The last phase of this project involves implementation of Artificial Intelligence (AI) on medical equipment to accurately detect symptoms to notify 911 dispatchers. SFD is looking to conduct a clinical study in order to fully use this technology and this requires close coordination with SFD dispatch, the UW Medical Center and the project team to complete. This work has been delayed due to limited resource availability. The costs associated with this work will be direct billed to SFD.	\$127,616

Item #	Title	Description	Amount/FTE
1.66	CSCC IT Initiatives: Criteria Based Dispatch System (Seattle Information Technology Department)	This item increases appropriation authority by \$329,176 in the Applications BSL. The budget carryforward is necessary for ITD to support the CSCC's Criteria Based Dispatch System.	\$329,176
1.67	Strategic Investment Fund Ordinance 126449 (Office of Arts and Culture)	This item increases appropriation authority by \$5,674,320 in the General Fund Office of Arts and Culture (ARTS) Budget Control Level (00100-BO-AR-VA170) to support strategic land and real estate acquisitions in areas at high risk of displacement or in areas of low access to opportunity that present unique opportunities for transformational equitable development. In September 2021, Council passed Ordinance 126449, which lifted a proviso for the Strategic Investment Fund (SIF) and moved \$30 million in appropriations from Finance General to OPCD (\$24,325,680) and ARTS (\$5,674,320). The goal of the fund is to help groups acquire land and buildings to create opportunities for multiple community benefits, including affordable housing, affordable commercial spaces, cultural spaces, and childcare facilities. An RFP was issued on August 4, 2021 and awardees were selected after. The use and implementation of the funds will take place in 2022.	\$5,674,320
1.68	Vaccine outreach 2021 Q4 supplemental add carryforward (Office of Immigrant and Refugee Affairs)	The 2021 CBO YE Supplemental (Ordinance 126470) included \$32,000 to support contract extensions with community-based organizations for vaccine outreach efforts (item 2.58). The costs of these contract extensions (and related staffing) were incurred in Jan-Feb 2022; the appropriation needs to be carried forward to cover them as intended.	\$32,000
1.69	in-language vaccine outreach using 2021 GF underspend (Office of Immigrant and Refugee Affairs)	OIRA's 2021 in-language vaccine outreach efforts included an ethnic media campaign promoting vaccine boosters that continued into January-February 2022, and could not be invoiced against the COVID relief funding source NCRF-CRS1B prior to YE 2021. OIRA is requesting to carry forward GF authority that was not spent out in 2021 to cover these costs.	\$40,000

Item #	Title	Description	Amount/FTE
1.70	Lyft donation for citizenship services support (Office of Immigrant and Refugee Affairs)	Spend-down of the 2020 Lyft donation supporting travel and related supports for naturalization candidates has been slowed by pandemic closures. OIRA plans to expend the balance in 2022 through partner contracts, and requests that it be carried forward for this purpose. This amount could not be encumbered in 2021-22 provider contracts as we don't know in advance which providers will need to draw on this pooled funding.	\$6,086



Legislation Text

File #: CB 120317, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE amending Ordinance 126237, which adopted the 2021 Budget, including the 2021-2026 Capital Improvement Program (CIP); changing appropriations to various departments and budget control levels, and from various funds in the Budget; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. In order to pay for necessary costs and expenses incurred or to be incurred in 2021, but for which insufficient appropriations were made due to causes that could not reasonably have been foreseen at the time of making the 2021 Budget, appropriations for the following items in the 2021 Budget are increased from the funds shown, as follows:

Item	Department	Fund	Budget Summary Level/ BCL Code	Amount
1.1	Seattle Department of Human Resources	Health Care Fund (10112)	Health Care Services (10112-BO-HR-HEALTH)	\$6,542,084
1.2	Seattle Department of Transportation	Transportation Fund (13000)	Maintenance Operations (13000-BO-TR-17005)	\$5,189,034
1.3	Seattle Department of Transportation	Move Seattle Levy Fund (10398)	Mobility Operations (10398-BO-TR-17003)	\$1,565,994
Total				\$13,297,112

Section 2. In order to pay for necessary capital costs and expenses incurred or to be incurred, but for which insufficient appropriations were made due to causes that could not reasonably have been foreseen at the time the 2021 Budget was adopted, the appropriations and project allocations for the following items in the 2021 Budget are increased for Seattle Department of Transportation from the funds shown, as follows:

Item	Department	Fund	Budget Summary Level/ BCL Code	CIP Project Appropriation Change	CIP Project Name
2.1	Seattle Department of Transportation	Bridging The Gap Levy Fund (10394)	Mobility-Capital (10394-BC-TR-19003)	\$6,903	Next Generation Intelligent Transportation Systems (ITS) (MC-TR-C021)
2.2	Seattle Department of Transportation	Unrestricted Cumulative Reserve Fund (00164)	Mobility-Capital (00164-BC-TR-19003)	\$12,292	Next Generation Intelligent Transportation Systems (ITS) (MC-TR-C021)
Total				\$19,195	

Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by a 3/4 vote of all the members of the City Council the _____ day of _____, 2022, and signed by me in open session in authentication of its passage this _____ day of _____, 2022.

 President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2022.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2022.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
City Budget Office	Caleb Wagenaar/733-9228	

* 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: AN ORDINANCE amending Ordinance 126237, which adopted the 2021 Budget, including the 2021-2026 Capital Improvement Program (CIP); changing appropriations to various departments and budget control levels, and from various funds in the Budget; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

Summary and background of the Legislation: This legislation will implement various adjustments to the 2021 Adopted Budget that are needed to complete the City’s accounting process for the year.

The proposed legislation includes discrete actions that amend the 2021 Adopted Budget by adding budget authority to various departments to address unanticipated expenses and correct accounting errors which resulted in spending exceeding a budget control level’s budget authority.

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

Appropriation change (\$):	General Fund \$		Other \$	
	2021	2022	2021	2022
	\$0	\$0	\$13,316,307	\$0
Estimated revenue change (\$):	Revenue to General Fund		Revenue to Other Funds	
	2021	2022	2021	2022
	\$0	\$0	\$0	\$0
Positions affected:	No. of Positions		Total FTE Change	
	2021	2022	2021	2022
	0	0	0	0

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

No. Please see Summary Attachment A for details on 2021 spending.

Is there financial cost or other impacts of *not* implementing the legislation?
The same objectives could not be achieved without this legislation.

3.a. Appropriations

X This legislation adds, changes, or deletes appropriations.

See Summary Attachment A for details on 2021 spending.

Is this change one-time or ongoing?
All are one-time.

4. OTHER IMPLICATIONS

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

No.

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?

See Summary Attachment A for any RSJI implications.

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.

List attachments/exhibits below:

Summary Attachment A – 2021 Budget Exceptions Ordinance Summary Detail Table

2021 Budget Exceptions Ordinance Summary Detail Table

Item #	Title	Description	Amount/FTE
Section 1 – Appropriation Increases			
1.1	2021 Budget Exception (Seattle Department of Human Resources)	This item provides a retroactive appropriation increase of \$6,542,084 in the Health Care Services BSL in the Health Care Fund to pay unanticipated costs due to greater than expected claims in the 4th Quarter.	\$6,542,084
1.2	2021 Budget Exception (Seattle Department of Transportation)	This item provides a retroactive appropriation increase of \$5,189,034 for the Seattle Department of Transportation to pay unanticipated costs in the Transportation Fund - Maintenance Operations 13000-BO-TR-17005 Budget Control Level for higher expenses than were projected in the 2021 Adopted Budget. The overspend is driven by SDOT work relating to: emergency response, pothole repair, and operations support including rubble hauling and maintenance operations.	\$5,189,034
1.3	2021 Budget Exception (Seattle Department of Transportation)	This item provides a retroactive appropriation increase of \$1,565,994 for the Seattle Department of Transportation to pay unanticipated costs in the Move Seattle Levy Fund - Mobility Operations 10398-BO-TR-17003 Budget Control Level for higher expenses than were projected in the 2021 Adopted Budget. The majority of the overspend was in three programs including: the transportation operations center, signs and markings, and traffic signals.	\$1,565,994
Section 2 – Appropriation Increase – Capital Budgets			
2.1	2021 Budget Exception (Seattle Department of Transportation)	This item provides a retroactive appropriation increase of \$6,903 for the Seattle Department of Transportation to pay unanticipated costs in the Bridging the Gap Levy Fund - Mobility Capital 10394-BC-TR-19003 Budget Control Level. This is a technical issue driven by automatic budget carryforward authorized by State law. SDOT Finance will resolve these issues in 2022 to avoid this kind of exception going forward.	\$6,903

Item #	Title	Description	Amount/FTE
2.2	2021 Budget Exception (Seattle Department of Transportation)	This item provides a retroactive appropriation increase of \$12,292 for the Seattle Department of Transportation to pay unanticipated costs in the Unrestricted Cumulative Reserve Fund - Mobility Capital 00164-BC-TR-19003 Budget Control Level. This is a technical issue driven by automatic budget carryforward authorized by State law. SDOT Finance will resolve these issues in 2022 to avoid this kind of exception going forward.	\$12,292



Legislation Text

File #: CB 120318, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to appropriations for the Executive Department; amending Ordinance 126490, which adopted the 2022 Budget; changing appropriations and creating new positions in the Office of Housing; all by a 3/4 vote of the City Council.

WHEREAS, the Mayor and City Council are committed to ensuring everyone in Seattle has access to safe, stable, and affordable homes; and

WHEREAS, affordable housing helps to address The City of Seattle’s long history of displacement and segregation caused by government-supported colonialism, racial covenants, and redlining leading to the restriction of where Black, Indigenous and other people of color (BIPOC) may live and purchase homes and disparities in access to affordable homes, as well as education, living-wage employment, healthy environment, and transportation; and

WHEREAS, 22,850 renters earning less than 30 percent of Area Median Income and 6,535 renters earning between 30 percent and 50 percent of Area Median Income are severely cost-burdened, paying more than 50 percent of their income for rent in Seattle. An additional 17,000 renters earning up to 50 percent of Area Median Income in Seattle are moderately cost-burdened, paying 30 to 50 percent of their income for rent; and

WHEREAS, there is an estimated shortage of 26,620 rental units affordable and available to renter households at or below 30 percent of Area Median Income and the King County Regional Affordable Housing Task Force found that 156,000 affordable homes were needed immediately, and another 88,000 homes by 2040, to ensure that no low-income households were cost-burdened in the region; and

WHEREAS, in King County 40,800 people experienced homelessness at some point in 2019 and 45,300 people experienced homelessness at some point in 2020 and were living in unsafe conditions outside and in shelters in our region, and affordable housing and permanent supportive housing provide an end to homelessness; and

WHEREAS, to respond for the critical need for affordable homes, City investments in affordable housing development, preservation, and acquisition managed by the Office of Housing have quadrupled from the 2014 to the 2022 Budget, creating higher transactional volume, new policy and programmatic initiatives, and increased requests for data and information; and

WHEREAS, \$100 million dollars of the Office of Housing's total \$208 million 2022 Adopted Budget is supported by Jumpstart Payroll Expense Tax Fund revenue and this is an on-going source of funds; and

WHEREAS, the increased investment in affordable homes results in additional pre-development work to identify opportunities to build and acquire affordable homes and create a pipeline of projects, increased real estate transactions to build, preserve, and acquire new affordable multifamily homes, and permanently affordable homeownership and monitoring of construction activity; and

WHEREAS, permanently affordable homeownership is essential to ensure low-income and BIPOC community members have opportunities to own homes, build wealth, and prevent displacement; and

WHEREAS, provision of technical support and capacity building is necessary to ensure development by and ownership of multifamily affordable homes for-rent and permanently affordable for-sale homes by BIPOC-led and community-based organizations; and

WHEREAS, compliance monitoring and asset management is critical to ensure rent and income restrictions and health and safety standards are met for over 15,500 affordable homes directly funded with City resources and over 6,500 homes created through incentive programs; and

WHEREAS, The City of Seattle has a goal to become a carbon-neutral city by 2050 to address the climate crisis and the greatest and most harmful impacts of climate change are falling disproportionately on

lower-income communities and communities of color globally; however, these communities have contributed the least to the cumulative global emissions that are causing climate change and are least equipped to adapt to the impacts; and

WHEREAS, focus on the critical need to create affordable housing and higher investment levels results in increased requests for information, public disclosure, analysis, and data from elected officials, peer agencies, media, and community members, and staff capacity is necessary to develop data systems, provide publicly available information and visualizations, and timely responses to requests; and

WHEREAS, in 2009 The City of Seattle established the Race and Social Justice Initiative (RSJI) through Resolution 31164, affirming the City's race and social justice work and directing City departments to use available tools to assist in the elimination of racial and social disparities across key indicators of success, including health, education, criminal justice, the environment, employment, and the economy, and to promote equity within the City workplace and in the delivery of City services; and

WHEREAS, RSJI and staff time to perform RSJI-related training, toolkit development and monitoring, and Change Team participation was explicitly included in each Office of Housing job description; and

WHEREAS, increased funding, staffing, and policy and programming development leads to an increased need for administrative support to perform basic office management functions; and

WHEREAS, increased development of affordable homes increases the need for wage monitoring to ensure an equitable residential construction workforce and to monitor utilization of apprenticeships, women- and minority-owned businesses (WMBEs), and priority hire in affordable housing development; and

WHEREAS, increased funding results in additional real estate transactions and documents requiring legal review and advice; and

WHEREAS, since 1981 Seattle voters have approved one bond and five property tax levies to create affordable housing, and the Seattle Housing Levy is a nationally recognized local financing tool and the cornerstone of affordable housing creation for the Office of Housing; and

WHEREAS, the 2016 Seattle Housing Levy is on track to meet or exceed goals; and

WHEREAS, the Seattle Housing Levy is up for voter consideration in 2023 and dedicated staffing capacity and resources are necessary to convene stakeholders, community members, and technical advisors to inform programming and provide subject matter expertise, produce reports and materials to communicate, with equitable language access, achievement of goals and continued need, draft legislation, and provide modeling for affordable housing production goals under various funding scenarios; and

WHEREAS, the Office of Housing needs additional staff to support the City’s efforts to acquire, build, preserve, and maintain affordable housing; and

WHEREAS, the Jumpstart Payroll Expense Tax Fund provides administrative dollars that will be used to cover the on-going staff and related administrative costs; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The following new positions are created in the Office of Housing:

Department	Position Title	Position Status	Number
Office of Housing	Admin Staff Analyst	Full-time	1
Office of Housing	Community Development Specialist	Full-time	2
Office of Housing	Grants and Contracts Specialist, Sr	Full-time	1
Office of Housing	Management Systems Analyst	Full-time	1
Office of Housing	Management Systems Analyst, Sr	Full-time	1
Office of Housing	Manager 1	Full-time	1
Office of Housing	Planning & Development Specialist	Full-time	2
Office of Housing	Planning & Development Specialist, Sr	Full-time	1
Office of Housing	Public Relations Specialist	Full-time	1
Office of Housing	Strategic Advisor 1	Full-time	1
Office of Housing	Strategic Advisor 1	Part-time	1

The Director of the Office of Housing is authorized to fill these positions subject to Seattle Municipal Code Title 4, the City’s Personnel Rules, Civil Service rules, and applicable employment laws.

Section 2. The appropriations for the following items in the 2022 Adopted Budget are modified as

follows:

Item	Department	Fund	Budget Summary Level	Amount
2.1	Executive (Office of Housing)	Payroll Expense Tax (14500)	Multifamily Housing (14500-BO-HU-3000)	(\$732,667)
		Payroll Expense Tax (14500)	Leadership and Administration (14500-BO-HU-1000)	\$671,273
		Payroll Expense Tax (14500)	Homeownership & Sustainability (14500-BO-HU-2000)	\$61,394
Total				\$0

Section 3. In order to pay for necessary costs and expenses incurred or to be incurred in 2022, but for which insufficient appropriations were made due to causes that could not reasonably have been foreseen at the time of the making of the 2022 Budget, appropriations for the following items in the 2022 Budget are increased from the funds shown, as follows:

Item	Department	Fund	Budget Summary Level	Amount
3.1	Executive (Office of Housing)	Office of Housing Fund (16600)	Leadership & Administration (16600-BO-HU-1000)	\$392,000
Total				\$392,000

Section 4. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by a 3/4 vote of all the members of the City Council the _____ day of _____, 2022, and signed by me in open session in authentication of its passage this _____ day of _____, 2022.

 President _____ of the City Council

Approved / returned unsigned / vetoed this ____ day of _____, 2022.

Bruce A. Harrell, Mayor

Filed by me this ____ day of _____, 2022.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Office of Housing	Rebecca Guerra/3-0066	Miguel Jiménez/4-5805

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

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to appropriations for the Executive Department; amending Ordinance 126490, which adopted the 2022 Budget; changing appropriations and creating new positions in the Office of Housing; all by a 3/4 vote of the City Council.

Summary and Background of the Legislation: The Office of Housing (OH) proposes new position authority and related budget authority for 12.5 new FTE positions within OH and the authority for OH to fund an additional 1.5 FTE positions in the Law Department and Department of Finance and Administrative Services, as well as related increases in space and equipment costs to accommodate new staff. Funding will come from the administrative portion of payroll tax revenue already appropriated in OH’s budget. The total funding for these positions represents 2.3% of OH’s total payroll tax allocation in 2022, far under the 5% threshold, allowing for room should payroll tax deductions decline in the future.

In recent years, OH’s budget has quadrupled – from \$50 million in the 2014 Adopted Budget to \$208 million in the 2022 Adopted Budget. While the budget has increased by 316%, staffing has only increased by 23%. Added staff demands include:

- Higher transactional volume, including the number of loans closing, more complicated funding vehicles, and more activity in the incentive programs
- New policy analysis and programmatic responsibilities, such as community-focused funding, increased homeownership activity, and oil heat conversion
- Demand for specialized expertise

This legislation also increases budget authority to cover the costs of initial work related to the renewal of the Seattle Housing Levy, to be paid for with existing OH fund balance, including:

- Designing and transmitting levy renewal legislation
- Convening stakeholder and community conversations
- Developing in-language communication tools to illustrate the success of the 2016 Housing Levy

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? X Yes No

Appropriation change (\$):	General Fund \$		Other \$	
	2022	2023	2022	2023
			\$392,000	\$283,000
Estimated revenue change (\$):	Revenue to General Fund		Revenue to Other Funds	
	2022	2023	2022	2023
Positions affected:	No. of Positions		Total FTE Change	
	2022	2023	2022	2023
			12.5	

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?

Yes. On an annual and ongoing basis, \$2.2 million of Payroll Expense Tax will be necessary to cover the staffing costs proposed in this legislation. These funds are not reflected in the above table because they are already appropriated in OH’s 2022 Adopted Budget as part of the \$84 million of payroll tax in the Multifamily Housing BSL. Pending approval of this legislation, OH will shift the necessary funds to other BSLs within the payroll tax fund to cover the related staffing costs.

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

If this legislation is not implemented, OH will be extremely limited in its ability to effectively administer the \$84 million of Payroll Expense Tax added to its budget in 2022. In addition, the requested authority to begin Housing Levy renewal work is critical to ensure continued levy resources beyond 2023.

3.a. Appropriations

X This legislation adds, changes, or deletes appropriations.

Fund Name and Number	Dept	Budget Control Level Name/#	2022 Appropriation Change	2023 Estimated Appropriation Change
Office of Housing Operating Fund (16600)	OH	Leadership & Administration (BO-HU-1000)	\$392,000	\$283,000
TOTAL			\$392,000	\$283,000

Is this change one-time or ongoing?

The change in the above table relates only to the use of fund balance to pay for costs of work related to renewing the Seattle Housing Levy. These costs will impact 2022 and 2023 only.

Appropriations Notes:

As previously noted, payroll tax will be the ongoing source of funding the position adds in this legislation. There is no appropriation change in this table, because payroll tax has already been appropriated in OH’s 2022 Adopted Budget.

3.b. Revenues/Reimbursements

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

3.c. Positions

X This legislation adds, changes, or deletes positions.

Total Regular Positions Created, Modified, or Abrogated through This Legislation, Including FTE Impact:

Position # for Existing Positions	Position Title & Department	Fund Name & #	Program & BCL	PT/FT	2022 Positions	2022 FTE	Does it sunset?
n/a	Admin Staff Analyst, OH	Payroll Expense Tax (14500)	Finance & Admin	FT	1	1.0	no
n/a	Comm Dev Spec, OH	Payroll Expense Tax (14500)	Asset Management	FT	1	1.0	no
n/a	Comm Dev Spec, OH	Payroll Expense Tax (14500)	Multifamily Lending	FT	1	1.0	no
n/a	G & C Spec, Sr, OH	Payroll Expense Tax (14500)	Policy & Planning	FT	1	1.0	no
n/a	Mgmt Syst Analyst, OH	Payroll Expense Tax (14500)	Communications	FT	1	1.0	no
n/a	Mgmt Syst Analyst, Sr, OH	Payroll Expense Tax (14500)	Policy & Planning	FT	1	1.0	no
n/a	Mgr 1, OH	Payroll Tax (Payroll Expense Tax (14500))	Multifamily Lending	FT	1	1.0	no
n/a	Plng & Dev Spec, OH	Payroll Expense Tax (14500)	Homeownership	FT	1	1.0	no
n/a	Plng & Dev Spec, OH	Payroll Expense Tax (14500)	Policy & Planning	FT	1	1.0	no
n/a	Plng & Dev Spec, Sr, OH	Payroll Expense Tax (14500)	Policy & Planning	FT	1	1.0	no

Position # for Existing Positions	Position Title & Department	Fund Name & #	Program & BCL	PT/FT	2022 Positions	2022 FTE	Does it sunset?
n/a	Public Relations Specialist, OH	Payroll Expense Tax (14500)	Communications	FT	1	1.0	no
n/a	Strat Adv 1, OH	Payroll Expense Tax (14500)	Policy & Planning	FT	1	1.0	no
n/a	Strat Adv 1, OH	Payroll Expense Tax (14500)	Multifamily Lending	PT	1	0.5	no
TOTAL					13	12.5	

Position Notes:

In addition to the positions above, the legislation also includes the appropriation authority for OH to increase its payment to the Law Department (LAW) for paralegal support and to the Department of Finance and Administrative Services (FAS) for wage monitoring support. OH estimates that this will require 0.5 FTE in LAW and 1.0 FTE in FAS. The position authority needs in FAS and LAW related to this growth will be addressed in the upcoming budget supplemental ordinance.

4. OTHER IMPLICATIONS

- a. Does this legislation affect any departments besides the originating department?**
 Yes, as noted above, this proposal affects FAS and LAW. In addition, OH is in the process of exploring space options to accommodate this staffing growth; it is unknown at this time if the identification of additional office space will impact another department.
- 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?**
 High housing costs and homelessness disproportionately affect people of color nationwide and in Seattle. Increased workload within OH directly converts to more housing available to close the racial housing gap; program development and evaluation to achieve anti-racist housing outcomes. In 2019, 62 percent of renters in OH-supported housing were non-White

or Hispanic; additional funding and new policy initiatives such as community preference suggests that these outcomes will drive the number higher.

f. Climate Change Implications

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

The position adds in this legislation include a Planning & Development Specialist, Sr, who will serve as the Green New Deal (GND) Portfolio Specialist. This position will analyze properties in the OH portfolio to advance GND goals through electrification and other technology advances; advise OH Asset Management and Weatherization staff on best practices; and help developers respond to new Code requirements. It is OH's intent that these efforts will decrease the City's carbon footprint.

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)?

This legislation does not represent a new initiative or programmatic expansion. However, the position adds in this legislation will equip OH to implement the Payroll Expense Tax-funded expansions appropriated in the 2022 Adopted Budget.

Summary Attachments:



Legislation Text

File #: CB 120320, **Version:** 2

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to appropriations for the Seattle Police Department; amending a proviso imposed by Ordinance 126490, which adopted the 2022 Budget; and ratifying and confirming certain prior acts.

WHEREAS, an ongoing economic trend began in which employees have resigned from their jobs, referred to as the Great Resignation, with causes including job dissatisfaction, safety concerns of the COVID-19 pandemic, and wage stagnation amid rising cost of living; and

WHEREAS, since 2020, the Seattle Police Department (SPD) has incurred a net loss of 255 police hires and other City Departments reported vacancy issues occurring among front line workers, causing a service issue with the public and inhibiting departments from fulfilling a core function; and

WHEREAS, during 2021, to address the impacts of officers leaving SPD, the Council approved funding various programs identified by the Seattle Police Department including Crime Prevention Coordinators, Community Service Officers, and technology investments; and

WHEREAS, during the 2022 budget process, the Council fully funded the Seattle Police Department's 2022 hiring plan for 125 officers, considered various proposals for SPD hiring bonuses, and adopted Statement of Legislative Intent (SLI) CBO-013-A-002 to request a report from the Executive on a citywide hiring incentive program; and

WHEREAS, the SLI response from the Seattle Department of Human Resources (SDHR) identified several positions "critical to City business needs and challenging to fill," including police officers; and

WHEREAS, similar to the preliminary evaluation findings in 2020 of SPD's bonus program authorized by

Ordinance 125784, that less than one in five cited the incentive as an “important factor” in their decision to apply, the SLI response noted the “issue of whether SPD has seen benefits from incentives is incredibly difficult to conclude because the incentives have been offered and removed several times,” and noted both potential benefits and drawbacks to hiring bonuses; and

WHEREAS, the SLI response from SDHR reported that “signing bonuses for newly hired external talent can negatively impact employee morale. Employees promoted internally or already working in the job can feel undervalued and unappreciated when their financial package does not match what external recruits receive. The potential for breaking trust is greater now, with many of the current City employees in identified hard-to-fill jobs working on the front line during the pandemic”; and

WHEREAS, though departments of The City of Seattle may seek to recruit nationally to hire positions critical to City business needs and challenging to fill, current Personnel Rules limit relocation assistance to employees hired under higher salary bands; and

WHEREAS, though SDHR did not recommend a bonus incentive in their response to CBO-013-A-002, and the Executive has stated an intent to propose comprehensive package before the budget, the Council and Executive recognize that SPD reports that the ability to offer to pay moving costs has assisted in attracting lateral hires from police departments in other jurisdictions and that more departments citywide may want to compensate their recruits to fill positions critical to City business needs and challenging to fill for their moving costs; and

WHEREAS, Council adopted proviso SPD-003-B-001 for the 2022 budget for any funds in the 2022 budget for officer salaries that will not be used for officer salaries; currently estimated at over \$4 million; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Council Budget Action SPD-003-B-001, approved in the 2022 Adopted Budget per Ordinance 126490, restricts the appropriations in the Seattle Police Department’s (SPD) budget for sworn

salary and benefits to only be used to pay SPD's recruits and sworn officers, unless authorized by future ordinance. This ordinance provides authorization to use up to \$1,150,000 of the funds restricted by SPD-003-B-001 as follows: (1) up to \$650,000 for moving expenses for new police officer hires in 2022, provided that the Seattle Department of Human Resources (SDHR) amends the City's Personnel Rules to allow greater flexibility for appointing authorities to offer moving assistance to a broader range of positions and circumstances and to pay for the salary and benefits for an additional recruiter in SPD; (2) up to \$350,000 for a national ad campaign to market police officer positions to potential candidates; and (3) up to \$150,000 to pay for a national search to hire a permanent Chief of Police.

Section 2. By establishing this Section 2, the Council requests that SDHR complete a process to update the City's personnel rules to provide appointing authorities greater flexibility to pay for moving expenses for new police hires and to extend those benefits to a broader range of positions if the appointing authority determines they are unable to recruit persons in the immediate employment area who possess the unique skills, expertise, and/or educational qualifications. This should include consideration to change the criterion in Personnel Rule 4.2.9.C that requires that an individual's new job with the City must be at least 50 miles farther from his or her place of residence than his or her former job to qualify for moving expenses. Reducing that distance could encourage more candidates who live in the Puget Sound region and to relocate within or closer to the city. It is the Council's intent that SDHR prioritize modifying Personnel Rule 4.2.9.C related to moving expenses to provide greater flexibility to the Chief of Police to accelerate the hiring of police officers. If amending the rule to include a range of positions beyond police officers would significantly increase the time it takes to work through the process for amending the rules, the Council requests that SDHR first complete a process to amend the rules to allow flexibility to the Chief of Police for police office hires and, following adoption of that rule change, initiate a process to amend the rule to address a broader range of positions in SPD and other City departments.

Section 3. Any act consistent with the authority of this ordinance taken after its passage and prior to its

effective date is ratified and confirmed.

Section 4. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2022, and signed by me in open session in authentication of its passage this _____ day of _____, 2022.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2022.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2022.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
LEG	Greg Doss 206-755-6385	

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to appropriations for the Seattle Police Department; amending a proviso imposed by Ordinance 126490, which adopted the 2022 Budget; and ratifying and confirming certain prior acts.

Summary and Background of the Legislation: This ordinance provides authorization to use up to \$650,000 of the funds restricted by SPD-003-B-001: (1) for moving expenses for new police officer hires in 2022, provided that the Seattle Department of Human Resources (SDHR) amends the City’s Personnel Rules to allow greater flexibility for appointing authorities to offer moving assistance to a broader range of positions and circumstances; and (2) to pay for the salary and benefits for an additional recruiter in the Seattle Police Department (SPD).

The Council requests that SDHR complete a process to update the City’s personnel rules to provide appointing authorities greater flexibility to pay for moving expenses for new police hires and to extend those benefits to a broader range of positions. This could involve shortening the distance required to reimburse moving expenses from 50 miles (current personnel rule) to a yet-to-be determined standard.

Costs for moving reimbursements for police officers cannot be determined until the Seattle Department of Human Resources amends personnel rules to (1) specifically identify the positions that are eligible for reimbursements; and (2) determine whether to broaden the circumstances in which the city will reimburse moving expenses.

The half-year cost for a civilian recruiter is approximately \$55,000. The department will not need new appropriation authority for this position or to pay for moving expenses as it expects to use salary savings that were previously appropriated to pay for sworn officer salary and benefits. A partial proviso lift of SPD-003-B-001 is required. This ordinance lifts the proviso to a cap of \$650,000.

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?

SPD's budget is primarily supported by general fund (GF) resources. As has been discussed by the Council's Finance and Housing Committee, the City is currently facing a long-term structural budget issue, where GF expenditures are outpacing GF revenues. One of the potential strategies identified to address this structural budget issue in 2023 and 2024 is to use 2022 underspend, such as savings achieved through delayed hirings, for future year spending. If the proviso on SPD's salary saving remains in place and no other actions are taken to lift or modify the proviso, those GF resources are restricted, meaning the money cannot be spent and at the end of 2022 will lapse and revert to the GF – those funds would be assumed in the starting balance going into 2023. If a staffing incentive program is a priority for the Council that decision should be made in the context of knowing that it may mean reductions in spending in 2023 and 2024.

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

No

3.a. Appropriations

X No This legislation adds, changes, or deletes appropriations.

As mentioned above, SPD will not need new appropriation authority for the recruiter position or to pay for the moving expenses as it expects to use salary savings that were previously appropriated to pay for sworn officer salary and benefits. A partial proviso lift of SPD-003-B-001 is required. If moving expenses are authorized for other departments, they could use salary savings if available provide the funds are not otherwise restricted by proviso.

3.b. Revenues/Reimbursements

X No This legislation adds, changes, or deletes revenues or reimbursements.

3.c. Positions

X No This legislation adds, changes, or deletes positions.

Future legislation will be required to add a permanent position to SPD to accommodate the civilian recruiter. It is possible that the position will be added in the city's mid-year supplemental budget.

4. OTHER IMPLICATIONS

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

No

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?

It is possible that the moving cost reimbursements could help attract more people of color as well as reduce barriers for those that have been hired, including those that are disproportionately affected by Seattle's increasing housing costs and commute times.

SPD has focused on making direct connections with communities historically underrepresented in policing with the explicit aim of recruiting officers who reflect the diversity of Seattle. This effort is consistent with a new Public Safety Civil Service Commission (PSCSC) rule that will allocate additional test points for multi-lingual candidates that sit for the police exam. It is also the focus of a 2017 report on recruiting made by the Community Police Commission, which contained nine recommendations that emphasized more connection with the community.

SPD has indicated that it has recently increased its hiring of people of color, which historically have belonged to vulnerable and disadvantaged communities. Racial diversity of SPD hires has increased to approximately 40 percent in the last several years. If this trend continues as the department grows its officer numbers, then SPD will further increase its racial diversity in absolute numbers and as a percentage of the sworn force.

It is also possible that any increase in the size of the police force may result in over policing of non-white neighborhoods. The Center for Policing Equity, in a [study](#) completed in 2021, found that Black and native American pedestrians at a greater likelihood to be stopped by SPD than white pedestrians. Additionally, pedestrians of color are more likely to be searched than their white counterparts, despite being statistically less likely to carry weapons. The Department continues to provide anti bias training and report on bias indicators as part of its compliance with the 2012 Federal Consent Decree.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way? No

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects. No

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

Summary Attachments: None



Legislation Text

File #: Res 32050, **Version:** 2

CITY OF SEATTLE

RESOLUTION _____

A RESOLUTION relating to the Seattle Police Department; stating the Council’s intent to lift a proviso on anticipated 2022 salary and benefits savings to fund staffing incentives for uniformed police officers. WHEREAS, the Charter of the City of Seattle is the Law of the City for the purpose of protecting and

enhancing the health, safety, environment, and general welfare of the people; and

WHEREAS, Article VI Section 1 of the Charter of the City of Seattle states, “There shall be maintained adequate police protection in each district in the City”; and

WHEREAS, according to the Seattle Police Department 2021 Year-End Crime Report, incidents of violent crime increased by 20 percent, including a 24 percent increase in aggravated assaults, compared to 2020 totals; and

WHEREAS, according to the Seattle Police Department 2021 Year-End Crime Report, incidents of property crime increased by nine percent, including a 31 percent in incidents of arson, compared to 2020 totals; and

WHEREAS, according to the Seattle Police Department 2021 Year-End Crime Report, there were 612 verified criminal shootings and incidents of shots fired, which in the aggregate represent a 40 percent increase compared to the 2020 total and an 80 percent increase compared to the 2019 total; and

WHEREAS, there has been a reduction of 332 in-service officers since January 2020, representing a 26 percent reduction of in-service officer staff; and

WHEREAS, the response time to a given service call will be longer when fewer officers are available to respond to these calls in the aggregate; and

WHEREAS, the current median response time to Priority 1 9-1-1 calls is 7.5 minutes, the current median response time to Priority 2 9-1-1 calls is 23.8 minutes, and currently officers are not dispatched to Priority 3 and Priority 4 9-1-1 calls; and

WHEREAS, since the summer of 2021, non-patrol officers, including investigators, have been redeployed to 9-1-1 response, diminishing the Seattle Police Department's ability to prevent and investigate crime; and

WHEREAS, despite this redeployment, the Seattle Police Department needs to augment per-watch staffing 90 percent of the time to meet its established minimum staffing standards; and

WHEREAS, in 2021 the Seattle Police Department hired 81 officers and 171 officers separated from service due to retirement or resignation, resulting in a net loss of 90 officers; and

WHEREAS, at the end of 2021 the Seattle Police Department employed 958 in-service officers, down from 1,290 in January 2020, with the greatest quarterly decline in force having occurred in the last quarter of 2020, reflecting a reduction of 114 officers between September and December; and

WHEREAS, 2022 Council Budget Action SPD-003-B-001 imposed a proviso restricting the Seattle Police Department's use of anticipated 2022 salary and benefits savings unless authorized by a future ordinance; and

WHEREAS, the Seattle Police Department has seen an increase in competition for qualified applicants for the position of police officer due, in part, to regional and national hiring incentives at law enforcement agencies; and

WHEREAS, current labor shortages constrain the ability of municipalities across the Puget Sound region to hire needed officers; and

WHEREAS, to provide adequate police protection across Seattle, the Council believes SPD must accelerate the replacement of officers lost to separations; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE THAT:

Section 1. The Council supports the Seattle Police Department's development of a staffing incentives

program to enhance its provision of an adequate number of fully trained, deployable officers to prevent, respond to, and investigate crime in Seattle.

Section 2. The Council will consider modifying by ordinance the proviso imposed by Council Budget Action SPD-003-B-001 in order to fund a staffing incentives and recruitment support program at the Seattle Police Department, at a level not to exceed the cost to implement and administer a staffing incentives and recruitment support program, and in consideration of anticipated 2023 budget constraints.

Section 3. The Council intends to pass an ordinance that would allow the implementation of a staffing incentives program at the Seattle Police Department.

Adopted by the City Council the _____ day of _____, 2022, and signed by me in open session in authentication of its adoption this _____ day of _____, 2022.

President _____ of the City Council

Filed by me this _____ day of _____, 2022.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
LEG	Greg Doss 206-755-6385	

1. BILL SUMMARY

Legislation Title: A resolution relating to the Seattle Police Department; stating the Council’s intent to lift a proviso on anticipated 2022 salary and benefits savings to fund staffing incentives for uniformed police officers.

Summary and Background of the Legislation: This resolution would memorialize legislative intent that:

1. The Council supports the Seattle Police Department’s development of a staffing incentives program to enhance its provision of an adequate number of fully trained, deployable officers to prevent, respond to, and investigate crime in Seattle.
2. The Council intends to lift by ordinance the proviso imposed by Council Budget Action SPD-003-B-001 in order to fund staffing incentives at the Seattle Police Department, at a level not to exceed anticipated 2022 salary and benefits savings and any additional funding available for this purpose.
3. The Council intends to pass an ordinance that would allow the implementation of a staffing incentives program at the Seattle Police Department.

Costs for the staffing incentive program cannot be determined until the program is further defined and the specific fiscal impacts can be estimated on the Seattle Police Department’s 2022 Adopted Budget.

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes X 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?

No

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

No

3.a. Appropriations

No This legislation adds, changes, or deletes appropriations.

3.b. Revenues/Reimbursements

No This legislation adds, changes, or deletes revenues or reimbursements.

3.c. Positions

No This legislation adds, changes, or deletes positions.

4. OTHER IMPLICATIONS

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

No

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?

It is possible that the hiring incentive could help attract more people of color as well as reduce barriers for those that have been hired, including those that are disproportionately affected by Seattle's increasing housing costs and commute times.

SPD has focused on making direct connections with communities historically underrepresented in policing with the explicit aim of recruiting officers who reflect the diversity of Seattle. This effort is consistent with a new Public Safety Civil Service Commission (PSCSC) rule that will allocate additional test points for multi-lingual candidates that sit for the police exam. It is also the focus of a 2017 report on recruiting made by the Community Police Commission, which contained nine recommendations that emphasized more connection with the community.

SPD has indicated that it has recently increased its hiring of people of color, which historically have belonged to vulnerable and disadvantaged communities. Racial diversity of SPD hires has increased to approximately 40 percent in the last several years. If this trend continues as the department grows its officer numbers, then SPD will further increase its racial diversity in absolute numbers and as a percentage of the sworn force.

It is also possible that any increase in the size of the police force may result in over policing of non-white neighborhoods. The Center for Policing Equity, in a [study](#) completed in 2021, found that Black and native American pedestrians at a greater likelihood to be stopped by SPD than white pedestrians. Additionally, pedestrians of color are more likely to be searched than their white counterparts, despite being statistically less likely to carry weapons. The Department continues to provide anti bias training and report on bias indicators as part of its compliance with the 2012 Federal Consent Decree.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way? No

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects. No

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

Summary Attachments: None



Legislation Text

File #: CB 120300, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE, granting permission to 2001 Sixth L.L.C. to continue operating and maintaining a utility tunnel under the alley between 5th Avenue and 6th Avenue, north of Virginia Street; repealing Section 8 of Ordinance 119437; and providing acceptance of the permit and conditions.

WHEREAS, by Ordinance 119437, The City of Seattle granted Clise Properties, Inc. permission to construct, maintain, and operate a utility tunnel in the alley between 5th Avenue and 6th Avenue, north of Virginia Street; and

WHEREAS, 2001 Sixth L.L.C. purchased the property located at 2001 6th Avenue and 2000 5th Avenue in August 2007, and assumed ownership of the utility tunnel; and

WHEREAS, Ordinance 119437 was amended and renewed by Ordinance 123511; and

WHEREAS, the permission authorized by Ordinance 123511 was due for renewal on February 5, 2021; and

WHEREAS, since the adoption of Ordinance 119437, the City of Seattle has established a practice for the length of a permit to one 15-year term, renewable for one successive 15-year term; and

WHEREAS, reflective of this change, 2001 Sixth L.L.C. submitted an application to the Director of Transportation to renew the permission granted by Ordinance 119437 for a 15-year term; and

WHEREAS, the obligations of Ordinance 119437 remain in effect after the ordinance term expires until the encroachment is removed, or 2001 Sixth L.L.C. is relieved of the obligations by the Seattle Department of Transportation Director, or the Seattle City Council passes a new ordinance to renew the permission granted; and

WHEREAS, 2001 Sixth L.L.C. satisfied all the terms of the original authorizing ordinance and the Director of

Transportation recommends that the term permit be renewed for 15 years subject to the terms identified in this ordinance; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. **Permission.** Subject to the terms and conditions of this ordinance, the City of Seattle (“City”) grants permission (also referred to in this ordinance as a permit) to 2001 Sixth L.L.C. and its successors and assigns as approved by the Director of the Seattle Department of Transportation (“Director”) according to Section 14 of this ordinance (the party named above and each such approved successor and assign are referred to as “Permittee”), to continue maintaining and operating an existing utility tunnel under and across the alley between 5th Avenue and 6th Avenue, north of Virginia Street. The utility tunnel is adjacent in whole or in part to the properties legally described as:

Lots 1, 2 & 3 (less portion for street), Block 15 of Addition to town of Seattle, as laid off by Heirs of Sarah A. Bell, deceased (commonly known as Heirs of Sarah A. Bell’s Addition to the City of Seattle), as per plat recorded in Volume I of plats, page 103, records of King County, Washington.

Section 2. **Term.** The permission granted to the Permittee is for a term of 15 years starting on the effective date of this ordinance and ending at 11:59 p.m. on the last day of the fifteenth year. Upon written application made by the Permittee at least one year before expiration of the term, the Director or the City Council may renew the permit once, for a successive 15-year term, subject to the right of the City to require the removal of the utility tunnel, or to revise by ordinance any of the terms and conditions of the permission granted by this ordinance. The total term of the permission, including renewals, shall not exceed 30 years. The Permittee shall submit any application for a new permission no later than one year before the then-existing term expires. Any new application would be subject to the fees and criteria in place at the time of the new application.

Section 3. **Protection of utilities.** The permission granted is subject to the Permittee bearing the expense of any protection, support, or relocation of existing utilities deemed necessary by the owners of the

utilities, and the Permittee being responsible for any damage to the utilities due to the construction, repair, reconstruction, maintenance, operation, or removal of the utility tunnel and for any consequential damages that may result from any damage to utilities or interruption in service caused by any of the foregoing.

Section 4. **Removal for public use or for cause.** The permission granted is subject to use of the street right-of-way or other public place (collectively, “public place”) by the City and the public for travel, utility purposes, and other public uses or benefits. The City expressly reserves the right to deny renewal, or terminate the permission at any time prior to expiration of the initial term or any renewal term, and require the Permittee to remove the utility tunnel, or any part thereof or installation on the public place, at the Permittee’s sole cost and expense in the event that:

A. The City Council determines by ordinance that the space occupied by the utility tunnel is necessary for any public use or benefit or that the utility tunnel interferes with any public use or benefit; or

B. The Director determines that use of the utility tunnel has been abandoned; or

C. The Director determines that any term or condition of this ordinance has been violated, and the violation has not been corrected by the Permittee by the compliance date after a written request by the City to correct the violation (unless a notice to correct is not required due to an immediate threat to the health or safety of the public).

A City Council determination that the space is needed for, or the utility tunnel interferes with, a public use or benefit is conclusive and final without any right of the Permittee to resort to the courts to adjudicate the matter.

Section 5. **Permittee’s obligation to remove and restore.** If the permission granted is not renewed at the expiration of a term, or if the permission expires without an application for a new permission being granted, or if the City terminates the permission, then within 90 days after the expiration or termination of the permission, or prior to any earlier date stated in an ordinance or order requiring removal of the utility tunnel, the Permittee shall, at its own expense, remove the utility tunnel and all of the Permittee’s equipment and property from the public place and replace and restore all portions of the public place that may have been

disturbed for any part of the utility tunnel in as good condition for public use as existed prior to construction of the utility tunnel and in at least as good condition in all respects as the abutting portions of the public place as required by Seattle Department of Transportation (SDOT) right-of-way restoration standards.

Failure to remove the utility tunnel as required by this section is a violation of Chapter 15.90 of the Seattle Municipal Code (SMC) or successor provision; however, applicability of Chapter 15.90 does not eliminate any remedies available to the City under this ordinance or any other authority. If the Permittee does not timely fulfill its obligations under this section, the City may in its sole discretion remove the utility tunnel and restore the public place at the Permittee's expense, and collect such expense in any manner provided by law.

Upon the Permittee's completion of removal and restoration in accordance with this section, or upon the City's completion of the removal and restoration and the Permittee's payment to the City for the City's removal and restoration costs, the Director shall then issue a certification that the Permittee has fulfilled its removal and restoration obligations under this ordinance. Upon prior notice to the Permittee and entry of written findings that it is in the public interest, the Director may, in the Director's sole discretion, conditionally or absolutely excuse the Permittee from compliance with all or any of the Permittee's obligations under this section.

Section 6. Repair or reconstruction. The utility tunnel shall remain the exclusive responsibility of the Permittee and the Permittee shall maintain the utility tunnel in good and safe condition for the protection of the public. The Permittee shall not reconstruct or repair the utility tunnel except in strict accordance with plans and specifications approved by the Director. The Director may, in the Director's judgment, order the utility tunnel reconstructed or repaired at the Permittee's cost and expense because of: the deterioration of the utility tunnel; the installation, construction, reconstruction, maintenance, operation, or repair of any municipally-owned public utilities; or for any other cause.

Section 7. Failure to correct unsafe condition. After written notice to the Permittee and failure of the Permittee to correct an unsafe condition within the time stated in the notice, the Director may order the utility

tunnel be removed at the Permittee's expense if the Director deems that the utility tunnel creates a risk of injury to the public. If there is an immediate threat to the health or safety of the public, a notice to correct is not required.

Section 8. **Continuing obligations.** Notwithstanding termination or expiration of the permission granted, or removal of the utility tunnel, the Permittee shall remain bound by all of its obligations under this ordinance until the Director has issued a certification that the Permittee has fulfilled its removal and restoration obligations under Section 5 of this ordinance, or the Seattle City Council passes a new ordinance to renew the permission granted and/or establish a new term. Notwithstanding the issuance of that certification, the Permittee shall continue to be bound by the obligations in Section 9 of this ordinance and shall remain liable for any unpaid fees assessed under Section 15 and Section 17 of this ordinance.

Section 9. **Release, hold harmless, indemnification, and duty to defend.** The Permittee, by accepting the terms of this ordinance, releases the City, its officials, officers, employees, and agents from any and all claims, actions, suits, liability, loss, costs, expense, attorneys' fees, or damages of every kind and description arising out of or by reason of the utility tunnel, or this ordinance, including but not limited to claims resulting from injury, damage, or loss to the Permittee or the Permittee's property.

The Permittee agrees to at all times defend, indemnify, and hold harmless the City, its officials, officers, employees, and agents from and against all claims, actions, suits, liability, loss, costs, expense, attorneys' fees, or damages of every kind and description, excepting only damages that may result from the sole negligence of the City, that may accrue to, be asserted by, or be suffered by any person or property including, without limitation, damage, death or injury to members of the public or to the Permittee's officers, agents, employees, contractors, invitees, tenants, tenants' invitees, licensees, or successors and assigns, arising out of or by reason of:

A. The existence, condition, construction, reconstruction, modification, maintenance, operation, use, or removal of the utility tunnel;

B. Anything that has been done or may at any time be done by the Permittee by reason of this ordinance; or

C. The Permittee failing or refusing to strictly comply with every provision of this ordinance; or arising out of or by reason of the utility tunnel or this ordinance in any other way.

If any suit, action, or claim of the nature described above is filed, instituted, or begun against the City, the Permittee shall upon notice from the City defend the City, with counsel acceptable to the City, at the sole cost and expense of the Permittee, and if a judgment is rendered against the City in any suit or action, the Permittee shall fully satisfy the judgment within 90 days after the action or suit has been finally determined, if determined adversely to the City. If it is determined by a court of competent jurisdiction that Revised Code of Washington (RCW) 4.24.115 applies to this ordinance, then in the event claims or damages are caused by or result from the concurrent negligence of the City, its agents, contractors, or employees, and the Permittee, its agents, contractors, or employees, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the Permittee or the Permittee's agents, contractors, or employees.

Section 10. **Insurance.** For as long as the Permittee exercises any permission granted by this ordinance and until the Director has issued a certification that the Permittee has fulfilled its removal and restoration obligations under Section 5 of this ordinance, the Permittee shall obtain and maintain in full force and effect, at its own expense, insurance and/or self-insurance that protects the Permittee and the City from claims and risks of loss from perils that can be insured against under commercial general liability (CGL) insurance policies in conjunction with:

A. Construction, reconstruction, modification, operation, maintenance, use, existence, or removal of the utility tunnel, as well as restoration of any disturbed areas of the public place in connection with removal of the utility tunnel;

B. The Permittee's activity upon or the use or occupation of the public place described in Section 1 of this ordinance; and

C. Claims and risks in connection with activities performed by the Permittee by virtue of the permission granted by this ordinance.

Minimum insurance requirements are CGL insurance written on an occurrence form at least as broad as the Insurance Services Office (ISO) CG 00 01. The City requires insurance coverage to be placed with an insurer admitted and licensed to conduct business in Washington State or with a surplus lines carrier pursuant to chapter 48.15 RCW. If coverage is placed with any other insurer or is partially or wholly self-insured, such insurer(s) or self-insurance is subject to approval by the City's Risk Manager.

Minimum limits of liability shall be \$5,000,000 per Occurrence; \$10,000,000 General Aggregate; \$5,000,000 Products/Completed Operations Aggregate, including Premises Operations; Personal/Advertising Injury; Contractual Liability. Coverage shall include the "City of Seattle, its officers, officials, employees and agents" as additional insureds for primary and non-contributory limits of liability subject to a Separation of Insureds clause.

Within 60 days after the effective date of this ordinance, the Permittee shall provide to the City, or cause to be provided, certification of insurance coverage including an actual copy of the blanket or designated additional insured policy provision per the ISO CG 20 12 endorsement or equivalent. The insurance coverage certification shall be delivered or sent to the Director or to SDOT at an address as the Director may specify in writing from time to time. The Permittee shall provide a certified complete copy of the insurance policy to the City promptly upon request.

If the Permittee is self-insured, a letter of certification from the Corporate Risk Manager may be submitted in lieu of the insurance coverage certification required by this ordinance, if approved in writing by the City's Risk Manager. The letter of certification must provide all information required by the City's Risk Manager and document, to the satisfaction of the City's Risk Manager, that self-insurance equivalent to the insurance requirements of this ordinance is in force. After a self-insurance certification is approved, the City may from time to time subsequently require updated or additional information. The approved self-insured

Permittee must provide 30 days' prior notice of any cancellation or material adverse financial condition of its self-insurance program. The City may at any time revoke approval of self-insurance and require the Permittee to obtain and maintain insurance as specified in this ordinance.

In the event that the Permittee assigns or transfers the permission granted by this ordinance, the Permittee shall maintain in effect the insurance required under this section until the Director has approved the assignment or transfer pursuant to Section 14 of this ordinance.

Section 11. **Contractor insurance.** The Permittee shall contractually require that any and all of its contractors performing work on any premises contemplated by this permit name the "City of Seattle, its officers, officials, employees and agents" as additional insureds for primary and non-contributory limits of liability on all CGL, Automobile and Pollution liability insurance and/or self-insurance. The Permittee shall also include in all contract documents with its contractors a third-party beneficiary provision extending to the City construction indemnities and warranties granted to the Permittee.

Section 12. **Performance bond.** Within 60 days after the effective date of this ordinance, the Permittee shall deliver to the Director for filing with the City Clerk a sufficient bond executed by a surety company authorized and qualified to do business in the State of Washington that is: in the amount of \$10,000, and conditioned with a requirement that the Permittee shall comply with every provision of this ordinance and with every order the Director issues under this ordinance. The Permittee shall ensure that the bond remains in effect until the Director has issued a certification that the Permittee has fulfilled its removal and restoration obligations under Section 5 of this ordinance. An irrevocable letter of credit approved by the Director in consultation with the City Attorney's Office may be substituted for the bond. In the event that the Permittee assigns or transfers the permission granted by this ordinance, the Permittee shall maintain in effect the bond or letter of credit required under this section until the Director has approved the assignment or transfer pursuant to Section 14 of this ordinance.

Section 13. **Adjustment of insurance and bond requirements.** The Director may adjust minimum

liability insurance levels and surety bond requirements during the term of this permission. If the Director determines that an adjustment is necessary to fully protect the interests of the City, the Director shall notify the Permittee of the new requirements in writing. The Permittee shall, within 60 days of the date of the notice, provide proof of the adjusted insurance and surety bond levels to the Director.

Section 14. **Consent for and conditions of assignment or transfer.** When the Property is transferred, the permission granted by this ordinance shall be assignable and transferable by operation of law pursuant to Section 20 of this ordinance. Continued occupation of the right-of-way constitutes the Permittee's acceptance of the terms of this ordinance, and the new owner shall be conferred with the rights and obligations of Permittee by this ordinance. Other than a transfer to a new owner of the Property, Permittee shall not transfer, assign, mortgage, pledge or encumber the same without the Director's consent, which the Director shall not unreasonably refuse. The Director may approve assignment or transfer of the permission granted by this ordinance to a successor entity only if the successor or assignee has provided, at the time of the assignment or transfer, the bond and certification of insurance coverage required under this ordinance; and has paid any fees due under Section 15 and Section 17 of this ordinance. Upon the Director's approval of an assignment or transfer, the rights and obligations conferred on the Permittee by this ordinance shall be conferred on the successors and assigns. Any person or entity seeking approval for an assignment or transfer of the permission granted by this ordinance shall provide the Director with a description of the current and anticipated use of the utility tunnel.

Section 15. **Inspection fees.** The Permittee shall, as provided by SMC Chapter 15.76 or successor provision, pay the City the amounts charged by the City to inspect the utility tunnel during construction, reconstruction, repair, annual safety inspections, and at other times deemed necessary by the City. An inspection or approval of the utility tunnel by the City shall not be construed as a representation, warranty, or assurance to the Permittee or any other person as to the safety, soundness, or condition of the utility tunnel. Any failure by the City to require correction of any defect or condition shall not in any way limit the

responsibility or liability of the Permittee.

Section 16. **Inspection reports.** The Permittee shall submit to the Director, or to SDOT at an address specified by the Director, an inspection report that:

- A. Describes the physical dimensions and condition of all load-bearing elements;
- B. Describes any damages or possible repairs to any element of the utility tunnel;
- C. Prioritizes all repairs and establishes a timeframe for making repairs; and
- D. Is stamped by a professional structural engineer licensed in the State of Washington.

A report meeting the foregoing requirements shall be submitted within 60 days after the effective date of the ordinance; subsequent reports shall be submitted every two years, provided that, in the event of a natural disaster or other event that may have damaged the utility tunnel, the Director may require that additional reports be submitted by a date established by the Director. The Permittee has the duty of inspecting and maintaining the utility tunnel. The responsibility to submit structural inspection reports periodically or as required by the Director does not waive or alter any of the Permittee's other obligations under this ordinance. The receipt of any reports by the Director shall not create any duties on the part of the Director. Any failure by the Director to require a report, or to require action after receipt of any report, shall not waive or limit the obligations of the Permittee.

Section 17. **Annual fee.** Beginning on the effective date of this ordinance the Permittee shall pay an Issuance Fee, and annually thereafter, the Permittee shall promptly pay to the City, upon statements or invoices issued by the Director, an Annual Renewal Fee, and an Annual Use and Occupation fee of \$3,340.80, or as adjusted annually thereafter, for the privileges granted by this ordinance.

Adjustments to the Annual Use and Occupation Fee shall be made in accordance with a term permit fee schedule adopted by the City Council and may be made every year. In the absence of a schedule, the Director may only increase or decrease the previous year's fee to reflect any inflationary changes so as to charge the fee in constant dollar terms. This adjustment will be calculated by adjusting the previous year's fee by the

percentage change between the two most recent year-end values available for the Consumer Price Index for the Seattle-Tacoma-Bellevue Area, All Urban Consumers, All Products, Not Seasonally Adjusted. Permittee shall pay any other applicable fees, including fees for reviewing applications to renew the permit after expiration of the first term. All payments shall be made to the City Finance Director for credit to the Transportation Fund.

Section 18. Compliance with other laws. Permittee shall construct, maintain, and operate the utility tunnel in compliance with all applicable federal, state, County and City laws and regulations. Without limitation, in all matters pertaining to the utility tunnel, the Permittee shall comply with the City's laws prohibiting discrimination in employment and contracting including Seattle's Fair Employment Practices Ordinance, Chapter 14.04, and Fair Contracting Practices code, Chapter 14.10 (or successor provisions).

Section 19. Acceptance of terms and conditions. The Permittee shall provide evidence of insurance coverage required by Section 10 of this ordinance, the bond as required by Section 12 of this ordinance, and the covenant agreement required by Section 20 of this ordinance within 60 days after the effective date of this ordinance. Continued occupation of the right-of-way constitutes the Permittee's acceptance of the terms of this ordinance.

Section 20. Obligations run with the Property. The obligations and conditions imposed on the Permittee by and through this ordinance are covenants that run with the land and bind subsequent owners of the property adjacent to the utility tunnel, and legally described in Section 1 of this ordinance (the "Property"), regardless of whether the Director has approved assignment or transfer of the permission granted herein to such subsequent owner(s). At the request of the Director, Permittee shall provide to the Director a current title report showing the identity of all owner(s) of the Property and all encumbrances on the Property. The Permittee shall, within 60 days of the effective date of this ordinance, and prior to conveying any interest in the Property, deliver to the Director upon a form to be supplied by the Director, a covenant agreement imposing the obligations and conditions set forth in this ordinance, signed and acknowledged by the Permittee and any other owner(s) of the Property and recorded with the King County Recorder's Office. The Director shall file the

recorded covenant agreement with the City Clerk. The covenant agreement shall reference this ordinance by its ordinance number. At the request of the Director, Permittee shall cause encumbrances on the Property to be subordinated to the covenant agreement.

Section 21. **Section titles.** Section titles are for convenient reference only and do not modify or limit the text of a section.

Section 22. **Repeal of Section 8 of Ordinance 119437.** Section 8 of Ordinance 119437 is repealed.

Section 23. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2022, and signed by me in open session in authentication of its passage this _____ day of _____, 2022.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2022.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2022.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Seattle Department of Transportation	Amy Gray/206-386-4638	Christie Parker/206-684-5211

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

1. BILL SUMMARY

Legislation Title: AN ORDINANCE, granting permission to 2001 Sixth L.L.C. to continue operating and maintaining a utility tunnel under the alley between 5th Avenue and 6th Avenue, north of Virginia Street; repealing Section 8 of Ordinance 119437; and providing acceptance of the permit and conditions.

Summary and Background of the Legislation: This legislation allows 2001 Sixth L.L.C. to continue maintaining and operating the existing utility tunnel under the alley between 5th Avenue and 6th Avenue, north of Virginia Street. The utility tunnel is for a period of 15 years, commencing on the effective date of the ordinance. 2001 Sixth L.L.C. may apply to renew the permit once for a successive 15-year term. The legislation specifies the conditions under which permission is granted.

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? X Yes No

Appropriation change (\$):	General Fund \$		Other \$	
	2022	2023	2022	2023
Estimated revenue change (\$):	Revenue to General Fund		Revenue to Other Funds	
	2022	2023	2022	2023
			\$3,340.80	TBD
Positions affected:	No. of Positions		Total FTE Change	
	2022	2023	2022	2023

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?
No.

Are there financial costs or other impacts of *not* implementing the legislation?
 If the legislation is not enacted by City Council, the City of Seattle will not receive the 2022 fee of \$3,340.80 and future annual fees.

3.a. Appropriations

This legislation adds, changes, or deletes appropriations.

3.b. Revenues/Reimbursements

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

Anticipated Revenue/Reimbursement Resulting from This Legislation:

Fund Name and Number	Dept	Revenue Source	2022 Revenue	2023 Estimated Revenue
Transportation Fund (13000)	SDOT	Annual Fee	\$3,340.80	TBD
TOTAL			\$3,340.80	TBD

Is this change one-time or ongoing?
 Ongoing.

Revenue/Reimbursement Notes:
 The 2022 fee is based on the 2022 assessed land value by King County.

3.c. Positions

This legislation adds, changes, or deletes positions.

4. OTHER IMPLICATIONS

- a. Does this legislation affect any departments besides the originating department?
 No.
- 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?

Yes, the 2001 Sixth L.L.C. property legally described in Section 1 of the Council Bill.

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?

This legislation does not have any implications for the principles of the Race and Social Justice Initiative and does not impact vulnerable or historically disadvantaged communities.

f. Climate Change Implications

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

No.

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

No.

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

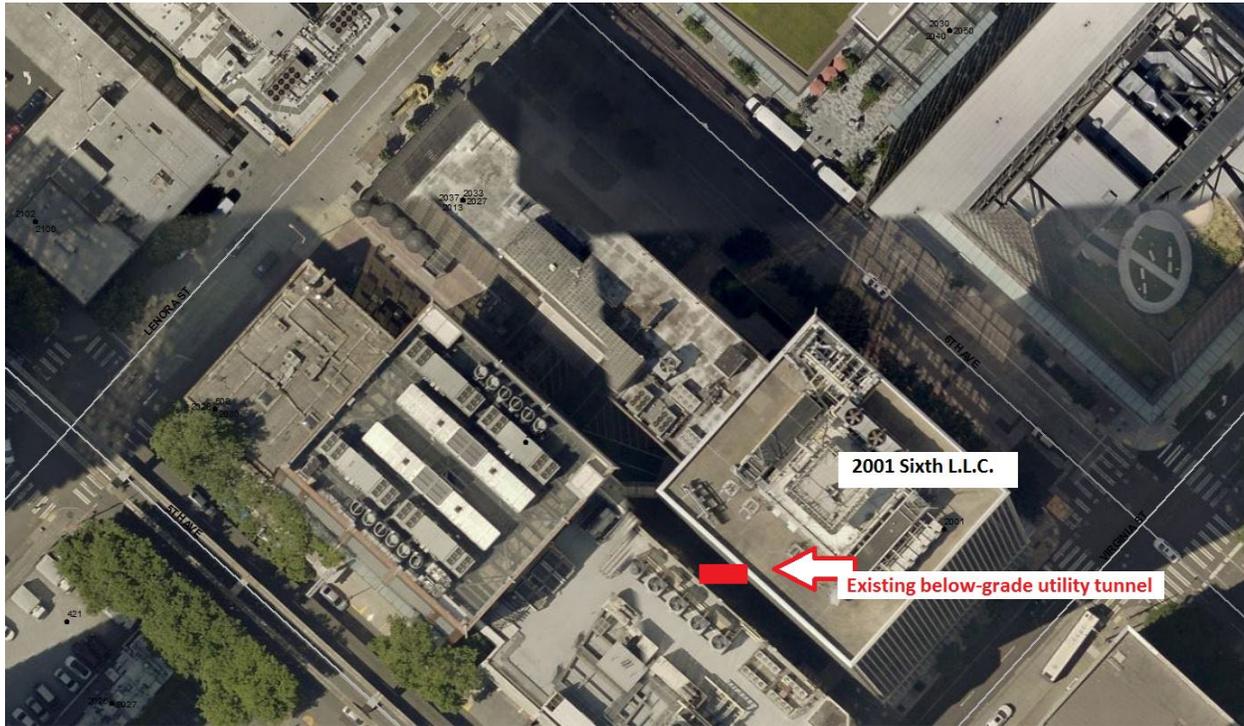
N/A

Summary Attachments:

Summary Attachment A – 2001 Sixth L.L.C. Tunnel Area Map

Summary Attachment B – 2001 Sixth L.L.C. Annual Fee Assessment

2001 Sixth L.L.C. Tunnel Area Map



Map is for informational purposes only and is not intended to modify or supplement the legal description(s) in the Ordinance.

Annual Fee Assessment Summary

STREET USE ANNUAL FEE ASSESSMENT

Date: 1/13/2022

<p>Summary: 2022 Land Value: \$1,450/SF Permit Fee: \$3,340.80</p>

I. **Property Description:**

Existing below-grade utility tunnel under the alley between 5th Ave and 6th Ave, north of Virginia St. The utility tunnel connects the buildings located at 2001 6th Ave 2010 5th Ave. The use area is **96 square feet**.

Applicant:

2001 Sixth L.L.C.

Abutting Parcels, Property Size, Assessed Value:

2022

Parcel 0659000890; Lot size: 19,440 square feet
Tax year 2022 Appraised Land Value: \$28,188,000 (\$1,450/square foot)

Parcel 0659000950; Lot size: 12,960 square feet
Tax year 2022 Appraised Land Value: \$18,792,000 (\$1,450/square foot)

Average 2022 Tax Assessed Land Value \$1,450/SF

II. **Annual Fee Assessment:**

The 2022 permit fee is calculated as follows:

$(\$1,450/\text{SF}) \times (96 \text{ SF}) \times (30\%) \times (8\%) = \boxed{\$3,340.80}$ where 30% is the degree of alienation for below-grade utility tunnel; and 8% is the annual rate of return.

Fee methodology authorized under Ordinance 123485, as amended by Ordinances 123585, 12390, and 126159.



Legislation Text

File #: CB 120301, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE granting King County permission to continue maintaining and operating two pedestrian tunnels under and across 9th Avenue, between Alder Street and Jefferson Street; repealing Section 8 of Ordinance 123842; and providing for acceptance of the permit and conditions.

WHEREAS, by Ordinance 123842, The City of Seattle granted King County permission to continue

maintaining and operating two pedestrian tunnels under and across 9th Avenue, between Alder Street and Jefferson Street, for a 10-year term, renewable for two successive 10-year terms; and

WHEREAS, the permission authorized by Ordinance 123842 was due for renewal on April 19, 2021; and

WHEREAS, since the adoption of Ordinance 123842, the City of Seattle has established a practice for the length of permit to one 15-year term, renewable for one successive 15-year term; and

WHEREAS, reflective of this change King County submitted an application to the Director of Transportation to renew the permission granted by Ordinance 123842 for a 15-year term; and

WHEREAS, the obligations of Ordinance 123842 remain in effect after the ordinance term expires until the encroachment is removed, or King County is relieved of the obligations by the Seattle Department of Transportation Director, or the Seattle City Council passes a new ordinance to renew the permission granted; and

WHEREAS, King County satisfied all the terms of the original authorizing ordinance and the Director of Transportation recommends that the term permit be renewed for 15 years subject to the terms identified in this ordinance; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. **Permission.** Subject to the terms and conditions of this ordinance, the City of Seattle (“City”) grants permission (also referred to in this ordinance as a permit) to King County, and its successors and assigns as approved by the Director of the Seattle Department of Transportation (“Director”) according to Section 14 of this ordinance (the party named above and each such approved successor and assign are referred to as “Permittee”), to continue maintaining and operating two existing pedestrian tunnels under and across 9th Avenue, between Alder Street and Jefferson Street. The two pedestrian tunnels are adjacent in whole or in part to the properties legally described as:

Lots 2, 3, 6, and 7, Block 66, together with vacated Terrace Street per Vacation Ordinance No. 58470, Terry's First Addition to the City of Seattle; and Lots 1, 4, 5, and 8, Block 83, together with vacated Terrace Street per Vacation Ordinance No. 58470, Terry's Second Addition to the City of Seattle.

Section 2. **Term.** The permission granted to the Permittee is for a second and final renewed term of 15 years starting on the effective date of this ordinance and ending at 11:59 p.m. on the fifteenth year. The total term of the permission, including renewals, shall not exceed 30 years. The Permittee shall submit any application for a new permission no later than one year prior to the expiration of the then-existing term.

Section 3. **Protection of utilities.** The permission granted is subject to the Permittee bearing the expense of any protection, support, or relocation of existing utilities deemed necessary by the owners of the utilities, and the Permittee being responsible for any damage to the utilities due to the construction, repair, reconstruction, maintenance, operation, or removal of the existing pedestrian tunnels and for any consequential damages that may result from any damage to utilities or interruption in service caused by any of the foregoing.

Section 4. **Removal for public use or for cause.** The permission granted is subject to use of the street right-of-way or other public place (collectively, “public place”) by the City and the public for travel, utility purposes, and other public uses or benefits. The City expressly reserves the right to deny renewal, or terminate the permission at any time prior to expiration of the initial term or any renewal term, and require the Permittee to remove the existing pedestrian tunnels, or any part thereof or installation on the public place, at the Permittee’s sole cost and expense in the event that:

A. The City Council determines by ordinance that the space occupied by the existing pedestrian tunnels is necessary for any public use or benefit or that the existing pedestrian tunnels interferes with any public use or benefit; or

B. The Director determines that use of the existing pedestrian tunnels has been abandoned; or

C. The Director determines that any term or condition of this ordinance has been violated, and the violation has not been corrected by the Permittee by the compliance date after a written request by the City to correct the violation (unless a notice to correct is not required due to an immediate threat to the health or safety of the public).

A City Council determination that the space is needed for, or the existing pedestrian tunnels interferes with, a public use or benefit is conclusive and final without any right of the Permittee to resort to the courts to adjudicate the matter.

Section 5. **Permittee's obligation to remove and restore.** If the permission granted is not renewed at the expiration of a term, or if the permission expires without an application for a new permission being granted, or if the City terminates the permission, then within 90 days after the expiration or termination of the permission, or prior to any earlier date stated in an ordinance or order requiring removal of the existing pedestrian tunnels, the Permittee shall, at its own expense, remove the existing pedestrian tunnels and all of the Permittee's equipment and property from the public place and replace and restore all portions of the public place that may have been disturbed for any part of the existing pedestrian tunnels in as good condition for public use as existed prior to construction of the existing pedestrian tunnels and in at least as good condition in all respects as the abutting portions of the public place as required by Seattle Department of Transportation (SDOT) right-of-way restoration standards.

Failure to remove the existing pedestrian tunnels as required by this section is a violation of Chapter 15.90 of the Seattle Municipal Code (SMC) or successor provision; however, applicability of Chapter 15.90 does not eliminate any remedies available to the City under this ordinance or any other authority. If the

Permittee does not timely fulfill its obligations under this section, the City may in its sole discretion remove the existing pedestrian tunnels and restore the public place at the Permittee's expense and collect such expense in any manner provided by law.

Upon the Permittee's completion of removal and restoration in accordance with this section, or upon the City's completion of the removal and restoration and the Permittee's payment to the City for the City's removal and restoration costs, the Director shall then issue a certification that the Permittee has fulfilled its removal and restoration obligations under this ordinance. Upon prior notice to the Permittee and entry of written findings that it is in the public interest, the Director may, in the Director's sole discretion, conditionally or absolutely excuse the Permittee from compliance with all or any of the Permittee's obligations under this section.

Section 6. **Repair or reconstruction.** The existing pedestrian tunnels shall remain the exclusive responsibility of the Permittee and the Permittee shall maintain the existing pedestrian tunnels in good and safe condition for the protection of the public. The Permittee shall not reconstruct or repair the existing pedestrian tunnels except in strict accordance with plans and specifications approved by the Director. The Director may, in the Director's judgment, order the existing pedestrian tunnels reconstructed or repaired at the Permittee's cost and expense: because of the deterioration of the existing pedestrian tunnels; because of the installation, construction, reconstruction, maintenance, operation, or repair of any municipally-owned public utilities; or for any other cause.

Section 7. **Failure to correct unsafe condition.** After written notice to the Permittee and failure of the Permittee to correct an unsafe condition within the time stated in the notice, the Director may order the existing pedestrian tunnels be removed at the Permittee's expense if the Director deems that the existing pedestrian tunnels create a risk of injury to the public. If there is an immediate threat to the health or safety of the public, a notice to correct is not required.

Section 8. **Continuing obligations.** Notwithstanding termination or expiration of the permission granted, or removal of the existing pedestrian tunnels, the Permittee shall remain bound by all of its

obligations under this ordinance until the Director has issued a certification that the Permittee has fulfilled its removal and restoration obligations under Section 5 of this ordinance, or the Seattle City Council passes a new ordinance to renew the permission granted and/or establish a new term. Notwithstanding the issuance of that certification, the Permittee shall continue to be bound by the obligations in Section 9 of this ordinance and shall remain liable for any unpaid fees assessed under Section 15 and Section 17 of this ordinance.

Section 9. **Release, hold harmless, indemnification, and duty to defend.** The Permittee, by accepting the terms of this ordinance, releases the City, its officials, officers, employees, and agents from any and all claims, actions, suits, liability, loss, costs, expense, attorneys' fees, or damages of every kind and description arising out of or by reason of the existing pedestrian tunnels or this ordinance, including but not limited to claims resulting from injury, damage, or loss to the Permittee or the Permittee's property.

The Permittee agrees to at all times defend, indemnify, and hold harmless the City, its officials, officers, employees, and agents from and against all claims, actions, suits, liability, loss, costs, expense, attorneys' fees, or damages of every kind and description, excepting only damages that may result from the sole negligence of the City, that may accrue to, be asserted by, or be suffered by any person or property including, without limitation, damage, death or injury to members of the public or to the Permittee's officers, agents, employees, contractors, invitees, tenants, tenants' invitees, licensees, or successors and assigns, arising out of or by reason of:

A. The existence, condition, construction, reconstruction, modification, maintenance, operation, use, or removal of the existing pedestrian tunnels;

B. Anything that has been done or may at any time be done by the Permittee by reason of this ordinance; or

C. The Permittee failing or refusing to strictly comply with every provision of this ordinance; or arising out of or by reason of the existing pedestrian tunnels or this ordinance in any other way.

If any suit, action, or claim of the nature described above is filed, instituted, or begun against the City,

the Permittee shall upon notice from the City defend the City, with counsel acceptable to the City, at the sole cost and expense of the Permittee, and if a judgment is rendered against the City in any suit or action, the Permittee shall fully satisfy the judgment within 90 days after the action or suit has been finally determined, if determined adversely to the City. If it is determined by a court of competent jurisdiction that Revised Code of Washington (RCW) 4.24.115 applies to this ordinance, then in the event claims or damages are caused by or result from the concurrent negligence of the City, its agents, contractors, or employees, and the Permittee, its agents, contractors, or employees, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the Permittee or the Permittee's agents, contractors, or employees.

Section 10. **Insurance.** For as long as the Permittee exercises any permission granted by this ordinance and until the Director has issued a certification that the Permittee has fulfilled its removal and restoration obligations under Section 5 of this ordinance, the Permittee shall obtain and maintain in full force and effect, at its own expense, insurance and/or self-insurance that protects the Permittee and the City from claims and risks of loss from perils that can be insured against under commercial general liability (CGL) insurance policies in conjunction with:

A. Construction, reconstruction, modification, operation, maintenance, use, existence, or removal of the existing pedestrian tunnels, as well as restoration of any disturbed areas of the public place in connection with removal of the existing pedestrian tunnels;

B. The Permittee's activity upon or the use or occupation of the public place described in Section 1 of this ordinance; and

C. Claims and risks in connection with activities performed by the Permittee by virtue of the permission granted by this ordinance.

Minimum insurance requirements are CGL insurance written on an occurrence form at least as broad as the Insurance Services Office (ISO) CG 00 01. The City requires insurance coverage to be placed with an insurer admitted and licensed to conduct business in Washington State or with a surplus lines carrier pursuant to

chapter 48.15 RCW. If coverage is placed with any other insurer or is partially or wholly self-insured, such insurer(s) or self-insurance is subject to approval by the City's Risk Manager.

Minimum limits of liability shall be \$5,000,000 per Occurrence; \$10,000,000 General Aggregate; \$5,000,000 Products/Completed Operations Aggregate, including Premises Operations; Personal/Advertising Injury; Contractual Liability. Coverage shall include the "City of Seattle, its officers, officials, employees and agents" as additional insureds for primary and non-contributory limits of liability subject to a Separation of Insureds clause.

Within 60 days after the effective date of this ordinance, the Permittee shall provide to the City, or cause to be provided, certification of insurance coverage including an actual copy of the blanket or designated additional insured policy provision per the ISO CG 20 12 endorsement or equivalent. The insurance coverage certification shall be delivered or sent to the Director or to SDOT at an address as the Director may specify in writing from time to time. The Permittee shall provide a certified complete copy of the insurance policy to the City promptly upon request.

If the Permittee is self-insured, a letter of certification from the Corporate Risk Manager may be submitted in lieu of the insurance coverage certification required by this ordinance, if approved in writing by the City's Risk Manager. The letter of certification must provide all information required by the City's Risk Manager and document, to the satisfaction of the City's Risk Manager, that self-insurance equivalent to the insurance requirements of this ordinance is in force. After a self-insurance certification is approved, the City may from time to time subsequently require updated or additional information. The approved self-insured Permittee must provide 30 days' prior notice of any cancellation or material adverse financial condition of its self-insurance program. The City may at any time revoke approval of self-insurance and require the Permittee to obtain and maintain insurance as specified in this ordinance.

In the event that the Permittee assigns or transfers the permission granted by this ordinance, the Permittee shall maintain in effect the insurance required under this section until the Director has approved the

assignment or transfer pursuant to Section 14 of this ordinance.

Section 11. **Contractor insurance.** The Permittee shall contractually require that any and all of its contractors performing work on any premises contemplated by this permit name the “City of Seattle, its officers, officials, employees and agents” as additional insureds for primary and non-contributory limits of liability on all CGL, Automobile and Pollution liability insurance and/or self-insurance. The Permittee shall also include in all contract documents with its contractors a third-party beneficiary provision extending to the City construction indemnities and warranties granted to the Permittee.

Section 12. **Performance bond.** In the event that the Permittee seeks to assign or transfer the permission granted by this ordinance, the Director in consultation with the City Attorney’s Office, may determine that a performance bond is necessary to adequately protect the City’s interests, in which case the successor entity shall deliver to the Director for filing with the City Clerk, as a condition of approval of the assignment or transfer within 60 days of notification of such determination, a sufficient bond executed by a surety company authorized and qualified to do business in the State of Washington that is in the amount determined by the Director in consultation with the City Attorney’s Office, and conditioned with a requirement that the successor entity shall comply with every provision of this ordinance and with every order the Director issues under this ordinance. The successor entity shall ensure that the bond remains in effect until the Director has issued a certification that the successor entity has fulfilled its removal and restoration obligations under Section 5. An irrevocable letter of credit approved by the SDOT Director in consultation with the City Attorney’s Office may be substituted for the bond.

Section 13. **Adjustment of insurance and bond requirements.** The Director may adjust minimum liability insurance levels and surety bond requirements during the term of this permission. If the Director determines that an adjustment is necessary to fully protect the interests of the City, the Director shall notify the Permittee of the new requirements in writing. The Permittee shall, within 60 days of the date of the notice, provide proof of the adjusted insurance and surety bond levels to the Director.

Section 14. **Consent for and conditions of assignment or transfer.** When the Property is transferred, the permission granted by this ordinance shall be assignable and transferable by operation of law pursuant to Section 20 of this ordinance. Continued occupation of the right-of-way constitutes the Permittee's acceptance of the terms of this ordinance, and the new owner shall be conferred with the rights and obligations of the Permittee by this ordinance. Other than a transfer to a new owner of the Property, the Permittee shall not transfer, assign, mortgage, pledge or encumber the same without the Director's consent, which the Director shall not unreasonably refuse. The Director may approve assignment or transfer of the permission granted by this ordinance to a successor entity only if the successor or assignee has provided, at the time of the assignment or transfer, the bond and certification of insurance coverage required under this ordinance; and has paid any fees due under Section 15 and Section 17 of this ordinance. Upon the Director's approval of an assignment or transfer, the rights and obligations conferred on the Permittee by this ordinance shall be conferred on the successors and assigns. Any person or entity seeking approval for an assignment or transfer of the permission granted by this ordinance shall provide the Director with a description of the current and anticipated use of the existing pedestrian tunnels.

Section 15. **Inspection fees.** The Permittee shall, as provided by SMC Chapter 15.76 or successor provision, pay the City the amounts charged by the City to inspect the existing pedestrian tunnels during construction, reconstruction, repair, annual safety inspections, and at other times deemed necessary by the City. An inspection or approval of the existing pedestrian tunnels by the City shall not be construed as a representation, warranty, or assurance to the Permittee or any other person as to the safety, soundness, or condition of the existing pedestrian tunnels. Any failure by the City to require correction of any defect or condition shall not in any way limit the responsibility or liability of the Permittee.

Section 16. **Inspection reports.** The Permittee shall submit to the Director, or to SDOT at an address specified by the Director, an inspection report that:

- A. Describes the physical dimensions and condition of all load-bearing elements;

- B. Describes any damages or possible repairs to any element of the existing pedestrian tunnels;
- C. Prioritizes all repairs and establishes a timeframe for making repairs; and
- D. Is stamped by a professional structural engineer licensed in the State of Washington.

A report meeting the foregoing requirements shall be submitted within 60 days after the effective date of this ordinance; subsequent reports shall be submitted every two years, provided that, in the event of a natural disaster or other event that may have damaged the existing pedestrian tunnels, the Director may require that additional reports be submitted by a date established by the Director. The Permittee has the duty of inspecting and maintaining the existing pedestrian tunnels. The responsibility to submit structural inspection reports periodically or as required by the Director does not waive or alter any of the Permittee's other obligations under this ordinance. The receipt of any reports by the Director shall not create any duties on the part of the Director. Any failure by the Director to require a report, or to require action after receipt of any report, shall not waive or limit the obligations of the Permittee.

Section 17. **Annual fee.** Beginning on the effective date of this ordinance the Permittee shall pay an Issuance Fee, and annually thereafter, the Permittee shall promptly pay to the City, upon statements or invoices issued by the Director, an Annual Renewal Fee, and an Annual Use and Occupation fee of \$7,508, or as adjusted annually thereafter, for the privileges granted by this ordinance.

Adjustments to the Annual Use and Occupation Fee shall be made in accordance with a term permit fee schedule adopted by the City Council and may be made every year. In the absence of a schedule, the Director may only increase or decrease the previous year's fee to reflect any inflationary changes so as to charge the fee in constant dollar terms. This adjustment will be calculated by adjusting the previous year's fee by the percentage change between the two most recent year-end values available for the Consumer Price Index for the Seattle-Tacoma-Bellevue Area, All Urban Consumers, All Products, Not Seasonally Adjusted. Permittee shall pay any other applicable fees, including fees for reviewing applications to renew the permit after expiration of the first term. All payments shall be made to the City Finance Director for credit to the Transportation Fund.

Section 18. **Compliance with other laws.** The Permittee shall construct, maintain, and operate the existing pedestrian tunnels in compliance with all applicable federal, state, County, and City laws and regulations. Without limitation, in all matters pertaining to the existing pedestrian tunnel, the Permittee shall comply with the City’s laws prohibiting discrimination in employment and contracting including Seattle’s Fair Employment Practices Ordinance, Chapter 14.04, and Fair Contracting Practices code, Chapter 14.10 (or successor provisions).

Section 19. **Acceptance of terms and conditions.** The Permittee shall provide evidence of insurance coverage required by Section 10 of this ordinance, the bond as required by Section 12 of this ordinance, and the covenant agreement required by Section 20 of this ordinance within 60 days after the effective date of this ordinance. Continued occupation of the right-of-way constitutes the Permittee’s acceptance of the terms of this ordinance.

Section 20. **Obligations run with the Property.** The obligations and conditions imposed on the Permittee by and through this ordinance are covenants that run with the land and bind subsequent owners of the property adjacent to the existing pedestrian tunnels and legally described in Section 1 of this ordinance (the “Property”), regardless of whether the Director has approved assignment or transfer of the permission granted herein to such subsequent owner(s). At the request of the Director, the Permittee shall provide to the Director a current title report showing the identity of all owner(s) of the Property and all encumbrances on the Property. The Permittee shall, within 60 days of the effective date of this ordinance, and prior to conveying any interest in the Property, deliver to the Director upon a form to be supplied by the Director, a covenant agreement imposing the obligations and conditions set forth in this ordinance, signed and acknowledged by the Permittee and any other owner(s) of the Property and recorded with the King County Recorder’s Office. The Director shall file the recorded covenant agreement with the City Clerk. The covenant agreement shall reference this ordinance by its ordinance number. At the request of the Director, Permittee shall cause encumbrances on the Property to be subordinated to the covenant agreement.

Section 21. **Section titles.** Section titles are for convenient reference only and do not modify or limit the text of a section.

Section 22. **Repeal of Section 8 of Ordinance 123842.** Section 8 of Ordinance 123842 is repealed.

Section 23. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2022, and signed by me in open session in authentication of its passage this _____ day of _____, 2022.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2022.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2022.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Seattle Department of Transportation	Amy Gray/206-386-4638	Christie Parker/206-684-5211

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

1. BILL SUMMARY

Legislation Title: AN ORDINANCE granting King County permission to continue maintaining and operating two pedestrian tunnels under and across 9th Avenue, between Alder Street and Jefferson Street; repealing Section 8 of Ordinance 123842; and providing for acceptance of the permit and conditions.

Summary and Background of the Legislation: This legislation allows King County to continue maintaining and operating a two pedestrian tunnels under and across 9th Avenue, between Alder Street and Jefferson Street. The pedestrian tunnels permit is for a period of 15 years, commencing on the effective date of the ordinance. The legislation specifies the conditions under which permission is granted.

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? X Yes No

Appropriation change (\$):	General Fund \$		Other \$	
	2022	2023	2022	2023
Estimated revenue change (\$):	Revenue to General Fund		Revenue to Other Funds	
	2022	2023	2022	2023
			\$7,508	TBD
Positions affected:	No. of Positions		Total FTE Change	
	2022	2023	2022	2023

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?
 No.

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

If the legislation is not enacted by the City Council, the City of Seattle would not receive the 2022 annual fee of \$7,508 and future annual fees.

3.a. Appropriations

This legislation adds, changes, or deletes appropriations.

3.b. Revenues/Reimbursements

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

Anticipated Revenue/Reimbursement Resulting from This Legislation:

Fund Name and Number	Dept	Revenue Source	2022 Revenue	2023 Estimated Revenue
Transportation Fund (13000)	SDOT	Annual Fee	\$7,508	TBD
TOTAL			\$7,508	TBD

Is this change one-time or ongoing?

Ongoing

Revenue/Reimbursement Notes:

The 2022 Annual Fee is based on the 2022 land value as assessed by King County.

3.c. Positions

This legislation adds, changes, or deletes positions.

4. OTHER IMPLICATIONS

- a. Does this legislation affect any departments besides the originating department?
No.
- 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?
Yes, the King County property legally described in Section 1 of the Council Bill.

- 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?**

This legislation does not have any implications for the principles of the Race and Social Justice Initiative and does not impact vulnerable or historically disadvantaged communities.

f. Climate Change Implications

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

No.

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

No.

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

N/A

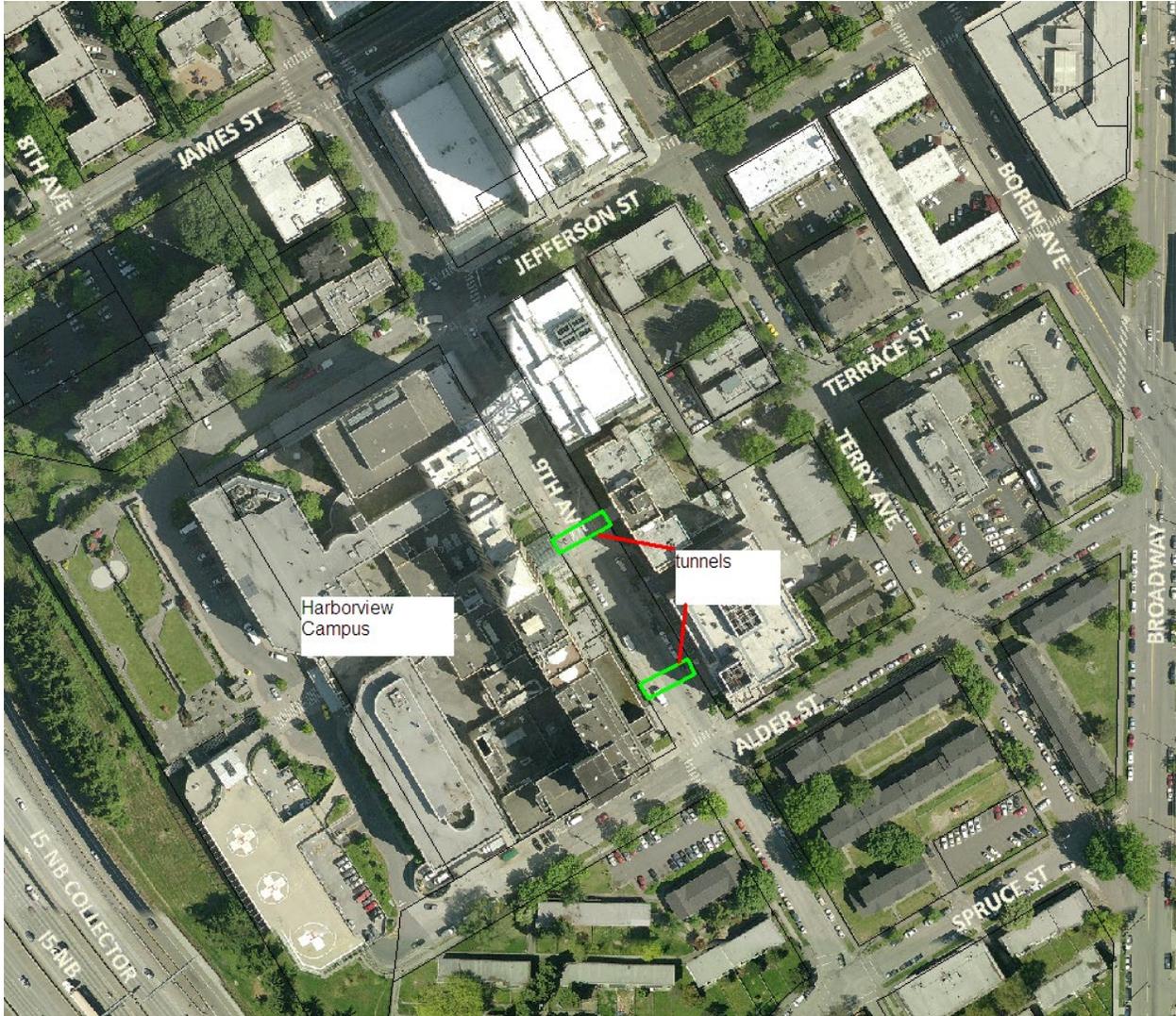
Summary Attachments:

Summary Attachment A – King County Harborview Tunnels Area Map

Summary Attachment B – King County Harborview Tunnels Photos

Summary Attachment C – Annual Fee Assessment Summary

Attachment A – King County Harborview Tunnels Area Map



Map is for informational purposes only and is not intended to modify or supplement the legal description(s) in the Ordinance.

King County Harborview Tunnels Photos



Tunnel under 9th ave connecting Research & Training Building to East Clinic



Tunnel under 9th ave connecting Maleng Building to Center Tower

Attachment C - Annual Fee Assessment Summary

STREET USE ANNUAL FEE ASSESSMENT

Date: 1/12/2022

<p><u>Summary:</u> Land Value: \$568.77/SF 2022 Permit Fee: \$7,508</p>
--

I. Property Description:

Two existing pedestrian tunnels under and across 9th Avenue, between Alder Street and Jefferson Street. The combined area of both tunnels is **660 square feet**.

Applicant:
King County

Abutting Parcels, Property Size, Assessed Value:

2022

Parcel 8590400755; Lot size: 14,344 square feet
Tax year 2022 Appraised Land Value \$8,427,800 (\$587.55/square foot)

Parcel 8590901045; Lot size: 7,200 square feet
Tax year 2022 Appraised Land Value \$3,960,000 (\$550/square foot)

Average 2022 Tax Assessed Land Value: \$568.77/SF

II. Annual Fee Assessment:

The 2022 permit fee is calculated as follows:

Private parking area:
 $(\$568.77/\text{SF}) \times (660 \text{ SF}) \times (25\%) \times (8\%) = \boxed{\$7,508}$ where 30% is the degree of alienation for below-grade tunnels and 8% is the annual rate of return.

Fee methodology authorized under Ordinance 123485, as amended by Ordinances 123585, 123907, and 124532.



Legislation Text

File #: CB 120302, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE granting Swedish Health Services permission to continue maintaining and operating an existing pedestrian skybridge over and across Cherry Street, west of Broadway and east of Minor Avenue; repealing Section 9 of Ordinance 123048; and providing for the acceptance of the permit and conditions.

WHEREAS, by Ordinance 123048, The City of Seattle granted permission to Swedish Health Services to construct, maintain, and operate a pedestrian skybridge over and across Cherry Street, west of Broadway and east of Minor Avenue, and

WHEREAS, since the adoption of Ordinance 123048, the City of Seattle has established a practice for the length of permit to one 15-year term, renewable for one successive 15-year term; and

WHEREAS, reflective of this change Swedish Health Services submitted an application to the Director of Transportation to renew the permission granted by Ordinance 123048 for a 15-year term; and

WHEREAS, the permission authorized by Ordinance 123048 was due for renewal on June 15, 2018; and

WHEREAS, the pedestrian skybridge provides an above-grade connection for patients, staff, physicians, and visitors between the Swedish First Hill Medical Center and the Swedish Orthopedic Institute, and the skybridge also provides a connection for sensitive hospital equipment between the facilities; and

WHEREAS, the obligations of Ordinance 123048 remain in effect after the ordinance term expires until the encroachment is removed, or Swedish Health Services is relieved of the obligations by the Seattle Department of Transportation Director, or the Seattle City Council passes a new ordinance to renew the permission granted; and

WHEREAS, Swedish Health Services has satisfied all the terms of the original authorizing ordinance and the Director of Transportation recommends that the term permit be renewed for 15 years subject to the terms identified in this ordinance; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. **Permission.** Subject to the terms and conditions of this ordinance, the City of Seattle (“City”) grants permission (also referred to in this ordinance as a permit) to Swedish Health Services, and its successors and assigns as approved by the Director of the Seattle Department of Transportation (“Director”) according to Section 14 of this ordinance (the party named above and each such approved successor and assign are referred to as “Permittee”), to continue maintaining and operating an existing pedestrian skybridge over and across Cherry Street, west of Broadway and east of Minor Avenue. The pedestrian skybridge is adjacent in whole or in part to the properties legally described as:

Lot 1 through 8 in block 100 of Terry’s 2nd Addition to the City of Seattle, as per plat recorded in Volume 1 of plats, page 87, records of King County, Washington; together with the alley in said block, vacated by Ordinance No. 5956, of the City of Seattle; situate in the City of Seattle, County of King, State of Washington.

Section 2. **Term.** The permission granted to the Permittee is for a second and final renewed term of 15 years starting on the effective date of this ordinance, and ending at 11:59 p.m. on last day of the fifteenth year. This second and final term shall not exceed 30 years total from the term authorized in Ordinance 123048, subject to the right of the City to require the removal of the pedestrian skybridge or to revise by ordinance any of the terms and conditions of the permission granted by this ordinance. The Permittee shall submit any application for a new permission no later than one year prior to the expiration of the then-existing term.

Section 3. **Protection of utilities.** The permission granted is subject to the Permittee bearing the expense of any protection, support, or relocation of existing utilities deemed necessary by the owners of the utilities, and the Permittee being responsible for any damage to the utilities due to the construction, repair, reconstruction, maintenance, operation, or removal of the pedestrian skybridge and for any consequential

damages that may result from any damage to utilities or interruption in service caused by any of the foregoing.

Section 4. **Removal for public use or for cause.** The permission granted is subject to use of the street right-of-way or other public place (collectively, “public place”) by the City and the public for travel, utility purposes, and other public uses or benefits. The City expressly reserves the right to deny renewal, or terminate the permission at any time prior to expiration of the initial term or any renewal term, and require the Permittee to remove the pedestrian skybridge, or any part thereof or installation on the public place, at the Permittee’s sole cost and expense if:

A. The City Council determines by ordinance that the space occupied by the pedestrian skybridge is necessary for any public use or benefit or that the pedestrian skybridge interferes with any public use or benefit; or

B. The Director determines that use of the pedestrian skybridge has been abandoned; or

C. The Director determines that any term or condition of this ordinance has been violated, and the violation has not been corrected by the Permittee by the compliance date after a written request by the City to correct the violation (unless a notice to correct is not required due to an immediate threat to the health or safety of the public). A City Council determination that the space is needed for, or the pedestrian skybridge interferes with, a public use or benefit is conclusive and final without any right of the Permittee to resort to the courts to adjudicate the matter.

Section 5. **Permittee’s obligation to remove and restore.** If the permission granted is not renewed at the expiration of a term, or if the permission expires without an application for a new permission being granted, or if the City terminates the permission, then within 90 days after the expiration or termination of the permission, or prior to any earlier date stated in an ordinance or order requiring removal of the pedestrian skybridge, the Permittee shall, at its own expense, remove the pedestrian skybridge and all of the Permittee’s equipment and property from the public place and replace and restore all portions of the public place that may have been disturbed for any part of the pedestrian skybridge in as good condition for public use as existed prior

to construction of the pedestrian skybridge and in at least as good condition in all respects as the abutting portions of the public place as required by Seattle Department of Transportation (SDOT) right-of-way restoration standards.

Failure to remove the pedestrian skybridge as required by this section is a violation of Chapter 15.90 of the Seattle Municipal Code (SMC) or successor provision; however, applicability of Chapter 15.90 does not eliminate any remedies available to the City under this ordinance or any other authority. If the Permittee does not timely fulfill its obligations under this section, the City may in its sole discretion remove the pedestrian skybridge and restore the public place at the Permittee's expense and collect such expense in any manner provided by law.

Upon the Permittee's completion of removal and restoration in accordance with this section, or upon the City's completion of the removal and restoration and the Permittee's payment to the City for the City's removal and restoration costs, the Director shall then issue a certification that the Permittee has fulfilled its removal and restoration obligations under this ordinance. Upon prior notice to the Permittee and entry of written findings that it is in the public interest, the Director may, in the Director's sole discretion, conditionally or absolutely excuse the Permittee from compliance with all or any of the Permittee's obligations under this section.

Section 6. **Repair or reconstruction.** The pedestrian skybridge shall remain the exclusive responsibility of the Permittee and the Permittee shall maintain the pedestrian skybridge in good and safe condition for the protection of the public. The Permittee shall not reconstruct or repair the pedestrian skybridge except in strict accordance with plans and specifications approved by the Director. The Director may, in the Director's judgment, order the pedestrian skybridge reconstructed or repaired at the Permittee's cost and expense: because of the deterioration of the pedestrian skybridge; because of the installation, construction, reconstruction, maintenance, operation, or repair of any municipally-owned public utilities; or for any other cause.

Section 7. **Failure to correct unsafe condition.** After written notice to the Permittee and failure of the Permittee to correct an unsafe condition within the time stated in the notice, the Director may order the

pedestrian skybridge be removed at the Permittee's expense if the Director deems that the pedestrian skybridge creates a risk of injury to the public. If there is an immediate threat to the health or safety of the public, a notice to correct is not required.

Section 8. **Continuing obligations.** Notwithstanding termination or expiration of the permission granted, or removal of the pedestrian skybridge, the Permittee shall remain bound by all of its obligations under this ordinance until the Director has issued a certification that the Permittee has fulfilled its removal and restoration obligations under Section 5 of this ordinance, or the Seattle City Council passes a new ordinance to renew the permission granted and/or establish a new term. Notwithstanding the issuance of that certification, the Permittee shall continue to be bound by the obligations in Section 9 of this ordinance and shall remain liable for any unpaid fees assessed under Section 15 and Section 17 of this ordinance.

Section 9. **Release, hold harmless, indemnification, and duty to defend.** The Permittee, by accepting the terms of this ordinance, releases the City, its officials, officers, employees, and agents from any and all claims, actions, suits, liability, loss, costs, expense, attorneys' fees, or damages of every kind and description arising out of or by reason of the pedestrian skybridge or this ordinance, including but not limited to claims resulting from injury, damage, or loss to the Permittee or the Permittee's property.

The Permittee agrees to at all times defend, indemnify, and hold harmless the City, its officials, officers, employees, and agents from and against all claims, actions, suits, liability, loss, costs, expense, attorneys' fees, or damages of every kind and description, excepting only damages that may result from the sole negligence of the City, that may accrue to, be asserted by, or be suffered by any person or property including, without limitation, damage, death or injury to members of the public or to the Permittee's officers, agents, employees, contractors, invitees, tenants, tenants' invitees, licensees, or successors and assigns, arising out of or by reason of:

A. The existence, condition, construction, reconstruction, modification, maintenance, operation, use, or removal of the pedestrian skybridge, or any portion thereof, or the use, occupation, or restoration of the public

place or any portion thereof by the Permittee or any other person or entity;

B. Anything that has been done or may at any time be done by the Permittee by reason of this ordinance; or

C. The Permittee failing or refusing to strictly comply with every provision of this ordinance; or arising out of or by reason of the pedestrian skybridge or this ordinance in any other way.

If any suit, action, or claim of the nature described above is filed, instituted, or begun against the City, the Permittee shall upon notice from the City defend the City, with counsel acceptable to the City, at the sole cost and expense of the Permittee, and if a judgment is rendered against the City in any suit or action, the Permittee shall fully satisfy the judgment within 90 days after the action or suit has been finally determined, if determined adversely to the City. If it is determined by a court of competent jurisdiction that Revised Code of Washington (RCW) 4.24.115 applies to this ordinance, then in the event claims or damages are caused by or result from the concurrent negligence of the City, its agents, contractors, or employees, and the Permittee, its agents, contractors, or employees, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the Permittee or the Permittee's agents, contractors, or employees.

Section 10. **Insurance.** For as long as the Permittee exercises any permission granted by this ordinance and until the Director has issued a certification that the Permittee has fulfilled its removal and restoration obligations under Section 5 of this ordinance, the Permittee shall obtain and maintain in full force and effect, at its own expense, insurance and/or self-insurance that protects the Permittee and the City from claims and risks of loss from perils that can be insured against under commercial general liability (CGL) insurance policies in conjunction with:

A. Construction, reconstruction, modification, operation, maintenance, use, existence, or removal of the pedestrian skybridge, or any portion thereof, as well as restoration of any disturbed areas of the public place in connection with removal of the pedestrian skybridge;

B. The Permittee's activity upon or the use or occupation of the public place described in Section 1 of

this ordinance; and

C. Claims and risks in connection with activities performed by the Permittee by virtue of the permission granted by this ordinance.

Minimum insurance requirements are CGL insurance written on an occurrence form at least as broad as the Insurance Services Office (ISO) CG 00 01. The City requires insurance coverage to be placed with an insurer admitted and licensed to conduct business in Washington State or with a surplus lines carrier pursuant to chapter 48.15 RCW. If coverage is placed with any other insurer or is partially or wholly self-insured, such insurer(s) or self-insurance is subject to approval by the City's Risk Manager.

Minimum limits of liability shall be \$5,000,000 per Occurrence; \$10,000,000 General Aggregate; \$5,000,000 Products/Completed Operations Aggregate, including Premises Operations; Personal/Advertising Injury; Contractual Liability. Coverage shall include the "City of Seattle, its officers, officials, employees and agents" as additional insureds for primary and non-contributory limits of liability subject to a Separation of Insureds clause.

Within 60 days after the effective date of this ordinance, the Permittee shall provide to the City, or cause to be provided, certification of insurance coverage including an actual copy of the blanket or designated additional insured policy provision per the ISO CG 20 12 endorsement or equivalent. The insurance coverage certification shall be delivered or sent to the Director or to SDOT at an address as the Director may specify in writing from time to time. The Permittee shall provide a certified complete copy of the insurance policy to the City promptly upon request.

If the Permittee is self-insured, a letter of certification from the Corporate Risk Manager may be submitted in lieu of the insurance coverage certification required by this ordinance, if approved in writing by the City's Risk Manager. The letter of certification must provide all information required by the City's Risk Manager and document, to the satisfaction of the City's Risk Manager, that self-insurance equivalent to the insurance requirements of this ordinance is in force. After a self-insurance certification is approved, the City

may from time to time subsequently require updated or additional information. The approved self-insured Permittee must provide 30 days' prior notice of any cancellation or material adverse financial condition of its self-insurance program. The City may at any time revoke approval of self-insurance and require the Permittee to obtain and maintain insurance as specified in this ordinance.

In the event that the Permittee assigns or transfers the permission granted by this ordinance, the Permittee shall maintain in effect the insurance required under this section until the Director has approved the assignment or transfer pursuant to Section 14 of this ordinance.

Section 11. Contractor insurance. The Permittee shall contractually require that any and all of its contractors performing work on any premises contemplated by this permit name the "City of Seattle, its officers, officials, employees and agents" as additional insureds for primary and non-contributory limits of liability on all CGL, Automobile and Pollution liability insurance and/or self-insurance. The Permittee shall also include in all contract documents with its contractors a third-party beneficiary provision extending to the City construction indemnities and warranties granted to the Permittee.

Section 12. Performance bond. Within 60 days after the effective date of this ordinance, the Permittee shall deliver to the Director for filing with the City Clerk a sufficient bond executed by a surety company authorized and qualified to do business in the State of Washington, in the amount of \$150,000 and conditioned with a requirement that the Permittee shall comply with every provision of this ordinance and with every order the Director issues under this ordinance. The Permittee shall ensure that the bond remains in effect until the Director has issued a certification that the Permittee has fulfilled its removal and restoration obligations under Section 5 of this ordinance. An irrevocable letter of credit approved by the Director in consultation with the City Attorney's Office may be substituted for the bond. In the event that the Permittee assigns or transfers the permission granted by this ordinance, the Permittee shall maintain in effect the bond or letter of credit required under this section until the Director has approved the assignment or transfer pursuant to Section 14 of this ordinance.

Section 13. **Adjustment of insurance and bond requirements.** The Director may adjust minimum liability insurance levels and surety bond requirements during the term of this permission. If the Director determines that an adjustment is necessary to fully protect the interests of the City, the Director shall notify the Permittee of the new requirements in writing. The Permittee shall, within 60 days of the date of the notice, provide proof of the adjusted insurance and surety bond levels to the Director.

Section 14. **Consent for and conditions of assignment or transfer.** When the Property is transferred, the permission granted by this ordinance shall be assignable and transferable by operation of law pursuant to Section 20 of this ordinance. Continued occupation of the right-of-way constitutes the Permittee's acceptance of the terms of this ordinance, and the new owner shall be conferred with the rights and obligations of the Permittee by this ordinance. Other than a transfer to a new owner of the Property, the Permittee shall not transfer, assign, mortgage, pledge or encumber the same without the Director's consent, which the Director shall not unreasonably refuse. The Director may approve assignment or transfer of the permission granted by this ordinance to a successor entity only if the successor or assignee has provided, at the time of the assignment or transfer, the bond and certification of insurance coverage required under this ordinance; and has paid any fees due under Section 15 and Section 17 of this ordinance. Upon the Director's approval of an assignment or transfer, the rights and obligations conferred on the Permittee by this ordinance shall be conferred on the successors and assigns. Any person or entity seeking approval for an assignment or transfer of the permission granted by this ordinance shall provide the Director with a description of the current and anticipated use of the pedestrian skybridge.

Section 15. **Inspection fees.** The Permittee shall, as provided by SMC Chapter 15.76 or successor provision, pay the City the amounts charged by the City to inspect the pedestrian skybridge during construction, reconstruction, repair, annual safety inspections, and at other times deemed necessary by the City. An inspection or approval of the pedestrian skybridge by the City shall not be construed as a representation, warranty, or assurance to the Permittee or any other person as to the safety, soundness, or condition of the

pedestrian skybridge. Any failure by the City to require correction of any defect or condition shall not in any way limit the responsibility or liability of the Permittee.

Section 16. **Inspection reports.** The Permittee shall submit to the Director, or to SDOT at an address specified by the Director, an inspection report that:

- A. Describes the physical dimensions and condition of all load-bearing elements;
- B. Describes any damages or possible repairs to any element of the pedestrian skybridge;
- C. Prioritizes all repairs and establishes a timeframe for making repairs; and
- D. Is stamped by a professional structural engineer licensed in the State of Washington.

A report meeting the foregoing requirements shall be submitted within 60 days after the effective date of this ordinance; subsequent reports shall be submitted every two years, provided that, in the event of a natural disaster or other event that may have damaged the pedestrian skybridge, the Director may require that additional reports be submitted by a date established by the Director. The Permittee has the duty of inspecting and maintaining the pedestrian skybridge. The responsibility to submit structural inspection reports periodically or as required by the Director does not waive or alter any of the Permittee's other obligations under this ordinance. The receipt of any reports by the Director shall not create any duties on the part of the Director. Any failure by the Director to require a report, or to require action after receipt of any report, shall not waive or limit the obligations of the Permittee.

Section 17. **Annual fee.** Beginning on the effective date of this ordinance the Permittee shall pay an Issuance Fee, and annually thereafter, the Permittee shall promptly pay to the City, upon statements or invoices issued by the Director, an Annual Renewal Fee, and an Annual Use and Occupation fee of \$22,809.51, or as adjusted annually thereafter, for the privileges granted by this ordinance.

Adjustments to the Annual Use and Occupation Fee shall be made in accordance with a term permit fee schedule adopted by the City Council and may be made every year. In the absence of a schedule, the Director may only increase or decrease the previous year's fee to reflect any inflationary changes so as to charge the fee

in constant dollar terms. This adjustment will be calculated by adjusting the previous year's fee by the percentage change between the two most recent year-end values available for the Consumer Price Index for the Seattle-Tacoma-Bellevue Area, All Urban Consumers, All Products, Not Seasonally Adjusted. Permittee shall pay any other applicable fees, including fees for reviewing applications to renew the permit after expiration of the first term. All payments shall be made to the City Finance Director for credit to the Transportation Fund.

Section 18. Compliance with other laws. The Permittee shall construct, maintain, and operate the pedestrian skybridge in compliance with all applicable federal, state, County, and City laws and regulations. Without limitation, in all matters pertaining to the pedestrian skybridge, the Permittee shall comply with the City's laws prohibiting discrimination in employment and contracting including Seattle's Fair Employment Practices Ordinance, Chapter 14.04, and Fair Contracting Practices code, Chapter 14.10 (or successor provisions).

Section 19. Acceptance of terms and conditions. The Permittee shall provide evidence of insurance coverage required by Section 10 of this ordinance, the bond as required by Section 12 of this ordinance, and the covenant agreement required by Section 20 of this ordinance within 60 days after the effective date of this ordinance. Continued occupation of the right-of-way constitutes the Permittee's acceptance of the terms of this ordinance.

Section 20. Obligations run with the Property. The obligations and conditions imposed on the Permittee by and through this ordinance are covenants that run with the land and bind subsequent owners of the property adjacent to the pedestrian skybridge and legally described in Section 1 of this ordinance (the "Property"), regardless of whether the Director has approved assignment or transfer of the permission granted herein to such subsequent owner(s). At the request of the Director, the Permittee shall provide to the Director a current title report showing the identity of all owner(s) of the Property and all encumbrances on the Property. The Permittee shall, within 60 days of the effective date of this ordinance, and prior to conveying any interest in the Property, deliver to the Director upon a form to be supplied by the Director, a covenant agreement imposing

the obligations and conditions set forth in this ordinance, signed and acknowledged by the Permittee and any other owner(s) of the Property and recorded with the King County Recorder's Office. The Director shall file the recorded covenant agreement with the City Clerk. The covenant agreement shall reference this ordinance by its ordinance number. At the request of the Director, Permittee shall cause encumbrances on the Property to be subordinated to the covenant agreement.

Section 21. **Repeal of Section 9 of Ordinance 123048.** Section 9 of Ordinance 123048 is repealed.

Section 22. **Section titles.** Section titles are for convenient reference only and do not modify or limit the text of a section.

Section 23. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2022, and signed by me in open session in authentication of its passage this _____ day of _____, 2022.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2022.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2022.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Seattle Department of Transportation	Amy Gray/206-386-4638	Christie Parker/206-684-5211

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

1. BILL SUMMARY

Legislation Title: AN ORDINANCE granting Swedish Health Services permission to continue maintaining and operating an existing pedestrian skybridge over and across Cherry Street, west of Broadway and east of Minor Avenue; repealing Section 9 of Ordinance 123048; and providing for the acceptance of the permit and conditions.

Summary and Background of the Legislation:

This legislation allows Swedish Health Services to continue maintaining and operating a pedestrian skybridge over and across Cherry Street, west of Broadway and east of Minor Avenue. The skybridge permit is for a period of 15 years, commencing on the effective date of the ordinance. The legislation specifies the conditions under which permission is granted.

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? X Yes No

Appropriation change (\$):	General Fund \$		Other \$	
	2022	2023	2022	2023
	\$0	\$0	\$0	\$0
Estimated revenue change (\$):	Revenue to General Fund		Revenue to Other Funds	
	2022	2023	2022	2023
	\$0	\$0	Annual Fee: \$22,809.51	TBD
Positions affected:	No. of Positions		Total FTE Change	
	2022	2023	2022	2023
	0	0	0	0

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?
 No.

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

If the legislation is not enacted by the City Council, the City of Seattle would not receive the 2022 annual fee of \$22,809.51, and future annual fees.

3.a. Appropriations

This legislation adds, changes, or deletes appropriations.

3.b. Revenues/Reimbursements

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

Anticipated Revenue/Reimbursement Resulting from This Legislation:

Fund Name and Number	Dept	Revenue Source	2022 Revenue	2023 Estimated Revenue
Transportation Fund (13000)	SDOT	Annual Fee	\$22,809.51	TBD
TOTAL			\$22,809.51	TBD

Is this change one-time or ongoing?

Ongoing

Revenue/Reimbursement Notes:

The 2022 fee is based on the 2022 land value as assessed by King County.

3.c. Positions

This legislation adds, changes, or deletes positions.

4. OTHER IMPLICATIONS

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

No.

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?

Yes, the Swedish Health Services property legally described in Section 1 of the Council Bill.

- 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?**

This legislation does not have any implications for the principles of the Race and Social Justice Initiative and does not impact vulnerable or historically disadvantaged communities.

f. Climate Change Implications

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

No.

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

No.

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

N/A

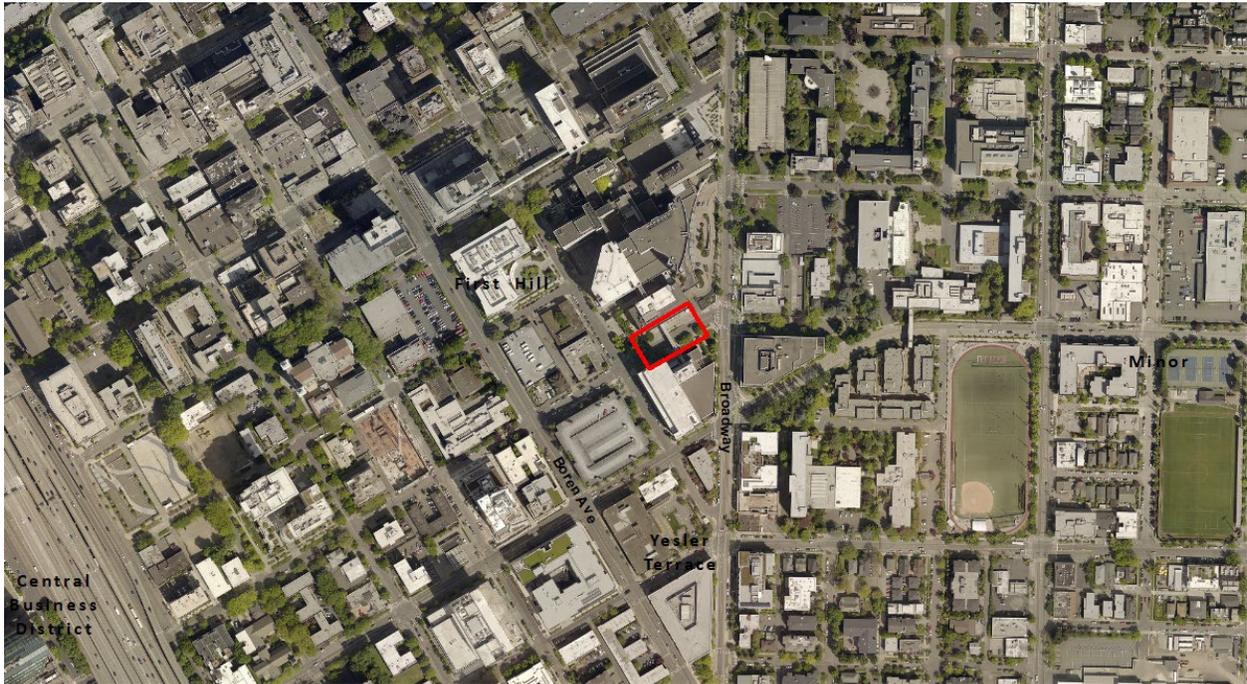
Summary Attachments:

Summary Attachment A – Swedish Cherry Street Skybridge Area Map

Summary Attachment B – Swedish Cherry Street Skybridge Photos

Summary Attachment C – Annual Fee Assessment Summary

Swedish Cherry St Skybridge Area Map



Map is for informational purposes only and is not intended to modify or supplement the legal description(s) in the Ordinance.

Swedish Cherry St Skybridge Photos



STREET USE ANNUAL FEE ASSESSMENT

Date: 1/14/2022

<p>Summary: Land Value: \$480/SF 2022 Permit Fee: \$22,809.51</p>
--

I. **Property Description:**

An existing pedestrian skybridge over and across Cherry Street, west of Broadway and east of Minor Avenue. The skybridge provides a pedestrian connection Swedish First Hill Medical Center and the Swedish Orthopedic Institute. The skybridge total area is 792 square feet.

Applicant:

Swedish Health Services

Abutting Parcels, Property Size, Assessed Value:

2022

Parcel 8590900970; Lot size: 36,125
Tax year 2022 Appraised Land Value \$14,450,000 (\$400/sq ft)

Parcel 7803970000; Lot size: 49,358
Tax year 2022 Appraised Land Value \$27,640,300 (\$560/sq ft)

II. **Annual Fee Assessment:**

The 2022 permit fee is calculated as follows:

$(\$480/\text{SF}) \times (792 \text{ SF}) \times (75\%) \times (8\%) = \boxed{\$22,809.51}$ where 75% is the degree of alienation for semi-public skybridge and 8% is the annual rate of return.

Fee methodology authorized under Ordinance 123485, as amended by Ordinances 123585, 123907, and 124532.



Legislation Text

File #: Res 32053, **Version:** 1

CITY OF SEATTLE

RESOLUTION _____

A RESOLUTION granting conceptual approval to construct, maintain, and operate private communication conduit under and across Latona Avenue Northeast, north of Northeast Northlake Way; as proposed by Dunn Lumber Company, as part of the construction of a new lumber warehouse in the Wallingford neighborhood.

WHEREAS, Dunn Lumber Company applied for permission to construct, maintain, and operate private communication conduits under and across Latona Avenue Northeast, north of Northeast Northlake Way (“Communication Conduit”); and

WHEREAS, in making a recommendation, the Director of the Seattle Department of Transportation considered the plans and application materials submitted by Dunn Lumber Company to construct the Communication Conduit and recommends that conceptual approval be granted; NOW, THEREFORE,

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

Section 1. The City Council finds that the private communication conduits under and across Latona Avenue Northeast, north of Northeast Northlake Way (“Communication Conduit”), as proposed by Dunn Lumber Company are in accordance with and in the public interest.

Section 2. As conditions for obtaining permission to construct the Communication Conduit, under and across Latona Avenue Northeast, north of Northeast Northlake Way, Dunn Lumber Company shall:

A. Provide engineering and utility plans for additional review and permitting by the Seattle Department of Transportation (“SDOT”), which the Director of SDOT (“Director”) will circulate to other City departments and any public and private utilities affected by the installation of the Communication Conduit;

- B. Provide a surety bond, covenant agreement, and public liability insurance naming the City as an additional insured or self-insurance, as approved by the City’s Risk Manager;
- C. Pay all City permit fees;
- D. Obtain all necessary permits;
- E. Maintain and inspect the Communication Conduit; and
- F. Remove the Communication Conduit and restore the right-of-way to in as good condition for public use as existed prior to construction of the Communication Conduit and in at least as good condition in all respects as the abutting portions of the public place as required by SDOT right-of-way restoration standards upon expiration of the term permit, or at the direction of the Director or City Council in accordance with the provisions of the term permit ordinance.

Section 3. After this resolution is adopted, SDOT will present to the Council a draft term permit ordinance identifying the conditions under which permission may be granted for the use of the right-of-way for the Communication Conduit. Permission to use the right-of-way is subject to the Council’s decision to approve, deny, or modify the draft term permit ordinance presented by the Director.

Section 4. As recommended by the Director and the Mayor, conceptual approval for construction of the Communication Conduit under and across Latona Avenue Northeast, north of Northeast Northlake Way is GRANTED.

Adopted by the City Council the _____ day of _____, 2022, and signed by me in open session in authentication of its adoption this _____ day of _____, 2022.

President _____ of the City Council

The Mayor concurred the _____ day of _____, 2022.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2022.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Seattle Department of Transportation	Amy Gray/206-386-4638	Christie Parker/206-684-5211

** 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 granting conceptual approval to construct, maintain, and operate private communication conduit under and across Latona Avenue Northeast, north of Northeast Northlake Way; as proposed by Dunn Lumber Company, as part of the construction of new a lumber warehouse in the Wallingford neighborhood.

Summary and Background of the Legislation: This resolution grants conceptual approval for a new communication conduit and outlines certain conditions for obtaining permission to construct the conduit. After this resolution is adopted, a draft term permit ordinance specifying all of the permit conditions will be submitted to the City Council by SDOT.

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?
No.

Are there financial costs or other impacts of *not* implementing the legislation?
No.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?
No.

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?

Yes, the property located at 3800 Latona Avenue Northeast.

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?

There are no perceived implications of the Race and Social Justice Initiative.

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.

N/A

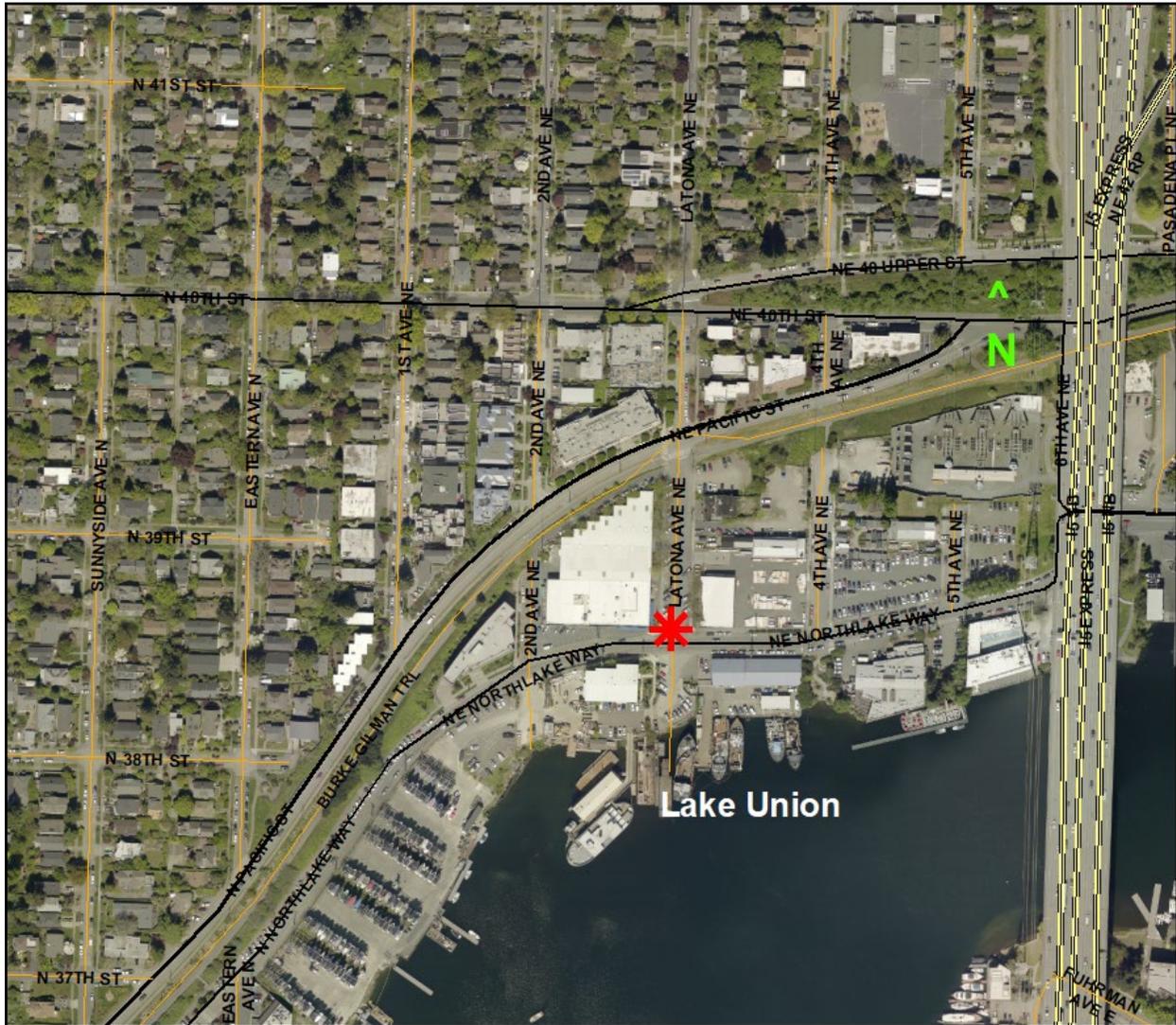
g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?

N/A

Summary Attachments:

Summary Attachment A – 3800 Latona Ave NE Communication Conduit Area Map

3800 Latona Ave NE Communication Conduit Area Map



Map is for informational purposes only and is not intended to modify or supplement the legal description(s) in the Ordinance.



Legislation Text

File #: CB 120330, Version: 2

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to just cause eviction: changing the terms of certain eviction defenses; and amending Sections 22.205.090 and 22.205.100 of the Seattle Municipal Code.

WHEREAS, the Washington State Court of Appeals issued a decision in *RHA v. Seattle* on March 21, 2022 in response to a challenge to the City’s winter eviction regulation, COVID-19 related repayment plan requirements, and the COVID-19 related defense to eviction now codified at Seattle Municipal Code (SMC) Section 22.205.090 (“six-month defense”); and

WHEREAS, the Court of Appeals ruled that the six-month defense violates constitutional procedural due process guarantees because the defense does not afford landlords the opportunity to test the veracity of a tenant’s self-certification of financial hardship; and

WHEREAS, the City disagrees with the Court of Appeals’ ruling and has filed a motion for reconsideration that is pending in front of the Court of Appeals; and

WHEREAS, while the six-month defense remains in effect during the appellate process, to best ensure the effectiveness of the defense during its prescribed term (e.g., six months after the termination of the City’s eviction moratorium, which ended on February 28, 2022), the Council is adopting these amendments to eliminate the due process issue identified by the Court of Appeals, both as to the six-month defense and, in an abundance of caution, as to the defense codified at SMC 22.205.100 (“civil emergency defense”); and

WHEREAS, the six-month defense and the civil emergency defense remain necessary because the economic

impacts of the COVID-19 pandemic continue to significantly affect renters and their ability to pay rent;
and

WHEREAS, the ongoing economic impacts of the pandemic on tenants continue to be a particular concern
given the decreasing availability of rental assistance; and

WHEREAS, the pandemic disproportionately impacts Black, Indigenous, and other communities of color,
including in rental housing; and

WHEREAS, the Washington Center for Equitable Growth reports that many households, particularly those
headed by Black, Latino, women, or low-income individuals, are still reeling from the pandemic's
impacts on the economy; and

WHEREAS, even with the provision of benefits like COVID-related unemployment insurance, the Washington
Center for Equitable Growth reports that Black and low-income applicants continue to be the least
likely to receive these benefits; and

WHEREAS, the Washington Center for Equitable Growth reports also reports that more low-income workers
are disproportionately not working because of caregiving responsibilities; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 22.205.090 of the Seattle Municipal Code, enacted by Ordinance 126075, is amended
as follows:

22.205.090 Defense related to 2020 eviction moratorium

A. Subject to the requirements of subsection 22.205.090.B, it is a defense to eviction if the eviction
would result in the tenant having to vacate the housing unit within six months after the termination of the
Mayor's eviction moratorium, and if the reason for terminating the tenancy is:

1. The tenant fails to comply with a 14-day notice to pay rent or vacate pursuant to RCW
59.12.030(3) for rent due during, or within six months after the termination of, the Mayor's residential eviction
moratorium; or

2. The tenant habitually fails to pay rent resulting in four or more pay-or-vacate notices in a 12-month period.

For purposes of this Section 22.205.090, "termination of the Mayor's residential eviction moratorium" means termination of subsection 1.C (creating a defense to a pending eviction action) of the moratorium on residential evictions ordered by the Mayor's civil emergency order, as amended by the Council in Resolution 31938 on March 16, 2020.

B. The tenant may invoke the defense provided in subsection 22.205.090.A only if the tenant ~~((has submitted))~~ demonstrates that the tenant has suffered a financial hardship and is therefore unable to pay rent. The tenant's submission of a declaration or self-certification ~~((asserting))~~ that the tenant has suffered a financial hardship and is therefore unable to pay rent creates a presumption to that effect, which the landlord may rebut.

C. If a landlord issues a notice to terminate a tenancy due to a reason listed in subsections 22.205.090.A.1-2, and if the landlord issues that notice within six months after the termination of the Mayor's residential eviction moratorium, the notice must contain the following statement: "If you cannot pay rent, during or within 6 months after the end of the Mayor's moratorium on evictions, your inability to pay is a defense to eviction that you may raise in court." It is a defense to eviction if the notice does not contain that statement.

D. An award of attorneys' fees and statutory court costs to a landlord arising from an eviction proceeding arising from a notice to terminate a tenancy due to a reason listed in subsections 22.205.090.A.1-2 is prohibited unless otherwise allowed by law.

Section 2. Section 22.205.100 of the Seattle Municipal Code, enacted by Ordinance 126368, is amended as follows:

22.205.100 Defense related to financial hardship in 2020 civil emergency

A. Subject to the requirements of subsection 22.205.100.B, it is a defense to eviction if the tenant fails to pay rent due during the civil emergency proclaimed by Mayor Durkan on March 3, 2020, the tenant has

suffered a financial hardship during the civil emergency proclaimed by Mayor Durkan on March 3, 2020, and the reason for terminating the tenancy is:

1. The tenant fails to comply with a 14-day notice to pay rent or vacate pursuant to RCW 59.12.030(3) for rent due during the civil emergency proclaimed by Mayor Durkan on March 3, 2020; or
2. The tenant habitually fails to pay rent resulting in four or more pay-or-vacate notices in a 12-month period.

B. The tenant may invoke the defense provided in subsection 22.205.100.A only if the tenant ~~((submits))~~ demonstrates that the tenant has suffered a financial hardship and is therefore unable to pay rent. The tenant's submission of a declaration or self-certification ~~((asserting))~~ that the tenant has suffered a financial hardship and was therefore unable to pay rent during the civil emergency proclaimed by Mayor Durkan on March 3, 2020, creates a presumption to that effect, which the landlord may rebut.

C. If a landlord issues a notice to terminate a tenancy due to a reason listed in subsection 22.205.100.A.1 or subsection 22.205.100.A.2, and if the notice is based on a failure to pay rent due during the civil emergency proclaimed by Mayor Durkan on March 3, 2020, the notice must contain the following statement: "If you cannot pay rent due during the civil emergency proclaimed by Mayor Durkan on March 3, 2020, your inability to pay is a defense to eviction that you may raise in court." It is a defense to eviction if the notice does not contain that statement.

Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2022, and signed by me in open session in authentication of its passage this _____ day of _____, 2022.

President _____ of the City Council

Approved / returned unsigned / vetoed this ____ day of _____, 2022.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2022.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
LEG	Venkataraman/4-5382	

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

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to just cause eviction; changing the terms of certain eviction defenses; and amending Sections 22.205.090 and 22.205.100 of the Seattle Municipal Code.

Summary and Background of the Legislation: The Washington State Court of Appeals issued a decision in *RHA v. Seattle* on March 21, 2022 in response to a challenge to the City’s winter eviction regulation, COVID-19 related repayment plan requirements, and the COVID-19 related defense to eviction now codified at SMC 22.205.090 (“six-month defense”). The Court of Appeals ruled that the six-month defense violates constitutional procedural due process guarantees because the defense does not afford landlords the opportunity to test the veracity of a tenant’s self-certification of financial hardship. The City appealed, and while the six-month defense remains in effect during the appellate process, to best ensure the effectiveness of the defense during its prescribed term, the Council is adopting these amendments to eliminate the due process issue identified by the Court of Appeals, both as to the six-month defense and, in an abundance of caution, as to the defense codified at SMC 22.205.100.

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes X 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.

No

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

Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs or consequences.

If more people are evicted, more could end up in homelessness and exacerbate the many harms those experiencing homelessness suffer, including health impacts from COVID-19. This increase could result in more costs to the City to provide services to assist those experiencing homelessness.

4. OTHER IMPLICATIONS

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

If so, please list the affected department(s) and the nature of the impact (financial, operational, etc.).

The Seattle Department of Construction and Inspections will enforce this ordinance.

b. Is a public hearing required for this legislation?

If yes, what public hearings have been held to date, and/or what public hearings are planned/required in the future?

No

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

For example, legislation related to sale of surplus property, condemnation, or certain capital projects with private partners may require publication of notice. If you aren't sure, please check with your lawyer. If publication of notice is required, describe any steps taken to comply with that requirement.

No

d. Does this legislation affect a piece of property?

If yes, and if a map or other visual representation of the property is not already included as an exhibit or attachment to the legislation itself, then you must include a map and/or other visual representation of the property and its location as an attachment to the fiscal note. Place a note on the map attached to the fiscal note that indicates the map is intended for illustrative or informational purposes only and is not intended to modify anything in the legislation.

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?

If yes, please explain how this legislation may impact vulnerable or historically disadvantaged communities. Using the racial equity toolkit is one way to help determine the legislation's impact on certain communities. If any aspect of the legislation involves communication or outreach to the public, please describe the plan for communicating with non-English speakers.

Historically disadvantaged communities are already at a disproportionate risk of eviction as well as more heavily impacted by public health emergencies. This legislation will help individuals in those populations remain housed.

f. Climate Change Implications

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

Please provide a qualitative response, considering net impacts. Are there potential carbon emissions impacts of not implementing the proposed legislation? Discuss any potential intersections of carbon emissions impacts and race and social justice impacts, if not previously described in Section 4.e.

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.

Describe the potential climate resiliency impacts of implementing or not implementing the proposed legislation. Discuss any potential intersections of climate resiliency and race and social justice impacts, if not previously described in Section 4e.

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)?

This answer should highlight measurable outputs and outcomes.

No

Summary Attachments: