

CITY OF SEATTLE
ORDINANCE 126512
COUNCIL BILL 120188

AN ORDINANCE creating an Indigenous Advisory Council for tribal and urban Indian engagement; adding a new Chapter 3.75 to the Seattle Municipal Code; and amending Section 3.35.050 of the Seattle Municipal Code.

WHEREAS, Indigenous people of the lands now known as the Americas have cultivated and stewarded these lands since time immemorial; and

WHEREAS, since time immemorial, the Coast Salish peoples, including Chief Sealth (Seattle) governed the Salish Sea (Puget Sound) region; and

WHEREAS, The City of Seattle, chartered 150 years ago, is built on the homelands of the Indigenous and first peoples of this region; and

WHEREAS, in 1865, The City of Seattle passed an exclusionary ordinance banning American Indian and Alaska Native people within city limits that was in effect until 1869; and

WHEREAS, Indigenous communities have sustained an organized resistance to settler colonialization of these lands and resources for centuries; and

WHEREAS, the United Nations Declaration on the Rights of Indigenous Peoples recognizes that “Indigenous peoples have suffered from historic injustices as a result of... their colonization and dispossession of their lands, territories and resources”; and

WHEREAS, due to this history, in addition to settler colonialism, systemic oppression, and institutional racism, Indigenous people in the United States are subject to disproportionately high rates of structural violence, homelessness, poverty, income inequality, death, and poor health and education outcomes, associated with barriers to

1 access to employment, education, housing, health and mental health treatment, social
2 services, and criminal justice; and

3 WHEREAS, federal policies of relocation, termination, and forced assimilation have resulted in
4 the relocation of Indigenous people from their traditional lands into urban areas, resulting
5 in separation from family, clan, community, cultural institutions, and sacred sites; and

6 WHEREAS, a lack of recognition and awareness of these issues, through the perpetuation of
7 settler colonialism, has led to historical and intergenerational trauma that continues to
8 adversely affect Indigenous individuals, families, and communities; and

9 WHEREAS, 76 percent of American Indians and Alaska Natives live in urban settings; and

10 WHEREAS, urban Indians are tribal people currently living off federally-defined tribal lands in
11 urban areas; and

12 WHEREAS, despite the historical traumas that continue to manifest into intergenerational and
13 collective trauma, Indigenous communities including American Indian, Alaska Native,
14 and Native Hawaiian people continue to remain resilient in the wake of further challenges
15 of modern-day world threats, such as institutionalized racism, climate change, the
16 Missing and Murdered Indigenous Women and Girls epidemic, and the COVID-19
17 pandemic; and

18 WHEREAS, other cities, such as Portland and San Francisco, have successfully created a
19 position or similar entity like the Indigenous Advisory Council proposed in this
20 ordinance; and

21 WHEREAS, The City of Seattle has an opportunity to rely on an entity of subject matter experts
22 from tribes, tribal organizations, urban Indian organizations, and the broader Native

1 community to shape policy priorities impacting Native communities through the Mayor's
2 Office, City Council, and City departments; and

3 WHEREAS, the City requires an official, staffed Indigenous Advisory Council to build and
4 strengthen Indigenous representation and Indigenous knowledge in The City of Seattle's
5 public policy making processes, as well as promote and advance priorities and solutions
6 identified by Native communities for Native communities in Seattle; NOW,

7 THEREFORE,

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

9 Section 1. Section 3.35.030 of the Seattle Municipal Code, last amended by Ordinance
10 125492, is amended as follows:

11 **3.35.030 Director—Functions**

12 The Director of the Department of Neighborhoods shall manage the department and shall:

13 A. Serve as liaison with residents, neighborhood groups, and other community
14 organizations;

15 B. Provide staff for the Community Involvement Commission, the Seattle Youth
16 Commission, ~~((and))~~ the Seattle Renters' Commission, and the Indigenous Advisory Council;

17 * * *

18 Section 2. A new Chapter 3.75 is added to the Seattle Municipal Code, as follows:

19 **CHAPTER 3.75 INDIGENOUS ADVISORY COUNCIL**

20 **3.75.010 Establishment**

21 There is established an Indigenous Advisory Council (IAC) that shall advise the Mayor, City
22 Council, and City departments on policies of importance to the City, including but not limited to

1 policies directly affecting Indigenous populations including American Indian, Alaska Native, and
2 Native Hawaiian people.

3 The overall goal of the IAC is to further define and strengthen the City’s ongoing and unique
4 relationship with the Coast Salish communities that are the original stewards of the land Seattle
5 was founded upon and work to fulfill trust and treaty obligations to the American Indian, Alaska
6 Native, and Native Hawaiian people that reside in Seattle. IAC membership will be empowered
7 to redefine the cultural fabric of Seattle as a City and foster the overall health and well-being of
8 Indigenous residents by:

9 A. Collaborating and advising the Mayor, City Council, and City Department leaders
10 regarding issues, policies, budgets, and potential projects;

11 B. Providing opportunities to educate and practice Native cultures and lifeways within
12 the urban landscape and City institutions; and

13 C. Developing best practices to engage with Indigenous peoples in the area.

14 **3.75.020 Membership**

15 The IAC shall consist of nine members representing the urban Native Community including but
16 not limited to American Indian, Alaska Native, and Native Hawaiian peoples. All members shall
17 demonstrate a commitment to advancing Indigenous knowledge, values, and priorities within the
18 City landscape with the goal to improve access to City services by Indigenous people, as well as
19 to advance City services themselves to better serve Indigenous people in an equitable way. All
20 members appointed by the Mayor shall be confirmed by the City Council. Positions shall be
21 numbered 1 through 9.

22 A. Positions 1-3 shall be filled by a member of an Indigenous Tribe and shall be
23 nominated by the respective Tribal Council as their official delegate. Positions 1 and 2 shall be

1 appointed by the City Council from nominations made by Tribes located in Washington State.

2 Position 3 shall be appointed by the Mayor from Tribal Council nominations.

3 B. Position 4 shall be designated for an Indigenous Youth aged 18-29. Position 5 shall be
4 designated for an Indigenous Elder age 50 or older. Position 4 shall be appointed by the Mayor.
5 Position 5 shall be appointed by the City Council.

6 C. Positions 6-9 shall be designated for representatives from urban Indian organizations
7 (commonly referred to as UIOs) as defined by 25 U.S.C. 1603, serving urban Native people in
8 The City of Seattle and shall be nominated by the Board of Directors of the respective urban
9 Indian organization. Positions 6 and 7 shall be appointed by the City Council from nominations
10 made by the urban Indian organizations. Position 8 and 9 shall be appointed by the Mayor from
11 nominations made by the urban Indian organizations.

12 **3.75.030 Term**

13 Terms for all positions shall be two years, except that the initial term for positions 1, 4, 6, and 8
14 shall be one year. Members may not be reappointed to a fifth consecutive term unless the
15 Department of Neighborhoods, after due diligence, has found no interested and qualified person
16 to recommend to the appoint authority for that position. Any vacancy in an unexpired term shall
17 be filled in the same manner as the original appointment. If a person is appointed to fill the
18 duration of an unexpired term, then the term shall count as one of the consecutive terms only if
19 the portion of the unexpired term actually served is at least one year. A member whose term is
20 ending may continue on an interim basis as a member with voting rights until such time as a
21 successor for that position has been appointed by the City Council or confirmed by the City
22 Council.

23 **3.75.040 Compensation**

1 The Director of the Department of Neighborhoods is authorized to expend funds to compensate
2 IAC members for expertise and participation on the IAC and funding to cover member travel
3 reimbursements and meeting supplies. The compensation strategy should consider the need to
4 reduce barriers for participation for communities impacted by historic and on-going systemic
5 oppression and the value provided by culturally specific and community oriented subject matter
6 expertise of the IAC members. The compensation shall be based on compensation rates
7 commensurate with other City reimbursement processes.

8 **3.75.050 Duties**

9 The IAC shall act in an advisory capacity and have the following purposes and duties:

10 A. Provide information, advice, and counsel to the Mayor, City Council and Council
11 committees, and other City departments and offices on ways to enhance and improve access to
12 City services and resources for American Indian, Alaska Native, and Native Hawaiian people
13 and communities, as well as strengthen opportunities to participate in the civic life of the city.

14 B. Advise on the development and implementation of a tribal consultation policy for all
15 City departments and offices o to establish a government-to-government framework for engaging
16 local tribal nations.

17 C. Advise on the development and implementation of a policy for all City departments
18 and offices to confer with urban Indian organizations to establish a framework for fulfilling
19 fiduciary and other obligations to urban American Indian and Alaska Native people.

20 D. Create and execute annual programming to encourage understanding between and
21 among the diverse American Indian and Alaska Native communities and the larger Seattle
22 community. As part of its annual budget process, The City of Seattle shall provide funding to

1 support programming that support actions to bring community together, such as for meetings,
2 events, annual gatherings, and cultural events.

3 E. Develop an annual work plan for the coming year and an annual report on the previous
4 year's work. The annual report will include a summary of IAC accomplishments and challenges,
5 as well as recommendations on how The City of Seattle can continue to facilitate access to City
6 services and programs. The annual work plan, as an example, may include priorities that would:

7 1. Promote partnership opportunities for Tribes, tribal organizations, Native
8 Hawaiian organizations, and urban Indian organizations with The City of Seattle, such as with
9 the Office of the Mayor, the Office of Intergovernmental Relations, and the City Council; and

10 2. Highlight policy recommendations by the IAC for the Mayor and the City
11 Council.

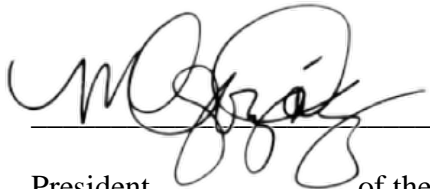
12 F. Brief the Mayor's Office and the full City Council on the annual work plan and Annual
13 Report.

14 **3.75.060 Holding contributions in perpetuity**

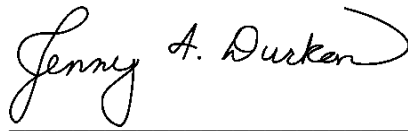
15 The City of Seattle recognizes the rights of the IAC members and their communities to their
16 cultural property. Members of the IAC reserve the right to maintain joint or individual ownership
17 over recommendations, Indigenous informed wisdoms, culturally significant objects, and other
18 intangible property (i.e., cultural symbols) provided that The City of Seattle shall have a
19 perpetual license to use them for its purposes. The IAC may adopt rules to identify how it and its
20 members will hold control over Indigenous cultural property.

1 Section 3. 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 13th day of December, 2021,
5 and signed by me in open session in authentication of its passage this 13th day of
6 December, 2021.

7 
8 _____
President _____ of the City Council

9 Approved / returned unsigned / vetoed this 15th day of December, 2021.

10 
11 _____
Jenny A. Durkan, Mayor

12 Filed by me this 15th day of December, 2021.

13 
14 _____
Monica Martinez Simmons, City Clerk

15 (Seal)