

2018 Seattle City Council Green Sheet

Ready for Notebook

Tab	Action	Option	Version
386	1	B	1

Budget Action Title: Pass as amended C.B. 119120 amending removal provisions for the next SOCR Director confirmed by Council

Ongoing: No

Has CIP Amendment: No Has Budget Proviso: No

Primary Sponsor: Herbold, Lisa

Councilmembers:

Staff Analyst: Asha Venkataraman

Council Bill or Resolution: C.B. 119120

Date		Total	SB	KH	LG	BH	LH	RJ	DJ	MO	KS
	Yes										
	No										
	Abstain										
	Absent										

Budget Action description:

This green sheet recommends amendment of Council Bill (C.B.) 119120 as shown below and then passage as amended. C.B. 119120 amends the removal provisions for the next Director of the Seattle Office for Civil Rights (SOCR) confirmed by Council.

Background

During the September 12, 2017 meeting of the committee on Civil Rights, Utilities, Economic Development & Arts, Central Staff presented an overview of challenges faced by SOCR and concerns in the community and the City about its design and structure. At the request of committee members to consider changes during the 2018 budget process, SOCR staff provided input to Central Staff and Councilmember staff regarding the timing and short-term changes needed to complete a Racial Equity Toolkit (RET) over the next 12 months. The RET would explore a potential change to the design and structure of the Office, specifically to increase distance between the Office and the Executive, through a process informed by affected stakeholders (including but not limited to SOCR staff, City leadership, City employees, the wider non-City community, and communities most impacted). The goal of the RET is to create recommendations to Council regarding future design and structure.

Two main considerations informed Central Staff, Councilmember staff, and SOCR about short-term changes needed to ensure success of the RET: (1) insulating the RET from any undue influence; and (2) building in sufficient time and resources to conduct the RET. This approach can safeguard the RET process from potential conflicts of interest under a future administration.

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C.B. 119120 addresses the need to insulate the RET from undue influence and it revises the code to provide the next SOCR Director confirmed by Council with just cause removal protections and a limited term. The bill also requires that the future Mayor consult with SOCR staff and the SOCR commissions about appointment and removal.

Having a department director subject to for-cause rather than at-will removal is not unprecedented, as directors such as the Superintendent of Parks and Recreation and the Director of the Department of Human Resources are also subject to for-cause protection. Additionally, this change is intended to affect the SOCR Director in the short-term. Given Council's intent to consider legislation regarding the permanent structure and design of SOCR, the term, removal provisions, or even existence of a director position may change in 2018.

Amendment

Councilmember Herbold proposes two amendments to C.B. 119120 as introduced:

(1) Adding recital language indicating Council's intent to create protections against retaliation for any person consulting on the appointment or removal of the SOCR Director and anyone participating in the RET (Page 3):

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

(2) Modify the Director's obligation to conduct an RET to include partnering with a consultant, in proposed section 3.14.910.D.11 (Page 7):

Partner with a consultant to ~~((C))~~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.