

Ordinance No. 120981

Council Bill No. 114354

The City of Seattle
Council Bill/Ordinance

AN ORDINANCE relating to transfers of expenditure allowances in the budget as permitted under RCW 35.32A.050; amending Chapter 5.08 of the Seattle Municipal Code.

11-18-02 Budget
11-18-02 Pass

CF No. _____

Date introduced: <u>10-14-02</u>		
Date 1st Referred: <u>10-14-02</u>	To: (committee) <u>Budget</u>	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage: <u>11-18-02</u>	Full Council Vote: <u>9-0</u>	
Date Presented to Mayor: <u>11-19-02</u>	Date Approved: <u>NOV 28 2002</u>	
Date Returned to City Clerk: <u>NOV 28 2002</u>	Date Published: <u>4p</u>	T.O. _____ F.T. <input checked="" type="checkbox"/>
Date Vetoed by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

This file is complete and ready

Law Department

Law Dept. Review

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: _____

Councilmember

Committee Action:

11-18-02 Budget Committee Pass 9-0

11-18-02 Passed 9-0

This file is complete and ready for presentation to Full Council. Committee: _____

(initial/date)

Law Department

Law Dept. Review

OMP
Review

(W)
City Clerk
Review

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ORDINANCE 120981

AN ORDINANCE relating to transfers of expenditure allowances in the budget as permitted under RCW 35.32A.050; amending Chapter 5.08 of the Seattle Municipal Code.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Effective January 1, 2003, Section 5.08.020 of the Seattle Municipal Code is amended as follows:

5.08.020 Transfer between operating budget appropriations (~~(program categories)~~).

A. Within the operating budget of the City, the Budget Director may approve only transfers of appropriations that meet all of the following criteria:

1. The appropriation was made for the same department to which the Budget Director allows the appropriation to be transferred. For purposes of this subsection, a board or commission whose budget is not provided within the budget of a City department shall be deemed a department.

2. The amount of the appropriation transferred, together with all previous transfers during the same budget year to that budget item, does not exceed (~~(No transfer between program categories within a department's budget shall be approved where such requested transfer is in an amount exceeding)~~) ten (~~((10))~~) percent (10%) of the (~~((total))~~) original budgeted allowance for the budget item (~~((program category))~~) to which the (~~((such))~~) transfer is made (~~((requested))~~).

3. The transfer will not result in a cumulative annual net transfer of more than \$500,000 of appropriations into the budget for any one budget item.

4. The amount of the appropriation transferred, together with all previous transfers during the same budget year from that budget item, does not exceed twenty-five percent (25%) of the original budgeted allowance for the budget item from which the transfer is made.



1 5. The new purpose of the appropriation must be a legal use of that fund source, must
2 comply with terms, conditions, and restrictions controlling the expenditure of the appropriation so
3 transferred, and must not infringe any covenants or any obligations, agreements, or ordinances by which the
4 City received the moneys.

5 6. The ordinance making the appropriation did not state that transfer of the appropriation is
6 prohibited.

7 B. For purposes of this section:

8 1. All appropriations for purposes not included in the Capital Improvement Program are
9 considered part of the City's operating budget:

10 2. The "original budgeted allowance" is that amount appearing beside that budget item in
11 the adopted budget; and

12 3. A "budget item" is the object or purpose shown for a distinct dollar appropriation
13 appearing in the adopted budget or in an amendment thereto. A budget item is the level at which the budget
14 appropriates money, subject only to transfers consistent with this chapter of the Seattle Municipal Code.

15 Section 2. Effective January 1, 2003, a new section is added to the Seattle Municipal Code as
16 follows:

17 **5.08.025 Transfer between capital budget appropriations.**

18 A. The Budget Director may approve the transfer of appropriations for purposes included in the
19 Capital Improvement Program to other purposes included in the Capital Improvement Program only if those
20 transfers meet all of the following criteria:

21 1. The appropriation was made for a budget item that is a project or program in the Capital
22 Improvement Program of the same department to which the Budget Director allows the appropriation to be
23 transferred.



1 2. The amount of the appropriation transferred, together with all previous transfers during
2 the same budget year to that budget item, does not exceed ten percent (10%) of the pending budgeted
3 allowance for the budget item to which the transfer is made.

4 3. The transfer will not result in a cumulative annual net transfer of more than \$500,000 of
5 appropriations into the budget for any one budget item.

6 4. The amount of the appropriation transferred, together with all previous transfers during
7 the same budget year from that budget item, does not exceed twenty-five percent (25%) of the pending
8 budgeted allowance for the budget item from which the transfer is made.

9 5. The new purpose of the appropriation must be a legal use of that fund source, must
10 comply with terms, conditions, and restrictions controlling the expenditure of the appropriation so
11 transferred, and must not infringe any covenants or any obligations, agreements, or ordinances by which the
12 City received the moneys.
13

14 6. The ordinance making the appropriation did not state that transfer of the appropriation is
15 prohibited.
16

17 B. For purposes of this section:

18 1. The "pending budgeted allowance" is the sum of the current year's original
19 appropriation appearing beside that budget item in the adopted budget plus unexpended balances carried
20 forward from prior years' appropriations for that budget item; and


21 2. A "budget item" is a program or project within the Capital Improvement Program for
22 which a distinct dollar appropriation appears in the adopted budget or in an amendment thereto. A budget
23 item is the level at which the budget appropriates money, subject only to transfers consistent with this
24 chapter of the Seattle Municipal Code.
25

26 Section 3. Effective January 1, 2003, Section 5.08.030 of the Seattle Municipal Code is repealed.
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28

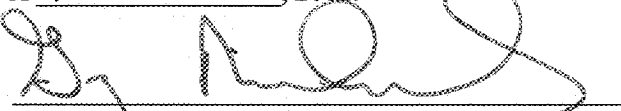


1 Section 4. This ordinance shall take effect and be in force thirty (30) days from and after its
2 approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after
3 presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

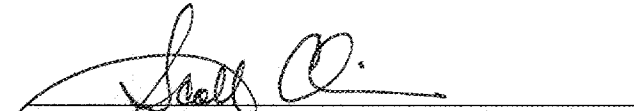
4 Passed by the City Council the 10th day of November, 2002, and signed by me in open
5 session in authentication of its passage this 18th day of November, 2002.

6
7 
8 President _____ of the City Council

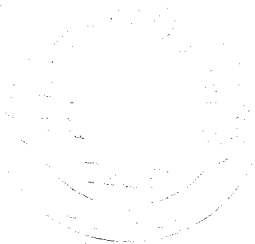
9
10 Approved by me this 25 day of November, 2002.

11 
12 Mayor

13
14 Filed by me this 27th day of November, 2002.

15
16 
17 City Clerk

18
19 (Seal)





City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

September 23, 2002

Honorable Peter Steinbrueck
President
Seattle City Council
Municipal Building, 11th Floor

Dear Council President Steinbrueck:

The attached ordinance, which we are submitting at Council's request, revises the portion of the Seattle Municipal Code that governs transfers of appropriation authority between budget control levels for the City's operating budget and Capital Improvement Program. Specifically, the ordinance limits transfers to 10% of the original budget allowance for the item to which the transfer is being made, with a maximum transfer up to \$500,000. In addition, the ordinance limits transfers from a specific budget item to 25%. Consistent with current Code, appropriation transfer requests that exceed these limits will be submitted by ordinance for Council approval. This action reflects changes in administrative procedures and will not have any financial impact in terms of actual appropriations and expenditures.

Thank you for your consideration of this legislation. Should you have questions please contact Glen Lee at 684-8079.

Sincerely,

A handwritten signature in black ink, appearing to read 'Greg Nickels', written over a large, stylized scribble.

GREG NICKELS
Mayor of Seattle

600 Fourth Avenue, 12th Floor, Seattle, WA 98104-1873

Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, E-mail: mayors.office@ci.seattle.wa.us

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Fiscal Note

Each piece of legislation that is financial in nature requires a fiscal note. The fiscal note should be drafted by department staff and should identify operating, capital, revenue, and FTE impacts of the legislation. After preparation by departmental staff, the Department of Finance (DOF) will review and make necessary revisions before transmittal to Council.

Department: Finance	Contact Person/Phone: Glen Lee 4-8079	DOF Analyst/Phone: Dwight Dively 4-0503
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Legislation Title: AN ORDINANCE relating to transfers of expenditure allowances in the budget as permitted under RCW 35.32A.050; amending Chapter 5.08 of the Seattle Municipal Code.

Summary of the Legislation: This ordinance revises the portion of the Seattle Municipal Code that governs transfers of appropriation authority between budget control levels for the City's operating budget and Capital Improvement Program. This ordinance is submitted at the request of the City Council. Because this legislation modifies and clarifies the methodology for transferring money from budget control levels, and between capital items, it does not, in itself, have a financial impact.

Background (Include justification for the legislation and funding history, if applicable):

Current City Code limits the amount of appropriation authority that can be transferred to a budget control level to 10% of the authority granted in the Adopted Budget. Current Code is silent on a limit on the amount that can be transferred from a budget control level, or on transfers between capital items. This ordinance limits transfers to 10% of the original budget allowance for the item to which the transfer is being made, with an annual cumulative maximum transfer up to \$500,000. In addition, the ordinance limits transfers from a specific budget item to 25%. Consistent with current Code, appropriation transfer requests that exceed these limits will be submitted by ordinance for Council approval.

Public Private Partnership Review Status:

Is the project referenced in the legislation subject to P4 review? **No.** If yes, identify P4 review to date.

Is the legislation subject to public hearing requirements? **No.** If yes, what public hearings have been held to date?

Fiscal Sustainability Issues (related to grant awards):



Estimated Expenditure Impacts:

FUND (List # and/or Account)	2002	2003	2004
	0	0	0
TOTAL	0	0	0

One-time \$ _____

On-going \$ _____

Estimated Revenue Impacts:

FUND (List # and/or Account)	2002	2003	2004
	0	0	0
TOTAL	0	0	0

One-time \$ _____

On-going \$ _____

Estimated FTE Impacts:

FUND (List # and/or Account)	2002	2003	2004
	0	0	0
TOTAL	0	0	0

Full Time _____

Part Time _____

TES _____

Do positions sunset in the future? If yes, identify sunset date?

Other Issues (including long-term implications of the legislation): By reducing the transfer limits, the Department of Finance will need to develop more rigorous systems to monitor and assess transfers of appropriation authority.



STATE OF WASHINGTON – KING COUNTY

--SS.

152212
City of Seattle, Clerk's Office

No. ORDINANCE IN FULL

Affidavit of Publication

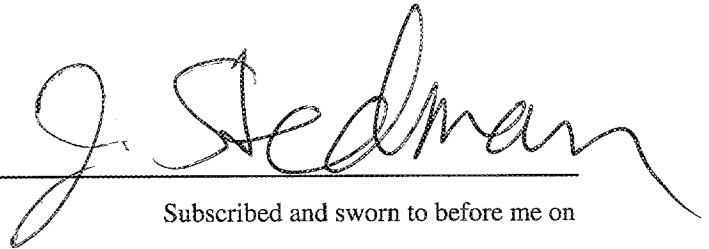
The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published 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

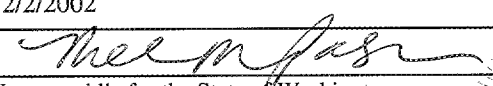
CT:ORDINANCE 120981

was published on

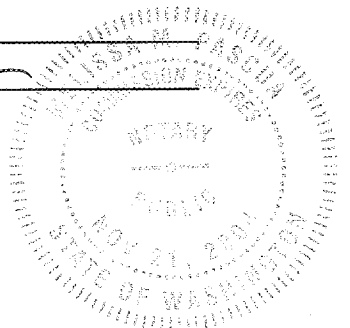
12/2/2002


Subscribed and sworn to before me on

12/2/2002


Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication



State of Washington, King County

City of Seattle

ORDINANCE 120981

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2. The amount of the appropriation transferred, together with all previous transfers during the same budget year to that budget item, does not exceed ((~~the amount of the original budgeted allowance for the budget item~~) or the amount of the original budgeted allowance for the budget item from which the transfer is made, whichever is less) (the amount of the original budgeted allowance for the budget item from which the transfer is made) (ten ((44)) percent (10%)) of the ((total)) original budgeted allowance for the budget item ((~~in the same category~~)) to which the ((such)) transfer is made ((~~requested~~)).

3. The transfer will not result in a cumulative annual net transfer of more than \$500,000 of appropriations into the budget for any one budget item.

4. The amount of the appropriation transferred, together with all previous transfers during the same budget year from that budget item, does not exceed twenty-five percent (25%) of the original budgeted allowance for the budget item from which the transfer is made.

5. The new purpose of the appropriation must be a legal use of that fund source, must comply with terms, conditions, and restrictions controlling the expenditure of the appropriation so transferred, and must not infringe any covenants or any obligations, agreements, or ordinances by which the City received the money.

6. The ordinance making the appropriation did not state that transfer of the appropriation is prohibited.

B. For purposes of this section:

1. All appropriations for purposes not included in the Capital Improvement Program are considered part of the City's operating budget.

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3. A "budget item" is the object or purpose shown for a distinct dollar appropriation appearing in the adopted budget or in an amendment thereto. A budget item is the level at which the budget appropriates money, subject only to transfers consistent with this chapter of the Seattle Municipal Code.

Section 2. Effective January 1, 2003, a new section is added to the Seattle Municipal Code as follows:

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A. The Budget Director may approve the transfer of appropriations for purposes included in the Capital Improvement Program to other purposes included in the Capital Improvement Program only if those transfers