



SEATTLE CITY COUNCIL

Legislative Summary

CB 118793

Record No.: CB 118793

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125132

In Control: City Clerk

File Created: 09/06/2016

Final Action: 09/22/2016

Title: AN ORDINANCE relating to the regulation of the for-hire industry, amending Sections 6.310.110 and 6.310.735 of the Seattle Municipal Code to add clarity to the qualifying driver description and extend the commencement date, and ratifying and confirming certain prior acts.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Harrell

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: jodee.schwinn@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Full Council	09/06/2016	referred	Full Council			
1	Full Council	09/12/2016	passed				Pass
	Action Text: The Motion carried, the Council Bill (CB) was passed by the following vote, and the President signed the Bill:						
	Notes: Motion was made and duly seconded to pass Council Bill 118793.						
			In Favor: 9	Councilmember Bagshaw, Councilmember Burgess, Councilmember González, Council President Harrell, Councilmember Herbold, Councilmember Johnson, Councilmember Juarez, Councilmember O'Brien, Councilmember Sawant			
			Opposed: 0				
1	City Clerk	09/14/2016	submitted for Mayor's signature	Mayor			
1	Mayor	09/22/2016	Signed				
	Action Text: The Council Bill (CB) was Signed.						
	Notes:						

1 Mayor 09/22/2016 returned City Clerk
Action Text: The Council Bill (CB) was returned. to the City Clerk
Notes:

1 City Clerk 09/22/2016 attested by City
Clerk
Action Text: The Ordinance (Ord) was attested by City Clerk.
Notes:

CITY OF SEATTLE

ORDINANCE 125132

COUNCIL BILL 118793

AN ORDINANCE relating to the regulation of the for-hire industry, amending Sections 6.310.110 and 6.310.735 of the Seattle Municipal Code to add clarity to the qualifying driver description and extend the commencement date, and ratifying and confirming certain prior acts.

WHEREAS, the comprehensive outreach needed to create rules to implement the collective negotiation rights of for-hire drivers established by Ordinance 124968 is taking more time than anticipated; and

WHEREAS, the Seattle City Council seeks to give additional guidance on the concept of a qualifying driver; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 6.310.110 of the Seattle Municipal Code, last amended by Ordinance 124968, is amended as follows:

“Qualifying driver” means a for-hire driver, who drives for a driver coordinator and who satisfies the conditions established by the Director pursuant to Section 6.310.735. In establishing such conditions, the Director shall consider factors such as the length, frequency, total number of trips, and average number of trips per driver completed by all of the drivers who have performed trips in each of the four calendar months immediately preceding the commencement date, for a particular driver coordinator, ((and)) any other factors that indicate that a driver’s work for a driver coordinator is significant enough to affect the safety and reliability of for-hire transportation, and standards established by other jurisdictions for granting persons the right to

1 vote to be represented in negotiations pertaining to the terms and conditions of employment. A

2 for-hire driver may be a qualifying driver for more than one driver coordinator.

3 ***

4 Section 2. Section 6.310.735 of the Seattle Municipal Code, as enacted by Ordinance
5 124968, is amended as follows:

6 **6.310.735 Exclusive driver representatives**

7 A. The Director shall promulgate a commencement date(~~that is no earlier than 180 days~~
8 ~~and~~)) no later than ((~~240 days from the effective date of the ordinance introduced as Council Bill~~
9 ~~118499~~))January 17, 2017.

10 ***

11 Section 2. Any act consistent with the authority of this ordinance that is taken after its
12 passage but prior to its effective date is hereby ratified and confirmed.

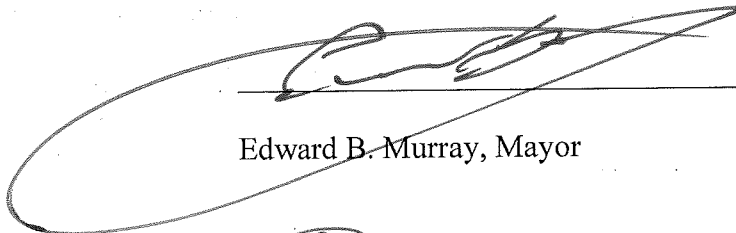
Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 12th day of September, 2016,
and signed by me in open session in authentication of its passage this 12th day of
September, 2016.



President _____ of the City Council

Approved by me this 27th day of September, 2016.



Edward B. Murray, Mayor

Filed by me this 27th day of September, 2016.



Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE***Department:****Contact Person/Phone:****Executive Contact/Phone:**

LEG

Tony Kilduff/684-3580

N/A

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY**Legislation Title:**

AN ORDINANCE relating to the regulation of the for-hire industry, amending Sections 6.310.110 and 6.310.735 of the Seattle Municipal Code to add clarity to the qualifying driver description and extend the commencement date, and ratifying and confirming certain prior acts

Summary and background of the Legislation:

This ordinance amends SMC 630.310.110 to add factors the Director of FAS should consider in determining what constitutes a qualifying driver. It also extends the timeline for establishing a “commencement date” from September 17, 2016, to January 17, 2017. This will allow FAS time to survey drivers to gain additional insight into the distribution of trips over the driver pool, putting FAS in a better position to create the rules necessary to implement the collective negotiation rights established for for-hire drivers by Ordinance 124968.

2. CAPITAL IMPROVEMENT PROGRAM**— This legislation creates, funds, or amends a CIP Project.**

(If box is checked, please attach a new (if creating a project) or marked-up (if amending) CIP Page to the Council Bill. Please include the spending plan as part of the attached CIP Page.)

Project Name: **Project I.D.:** **Project Location:** **Start Date:** **End Date:** **Total Cost:**

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3. SUMMARY OF FINANCIAL IMPLICATIONS

Please check one:

— This legislation has direct financial implications. (If the legislation has direct fiscal impacts (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.)

X This legislation does not have direct financial implications.

(Please skip to “Other Implications” section at the end of the document and answer questions a-i.)

Budget program(s) affected:				
Estimated \$ Appropriation change:	General Fund \$		Other \$	
	2016	2017	2016	2017

Estimated \$ Revenue change:	Revenue to General Fund		Revenue to Other Funds	
	2016	2017	2016	2017
Positions affected:	No. of Positions		Total FTE Change	
	2016	2017	2016	2017
Other departments affected:				

3.a. Appropriations

☐ **This legislation adds, changes, or deletes appropriations.**

(If this box is checked, please complete this section. If this box is not checked, please proceed to Revenues/Reimbursements.)

Fund Name and number	Dept	Budget Control Level Name/##	2016 Appropriation Change	2017 Estimated Appropriation Change
TOTAL				

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

(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 completely supported by revenue/reimbursements listed below, please identify the funding source (e.g. available fund balance) to cover this appropriation in the notes section. Also indicate if the legislation changes appropriations one-time, ongoing, or both.)

Appropriations Notes:

3.b. Revenues/Reimbursements

☐ **This legislation adds, changes, or deletes revenues or reimbursements.**

(If this box is checked, please complete this section. If this box is not checked, please proceed to Positions.)

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Dept	Revenue Source	2016 Revenue	2017 Estimated Revenue
TOTAL				

(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. Do the revenue sources have match requirements? If so, what are they?)

Revenue/Reimbursement Notes:

3.c. Positions

 This legislation adds, changes, or deletes positions.
 (If this box is checked, please complete this section. If this box is not checked, please proceed to Other Implications.)

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

Position # for Existing Positions	Position Title & Department*	Fund Name & #	Program & BCL	PT/FT	2016 Positions	2016 FTE	Does it sunset? (If yes, explain below in Position Notes)
TOTAL							

* List each position separately

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

Position Notes:

4. OTHER IMPLICATIONS

a) Does the legislation have indirect or long-term financial impacts to the City of Seattle that are not reflected in the above?

(If yes, explain here.)

No.

b) Is there financial cost or other impacts 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 or consequences.)

No.

c) Does this legislation affect any departments besides the originating department?

(If so, please list the affected department(s) and the nature of the impact (financial, operational, etc.), and indicate which staff members in the other department(s) are aware of the proposed legislation.)

No.

d) Is a public hearing required for this legislation?

(If yes, what public hearing(s) have been held to date, and/or what public hearing(s) are planned for the future?)

No.

e) Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?

(If yes, please describe the measures taken to comply with RCS 64.06.080.)

No.

f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

(For example, legislation related to sale of surplus property, condemnation, or certain capital projects with private partners may require publication of notice. If you aren't sure, please check with your lawyer. If publication of notice is required, describe any steps taken to comply with that requirement.)

No.

g) Does this legislation affect a piece of property?

(If yes, and if a map or other visual representation of the property is not already included as an exhibit or attachment to the legislation itself, then you must include a map and/or other visual representation of the property and its location as an attachment to the fiscal note. Place a note on the map attached to the fiscal note that indicates the map is intended for illustrative or informational purposes only and is not intended to modify anything in the legislation.)

No.

h) Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?

(If yes, please explain how this legislation may impact vulnerable or historically disadvantaged communities. Using the racial equity toolkit is one way to help determine the legislation's impact on certain communities.)

N/A

i) If this legislation includes a new initiative or a major programmatic expansion: What are the long-term and measurable goals of the program? Please describe how this legislation would help achieve the program's desired goals.

(This answer should highlight measurable outputs and outcomes.)

N/A

j) Other Issues:

None.

List attachments/exhibits below:

STATE OF WASHINGTON -- KING COUNTY

--SS.

342129

No. 125126,127,28,29,30,31,32

CITY OF SEATTLE,CLERKS OFFICE

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.

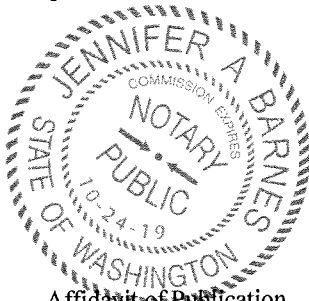
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:TITLE ONLY ORDINANCES

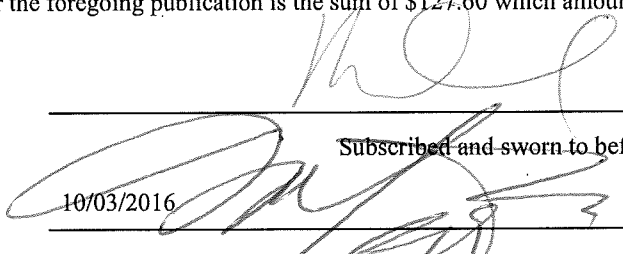
was published on

10/03/16

The amount of the fee charged for the foregoing publication is the sum of \$127.60 which amount has been paid in full.



Affidavit of Publication


Subscribed and sworn to before me on
10/03/2016
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 September 12, 2016, and published below by title only, will be mailed upon request, or can be accessed at <https://seattle.legistar.com/Legislation.aspx>. 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 125126

AN ORDINANCE relating to historic preservation; imposing controls upon the Gaslight Inn, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

Ordinance 125127

AN ORDINANCE relating to historic preservation; imposing controls upon the J.W. Bullock House, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

Ordinance 125128

AN ORDINANCE relating to City employment, adopting a 2016 Citywide Position List.

Ordinance 125129

AN ORDINANCE relating to property at Sand Point, authorizing the Housing Director to execute an amendment to and partial termination of the lease of City of Seattle land authorized by Ordinance 122459, as amended pursuant to Ordinance 123195, to remove three parcels from that lease; authorizing new leases of the removed parcels to YouthCare and Friends of Youth and deeds from the City to convey the buildings on those parcels to the lessees for the duration of the new leases; and authorizing related documents and actions.

Ordinance 125130

AN ORDINANCE relating to the disposition of two City Urban renewal properties in the Yesler-Atlantic Redevelopment Project Area; adopting competitive procedures for disposition of the properties; authorizing the Director of the Office of Housing to dispose of the properties designated Parcel 7B and Parcel 56 in the project area; designating the disposition of sales proceeds; superseding Ordinance 122017 and Resolutions 27260, 28866, and 29852 with respect to the sale of the properties; and ratifying and confirming certain prior acts.

Ordinance 125131

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

Ordinance 125132

AN ORDINANCE relating to the regulation of the for-hire industry, amending Sections 6.310.110 and 6.310.735 of the Seattle Municipal Code to add clarity to the qualifying driver description and extend the commencement date, and ratifying and confirming certain prior acts.

Date of publication in the Seattle Daily Journal of Commerce, October 3, 2016.

10/3(342129)