

ORDINANCE No. 113309

COUNCIL BILL No. 105053

WP

AN ORDINANCE amending sub-sections A and D of Section 4.30.130 (Ordinance 78444, §9 as amended) to permit a retired employee to be elected to a position on the Board of Administration of the Seattle City Employees' Retirement System.

*Law Department*

The City of Seattle--Legisla

*Law Depar*

REPORT OF COMMITTEE

Honorable President:

Honorable Pres

Your Committee on \_\_\_\_\_

Your Committe

to which was referred the within Council Bill No. \_\_\_\_\_ report that we have considered the same and respectfully reco

to which was r  
report that we

COMPTROLLER FILE No. \_\_\_\_\_

Introduced: <i>Dec. 29, 1986</i>	By:
Referred: <i>Dec. 29, 1986</i>	To: <i>Fin. &amp; Pers.</i>
Referred:	To:
Referred:	To:
Reported: <i>FEB 17 1987</i>	Second Reading: <i>FEB 17 1987</i>
Third Reading: <i>FEB 17 1987</i>	Signed: <i>FEB 17 1987</i>
Presented to Mayor: <i>FEB 18 1987</i>	Approved: <i>FEB 26 1987</i>
Returned to City Clerk: <i>FEB 26 1987</i>	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

REC'D FEB 18 1987

*PASS 3-0*  
*Feb 9 1987 - hold 0*

Committee Chair

*Law Department*

**The City of Seattle--Legislative Department**

Date Reported  
and Adopted

**REPORT OF COMMITTEE**

Honorable President:

Your Committee on \_\_\_\_\_

to which was referred the within Council Bill No. \_\_\_\_\_  
report that we have considered the same and respectfully recommend that the same:

PASS 3--0

Feb 9 1987 - hold one week in full Council

\_\_\_\_\_  
Committee Chair

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JGB:jrs  
12/22/86  
ORD7.

#2  
CB 105953

ORDINANCE 113209

AN ORDINANCE amending sub-sections A and D of Section 4.36.130 (Ordinance 78444, § 9 as amended) to permit a retired employee to be elected to a position on the Board of Administration of the Seattle City Employees' Retirement System.

WHEREAS, The Board of Administration has recommended that a retired member be eligible for election to one of the member positions on the Board of Administration; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Sub-sections A and D of Seattle Municipal Code Section 4.36.130 (Ordinance 78444, Section 9 as last amended by Ordinance 111493) are further amended as follows:

A. There is created and established a Board of Administration which shall, under the provisions of this chapter and the direction of the City Council, administer the retirement and death benefit systems and the retirement fund created by this chapter. Under and pursuant to the direction of the City Council the Board shall provide for the proper investment of the moneys in the retirement fund. The Board of Administration shall consist of seven (7) members as follows:

1. The Chairman of the Finance Committee of the City Council;
2. The City Comptroller;
3. The City Treasurer;
4. Three (3) persons who are members of the retirement system or who are retired members and who shall be elected by the members of the retirement system including retired members; provided, that persons who have elected upon termination of their employment to leave all their contributions in the retirement fund pursuant to the provisions of Section 4.36.200C shall not be eligible to vote for or be elected to such positions; and provided, further, that at the

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1  
2 time of such member's election to the Board, (a) one (1) such  
3 elected member shall be employed in the City Light Department,  
4 the Water Department or in the transportation operations of  
5 the Municipality of Metropolitan Seattle; (b) one (1) such  
6 elected member shall be employed in the Engineering  
7 Department, the Parks and Recreation Department, the  
8 Department of Administration Services or in the Seattle Public  
9 Library; and (c) one (1) such elected member shall be employed  
10 in an employing unit other than those employing units listed  
11 in (a) and (b) above; no more than one Board member may be a  
12 retired member and no more than one member may be employed in  
13 any single City department or other employment unit.

14 5. One (1) member who shall be appointed by the other  
15 six (6) members; provided that such appointed member shall not  
16 be a City employee or a retired City employee and shall not be  
17 an employee of the Municipality of Metropolitan Seattle who  
18 has membership in the retirement system.

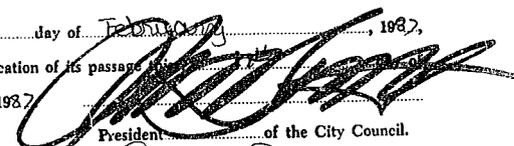
19 D. Any vacancy occurring in an elected position shall be  
20 filled by the City Council by appointment to such position of  
21 a member eligible to be elected thereto, and provided the  
22 member so appointed shall be retired or shall come from the  
23 same employing unit as the vacating member. The member so  
24 appointed shall serve until such vacancy is filled by the  
25 election for the unexpired term of a member eligible to be  
26 elected for a full term to such position at the next succeed-  
27 ing first Monday in June, unless the vacancy occurred less  
28 than one (1) year before the expiration of the term of such  
elected member, in which case the member so appointed shall  
serve for the remainder of the unexpired term. Any vacancy  
occurring in the appointed member position, shall be filled by  
appointment by the City Council for the unexpired term.

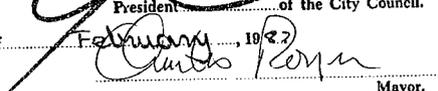
(To be used for all Ordinances except Emergency.)

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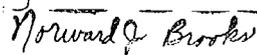
Section 2. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 17<sup>th</sup> day of February, 1927, and signed by me in open session in authentication of its passage the

February, 1927,  President of the City Council.

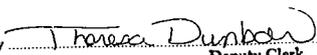
Approved by me this 26<sup>th</sup> day of February, 1927,  Mayor.

Filed by me this 26<sup>th</sup> day of February, 1927

Attest:   
City Comptroller and City Clerk.

(SEAL)

Published \_\_\_\_\_

By   
Deputy Clerk.

PUBLISH  DO NOT PUBLISH  
CITY ATTORNEY \_\_\_\_\_

City of Seattle

Executive Department-Office of Management and Budget  
Gary Zarker, Director  
Charles Royer, Mayor

December 19, 1986

8966

165  
ADV



COPY RECEIVED

DEC 22 1986

The Honorable Douglas Jewett  
City Attorney  
City of Seattle

*Buller*

Douglas W. Jewett  
CITY ATTORNEY

Dear Mr. Jewett:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING  
DEPARTMENT: Retirement System

SUBJECT: An ordinance amending sub-sections A and D of Section 4.36.130 (Ordinance 78444 §9 as amended) to permit a retired employee to be elected to a position on the Board of Administration of the Seattle Employees' Retirement System.

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation directly to your office for review and drafting.

After reviewing this request and drafting appropriate legislation:

- (X) File the legislation with the City Clerk for formal introduction to the City Council as a Retirement System Request.
- ( ) Do not file with City Council, but return the proposed legislation to OMB for our review. Return to \_\_\_\_\_.

Sincerely,

Charles Royer  
Mayor

by

*Jim Ritch*

JIM RITCH  
Acting Budget Director

JR/ba/ca

Enclosure

cc: Roger Howeler, Executive Director, Retirement System

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## City of Seattle

Executive Department-Office of Management and Budget

Gary Zarker, Director  
Charles Royer, Mayor

December 17, 1986



Honorable Sam Smith  
Seattle City Council  
Seattle, Washington

Dear Mr. Smith:

In the last two years, the Retirement Board has discussed and reviewed alternatives to permit a retiree member on the board. The attached proposed legislation will amend board membership requirements to permit a retired employee member to be elected to a position on the board. The purpose of adding the retired member is to provide an opportunity for representation from a group of members who comprise almost 40% of the total system's membership (4,400 of 11,400). This change of board membership will result in direct representation of retirees on matters that affect them. Most public retirement system boards include a member who is a retiree. According to the Executive Director, Roger Howell, "This practice stems from the retirees' concerns over the financial stability of the retirement system, and because medical, federal income tax, cost of living adjustments, and other related issues are of extreme importance to retirees."

This year, the board reviewed several alternatives to accommodate permitting a retiree on the board. The proposed board compositions ranged from the current seven to as many as nine members. Ultimately, the board accepted and passed the motion to permit one retiree to be elected to the board and eliminate the current ordinance provision specifying board member representation from certain department/agency groups. Currently, three board members are elected from the active employee memberships as follows: one from the group of departments of City Light, Water, and Metro; one board member elected representing Parks, Engineering, Library, and Administrative Services; and the third board member representing other departments.

To determine membership opinion on the proposed change, a memorandum dated August 14, 1986 was distributed to all departments. The memo described the proposed plan, and requested comments by September 19, 1986. Subsequently, the board discussed and passed by a vote of 5-0, with two absent, the motion to permit a retiree and amend the active employees' arrangement.

Enclosed you will find additional information concerning this request. If you have any questions, please feel free to contact me or Bruce Abe of my staff.

Sincerely,

*Bruce Abe for*  
JIM RITCH  
Acting Budget Director

JR/ba/pj

Enclosure

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LAW DEPARTMENT—THE CITY OF SEATTLE

M E M O R A N D U M

November 14, 1986

TO: Roger Howeiler  
Executive Director  
City Employees Retirement System

FROM: The Law Department  
By: Jorgen G. Bader *JGB*  
Assistant City Attorney

RE: Amending SMC 4.36.130 A & D

Enclosed find draft ordinance as revised and approved as to form.

JGb:bjw  
encl.

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Your  
Seattle  
City Employees' Retirement System

RECEIVED NOV 18 1986



Board of Administration  
Roger A. Howeler, Executive Director

November 14, 1986

Sam Smith, President  
Seattle City Council

Dear Councilman Smith:

The Board of Administration of the Seattle City Employees' Retirement System respectfully requests the passage of an ordinance which would permit retired City employees to be elected to the Board of Administration. The Board of Administration believes the vested interest the retirees have in the Retirement System justifies allowing them representation on the Board.

There are currently three elected active member positions on the Board of Administration. The proposed ordinance would allow retirees to run for these positions, but would limit retirees to one Board member at any given time.

Attached is a copy of the proposed legislation.

Very truly yours,

BOARD OF ADMINISTRATION

*Roger A. Howeler*

Roger A. Howeler  
Executive Director

RAH:lab

Attachment

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Your  
Seattle  
City Employees' Retirement System

RECEIVED AUG 19 1986



Board of Administration  
Roger A. Howeller, Executive Director

August 15, 1986

MEMORANDUM

To: Department Heads  
From: Roger A. Howeller  
Executive Director  
Subject: Retirement Board Composition

RAH

Please post the attached memorandum throughout your department. The Board of Administration is contemplating recommending a change in the Board's composition and desires input from the System membership and other interested parties.

RAH:lab

Attachment

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Your  
Seattle  
City Employees' Retirement System



Board of Administration  
Roger A. Howeller, Executive Director

August 14, 1983

MEMORANDUM

To: Members of the Seattle City Employees' Retirement System

From: Roger A. Howeller  
Executive Director

Subject: Composition of the Board of Administration

The Board of Administration of the Seattle City Employees' Retirement System is currently composed of seven members as follows:

The Chair of the Finance and Personnel Committee of the Seattle City Council

The Seattle City Comptroller

The Seattle City Treasurer

Three active employee members of the Retirement System elected by the active and retired members, provided (a) one such elected member shall be employed in the City Light Department, the Water Department or in the transportation operations of the Municipality of Metropolitan Seattle; (b) one such elected member shall be employed in the Engineering Department, the Parks and Recreation Department, the Department of Administrative Services or in the Seattle Public Library; and (c) one such elected member shall be employed in an employing unit other than those employing units listed in (a) and (b) above

One member who is not a City employee or retiree who is appointed by the other six members

The Board of Administration wishes to replace one of the three active member positions with a retiree member and they desire the input of the membership prior to making a final decision. The Board of Administration believes the vested interest the retirees have in this Retirement System justifies their having representation on the Board.

Members of the Seattle City Employees' Retirement System  
August 14, 1986  
Page 2

The new proposed Board would be composed as follows:

The Chair of the Finance and Personnel Committee of the Seattle  
City Council

The Seattle City Comptroller

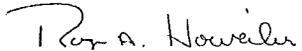
The Seattle City Treasurer

Two active employee members of the Retirement System elected at  
large by the active and retired members, provided that the two  
members could not be employed in the same department

A retired member of the Retirement System elected by the active  
and retired members

One member who is not a City employee or retiree who is appointed  
by the other six members

The Board of Administration desires the comments of the Retirement  
System membership and other interested parties prior to making a recom-  
mendation to the Seattle City Council relative to the composition of  
the Board. Please send your comments to the Retirement Office prior  
to September 19, 1986.



Roger A. Howeller  
Executive Director

RAH:lab

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Your  
Seattle  
City Employees' Retirement System



Board of Administration  
Roger A. Howeller, Executive Director

July 28, 1986

MEMORANDUM

To: Board of Administration  
From: Roger A. Howeller  
Executive Director  
Subject: Composition of the Board of Administration

The Board of Administration at their regular July meeting voted to recommend to the City Council that one of the three elected employee Board members be replaced by a retiree member. The following is the current election department grouping plus an alternate grouping which could be used if the Board's recommendation is adopted by the City Council:

	<u>Current</u>		<u>Alternate</u>	
<u>Position #1</u>	Light	1774	Light	1774
	Water	422	Parks & Recreation	713
	*Metro	196	Engineering	911
		<u>2392</u>		<u>3398</u>
 <u>Position #2</u>	Parks & Recreation	713	Water	422
	Engineering	911	*Metro	196
	Library	358	Library	358
	Administrative Services	419	Administrative Services	419
		<u>2401</u>	Seattle Center	202
			Police (Civilian Only)	360
			*Health	344
			Human Resources	184
			Construction & Land Use	176
			Municipal Courts	147
			Personnel	104
			Community Development	85
			License & Consumer Affrs	81
			Law	35
			Comptroller	58
			Legislative	19
			GMB	42
			Fire (Civilian Only)	48
			Treasurer	58

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Your  
Seattle  
City Employees' Retirement System



Board of Administration

Roger A. Howeler, Executive Director

Memorandum to Board of Administration

July 28, 1986

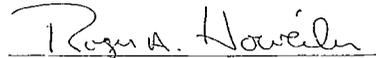
Page Two

	<u>Current</u>		<u>Alternate</u>	
<u>Position #2</u>		Mayor		10
(Cont.)		Purchasing		22
		Other Miscellaneous		198
				3548
 <u>Position #3</u>	Seattle Center	202	Retiree	4431
	Police (Civilian Only)	360		
	*Health	344		
	Human Resources	184		
	Construction & Land Use	176		
	Municipal Courts	147		
	Personnel	104		
	Community Development	85		
	License & Consumer Affrs	81		
	Law	35		
	Comptroller	58		
	Legislative	19		
	CMB	42		
	Fire (Civilian Only)	48		
	Treasurer	38		
	Mayor	10		
	Purchasing	22		
	Other Miscellaneous	198		
		2153		

\* Denotes: Employees still in City System

Another alternative would be to have the two employee members elected at large with the stipulation they could not be employed in the same department.

Very truly yours,

  
Roger A. Howeler  
Executive Director

RAH/tmm

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2

YOUR  
Seattle  
City Employees' Retirement System



Board of Administration

Roger A. Howeler, Executive Director

June 9, 1986

MEMORANDUM

To: Board of Administration  
Seattle Employees' Retirement System

From: Roger A. Howeler  
Executive Director

Subject: Composition of the Board of Administration

The Board of Administration of the Seattle City Employees' Retirement System is currently composed of seven members as per Section 4.36.130 of the Seattle Municipal Code (see attached code section). The Board is currently reviewing its composition to determine the desirability of increasing the membership to include a retiree and possibly a City ex officio member.

Most public retirement systems throughout the United States have a member who is a retiree. This practice stems from the retirees' concerns over the financial stability of the retirement system and because medical, federal income tax, cost of living adjustments and other related issues are of extreme importance to retirees. One problem arising from the retiree member is his or her desire to increase benefits to retirees even though the benefit would have to be funded by either the City or the active employees.

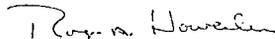
If a retiree position were to be established on the Board of Administration, the position could be filled either by an election or by an appointment. If an election were to be the preferred method, the retiree should be elected by the other retirees in the Retirement System, and the active employee positions should be filled by election of the active employees. If it were preferred that the position be filled by appointment, the appointment could be made by either the Board of Administration, the City Council, or the Mayor.

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Board of Administration  
June 9, 1986  
Page 2

In order to avoid tie votes and to maintain the balance between City ex officio members and elected retirement system members, if a retiree position is established on the Board an additional City ex officio position should be established. Based upon the current composition of the Board, the most appropriate additional ex officio member would be the Mayor or his designee.

I recommend that to aid the Board of Administration in their deliberations, input should be requested from all interested parties. I could request this input and have the results available for Board consideration at the regular August meeting.



---

Roger A. Howeller  
Executive Director

RAH:lab

Attachment

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# Your City, Seattle

SEATTLE EMPLOYEES RETIREMENT SYSTEM  
Memorandum



Date May 14, 1986

To The Board of Administration

From *Russ*  
Russ Teller

Subject Board Representation for Retired Members

The majority of the Board is pretty well in agreement that the retired members of the Retirement System need direct representation on the Board of Administration. It appears that the major stumbling block to implementation of this representation is how to align the Board to be fair and equal to both the elected officials and the active and retired members.

As I view the alternatives, we have three basic plans. The first being the seven (7) member Board with the elimination of either one employee member or the public member. The second alternative is the eight (8) member Board with the addition of the retired member representative. Last but not least is the nine (9) member Board with the addition of a retired member and the option of either the Council or the Mayor appointing a member of their choice. Two of these alternatives have positive and some negative aspects.

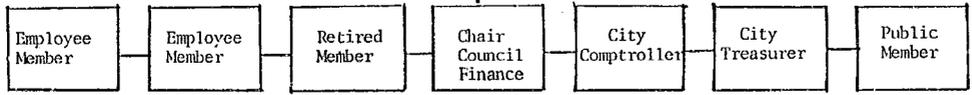
Under the seven (7) member Board where one employee member is dropped to allow a retired member to serve will penalize the small department representative which I feel is a needed enhancement for fair representation. The eight (8) member Board with the addition of the retired member changes the present balance of 3 and 3 plus one outside member. The nine (9) member Board although two members larger, is not inworkable or unwieldy as some may contend. This configuration allows for the most workable equal and fair representation on the Board comparable to what we presently have except for the inclusion of the retired member. This alternative appears to be the best at this point in time. This solution appears to serve the needs of both the the employee-retired members and the elected officials.

I am most willing to listen to and consider any other alternatives that will best serve the needs of all parties concerned.

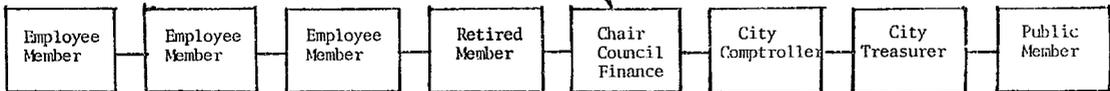
cc: Roger Howeller, Executive Director

*4,750 Retired*

• SEVEN MEMBER BOARD •



• EIGHT MEMBER BOARD •



Is this a requirement by state law?  
\* City ordinance only.

• NINE MEMBER BOARD •



## City of Seattle

ORDINANCE 111493

AN ORDINANCE amending sub-sections A and D of Section 4.36.130 (Ordinance 78444, § 9 as amended) to permit a retired employe to be elected to a position on the Board of Administration of the Seattle City Employees' Retirement System.

WHEREAS, The Board of Administration has recommended that a retired member be eligible for election to one of the member positions on the Board of Administration; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Sub-sections A and D of Seattle Municipal Code Section 4.36.130 (Ordinance 78444, Section 9 as last amended by Ordinance 111493) are further amended as follows:

A. There is created and established a Board of Administration which shall, under the provisions of this chapter and the direction of the City Council, administer the retirement and death benefit systems and the retirement fund created by this chapter. Under and pursuant to the direction of the City Council the Board shall provide for the proper investment of the monies in the retirement fund. The Board of Administration shall consist of seven (7) members as follows:

1. The Chairman of the Finance Committee of the City Council;
2. The City Comptroller;
3. The City Treasurer;
4. Three (3) persons who are members of the retirement system or who are retired members and who shall be elected by the members of the retirement system including retired members; provided, that persons who have elected upon termination of their employment to leave all their contributions in the retirement fund pursuant to the provisions of Section 4.36.200C shall not be eligible to vote for or be elected to such positions; and provided, further, that at the time of such member's election to the Board, ~~not one (1) such elected member shall be employed in the City Light Department, the Water Department or in the transportation operations of the Municipality of Metropolitan Seattle; (b) one (1) such elected member shall be employed in the Engineering Department, the Parks and Recreation Department, the Department of Administration Services or in the Seattle Public Library; and (c) one (1) such elected member shall be employed in an employing unit other than those employing units listed in (a) and (b) above; no more than one Board member may be a retired member and no more than one member may be employed in any single City department or other employment unit.~~

5. One (1) member who shall be appointed by the other six (6) members; provided that such appointed member shall not be a City employe or a retired City employe and shall not be an employee of the Municipality of Metropolitan Seattle who has membership in the retirement system.

D. Any vacancy occurring in an elected position shall be filled by the City Council by appointment to such position of a member eligible to be elected thereto, and provided the member so appointed shall be retired or shall come from the same employing unit as the vacating member. The member so appointed shall serve until such vacancy is filled by the election for the unexpired term of a member eligible to be elected for a full term to such position at the next succeeding first Monday in June, unless the vacancy occurred less than one (1) year before the expiration of the term of such elected member, in which case the member so appointed shall serve for the remainder of the unexpired term. Any vacancy occurring in the appointed member position, shall be filled by appointment by the City Council for the unexpired term.

Section 2. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 17th day of February, 1987, and signed by me in open session in authentication of its passage this 17th day of February, 1987.

SAM SMITH  
President of the City Council  
Approved by me this 26th day of February, 1987.

CHARLES ROY, JR.  
Mayor

Filed by me this 26th day of February, 1987.

Attest: NORWARD J. BROOKS,  
City Comptroller and City Clerk  
(Seal) By: THERESA DUNBAR,  
Deputy Clerk

Publication ordered by NORWARD J. BROOKS, Comptroller and City Clerk  
Date of official publication in Daily Journal of Commerce, Seattle, February 27, 1987. (C-723-N)

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C-723-X

### Affidavit of Publication

#### STATE OF WASHINGTON KING COUNTY--SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

.....  
Ordinance No. 113309

.....  
was published on February 27, 1987

.....  
*B. Blair*  
Subscribed and sworn to before me on  
February 27, 1987

.....  
*Notary Public*  
Notary Public for the State of Washington,  
residing in Seattle.

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