



SEATTLE CITY COUNCIL

Legislative Summary

CB 119120

Record No.: CB 119120

Type: Ordinance (Ord)

Status: Passed

Version: 2

Ord. no: Ord 125470

In Control: City Clerk

File Created: 10/10/2017

Final Action: 11/28/2017

Title: AN ORDINANCE relating to organization of the Office for Civil Rights; amending Section 3.14.910 of the Seattle Municipal Code to change removal from at-will to for-cause for subsequent Directors of the Office for Civil Rights.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Herbold

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: patrick.wigren@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

Yes

No

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Clerk	10/13/2017	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
	Notes:						
1	Council President's Office	10/20/2017	sent for review	Select Budget Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Select Budget Committee						
	Notes:						
1	Full Council	10/23/2017	referred	Select Budget Committee			
1	Select Budget Committee	10/24/2017					
1	Select Budget Committee	11/20/2017	pass as amended				Pass
	Action Text: The Committee recommends that Full Council pass as amended the Council Bill (CB).						
	In Favor: 9 Member Bagshaw, Member González , Member Harrell, Member Harris-Talley, Chair Herbold, Vice Chair Johnson, Member Juarez, Vice Chair O'Brien, Member Sawant						

Opposed: 0

1 Full Council 11/20/2017 passed Pass

Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:

Notes:

In Favor: 9 Councilmember Bagshaw, Councilmember González , Council President Harrell, Councilmember Harris-Talley, Councilmember Herbold, Councilmember Johnson, Councilmember Juarez, Councilmember O'Brien, Councilmember Sawant

Opposed: 0

2 City Clerk 11/22/2017 submitted for Mayor
Mayor's signature

2 Mayor 11/28/2017 Signed
Action Text: The Council Bill (CB) was Signed.

Notes:

2 Mayor 11/28/2017 returned City Clerk
Action Text: The Council Bill (CB) was returned. to the City Clerk

Notes:

2 City Clerk 11/28/2017 attested by City Clerk
Action Text: The Ordinance (Ord) was attested by City Clerk.

Notes:

CITY OF SEATTLE

ORDINANCE 125470

COUNCIL BILL 119120

AN ORDINANCE relating to organization of the Office for Civil Rights; amending Section 3.14.910 of the Seattle Municipal Code to change removal from at-will to for-cause for subsequent Directors of the Office for Civil Rights.

WHEREAS, the Seattle Office for Civil Rights (SOCR) works to advance civil rights and end barriers to equity; 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 racism¹; 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, the Seattle City Council unanimously adopted Resolution 31164 on November 30, 2009, affirming the City's RSJI and directing City departments to use available tools to end racial inequities across key indicators of success; and

WHEREAS, on April 3, 2014, Mayor Ed Murray issued Executive Order 2014-02, reaffirming the City's commitment to RSJI and racial equity in education, equitable development, criminal justice, health, housing, jobs, the environment, service equity and arts and culture²; and

WHEREAS, the 2016 RSJI Community Survey, found that people who live, work, or go to school in Seattle continue to face racial inequities in nearly every indicator of well-being

¹ Executive Order 2014-02 <http://murray.seattle.gov/wp-content/uploads/2014/04/RSJI-Executive-Order.pdf>

² *Id.*

1 and 53 percent of all Black/African American survey respondents said they are not
2 experiencing economic opportunities; people of color and transgender respondents were
3 more likely to say their neighborhoods are unhealthy places to live; close to half of all
4 American Indian/Alaska Native respondents do not feel they have benefited from
5 Seattle's environmental progress; 56.1 percent of Black/African American and 47 percent
6 of American Indian/Alaska Native respondents have little to no confidence in the police
7 to do a good job enforcing the law; 70 percent of people of color reported a lack of
8 confidence in the courts; over 57 percent of American Indian/Alaska Native and
9 Black/African-American persons surveyed responded that they or someone in their
10 family have moved out of Seattle in the past two years due to rising cost of housing;
11 youth of color were less likely to rate Seattle Public Schools favorably compared to their
12 White counterparts³; and

13 WHEREAS, to address these inequities, the City must invest in community-driven strategies that
14 hold government accountable to those most impacted by structural racism and other
15 forms of bias⁴; and

16 WHEREAS, input and concerns from City employees prompted a meeting in the Committee on
17 Civil Rights, Utilities, Economic Development & Arts (CRUEDA) on September 12,
18 2017 to discuss how degrees of separation for SOCR from the Executive branch might
19 enable SOCR to address some of the issues identified; and

³ 2016 RSJI Community Survey
<http://www.seattle.gov/Documents/Departments/CivilRights/2016%20RSJI%20Community%20Survey.pdf>

⁴ Id.

1 WHEREAS, at the September 12 CRUEDA meeting, Councilmembers expressed support for a
2 plan informed by SOCR to pass legislation during the 2017 budget process to accomplish
3 the highest priority changes regarding independence; and

4 WHEREAS, SOCR will conduct a Racial Equity Toolkit Analysis (RET) to the issue of the
5 permanent structure, leadership appointment or designation, and duties and
6 responsibilities of SOCR with SOCR staff, City departments, community members, anti-
7 racist community-based agencies, and partner agencies; and

8 WHEREAS, preliminary reports regarding the progress and outcomes of the RET are due to the
9 committee overseeing civil rights in March 2018 and July 2018, and a final report should
10 be complete by October 2018; and

11 WHEREAS, legislation implementing the recommendations of the RET is anticipated in 2018,
12 and it is expected to amend provisions regarding the SOCR Director as addressed in this
13 ordinance; and

14 WHEREAS, the City Council is currently considering provisions protecting persons exercising
15 their rights in proposed Section 3.14.910 of the Seattle Municipal Code from retaliation,
16 working with other City departments and commissions to determine the appropriate
17 entity to enforce such anti-retaliation provisions, and intends to propose an amendment
18 within 60 days of passage of the ordinance introduced as Council Bill 119120 creating
19 such anti-retaliation provisions and enforcement of those provisions; NOW,

20 THEREFORE,

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

22 Section 1. Racial equity goals

1 The City Council is committed to pursuing policies and legislation related to the Seattle Office
2 for Civil Rights' new structure, leadership, and duties and responsibilities that lead to racial
3 equity goals, which include:

4 A. Centering communities most negatively impacted by institutional racism and
5 structural oppression, including Black/African American and American Indian/Alaska Native
6 communities, other communities of color, immigrant and refugee communities, LGBTQ
7 communities, communities with disabilities, youth, elderly, and communities experiencing
8 homelessness;

9 B. Investing in community-driven strategies that hold all City departments
10 accountable to the communities most negatively impacted by structural racism and other
11 oppressions to transform the institution from the inside; and

12 C. Eliminating racial disparities so that all people have the opportunity to thrive and
13 have self-determination.

14 Section 2. Section 3.14.910 of the Seattle Municipal Code, last amended by Ordinance
15 125231, is amended as follows:

16 **3.14.910 Director—Appointment, removal, and duties**

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

21 B. Directors of the Office for Civil Rights confirmed by Council after the effective
22 date of the ordinance introduced as Council Bill 119120 shall be appointed with advice from
23 Office for Civil Rights staff, the Seattle Women's Commission, the Seattle Human Rights

1 Commission, the Seattle LGBTQ Commission, and the Seattle Commission for People with
2 Disabilities to a term that begins on the date of confirmation and ends on December 31, 2021.
3 Subsequent terms shall be for four years. Any vacancy in an unexpired term shall be filled in the
4 same manner as the original appointment. On the effective date of legislation implementing
5 recommendations of a Racial Equity Toolkit (RET) conducted regarding permanent structure,
6 leadership appointment or designation, and duties and responsibilities of the Office for Civil
7 Rights, the term described in this subsection 3.14.910.B shall end, although the Director may
8 hold over until such time a successor for the Director position has been appointed.

9 C. The Mayor may remove from office a Director confirmed by Council after the
10 effective date of the ordinance introduced as Council Bill 119120 only for just cause, and in
11 accordance with the following provisions:

12 1. The Mayor shall give written notice, specifying the basis for the intended
13 removal, to the Council President and the Chair of the committee overseeing civil rights,
14 specifying the basis for the intended removal.

15 2. Before removal, the Mayor shall consult with Office for Civil Rights staff,
16 the Seattle Women's Commission, the Seattle Human Rights Commission, the Seattle LGBTQ
17 Commission, and the Seattle Commission for People with Disabilities.

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

22 ((A))1. Undertake enforcement, policy, and education activities consistent with
23 the mission of the Office for Civil Rights;

- 1 (~~B~~)2. Administer and govern the Office for Civil Rights;
- 2 (~~C~~)3. Appoint, remove, and supervise officers and employees in the Office for
3 Civil Rights;
- 4 (~~D~~)4. Provide staff support for the Seattle Women's Commission, the Seattle
5 Human Rights Commission, the Seattle LGBTQ (Lesbian, Gay, Bisexual, Transgender, Queer)
6 Commission, and the Seattle Commission for People with Disabilities; consult with and report
7 regularly to the Seattle Women's Commission, the Seattle Human Rights Commission, the
8 Seattle LGBTQ (Lesbian, Gay, Bisexual, Transgender, Queer) Commission, and the Seattle
9 Commission for People with Disabilities on the workings of the Office for Civil Rights; and
10 attend, either in person or by designated representative, all regular meetings of the Seattle
11 Women's Commission, the Seattle Human Rights Commission, the Seattle LGBTQ (Lesbian,
12 Gay, Bisexual, Transgender, Queer) Commission, and the Seattle Commission for People with
13 Disabilities;
- 14 (~~E~~)5. Administer all ordinances pertaining to the Office for Civil Rights and
15 take appropriate remedial action where necessary;
- 16 (~~F~~)6. Manage the preparation of the proposed annual budget of the Office for
17 Civil Rights, and authorize necessary expenditures, and supervise the maintenance of adequate
18 accounting systems;
- 19 (~~G~~)7. After identifying priority issue areas, develop policies and programs, and
20 seek additional funding sources in these areas, which seek to ameliorate the effects of disparate
21 treatment and impact upon persons based on race, color, sex, marital status, parental status,
22 sexual orientation, gender identity, political ideology, age, creed, honorably discharged veteran
23 or military status, genetics information, religion, ancestry, national origin, the presence of any

1 disability, participation in a Section 8 or other subsidy program, right of a mother to breastfeed
2 her child, alternative source of income, or the use of a service animal by a disabled person;

3 ~~((H))~~8. Make periodic reports and recommendations to the Mayor and City
4 Council concerning the operations of the Seattle Women's Commission, the Seattle Human
5 Rights Commission, the Seattle LGBTQ (Lesbian, Gay, Bisexual, Transgender, Queer)
6 Commission, the Seattle Commission for People with Disabilities and the Office for Civil
7 Rights;

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

12 ~~((J))~~10. Exercise such other and further powers and duties as shall be prescribed
13 by ordinance ~~((-))~~;

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

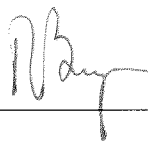
1 Section 3. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 20th day of NOVEMBER, 2017,
5 and signed by me in open session in authentication of its passage this 20th day of
6 NOVEMBER, 2017.

7 

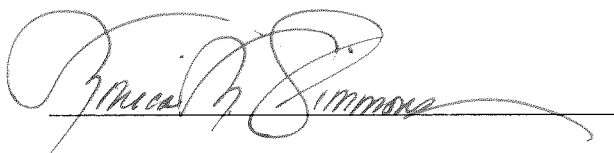
8 President _____ of the City Council

9 Approved by me this 28th day of November, 2017.

10 

11 _____, Mayor

12 Filed by me this 28th day of NOVEMBER, 2017.

13 

14 Monica Martinez Simmons, City Clerk

15 (Seal)