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HONORABLE ROBERT S. LASNIK

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA,

Plaintiff,

v.

CITY OF SEATTLE, *et al.*,

Defendants.

Case No. C16-322RSL

PLAINTIFF’S MOTION TO
SUPPLEMENT THE RECORD

Note on Motion Calendar: August 12,
2016

The Chamber respectfully requests to supplement the record with the Declaration of Timothy J. O’Connell, along with seven documents relevant to Defendants’ motion to dismiss. The Chamber received these documents from Defendants after filing its Supplemental Memorandum In Opposition to Defendants’ Motion to Dismiss.¹

1. The Chamber filed its Supplemental Memorandum on June 27, 2016. Dkt. 49. It argued that a July 1, 2016 tax increase of \$0.04 per ride on Transportation Network Coordinators (TNCs) constitutes an “ongoing monetary injury inflicted upon the Chamber’s members as a result of the [collective bargaining] Ordinance.” *Id.* at 1.

¹ Plaintiff conferred with counsel for Defendants prior to filing this motion, and Defendants do no object to the motion.

1 2. The Court authorized the City to file a response, and it did so on July 11, 2016.
2 Dkt. 53.

3 3. On June 30, 2016, after the Chamber had filed its Supplemental Memorandum
4 and before the City filed its response, the Chamber received a production of documents from the
5 City in response to a records request submitted March 25, 2016, under the Washington Public
6 Records Act. *See* Decl. of Timothy J. O’Connell at ¶ 3. On July 13, 2016, while preparing for
7 the argument on the City’s Motion to Dismiss that is scheduled for July 19, counsel reviewed
8 these documents in detail for the first time. Several of these documents refer to Council Bill
9 118499, which was enacted as Seattle Ordinance 124524, the collective-bargaining Ordinance
10 challenged in this case. The documents also refer to “FAS,” the Seattle Department of Finance
11 and Administrative Services, which is responsible for implementing the Ordinance.

12 4. The documents are as follows:

13 5. An email chain between city employees Katherine Tassery and Tony Kilduff
14 stating that “the need [for the data system] in 2016 is a result of the collective bargaining
15 legislation proposed this year.” O’Connell Decl. Ex. A. at 1. The email explains that
16 “implementing the requirements of CB 118499 triggered FAS identifying the need for the data
17 system in 2016, as described in the attached memo,” and that “FAS would likely have requested
18 funding for such a system at some point in the future, but the proposed legislation is what
19 triggers the need for such a system in 2016.” *Id.*

20 6. A memorandum (attached to the previous email) titled “Cost Estimate – Driver
21 Collective Bargaining,” listing the costs of implementing the collective-bargaining Ordinance.
22 *Id.* Ex. B. According to the memorandum, the Ordinance will require an array of new
23 employees, professional assistance, and new technology:

24 a. “Two Strategic Advisor 2 positions ... needed to develop the rules,
25 manage a professional services contract for conducting the potentially multiple elections,
26

1 and to perform the ongoing work,” *id.* at 2, at a cost of \$143,413 per Advisor for 2016, *id.*
2 at 3.

3 b. “Outside legal services for collective bargaining election expertise not
4 available in the City Attorney’s Office,” *id.* at 2, at a cost of \$142,500 for 2016, *id.* at 3.

5 c. “A permanent Administrative Specialist 3” for “office maintenance,
6 election notifications, application review, and complaint management,” *id.* at 2, at a cost
7 of \$87,762 each year, *id.* at 3.

8 d. “[P]rofessional auditors” to “[e]nforc[e] controls required by the
9 legislation,” ensure “integrity in the election process,” and verify the “statements of
10 interests and the decertification petitions,” *id.* at 2, at a cost of \$150,000 each year.

11 e. A new high-capacity data system “to manage union elections,” *id.* at 2, at
12 a cost of \$1.1 million, *id.* at 3, though the memo notes that in some future year “there
13 eventually will be a need to develop a data system” to track for-hire drivers regardless of
14 collective bargaining, *id.* at 2.

15 f. In all, the memorandum estimates the total cost estimate for driver
16 collective bargaining at \$2,177,501 for 2016 and \$632,175 for ongoing cost. *Id.* at 3.

17 7. An email chain between Katherine Tassery and Tony Kilduff in which Tassery
18 asks “what sort of budget change” Councilmember O’Brien would propose to fund the “TNC
19 collective bargaining legislation,” and Kilduff responds, “Green sheet to increase appropriation
20 authority by \$2.2M. I assume I should increase revenues by the same.” *Id.* Ex. C.

21 8. A “Seattle City Council Green Sheet” (attached to the previous email), discussing
22 the need to “increase FAS appropriations by \$2,177,501,” along with a “Cost Estimate for
23 Driver Collective Bargaining,” which lists the total cost for 2016 at \$2,177,501. *Id.* Ex. D. The
24 documents states further that “revenue to support this add would come through an increase in
25 certain for-hire fees and charges.” *Id.*

26

1 9. An email between city employee Jasmine Marwaha and Councilmember O'Brien,
2 noting that Marwaha removed the heading from the "previous green sheet" "so that it reflects the
3 bigger vision for TNC regulation/administration discussed in the green sheet." *Id.* Ex. E.

4 10. A revised "Seattle City Council Green Sheet" (attached to the previous email)
5 without the heading "Cost Estimate for Driver Collective Bargaining" at the top of the budget
6 table. *Id.* Ex. F.

7 11. An email chain between Katherine Tassery and Tony Kilduff in which Kilduff
8 notes that he posted the estimate of "costs to implement the TNC collective bargaining
9 legislation" and was "posting a follow up on the impact on fees/charges." *Id.* Ex. G. Tassery
10 responds that she had "posted the response to the revenue question for the TNCs," and "[t]he
11 intention was to spread the cost over several years so that the per trip fee is not spiking up for the
12 one-time costs incurred in the first year." *Id.*

13 12. These documents show that the City would have no need in 2016 for its new high-
14 capacity data system, which it states was the primary reason for the tax increase, were it not for
15 the need to manage union elections for the collective-bargaining Ordinance. *Id.* Ex. A.

16 13. They also show that the City figured other costs of implementing collective
17 bargaining into its justification for a budget and revenue increase. These costs include hiring
18 staff to draft regulations, hiring staff to manage elections and other aspects of the Ordinance, and
19 hiring outside counsel. *Id.* Ex. B. The emails expressly tie the "costs to implement the TNC
20 collective bargaining legislation" to the "per trip fee." *Id.* Ex. G at 1-2. The budget tables list
21 these costs in clear detail and state that "revenue to support this [additional cost] would come
22 through an increase in certain for-hire fees and charges." *Id.* Ex. E.

23 14. Finally, these documents show that the tax increase was already imminent at the
24 time the Chamber filed its complaint. The emails occurred in October 2015, and the City already
25 had concrete plans at that time to impose the fee increase on TNCs to fund the collective-
26 bargaining Ordinance if it passed, well before the Chamber filed its complaint on March 3, 2016.

1 15. Because these documents are relevant to the matter before the Court and would
2 assist it in resolving the Defendant’s motion, the Court should consider them along with the other
3 evidence submitted in this matter. *See, e.g., McDonald v. OneWest Bank, FSB*, 929 F. Supp. 2d
4 1079, 1090, 1099 (W.D. Wash. 2013) (Lasnik, J.) (granting motion to supplement the record
5 with documents that were “of obvious interest in the case”); *see also St. Clair v. City of Chico*,
6 880 F.2d 199, 201 (9th Cir. 1989) (court has wide latitude in conducting proceedings to resolve
7 factual disputes on matters of jurisdiction).

8 Dated July 15, 2016

Respectfully submitted,

9
10 Lily Fu Claffee
11 (D.C. Bar No. 450502)
 (pro hac vice)
12 Steven P. Lehotsky
13 (D.C. Bar No. 992725)
 (pro hac vice)
14 Warren Postman
15 (D.C. Bar. No. 995083)
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17 1615 H Street, N.W.
 Washington, D.C. 20062
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By: s/ Timothy J. O’Connell
Timothy J. O’Connell, WSBA 15372
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ATTORNEYS FOR PLAINTIFF

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CERTIFICATE OF SERVICE

I hereby certify that on July 15, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the parties who have appeared in this case

DATED: July 15, 2016 at Seattle, Washington.

STOEL RIVES LLP

s/ Timothy J. O'Connell
Timothy J. O'Connell, WSBA No. 15372
600 University Street, Suite 3600
Seattle, WA 98101
Telephone: (206) 624-0900
Facsimile: (206) 386-7500
Email: tim.oconnell@stoel.com

From: [Tassery, Katherine](#)
To: [Kilduff, Tony](#)
Subject: FW: TNC Question - re-send with Table corrected date
Date: Monday, October 19, 2015 11:13:41 AM
Attachments: [image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[FAS response re Drivers Collective Bargaining 10192015b rev"d per CBO.docx](#)

Hi Tony,

Attached is the updated memo with the new title for the table on page 3. Also, below is confirmation from FAS that the system would have been needed at some point in the future, but the need in 2016 is a result of the collective bargaining legislation proposed this year.

Thanks,

Katy

From: Keyes, Cameron
Sent: Monday, October 19, 2015 10:49 AM
To: Tassery, Katherine <Katherine.Tassery@seattle.gov>
Cc: Nagasawa, Debbie <Debbie.Nagasawa@seattle.gov>; Zhao, Jay <Jay.Zhao@seattle.gov>; Carey, Doug <Doug.Carey@seattle.gov>; Keyes, Cameron <Cameron.Keyes@seattle.gov>
Subject: RE: TNC Question - re-send with Table corrected date

Hi Katy: following up on your quick phone call to me a little bit ago, two items:

- 1) Pls see attached memo with the date on the p. 3 table title corrected to read "Cost Estimate for Taxi/TNC/For-Hire Regulation, October 13, 201~~5~~6" (instead of "2016"). Sorry and thanks for catching that. I took this opportunity to also correct a few minor spelling typos in the "Notes" column of the table.
- 2) Related to your comment below that "some of the estimated cost would have been incurred regardless of the collective bargaining agreement (primarily the cost of the system)", a clarifying comment: please note that implementing the requirements of CB 118499 triggered FAS identifying the need for the data system in 2016, as described in the attached memo. FAS would likely have requested funding for such a system at some point in the future, but the proposed legislation is what triggers the need for such a system in 2016. I hope that clarification makes sense.

Again, if you have questions or need anything else from us on this issue, please let us know. Thanks, Cameron, 4-8048

From: Kilduff, Tony
Sent: Friday, October 16, 2015 3:00 PM

To: Tassery, Katherine <Katherine.Tassery@seattle.gov>
Cc: Zhao, Jay <Jay.Zhao@seattle.gov>; Nagasawa, Debbie <Debbie.Nagasawa@seattle.gov>; Carey, Doug <Doug.Carey@seattle.gov>
Subject: RE: TNC Question

Green sheet to increase appropriation authority by \$2.2M. I assume I should increase revenues by the same, hence the question. Also, someone will likely ask the source.

Attached is a mockup of the GS – CBIS is not up and running yet.

Tony

From: Tassery, Katherine
Sent: Friday, October 16, 2015 2:56 PM
To: Kilduff, Tony
Cc: Zhao, Jay; Nagasawa, Debbie; Carey, Doug
Subject: RE: TNC Question

Tony, do you know what sort of budget change O'Brien is proposing – a proviso, greensheet or?

Thanks,
Katy

From: Kilduff, Tony
Sent: Friday, October 16, 2015 2:03 PM
To: Tassery, Katherine <Katherine.Tassery@seattle.gov>
Cc: Zhao, Jay <Jay.Zhao@seattle.gov>; Nagasawa, Debbie <Debbie.Nagasawa@seattle.gov>; Carey, Doug <Doug.Carey@seattle.gov>
Subject: RE: TNC Question

I'm posting a follow up on the impact on fees/charges. Someone is going to ask.

From: Tassery, Katherine
Sent: Thursday, October 15, 2015 1:54 PM
To: Kilduff, Tony
Cc: Zhao, Jay; Nagasawa, Debbie; Carey, Doug
Subject: TNC Question

Hi Tony,

I have posted the response from FAS regarding the costs to implement the TNC collective bargaining legislation.

Please let us know if you have additional questions on the document posted.

Thanks,
Katy

Katherine Tassery

Fiscal & Policy Analyst, City Budget Office

City of Seattle, [Office of the Mayor](#)

O: 206.615.0703 | katherine.tassery@seattle.gov





City of Seattle

Edward B. Murray, Mayor

Finance and Administrative Services

Fred Podesta, Director

MEMO

Date: October 12, 2015 (revised 10/19/15)
To: City Budget Office
From: Fred Podesta
Subject: **Cost Estimate – Driver Collective Bargaining**

New responsibilities:

The potential introduction of Driver Collective Bargaining to SMC 6.310 would require the following new responsibilities for FAS.

- New Director's rules:
 - Designation of a Qualified Driver Representative (QDR)
 - Submission and verification of statements of interest
 - Submission and verification of decertification petition
 - Submission and verification of statements of interest for decertification
- New business processes:
 - Determination and announcement of commencement dates
 - Application from potential QDR's
 - Verification and approval of QDR
 - Distribution of list of QDR
 - System maintaining driver information
 - Verification of statements of interest*
 - Certification and announcement of Exclusive Driver Representative (EDR)
 - Review of agreement for compliance with 6.310
 - Notification of acceptance/denial of review
 - Review of approval of decertification petition*
 - Notice of decertification petition
 - Decertification announcement
- Possible investigation/enforcement activities:
 - Verify transmission of the driver list from driver coordinator to QDR
 - The Director is authorized to enforce and administer the section, so if responsibility for enforcement of the agreement were to fall to FAS, significant resources would be necessary

Assumptions:

Council Bill 118499 requires many City activities that are not now performed and, therefore, challenging to develop cost estimates. To be responsive to Council's need for information, the following assumptions are made about the cost of implementing the Bill's provisions:

System Resources:

- Regardless of the need to manage union elections, there eventually will be a need to develop a data system that allows the City to track vehicles and drivers licensed to operate in the for-hire industry. The specifications of this system will vary depending upon the complexities associated with collective bargaining, but it should be at least compatible with King County's system, because it is a partner in the licensing process.
- The estimated cost of the for-hire driver and enforcement system is based on the City's current contract for Accela. In addition, resources will be needed to manage the project and define the business needs.
- Continuing maintenance for the system.

Staffing Resources:

- Writing rules, implementing new business processes and overseeing potentially multiple election process will front-load the work to implement the Council Bill's provisions. That will result in some positions being proposed to sunset.
- Two Strategic Advisor 2 positions are needed to develop the rules, manage a professional services contract for conducting the potentially multiple elections, and to perform the ongoing work. One position is proposed to sunset after 2017, as development of the rules and business processes will be more intensive following passage of the legislation.
- Outside legal services for collective bargaining election expertise not available in the City Attorney's Office will be needed for 18 months during the rule and business process development.
- A permanent Administrative Specialist 3 will be needed for office maintenance, election notifications, application review, and complaint management.
- Enforcing controls required by the legislation and maintaining integrity in the election processes will be complex and require the skills of professional auditors. Auditing services could also be used to administer the verification of the statements of interests and the decertification petitions. Impartiality in these activities could best be ensured through the use of outside auditing services.

Cost Estimate for Taxi/TNC/For-Hire Regulation, October 13, 2015

No.	Description	2016 Cost	2017 Cost	On-going cost	Notes
1	System work based on current contract with Accela	1,100,000	0	0	One time only: system implementation; note the system implementation may start in 2016 and finish in 2017
2	System work: project management and business definition	143,413	0	0	One time only: project management and business process/needs for the system implementation (equivalent of 1.0 FTE SA2) including: Developing requirement for a system that would help track 10,000 licensed drivers
3	System work	220,000	220,000	220,000	On-going system cost including software license cost
4	Staffing Needs: SA2	143,413	143,413	143,413	On-going for program management
5	Staffing Needs: SA2	143,413	77,176	0	18 months to manage the contract with private accounting firm that would conduct elections
6	Staffing Needs: Admin Spec 3	86,762	86,762	86,762	On-going program admin support
7	Professional services: legal counsel	142,500	0	0	Assuming hourly rate of \$285 per hour for 500 hours; note that the consultant contract may be extended to 2017
8	Professional services: accounting services	150,000	150,000	150,000	Estimate for external professional to manage the actual elections based on equivalent of 1.0 FTE (rounded)
	Total Appropriation & Cash Needs	2,129,501	677,351	600,175	
	Additional Cash Needs	48,000	40,000	32,000	Additional misc FAS Admin Costs; No need appropriation
	Total Cash Needs	2,177,501	717,351	632,175	

From: [Kilduff, Tony](#)
To: [Tassery, Katherine](#)
Cc: [Zhao, Jay](#); [Nagasawa, Debbie](#); [Carey, Doug](#)
Subject: RE: TNC Question
Date: Friday, October 16, 2015 3:00:00 PM
Attachments: [GS Spending authority to support for-hire regulation.docx](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

Green sheet to increase appropriation authority by \$2.2M. I assume I should increase revenues by the same, hence the question. Also, someone will likely ask the source.

Attached is a mockup of the GS – CBIS is not up and running yet.

Tony

From: Tassery, Katherine
Sent: Friday, October 16, 2015 2:56 PM
To: Kilduff, Tony
Cc: Zhao, Jay; Nagasawa, Debbie; Carey, Doug
Subject: RE: TNC Question

Tony, do you know what sort of budget change O'Brien is proposing – a proviso, greensheet or?

Thanks,
Katy

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Sent: Friday, October 16, 2015 2:03 PM
To: Tassery, Katherine <Katherine.Tassery@seattle.gov>
Cc: Zhao, Jay <Jay.Zhao@seattle.gov>; Nagasawa, Debbie <Debbie.Nagasawa@seattle.gov>; Carey, Doug <Doug.Carey@seattle.gov>
Subject: RE: TNC Question

I'm posting a follow up on the impact on fees/charges. Someone is going to ask.

From: Tassery, Katherine
Sent: Thursday, October 15, 2015 1:54 PM
To: Kilduff, Tony
Cc: Zhao, Jay; Nagasawa, Debbie; Carey, Doug
Subject: TNC Question

Hi Tony,

I have posted the response from FAS regarding the costs to implement the TNC collective bargaining legislation.

Please let us know if you have additional questions on the document posted.

Thanks,
Katy

Katherine Tassery

Fiscal & Policy Analyst, City Budget Office

City of Seattle, [Office of the Mayor](#)

O: 206.615.0703 | katherine.tassery@seattle.gov



2016 Seattle City Council Green Sheet

Review Draft

Budget Action Title: Increase FAS appropriations by \$2.2 million to acquire IT systems and add three FTEs to support regulation of the for-hire industry

Councilmembers: O'Brien, ?, ?

Staff Analyst: Tony Kilduff

Budget Action description:

This green sheet would increase FAS appropriations by \$2,177,501 to acquire IT systems and add three FTEs to support regulation of the for-hire industry. The revenue to support this add would come through an increase in certain for-hire fees and charges—to be determined by the Director of FAS—on the for-hire industry.

Background

With the passage of Ordinance 124524 last year that brought the transportation network companies within the City's for-hire regulatory framework, FAS experienced a significant increase in its workload and had, as a consequence requested additional resources in the 2016 budget. And while FAS did get some of the resources requested, it did not get everything.

There is new legislation (Council Bill 118499) before the Council that would require FAS to establish, administer, and enforce the terms of a collective bargaining process between for-hire drivers and the companies they drive for. This represents a major body of work for which FAS is not currently resourced. Since overseeing a union election process is a new line of business for FAS it is challenged to estimate its resources need with accuracy. However, below is its best assessment of what it will need to fulfill its obligations under both Ordinance 124524 and Council Bill 118499 should it become law.

System Resources:

- Regardless of the need to manage union elections, there eventually will be a need to develop a data system that allows the City to track vehicles and drivers licensed to operate in the for-hire industry.
- The estimated cost of the for-hire driver and enforcement system is based on the City's current contract for Accela..

Staffing Resources

- Two Strategic Advisor 2 positions to develop the rules, manage a professional services contract for conducting the potentially multiple elections, and to perform the ongoing work. One position will to sunset after 2017 when the rules and processes are established.
- Outside legal services for collective bargaining election expertise not available in the City Attorney's Office will be needed for 18 months during the rule and business process development.
- An Administrative Specialist 3 for office maintenance, election notifications, application review, and complaint management.
- Auditing services to administer the verification of the statements of interests and the decertification petitions.

Cost Estimate for Driver Collective Bargaining, October 13, 2016					
No.	Description	2016 Cost	2017 Cost	On going cost	Notes
1	System work based on current contract with Accela	1,100,000	0	0	One time only: system implementation; note the system implementation may start in 2016 and finish in 2017
2	System work: project management and business definition	143,413	0	0	One time only: project management and business process/needs for the system implementation (equivalent of 1.0 FTE SA2) including: Developing requirement for a system that would help track 10,000 licensed drivers
3	System work	220,000	220,000	220,000	On going system cost including software licence cost
4	Staffing Needs: SA2	143,413	143,413	143,413	On going for program management
5	Staffing Needs: SA2	143,413	77,176	0	18 months to manage the contract with private accounting firm that would conduct elections
6	Staffing Needs: Admin Spec 3	86,762	86,762	86,762	On going program admin support
7	Professional services: legal counsel	142,500	0	0	Assuming hourly rate of \$285 per hour for 500 hours; note that the consultant contract may be extended to 2017
8	Professional services: accounting services	150,000	150,000	150,000	Estimate for external professional to manage the actual elections based on equivalent of 1.0 FTE (rounded)
	Total Appropriation & Cash Needs	2,129,501	677,351	600,175	
	Additional Cash Needs	48,000	40,000	32,000	Additional misc FAS Admin Costs; No need appropriation
	Total Cash Needs	2,177,501	717,351	632,175	

From: [Marwaha, Jasmine](#)
To: [O'Brien, Mike](#)
Subject: updated green sheet
Date: Monday, October 19, 2015 2:00:00 PM
Attachments: [GS Spending authority to support for-hire regulation.docx](#)

Mike,

After chatting with Tony and reflecting some more, the main issue with Tony's previous green sheet draft came down to the heading of FAS's budget table. I asked Tony to remove that heading (which incorrectly labeled the expenditures only being related to Driver Collective Bargaining) so that it reflects the bigger vision for TNC regulation/administration discussed in the green sheet. I don't think it gives the impression that it's just for collective bargaining anymore.

If you're good with this, then we can put it in CBIS and it's ready to shop around.

Jasmine

Jasmine Marwaha

Legislative Aide to Councilmember Mike O'Brien

[Seattle City Council](#)

206-684-8800

Follow Mike on:      



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for Mike's **City Beat** e-newsletter

From: Kilduff, Tony
Sent: Monday, October 19, 2015 11:33 AM
To: Marwaha, Jasmine
Subject: New table

2016 Seattle City Council Green Sheet

Review Draft

Budget Action Title: Increase FAS appropriations by \$2.2 million to acquire IT systems and add three FTEs to support regulation of the for-hire industry

Councilmembers: O'Brien, ?, ?

Staff Analyst: Tony Kilduff

Budget Action description:

This green sheet would increase FAS appropriations by \$2,177,501 to acquire IT systems and add three FTEs to support regulation of the for-hire industry. The revenue to support this add would come through an increase in certain fees and charges—to be determined by the Director of FAS—on the for-hire industry.

Background

With the passage of Ordinance 124524 last year that brought transportation network companies within the City's for-hire regulatory framework, FAS experienced a significant increase in its workload and had, as a consequence requested additional resources in the 2016 budget. And while FAS did get some of the resources requested, it did not get everything.

There is new legislation (Council Bill 118499) before the Council that would require FAS to establish, administer, and enforce the terms of a collective bargaining process between for-hire drivers and the companies they drive for. This represents another major body of work for which FAS is not currently resourced. Since overseeing a union election process is a new line of business for FAS it is challenged to estimate its resource needs with accuracy. However, below is its best assessment of what it will need to fulfill its obligations under both Ordinance 124524 and Council Bill 118499 should it become law.

System Resources

- Regardless of the need to manage union elections, FAS will eventually need to develop a data system that allows the City to track vehicles and drivers licensed to operate in the for-hire industry. The passage of Council Bill 118499 will accelerate the need.
- The estimated cost of the for-hire driver and enforcement system is based on the City's current contract for Accela.

Staffing Resources

- FAS will need two Strategic Advisor 2 positions to develop the rules, manage a professional services contract for conducting potentially multiple elections, and to perform ongoing work. One position will sunset after 2017 when the rules and processes are established.
- FAS will also need outside legal services for collective bargaining election expertise not available in the City Attorney's Office for 18 months during the rule and business process development.
- An Administrative Specialist 3 for office maintenance, election notifications, application review, and complaint management.
- Auditing services to administer the verification of the statements of interests and the decertification petitions.

No.	Description	2016 Cost	2017 Cost	On-going cost	Notes
1	Data system	1,100,000	0	0	One time only
2	System work: project management and business definition	143,413	0	0	One time only - 1.0 FTE SA2
3	System work	220,000	220,000	220,000	On-going, including software license
4	1.0 FTE SA2	143,413	143,413	143,413	On-going for program management
5	1.0 FTE SA2 (sunset)	143,413	77,176	0	18 months to manage the contract with private accounting firm that would conduct elections
6	Admin Spec 3	86,762	86,762	86,762	On-going program admin support
7	External legal counsel	142,500	0	0	Assuming hourly rate of \$285 per hour for 500 hours; note that the consultant contract may be extended to 2017
8	Extern accounting services	150,000	150,000	150,000	Estimate for external professional to manage the actual elections based on equivalent of 1.0 FTE (rounded)
	Total Appropriation & Cash Needs	2,129,501	677,351	600,175	
	Additional Cash Needs	48,000	40,000	32,000	Additional misc. FAS Admin Costs; No need for additional appropriation
	Total Cash Needs	2,177,501	717,351	632,175	

From: [Tassery, Katherine](#)
To: [Kilduff, Tony](#)
Cc: [Zhao, Jay](#); [Nagasawa, Debbie](#); [Carey, Doug](#); [Keyes, Cameron](#); [Running Deer, Tyler](#)
Subject: RE: TNC Question
Date: Wednesday, October 21, 2015 5:48:56 PM
Attachments: [image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)

Also – the BCL/Fund info for the greensheet is below:

BCL	BCL Name	Program
A4530	Regulatory Enforcement and Consumer Protection	A45E

Katy

From: Tassery, Katherine
Sent: Wednesday, October 21, 2015 5:45 PM
To: Kilduff, Tony <Tony.Kilduff@seattle.gov>
Cc: Zhao, Jay <Jay.Zhao@seattle.gov>; Nagasawa, Debbie <Debbie.Nagasawa@seattle.gov>; Carey, Doug <Doug.Carey@seattle.gov>; Keyes, Cameron <Cameron.Keyes@seattle.gov>; Running Deer, Tyler <Tyler.RunningDeer@seattle.gov>
Subject: RE: TNC Question

Hi Tony,

We have posted the response to the revenue question for the TNCs. The intention was to spread the cost over several years so that the per trip fee is not spiking up for the one-time costs incurred in the first year.

Also, I am going to be out Thursday and Friday. If you can route any questions that might arise in the next two days to Tyler Running Deer, that would be much appreciated!

Katy

From: Kilduff, Tony
Sent: Friday, October 16, 2015 2:03 PM
To: Tassery, Katherine <Katherine.Tassery@seattle.gov>
Cc: Zhao, Jay <Jay.Zhao@seattle.gov>; Nagasawa, Debbie <Debbie.Nagasawa@seattle.gov>; Carey, Doug <Doug.Carey@seattle.gov>
Subject: RE: TNC Question

I'm posting a follow up on the impact on fees/charges. Someone is going to ask.

From: Tassery, Katherine
Sent: Thursday, October 15, 2015 1:54 PM
To: Kilduff, Tony

Cc: Zhao, Jay; Nagasawa, Debbie; Carey, Doug
Subject: TNC Question

Hi Tony,

I have posted the response from FAS regarding the costs to implement the TNC collective bargaining legislation.

Please let us know if you have additional questions on the document posted.

Thanks,
Katy

Katherine Tassery

Fiscal & Policy Analyst, City Budget Office
City of Seattle, [Office of the Mayor](#)

O: 206.615.0703 | katherine.tassery@seattle.gov

