

Ordinance No. 124254

Council Bill No. 117863  
~~117863~~

AN ORDINANCE relating to the Seattle City Employees' Retirement System; clarifying the delegation and contracting authority of the Retirement System Board of Administration; and amending Section 4.36.140 of the Seattle Municipal Code.

Related Legislation File: 31475

Date Introduced and Referred: <u>8.5.13</u>	To: (committee): <u>Government Performance and Finance Committee</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <u>8/12/13</u>	Date Presented to Mayor: <u>8/13/13</u>
Date Signed by Mayor: <u>8-23-13</u>	Date Returned to City Clerk: <u>8.23-13</u>
Published by Title Only <u>X</u>	Date Vetoed by Mayor:
Published in Full Text	
Date Veto Published:	Date Passed Over Veto:
Date Veto Sustained:	Date Returned Without Signature:

## The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Boyer

### Committee Action:

Date	Recommendation	Vote
<u>8/7/13</u>	<u>PASS.</u>	<u>12 10B 5C</u> <u>3-0-0</u>

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

### Full Council Action:

Date	Decision	Vote
<u>Aug. 12, 2013</u>	<u>Passed</u>	<u>9-0</u>

**CITY OF SEATTLE**  
**ORDINANCE** 124254  
**COUNCIL BILL** 117863

1  
2  
3  
4 AN ORDINANCE relating to the Seattle City Employees' Retirement System; clarifying the  
5 delegation and contracting authority of the Retirement System Board of Administration;  
6 and amending Section 4.36.140 of the Seattle Municipal Code.

7 WHEREAS, the Retirement System Board of Administration (Board) was created and  
8 established to administer the retirement and death benefit systems and the retirement fund  
9 of the City, and to provide for the proper investment of the moneys in the retirement fund  
10 under the provisions of Seattle Municipal Code (SMC) Chapter 4.36 and the direction of  
11 the City Council; and

12 WHEREAS, the Board has, from time to time, duly adopted and amended its bylaws and policies  
13 consistent with its powers and duties as prescribed by SMC Chapter 4.36; and

14 WHEREAS, consistent with the authority of the Board to provide for the proper investment of  
15 the moneys in the retirement fund, conferred by SMC 4.36.130, the Board has approved  
16 investments, and authorized the System's Executive Director to execute contracts with  
17 investment managers and custodians with the advice of legal counsel; and

18 WHEREAS, consistent with the authority of the Board to administer the retirement and death  
19 benefit systems and the retirement fund, conferred by SMC 4.36.130, the Board has, from  
20 time to time, established committees of the Board and delegated administrative powers  
21 and duties to the Retirement System's Executive Director in order to efficiently carry out  
22 its powers and duties, consistent with the Board's fiduciary duties and the custom and  
23 practices of similar retirement boards; and

24 WHEREAS, it is appropriate to clarify the Board's existing authority to establish committees of  
25 the Board, to execute contracts for the investment of moneys in the retirement system,  
26 and to delegate administrative powers to the Executive Director; NOW, THEREFORE,

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

28 Section 1. Section 4.36.140 of the Seattle Municipal Code, last amended by Ordinance  
123361, is amended as follows:

**4.36.140 - Powers and duties of Board.**



1           The administration of the Retirement and Death Benefit System is vested in the Board of  
2 Administration created in Section 4.36.130. The Board shall exercise the powers and duties  
3 conferred upon it by said section, and in addition thereto:

4           A.     The Board shall keep in convenient form such data as shall be necessary for the  
5 actuarial valuation of the retirement fund created by this chapter. At the end of the three year  
6 period beginning with the year 1974, and at the end of every three year period thereafter, the  
7 Board shall cause to be made an actuarial investigation into the mortality, service and  
8 compensation experience of the members and beneficiaries as defined by this chapter; and shall  
9 further cause to be made an actuarial valuation of the assets and liabilities of the retirement fund,  
10 and upon the basis of such investigation and valuation and subject to the approval of the City  
11 Council, shall:

- 12           1.     Make any necessary changes in the rate of interest;
- 13           2.     Adopt for the retirement system such mortality, service, and other tables as shall  
14 be necessary;
- 15           3.     Revise or change the rate of contribution by the City on the basis of such  
16 mortality, service and other tables as may be necessary;
- 17           4.     Establish an investment advisory committee as contemplated by RCW 35.39.080  
18 through 35.39.090. A copy of the investment policy contemplated by RCW 35.39.060 and the  
19 recommendation and report of the investment advisory committee required by RCW 35.39.090  
20 shall be filed with the Director of Finance and Administrative Services, and the City Clerk.

21           B.     The Board shall promptly transmit to the City Council a report covering the  
22 actuarial investigation and actuarial valuation provided for in subsection A of this section.

23           C.     In addition to other records and accounts, the Board shall keep such detailed  
24 records and accounts as shall be necessary to show the financial condition of the retirement fund  
25 at all times.



1 D. The Board shall annually transmit to the City Council a report showing the  
2 financial condition of the fund established by this chapter.

3 E. Nothing in this section shall be construed to limit the right of the Board, subject to  
4 approval of the City Council, to make changes in rates of interest whenever the Board deems it  
5 necessary or advisable, or to secure actuarial reports more often than every three years.

6 F. Whenever the Board deems it necessary or advisable, it may recommend that the  
7 City Council change the rates of contributions of members on the basis of mortality, service, and  
8 other tables adopted by the Board pursuant to subsection A of this section.

9 G. The Board may adopt rules deemed appropriate to carry out this chapter,  
10 including delegating any of its powers and duties to a committee consisting of at least three  
11 members of the Board. Any action taken by a committee is subject to approval by the Board.  
12 The Board may also ((and may)) delegate to the Executive Director powers and duties for  
13 efficient administration of the retirement system and fund, including the adoption of policies,  
14 procedures, and/or guidelines, which are consistent with its rules and with the ordinance codified  
15 herein.

16 H. The Board is authorized to execute any and all contracts and agreements  
17 necessary or convenient for the proper investment of the moneys in the retirement system after  
18 receiving advice of legal counsel. The Board may, by resolution, delegate the authority to sign  
19 any such agreements to any Board member or to the Executive Director.

20 Section 2. This ordinance is curative and remedial, and any act consistent with the  
21 authority of this ordinance taken prior to its effective date is ratified and confirmed.

22 Section 3. This ordinance shall take effect and be in force 30 days after its approval by  
23 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
24 shall take effect as provided by Seattle Municipal Code Section 1.04.020.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Passed by the City Council the 12<sup>th</sup> day of August, 2013, and  
signed by me in open session in authentication of its passage this  
12<sup>th</sup> day of August, 2013.

  
\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved by me this 23<sup>rd</sup> day of August, 2013.

  
\_\_\_\_\_  
Michael McGinn, Mayor

Filed by me this 23<sup>rd</sup> day of August, 2013.

  
\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)



**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
Seattle City Employees' Retirement System	Cecelia Carter / Ken Nakatsu 615-1423	Jessica Wang (5-1759)

**Legislation Title:** AN ORDINANCE relating to the Seattle City Employees' Retirement System; clarifying the delegation and contracting authority of the Retirement System Board of Administration; and amending Section 4.36.140 of the Seattle Municipal Code.

**Summary of the Legislation:** The Municipal Code Amendments clarify the authority of the Seattle City Employees' Retirement System (SCERS) Board of Administration to create subcommittees and delegate administrative duties, including the signing of contracts, to the Board's Executive Director.

**Background:**

The Board has, from time to time, established subcommittees and delegated administrative powers and duties to the Retirement System's Executive Director in order to efficiently carry out its powers and duties, consistent with the Board's fiduciary duty and with the custom and practices of similar retirement boards. This legislation clarifies the Board's delegation authority.

Please check one of the following:

**This legislation does not have any financial implications.**

**This legislation has financial implications.**



---

STATE OF WASHINGTON -- KING COUNTY

--SS.

---

302051  
CITY OF SEATTLE, CLERKS OFFICE

No. 124249,250,251,252,254, 253

**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.

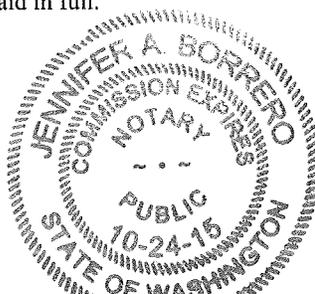
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT: TITLE ONLY ORDINANCE

was published on

09/03/13

The amount of the fee charged for the foregoing publication is the sum of \$132.00 which amount has been paid in full.



Affidavit of Publication

*[Signature]*  
Subscribed and sworn to before me on  
09/03/2013  
*[Signature]*  
Notary public for the State of Washington,  
residing in Seattle

# State of Washington, King County

## City of Seattle

### Title Only Ordinances

The full text of the following legislation, passed by the City Council on August 12, 2013, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Contact: Office of the City Clerk at (206) 684-8344.

#### ORDINANCE NO. 124249

AN ORDINANCE relating to the Technology Matching Fund Program; making allocations and authorizing implementation of certain Technology Matching Fund projects in 2013; providing that 2013 appropriations for the Technology Matching Fund from the Cable Television Franchise Subfund and from the Information Technology Fund shall automatically carry forward into the 2014 fiscal year; that any unspent funds from an individual project may be applied to another Technology Matching Fund project; and ratifying and confirming certain prior acts.

#### ORDINANCE NO. 124250

AN ORDINANCE related to City banking contracts; creating a new Chapter 20.65 in Title 20 of the Seattle Municipal Code; requiring the Director of the Department of Finance and Administrative Services to consider socially responsible banking practices when selecting vendors for depository services; and requiring periodic reports to the City Council.

#### ORDINANCE NO. 124251

AN ORDINANCE relating to the City Light Department; revising project allocations for certain projects in the 2013-2018 Adopted CIP in order to allow for additional expenditures for Boundary Powerhouse, Generator Unit 53; and ratifying and confirming certain prior acts.

#### ORDINANCE NO. 124252

AN ORDINANCE relating to City employment and the 2013 Adopted Budget; authorizing execution of a collective bargaining agreement between the City of Seattle and the Seattle Parking Enforcement Officers' Guild to be effective January 1, 2011 through December 31, 2013; amending Ordinance 124058 by increasing appropriations to the Police Department for providing the 2011 and 2012 retroactive payments therefor; and ratifying and confirming prior acts.

#### ORDINANCE NO. 124253

AN ORDINANCE relating to City contracting; increasing an appropriation in the Department of Finance and Administrative Services 2013 Adopted Budget; creating two new full-time positions to monitor and enforce wage and labor conditions, including wage-theft violations; requiring a report summarizing the work performed; and ratifying and confirming certain prior acts in connection thereto; all by a three-fourths vote of the City Council.

#### ORDINANCE NO. 124254

AN ORDINANCE relating to the Seattle City Employees' Retirement System; clarifying the delegation and contracting authority of the Retirement System Board of Administration; and amending Section 4.36.140 of the Seattle Municipal Code.

Date of publication in the Seattle Daily Journal of Commerce, September 3, 2013.

9/3(302051)