



Legislation Details (With Text)

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Title: A RESOLUTION relating to City Council confirmation and reconfirmation of City department heads; describing the steps that the City Council intends to follow; outlining materials that should be submitted to the City Council prior to and as part of a nomination; describing general criteria that the Council intends to consider when evaluating the search process for an appointment and department head candidates; and superseding Resolution 30962.

Sponsors: Teresa Mosqueda

Indexes:

Attachments: 1. Summary and Fiscal Note, 2. Proposed Substitute v9 (added; 3/19/19), 3. Proposed Amendment 1 (added; 3/19/19), 4. Proposed Substitute v7, 5. Signed Resolution 31868, 6. Affidavit of Publication

Date	Ver.	Action By	Action	Result
3/22/2019	2	City Clerk	attested by City Clerk	
3/22/2019	2	Mayor	returned	
3/22/2019	2	Mayor	Signed	
3/21/2019	2	City Clerk	submitted for Mayor's signature	
3/18/2019	1	City Council	adopted as amended	Pass
3/4/2019	1	City Council	referred	
3/4/2019	1	Council President's Office	sent for review	
3/4/2019	1	City Clerk	sent for review	

CITY OF SEATTLE

RESOLUTION _____

A RESOLUTION relating to City Council confirmation and reconfirmation of City department heads; describing the steps that the City Council intends to follow; outlining materials that should be submitted to the City Council prior to and as part of a nomination; describing general criteria that the Council intends to consider when evaluating the search process for an appointment and department head candidates; and superseding Resolution 30962.

WHEREAS, the City Charter and the Seattle Municipal Code provide that the heads of certain City departments are subject to appointment or reappointment by the Mayor, and confirmation or reconfirmation by the City Council every four years; and

WHEREAS, the confirmation and reconfirmation processes for a department head candidate affords the City

Council and the public an opportunity to review the candidate's leadership, accomplishments, vision, goals, priorities, challenges, management, and decision-making approaches; and

WHEREAS, the selection, confirmation, and reconfirmation processes also afford the City Council and the public an opportunity to hear the Mayor's goals and vision for a department, as well as the desired qualifications, experience, accomplishment, leadership, and other qualities for the position of department head; and

WHEREAS, the selection, confirmation, and reconfirmation considerations set forth in this resolution are in accordance with the concept of checks and balances between the Executive and Legislative branches of government, and ensure that highly competent, inclusive, and dedicated individuals are in key City management positions; and

WHEREAS, Resolution 30962, adopted by the City Council in March 2007, outlines the process and general performance criteria for confirmation and reconfirmation of department heads within ten weeks of submittal, but does not explicitly address what the Council will evaluate regarding the search process, including criteria to assess whether the search process was transparent and did not entrench institutional discrimination, nor what materials should be submitted describing the search process to identify the appointment; and

WHEREAS, the City Council expects fair, consistent, and inclusive processes and considerations for initial confirmation of candidates and periodic reconfirmation of department heads; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE MAYOR

CONCURRING, THAT:

Section 1. The City Council intends for the following steps in this section to occur when evaluating new City department head candidates during the initial confirmation process, and when evaluating existing City department heads during the reconfirmation process.

A. For initial confirmation appointments, prior to identifying and transmitting a nomination, the

Council requests that the Mayor communicates to the Committee Chair on the planned recruitment process, such as the following:

1. A description of the intended process;
2. Notification of any advisory groups, stakeholders, and subject matter experts who will provide recommendations on desired qualifications and skills; and
3. The composition of any advisory groups.

B. The Council will expect the following materials for the appointment of a department head in paper and electronic form consistent with the Office of the City Clerk standards, including, at a minimum:

1. Transmittal letter;
2. Letter to appointee describing terms of appointment;
3. Notice of appointment form;
4. Resume;
5. Oath of office;
6. Memo relating to background check;
7. Summary of the process as executed to identify strong candidates and recommended

candidates for consideration by the Mayor, protecting applicant information, anonymity, and confidentiality, as allowable; and

8. Summary of how affected residents, communities, and stakeholder views were included and/or evaluated in making the nomination.

For a reappointment, only items B.1, B.3, B.4, and B.5 apply.

C. The City Clerk will create and process an Appointment File, in accordance with established legislative procedures, in preparation for the Council's Introduction and Referral Calendar.

D. After the Appointment File has been filed with the City Clerk, the committee chair distributes the Appointment File to all Councilmembers and the Director of Central Staff for review.

E. The committee chair provides public notice of the confirmation or reconfirmation process and the availability of the materials at least two weeks before the committee meeting at which the Appointment File will be discussed, in addition to listing the Appointment File on the agenda for that committee meeting.

F. The committee chair takes public comment on the proposed confirmation or reconfirmation at each committee meeting at which the Appointment File is discussed and also accepts public comment submitted in other forms before City Council action.

G. The committee chair makes all written public comment available to all Councilmembers for review and available to the public, including posting on the Council's website as appropriate.

H. The Council President schedules full City Council action on the Appointment File.

I. The date for Full Council action under subsection 1.H of this resolution should take place within ten weeks of the Mayor's transmission of materials in subsection 1.B of this resolution.

Section 2. The City Council intends to consider, prior to receiving a nomination and during its deliberations over an appointment, as appropriate, the input received on the general criteria listed below when evaluating the recruitment and nominating process for new City department head candidates. In addition, for each individual confirmation or reconfirmation process, these criteria may be supplemented by additional specific criteria appropriate to the particular department head candidate being evaluated.

A. Utilization of the Racial Equity Toolkit or racial equity analysis during the process and an assessment of the nominee's commitment to racial equity and how that was considered during the process;

B. Inclusion of affected constituencies and groups in reviewing potential candidates, interviewing candidates, and establishing expectations and how representatives were selected, including, but not limited to:

1. Staff in the impacted department;
2. Representative(s) of communities most likely to be impacted by the work of the department;
3. Representative(s) from the labor community;

4. Representative(s) from the business community; and
5. Community partners.

Section 3. The City Council intends to consider, as appropriate, the general performance criteria listed below when evaluating new City department head candidates during the initial confirmation process and when evaluating existing City department heads during the reconfirmation process. In addition, for each individual confirmation or reconfirmation process, these criteria may be supplemented by additional specific criteria appropriate to the particular new department head candidate or existing department head being evaluated. If the Council is reviewing a new City department head candidate who has little or no previous experience working for The City of Seattle, the Council should modify the general performance criteria listed below to apply to previous non-City experience.

- A. Departmental or organizational accomplishments;
- B. Leadership and achievements;
- C. Timely completion of projects and work programs;
- D. Budget performance;
- E. Strategic planning;
- F. Demonstrated commitment to diversity in hiring, workplace operations, contracting, and constituent services;
- G. Departmental or organizational management;
- H. Employee morale and motivation;
- I. Relations with the public;
- J. Relations with City Council or other elected officials or oversight boards;
- K. Accomplishment of Council priorities or those of other elected officials or oversight boards within schedule and budget; and
- L. Responsiveness to Council requests or those from other elected officials or oversight boards.

M. Formal complaints filed by City of Seattle employees regarding employment and management practices, including complaints with the City’s Office of the Employee Ombud, Office for Civil Rights, and the department or office’s human resources office, that were resolved in the employee’s favor along with other relevant information, such as a description of any training or other corrective action that the person has completed subsequent to those complaints. Communications shall not include the name or identifying information of the individual making the complaint nor the name or identifying information of any witness to the conduct described in the complaint and shall protect employee information and prioritize anonymity and confidentiality as much as possible, subject to federal, state, and local law.

Section 4. As used in this resolution, “department head” means an individual who directs a City department, office, or similarly named entity, whether inside or outside the Executive Department, whose appointment is by the Mayor and whose confirmation is by the Council.

Section 5. This resolution does not apply to the appointment and confirmation processes of the Chief of Police, the Director of the Office of Police Accountability, the Inspector General, or the Director of the Office for Civil Rights. If appointment or confirmation processes are specified in the future for any department head, they supersede the corresponding appointment or confirmation processes of this resolution as applicable.

Section 6. Resolution 30962 is superseded.

Section 7. For appointment materials submitted under Resolution 30962 and before this resolution takes effect, the provisions of Resolution 30962 shall apply rather than the provisions of this resolution.

Adopted by the City Council the _____ day of _____, 2019, and signed by me in open session in authentication of its adoption this _____ day of _____, 2019.

President _____ of the City Council

The Mayor concurred the _____ day of _____, 2019.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2019.

Monica Martinez Simmons, City Clerk

(Seal)