CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL 117841

AN ORDINANCE relating to City employment; amending Seattle Municipal Code Section 4.20.370 to reconcile it with planned changes to the public transit subsidy benefit offered to City employees; authorizing the execution of a Memorandum of Understanding between the City and certain City labor unions to amend collective bargaining agreements to reflect the benefit provided in Seattle Municipal Code Section 4.20.370; and ratifying and confirming prior acts.

WHEREAS, in support of the Washington Clean Air Act that required the City to adopt a Commute Trip Reduction program, the City has subsidized public transit and ferry use for City employees; and

WHEREAS, based on an analysis of bus ridership data from 2012 and 2013, it appears that the City would realize considerable savings by switching from a monthly fixed cost model ("Business Choice") to an annual model that is priced by actual ridership ("Passport"); and

WHEREAS, moving to Passport also provides a greater benefit at no additional cost to City employees who commute to work from longer distances; and

WHEREAS, Seattle Municipal Code Section 4.20.370 and the City's collective bargaining agreements as they are written do not adequately describe the City's transit subsidy program using the Passport product; and

WHEREAS, the Mayor and the City Council wish to further encourage the use of non-single occupancy vehicles for commuting by City employees, and to support employees who commute via public transit and ferries.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Seattle Municipal Code Section 4.20.370, last amended by Ordinance 123361, is amended as follows:

SMC 4.20.370 Purchase of fare media.

To encourage commuting by municipal employees in other than single occupancy vehicles, and in accordance with the agreements authorized by Section 1 of Ordinance 116682, as a condition of municipal employment, the City shall pay up to the dollar value of a "peak" one-zone Puget Pass or equivalent transit item, per month per employee toward the purchase of transit ((~~and~~)) or ferry fare media by a City officer or employee. The fare media shall be purchased from the Director of Finance and Administrative Services for use in commuting to and from work or during working hours, and any incidental personal use thereafter, for so long as an appropriation has been made by ordinance or the City budget to provide for any deficit resulting to the City from such sales. ((~~The net price of the fare media to the officer or employee shall be the established rate less the City's payment up to the dollar value of a "peak" one-zone Puget Pass, or equivalent transit fare media.~~)) This transit subsidy benefit does not apply to employees covered by collective bargaining agreements unless authorized in their collective bargaining agreements.

Section 2. As requested by the Personnel Director and recommended by the Mayor, the Mayor is hereby authorized on behalf of the City to execute a Memorandum of Understanding between the City and certain City labor unions, substantially in the form attached to this ordinance as Attachment 1 and identified as "Memorandum of Understanding By and Between the City of Seattle and Certain City Unions." The Memorandum of Understanding between the City and those labor unions amends existing collective bargaining agreements to incorporate Seattle Municipal Code Section 4.20.370 into those agreements.

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

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

Passed by the City Council the ____ day of _____, 2013, and signed by me in open session in authentication of its passage this _____ day of _____, 2013.

_____

President _____of the City Council

Approved by me this ____ day of _____, 2013.

_____

Michael McGinn, Mayor

Filed by me this ____ day of _____, 2013.

_____

Monica Martinez Simmons, City Clerk

(Seal)

Attachments

Attachment 1: Memorandum of Understanding By and Between the City of Seattle and Certain City Unions

MEMORANDUM OF UNDERSTANDING

By and Between

CITY OF SEATTLE

And

CERTAIN CITY UNIONS

This Memorandum of Understanding ("MOU") is entered into between the City of Seattle ("City") and the unions signatory to this MOU ("Unions"). Collectively, the City and the Unions shall be known as "the Parties."

1. Most collective bargaining agreements contain provisions that increase the City's transit subsidy to an amount equal to the current monthly rate of a one-zone "peak" Puget Pass. The parties agree to amend their collective bargaining agreements to remove current existing language related to the transit pass subsidy and replace it with the language below. For collective bargaining agreements that do not contain this language, the following language shall be added to those collective bargaining agreements:

   The City shall provide a transit subsidy benefit consistent with SMC 4.20.370.

2. Should the City propose changes to the transit subsidy provided on the signature date of this MOU, those changes shall be a proper subject of negotiation between the parties.

SIGNED this _____ day of _____ 2013.

Executed under the Authority

of Ordinance No. _____

FOR THE CITY OF SEATTLE

_____	_____	_____
Michael P. McGinn, Mayor	David L. Stewart Personnel Director	David Bracilano Labor Relations Director

FOR THE CITY UNIONS

Fernando Arevalo,
Business Representative
I.U. Painters and Allied Trades, District Council #5

Melody Coffman, Business Representative
IAMAW, District Lodge 160, Local 289 & 79

Scott Best, President
Seattle Police Dispatchers' Guild

Dennis Conklin, Regional Director
Inland Boatmen's Union of the Pacific

Paul Bigman, Business Representative
I.A.T.S.E., Local 15

Bill Dennis, Staff Representative
W.S.C.C.C.E., Council 2, Locals 21, and 21C

Mike Bolling, Business Representative
I.U. Operating Engineers, Local 286

Janet Lewis, Business Representative
I.B.E.W., Local 46

Steve Cant, Business Representative
IBEW, Local 77 CMEO Unit

Brian Opland, Business Representative
Boilermakers Union, Local 104

Chris Casillas, SPAA Representative
Seattle Prosecuting Attorneys' Assoc.

Guadalupe Perez, Union Representative
P.T.E., Local 17 PTA

Ethan Fineout, Staff Representative
W.S.C.C.C.E., Local 21Z

Joe Simpson, Union Representative
IBEW, Local 77 Transportation & City Light

Marty Fox, Business Representative
Sheet Metal Workers, Local 66

Jeff Skillman, Business Representative
Pacific Northwest Regional Council of Carpenters

Scott Fuquay, President
Seattle Municipal Court Marshals' Guild
I.U.P.A., Local 600

Jennifer Webby, Business Representative
H.E.R.E., Local 8

Ian Gordon, Business Manager
P.S.I.E., Local 1239 and Local 1239 Security Officers (JCC); Local 1239 Recreation Unit

Marty Yellam, Business Representative
U.A. Plumbers and Pipefitters, & Waterworks, Local 32

Doug Henderson, Business Agent
Teamsters, Local 763 (JCC) and Municipal Court units

Lisa Jacobs, Union Representative
P.T.E., Local 17 PTA, Probation Counselors

Patti Kieval, Union Representative
P.T.E., Local 17 IT, PTA

Aaron Paston, President
Seattle Parking Enforcement Officers Guild

Tracey A. Thompson, Secretary-Treasurer
Teamsters, Local 117 JCC Unit, Admissions Unit, Community Service Officers & Evidence Warehousers

Form revised: December 12, 2012

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Personnel	David Bracilano/684-7874 Sarah Butler/684-7929	Forrest Longman/684-0331

Legislation Title:
AN ORDINANCE relating to City employment; amending Seattle Municipal Code Section 4.20.370 to reconcile it with planned changes to the public transit subsidy benefit offered to City employees; authorizing the execution of a Memorandum of Understanding between the City and certain City labor unions to amend collective bargaining agreements to reflect the benefit provided in Seattle Municipal Code Section 4.20.370; and ratifying and confirming prior acts.

Summary of the Legislation:
This legislation amends the Seattle Municipal Code (SMC) to reflect planned changes to the City's transit pass subsidy program. This legislation also authorizes a Memorandum of Understanding (MOU) between the City and certain unions to amend collective bargaining agreements to reflect planned changes to the City's transit pass subsidy program.

Background:
In support of the Washington Clean Air Act, the City has subsidized employee costs associated with using public transit to commute to and from work. In 2010, City employees who received subsidized bus passes moved to ORCA cards, a "smart card" system that enabled transit agencies to better track bus ridership. Based on the data generated from employee use of City subsidized ORCA cards, the City determined that it could realize considerable savings by switching from a monthly fixed cost model ("Business Choice") to an annual model that is priced by actual ridership ("Passport"). Under Passport, some City employees will also realize savings; City employees who now pay out of pocket for a monthly bus transit product greater than the City subsidy (currently $90 per month) will be fully subsidized for their bus trips.

The legislation amends the SMC to reflect the reality that the City cannot subsidize both bus and ferry transit using the Passport product (the employee must choose one or the other). Additionally, this legislation removes reference to "the established rate" in the SMC as it does not accurately describe the transit subsidy under an annually priced model. Finally, the legislation authorizes an MOU between the City and non-public safety unions to amend collective bargaining agreements to align with changes to the SMC.

Please check one of the following:

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

___ **This legislation has financial implications.**

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?**
None.

c) **Does this legislation affect any departments besides the originating department?**
This legislation applies to a citywide transit pass benefit.

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:** None

List attachments to the fiscal note below: None

City of Seattle
Office of the Mayor

May 7, 2013

Honorable Sally J. Clark
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Clark:

I am pleased to transmit the attached proposed Council Bill that amends the Seattle Municipal Code (SMC) Section 4.20.370 and authorizes a Memorandum of Understanding (MOU) amending collective bargaining agreements between the City and certain unions related to the City transit pass subsidy.

In support of the Washington Clean Air Act, the City has subsidized employee costs associated with using public transit to commute to and from work. In 2010, City employees who received subsidized bus passes moved to ORCA cards, a "smart card" system that enabled transit agencies to better track bus ridership. Based on the data generated from employee use of City subsidized ORCA cards, the City determined that it could realize considerable savings by switching from a monthly fixed cost model ("Business Choice") to an annual model that is priced by actual ridership ("Passport"). Under Passport, certain City employees will also save money; City employees who now pay out of pocket for a monthly bus transit product greater than the City subsidy (currently $90 per month) will be fully subsidized for their bus trips. This legislation amends SMC 4.20.370 to better describe the City's transit subsidy program using a Passport product, and authorizes an MOU between the City and unions to amend collective bargaining agreements to do the same.

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,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Michael McGinn, Mayor
Office of the Mayor
600 Fourth Avenue, 7th Floor
PO Box 94749
Seattle, WA 98124-4749

Tel (206) 684-4000
Fax (206) 684-5360
TDD (206) 615-0476
mike.mcginn@seattle.gov