



SEATTLE CITY COUNCIL

Governance and Education Committee

Agenda

Friday, September 11, 2020

2:00 PM

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

M. Lorena González, Chair
Debora Juarez, Vice-Chair
Teresa Mosqueda, Member
Kshama Sawant, Member
Dan Strauss, Member
Andrew J. Lewis, Alternate

Chair Info: 206-684-8809; Lorena.González@seattle.gov

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



SEATTLE CITY COUNCIL
Governance and Education Committee
Agenda
September 11, 2020 - 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/committees/governance-and-education>

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

In-person attendance is currently prohibited per Washington State Governor's Proclamation No. 20-28.9 through October 1, 2020. Meeting participation is limited to access by telephone conference line and Seattle Channel online.

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

Online registration to speak at the Governance and Education Committee 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 Council President González at Lorena.Gonzalez@seattle.gov

Sign-up to provide Public Comment at the meeting at

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

Watch live streaming video of the meeting at

<http://www.seattle.gov/council/watch-council-live>

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

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

Please Note: Times listed are estimated

A. Call To Order

B. Approval of the Agenda

C. Public Comment

(20 minutes)

D. Items of Business

1. Families, Education, Preschool, and Promise Levy Funding Process Update

Supporting Documents: [Presentation](#)

Briefing and Discussion (30 minutes)

Presenters: Dwane Chappelle, Director, Tiffany Washington, and Dana Harrison, Department of Education and Early Learning (DEEL)

2. CB 119896, re: Violations of Civil Emergency Order

Supporting Documents: [Central Staff Memo 9/9/20](#)

Briefing and Discussion (30 minutes)

Presenters: Councilmember Andrew Lewis; Karina Bull, Central Staff; Beth Gappert, Director, Finance and Administrative Services

3. **Resolution 31966, re: Violations of Civil Emergency Orders**

Supporting
Documents:

[Central Staff Memo 9/9/20](#)

Briefing and Discussion (30 minutes)

Presenters: Councilmember Andrew Lewis; Karina Bull, Central Staff;
Beth Gappert, Director, Finance and Administrative Services

4. [Res 31933](#)

A RESOLUTION expanding the requirements for the Summary and Fiscal Note that accompanies new legislation so that it also considers impacts of climate change and, for certain capital projects seeking funds from The City of Seattle, the basic financial documents needed for a more thorough assessment of fiscal impacts and renaming it the Summary, Environmental, and Fiscal Note.

Attachments:

[Att A - Summary, Environmental, and Fiscal Note Template](#)
[Att B - Redline Version of Summary, Environmental, and Fiscal Note Template](#)

Supporting
Documents:

[Summary and Fiscal Note](#)
[Proposed Substitute Resolution](#)
[Substitute Att A - Summary and Fiscal Note](#)
[Substitute Att B - Redlined Summary and Fiscal Note](#)

Briefing, Discussion, and Possible Vote (30 minutes)

Presenters: Councilmember Alex Pedersen; Lise Kaye, Central Staff;
Ben Noble, Director, City Budget Office

E. Adjournment



Legislation Text

File #: Inf 1679, **Version:** 1

Families, Education, Preschool, and Promise Levy Funding Process Update

Department of Education and Early Learning

FEPP Levy Funding Process Update

Presentation to the Governance & Education Committee

September 11, 2020



Our Results

What we want for all children, youth, & young adults in Seattle, especially those furthest from educational justice

Kindergarten
Ready



Graduate
High School
On-time

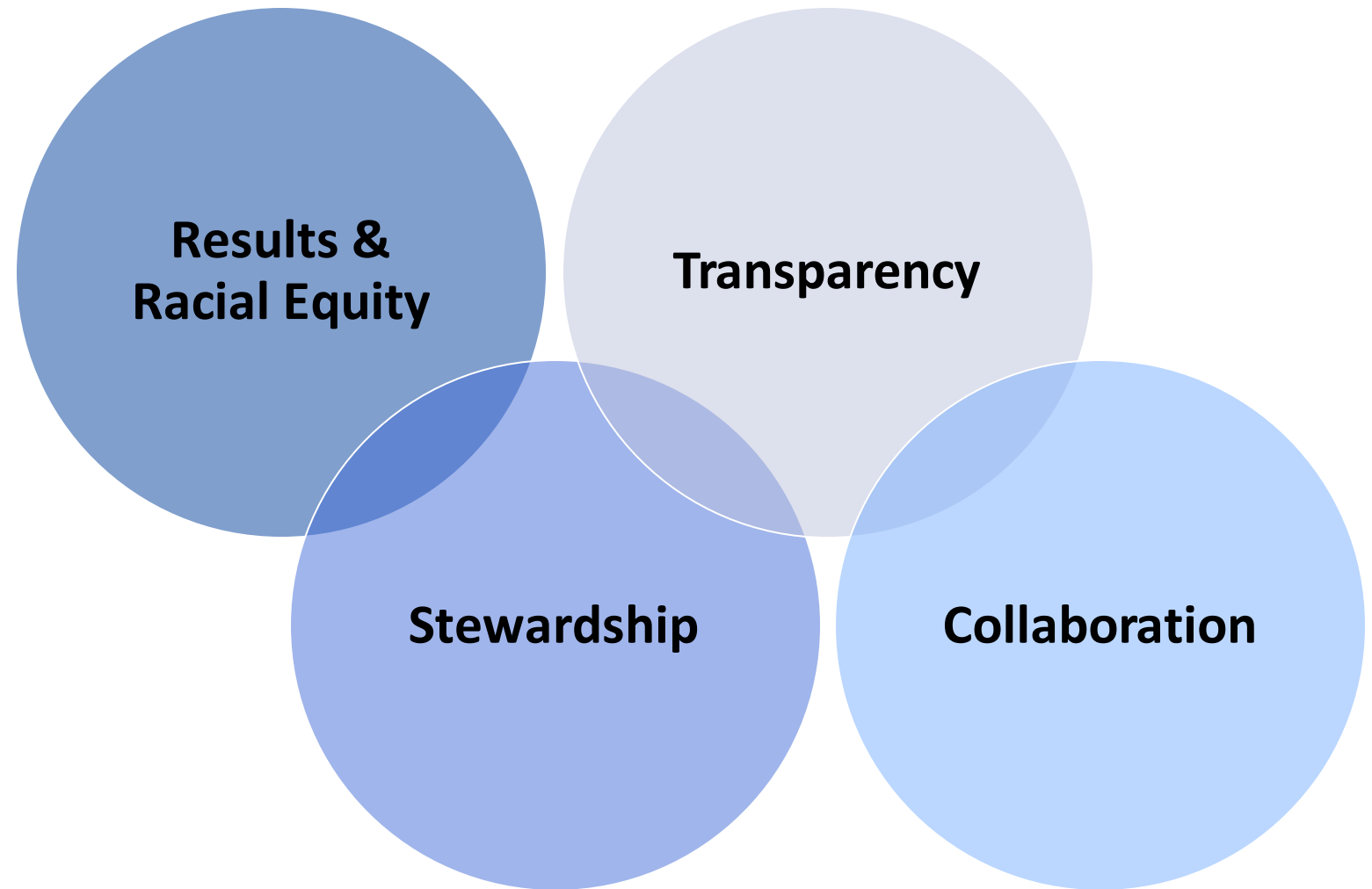


College &
Career Ready



Access &
Complete
Postsecondary
Education

Our Values



Our Core Strategies



Equitable Education Opportunities



Student & Family Supports



High Quality Learning Environments

FEPP Levy: Completed Funding Processes

Funding Process	Closed	Award, Term	Next Process
Seattle Preschool Program (SPP) Facilities Fund	August 2019	\$1.2M, 1-year	Fall 2020
SPP Expansion	Dec 2019	\$1.6M, 1-year	Fall 2020
Homelessness and Housing Support Services	August 2019	\$1.7M, 3-year	Spring 2022
School-Based Investment	December 2019	\$93.8M, 6-year	n/a
Opportunity and Access	June 2020	\$4.9M, 3-year	Winter 2023
School Based Health Centers <i>Investment is managed by PHSKC \$51.4M 7-year investment</i>	2019: Secondary expansion	4 schools*	n/a
	2020: Elementary re-bid	8 schools**	n/a

*Robert Eagle Staff MS, Meany MS, Lincoln HS, Nova HS

**Baily Gatzert, Beacon Hill, Dearborn Park, Highland Park, Lowell, Rising Star, Roxhill, West Seattle

Early Learning Investments: Awardees

SPP Expansion

- El Centro- José Martí
- Hearing, Speech and Deafness Center
- Seattle Public Schools
- Wellspring Early Learning Center

SPP Facilities

- Bella's Creative Learning Center
- Tiny Tots
- Voices of Tomorrow

K-12 Investments: Awardees

School-Based Investments

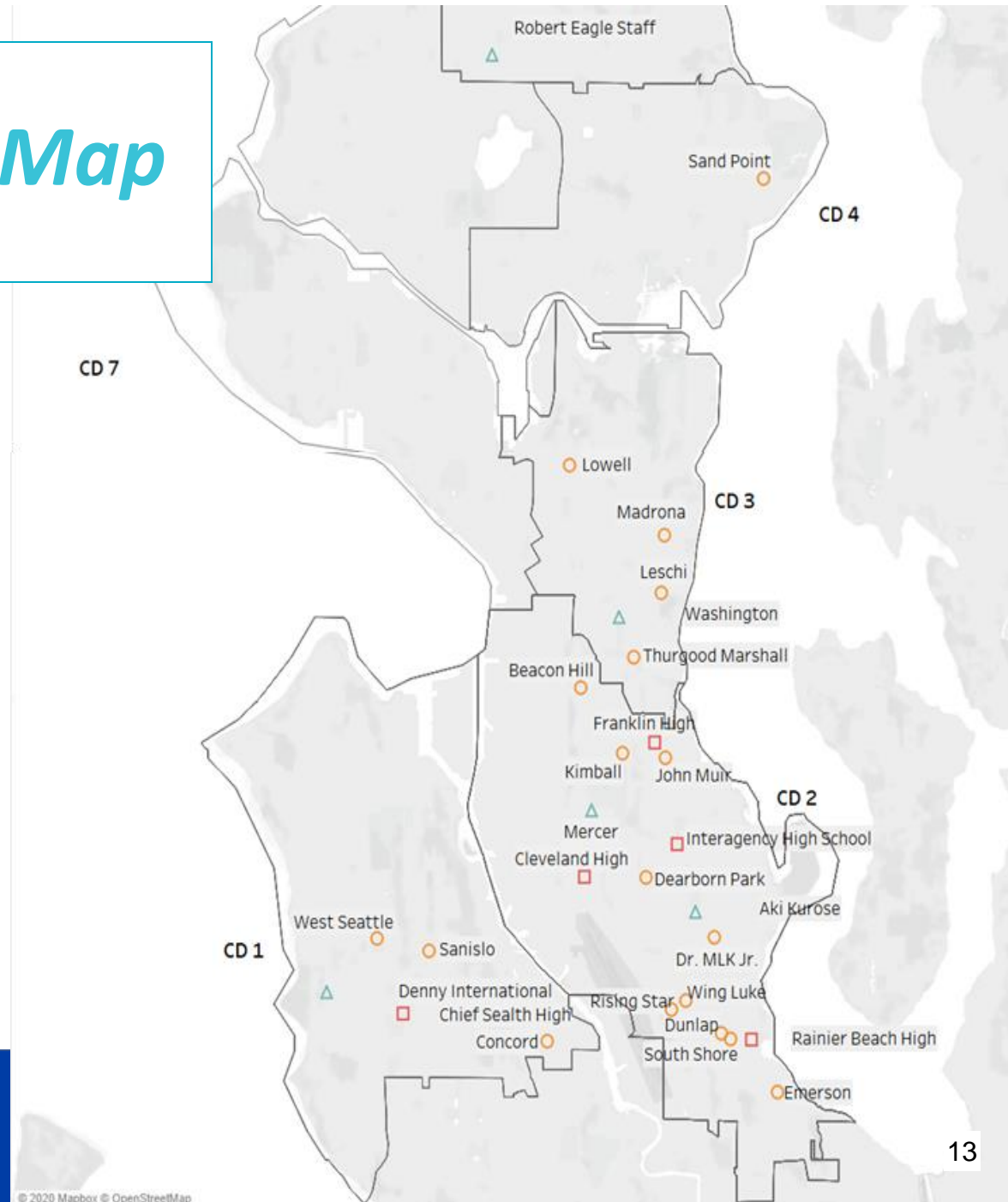
Elementary/K-8		
Beacon Hill	Leschi	Sand Point
Concord	Lowell	Sanislo
Dearborn Park	Madrona	South Shore PreK-8
Dunlap	MLK Jr.	Thurgood Marshall
Emerson	Northgate	West Seattle
John Muir	Olympic Hills	Wing Luke
Kimball	Rising Star	

Middle School
Aki Kurose
Denny
Mercer
Robert Eagle Staff
Washington

High School
Chief Sealth
Cleveland
Franklin
Interagency
Rainier Beach

School-Based Investments- *Map*

Awarded to 30 Seattle Public Schools elementary/K-8, middle, and high schools to provide supplemental extended learning, academic support, and college and career readiness experiences



K-12 Investments: Awardees

Homelessness and Housing Support Services

1. YWCA

Opportunity and Access

1. Atlantic Street Center
2. Chinese Information & Service Center
3. Delridge Neighborhoods Development Association
4. Friends of the Children Seattle
5. Kandelia
6. Neighborhood House
7. Refugee Women's Alliance
8. Seattle Education Access
9. STEM Paths Innovation Network
10. Technology Access Foundation

K-12 Investments: SBHCs

Secondary Expansion

1. Country Doctor Community Health
 - Meany MS
 - NOVA HS
2. Neighborcare Health
 - Lincoln HS
 - Robert Eagle Staff MS

Elementary Re-bid

1. Odessa Brown Children's Clinic
 - Beacon Hill ES
 - Lowell ES
2. Neighborcare Health
 - Bailey Gatzert ES
 - Dearborn Park ES
 - Highland Park ES
 - Roxhill ES
 - Rising Star ES
 - West Seattle ES

K-12 Investments: SBHCs

29 SBHCs and 7 Providers

Elementary/K-8	Middle School	High School		Providers (SBHCs)
Bailey Gatzert	Aki Kurose	Ballard	Lincoln	<ul style="list-style-type: none"> • Country Doctor (2) • Kaiser (5) • International Community (1) • Neighborcare (14) • Odessa Brown (3) • PHSKC (3) • Swedish (1)
Beacon Hill	Denny	Chief Sealth	Nathan Hale	
Dearborn Park	Madison	Cleveland	Nova	
Lowell	Meany	Franklin	Rainier Beach	
Highland Park	Mercer	Garfield	Roosevelt	
Roxhill	Robert Eagle Staff	Ingraham	Seattle World School	
Rising Star	Washington	Interagency	West Seattle	
West Seattle				

FEPP Levy: Upcoming Funding Processes

Funding Process	Expected Release	\$ To Be Awarded
SPP Expansion	Fall 2020	~\$1.6M*
SPP Provider Facilities Fund	Fall 2020	\$800K

**Actual amount will be determined after continuing providers finalize their plans for SY 2021-22*



Questions?



Legislation Text

File #: Inf 1680, **Version:** 1

CB 119896, re: Violations of Civil Emergency Order

September 9, 2020

MEMORANDUM

To: Seattle City Council
From: Karina Bull, Analyst
Subject: CB 119869: Enforcement Actions for Civil Emergency Orders under SMC 10.02.110

On September 11, 2020, the Governance and Education Committee will discuss and may act on the following legislation sponsored by Councilmember Lewis:

- [Council Bill 119869](#) – Enforcement Actions for Civil Emergency Orders under SMC 10.02.110
- [Resolution 31966](#) – Enforcement Actions for Civil Emergency Order Relating to Restaurant Delivery and Pick-Up Commission Fees

This memo discusses Council Bill 119869. A separate memo discusses Resolution 31966.

Summary

Chapter 10.02 of the Seattle Municipal Code (SMC), authorizes the Mayor to proclaim the existence of a civil emergency and issue civil emergency orders. Under [SMC 10.02.110](#), the sole method for enforcing violations of a civil emergency order is a criminal penalty that requires a conviction of a misdemeanor to impose a \$500 fine or imprisonment of no more than 180 days of imprisonment, or both such fine and imprisonment.

This legislation would amend SMC 10.02.110 to (1) authorize a Class 1 civil infraction and private right of action as additional options for enforcing violations of a civil emergency order; and (2) establish the current penalties for a misdemeanor. These changes would become effective immediately if authorized by a three-quarters supermajority of the Council and signed by the Mayor.

Class 1 Civil Infraction

Establishing a civil infraction as enforcement option would provide the Mayor with a civil option for responding to violations of civil emergency orders. Civil infractions would be processed under the procedure established by [RCW 7.80](#) and would subject violators to a maximum penalty of \$250 plus statutory assessments. As specified in an order, the Department of Finance and Administrative Services (FAS), the Seattle Police Department (SPD), or the City Attorney's Office (CAO) would review reports of noncompliance with an order and issue notices of infractions. The CAO would represent the City at any contested hearing requested by a defendant. The Municipal Court would facilitate a mitigation conference, contested settlement conference or contested hearing before a magistrate.

Private Right of Action

Establishing a private right of action would provide members of the public with a civil remedy for violations of civil emergency orders. Upon prevailing, the individual or class bringing the private right of action against a party violating the civil emergency order could be awarded legal or equitable relief, as appropriate to remedy the violation, and reasonable attorney fees.

Criminal Penalties

Updating the criminal penalties in SMC 10.02.110 would subject a person convicted of a misdemeanor for violating a civil emergency order to a fine of not more than \$1,000 or imprisonment for not more than 90 days, or both such fine and imprisonment. The existing penalties in SMC 10.02.110 have not been updated since 1973 and do not reflect these current penalties for a misdemeanor.

Notably, the proposed amendments to SMC 10.02.110 would provide a legal basis for amending the Mayor's civil emergency order relating to restaurant delivery and pick-up commission fees, as adopted and modified by Council in [Resolution 31945](#), to include a Class 1 civil infraction and a private right of action as additional enforcement actions and updated criminal penalties.

Financial Impacts

The financial impacts of adding civil infractions as an enforcement tool for violations of civil emergency orders would need to be analyzed a case-by-case basis for each order. Generally, implementation of civil infractions would affect up to four departments: FAS, SPD, CAO and Seattle Municipal Court (Municipal Court).

If the Mayor's civil emergency order relating to restaurant delivery and pick-up commission fees is modified to include civil infractions as an enforcement tool, these departments estimate that enforcing a limited number of civil infractions, such as five cases a month, would not have a financial impact on their resources. If the workload is significantly higher or otherwise exceeds capacity, the City could either (1) require these departments to reprioritize their existing portfolios of work or (2) add resources to support the additional workload during the 2021 budget adoption process.

Next Steps

Council action could occur at the Governance and Education Committee meeting on September 11, 2020.

Please contact me if you have questions.

cc: Dan Eder, Interim Director



Legislation Text

File #: Inf 1681, **Version:** 1

Resolution 31966, re: Violations of Civil Emergency Orders

September 9, 2020

MEMORANDUM

To: Seattle City Council
From: Karina Bull, Analyst
Subject: Resolution 31966: Enforcement Actions for Civil Emergency Order Relating to Restaurant Delivery and Pick-Up Commission Fees

On September 11, 2020, the Governance and Education Committee will discuss and may act on the following legislation sponsored by Councilmember Lewis:

- [Council Bill 119869](#) – Enforcement Actions for Civil Emergency Orders under SMC 10.02.110
- [Resolution 31966](#) – Enforcement Actions for Civil Emergency Order Relating to Restaurant Delivery and Pick-Up Commission Fees.

This memo discusses Resolution 31966. A separate memo discusses Council Bill 119869.

Summary

On April 24, 2020, the Mayor issued a civil emergency order prohibiting third-party, app-based food delivery platforms (food delivery platforms) from charging restaurants a commission fee per online, delivery or pick-up order that totals more than 15 percent of the purchase price of the online order ([Exhibit A](#)). On April 27, 2020, the City Council (Council) passed [Resolution 31945](#) adopting a modified version of the civil emergency order ([Exhibit B](#)).

Resolution 31966 would further modify the civil emergency order by (1) adding a civil infraction and a private right of action as enforcement actions; and (2) amending the criminal penalty ([Exhibit C](#)). Currently, enforcement is limited to a criminal penalty that requires conviction of the food delivery platform to impose fine up to \$500 and/or imprisonment up to 180 days.

Under the proposed modifications in Resolution 31966, the Consumer Protection Division in the Department of Finance and Administrative Services (FAS) would enforce a food delivery platform's first and second violations of the civil emergency order as Class 1 civil infractions, for which the maximum penalty would be \$250 plus statutory assessments. The Director of FAS would have discretion to enforce a food delivery platform's third or subsequent violations as a civil infraction or as a misdemeanor. The updated penalty for a misdemeanor would be a fine up to \$1,000 and/or imprisonment up to 90 days.

An individual person, or class of persons, could also file a private right of action against the food delivery platform to enforce violations of the civil emergency order. Upon prevailing, the individual or class bringing the private right of action could be awarded legal or equitable relief, as appropriate to remedy the violation, and reasonable attorney fees.

Notably, these enforcement actions would be contingent upon the Council's passage of Council Bill 119869, which proposes to add a Class 1 civil infraction and private right of action as enforcement options for civil emergency orders and establish the current penalties for a misdemeanor. If Council does not pass Council Bill 119869, enforcement would remain as established in Resolution 31945 – a criminal penalty that requires conviction to impose a fine up to \$500 and/or imprisonment up to 180 days.

Financial Impacts

Implementation of Resolution 31966 would affect up to three departments: the Consumer Protection division in FAS, the City Attorney's Office (CAO), and Seattle Municipal Court (Municipal Court). These departments estimate that enforcing a limited number of civil infractions, such as five cases a month, would not have a financial impact on their resources. If the workload is significantly higher or otherwise exceeds capacity, the City could either (1) require these entities to reprioritize their existing portfolios of work or (2) add resources to support the additional workload during the 2021 budget adoption process.

Next Steps

Council action could occur at the Governance and Education Committee meeting on September 11, 2020.

Please contact me if you have questions.

cc: Dan Eder, Interim Director



Legislation Text

File #: Res 31933, **Version:** 1

CITY OF SEATTLE

RESOLUTION _____

A RESOLUTION expanding the requirements for the Summary and Fiscal Note that accompanies new legislation so that it also considers impacts of climate change and, for certain capital projects seeking funds from The City of Seattle, the basic financial documents needed for a more thorough assessment of fiscal impacts and renaming it the Summary, Environmental, and Fiscal Note.

WHEREAS, the Seattle City Charter highlights not only fiscal responsibility but also the importance of the environment with its preamble stating, “the People of the City of Seattle enact this Charter as the Law of the City for the purpose of protecting and enhancing the health, safety, environment, and general welfare of the people;...to provide for transparency, accountability, and ethics in governance and civil service; to foster fiscal responsibility; to promote prosperity and to meet the broad needs for a healthy, growing City;” and

WHEREAS, climate change is a defining crisis of our times, calling for urgent and decisive action by governments, businesses, and individuals; and

WHEREAS, in June 2013, the City Council (“Council”) adopted, with the Mayor concurring, Resolution 31447 adopting the Seattle Climate Action Plan, establishing the goal that Seattle reach zero net greenhouse gas emissions by 2050; and

WHEREAS, the 2016 Seattle Community Greenhouse Gas Emissions Inventory, published in February 2019, found that total greenhouse gas emissions in Seattle rose by one percent between 2014 and 2016, and that in order to achieve the goals of the Climate Action Plan, Seattle’s emissions reductions rate needs to increase by a factor of seven; and

WHEREAS, in August 2019, the Council recognized the need for more immediate action to decrease

greenhouse gas emissions through the adoption of Resolution 31895, calling for a Green New Deal for Seattle and establishing a goal for Seattle to be free of climate pollutants by 2030; and

WHEREAS, in response to Executive Order 2018-01, the Office of Sustainability and Environment (“OSE”), in collaboration with select departments is developing policy and implementation guidance for assessing the greenhouse gas emissions and climate resilience of major capital projects and purchasing decisions; and

WHEREAS, the Council and general public would benefit from considering whether proposed legislation could impact Seattle’s carbon emissions and climate change resiliency; and

WHEREAS, the Council’s General Rules and Procedures adopted December 2019 as Resolution 31920 state, “All Council Bills and Resolutions shall include a Summary and Fiscal Note,” and the parameters of the Summary and Fiscal Note are detailed in various documents, including Resolution 31203 adopted in 2010 for larger projects in the City’s Capital Improvement Program as well as internal guidance from the Legislative Department and the City Budget Office (CBO); and

WHEREAS, the Council has previously demonstrated a commitment to meet both community-building and fiscal responsibility objectives by requiring the review of basic financial information from those seeking City funding from programs such as the Equitable Development Initiative Fund; and

WHEREAS, the Council recognizes the importance of identifying financial costs or other impacts of not implementing proposed legislation; and

WHEREAS, the Council and the public would have greater accountability over capital projects not owned by The City of Seattle that are seeking City funds if basic financial documentation is reviewed to assess the need, feasibility, and public benefits of such projects; NOW, THEREFORE,

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

Section 1. The Summary and Fiscal Note that accompanies new legislation as directed by the Council

Rules shall be renamed the Summary, Environmental, and Fiscal Note.

Section 2. Each Summary, Environmental, and Fiscal Note shall, as appropriate, address carbon emissions and climate change resiliency in a form and with content substantially similar to Attachment A to this resolution.

Section 3. Unless exempt as described herein, each Summary, Environmental, and Fiscal Note for legislation appropriating funds for a private or public capital project not owned by The City of Seattle or for any lease for a term of 10 years or greater shall provide for an assessment of fiscal impacts based on findings from an analysis of the capital project's financial documents, in a form and with content substantially similar to Section 4.e. of Attachment A to this resolution. Exemptions include legislation that would a) approve leases for any property for a term of less than ten years, or b) appropriate funds or otherwise commit through interfund transfers, memoranda of understanding or other legal obligations less than \$100,000 of City funds to a capital project not owned by The City of Seattle.

A. The Summary, Environmental, and Fiscal Note shall indicate whether the project owner requires technical assistance to produce the requested financial documents. If such assistance is required, the Council may consider a proviso directing the Executive to review the requested documents prior to disbursement of funds.

Section 4. Effective upon Council adoption of this resolution, all City departments and offices shall use the Summary, Environmental, and Fiscal Note template in a form and with content substantially similar to Attachment A to this resolution.

Section 5. The CBO and OSE shall report to Council no later than December 31, 2020 on implementation of the Summary, Environmental, and Fiscal Note, including any new tools that could ensure consistent and effective identification of Environmental implications of proposed legislation, at which time the Council may also consider recommended updates to the Summary, Environmental, and Fiscal Note template.

Section 6. This resolution does not supersede Resolution 31203 adopted in 2010, which continues to

require a robust financial analysis for certain projects included in the City of Seattle’s Capital Improvement Program.

Section 7. Nothing in this resolution shall give rise to a cause of action to enforce its terms. Information in or attached to a Summary, Environmental, and Fiscal Note is not subject to appeal and may not be used in determining whether The City of Seattle or any of its departments or other organizational units has complied with legal requirements including, but not limited to, chapter 43.21C RCW, chapter 197-11 WAC, or Seattle Municipal Code Chapter 25.05.

Adopted by the City Council the _____ day of _____, 2020, and signed by me in open session in authentication of its adoption this _____ day of _____, 2020.

President _____ of the City Council

Filed by me this _____ day of _____, 2020.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment A - Summary, Environmental, and Fiscal Note Template

Attachment B - Redline Version of Summary, Environmental, and Fiscal Note Template

SUMMARY, ENVIRONMENTAL, and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:

* Note that the Summary, Environmental, and Fiscal Note describes the version of the bill or resolution as introduced; Central Staff will update the Note to reflect substantive differences adopted in the final legislation.

1. BILL SUMMARY

Legislation Title:

Enter the complete title of the proposed legislation.

Summary and background of the Legislation:

Briefly describe the purpose and content of the proposed legislation, with particular attention to requested and mandated actions, should the legislation be enacted. Include references to related legislation. Summarize the actions of your legislation in everyday language.

2. ENVIRONMENTAL / CLIMATE IMPLICATIONS

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

Please provide a qualitative response. Consider net impacts. For example, if the legislation could decrease direct emissions, consider whether it might increase emissions indirectly or elsewhere. *New modeling is not required for this response.* See sources of emissions in Seattle by sector (transportation, buildings, waste, and industrial) in the [Seattle Community Greenhouse Gas Emissions Inventory](#). Document this source and any other methodologies and sources used for this response.

b. 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 potential sector-specific actions (Transportation, Land Use & the Built Environment, City Buildings, Parks, Drainage & Water Supply Systems, Electricity System and Community Preparedness in [Preparing for Climate Change](#), published by the Office of Sustainability and Environment and findings by the [University of Washington’s Climate Impacts Group](#) and [National Climate Assessment’s northwest chapter](#). Please document these or any other methodologies and sources used for this response.

3. CAPITAL IMPROVEMENT PROGRAM

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

Please check yes or no. If yes, fill in the chart, including estimated one-time and ongoing costs and anticipated major maintenance, such as a new roof. For a project amendment, attach a marked-up version of the CIP Page to the Council Bill. For a new project, attach a new CIP Page, including the spending plan, to the Council Bill. If no, please delete the table below.

Project Name:	Project I.D.:	Project Location:	Start Date:	End Date:	Total Project Cost Through 2024:

4. SUMMARY OF FINANCIAL IMPLICATIONS

a. Does this legislation amend the Adopted Budget? Yes No

If there are no changes to appropriations, revenues, or positions, please delete the table below. If your legislation amends appropriations, revenues, or positions for the current year’s adopted budget or following year’s endorsed budget, complete the summary chart at the beginning of section 3 and the appropriate detailed chart (appropriations, revenue, or positions) further down the section.

Appropriation change (\$):	General Fund \$		Other \$	
	2020	2021	2020	2021
Estimated revenue change (\$):	Revenue to General Fund		Revenue to Other Funds	
	2020	2021	2020	2021
Positions affected:	No. of Positions		Total FTE Change	
	2020	2021	2020	2021

b. 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?

Identify financial impacts to the City that don’t necessarily or immediately amend the budget, such as future O&M and/or major maintenance costs (you may reference the table in Section 3 for Capital projects), contractual obligation of a level of resources, or new standards or regulations that impact future capital or operating costs.

c. Does the legislation call for additional legislation or executive actions that, if adopted and/or implemented, would have financial impacts to the City of Seattle?

Identify additional legislation or executive actions that would be required to implement the proposed legislation and the estimated financial impacts from future legislative or executive actions needed to fully address the intent of the proposed legislation.

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

Estimate the costs to the City of not implementing the legislation, e.g. estimated costs to maintain or expand an existing facility, cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs or consequences.

4.e. Financial Document Checklist of Requested Documents

Yes No This legislation would appropriate or otherwise commit City funds in excess of \$100,000 through interfund transfers, memoranda of understanding or other legal obligations for a private or public capital project not owned by the City of Seattle or for a lease for a term of 10 years or greater.

Documents in the Financial Document Checklist of Requested Documents (below) have been requested from the project sponsor.

The project sponsor has indicated a desire to receive technical assistance to produce the requested documents. If this box is checked, which City Department or Office could provide or is providing this assistance?

Please complete the Financial Documents Checklist of Requested Documents if this legislation would appropriate or otherwise commit City funds in excess of \$100,000 through interfund transfers, memoranda of understanding or other legal obligations for a private or public capital project not owned by the City of Seattle or for any lease for a term of 10 years or greater. Enter "N.A" if a document is not available or has not been provided.

Financial Document Checklist of Requested Documents	
Requested Documents	Reviewed (Y/N) or (N.A.)
i. A detailed description of the proposed project , including the physical structure(s), community engagement, direct beneficiaries of the project, and intended outcomes.	
ii. Proposed Sources and Uses of all funds. Sources should include the requested City funds and Uses should include the construction / renovation budget (if applicable), any real estate developer profit / fee and any loans (along with financial terms of any loans).	
iii. Projected (proforma) operating statement for at least the next five years with line item detail of revenues and expenses (including any City subsidies and/or city tax exemptions as well as debt service on any loans).	
iv. Certified historical operating statements of the project (if the project already exists) with line item detail of revenues and expenses (including any City subsidies and/or tax exemptions as well as any debt service on any loans).	
v. The most recently available independent audit of the project and/or organization to be receiving the city subsidy (if the project or organization already exists).	
vi. Drawings, diagrams, photographs, and maps of the proposed project , including a site plan.	
vii. A detailed list of direct public benefits resulting from the proposed project.	
viii. Any other documents pertinent to determining financial need, feasibility, and public benefits.	

4.f. Appropriations

This legislation adds, changes, or deletes appropriations.

Please fill out the appropriation table ONLY if the legislation directly appropriates funds. The table should only reflect appropriations that are a direct result of this legislation. If this box is not checked, please proceed to Section 4.g. Revenues/ Reimbursements.

Fund Name and number	Dept	Budget Control Level Name/##*	2020 Appropriation Change	2021 Estimated Appropriation Change
TOTAL				

*See budget book to obtain the appropriate Budget Control Level for your department.

Is this change one-time or ongoing?

Indicate if the appropriations change is one-time, ongoing, or both. Please explain any complicated scenarios – e.g. appropriations are increased for three years because of a funding agreement – with no guarantee or plan to continue after the three years.

Appropriations Notes:

If the project/programs associated with this ordinance had, or will have, appropriations in other legislation, provide details here.–Also identify the funding source if the appropriation is not completely supported by revenue/reimbursements listed in section 3.b. below (e.g. available fund balance).

4.g. Revenues/Reimbursements

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

This table should reflect revenues/reimbursements that are a direct result of this legislation. If this box is not checked, please proceed to Section 4.h. Positions.

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Dept	Revenue Source	2020 Revenue	2021 Estimated Revenue
TOTAL				

Is this change one-time or ongoing?

Indicate if the appropriations change is one-time, ongoing, or both. Please explain any complicated scenarios – e.g. appropriations are increased for three years because of a funding agreement – with no guarantee or plan to continue after the three years.

Revenue/Reimbursement Notes:

If the issues/projects associated with this ordinance/resolution have revenues or reimbursements that were, or will be, received because of previous or future legislation or budget actions, please provide details here. Also identify any matching requirements.

4.h. Positions

 This legislation adds, changes, or deletes positions.

This table should only reflect the actual number of positions and FTEs created, modified or abrogated through this legislation. If this box is not checked, please proceed to Section 5 Other Implications.

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	2020 Positions	2020 FTE	Does it sunset? (If yes, explain below in Position Notes)
TOTAL							

* List each position separately

Position Notes:

If positions and/or FTEs have been, or will be, created as a result of previous or future legislation or budget actions, please provide details here. Also explain any positions that sunset.

5. OTHER IMPLICATIONS

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

Please indicate impacts (e.g., financial, operational, etc.), if any, that your legislation might have on other departments or agencies.

b. Public Hearing. Is a public hearing required for this legislation?

Specify if a public hearing is required, whether the hearing has taken place and/or if a future public hearing is planned. Examples of legislation requiring a public hearing include certain City capital investments over \$5 million and certain types of parking garages, and all Land Use Code text amendments. If you have any question about whether your legislation needs a public hearing, please check with the lawyer assigned to review this legislation in the Law Department.

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

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 the lawyer assigned to review this legislation in the Law Department. If notice is required, describe any steps taken to comply with that requirement.

d. Property Map. 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, then attach a map and/or other visual representation of the property and its location to the fiscal note. Mark the map as intended for illustrative or informational purposes only and not intended to modify anything in the legislation.

e. RSJI/Language Access. 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?

Please summarize whether/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. For help, please contact the Office of Immigrant and Refugee Affairs, who administer the City's Language Access program.

f. Program Goals. If this legislation includes a new initiative or a major programmatic expansion, identify the specific long-term and measurable goal(s) of the program and explain how this legislation would help achieve the program's desired goal(s).

This answer should highlight measurable outputs and outcomes. CBO can be of assistance when drafting this language.

g. Other issues.

Provide any additional information not addressed in the bill summary.

h. Attachments/Exhibits.

Please list maps, reports, figures and other documents that provide additional context.

Substantive changes to the existing template for a Summary and Fiscal note are highlighted in red.

SUMMARY, ENVIRONMENTAL, and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:

** Note that the Summary, Environmental, and Fiscal Note describes the version of the bill or resolution as introduced; Central Staff will update the Note to reflect substantive differences adopted in the final legislation.*

1. BILL SUMMARY

Legislation Title:

Enter the complete title of the proposed legislation.

Summary and background of the Legislation:

Briefly describe the purpose and content of the proposed legislation, with particular attention to requested and mandated actions, should the legislation be enacted. Include references to related legislation. Summarize the actions of your legislation in everyday language.

2. ENVIRONMENTAL / CLIMATE IMPLICATIONS

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

Please provide a qualitative response. Consider net impacts. For example, if the legislation could decrease direct emissions, consider whether it might increase emissions indirectly or elsewhere. *New modeling is not required for this response.* See sources of emissions in Seattle by sector (transportation, buildings, waste, and industrial) in the [Seattle Community Greenhouse Gas Emissions Inventory](#). Document this source and any other methodologies and sources used for this response.

b. 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 potential sector-specific actions (Transportation, Land Use & the Built Environment, City Buildings, Parks, Drainage & Water Supply Systems, Electricity System and Community Preparedness in [Preparing for Climate Change](#), published by the Office of Sustainability and Environment and findings by the [University of Washington’s Climate Impacts Group](#) and [National Climate Assessment’s northwest chapter](#). Please document these or any other methodologies and sources used for this response.

3. CAPITAL IMPROVEMENT PROGRAM

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

Please check yes or no. If yes, fill in the chart, including estimated one-time and ongoing costs and anticipated major maintenance, such as a new roof. For a project amendment, attach a marked-up version of the CIP Page to the Council Bill. For a new project, attach a new CIP Page, including the spending plan, to the Council Bill. If no, please delete the table below.

Project Name:	Project I.D.:	Project Location:	Start Date:	End Date:	Total Project Cost Through 2024:

Substantive changes to the existing template for a Summary and Fiscal note are highlighted in red.

4. SUMMARY OF FINANCIAL IMPLICATIONS

a. Does this legislation amend the Adopted Budget? ___ Yes ___ No

If there are no changes to appropriations, revenues, or positions, please delete the table below. If your legislation amends appropriations, revenues, or positions for the current year’s adopted budget or following year’s endorsed budget, complete the summary chart at the beginning of section 3 and the appropriate detailed chart (appropriations, revenue, or positions) further down the section.

Appropriation change (\$):	General Fund \$		Other \$	
	2020	2021	2020	2021
Estimated revenue change (\$):	Revenue to General Fund		Revenue to Other Funds	
	2020	2021	2020	2021
Positions affected:	No. of Positions		Total FTE Change	
	2020	2021	2020	2021

b. 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?

Identify financial impacts to the City that don’t necessarily or immediately amend the budget, such as future O&M and/or major maintenance costs (you may reference the table in Section 3 for Capital projects), contractual obligation of a level of resources, or new standards or regulations that impact future capital or operating costs.

c. Does the legislation call for additional legislation or executive actions that, if adopted and/or implemented, would have financial impacts to the City of Seattle?

Identify additional legislation or executive actions that would be required to implement the proposed legislation and the estimated financial impacts from future legislative or executive actions needed to fully address the intent of the proposed legislation.

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

Estimate the costs to the City of not implementing the legislation, e.g. estimated costs to maintain or expand an existing facility, cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs or consequences.

4.e. Financial Document Checklist

___ Yes ___ No This legislation would appropriate or otherwise commit City funds in excess of \$100,000 through interfund transfers, memoranda of understanding or other legal obligations for a private or public capital project not owned by the City of Seattle or for a lease for a term of 10 years or greater.

___ Documents in the Financial Document Checklist of Requested Documents (below) have been requested from the project sponsor.

___ The project sponsor has indicated a desire to receive technical assistance to produce the requested documents. If this box is checked, which City Department or Office could provide or is providing this assistance?

Substantive changes to the existing template for a Summary and Fiscal note are highlighted in red.

Please complete the Financial Documents Checklist of Requested Documents if this legislation would appropriate or otherwise commit City funds in excess of \$100,000 through interfund transfers, memoranda of understanding or other legal obligations for a private or public capital project not owned by the City of Seattle or for any lease for a term of 10 years or greater. Enter "N.A" if a document is not available or has not been provided.

Financial Document Checklist of Requested Documents	
Requested Documents	Reviewed (Y/N) or (N.A.)
i. A detailed description of the proposed project , including the physical structure(s), community engagement, direct beneficiaries of the project, and intended outcomes.	
ii. Proposed Sources and Uses of all funds. Sources should include the requested City funds and Uses should include the construction / renovation budget (if applicable), any real estate developer profit / fee and any loans (along with financial terms of any loans).	
iii. Projected (proforma) operating statement for at least the next five years with line item detail of revenues and expenses (including any City subsidies and/or city tax exemptions as well as debt service on any loans).	
iv. Certified historical operating statements of the project (if the project already exists) with line item detail of revenues and expenses (including any City subsidies and/or tax exemptions as well as any debt service on any loans).	
v. The most recently available independent audit of the project and/or organization to be receiving the city subsidy (if the project or organization already exists).	
vi. Drawings, diagrams, photographs, and maps of the proposed project , including a site plan.	
vii. A detailed list of direct public benefits resulting from the proposed project.	
viii. Any other documents pertinent to determining financial need, feasibility, and public benefits.	

4.f. Appropriations

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

Please fill out the appropriation table ONLY if the legislation directly appropriates funds. The table should only reflect appropriations that are a direct result of this legislation. If this box is not checked, please proceed to Section 4.g. Revenues/ Reimbursements.

Fund Name and number	Dept	Budget Control Level Name/#*	2020 Appropriation Change	2021 Estimated Appropriation Change
TOTAL				

*See budget book to obtain the appropriate Budget Control Level for your department.

Is this change one-time or ongoing?

Indicate if the appropriations change is one-time, ongoing, or both. Please explain any complicated scenarios – e.g. appropriations are increased for three years because of a funding agreement – with no guarantee or plan to continue after the three years.

Appropriations Notes:

If the project/programs associated with this ordinance had, or will have, appropriations in other legislation, provide details here.-Also identify the funding source if the appropriation is not completely supported by revenue/reimbursements listed in section 3.b. below (e.g. available fund balance).

Substantive changes to the existing template for a Summary and Fiscal note are highlighted in red.

4.g. Revenues/Reimbursements

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

This table should reflect revenues/reimbursements that are a direct result of this legislation. If this box is not checked, please proceed to Section 4.h. Positions.

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Dept	Revenue Source	2020 Revenue	2021 Estimated Revenue
TOTAL				

Is this change one-time or ongoing?

Indicate if the appropriations change is one-time, ongoing, or both. Please explain any complicated scenarios – e.g. appropriations are increased for three years because of a funding agreement – with no guarantee or plan to continue after the three years.

Revenue/Reimbursement Notes:

If the issues/projects associated with this ordinance/resolution have revenues or reimbursements that were, or will be, received because of previous or future legislation or budget actions, please provide details here. Also identify any matching requirements.

4.h. Positions

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

This table should only reflect the actual number of positions and FTEs created, modified or abrogated through this legislation. If this box is not checked, please proceed to Section 5 Other Implications.

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	2020 Positions	2020 FTE	Does it sunset? (If yes, explain below in Position Notes)
TOTAL							

* List each position separately

Position Notes:

If positions and/or FTEs have been, or will be, created as a result of previous or future legislation or budget actions, please provide details here. Also explain any positions that sunset.

Substantive changes to the existing template for a Summary and Fiscal note are highlighted in red.

5. OTHER IMPLICATIONS

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

Please indicate impacts (e.g., financial, operational, etc.), if any, that your legislation might have on other departments or agencies.

b. Public Hearing. Is a public hearing required for this legislation?

Specify if a public hearing is required, whether the hearing has taken place and/or if a future public hearing is planned. Examples of legislation requiring a public hearing include certain City capital investments over \$5 million and certain types of parking garages, and all Land Use Code text amendments. If you have any question about whether your legislation needs a public hearing, please check with the lawyer assigned to review this legislation in the Law Department.

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

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 the lawyer assigned to review this legislation in the Law Department. If notice is required, describe any steps taken to comply with that requirement.

d. Property Map. 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, then attach a map and/or other visual representation of the property and its location to the fiscal note. Mark the map as intended for illustrative or informational purposes only and not intended to modify anything in the legislation.

e. RSJI/Language Access. 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?

Please summarize whether/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. For help, please contact the Office of Immigrant and Refugee Affairs, who administer the City's Language Access program.

f. Program Goals. If this legislation includes a new initiative or a major programmatic expansion, identify the specific long-term and measurable goal(s) of the program and explain how this legislation would help achieve the program's desired goal(s).

This answer should highlight measurable outputs and outcomes. CBO can be of assistance when drafting this language.

g. Other issues.

Provide any additional information not addressed in the bill summary.

h. Attachments/Exhibits.

Please list maps, reports, figures and other documents that provide additional context.

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Legislative	Lise Kaye/206-256-6264	

** 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 expanding the requirements for the Summary and Fiscal Note that accompanies new legislation so that it also considers impacts of climate change and, for certain capital projects seeking funds from the City of Seattle, the basic financial documents needed for a more thorough assessment of fiscal impacts and renaming it the Summary, Environmental, and Fiscal Note.

Summary and background of the Legislation:

The City Council Rules and Procedures, adopted by Resolution 31920 in December 2019, call for all Council Bills and Resolutions to include a Summary and Fiscal Note. The form and content of the Note has evolved since August 1994, when Ordinance 117255 first required a fiscal note to be prepared for all proposals for capital projects.¹ At present, the City Budget Office (CBO), in coordination with Council’s Central Staff, posts a template and instructions to Departments and Offices for completing a Summary and Fiscal Note on the City’s intranet. Departments and Offices complete, and the City Budget Office (CBO) reviews, Summary and Fiscal Notes for legislation proposed by the executive. If, upon transmittal of the legislation, Central Staff finds errors or omissions in a Summary and Fiscal Note, an analyst may request revisions from CBO. If the legislation originates with Council, Central Staff prepares the Summary and Fiscal Note. The City Council does not adopt a Summary and Fiscal Note with proposed legislation, but it does become part of the legislative record; the current Summary and Fiscal Note includes a caveat that it may not fully describe final legislation as amended.

This proposed resolution would:

- rename the Summary and Fiscal Note the “Summary, Environmental, and Fiscal Note”;
- add a new section to the Summary and Fiscal note on environmental and climate change implications;

¹ Ordinance 117255, adopted in August 1994, first required a fiscal note to be prepared for all proposals for capital projects, as part of a response to a report from a Citizens’ Capital Investment Committee. The Citizens’ Capital Investment Committee was created in February 1994 by Resolution 28876 to provide guidance on capital policy issues. Ordinance 117255 was repealed in August 2001 by Ordinance 120469 and appears to have been replaced that same month with Resolution 30365, which adopted updated capital and major maintenance planning and funding policies. Resolution 30365 included minor changes to the fiscal note requirements in Ordinance 117255 and referenced specific fiscal note templates for information technology and for capital projects with public-private elements. The public-private protocol is described in Resolution 30072 and the business case format used for the information technology template is described in Resolution 29627.

- request specific financial analysis when City funds may be appropriated or otherwise committed in support of non-City owned capital projects and when legislation would approve any lease for a term of 10 years or greater; and
- request a report to Council by CBO and OSE no later than December 31, 2020 on implementation of the Summary, Environmental, and Fiscal Note, including any new tools that could ensure consistent and effective identification of environmental implications of proposed legislation, at which time the Council could consider recommended updates to the Summary, Environmental, and Fiscal Note template.

The revised template also states that Central Staff will update each Summary, Environmental, and Fiscal Note to reflect substantive differences adopted in the final legislation. Attachment A to the resolution is the revised template, and Attachment B to the resolution is a redline version of the template. The substantive changes to the template are summarized below (numbers are for internal reference only and don't correspond to the template).

1. New Environmental/Climate Implications Section and Questions

- a. Emissions: Is the legislation likely to increase or decrease direct carbon emissions in a material way?
- b. 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.

2. New Question in the Summary of Financial Implications Section

Does the legislation call for additional legislation or executive actions that, if adopted and/or implemented, would have financial impacts to the City of Seattle?

3. New Financial Document Checklist of Requested Documents Subsection for Certain Capital Projects

- a. Will the legislation appropriate or otherwise commit City funds in excess of \$100,000 through interfund transfers, memoranda of understanding or other legal obligations for a private or public capital project not owned by the City of Seattle or for a lease for a term of 10 years or greater? If the answer is yes,
 - i. Have documents in the Financial Document Checklist of Requested Documents (see below) been requested from the project sponsor?
 - ii. Has the project sponsor indicated a desire to receive technical assistance to produce the requested documents? (*In the event that such assistance is requested, the proposed resolution allows Council to consider a proviso that would have the Executive review the requested documents after Council approval, but prior to disbursement of funds.*)
 - iii. If applicable, which City Department or Office could provide or is providing this assistance?

b. Requires completion of a Financial Document Checklist of Requested Documents if the legislation would appropriate or otherwise commit City funds in excess of \$100,000 through interfund transfers, memoranda of understanding or other legal obligations for a private or public capital project not owned by the City of Seattle or for a lease for a term of 10 years or greater. (Legislation appropriating or otherwise committing \$100,000 or less in City funds or approving leases for 10 years or less would be exempt.) The checklist asks whether the following documents have been reviewed (an “N/A” response indicates that a document is not available or has not been provided):

- i. a detailed description of the proposed capital project
- ii. proposed sources and uses of all funds
- iii. certified historical operating statements
- iv. projected operating statement for at least the next 5 years
- v. the most recent independent audit of the project
- vi. drawings, diagrams, photographs and maps of the project and a site plan
- vii. a list of direct public benefits from the proposed project
- viii. any other documents pertinent to determining financial need, feasibility, and public benefits.

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?

The proposed Summary, Environmental and Fiscal Note will require additional Department and Office staff time for training and/or assistance to complete the environmental and climate change impact questions, to analyze financial documents, and to support organizations, if requested, as they produce the documents listed in the Financial Documents Checklist. Central Staff and the City Clerk will need to develop procedures to fulfill the requirement to update the Summary, Environmental, and Fiscal Note to reflect substantive differences adopted in amended legislation.

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

If the legislation is not implemented, Departments and Offices may not necessarily consider whether action(s) proposed by legislation would increase or decrease carbon emissions or Seattle’s ability to adapt to climate change. In addition, Departments and Offices would not be required to review specific financial documents as part of financial due diligence, prior to transmitting legislation to the Council that would appropriate or otherwise commit over \$100,000 in City funds for capital projects and leases in excess of 10 years.

4. OTHER IMPLICATIONS

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

All departments and offices originating legislation will be required to complete the new sections and questions in the Summary, Environmental, and Fiscal Note, when applicable, and CBO will review the completed Notes.

b. Is a public hearing required for this legislation?

No

c. Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?

No

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

No

e. Does this legislation affect a piece of property?

No

f. 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?

Inclusion in the Summary, Environmental, and Fiscal Note of the Environmental/Climate Implications section could indirectly support the City's efforts to achieve its environmental justice goals, such as protecting communities vulnerable to climate change impacts, by identifying legislation that would likely increase carbon emissions or decrease the City's ability to adapt to climate change. With respect to the requirement for the City to review specific financial documentation when making a financial commitment in excess of \$100,000 toward a non-City owned capital project, the legislation would mitigate potential negative impacts on organizations with insufficient capacity to provide the required information (which may include those that represent historically disadvantaged communities) by reporting whether an organization requires assistance to assemble the required financial documentation. If such assistance is required, the legislation would allow Council to consider a proviso to have the Executive review the requested documents after Council approval, but prior to disbursement of funds.

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.

List attachments/exhibits below:

N/A

CITY OF SEATTLE

RESOLUTION _____

..title

A RESOLUTION expanding the requirements for the Summary and Fiscal Note that accompanies new legislation so that it also considers impacts of climate change ~~and, for certain capital projects seeking funds from The City of Seattle, the basic financial documents needed for a more thorough assessment of fiscal impacts and renaming it the Summary, Environmental, and Fiscal Note.~~

..body

WHEREAS, the Seattle City Charter highlights not only fiscal responsibility but also the importance of the environment with its preamble stating, “the People of the City of Seattle enact this Charter as the Law of the City for the purpose of protecting and enhancing the health, safety, environment, and general welfare of the people;...to provide for transparency, accountability, and ethics in governance and civil service; to foster fiscal responsibility; to promote prosperity and to meet the broad needs for a healthy, growing City;” and

WHEREAS, climate change is a defining crisis of our times, calling for urgent and decisive action by governments, businesses, and individuals; and

WHEREAS, in June 2013, the City Council (“Council”) adopted, with the Mayor concurring, Resolution 31447 adopting the Seattle Climate Action Plan, establishing the goal that Seattle reach zero net greenhouse gas emissions by 2050; and

WHEREAS, the 2016 Seattle Community Greenhouse Gas Emissions Inventory, published in February 2019, found that total greenhouse gas emissions in Seattle rose by one percent between 2014 and 2016, and that in order to achieve the goals of the Climate Action Plan, Seattle’s emissions reductions rate needs to increase by a factor of seven; and

WHEREAS, in August 2019, the Council recognized the need for more immediate action to decrease greenhouse gas emissions through the adoption of Resolution 31895, calling for

1 a Green New Deal for Seattle and establishing a goal for Seattle to be free of climate
2 pollutants by 2030; and

3 WHEREAS, in response to Executive Order 2018-01, the Office of Sustainability and
4 Environment (“OSE”), in collaboration with select departments, is developing policy and
5 implementation guidance for assessing the greenhouse gas emissions (which should
6 include consideration of embodied carbon) and climate resilience of major capital
7 projects and purchasing decisions; and

8 WHEREAS, the Council and general public would benefit from considering whether
9 assessments of the impact of~~considering whether~~ proposed legislation ~~could impact on~~
10 Seattle’s carbon emissions and ~~climate change resiliency~~ potential changes in adaptive
11 capacity (resiliency) to climate change; and

12 WHEREAS, the Council’s General Rules and Procedures adopted December 2019 as Resolution
13 31920 state, “All Council Bills and Resolutions shall include a Summary and Fiscal
14 Note,” and the parameters of the Summary and Fiscal Note are detailed in various
15 documents, including Resolution 31203 adopted in 2010 for larger projects in the City’s
16 Capital Improvement Program as well as internal guidance from the Legislative
17 Department and the City Budget Office (CBO); ~~and~~

18 ~~WHEREAS, the Council has previously demonstrated a commitment to meet both community-~~
19 ~~building and fiscal responsibility objectives by requiring the review of basic financial~~
20 ~~information from those seeking City funding from programs such as the Equitable~~
21 ~~Development Initiative Fund; and~~

22 ~~WHEREAS, the Council recognizes the importance of identifying financial costs or other~~
23 ~~impacts of not implementing proposed legislation; and~~

1 ~~WHEREAS, the Council and the public would have greater accountability over capital projects~~
2 ~~not owned by The City of Seattle that are seeking City funds if basic financial~~
3 ~~documentation is reviewed to assess the need, feasibility, and public benefits of such~~
4 ~~projects;~~ NOW, THEREFORE,

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

6 Section 1. ~~The Summary and Fiscal Note that accompanies new legislation as directed by~~
7 ~~the Council Rules shall be renamed the Summary, Environmental, and Fiscal Note.~~

8 ~~Section 2.~~ Each Summary, ~~Environmental,~~ and Fiscal Note shall, as appropriate, address
9 carbon emissions and climate change resiliency in a form and with content substantially similar
10 to Attachment A to this resolution.

11 ~~Section 3. Unless exempt as described herein, each Summary, Environmental, and Fiscal~~
12 ~~Note for legislation appropriating funds for a private or public capital project not owned by The~~
13 ~~City of Seattle or for any lease for a term of 10 years or greater shall provide for an assessment~~
14 ~~of fiscal impacts based on findings from an analysis of the capital project's financial documents,~~
15 ~~in a form and with content substantially similar to Section 4.e. of Attachment A to this~~
16 ~~resolution. Exemptions include legislation that would a) approve leases for any property for a~~
17 ~~term of less than ten years, or b) appropriate funds or otherwise commit through interfund~~
18 ~~transfers, memoranda of understanding or other legal obligations less than \$100,000 of City~~
19 ~~funds to a capital project not owned by The City of Seattle.~~

20 ~~A. The Summary, Environmental, and Fiscal Note shall indicate whether the project~~
21 ~~owner requires technical assistance to produce the requested financial documents. If such~~
22 ~~assistance is required, the Council may consider a proviso directing the Executive to review the~~
23 ~~requested documents prior to disbursement of funds.~~

1 Section ~~24~~. ~~No later than January 1, 2021, Effective upon Council adoption of this~~
2 ~~resolution~~, all City departments and offices shall use the Summary ~~and~~, ~~Environmental~~, and
3 Fiscal Note template in a form and with content substantially similar to Attachment A to this
4 resolution.

5 Section ~~35~~. The CBO, ~~with input from~~ and OSE shall report to Council no later than
6 ~~December 31, 2020~~ March 31, 2021 on implementation of the Summary, Environmental, and
7 Fiscal Note, including any new tools that could ensure consistent and effective identification of
8 ~~Environmental-climate change~~ implications of proposed legislation, at which time the Council
9 may also consider recommended updates to the Summary, ~~Environmental~~, and Fiscal Note
10 template.

11 Section ~~46~~. This resolution does not supersede Resolution 31203 adopted in 2010, which
12 continues to require a robust financial analysis for certain projects included in the City of
13 Seattle's Capital Improvement Program.

14 Section ~~57~~. Nothing in this resolution shall give rise to a cause of action to enforce its
15 terms. Information in or attached to a Summary, Environmental, and Fiscal Note is not subject to
16 appeal and may not be used in determining whether The City of Seattle or any of its departments
17 or other organizational units has complied with legal requirements including, but not limited to,
18 chapter 43.21C RCW, chapter 197-11 WAC, or Seattle Municipal Code Chapter 25.05.
19

1 Adopted by the City Council the _____ day of _____, 2020,
2 and signed by me in open session in authentication of its adoption this _____ day of
3 _____, 2020.

4 _____
5 President _____ of the City Council

6 Filed by me this _____ day of _____, 2020.
7 _____
8 Monica Martinez Simmons, City Clerk

9 (Seal)

10
11

12 Attachments:

13 Attachment A – Summary ~~, Environmental,~~ and Fiscal Note Template

14 Attachment B – Redline Version of Summary ~~, Environmental,~~ and Fiscal Note Template

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:

* Note that the Summary, and Fiscal Note describes the version of the bill or resolution as introduced.

1. BILL SUMMARY

Legislation Title:

Enter the complete title of the proposed legislation.

Summary and background of the Legislation:

Briefly describe the purpose and content of the proposed legislation, with particular attention to requested and mandated actions, should the legislation be enacted. Include references to related legislation. Summarize the actions of your legislation in everyday language.

2. CAPITAL IMPROVEMENT PROGRAM

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

Please check yes or no. If yes, fill in the chart, including estimated one-time and ongoing costs and anticipated major maintenance, such as a new roof. For a project amendment, attach a marked-up version of the CIP Page to the Council Bill. For a new project, attach a new CIP Page, including the spending plan, to the Council Bill. If no, please delete the table below.

Project Name:	Project I.D.:	Project Location:	Start Date:	End Date:	Total Project Cost Through 2024:

3. SUMMARY OF FINANCIAL IMPLICATIONS

a. Does this legislation amend the Adopted Budget? ___ Yes ___ No

If there are no changes to appropriations, revenues, or positions, please delete the table below. If your legislation amends appropriations, revenues, or positions for the current year's adopted budget or following year's endorsed budget, complete the summary chart at the beginning of section 3 and the appropriate detailed chart (appropriations, revenue, or positions) further down the section.

Appropriation change (\$):	General Fund \$		Other \$	
	2020	2021	2020	2021
Estimated revenue change (\$):	Revenue to General Fund		Revenue to Other Funds	
	2020	2021	2020	2021
Positions affected:	No. of Positions		Total FTE Change	
	2020	2021	2020	2021

b. 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?

Identify financial impacts to the City that don't necessarily or immediately amend the budget, such as future O&M and/or major maintenance costs (you may reference the table in Section 3 for Capital projects), contractual obligation of a level of resources, or new standards or regulations that impact future capital or operating costs.

c. Does the legislation call for additional legislation or executive actions that, if adopted and/or implemented, would have financial impacts to the City of Seattle?

Identify additional legislation or executive actions that would be required to implement the proposed legislation and the estimated financial impacts from future legislative or executive actions needed to fully address the intent of the proposed legislation.

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

Estimate the costs to the City of not implementing the legislation, e.g. estimated costs to maintain or expand an existing facility, cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs or consequences.

3e. Appropriations

_____ This legislation adds, changes, or deletes appropriations.

Please fill out the appropriation table ONLY if the legislation directly appropriates funds. The table should only reflect appropriations that are a direct result of this legislation. If this box is not checked, please proceed to Section 4.g. Revenues/ Reimbursements.

Fund Name and number	Dept	Budget Control Level Name/#*	2020 Appropriation Change	2021 Estimated Appropriation Change
TOTAL				

*See budget book to obtain the appropriate Budget Control Level for your department.

Is this change one-time or ongoing?

Indicate if the appropriations change is one-time, ongoing, or both. Please explain any complicated scenarios – e.g. appropriations are increased for three years because of a funding agreement – with no guarantee or plan to continue after the three years.

Appropriations Notes:

If the project/programs associated with this ordinance had, or will have, appropriations in other legislation, provide details here.–Also identify the funding source if the appropriation is not completely supported by revenue/reimbursements listed in section 3.b. below (e.g. available fund balance).

3.g. Revenues/Reimbursements

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

This table should reflect revenues/reimbursements that are a direct result of this legislation. If this box is not checked, please proceed to Section 4.h. Positions.

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Dept	Revenue Source	2020 Revenue	2021 Estimated Revenue
TOTAL				

Is this change one-time or ongoing?

Indicate if the appropriations change is one-time, ongoing, or both. Please explain any complicated scenarios – e.g. appropriations are increased for three years because of a funding agreement – with no guarantee or plan to continue after the three years.

Revenue/Reimbursement Notes:

If the issues/projects associated with this ordinance/resolution have revenues or reimbursements that were, or will be, received because of previous or future legislation or budget actions, please provide details here. Also identify any matching requirements.

3.h. Positions

_____ This legislation adds, changes, or deletes positions.

This table should only reflect the actual number of positions and FTEs created, modified or abrogated through this legislation. If this box is not checked, please proceed to Section 5 Other Implications.

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	2020 Positions	2020 FTE	Does it sunset? (If yes, explain below in Position Notes)
TOTAL							

* List each position separately

Position Notes:

If positions and/or FTEs have been, or will be, created as a result of previous or future legislation or budget actions, please provide details here. Also explain any positions that sunset.

4. OTHER IMPLICATIONS

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

Please indicate impacts (e.g., financial, operational, etc.), if any, that your legislation might have on other departments or agencies.

b. Public Hearing. Is a public hearing required for this legislation?

Specify if a public hearing is required, whether the hearing has taken place and/or if a future public hearing is planned. -Examples of legislation requiring a public hearing include certain City capital investments over \$5 million and certain types of parking garages, and all Land Use Code text amendments. If you have any question about whether your legislation needs a public hearing, please check with the lawyer assigned to review this legislation in the Law Department.

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

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 the lawyer assigned to review this legislation in the Law Department. If notice is required, describe any steps taken to comply with that requirement.

d. Property Map. 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, then attach a map and/or other visual representation of the property and its location to the fiscal note. Mark the map as intended for illustrative or informational purposes only and not intended to modify anything in the legislation.

e. RSJI/Language Access. 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?

Please summarize whether/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. For help, please contact the Office of Immigrant and Refugee Affairs, who administer the City's Language Access program.

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. Consider net impacts. For example, if the legislation could decrease direct emissions, consider whether it might increase emissions indirectly or elsewhere. *New modeling is not required for this response.* See sources of emissions in Seattle by sector (transportation, buildings, waste, and industrial) in the [Seattle Community Greenhouse Gas Emissions Inventory](#). Document this source and any other methodologies and sources used for this response. Describe the 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 4e.

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 potential sector-specific actions (Transportation, Land Use & the Built Environment, City Buildings, Parks, Drainage & Water Supply Systems, Electricity System and Community Preparedness in [Preparing for Climate Change](#), published by the Office of Sustainability and Environment and findings by the [University of Washington's Climate Impacts Group and National Climate Assessment's northwest chapter](#). Please document these or any other methodologies and sources used for this response. Describe the potential climate resiliency impacts of 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.

g. Program Goals. If this legislation includes a new initiative or a major programmatic expansion, identify the specific long-term and measurable goal(s) of the program and explain how this legislation would help achieve the program's desired goal(s).

This answer should highlight measurable outputs and outcomes. CBO can be of assistance when drafting this language.

h. Other issues.

Provide any additional information not addressed in the bill summary.

i. Attachments/Exhibits.

Please list maps, reports, figures and other documents that provide additional context.

Changes to the introduced template for a Summary and Fiscal note are highlighted in red.

SUMMARY, ENVIRONMENTAL, and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:

** Note that the Summary, Environmental, and Fiscal Note describes the version of the bill or resolution as introduced; ~~Central Staff will update the Note to reflect substantive differences adopted in the final legislation.~~*

1. BILL SUMMARY

Legislation Title:

Enter the complete title of the proposed legislation.

Summary and background of the Legislation:

Briefly describe the purpose and content of the proposed legislation, with particular attention to requested and mandated actions, should the legislation be enacted. Include references to related legislation. Summarize the actions of your legislation in everyday language.

2. ENVIRONMENTAL / CLIMATE IMPLICATIONS

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

~~Please provide a qualitative response. Consider net impacts. For example, if the legislation could decrease direct emissions, consider whether it might increase emissions indirectly or elsewhere. *New modeling is not required for this response.* See sources of emissions in Seattle by sector (transportation, buildings, waste, and industrial) in the Seattle Community Greenhouse Gas Emissions Inventory. Document this source and any other methodologies and sources used for this response.~~

~~**b. 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 potential sector-specific actions (Transportation, Land Use & the Built Environment, City Buildings, Parks, Drainage & Water Supply Systems, Electricity System and Community Preparedness in Preparing for Climate Change, published by the Office of Sustainability and Environment and findings by the University of Washington’s Climate Impacts Group and National Climate Assessment’s northwest chapter. Please document these or any other methodologies and sources used for this response.~~

3. CAPITAL IMPROVEMENT PROGRAM

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

Please check yes or no. If yes, fill in the chart, including estimated one-time and ongoing costs and anticipated major maintenance, such as a new roof. For a project amendment, attach a marked-up version of the CIP Page to the Council Bill. For a new project, attach a new CIP Page, including the spending plan, to the Council Bill. If no, please delete the table below.

Project Name:	Project I.D.:	Project Location:	Start Date:	End Date:	Total Project Cost Through 2024:

Changes to the introduced template for a Summary and Fiscal note are highlighted in red.

43. SUMMARY OF FINANCIAL IMPLICATIONS

a. Does this legislation amend the Adopted Budget? Yes No

If there are no changes to appropriations, revenues, or positions, please delete the table below. If your legislation amends appropriations, revenues, or positions for the current year’s adopted budget or following year’s endorsed budget, complete the summary chart at the beginning of section 3 and the appropriate detailed chart (appropriations, revenue, or positions) further down the section.

Appropriation change (\$):	General Fund \$		Other \$	
	2020	2021	2020	2021
Estimated revenue change (\$):	Revenue to General Fund		Revenue to Other Funds	
	2020	2021	2020	2021
Positions affected:	No. of Positions		Total FTE Change	
	2020	2021	2020	2021

b. 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?

Identify financial impacts to the City that don’t necessarily or immediately amend the budget, such as future O&M and/or major maintenance costs (you may reference the table in Section 3 for Capital projects), contractual obligation of a level of resources, or new standards or regulations that impact future capital or operating costs.

c. Does the legislation call for additional legislation or executive actions that, if adopted and/or implemented, would have financial impacts to the City of Seattle?

Identify additional legislation or executive actions that would be required to implement the proposed legislation and the estimated financial impacts from future legislative or executive actions needed to fully address the intent of the proposed legislation.

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

Estimate the costs to the City of not implementing the legislation, e.g. estimated costs to maintain or expand an existing facility, cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs or consequences.

4.e. Financial Document Checklist

~~Yes No This legislation would appropriate or otherwise commit City funds in excess of \$100,000 through interfund transfers, memoranda of understanding or other legal obligations for a private or public capital project not owned by the City of Seattle or for a lease for a term of 10 years or greater.~~

~~Documents in the Financial Document Checklist of Requested Documents (below) have been requested from the project sponsor.~~

~~The project sponsor has indicated a desire to receive technical assistance to produce the requested documents. If this box is checked, which City Department or Office could provide or is providing this assistance?~~

Please complete the Financial Documents Checklist of Requested Documents if this legislation would appropriate or otherwise commit City funds in excess of \$100,000 through interfund transfers, memoranda of understanding or other legal obligations for a private or public capital project not owned by the City of Seattle or for any lease for a term of 10 years or greater. Enter “N.A.” if a document is not available or has not been provided.

Changes to the introduced template for a Summary and Fiscal note are highlighted in red.

Financial Document Checklist of Requested Documents	
Requested Documents	Reviewed (Y/N) or (N.A.)
i. A detailed description of the proposed project , including the physical structure(s), community engagement, direct beneficiaries of the project, and intended outcomes.	
ii. Proposed Sources and Uses of all funds. Sources should include the requested City funds and Uses should include the construction / renovation budget (if applicable), any real estate developer profit / fee and any loans (along with financial terms of any loans).	
iii. Projected (proforma) operating statement for at least the next five years with line item detail of revenues and expenses (including any City subsidies and/or city tax exemptions as well as debt service on any loans).	
iv. Certified historical operating statements of the project (if the project already exists) with line item detail of revenues and expenses (including any City subsidies and/or tax exemptions as well as any debt service on any loans).	
v. The most recently available independent audit of the project and/or organization to be receiving the city subsidy (if the project or organization already exists).	
vi. Drawings, diagrams, photographs, and maps of the proposed project , including a site plan.	
vii. A detailed list of direct public benefits resulting from the proposed project.	
viii. Any other documents pertinent to determining financial need, feasibility, and public benefits.	

4.f. 3e. Appropriations

This legislation adds, changes, or deletes appropriations.

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Fund Name and number	Dept	Budget Control Level Name/#*	2020 Appropriation Change	2021 Estimated Appropriation Change
TOTAL				

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Is this change one-time or ongoing?

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43.g. Revenues/Reimbursements

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Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Dept	Revenue Source	2020 Revenue	2021 Estimated Revenue
TOTAL				

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TOTAL							

* List each position separately

Position Notes:

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54. OTHER IMPLICATIONS

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This answer should highlight measurable outputs and outcomes. CBO can be of assistance when drafting this language.

gh. Other issues.

Provide any additional information not addressed in the bill summary.

hi. Attachments/Exhibits.

Please list maps, reports, figures and other documents that provide additional context.