

Ordinance No. 123252

Council Bill No. 116805

AN ORDINANCE authorizing an opportunity for eligible City of Seattle employees to convert up to a total of 40 hours of accumulated and unused vacation to cash to benefit the relief efforts on behalf of victims of the 2010 Haiti and Chile earthquakes, and ratifying and confirming certain prior acts.

Related Legislation File:

Date Introduced and Referred: <del>3-10-10</del> <u>3-8-10</u>	To: (committee): <u>Housing, Human Services Health + Culture</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <u>3-15-10</u>	Date Presented to Mayor: <u>3-16-10</u>
Date Signed by Mayor: <u>3-23-10</u>	Date Returned to City Clerk: <u>3-23-10</u>
Published by Title Only <input checked="" type="checkbox"/>	Date Vetoed by Mayor:
Published in Full Text <input type="checkbox"/>	Date Passed Over Veto:
Date Veto Published:	Date Returned Without Signature:

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Nick Lesch

Committee Action:

Date	Recommendation	Vote
<u>Pass 20</u>	<u>NL, TR</u>	<u>3/10/10 (2H)</u>

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

Full Council Action:

Date	Decision	Vote
<u>3-15-10</u>	<u>Passed</u>	<u>7-0</u>
		<u>(Excused: Clark, Contes)</u>

Law Department

ORDINANCE 123252

AN ORDINANCE authorizing an opportunity for eligible City of Seattle employees to convert up to a total of 40 hours of accumulated and unused vacation to cash to benefit the relief efforts on behalf of victims of the 2010 Haiti and Chile earthquakes, and ratifying and confirming certain prior acts.

WHEREAS, on January 12, 2010 a magnitude 7.0 earthquake in Haiti and on February 27 a magnitude 8.7 earthquake in Chile each created a humanitarian crisis that has prompted a global outpouring of support; and

WHEREAS, these catastrophic earthquakes have affected an estimated 3 million people in Haiti, a country of 9 million and 2 million in Chile sustaining considerable damage where many are already suffering from poverty, hunger, political instability and previous disasters; and

WHEREAS, these tragedies have resulted in a dire situation with approximately 200,000 people killed, and has caused an estimated 3.5 million people to be left homeless and without food, clothing, water, or other basics necessary for survival.

WHEREAS, in response to previous humanitarian crises, the United States Internal Revenue Service determined that it would not assert that donations of cash converted from employee vacation leave balances constituted gross income or wages; and that such donations did not result in constructive receipt of gross income or wages for employees.

NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. The City of Seattle hereby declares that the 2010 earthquakes in Haiti and Chile and their aftermath merits action from local government and the support of its residents.

Section 2. Global Impact is a recognized charitable organization providing support through their network of 55 leading U.S.-based international charities, has raised more than \$1.2 billion for relief and development programs since its founding in 1956 for a wide range of relief



1 efforts domestically and worldwide, and is currently providing substantial support to the relief  
2 efforts associated with the effects and aftermath of the earthquakes in Haiti and Chile. This  
3 agency is hereby is hereby identified as an appropriate agency to receive voluntary contributions  
4 from City of Seattle employees who wish to participate in the vacation conversion opportunity  
5 provided by this ordinance.  
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7 Section 3. Employees who earn vacation under Seattle Municipal Code Chapter 4.34 and  
8 are otherwise eligible may voluntarily authorize payment of a cash amount equivalent to no less  
9 than one and no more than 20 hours of accumulated and unused vacation in one-hour increments  
10 and to designate that such cash shall be forwarded by the City to the agency identified in Section  
11 2 for earthquake relief efforts in Haiti and or in Chile during the second quarter of 2010. Eligible  
12 employees may also voluntarily authorize payment of a cash amount equivalent to no less than  
13 one and no more than 20 hours of accumulated and unused vacation in one-hour increments and  
14 to designate that such cash shall be forwarded by the City to the agency identified in Section 2 for  
15 earthquake relief efforts in Haiti and or in Chile during the third quarter of 2010; provided that  
16 the combined total contribution may not exceed 40 hours of vacation.  
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20 A. The amount of vacation donated by any eligible and participating employee shall be  
21 converted to cash at the straight-time rate of pay in effect for the employee's regular position title,  
22 exclusive of premium, shift differential or longevity payment, at the time of donation.  
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1 B. The cash resulting from converted vacation hours shall be transmitted by the  
2 Director of Executive Administration to the designated agency specifically for use in the relief  
3 efforts related to the 2010 earthquake in Haiti and or in Chile.  
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5 C. Participating employees' accumulated and unused vacation balances shall be reduced  
6 by the number of hours designated for conversion to cash, not to exceed a total of 40 hours for  
7 both donation opportunities.  
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9 Section 4. Department heads shall authorize the use of unexpended dollars in the  
10 appropriate budget control levels to cover the cost of cash donations resulting from the  
11 conversion of vacation hours by individuals in their employ.  
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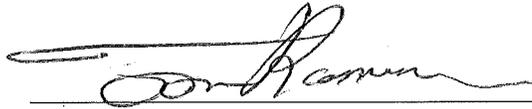
13 Section 5. The Mayor may enter into such agreements or modifications to existing  
14 collective bargaining agreements as are necessary to implement the purpose of this ordinance.  
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16 Section 6. Any act authorized by this ordinance and taken after its passage but before its  
17 effective date is ratified and confirmed.  
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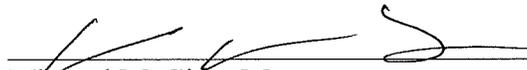
19 Section 7. This ordinance shall take effect and be in force thirty (30) days from and after  
20 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days  
21 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.  
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1 Passed by the City Council the 15<sup>th</sup> day of March, 2010, and  
2 signed by me in open session in authentication of its passage this  
3 15<sup>th</sup> day of March, 2010.

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7 President pro tem of the City Council

8 Approved by me this 23<sup>rd</sup> day of March, 2010

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11 \_\_\_\_\_  
12 Michael McGinn, Mayor

13 Filed by me this 23<sup>rd</sup> day of March, 2010.

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16 \_\_\_\_\_  
17 City Clerk

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28 (Seal)



**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>DOF Analyst/Phone:</b>
Legislative	Lisa Herbold/4-5331	Kristi Beattie

**Legislation Title:**

AN ORDINANCE authorizing an opportunity for eligible City of Seattle employees to convert up to a total of 40 hours of accumulated and unused vacation to cash to benefit the relief efforts on behalf of victims of the 2010 Haiti and Chile earthquakes and ratifying and confirming certain prior acts.

• **Summary of the Legislation:**

The ordinance allows City employees who earn vacation under Seattle Municipal Code Chapter 4.34 to authorize a payroll deduction of a cash equivalent of a minimum of one hour and a maximum of 40 hours of accumulated and unused vacation, with the understanding that the cash shall be forwarded by the City to Haiti and Chile earthquake relief efforts. The deductions will be taken over two time periods, one in the second quarter of 2010 and one in the third quarter of 2010.

• **Background:**

On January 12, 2010 a magnitude 7.0 earthquake in Haiti and on February 27 a magnitude 8.7 earthquake in Chile each created a humanitarian crisis that has prompted a global outpouring of support. Global Impact is a recognized charitable organization providing support through their network of 55 leading U.S.-based international charities and raised more than \$1.2 billion for relief and development programs since its founding in 1956 for a wide range of relief efforts domestically and worldwide, and is currently providing substantial support to the relief efforts associated with the effects and aftermath of the earthquake in Haiti.

• *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.)*

**Notes:** The Personnel Department and the Department of Finance developed the estimates below to approximate 2010 costs of providing employees the opportunity to make this cash donation. If necessary, in the second quarter of 2010 and the third quarter of 2010, the Executive will submit supplemental budget legislation to make the appropriation changes necessitated by



actual donations. The fiscal note accompanying that legislation will provide a more detailed and precise costing based upon Departments' actual expenditures.

If City employees show a comparable rate of participation, total Citywide costs for 2010 would be approximately \$80,000. This assumes 164 City employees at an average hourly rate of \$33.31, donating 2,375 total hours.



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**STATE OF WASHINGTON – KING COUNTY**

--SS.

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252494  
CITY OF SEATTLE, CLERKS OFFICE

No. 123252,53 31188,89,93

**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.

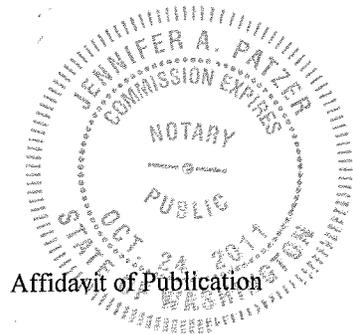
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:TITLONLY ORD/RES

was published on

03/26/10

The amount of the fee charged for the foregoing publication is the sum of \$ 61.43, which amount has been paid in full.



Affidavit of Publication

Subscribed and sworn to before me on

03/26/10

Notary public for the State of Washington,  
residing in Seattle

# State of Washington, King County

## City of Seattle

### TITLE-ONLY PUBLICATION

The full text of the following ordinances, passed by the City Council on March 15, 2010, and published here by title only, will be mailed upon request, or can be accessed at <http://clerk.ci.seattle.wa.us>. For further information, contact the Seattle City Clerk at 684-8344.

#### ORDINANCE NO. 123252

AN ORDINANCE authorizing an opportunity for eligible City of Seattle employees to convert up to a total of 40 hours of accumulated and unused vacation to cash to benefit the relief efforts on behalf of victims of the 2010 Haiti and Chile earthquakes, and ratifying and confirming certain prior acts.

#### ORDINANCE NO. 123253

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

#### RESOLUTION NO. 31188

A RESOLUTION authorizing the Director of Housing to enter into a Multifamily Housing Limited Property Tax Exemption Agreement between the City of Seattle and Claremont @ Walden LLC for new multifamily rental housing to be constructed as part of a mixed-use project on property situated at 3333 Rainier Avenue South, Seattle, Washington, under Seattle's Multifamily Housing Property Tax Exemption Program, Chapter 5.73 SMC.

#### RESOLUTION NO. 31189

A RESOLUTION stating the City Council's policy goals and priorities for the appointment and confirmation of a new Director of the Office of Housing.

#### RESOLUTION NO. 31193

A RESOLUTION affirming support for comprehensive immigration reform.

Date of publication in the Seattle Daily Journal of Commerce, March 26, 2010.

3/26(252494)