

Ordinance No. 123757

Council Bill No. 117326

AN ORDINANCE relating to the City Light Department, directing the transfer of certain funds in the Light Fund into the Rate Stabilization Account in 2011, and amending SMC 21.49.086 (G) relating to the operation of said Account.

Related Legislation File:

Date Introduced and Referred: <u>Oct. 31, 2011</u>	To: (committee): <u>Special Budget</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <u>11.21.11</u>	Date Presented to Mayor: <u>11.23.11</u>
Date Signed by Mayor: <u>Nov. 30, 2011</u>	Date Returned to City Clerk: <u>Nov. 30, 2011</u>
Published by Title Only <input checked="" type="checkbox"/>	Date Vetoed by Mayor:
Published in Full Text <input type="checkbox"/>	
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: Jean Golden

Committee Action:

Date	Recommendation	Vote
<u>11.8.11</u>	<u>Pass as amended</u>	<u>9-0</u>

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

Full Council Action:

Date	Decision	Vote
<u>11.21.11</u>	<u>Passed</u>	<u>8-0</u> ^{excused} absent : <u>NK</u>

ORDINANCE 123757

AN ORDINANCE relating to the City Light Department, directing the transfer of certain funds in the Light Fund into the Rate Stabilization Account in 2011, and amending SMC 21.49.086 (G) relating to the operation of said Account.

WHEREAS, the City established the Rate Stabilization Account within the Light Fund to buffer the City Light Department (City Light) and its customers from deviations of its Net Wholesale Revenue from that assumed in the budget; and

WHEREAS, the Council would like to ensure that the Account is funded at a level that significantly reduces the likelihood of rate surcharges, as provided for in SMC 21.49.086, should wholesale revenue be less than that assumed in the 2012 Budget; and

WHEREAS, City Light anticipates both reduced expenditures and increased revenues relative to the 2011 Adopted Budget; NOW, THEREFORE

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. By December 30, 2011, City Light shall transfer any cash available in the Light Fund for debt service coverage in excess of 1.85 times debt service for 2011 into the Rate Stabilization Account.

Section 2. SMC 21.49.086.G, which section was enacted by Ordinance 123260, is amended as follows:

G. Disposition of excess funds in the Rate Stabilization Account:

Effective January 1, 201~~((+))~~₃; whenever the amount in the Rate Stabilization Account exceeds \$125 million, the City Council will initiate a rate review, if the Mayor has not already done so, within forty-five days that will decrease rates, allow City Light to cover more of its capital expenditures with cash from operations or defease outstanding debt in order to keep future rates low, increase its expenditures, or a combination of these measures, to bring the amount in the Account down to \$125 million within a period of 12 or fewer months.



1 Section 3. Any action consistent with this ordinance taken after its passage but prior to its
2 effective date is ratified and confirmed.

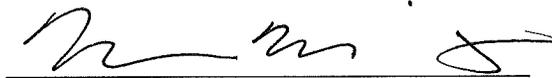
3 Section 4. This ordinance shall take effect and be in force 30 days after its approval by
4 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
5 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

6 Passed by the City Council the 21 day of November, 2011, and
7 signed by me in open session in authentication of its passage this
8 21 day of November, 2011.

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11 President _____ of the City Council

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13 Approved by me this 30th day of November, 2011.

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16 Michael McGinn, Mayor

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18 Filed by me this 30th day of November, 2011.

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21 For Monica Martinez Simmons, City Clerk

22 (Seal)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
LEG	Tony Kilduff/4-3580	n/a

Legislation Title:

AN ORDINANCE relating to the City Light Department, directing the transfer of certain funds in the Light Fund into the Rate Stabilization Account in 2011, and suspending the requirements of SMC 21.49.086 (G) relating to the operation of said Account for 2012.

Summary of the Legislation:

This legislation directs the transfer of any excess 2011 Light Fund (fund) balance into the Rate Stabilization Account (RSA) and SMC 21.49.086 (G) to begin January 1, 2013 if the balance in the RSA exceeds \$125 million.

Background:

The Council created the RSA through Ordinance 121637 and subsequently established the parameters for its funding and operation through Ordinance 123260. The parameters provide that City Light must withdraw any shortfall in net wholesale revenue relative to the amount assumed in the relevant budget, or deposit any overage, all done on a quarterly basis. The parameters also provide for automatic surcharges in the event the Account balance falls below certain thresholds. They further provide that if the balance in the account exceeds \$125 million that the Council will take action to reduce the balance.

The target for net wholesale revenue for 2012, established through Ordinance 123260, is \$102 million. City Light expects to generate at most \$60 million. The shortfall, should it occur, would result in large and persistent surcharges in 2012 and 2013.

The legislation directs City Light to transfer excess Light Fund balances in 2011 into the RSA. The use of excess fund balances in this way will, by increasing the Account balance, reduce both the likelihood and size of surcharges in 2012 in the face of this anticipated shortfall. Since the balance may temporarily exceed \$125 million, the legislation also suspends the requirement of paragraph G for 2012.

Please check one of the following:

This legislation does not have any financial implications.

(Please skip to "Other Implications" section at the end of the document and answer questions a-h. Earlier sections that are left blank should be deleted. Please delete the instructions provided in parentheses at the end of each question.)

This legislation has financial implications.

(If the legislation has direct fiscal impacts (e.g., appropriations, revenue, positions), fill out the relevant sections below. If the financial implications are indirect or longer-term, describe them in narrative in the "Other Implications" Section. Please delete the



instructions provided in parentheses at the end of each title and question.)

Appropriations:

(This table should reflect appropriations that are a direct result of this legislation. In the event that the project/programs associated with this ordinance had, or will have, appropriations in other legislation please provide details in the Appropriation Notes section below. If the appropriation is not supported by revenue/reimbursements, please confirm that there is available fund balance to cover this appropriation in the note section.)

Fund Name and Number	Department	Budget Control Level*	2011 Appropriation	2012 Anticipated Appropriation
TOTAL				

*See budget book to obtain the appropriate Budget Control Level for your department.

Appropriations Notes:

Anticipated Revenue/Reimbursement Resulting from this Legislation:

(This table should reflect revenues/reimbursements that are a direct result of this legislation. In the event that the issues/projects associated with this ordinance/resolution have revenues or reimbursements that were, or will be, received because of previous or future legislation or budget actions, please provide details in the Notes section below the table.)

Fund Name and Number	Department	Revenue Source	2011 Revenue	2012 Revenue
TOTAL				

Revenue/Reimbursement Notes:

Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact:

(This table should only reflect the actual number of positions affected by this legislation. In the event that positions have been, or will be, created as a result of other legislation, please provide details in the Notes section below the table.)

Position Title and Department	Position # for Existing Positions	Fund Name & #	PT/FT	2011 Positions	2011 FTE	2012 Positions*	2012 FTE*
TOTAL							

* 2012 positions and FTE are total 2012 position changes resulting from this legislation, not incremental changes. Therefore, under 2012, please be sure to include any continuing positions from 2011.

Position Notes:



Do positions sunset in the future?

(If yes, identify sunset date)

Spending/Cash Flow:

(This table should be completed only in those cases where part or all of the funds authorized by this legislation will be spent in a different year than when they were appropriated (e.g., as in the case of certain grants and capital projects). Details surrounding spending that will occur in future years should be provided in the Notes section below the table.)

Fund Name & #	Department	Budget Control Level*	2011 Expenditures	2012 Anticipated Expenditures
TOTAL				

* See budget book to obtain the appropriate Budget Control Level for your department.

Spending/Cash Flow Notes:

Other Implications:

- a) **Does the legislation have indirect financial implications, or long-term implications?**
No.
- b) **What is the financial cost of not implementing the legislation?**
No.
- c) **Does this legislation affect any departments besides the originating department?**
No.
- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** None.
- e) **Is a public hearing required for this legislation?**
No.
- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No.
- g) **Does this legislation affect a piece of property?**
No.
- h) **Other Issues:**

List attachments to the fiscal note below:



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

4 Passed by the City Council the _____ day of _____, 2011, and
5 signed by me in open session in authentication of its passage this
6 _____ day of _____, 2011.

7
8 _____
9 President _____ of the City Council

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11 Approved by me this _____ day of _____, 2011.

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13 _____
14 Michael McGinn, Mayor

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16 Filed by me this _____ day of _____, 2011.

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18 _____
19 Monica Martinez Simmons, City Clerk

20 (Seal)

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THIS VERSION IS NOT ADOPTED

STATE OF WASHINGTON – KING COUNTY

--SS.

279019
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 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

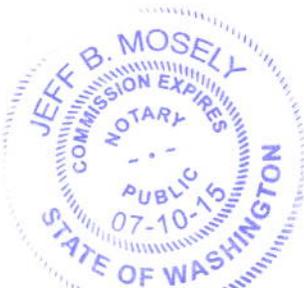
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:123742-123764

was published on

12/09/11

The amount of the fee charged for the foregoing publication is the sum of \$ 293.48, which amount has been paid in full.

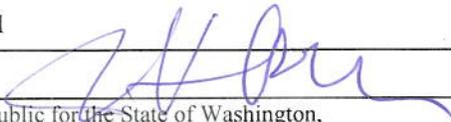


Affidavit of Publication



Subscribed and sworn to before me on

12/09/11



Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on November 21, 2011, 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. 123742

AN ORDINANCE relating to rates and charges for water services of Seattle Public Utilities; revising water rates and charges and amending Seattle Municipal Code Chapter 21.04 in connection therewith; removing Water District 61 and Richmond Beach Area meter surcharges and amending Seattle Municipal Code 21.12 in connection therewith; and revising credits to low-income customers and amending Seattle Municipal Code Chapter 21.76 in connection therewith.

ORDINANCE NO. 123743

AN ORDINANCE relating to the Revenue Stabilization Account of the Cumulative Reserve Subfund; revising policies regarding deposits into the Subfund; amending Seattle Municipal Code Subsection 5.80.020 B in connection therewith; and superseding a portion of Resolution 31083.

ORDINANCE NO. 123744

AN ORDINANCE relating to civil service; combining the staff of the Civil Service Commission and Public Safety Civil Service Commission and amending sections 4.04.250, 4.08.050, and 4.08.070 of the Seattle Municipal Code.

ORDINANCE NO. 123745

AN ORDINANCE relating to City employment; establishing a 2012 furlough program for certain employees not covered by collective bargaining agreements.

ORDINANCE NO. 123746

AN ORDINANCE amending Chapter 20.48 of the Seattle Municipal Code in order to modify City policies pertaining to capital appropriations.

ORDINANCE NO. 123747

AN ORDINANCE relating to solid waste taxation; amending Section 5.48.055 of the Seattle Municipal Code; and increasing the transfer tax rate effective January 1, 2012.

ORDINANCE NO. 123748

AN ORDINANCE relating to the financing of the South Lake Union Streetcar project; amending Ordinance 122603, last amended by Ordinance 123164, to extend the term of an interfund loan.

ORDINANCE NO. 123749

AN ORDINANCE relating to emergency assistance for low-income Seattle Public Utilities customers and amending Section 21.76.065 of the Seattle Municipal Code.

ORDINANCE NO. 123750

AN ORDINANCE relating to the 2008 Parks and Green Spaces Levy; accepting the recommendations of the 2008 Parks and Green Spaces Levy Oversight Committee concerning the Development Category Inflation Adjustment and the Opportunity Fund category; reallocating funds from the Development Category to the Opportunity Fund Category; and creating new major maintenance projects in the Opportunity Fund Category; all by a three-fourths vote of the City Council.

ORDINANCE NO. 123751

AN ORDINANCE relating to contracting indebtedness; authorizing and providing for the issuance and sale of limited tax general obligation bonds to pay all or part of the cost of financing elements of the City's capital improvement program, issuing and selling the bonds, and other City purposes approved by ordinance; providing for terms and sale of the bonds; creating a bond fund; and ratifying and confirming certain prior acts.

ORDINANCE NO. 123752

AN ORDINANCE relating to the electric system of The City of Seattle; authorizing the issuance and sale of municipal light and power revenue bonds for the purposes of providing funds for certain additions and betterments to and extensions of the existing municipal light and power plant and system of the City, paying the costs of issuing and selling those bonds and providing for the reserve fund requirement; providing for the terms, conditions, covenants and manner of sale of those bonds; describing the lien of those bonds; and ratifying and confirming certain prior acts.

ORDINANCE NO. 123753

AN ORDINANCE relating to financing of the drainage and wastewater system of The City of Seattle; adopting a system or plan of additions and betterments to and extensions of the drainage and wastewater system; authorizing the issuance and sale of drainage and wastewater revenue bonds, in one or more series, for the purposes of paying all or part of the cost of carrying out that system or plan, providing for the reserve requirement for bonds, and issuing and selling the bonds; providing for the terms, conditions, covenants and manner of sale of the bonds; describing the lien of the bonds; creating certain accounts of the City relating to the bonds; and ratifying and confirming certain prior acts.

ORDINANCE NO. 123754

AN ORDINANCE relating to the Seattle Department of Transportation; amending Section 11.23.120 of the Seattle Municipal Code establishing fees related to Commercial Vehicle Load Zone permits pursuant to the trucking and parking regulations of the Traffic Code.

ORDINANCE NO. 123755

AN ORDINANCE related to fees and charges for permits and activities of the Department of Planning and Development and related fees by other departments; amending a section of Ordinance 123453; and amending Seattle Municipal Code Chapter 22.900A, Administration and Enforcement; Chapter 22.900B, General Provisions; Chapter 22.900C, Fees for Land Use Review; Chapter 22.900D, Fees for New and Altered Buildings and Equipment; Chapter 22.900E, Fees for Certificates and Registrations; Chapter 22.900F, Compliance and Other Inspections; and Chapter 22.900G, Fees Collected for Other Departments.

ORDINANCE NO. 123756

AN ORDINANCE relating to a reorganization of the Human Services Department; amending Section 3.20.040 of the Seattle Municipal Code to restructure, rename and create various divisions in the Human Services Department.

ORDINANCE NO. 123757

AN ORDINANCE relating to the City Light Department, directing the transfer of certain funds in the Light Fund into the Rate Stabilization Account in 2011, and amending SMC 21.49.086 (G) relating to the operation of said Account.

ORDINANCE NO. 123758

AN ORDINANCE adopting a budget, including a capital improvement program and position modifications, for The City of Seattle for 2012; creating positions exempt from civil service, all by a two-thirds vote of the City Council.

ORDINANCE NO. 123759

AN ORDINANCE relating to the Department of Parks and Recreation; establishing the 2012 fee schedule for the use of park properties and other park and recreation facilities and services; superseding previous park and recreation fee schedules; and amending Section 18.28.010 of the Seattle Municipal Code.

ORDINANCE NO. 123760

AN ORDINANCE amending the 2011 Budget, including the 2011-2016 Capital Improvement Program (CIP); changing appropriations to various departments and budget control levels; and from various funds in the Budget; revising project descriptions; revising project allocations for certain projects in the 2011-2016 CIP; making cash transfers between various city funds; creating new appropriations, amending ordinances 123442 and 123664; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

ORDINANCE NO. 123761

AN ORDINANCE relating to the Alaskan Way Viaduct and Seawall Replacement Program; authorizing the creation of a City fund; and authorizing the loan of funds from the City's Consolidated (Residual) Cash Pool, or its participating funds, to the new fund.

ORDINANCE NO. 123762

AN ORDINANCE relating to the levy of property taxes; fixing the rates and/or amounts of taxes to be levied, and levying the same upon all

taxable property, both real and personal, in The City of Seattle, to finance the departments and activities of City government and to provide for the general obligation bond interest and redemption requirements for the year beginning on the first day of January 2012; and ratifying and confirming certain prior acts.

ORDINANCE NO. 123763

AN ORDINANCE authorizing the levy of regular property taxes by The City of Seattle for collection in 2012, representing an increase above the regular property taxes levied for collection in 2011; and ratifying and confirming certain prior acts

ORDINANCE NO. 123764

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

Publication ordered by the City Clerk
Date of publication in the Seattle Daily Journal of Commerce, December 9, 2011.
12/9(279019)