

Ordinance No. 122893

Council Bill No. 116424

AN ORDINANCE relating to City employment; authorizing the execution of a Memorandum of Understanding by and between the City of Seattle, the Seattle Department of Transportation, and the International Brotherhood of Electrical Workers, Local 77 effective January 23, 2009 through January 22, 2013; and providing payment therefor.

### The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: \_\_\_\_\_

*Nick Lesch*  
Councilmember

### Committee Action:

12/10 Pass 2-0 (Lizita, Goddard)

12-15-08 Passed 8-0 (Absent: McIver)

CF No. \_\_\_\_\_

Date Introduced:	<u>12-8-08</u>	
Date 1st Referred:	<u>12-8-08</u>	
Date Re - Referred:	To: (committee) <u>Culture, Civil Rights, Health and Personnel</u>	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote: <u>8-0</u>	
Date Presented to Mayor:	Date Approved: <u>12.19.08</u>	
Date Returned to City Clerk:	Date Published: <u>3</u>	T.O. <input checked="" type="checkbox"/> F.T. <input type="checkbox"/>
Date Vetoes by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

This file is complete and ready for presentation to Full Council. Committee: \_\_\_\_\_ (initial/date)

*Law Department*

Law Dept. Review

OMP Review

City Clerk Review

Electronic Copy Loaded

Indexed



# City of Seattle

Gregory J. Nickels, Mayor

## Office of the Mayor

November 25, 2008

Honorable Richard Conlin  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill that authorizes the execution of a Memorandum of Understanding between the City of Seattle, the Seattle Department of Transportation and the International Brotherhood of Electrical Workers, Local 77 (hereafter referred to as "Local 77"). This legislation affects approximately 31 employees represented by Local 77.

The City of Seattle, the Seattle Department of Transportation, and Local 77 have agreed that all terms and conditions of the collective bargaining agreement in effect from January 23, 2006 through January 22, 2009 shall be rolled over for a four-year term from January 23, 2009 through January 22, 2013, with some additional changes to retirement and other benefits. Annual cost of living increases shall continue to be effective January 23<sup>rd</sup> of each calendar year covered by the Memorandum of Understanding, set at 6.2% in 2009 and based on 100% of the percentage increase of the Seattle-Tacoma-Bremerton area Consumer Price Index thereafter. For retirement, the employee and the City will equally share any contribution rate increase should the Retirement System's unfunded liability exceed 30 years; however, the employee's rate cannot exceed 10.03%. Other benefit changes include phasing out the HMA medical plan by January 1, 2009 (employees will be allowed to transition to other plans), and increasing the transit subsidy amount to the monthly rate of a one-zone peak Puget pass, effective upon signature.

Thank you for your consideration of this legislation. Should you have questions, please contact David Bracilano at 684-7874 or Sarah Butler at 684-7929.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Nickels", written over a large, faint circular stamp or watermark.

GREG NICKELS  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 7<sup>th</sup> Floor, P.O. Box 94749, Seattle, WA 98124-4749

Tel: (206) 684-4000, TDD: (206) 615-0476 Fax: (206) 684-5360, Email: [mayors.office@seattle.gov](mailto:mayors.office@seattle.gov)

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





1 described in Attachment 2, identified as "Appendix A Agreement between I.B.E.W., Local 77  
2 and City of Seattle/Seattle Transportation January 23, 2009 – January 22, 2013."

3 Section 3. Any act consistent with the authority and prior to the effective date of this  
4 ordinance is hereby ratified and confirmed.

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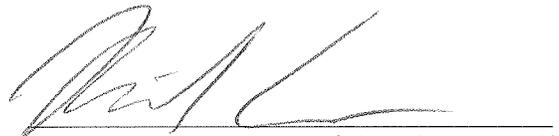
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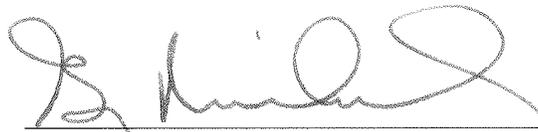


1 Section 4. This ordinance shall take effect and be in force thirty (30) days from and after  
2 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days  
3 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

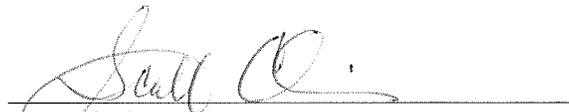
4 Passed by the City Council the 15<sup>th</sup> day of December, 2008, and  
5 signed by me in open session in authentication of its passage this  
6 15<sup>th</sup> day of December, 2008.

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9  
10 President \_\_\_\_\_ of the City Council

11 Approved by me this 19<sup>th</sup> day of December, 2008.

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14  
15 Gregory J. Nickels, Mayor

16 Filed by me this 20<sup>th</sup> day of December, 2008.

18   
19  
20 City Clerk

21 (Seal)

22  
23 Attachment 1: Memorandum of Understanding by and between City of Seattle and the Seattle  
24 Department of Transportation and International Brotherhood of Electrical Workers Local 77

25 Attachment 2: Appendix A Agreement between I.B.E.W., Local 77 and City of Seattle/Seattle  
26 Transportation January 23, 2009 – January 22, 2013



**Memorandum of Understanding  
By and Between**

**City of Seattle  
and the  
Seattle Department of Transportation  
and  
International Brotherhood of Electrical Workers  
Local 77**

**Effective January 23, 2009 through January 22, 2013**

This MEMORANDUM OF UNDERSTANDING is supplemental to the AGREEMENT by and between the City of Seattle, hereinafter referred to as the City, and the International Brotherhood of Electrical Workers Local 77, hereinafter referred to as the Union. Collectively they shall be known as the Parties.

It is understood and agreed by and between the City and the Union that:

1. All the terms and conditions of the Labor Agreement, currently in effect from January 23, 2006 through January 22, 2009 shall be rolled over to provide for a new contract period from January 23, 2009 through January 22, 2013 except for the following changes:
  - a) Effective January 23, 2009, base wage rates for titles covered under this collective bargaining agreement shall receive an adjustment (COLA) equal to six point two percent (6.2%).
  - b) Effective January 23, 2010, base wage rates for titles covered under this collective bargaining agreement shall receive a cost of living adjustment equal to one hundred percent (100%) of the percentage increase in the Seattle-Tacoma-Bremerton area Consumer price Index for the June-over-June method consistent with "Article 23 Wage Rates", in the current agreement.
  - c) Effective January 23, 2011, base wage rates for titles covered under this collective bargaining agreement shall receive a cost of living adjustment equal to one hundred percent (100%) of the percentage increase in the Seattle-Tacoma-Bremerton area Consumer price Index for the June-over-June method consistent with "Article 23 Wage Rates", in the current agreement.



- d) Effective January 23, 2012, base wage rates for titles covered under this collective bargaining agreement shall receive a cost of living adjustment equal to one hundred percent (100%) of the percentage increase in the Seattle-Tacoma-Bremerton area Consumer price Index for the June-over-June method consistent with "Article 23 Wage Rates", in the current agreement.
- e) The parties agree that the Seattle Municipal Code regarding the funding of the Seattle City Employees' Retirement System (hereinafter, "System") shall be amended consistent with the following language:

If a year-end actuarial study commissioned by the System finds that the amortization period for the System's unfunded actuarial liability exceeds thirty (30) years and the City determines that an increase in contribution rates to the System is necessary, the City and employees shall equally increase contribution rates. Such increases shall not result in employees paying greater than a 10.03% contribution rate.

The required contribution rate increases shall take effect no sooner than the beginning of the first pay period of the year following completion of the actuarial study. For example, if the actuarial study for the System as of December 31, 2008 was presented to the Retirement Board in June 2009, and if that study showed an amortization period for the unfunded liability in excess of thirty (30) years that the City determined required a total increase in contributions of one percent (1%) to meet the System's unfunded liability threshold, the City's contribution rate would increase by one-half of one percent (.5%) and the employee contribution rate would increase by one-half of one percent (.5%) as soon as the beginning of the first pay period of 2010.

- 2. The terms of all amending memoranda of understanding, memoranda of agreement and letters of agreement if identified in the current Labor Agreement which would have expired as of January 22, 2009, and any subsequent memoranda or letters signed between the parties since the last round of bargaining that may not be identified in the agreement, shall also be rolled over for the period January 23, 2009 through January 22, 2013.
- 3. The City and the Union agree that the HMA medical option of coverage shall be phased out by January 1, 2009, and the employees will be allowed to transition to the Aetna or Group Health Cooperative options.



4. To replace this plan, the City will offer an alternate City of Seattle Traditional Plan that is the same plan design as the plan currently offered, but administered by Aetna using the Aetna network of health care providers. To mitigate the potential disruption from this change in networks, the City will pay all physician charges (both preferred and non-preferred) at the preferred rate for a period of six (6) months, through June 30, 2009 while employees or family members review the Aetna preferred provider network. If an employee or family member is involved in an active course of treatment that goes beyond this 6-month time period the employee or family member may be permitted to continue with that treatment program at the preferred payment level until that treatment is completed, provided they submit the appropriate Transition Of Care request to Aetna and receive approval. (Some examples of an active course of treatment include pregnancy, chemotherapy, terminal illness, sequential surgeries, recent surgery, outpatient treatment for mental health or substance abuse, and organ or bone marrow transplants.) To mitigate the potential disruption from differences between the Caremark and the Aetna prescription drug formularies, the City will cover drugs that are on the Caremark preferred brand formulary as of January 1, 2009 at the preferred co-payment rate for a period of six (6) months while employees and family members research their prescription options with their physician or pharmacist. In return, the City will make certain enhancements to the existing plan options at no additional cost to the members of IBEW, Local 77 for such enhancements. These enhancements are identified in attachment "1" that is made a part hereof. Implementation of the enhancements will take place January 1, 2009.
  
5. Transit Subsidy: Effective upon signature, the City agrees to increase the transit pass subsidy to an amount equal to the current monthly rate of a "one-zone" peak Puget Pass.



Signed this \_\_\_\_\_ day of \_\_\_\_\_ 2008

THE CITY OF SEATTLE

INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, LOCAL 77

Executed under this Authority of  
Ordinance \_\_\_\_\_

\_\_\_\_\_  
Gregory J. Nickels, Mayor

\_\_\_\_\_  
Don Guillot, Business Manager

Seattle Department of Transportation

\_\_\_\_\_  
Grace Crunican  
Director

Attachments:

Attachment 1- Health Care Benefit Enhancements

## Attachment 1

# Health Care Benefit Enhancements

## Medical Plan Changes for 2009

### Aetna Preventive and Traditional

- **NEW BENEFIT — Add Simple Steps to a Healthier Life**

Simple Steps to a Healthier Life is a new, voluntary and confidential wellness program to help you and your dependents age 18 or over determine your health risks now and plan for a healthier future. You may access the wellness program conveniently from work or home; there is no special software to buy or install. The registration process is quick, easy, and secure.

The program provides a health assessment questionnaire to gauge your health risks, readiness to change certain health behaviors, and the impact of health on productivity. The health assessment questionnaire generates:

- Tailored health reports to help you focus the areas of your health that matter most. You also will receive a printable one-page health summary to keep, record, and compare your results over time and to share with your doctor, dentist, or other health-care provider.
- An action plan that is personalized to help you achieve and maintain good health through healthy living programs that are recommended based on your health needs. These may address weight loss, healthy aging, getting in shape, stress relief, a healthier diet, a healthy heart, cancer fighting, diabetes fighting, going smoke-free, and/or alcohol awareness. The programs are easy to follow and provide step-by-step guidance for making health changes and building skills for long-term success. The programs also provide and tools for tracking progress.

Log into your account at [www.aetnavigators.com](http://www.aetnavigators.com) to access Simple Steps.

- **NEW BENEFIT — Add Personal Health Record**

Your personal health record will provide you online access to personal information including individualized messages and alerts, detailed health history, and integrated information to help you make informed decisions about your health care. Your medical information is automatically entered into your record based on claims data submitted to Aetna. You may voluntarily enter additional health information such as family history, non-prescription medications, or procedures you had prior to Aetna membership.

Log into your account at [www.aetnnavigator.com](http://www.aetnnavigator.com) to access your personal health record.

- **NEW BENEFIT — Add Informed Health Line Nurse Consultation**

You will have 24-hour, toll-free access to a team of registered nurses experienced in providing information on a variety of health topics. Learn about health conditions and medical procedures, or improve the way you communicate with your doctor.

Call the Informed Health Line at 1-800-556-1555.

- **NEW BENEFIT** – Add hearing aid benefit, which will pay up to \$1,000 per ear every 36 months.
- **NEW BENEFIT:** Add orthotics coverage paying up to \$500 during individual's lifetime subject to annual deductible. Note: Custom orthotics are made to help correct any misalignments in the foot, improve a person's posture, or alleviate any pain in the foot or leg.
- **NEW BENEFIT** – Jaw surgery exclusion removed. Orthognathic surgery covered for correction of skeletal deformities of the jaw with required documentation of medical necessity.
- **NEW ELIGIBILITY AGE LIMIT** – Increase eligibility of dependent children to age 25 (through age 24) regardless of whether they are in school.
- **ENHANCED BENEFIT** -- Eliminate the annual maximum benefit limit for durable medical equipment (DME). The DME benefit covers purchase or rental of prescribed medical equipment for use in the home such as a hospital bed or wheelchair.
- **ENHANCED BENEFIT** -- Reduce your annual pharmacy out-of-pocket maximum to \$1,200. This will help individuals with chronic and high cost medication requirements.

### **Group Health Standard and Deductible Plans**

- **NEW ELIGIBILITY AGE LIMIT** – Increase eligibility of dependent children to age 25 (through age 24) regardless of whether they are in school.

### **Vision Plan Changes for 2009**

#### **Vision Service Plan**

- **NEW ELIGIBILITY AGE LIMIT** – Increase eligibility of dependent children to age 25 (through age 24) regardless of whether they are in school.
- **ENHANCED BENEFIT** -- Increase in-network retail frame allowance to \$150 every 24-month period.

- **ENHANCED BENEFIT** -- Increase in-network contact lens allowance to full payment for the exam and a \$120 lens allowance every 24-month period.

## **Dental Plan Changes for 2009**

### **Dental Health Services**

- **NEW ELIGIBILITY AGE LIMIT** – Increase eligibility of dependent children to age 25 (through age 24) regardless of whether they are in school.
- **NEW BENEFIT** — Add occlusal guard coverage with your \$350 copayment. Occlusal guards protect back teeth from grinding while asleep.
- **NEW BENEFIT** — Add two additional cleanings for pregnant women, up to four cleanings.
- Increase copayment on upgrade for noble and high noble crowns and bridges by \$20 due to the increase in the cost of gold. Copay for noble upgrade will be \$70 and \$100 for high noble upgrade.

### **Washington Dental Services**

- **NEW ELIGIBILITY AGE LIMIT** – Increase eligibility of dependent children to age 25 (through age 24) regardless of whether they are in school.

## **Flexible Spending Account Program Change for 2009**

### **Benefits Administration Company**

- **NEW BENEFIT** — Add use of debit card for health care flexible spending account (FSA) program. Use “reimbursement” at point of purchase.

You may use the health care FSA to pay your non-reimbursed out-of-pocket expenses for medical, dental, prescription drug, vision and hearing services and supplies. Your before-tax contributions to your account through payroll deduction currently reimburse you after you incur eligible health care expenses, and reduce your taxes.

Effective January 2009, you will have a second way to access your health care FSA money. Both options will allow you to access your full annual contribution amount at any time for eligible expenses.

- 1) Submit your itemized receipts and reimbursement form, as you do now, to Benefit Administration Company for reimbursement by check or direct deposit; and/or

2) Use your new FSA debit card to purchase health care items and retain all your receipts.

Eligible health care expenses fall into two categories. Here are some examples:

- The portion of covered expenses not paid by a health care plan, such as annual deductibles, co-pays, coinsurance, and covered charges that exceed the plan's annual maximum.
- Services and supplies that may not be covered by the health care plan but are still considered an eligible expense by the IRS, such as hearing aid batteries, acupuncture, home improvements for medical reasons (e.g., wheelchair ramps, lowering of kitchen countertops), contact lens solution and laser vision correction.

Expenses not eligible for reimbursement include health insurance premiums (already deducted on a pre-tax basis from your paycheck), vitamins, health club dues, and cosmetic surgery or treatments.

If you participated in the dependent care and/or health care Flexible Spending Account program in 2008, you must re-enroll during Open Enrollment to participate in the 2009 program.



APPENDIX A

**AGREEMENT BETWEEN I.B.E.W., LOCAL 77**

**AND**

**CITY OF SEATTLE/SEATTLE TRANSPORTATION**

**January 23, 2006-2009 – January 22, 20092013**

	<u>Effective 1-23-2006/1/23/2009</u>
Signal Electrician I	<u>\$29.7734.16</u>
Signal Electrician II	<u>\$33.0837.96</u>
Signal Electrician III	<u>\$33.7438.72</u>
Signal Electrician IV	<u>\$34.4039.48</u>
Signal Electrician V	<u>\$35.0640.24</u>
Signal Electrician, Crew Chief	<u>\$37.2242.70</u>
<del>Signal Electrician (Assigned in Charge of 3 Member Crew)</del>	<del>\$34.82</del>
Overhead Electrical Supplier	<u>\$24.9728.65</u>
Overhead Electrical Supplier (Assigned to Pole Hauling Detail)	<u>\$27.3231.35</u>

## Attachment 1

# Health Care Benefit Enhancements

## Medical Plan Changes for 2009

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The program provides a health assessment questionnaire to gauge your health risks, readiness to change certain health behaviors, and the impact of health on productivity. The health assessment questionnaire generates:

- Tailored health reports to help you focus the areas of your health that matter most. You also will receive a printable one-page health summary to keep, record, and compare your results over time and to share with your doctor, dentist, or other health-care provider.
- An action plan that is personalized to help you achieve and maintain good health through healthy living programs that are recommended based on your health needs. These may address weight loss, healthy aging, getting in shape, stress relief, a healthier diet, a healthy heart, cancer fighting, diabetes fighting, going smoke-free, and/or alcohol awareness. The programs are easy to follow and provide step-by-step guidance for making health changes and building skills for long-term success. The programs also provide and tools for tracking progress.

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### **Benefits Administration Company**

- **NEW BENEFIT** — Add use of debit card for health care flexible spending account (FSA) program. Use “reimbursement” at point of purchase.

You may use the health care FSA to pay your non-reimbursed out-of-pocket expenses for medical, dental, prescription drug, vision and hearing services and supplies. Your before-tax contributions to your account through payroll deduction currently reimburse you after you incur eligible health care expenses, and reduce your taxes.

Effective January 2009, you will have a second way to access your health care FSA money. Both options will allow you to access your full annual contribution amount at any time for eligible expenses.

- 1) Submit your itemized receipts and reimbursement form, as you do now, to Benefit Administration Company for reimbursement by check or direct deposit; and/or

2) Use your new FSA debit card to purchase health care items and retain all your receipts.

Eligible health care expenses fall into two categories. Here are some examples:

- The portion of covered expenses not paid by a health care plan, such as annual deductibles, co-pays, coinsurance, and covered charges that exceed the plan's annual maximum.
- Services and supplies that may not be covered by the health care plan but are still considered an eligible expense by the IRS, such as hearing aid batteries, acupuncture, home improvements for medical reasons (e.g., wheelchair ramps, lowering of kitchen countertops), contact lens solution and laser vision correction.

Expenses not eligible for reimbursement include health insurance premiums (already deducted on a pre-tax basis from your paycheck), vitamins, health club dues, and cosmetic surgery or treatments.

If you participated in the dependent care and/or health care Flexible Spending Account program in 2008, you must re-enroll during Open Enrollment to participate in the 2009 program.

**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>DOF Analyst/Phone:</b>
Personnel Department	David Bracilano/684-7874 Sarah Butler/684-7927	Stephen Barham/733-9084

**Legislation Title:**

AN ORDINANCE relating to City employment; authorizing the execution of a Memorandum of Understanding by and between the City of Seattle, the Seattle Department of Transportation, and the International Brotherhood of Electrical Workers, Local 77 effective January 23, 2009 through January 22, 2013; and providing payment therefor.

- **Summary of the Legislation:** The attached Council Bill authorizes the execution of a Memorandum of Understanding between the City of Seattle and the International Brotherhood of Electrical Workers, Local 77 (hereafter referred to as "Local 77") Seattle Department of Transportation unit. This legislation affects approximately 31 regular employees represented by Local 77.

The City of Seattle and Local 77 have agreed that all terms and conditions of the Labor Agreement in effect from January 23, 2006 through January 22, 2009 shall be rolled over for a four-year period from January 23, 2009 through January 22, 2013 with the following changes:

Effective January 23, 2009, all titles represented by the Local 77 Seattle Department of Transportation unit shall receive a 6.2% cost of living adjustment. Effective January 23<sup>rd</sup> of the subsequent years through January 23, 2012, the cost of living adjustments will be 100% of the percentage increase of Seattle-Tacoma-Bremerton area Consumer Price Index using the June over June method.

The City's retirement provision will be amended so that if the System's unfunded liability exceeds 30 years, any contribution rate increase will be equally shared by the City and Local 77 members. The employee's share shall be no more than 2% of any rate increase.

The HMA medical plan shall be phased out by January 1, 2009 and employees will be allowed to transition to the Aetna or Group Health Cooperative plans.

The transit subsidy shall be increased to an amount equal to the monthly rate of a "one-zone" peak Puget Pass, effective upon signature.

- **Background:** *(Include brief description of the purpose and context of legislation and include record of previous legislation and funding history, if applicable):*  
The collective bargaining agreement between the City and Local 77 expires on January 22, 2009. The City and Local 77 began negotiations and came to an agreement in October of 2008.



- Please check one of the following:

**This legislation does not have any financial implications.** (Stop here and delete the remainder of this document prior to saving and printing.)

**This legislation has financial implications.** (Please complete all relevant sections that follow.)

Labor Relations developed the following estimates to approximate the 2009-2012 costs of ratifying the MOU.

Local 77 members will receive a cost of living adjustment of 6.2% for the 2009 contract year, and are projected to receive a cost of living adjustment of 2.8% in 2010 and 2.5% in 2011 and 2012. The City will also incur salary-related costs for benefits such as pension, Social Security, and Medicare. Given these increases, and salary related benefits, the aggregate salary for Local 77, Seattle Department of Transportation unit members will grow from approximately \$2.9 million in 2008, to approximately \$3.3 million in 2012. The 2009 and 2010 costs are included in the 2009-2010 Proposed Budget.

- **What is the financial cost of not implementing the legislation?** (Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs if the legislation is not implemented.)

Without ratification of the agreement, members of Local 77, Seattle Department of Transportation unit will continue to receive wages and benefits that were effective January 23, 2008.

- **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** (Include any potential alternatives to the proposed legislation, such as reducing fee-supported activities, identifying outside funding sources for fee-supported activities, etc.)

None

- **Is the legislation subject to public hearing requirements?** (If yes, what public hearings have been held to date, and/or what plans are in place to hold a public hearing(s) in the future.)

None



FILED  
CITY OF SEATTLE  
2009 FEB -3 PM 1:01  
CITY CLERK

**Memorandum of Understanding**  
**By and Between**  
**City of Seattle**  
**and the**  
**Seattle Department of Transportation**  
**and**  
**International Brotherhood of Electrical Workers**  
**Local 77**

**Effective January 23, 2009 through January 22, 2013**

This MEMORANDUM OF UNDERSTANDING is supplemental to the AGREEMENT by and between the City of Seattle, hereinafter referred to as the City, and the International Brotherhood of Electrical Workers Local 77, hereinafter referred to as the Union. Collectively they shall be known as the Parties.

It is understood and agreed by and between the City and the Union that:

1. All the terms and conditions of the Labor Agreement, currently in effect from January 23, 2006 through January 22, 2009 shall be rolled over to provide for a new contract period from January 23, 2009 through January 22, 2013 except for the following changes:
  - a) Effective January 23, 2009, base wage rates for titles covered under this collective bargaining agreement shall receive an adjustment (COLA) equal to six point two percent (6.2%).
  - b) Effective January 23, 2010, base wage rates for titles covered under this collective bargaining agreement shall receive a cost of living adjustment equal to one hundred percent (100%) of the percentage increase in the Seattle-Tacoma-Bremerton area Consumer price Index for the June-over-June method consistent with "Article 23 Wage Rates", in the current agreement.
  - c) Effective January 23, 2011, base wage rates for titles covered under this collective bargaining agreement shall receive a cost of living adjustment equal to one hundred percent (100%) of the percentage increase in the Seattle-Tacoma-Bremerton area Consumer price Index for the June-over-June method consistent with "Article 23 Wage Rates", in the current agreement.

- d) Effective January 23, 2012, base wage rates for titles covered under this collective bargaining agreement shall receive a cost of living adjustment equal to one hundred percent (100%) of the percentage increase in the Seattle-Tacoma-Bremerton area Consumer price Index for the June-over-June method consistent with "Article 23 Wage Rates", in the current agreement.
- e) The parties agree that the Seattle Municipal Code regarding the funding of the Seattle City Employees' Retirement System (hereinafter, "System") shall be amended consistent with the following language:

If a year-end actuarial study commissioned by the System finds that the amortization period for the System's unfunded actuarial liability exceeds thirty (30) years and the City determines that an increase in contribution rates to the System is necessary, the City and employees shall equally increase contribution rates. Such increases shall not result in employees paying greater than a 10.03% contribution rate.

The required contribution rate increases shall take effect no sooner than the beginning of the first pay period of the year following completion of the actuarial study. For example, if the actuarial study for the System as of December 31, 2008 was presented to the Retirement Board in June 2009, and if that study showed an amortization period for the unfunded liability in excess of thirty (30) years that the City determined required a total increase in contributions of one percent (1%) to meet the System's unfunded liability threshold, the City's contribution rate would increase by one-half of one percent (.5%) and the employee contribution rate would increase by one-half of one percent (.5%) as soon as the beginning of the first pay period of 2010.

- 2. The terms of all amending memoranda of understanding, memoranda of agreement and letters of agreement if identified in the current Labor Agreement which would have expired as of January 22, 2009, and any subsequent memoranda or letters signed between the parties since the last round of bargaining that may not be identified in the agreement, shall also be rolled over for the period January 23, 2009 through January 22, 2013.
- 3. The City and the Union agree that the HMA medical option of coverage shall be phased out by January 1, 2009, and the employees will be allowed to transition to the Aetna or Group Health Cooperative options.

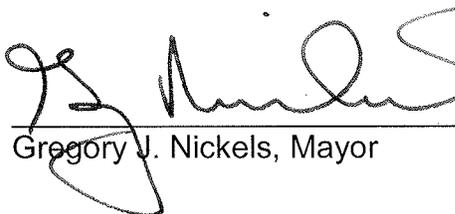
4. To replace this plan, the City will offer an alternate City of Seattle Traditional Plan that is the same plan design as the plan currently offered, but administered by Aetna using the Aetna network of health care providers. To mitigate the potential disruption from this change in networks, the City will pay all physician charges (both preferred and non-preferred) at the preferred rate for a period of six (6) months, through June 30, 2009 while employees or family members review the Aetna preferred provider network. If an employee or family member is involved in an active course of treatment that goes beyond this 6-month time period the employee or family member may be permitted to continue with that treatment program at the preferred payment level until that treatment is completed, provided they submit the appropriate Transition Of Care request to Aetna and receive approval. (Some examples of an active course of treatment include pregnancy, chemotherapy, terminal illness, sequential surgeries, recent surgery, outpatient treatment for mental health or substance abuse, and organ or bone marrow transplants.) To mitigate the potential disruption from differences between the Caremark and the Aetna prescription drug formularies, the City will cover drugs that are on the Caremark preferred brand formulary as of January 1, 2009 at the preferred co-payment rate for a period of six (6) months while employees and family members research their prescription options with their physician or pharmacist. In return, the City will make certain enhancements to the existing plan options at no additional cost to the members of IBEW, Local 77 for such enhancements. These enhancements are identified in attachment "1" that is made a part hereof. Implementation of the enhancements will take place January 1, 2009.
  
5. Transit Subsidy: Effective upon signature, the City agrees to increase the transit pass subsidy to an amount equal to the current monthly rate of a "one-zone" peak Puget Pass.

Signed this 3 day of Feb 2008

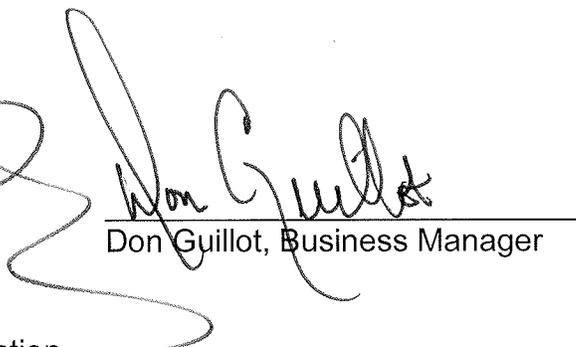
THE CITY OF SEATTLE

INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, LOCAL 77

Executed under this Authority of  
Ordinance 122893



\_\_\_\_\_  
Gregory J. Nickels, Mayor



\_\_\_\_\_  
Don Guillot, Business Manager

Seattle Department of Transportation



\_\_\_\_\_  
Grace Crunican  
Director

Attachments:

Attachment 1- Health Care Benefit Enhancements

## Attachment 1

# Health Care Benefit Enhancements

## Medical Plan Changes for 2009

### Aetna Preventive and Traditional

- **NEW BENEFIT — Add Simple Steps to a Healthier Life**

Simple Steps to a Healthier Life is a new, voluntary and confidential wellness program to help you and your dependents age 18 or over determine your health risks now and plan for a healthier future. You may access the wellness program conveniently from work or home; there is no special software to buy or install. The registration process is quick, easy, and secure.

The program provides a health assessment questionnaire to gauge your health risks, readiness to change certain health behaviors, and the impact of health on productivity. The health assessment questionnaire generates:

- Tailored health reports to help you focus the areas of your health that matter most. You also will receive a printable one-page health summary to keep, record, and compare your results over time and to share with your doctor, dentist, or other health-care provider.
- An action plan that is personalized to help you achieve and maintain good health through healthy living programs that are recommended based on your health needs. These may address weight loss, healthy aging, getting in shape, stress relief, a healthier diet, a healthy heart, cancer fighting, diabetes fighting, going smoke-free, and/or alcohol awareness. The programs are easy to follow and provide step-by-step guidance for making health changes and building skills for long-term success. The programs also provide and tools for tracking progress.

Log into your account at [www.aetnavigators.com](http://www.aetnavigators.com) to access Simple Steps.

- **NEW BENEFIT — Add Personal Health Record**

Your personal health record will provide you online access to personal information including individualized messages and alerts, detailed health history, and integrated information to help you make informed decisions about your health care. Your medical information is automatically entered into your record based on claims data submitted to Aetna. You may voluntarily enter additional health information such as family history, non-prescription medications, or procedures you had prior to Aetna membership.

Log into your account at [www.aetnavigators.com](http://www.aetnavigators.com) to access your personal health record.

- **NEW BENEFIT — Add Informed Health Line Nurse Consultation**

You will have 24-hour, toll-free access to a team of registered nurses experienced in providing information on a variety of health topics. Learn about health conditions and medical procedures, or improve the way you communicate with your doctor.

Call the Informed Health Line at 1-800-556-1555.

- **NEW BENEFIT** – Add hearing aid benefit, which will pay up to \$1,000 per ear every 36 months.
- **NEW BENEFIT:** Add orthotics coverage paying up to \$500 during individual's lifetime subject to annual deductible. Note: Custom orthotics are made to help correct any misalignments in the foot, improve a person's posture, or alleviate any pain in the foot or leg.
- **NEW BENEFIT** – Jaw surgery exclusion removed. Orthognathic surgery covered for correction of skeletal deformities of the jaw with required documentation of medical necessity.
- **NEW ELIGIBILITY AGE LIMIT** – Increase eligibility of dependent children to age 25 (through age 24) regardless of whether they are in school.
- **ENHANCED BENEFIT** -- Eliminate the annual maximum benefit limit for durable medical equipment (DME). The DME benefit covers purchase or rental of prescribed medical equipment for use in the home such as a hospital bed or wheelchair.
- **ENHANCED BENEFIT** -- Reduce your annual pharmacy out-of-pocket maximum to \$1,200. This will help individuals with chronic and high cost medication requirements.

### **Group Health Standard and Deductible Plans**

- **NEW ELIGIBILITY AGE LIMIT** – Increase eligibility of dependent children to age 25 (through age 24) regardless of whether they are in school.

### **Vision Plan Changes for 2009**

#### **Vision Service Plan**

- **NEW ELIGIBILITY AGE LIMIT** – Increase eligibility of dependent children to age 25 (through age 24) regardless of whether they are in school.
- **ENHANCED BENEFIT** -- Increase in-network retail frame allowance to \$150 every 24-month period.

- **ENHANCED BENEFIT** -- Increase in-network contact lens allowance to full payment for the exam and a \$120 lens allowance every 24-month period.

## Dental Plan Changes for 2009

### Dental Health Services

- **NEW ELIGIBILITY AGE LIMIT** – Increase eligibility of dependent children to age 25 (through age 24) regardless of whether they are in school.
- **NEW BENEFIT** — Add occlusal guard coverage with your \$350 copayment. Occlusal guards protect back teeth from grinding while asleep.
- **NEW BENEFIT** — Add two additional cleanings for pregnant women, up to four cleanings.
- Increase copayment on upgrade for noble and high noble crowns and bridges by \$20 due to the increase in the cost of gold. Copay for noble upgrade will be \$70 and \$100 for high noble upgrade.

### Washington Dental Services

- **NEW ELIGIBILITY AGE LIMIT** – Increase eligibility of dependent children to age 25 (through age 24) regardless of whether they are in school.

## Flexible Spending Account Program Change for 2009

### Benefits Administration Company

- **NEW BENEFIT** — Add use of debit card for health care flexible spending account (FSA) program. Use “reimbursement” at point of purchase.

You may use the health care FSA to pay your non-reimbursed out-of-pocket expenses for medical, dental, prescription drug, vision and hearing services and supplies. Your before-tax contributions to your account through payroll deduction currently reimburse you after you incur eligible health care expenses, and reduce your taxes.

Effective January 2009, you will have a second way to access your health care FSA money. Both options will allow you to access your full annual contribution amount at any time for eligible expenses.

- 1) Submit your itemized receipts and reimbursement form, as you do now, to Benefit Administration Company for reimbursement by check or direct deposit; and/or

2) Use your new FSA debit card to purchase health care items and retain all your receipts.

Eligible health care expenses fall into two categories. Here are some examples:

- The portion of covered expenses not paid by a health care plan, such as annual deductibles, co-pays, coinsurance, and covered charges that exceed the plan's annual maximum.
- Services and supplies that may not be covered by the health care plan but are still considered an eligible expense by the IRS, such as hearing aid batteries, acupuncture, home improvements for medical reasons (e.g., wheelchair ramps, lowering of kitchen countertops), contact lens solution and laser vision correction.

Expenses not eligible for reimbursement include health insurance premiums (already deducted on a pre-tax basis from your paycheck), vitamins, health club dues, and cosmetic surgery or treatments.

If you participated in the dependent care and/or health care Flexible Spending Account program in 2008, you must re-enroll during Open Enrollment to participate in the 2009 program.

Ordinance No. 122893

Council Bill No. 116424

AN ORDINANCE relating to City employment; authorizing the execution of a Memorandum of Understanding by and between the City of Seattle, the Seattle Department of Transportation, and the International Brotherhood of Electrical Workers, Local 77 effective January 23, 2009 through January 22, 2013; and providing payment therefor.

### The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: \_\_\_\_\_

*Nick Lesch*  
Councilmember

### Committee Action:

12/10 Pass 2-0 (Lizita, Goddard)

12-15-08 Passed 8-0 (Absent: McIver)

CF No. \_\_\_\_\_

Date Introduced:	<u>12-8-08</u>	
Date 1st Referred:	<u>12-8-08</u>	
Date Re - Referred:	To: (committee) <u>Culture, Civil Rights, Health and Personnel</u>	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote: <u>8-0</u>	
Date Presented to Mayor:	Date Approved: <u>12.19.08</u>	
Date Returned to City Clerk:	Date Published: <u>3</u>	T.O. <input checked="" type="checkbox"/> F.T. <input type="checkbox"/>
Date Vetoed by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

This file is complete and ready for presentation to Full Council. Committee: \_\_\_\_\_ (initial/date)

*Law Department*

Law Dept. Review

OMP Review

City Clerk Review

Electronic Copy Loaded

Indexed



# City of Seattle

Gregory J. Nickels, Mayor

## Office of the Mayor

November 25, 2008

Honorable Richard Conlin  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill that authorizes the execution of a Memorandum of Understanding between the City of Seattle, the Seattle Department of Transportation and the International Brotherhood of Electrical Workers, Local 77 (hereafter referred to as "Local 77"). This legislation affects approximately 31 employees represented by Local 77.

The City of Seattle, the Seattle Department of Transportation, and Local 77 have agreed that all terms and conditions of the collective bargaining agreement in effect from January 23, 2006 through January 22, 2009 shall be rolled over for a four-year term from January 23, 2009 through January 22, 2013, with some additional changes to retirement and other benefits. Annual cost of living increases shall continue to be effective January 23<sup>rd</sup> of each calendar year covered by the Memorandum of Understanding, set at 6.2% in 2009 and based on 100% of the percentage increase of the Seattle-Tacoma-Bremerton area Consumer Price Index thereafter. For retirement, the employee and the City will equally share any contribution rate increase should the Retirement System's unfunded liability exceed 30 years; however, the employee's rate cannot exceed 10.03%. Other benefit changes include phasing out the HMA medical plan by January 1, 2009 (employees will be allowed to transition to other plans), and increasing the transit subsidy amount to the monthly rate of a one-zone peak Puget pass, effective upon signature.

Thank you for your consideration of this legislation. Should you have questions, please contact David Bracilano at 684-7874 or Sarah Butler at 684-7929.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Nickels", written over a large, light-colored scribble or stamp.

GREG NICKELS  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 7<sup>th</sup> Floor, P.O. Box 94749, Seattle, WA 98124-4749

Tel: (206) 684-4000, TDD: (206) 615-0476 Fax: (206) 684-5360, Email: [mayors.office@seattle.gov](mailto:mayors.office@seattle.gov)

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





1 described in Attachment 2, identified as "Appendix A Agreement between I.B.E.W., Local 77  
2 and City of Seattle/Seattle Transportation January 23, 2009 – January 22, 2013."

3 Section 3. Any act consistent with the authority and prior to the effective date of this  
4 ordinance is hereby ratified and confirmed.

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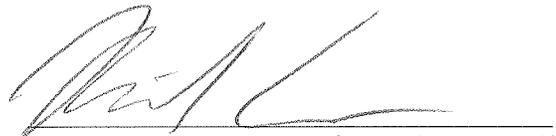
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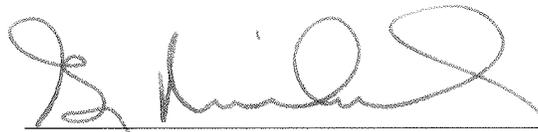


1 Section 4. This ordinance shall take effect and be in force thirty (30) days from and after  
2 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days  
3 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

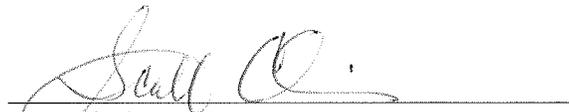
4 Passed by the City Council the 15<sup>th</sup> day of December, 2008, and  
5 signed by me in open session in authentication of its passage this  
6 15<sup>th</sup> day of December, 2008.

8   
9  
10 President \_\_\_\_\_ of the City Council

11 Approved by me this 19<sup>th</sup> day of December, 2008.

13   
14  
15 Gregory J. Nickels, Mayor

16 Filed by me this 20<sup>th</sup> day of December, 2008.

18   
19  
20 City Clerk

21 (Seal)

22  
23 Attachment 1: Memorandum of Understanding by and between City of Seattle and the Seattle  
24 Department of Transportation and International Brotherhood of Electrical Workers Local 77

25 Attachment 2: Appendix A Agreement between I.B.E.W., Local 77 and City of Seattle/Seattle  
26 Transportation January 23, 2009 – January 22, 2013



**Memorandum of Understanding  
By and Between**

**City of Seattle  
and the  
Seattle Department of Transportation  
and  
International Brotherhood of Electrical Workers  
Local 77**

**Effective January 23, 2009 through January 22, 2013**

This MEMORANDUM OF UNDERSTANDING is supplemental to the AGREEMENT by and between the City of Seattle, hereinafter referred to as the City, and the International Brotherhood of Electrical Workers Local 77, hereinafter referred to as the Union. Collectively they shall be known as the Parties.

It is understood and agreed by and between the City and the Union that:

1. All the terms and conditions of the Labor Agreement, currently in effect from January 23, 2006 through January 22, 2009 shall be rolled over to provide for a new contract period from January 23, 2009 through January 22, 2013 except for the following changes:
  - a) Effective January 23, 2009, base wage rates for titles covered under this collective bargaining agreement shall receive an adjustment (COLA) equal to six point two percent (6.2%).
  - b) Effective January 23, 2010, base wage rates for titles covered under this collective bargaining agreement shall receive a cost of living adjustment equal to one hundred percent (100%) of the percentage increase in the Seattle-Tacoma-Bremerton area Consumer price Index for the June-over-June method consistent with "Article 23 Wage Rates", in the current agreement.
  - c) Effective January 23, 2011, base wage rates for titles covered under this collective bargaining agreement shall receive a cost of living adjustment equal to one hundred percent (100%) of the percentage increase in the Seattle-Tacoma-Bremerton area Consumer price Index for the June-over-June method consistent with "Article 23 Wage Rates", in the current agreement.



- d) Effective January 23, 2012, base wage rates for titles covered under this collective bargaining agreement shall receive a cost of living adjustment equal to one hundred percent (100%) of the percentage increase in the Seattle-Tacoma-Bremerton area Consumer price Index for the June-over-June method consistent with "Article 23 Wage Rates", in the current agreement.
- e) The parties agree that the Seattle Municipal Code regarding the funding of the Seattle City Employees' Retirement System (hereinafter, "System") shall be amended consistent with the following language:

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The required contribution rate increases shall take effect no sooner than the beginning of the first pay period of the year following completion of the actuarial study. For example, if the actuarial study for the System as of December 31, 2008 was presented to the Retirement Board in June 2009, and if that study showed an amortization period for the unfunded liability in excess of thirty (30) years that the City determined required a total increase in contributions of one percent (1%) to meet the System's unfunded liability threshold, the City's contribution rate would increase by one-half of one percent (.5%) and the employee contribution rate would increase by one-half of one percent (.5%) as soon as the beginning of the first pay period of 2010.

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Signed this \_\_\_\_\_ day of \_\_\_\_\_ 2008

THE CITY OF SEATTLE

INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, LOCAL 77

Executed under this Authority of  
Ordinance \_\_\_\_\_

\_\_\_\_\_  
Gregory J. Nickels, Mayor

\_\_\_\_\_  
Don Guillot, Business Manager

Seattle Department of Transportation

\_\_\_\_\_  
Grace Crunican  
Director

Attachments:

Attachment 1- Health Care Benefit Enhancements

## Attachment 1

# Health Care Benefit Enhancements

## Medical Plan Changes for 2009

### Aetna Preventive and Traditional

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- **NEW ELIGIBILITY AGE LIMIT** – Increase eligibility of dependent children to age 25 (through age 24) regardless of whether they are in school.

### **Vision Plan Changes for 2009**

#### **Vision Service Plan**

- **NEW ELIGIBILITY AGE LIMIT** – Increase eligibility of dependent children to age 25 (through age 24) regardless of whether they are in school.
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- **ENHANCED BENEFIT** -- Increase in-network contact lens allowance to full payment for the exam and a \$120 lens allowance every 24-month period.

## **Dental Plan Changes for 2009**

### **Dental Health Services**

- **NEW ELIGIBILITY AGE LIMIT** – Increase eligibility of dependent children to age 25 (through age 24) regardless of whether they are in school.
- **NEW BENEFIT** — Add occlusal guard coverage with your \$350 copayment. Occlusal guards protect back teeth from grinding while asleep.
- **NEW BENEFIT** — Add two additional cleanings for pregnant women, up to four cleanings.
- Increase copayment on upgrade for noble and high noble crowns and bridges by \$20 due to the increase in the cost of gold. Copay for noble upgrade will be \$70 and \$100 for high noble upgrade.

### **Washington Dental Services**

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Effective January 2009, you will have a second way to access your health care FSA money. Both options will allow you to access your full annual contribution amount at any time for eligible expenses.

- 1) Submit your itemized receipts and reimbursement form, as you do now, to Benefit Administration Company for reimbursement by check or direct deposit; and/or

2) Use your new FSA debit card to purchase health care items and retain all your receipts.

Eligible health care expenses fall into two categories. Here are some examples:

- The portion of covered expenses not paid by a health care plan, such as annual deductibles, co-pays, coinsurance, and covered charges that exceed the plan's annual maximum.
- Services and supplies that may not be covered by the health care plan but are still considered an eligible expense by the IRS, such as hearing aid batteries, acupuncture, home improvements for medical reasons (e.g., wheelchair ramps, lowering of kitchen countertops), contact lens solution and laser vision correction.

Expenses not eligible for reimbursement include health insurance premiums (already deducted on a pre-tax basis from your paycheck), vitamins, health club dues, and cosmetic surgery or treatments.

If you participated in the dependent care and/or health care Flexible Spending Account program in 2008, you must re-enroll during Open Enrollment to participate in the 2009 program.



APPENDIX A

**AGREEMENT BETWEEN I.B.E.W., LOCAL 77**

**AND**

**CITY OF SEATTLE/SEATTLE TRANSPORTATION**

**January 23, 2006-2009 – January 22, 20092013**

	<u>Effective 1-23-2006/1/23/2009</u>
Signal Electrician I	<u>\$29.7734.16</u>
Signal Electrician II	<u>\$33.0837.96</u>
Signal Electrician III	<u>\$33.7438.72</u>
Signal Electrician IV	<u>\$34.4039.48</u>
Signal Electrician V	<u>\$35.0640.24</u>
Signal Electrician, Crew Chief	<u>\$37.2242.70</u>
<del>Signal Electrician (Assigned in Charge of 3 Member Crew)</del>	<del>\$34.82</del>
Overhead Electrical Supplier	<u>\$24.9728.65</u>
Overhead Electrical Supplier (Assigned to Pole Hauling Detail)	<u>\$27.3231.35</u>

**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>DOF Analyst/Phone:</b>
Personnel Department	David Bracilano/684-7874 Sarah Butler/684-7927	Stephen Barham/733-9084

**Legislation Title:**

AN ORDINANCE relating to City employment; authorizing the execution of a Memorandum of Understanding by and between the City of Seattle, the Seattle Department of Transportation, and the International Brotherhood of Electrical Workers, Local 77 effective January 23, 2009 through January 22, 2013; and providing payment therefor.

- **Summary of the Legislation:** The attached Council Bill authorizes the execution of a Memorandum of Understanding between the City of Seattle and the International Brotherhood of Electrical Workers, Local 77 (hereafter referred to as "Local 77") Seattle Department of Transportation unit. This legislation affects approximately 31 regular employees represented by Local 77.

The City of Seattle and Local 77 have agreed that all terms and conditions of the Labor Agreement in effect from January 23, 2006 through January 22, 2009 shall be rolled over for a four-year period from January 23, 2009 through January 22, 2013 with the following changes:

Effective January 23, 2009, all titles represented by the Local 77 Seattle Department of Transportation unit shall receive a 6.2% cost of living adjustment. Effective January 23<sup>rd</sup> of the subsequent years through January 23, 2012, the cost of living adjustments will be 100% of the percentage increase of Seattle-Tacoma-Bremerton area Consumer Price Index using the June over June method.

The City's retirement provision will be amended so that if the System's unfunded liability exceeds 30 years, any contribution rate increase will be equally shared by the City and Local 77 members. The employee's share shall be no more than 2% of any rate increase.

The HMA medical plan shall be phased out by January 1, 2009 and employees will be allowed to transition to the Aetna or Group Health Cooperative plans.

The transit subsidy shall be increased to an amount equal to the monthly rate of a "one-zone" peak Puget Pass, effective upon signature.

- **Background:** *(Include brief description of the purpose and context of legislation and include record of previous legislation and funding history, if applicable):*  
The collective bargaining agreement between the City and Local 77 expires on January 22, 2009. The City and Local 77 began negotiations and came to an agreement in October of 2008.



- Please check one of the following:

**This legislation does not have any financial implications.** (Stop here and delete the remainder of this document prior to saving and printing.)

**This legislation has financial implications.** (Please complete all relevant sections that follow.)

Labor Relations developed the following estimates to approximate the 2009-2012 costs of ratifying the MOU.

Local 77 members will receive a cost of living adjustment of 6.2% for the 2009 contract year, and are projected to receive a cost of living adjustment of 2.8% in 2010 and 2.5% in 2011 and 2012. The City will also incur salary-related costs for benefits such as pension, Social Security, and Medicare. Given these increases, and salary related benefits, the aggregate salary for Local 77, Seattle Department of Transportation unit members will grow from approximately \$2.9 million in 2008, to approximately \$3.3 million in 2012. The 2009 and 2010 costs are included in the 2009-2010 Proposed Budget.

- **What is the financial cost of not implementing the legislation?** (Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs if the legislation is not implemented.)

Without ratification of the agreement, members of Local 77, Seattle Department of Transportation unit will continue to receive wages and benefits that were effective January 23, 2008.

- **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** (Include any potential alternatives to the proposed legislation, such as reducing fee-supported activities, identifying outside funding sources for fee-supported activities, etc.)

None

- **Is the legislation subject to public hearing requirements?** (If yes, what public hearings have been held to date, and/or what plans are in place to hold a public hearing(s) in the future.)

None



FILED  
CITY OF SEATTLE  
2009 FEB -3 PM 1:01  
CITY CLERK

**Memorandum of Understanding**  
**By and Between**

**City of Seattle**  
**and the**  
**Seattle Department of Transportation**  
**and**  
**International Brotherhood of Electrical Workers**  
**Local 77**

**Effective January 23, 2009 through January 22, 2013**

This MEMORANDUM OF UNDERSTANDING is supplemental to the AGREEMENT by and between the City of Seattle, hereinafter referred to as the City, and the International Brotherhood of Electrical Workers Local 77, hereinafter referred to as the Union. Collectively they shall be known as the Parties.

It is understood and agreed by and between the City and the Union that:

1. All the terms and conditions of the Labor Agreement, currently in effect from January 23, 2006 through January 22, 2009 shall be rolled over to provide for a new contract period from January 23, 2009 through January 22, 2013 except for the following changes:
  - a) Effective January 23, 2009, base wage rates for titles covered under this collective bargaining agreement shall receive an adjustment (COLA) equal to six point two percent (6.2%).
  - b) Effective January 23, 2010, base wage rates for titles covered under this collective bargaining agreement shall receive a cost of living adjustment equal to one hundred percent (100%) of the percentage increase in the Seattle-Tacoma-Bremerton area Consumer price Index for the June-over-June method consistent with "Article 23 Wage Rates", in the current agreement.
  - c) Effective January 23, 2011, base wage rates for titles covered under this collective bargaining agreement shall receive a cost of living adjustment equal to one hundred percent (100%) of the percentage increase in the Seattle-Tacoma-Bremerton area Consumer price Index for the June-over-June method consistent with "Article 23 Wage Rates", in the current agreement.

- d) Effective January 23, 2012, base wage rates for titles covered under this collective bargaining agreement shall receive a cost of living adjustment equal to one hundred percent (100%) of the percentage increase in the Seattle-Tacoma-Bremerton area Consumer price Index for the June-over-June method consistent with "Article 23 Wage Rates", in the current agreement.
- e) The parties agree that the Seattle Municipal Code regarding the funding of the Seattle City Employees' Retirement System (hereinafter, "System") shall be amended consistent with the following language:

If a year-end actuarial study commissioned by the System finds that the amortization period for the System's unfunded actuarial liability exceeds thirty (30) years and the City determines that an increase in contribution rates to the System is necessary, the City and employees shall equally increase contribution rates. Such increases shall not result in employees paying greater than a 10.03% contribution rate.

The required contribution rate increases shall take effect no sooner than the beginning of the first pay period of the year following completion of the actuarial study. For example, if the actuarial study for the System as of December 31, 2008 was presented to the Retirement Board in June 2009, and if that study showed an amortization period for the unfunded liability in excess of thirty (30) years that the City determined required a total increase in contributions of one percent (1%) to meet the System's unfunded liability threshold, the City's contribution rate would increase by one-half of one percent (.5%) and the employee contribution rate would increase by one-half of one percent (.5%) as soon as the beginning of the first pay period of 2010.

- 2. The terms of all amending memoranda of understanding, memoranda of agreement and letters of agreement if identified in the current Labor Agreement which would have expired as of January 22, 2009, and any subsequent memoranda or letters signed between the parties since the last round of bargaining that may not be identified in the agreement, shall also be rolled over for the period January 23, 2009 through January 22, 2013.
- 3. The City and the Union agree that the HMA medical option of coverage shall be phased out by January 1, 2009, and the employees will be allowed to transition to the Aetna or Group Health Cooperative options.

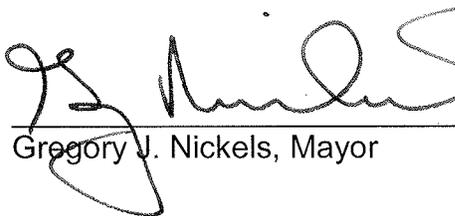
4. To replace this plan, the City will offer an alternate City of Seattle Traditional Plan that is the same plan design as the plan currently offered, but administered by Aetna using the Aetna network of health care providers. To mitigate the potential disruption from this change in networks, the City will pay all physician charges (both preferred and non-preferred) at the preferred rate for a period of six (6) months, through June 30, 2009 while employees or family members review the Aetna preferred provider network. If an employee or family member is involved in an active course of treatment that goes beyond this 6-month time period the employee or family member may be permitted to continue with that treatment program at the preferred payment level until that treatment is completed, provided they submit the appropriate Transition Of Care request to Aetna and receive approval. (Some examples of an active course of treatment include pregnancy, chemotherapy, terminal illness, sequential surgeries, recent surgery, outpatient treatment for mental health or substance abuse, and organ or bone marrow transplants.) To mitigate the potential disruption from differences between the Caremark and the Aetna prescription drug formularies, the City will cover drugs that are on the Caremark preferred brand formulary as of January 1, 2009 at the preferred co-payment rate for a period of six (6) months while employees and family members research their prescription options with their physician or pharmacist. In return, the City will make certain enhancements to the existing plan options at no additional cost to the members of IBEW, Local 77 for such enhancements. These enhancements are identified in attachment "1" that is made a part hereof. Implementation of the enhancements will take place January 1, 2009.
5. Transit Subsidy: Effective upon signature, the City agrees to increase the transit pass subsidy to an amount equal to the current monthly rate of a "one-zone" peak Puget Pass.

Signed this 3 day of Feb 2008

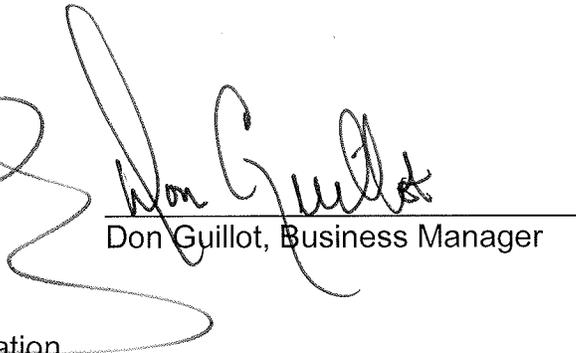
THE CITY OF SEATTLE

INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, LOCAL 77

Executed under this Authority of  
Ordinance 122893



Gregory J. Nickels, Mayor



Don Guillot, Business Manager

Seattle Department of Transportation



Grace Crunican  
Director

Attachments:

Attachment 1- Health Care Benefit Enhancements

## Attachment 1

# Health Care Benefit Enhancements

## Medical Plan Changes for 2009

### Aetna Preventive and Traditional

- **NEW BENEFIT — Add Simple Steps to a Healthier Life**

Simple Steps to a Healthier Life is a new, voluntary and confidential wellness program to help you and your dependents age 18 or over determine your health risks now and plan for a healthier future. You may access the wellness program conveniently from work or home; there is no special software to buy or install. The registration process is quick, easy, and secure.

The program provides a health assessment questionnaire to gauge your health risks, readiness to change certain health behaviors, and the impact of health on productivity. The health assessment questionnaire generates:

- Tailored health reports to help you focus the areas of your health that matter most. You also will receive a printable one-page health summary to keep, record, and compare your results over time and to share with your doctor, dentist, or other health-care provider.
- An action plan that is personalized to help you achieve and maintain good health through healthy living programs that are recommended based on your health needs. These may address weight loss, healthy aging, getting in shape, stress relief, a healthier diet, a healthy heart, cancer fighting, diabetes fighting, going smoke-free, and/or alcohol awareness. The programs are easy to follow and provide step-by-step guidance for making health changes and building skills for long-term success. The programs also provide and tools for tracking progress.

Log into your account at [www.aetnavigators.com](http://www.aetnavigators.com) to access Simple Steps.

- **NEW BENEFIT — Add Personal Health Record**

Your personal health record will provide you online access to personal information including individualized messages and alerts, detailed health history, and integrated information to help you make informed decisions about your health care. Your medical information is automatically entered into your record based on claims data submitted to Aetna. You may voluntarily enter additional health information such as family history, non-prescription medications, or procedures you had prior to Aetna membership.

Log into your account at [www.aetnavigators.com](http://www.aetnavigators.com) to access your personal health record.

- **NEW BENEFIT — Add Informed Health Line Nurse Consultation**

You will have 24-hour, toll-free access to a team of registered nurses experienced in providing information on a variety of health topics. Learn about health conditions and medical procedures, or improve the way you communicate with your doctor.

Call the Informed Health Line at 1-800-556-1555.

- **NEW BENEFIT** – Add hearing aid benefit, which will pay up to \$1,000 per ear every 36 months.
- **NEW BENEFIT:** Add orthotics coverage paying up to \$500 during individual's lifetime subject to annual deductible. Note: Custom orthotics are made to help correct any misalignments in the foot, improve a person's posture, or alleviate any pain in the foot or leg.
- **NEW BENEFIT** – Jaw surgery exclusion removed. Orthognathic surgery covered for correction of skeletal deformities of the jaw with required documentation of medical necessity.
- **NEW ELIGIBILITY AGE LIMIT** – Increase eligibility of dependent children to age 25 (through age 24) regardless of whether they are in school.
- **ENHANCED BENEFIT** -- Eliminate the annual maximum benefit limit for durable medical equipment (DME). The DME benefit covers purchase or rental of prescribed medical equipment for use in the home such as a hospital bed or wheelchair.
- **ENHANCED BENEFIT** -- Reduce your annual pharmacy out-of-pocket maximum to \$1,200. This will help individuals with chronic and high cost medication requirements.

### **Group Health Standard and Deductible Plans**

- **NEW ELIGIBILITY AGE LIMIT** – Increase eligibility of dependent children to age 25 (through age 24) regardless of whether they are in school.

### **Vision Plan Changes for 2009**

#### **Vision Service Plan**

- **NEW ELIGIBILITY AGE LIMIT** – Increase eligibility of dependent children to age 25 (through age 24) regardless of whether they are in school.
- **ENHANCED BENEFIT** -- Increase in-network retail frame allowance to \$150 every 24-month period.

- **ENHANCED BENEFIT** -- Increase in-network contact lens allowance to full payment for the exam and a \$120 lens allowance every 24-month period.

## Dental Plan Changes for 2009

### Dental Health Services

- **NEW ELIGIBILITY AGE LIMIT** – Increase eligibility of dependent children to age 25 (through age 24) regardless of whether they are in school.
- **NEW BENEFIT** — Add occlusal guard coverage with your \$350 copayment. Occlusal guards protect back teeth from grinding while asleep.
- **NEW BENEFIT** — Add two additional cleanings for pregnant women, up to four cleanings.
- Increase copayment on upgrade for noble and high noble crowns and bridges by \$20 due to the increase in the cost of gold. Copay for noble upgrade will be \$70 and \$100 for high noble upgrade.

### Washington Dental Services

- **NEW ELIGIBILITY AGE LIMIT** – Increase eligibility of dependent children to age 25 (through age 24) regardless of whether they are in school.

## Flexible Spending Account Program Change for 2009

### Benefits Administration Company

- **NEW BENEFIT** — Add use of debit card for health care flexible spending account (FSA) program. Use “reimbursement” at point of purchase.

You may use the health care FSA to pay your non-reimbursed out-of-pocket expenses for medical, dental, prescription drug, vision and hearing services and supplies. Your before-tax contributions to your account through payroll deduction currently reimburse you after you incur eligible health care expenses, and reduce your taxes.

Effective January 2009, you will have a second way to access your health care FSA money. Both options will allow you to access your full annual contribution amount at any time for eligible expenses.

- 1) Submit your itemized receipts and reimbursement form, as you do now, to Benefit Administration Company for reimbursement by check or direct deposit; and/or

2) Use your new FSA debit card to purchase health care items and retain all your receipts.

Eligible health care expenses fall into two categories. Here are some examples:

- The portion of covered expenses not paid by a health care plan, such as annual deductibles, co-pays, coinsurance, and covered charges that exceed the plan's annual maximum.
- Services and supplies that may not be covered by the health care plan but are still considered an eligible expense by the IRS, such as hearing aid batteries, acupuncture, home improvements for medical reasons (e.g., wheelchair ramps, lowering of kitchen countertops), contact lens solution and laser vision correction.

Expenses not eligible for reimbursement include health insurance premiums (already deducted on a pre-tax basis from your paycheck), vitamins, health club dues, and cosmetic surgery or treatments.

If you participated in the dependent care and/or health care Flexible Spending Account program in 2008, you must re-enroll during Open Enrollment to participate in the 2009 program.

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**STATE OF WASHINGTON – KING COUNTY**

--SS.

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233166  
CITY OF SEATTLE, CLERKS OFFICE

No. TITLE ONLY

**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 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

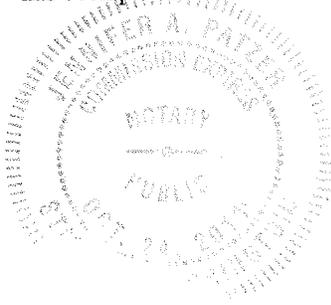
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:122881,83-122894

was published on

01/07/09

The amount of the fee charged for the foregoing publication is the sum of \$ 183.95, which amount has been paid in full.



*[Handwritten signature]*

Subscribed and sworn to before me on

01/07/09

*[Handwritten signature]*  
Notary public for the State of Washington,  
residing in Seattle

Affidavit of Publication

# State of Washington, King County

## City of Seattle

### TITLE-ONLY PUBLICATION

The full text of the following ordinances, passed by the City Council on December 15, 2008, and published here by title only, will be mailed, at no cost, on request for two months after this publication. For further information, contact the Seattle City Clerk at 684-8344.

#### ORDINANCE NO. 122894

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

#### ORDINANCE NO. 122893

AN ORDINANCE relating to City employment; authorizing the execution of a Memorandum of Understanding by and between the City of Seattle, the Seattle Department of Transportation, and the International Brotherhood of Electrical Workers, Local 77 effective January 23, 2009 through January 22, 2013; and providing payment therefor.

#### ORDINANCE NO. 122892

AN ORDINANCE relating to City employment; authorizing the execution of a Memorandum of Understanding by and between the City of Seattle, the City Light Department, and the International Brotherhood of Electrical Workers, Local 77 effective January 23, 2009 through January 22, 2013; and providing payment therefor.

#### ORDINANCE NO. 122891

AN ORDINANCE relating to City employment; authorizing the Mayor to sign and/or execute a collective bargaining agreement by and between the City of Seattle and the International Brotherhood of Teamsters, Local 117 Evidence Warehousemen and Community Service Officers units to be effective through December 31, 2010; and providing payment therefor.

#### ORDINANCE NO. 122889

AN ORDINANCE authorizing the purchase, for park, open space and recreation purposes, of real property commonly known as Webster Park, a portion of the former Webster Elementary School, located at 3017 NW 67th Street, from Seattle School District No. 1, and authorizing acceptance of the deed, making appropriations, amending the 2008-2013 Capital Improvement Program, and authorizing the loan of funds from the City's Consolidated (Residual) Cash Pool, or its participating funds, to the Cumulative Reserve Subfund-Unrestricted Subaccount, all by a three-fourths vote of the City Council.

#### ORDINANCE NO. 122890

AN ORDINANCE authorizing the purchase, for park, open space, and recreation purposes, of real property commonly known as a portion of the former Crown Hill Elementary School, located at 9089 Holman Road Northwest, from Seattle School District No. 1, authorizing acceptance of the deed, authorizing the creation of an Opportunity Fund Project consistent with the requirements of Ordinance 120024, making appropriations, amending the 2008-2013 Capital Improvement Program, and authorizing the loan of funds from the City's Consolidated (Residual) Cash Pool, or its participating funds, to the 2000 Parks Levy Fund, all by a three-fourths vote of the City Council.

Page

#### ORDINANCE NO. 122885

AN ORDINANCE relating to lobbying activities by City of Seattle officials and employees; repealing Ordinance 120960.

#### ORDINANCE NO. 122888

AN ORDINANCE, relating to City employment, ~~to be known~~ as the 2009 Pay Zone Ordinance; adjusting the pay zone structures for the City's discretionary pay programs for the year 2009.

#### ORDINANCE NO. 122887

AN ORDINANCE relating to City employment, commonly referred to as the Fourth Quarter 2008 Employment Ordinance; establishing new titles and/or salaries; designating positions as exempt from Civil Service status; all by a 2/3 vote of the City Council.

#### ORDINANCE NO. 122886

AN ORDINANCE relating to security from terrorism; authorizing the City to partner with the State of Washington and King County to receive financial assistance from the Department of Homeland Security (DHS), Office for State and Local Government Coordination and Preparedness under the Urban Areas Security Initiative Grant for Federal Fiscal Year 2008 (UASI 08), authorizing an application for allocation of funds under that agreement, increasing appropriations to the Police Department, Fire Department and Department of Information Technology in the 2009 Budget.

#### ORDINANCE NO. 122884

AN ORDINANCE adopting the 2007 City of Seattle Disaster Debris Management Plan and designating Seattle Public Utilities as the lead City department for debris management during the recovery phase following a large natural or human-caused disaster.

#### ORDINANCE NO. 122883

AN ORDINANCE authorizing Seattle Public Utilities to acquire by purchase or condemnation of land and all improvements thereon property situated at 1318 North 128th Street, Seattle for water, drainage and other utility or general municipal purposes.

#### ORDINANCE NO. 122881

AN ORDINANCE relating to the Neighborhood Parks, Green Spaces, Trails, and Zoo Levy; authorizing the acquisition of real property commonly known as 2100 Westlake Avenue; authorizing acceptance of the deed for open space, park, and recreation purposes; increasing appropriations to the Department of Parks and Recreation in the 2008 Budget; all by a three-fourths vote of the City Council.

Publication ordered by JUDITH PIPPIN, City Clerk

Date of publication in the Seattle Daily Journal of Commerce, January 7, 2009.

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