



Legislation Text

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File #: CB 119125, Version: 1

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**CITY OF SEATTLE**

**ORDINANCE \_\_\_\_\_**

**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE relating to contracting by the Human Services Department; adding a new Section 3.20.050 to the Seattle Municipal Code to provide that the Seattle Human Services Department utilize a results-based framework for designing human service investments; amending Section 3.20.030 of the Seattle Municipal Code to clarify the duties of the Director of the Human Services Department with respect to contracting for human services to carry out department programs; and adding a new Section 20.50.020 to the Seattle Municipal Code to exempt contracts for human services executed by the Director from provisions of Chapter 20.50.

WHEREAS, the Human Services Department (HSD) implements a Results Based Accountability™ (RBA) framework to design grant programs, establishing six desired results for the City's investments in human services; and

WHEREAS, the six desired results serve as a basis for identifying specific strategies and activities deployed to achieve the desired results; and

WHEREAS, the providers who are selected by the City to implement these strategies and activities have specific outcomes that measure the quantity, quality, and most importantly, the impact of strategies and activities in achieving the desired results; and

WHEREAS, racial equity is a key element of HSD's RBA framework, given the disparities that exist for people of color as they relate to poverty, homelessness, unemployment, and health; and

WHEREAS, according to the 2015 American Community Survey 1-Year Estimate, in Seattle there are 155,519 households with incomes at or below 50 percent of AMI, and a disproportionate number of these individuals are people of color who face barriers of institutional and structural racism as they seek stability in their lives; and

WHEREAS, to address these inequities, the City’s investments in human services must focus on having a measurable impact on identified racial disparities, including evaluating and addressing institutional policies and practices that perpetuate such overrepresentation; and

WHEREAS, since 2014, HSD has been implementing RBA in designing its programs and has incorporated RBA into 77 percent, or \$50.5 million, of its current investments, and will continue to incorporate RBA into all human services investments; and

WHEREAS, the Mayor and the City Council affirm HSD’s commitment to RBA to ensure the City’s investments in human services achieve desired results; and

WHEREAS, the Mayor and the City Council recognize that performance standards for human service programs using strategies that are effective with the broader majority population may not be validated as effective in an experimental design evaluation when compared to programs focused on serving particular populations, especially distinct racial, ethnic, and cultural groups; and

WHEREAS, the Mayor and City Council acknowledge that the effects of policies, for example “No Child Left Behind” and other examples of performance-based funding in public education, can, without due care, create unintended consequences while achieving conformity with identified funding criteria that actually decrease the quality and effectiveness of the work performed; and

WHEREAS, the Mayor and the City Council find that some of the problems that most urgently demand human service solutions involve working with populations that face barriers to engagement, require more resources per person to accomplish program goals, and may achieve smaller incremental gains per person than populations that do not face similar obstacles, and that programs working effectively with those populations facing increased barriers must not be burdened or discouraged by results-based contracting; NOW, THEREFORE,

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

Section 1. A new Section 3.20.050 of the Seattle Municipal Code is added to Subchapter I of Chapter

3.20 as follows:

**3.20.050 Contracts for human services**

A. The Human Services Department (Department) shall make investments in human services programs using a Results Based Accountability™ (RBA) framework to meet six desired results:

1. All youth living in Seattle successfully transition to adulthood;
2. All people living in Seattle are able to meet their basic needs;
3. All people living in Seattle are sheltered;
4. All people living in Seattle experience moderate to optimum health conditions;
5. All people living in Seattle are free from violence; and
6. All older adults living in King County experience stable health and are able to age in place.

B. The Department shall make investments in human services programs through contracts designed to meet one or more of the six desired results through an RBA framework as follows:

1. Investment decisions shall be made using a competitive process, such as a request for proposal (RFP) or request for qualifications (RFQ), to award contracts that include specific, measurable performance indicators and that reflect a commitment to addressing racial disparities.
2. When designing strategies for human services programs and contracts for competitive bidding, the Department shall ensure such strategies are informed by evidence-based practice with experimental or culturally responsive evidence; and when contracting for human services programs, the Department shall include selection criteria that are focused on awarding contracts for programs that are informed by such evidence in support of their effectiveness and for which specific and measurable outcomes have been established.

C. The Director may modify or waive the requirements of subsection 3.20.050.B in any of the following circumstances:

1. If necessary to comply with any federal, State, County, or other funding source requirement;

2. If a specific program or contracting party is identified in the budget process;

3. If the Director determines that an emergency exists that requires immediate contracting for services, or determines that a specific program or service is only available from a sole source, provided that the Director, or the Director's designee, shall document in writing the facts that support the determination; or

4. If the Director determines that a new or innovative program exists, subject to appropriation authority, on a pilot basis for a period of up to four years.

D. The Department shall ensure that both new and existing programs are subject to rigorous review and contract oversight. The Department will report to the Seattle City Council on how RBA is being incorporated into a competitive bidding process, such as a Request for Proposal (RFP) or Request for Qualifications (RFQ), when RBA is being used for the first time in the development of the competitive bidding process. Programs selected for funding shall align with federal, State, and County strategies and agreements, as applicable.

E. Nothing in this Section 3.20.050 shall be interpreted to amend or modify any contract in existence prior to the effective date of the ordinance introduced as Council Bill 119125 or to preclude the Director's authority to add or to remove funding from existing, competitively bid contracts containing performance standards at the Director's discretion. Nothing in this Section 3.20.050 shall preclude the Director from awarding a contract based upon a public, competitive solicitation that was released prior to the effective date of the ordinance introduced as Council Bill 119125.

Section 2. Section 3.20.030 of the Seattle Municipal Code, last amended by Ordinance 119273, is amended as follows:

**3.20.030 Director - Duties ((-))**

The Director shall be the head of the Human Services Department, shall be responsible for the administration of the department, and shall:

\* \* \*

C. Manage the preparation of the proposed annual budget of the Human Services Department, authorize

necessary expenditures and enter into contracts for ~~((professional and expert))~~ social and human services programs in accordance with the annual budget and the requirements of this Subchapter I, ~~((;))~~ develop and manage programs, and supervise development and maintenance of adequate managerial and accounting systems and procedures;

D. Execute, administer, modify, and enforce such agreements and instruments as ~~((he or she))~~ the Director shall deem reasonably necessary to implement programs, as authorized by and consistent with this Subchapter I and all applicable laws and ordinances, as ~~((he or she))~~ the Director shall deem appropriate for carrying out the responsibilities, functions, and activities of the Department; apply for grants and donations for departmental programs; and solicit and use volunteer services;

\* \* \*

Section 3. A new Section 20.50.020 is added to the Seattle Municipal Code as follows:

**20.50.020 Exception**

The provisions of this Chapter 20.50 do not apply to contracts for human services executed by the Director of the Human Services Department.

Section 4. 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 \_\_\_\_\_, 2017, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Tim Burgess, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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Monica Martinez Simmons, City Clerk

(Seal)