



Legislation Details (With Text)

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In control: City Clerk

On agenda: 5/24/2021

Final Action: 5/28/2021 **Ord. No.** Ord 126342

Title: AN ORDINANCE relating to the organization of the Office for Civil Rights; amending Section 3.14.910 of the Seattle Municipal Code to change the end of the Director’s term and remove an outdated subsection requiring a racial equity toolkit.

Sponsors: Tammy J. Morales

Indexes:

Attachments: 1. Summary and Fiscal Note, 2. Central Staff Memo, 3. Central Staff Memo (5/18/21), 4. Signed Ordinance 126342, 5. Affidavit of Publication

Date	Ver.	Action By	Action	Result
5/28/2021	1	City Clerk	attested by City Clerk	
5/28/2021	1	Mayor	returned	
5/28/2021	1	Mayor	returned unsigned	
5/28/2021	1	City Clerk	submitted for Mayor's signature	
5/24/2021	1	City Council	passed	Pass
5/18/2021	1	Community Economic Development Committee	pass	Pass
2/22/2021	1	City Council	referred	
2/11/2021	1	Council President's Office	sent for review	
2/9/2021	1	City Clerk	sent for review	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the organization of the Office for Civil Rights; amending Section 3.14.910 of the Seattle Municipal Code to change the end of the Director’s term and remove an outdated subsection requiring a racial equity toolkit.

WHEREAS, the mission of the Seattle Office for Civil Rights (SOCR) is to end structural racism through accountable community relationships and anti-racist organizing, policy development, and civil rights enforcement; and

WHEREAS, in 2004, The City of Seattle (“City”) launched a Race and Social Justice Initiative (RSJI), led by

SOCR, to implement its longstanding commitments to social justice and ending racism; and

WHEREAS, the goal of RSJI is to end institutional racism within City government, working toward a vision where racial disparities will be eliminated and racial equity achieved; and

WHEREAS, concerns about the ability of SOCR to fulfill its mission while in the Executive branch resulted in Ordinance 125470, providing protections for the SOCR Director, including just cause for removal, and directing SOCR to conduct a Racial Equity Toolkit (RET) analysis on the permanent structure, leadership, duties, responsibilities, and functions of SOCR; and

WHEREAS, the team conducting the RET issued a report in October 2019, recommending a variety of actions to strengthen SOCR's independence and ability to successfully fulfill its mission; and

WHEREAS, since the RET analysis began, the City Council and Executive have taken steps towards implementing the recommendations, including adding staff and resources for increased outreach, commission support, and RSJI efforts; and

WHEREAS, though these steps have strengthened SOCR, the recent civil rights reckoning and related events of 2020 have made the need to enhance SOCR's ability to advocate for anti-racism in Seattle's government even more urgent; and

WHEREAS, during the 2021 budget, the Council passed Statement of Legislative Intent (SLI) OCR-002-A-003, directing the Executive to work with Council to implement the remaining recommendations in the RET report; and

WHEREAS, any introduction and potential passage of legislation resulting from the SLI is unlikely to take effect until late 2021 or early 2022, and any structural or functional transition implemented by the legislation will be made easier with the retention of a stable director position; and

WHEREAS, one of the indices of increased independence of any office is staggering the terms of office to alternate between when the appointing authority and the appointed director end their terms of office; and

WHEREAS, the Council believes that extending the term of the current SOCR Director will create the staggering necessary to enhance independence and ease any transition; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 3.14.910 of the Seattle Municipal Code, last amended by Ordinance 125470, is amended as follows:

3.14.910 Director-Appointment, removal, and duties

A. There shall be a Director of the Office for Civil Rights who shall be appointed by the Mayor. Such appointment shall be subject to confirmation by a majority vote of all members of the City Council. The Director of the Office for Civil Rights shall not be included in the classified civil service.

B. Directors of the Office for Civil Rights confirmed by Council after the effective date of the ordinance introduced as Council Bill 119120 shall be appointed with advice from Office for Civil Rights staff, the Seattle Women's Commission, the Seattle Human Rights Commission, the Seattle LGBTQ Commission, and the Seattle Commission for People with Disabilities to a term that begins on the date of confirmation and ends on December 31, (~~(2021)~~) 2022. Subsequent terms shall be for four years. Any vacancy in an unexpired term shall be filled in the same manner as the original appointment. On the effective date of legislation implementing recommendations of a Racial Equity Toolkit (RET) conducted regarding permanent structure, leadership appointment or designation, and duties and responsibilities of the Office for Civil Rights, the term described in this subsection 3.14.910.B shall end, although the Director may hold over until such time a successor for the Director position has been appointed.

* * *

D. The Director of the Office for Civil Rights shall be the head of and, under the direction of the Mayor, shall be responsible for the administration of the office and in connection with such administration shall have duties and responsibilities including but not limited to the following:

1. Undertake enforcement, policy, and education activities consistent with the mission of the

Office for Civil Rights;

2. Administer and govern the Office for Civil Rights;
3. Appoint, remove, and supervise officers and employees in the Office for Civil Rights;
4. Provide staff support for the Seattle Women's Commission, the Seattle Human Rights

Commission, the Seattle LGBTQ (Lesbian, Gay, Bisexual, Transgender, Queer) Commission, and the Seattle Commission for People with Disabilities; consult with and report regularly to the Seattle Women's Commission, the Seattle Human Rights Commission, the Seattle LGBTQ (Lesbian, Gay, Bisexual, Transgender, Queer) Commission, and the Seattle Commission for People with Disabilities on the workings of the Office for Civil Rights; and attend, either in person or by designated representative, all regular meetings of the Seattle Women's Commission, the Seattle Human Rights Commission, the Seattle LGBTQ (Lesbian, Gay, Bisexual, Transgender, Queer) Commission, and the Seattle Commission for People with Disabilities;

5. Administer all ordinances pertaining to the Office for Civil Rights and take appropriate remedial action where necessary;

6. Manage the preparation of the proposed annual budget of the Office for Civil Rights, and authorize necessary expenditures, and supervise the maintenance of adequate accounting systems;

7. After identifying priority issue areas, develop policies and programs, and seek additional funding sources in these areas, which seek to ameliorate the effects of disparate treatment and impact upon persons based on race, color, sex, marital status, parental status, sexual orientation, gender identity, political ideology, age, creed, honorably discharged veteran or military status, genetics information, religion, ancestry, national origin, the presence of any disability, participation in a Section 8 or other subsidy program, right of a mother to breastfeed her child, alternative source of income, or the use of a service animal by a disabled person;

8. Make periodic reports and recommendations to the Mayor and City Council concerning the operations of the Seattle Women's Commission, the Seattle Human Rights Commission, the Seattle LGBTQ (Lesbian, Gay, Bisexual, Transgender, Queer) Commission, the Seattle Commission for People with Disabilities,

and the Office for Civil Rights;

9. Receive, consider, and make recommendations concerning statements, reports, and complaints relative to problems of civil rights including such problems of civil rights as may arise in connection with the treatment, facilities, or services of any office or department of the City;

10. Exercise such other and further powers and duties as shall be prescribed by ordinance. ((;

~~11. Partner with a consultant to conduct an RET analysis and provide recommendations of the RET to the City Council to define and determine the permanent structure, leadership appointment or designation, and duties and responsibilities of the Office for Civil Rights. The City Council shall strongly consider legislation implementing the recommendations of the RET.))~~

Section 2. 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 _____, 2021, and signed by me in open session in authentication of its passage this _____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed
this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)