



# CITY OF SEATTLE

## City Council

### Agenda

**Monday, February 10, 2020**

**2:00 PM**

**Council Chamber, City Hall  
600 Fourth Avenue  
Seattle, WA 98104**

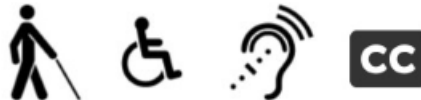
**M. Lorena González, President  
Lisa Herbold, Member  
Debora Juarez, Member  
Andrew J. Lewis, Member  
Tammy J. Morales, Member  
Teresa Mosqueda, Member  
Alex Pedersen, Member  
Kshama Sawant, Member  
Dan Strauss, Member**

**Chair Info: 206-684-8809; [Lorena.González@seattle.gov](mailto:Lorena.González@seattle.gov)**

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# CITY OF SEATTLE

## City Council Agenda

February 10, 2020 - 2:00 PM

### Meeting Location:

Council Chamber, City Hall, 600 Fourth Avenue, Seattle, WA 98104

### Committee Website:

<http://www.seattle.gov/council>

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#### A. CALL TO ORDER

#### B. ROLL CALL

#### C. PRESENTATIONS

#### D. APPROVAL OF THE JOURNAL

#### E. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR

*Introduction and referral to Council committees of Council Bills (CB), Resolutions (Res), Appointments (Appt), and Clerk Files (CF) for committee recommendation.*

[IRC 240](#)

February 10, 2020

**Attachments:** [Introduction and Referral Calendar](#)

#### F. APPROVAL OF THE AGENDA

#### G. PUBLIC COMMENT

*Members of the public may sign up to address the Council for up to 2 minutes on matters on this agenda; total time allotted to public comment at this meeting is 20 minutes.*

#### H. PAYMENT OF BILLS

*These are the only Bills which the City Charter allows to be introduced and passed at the same meeting.*

- [CB 119738](#) AN ORDINANCE appropriating money to pay certain audited claims for the week of January 27, 2020 through January 31, 2020 and ordering the payment thereof.

## I. COMMITTEE REPORTS

*Discussion and vote on Council Bills (CB), Resolutions (Res), Appointments (Appt), and Clerk Files (CF).*

### **SUSTAINABILITY AND RENTERS' RIGHTS COMMITTEE:**

1. [CB 119726](#) AN ORDINANCE relating to termination of residential rental tenancies; prohibiting evictions in winter months; and amending Section 22.206.160 of the Seattle Municipal Code.

**The Committee recommends that City Council pass as amended the Council Bill (CB).**

**In Favor: 3 - Sawant, Morales, Lewis**

**Opposed: None**

**Abstain: 1 - Pedersen**

**Supporting Documents:**

[Summary and Fiscal Note](#)

[Proposed Amendment 1](#)

[Proposed Amendment 2](#)

[Proposed Amendment 3](#)

### **PUBLIC SAFETY AND HUMAN SERVICES COMMITTEE:**

2. [Res 31930](#) A RESOLUTION affirming the City's good faith intent to consider raising in the collective bargaining process for the Seattle Police Officer's Guild (SPOG) 2021 contract renewal police accountability proposals that have been identified by the public and the City's police oversight agencies.
- The Committee recommends that City Council adopt as amended the Resolution (Res).**  
**In Favor: 3 - Herbold, Lewis, Morales**  
**Opposed: None**  
**Abstain: 1 - Pedersen**
- Attachments:** [Att 1 - CPCs Recommendations Concerning City of Seattle's Labor Negotiations with SPOG and SPMA](#)  
[Att 2 - Upcoming Contract Negotiations with SPOG](#)  
[Att 3 - OIG feedback regarding SPOG contract negotiations with the City](#)
- Supporting Documents:** [Summary and Fiscal Note](#)

#### **TRANSPORTATION AND UTILITIES COMMITTEE:**

3. [Appt 01527](#) Appointment of Kevin Werner as member, Levy to Move Seattle Oversight Committee, for a term to December 31, 2021.
- The Committee recommends that City Council confirm the Appointment (Appt).**  
**In Favor: 3 - Pedersen, Strauss, Morales**  
**Opposed: None**
- Attachments:** [Appointment Packet](#)

#### **FINANCE AND HOUSING COMMITTEE:**

4. [Appt 01544](#) Appointment of Judith Blinder as member, Seattle City Employees' Retirement System Board of Administration, for a term to June 30, 2020.
- The Committee recommends that City Council confirm the Appointment (Appt).**  
**In Favor: 5 - Mosqueda, Herbold, Lewis, Strauss, Morales**  
**Opposed: None**
- Attachments:** [Appointment Packet](#)



5. [Appt 01150](#) Appointment of Betsy McFeely as member, Labor Standards Advisory Commission, for a term to April 30, 2021.
- The Committee recommends that City Council confirm the Appointment (Appt) as amended.**
- In Favor: 5 - Mosqueda, Herbold, Lewis, Strauss, Morales**
- Opposed: None**

**Attachments:** [Appointment Packet v2](#)

**J. ADOPTION OF OTHER RESOLUTIONS**

**K. OTHER BUSINESS**

**L. ADJOURNMENT**



Legislation Text

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**File #:** IRC 240, **Version:** 1

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February 10, 2020



## Introduction and Referral Calendar

List of proposed Council Bills (CB), Resolutions (Res), Appointments (Appt) and Clerk Files (CF) to be introduced and referred to a City Council committee

Record No.	Title	Committee Referral
<b><u>By: Mosqueda</u></b>		
1. <a href="#">CB 119738</a>	AN ORDINANCE appropriating money to pay certain audited claims for the week of January 27, 2020 through January 31, 2020 and ordering the payment thereof.	City Council
<b><u>By: Morales</u></b>		
2. <a href="#">CB 119739</a>	AN ORDINANCE relating to donation funds from non-City sources; authorizing the Director of the Office of Arts and Culture to accept a specified donation and to execute, deliver, and perform corresponding agreements for and on behalf of the City; amending Ordinance 126000, which adopted the 2020 Budget; changing appropriations to the Office of Arts & Culture; and ratifying and confirming certain prior acts.	Community Economic Development Committee
<b><u>By: Morales</u></b>		
3. <a href="#">Appt 01192</a>	Appointment of Judith A. Howard as member, Seattle Human Rights Commission, for a term to July 22, 2020.	Community Economic Development Committee
<b><u>By: Morales</u></b>		
4. <a href="#">Appt 01349</a>	Reappointment of Leanne Kim Do as member, Community Involvement Commission, for a term to, May 31, 2021.	Community Economic Development Committee
<b><u>By: Morales</u></b>		
5. <a href="#">Appt 01400</a>	Reappointment of Eleanor J. Menzies as member, Pacific Hospital Preservation and Development Authority Governing Council, for a term to December 31, 2021.	Community Economic Development Committee
<b><u>By: Morales</u></b>		
6. <a href="#">Appt 01508</a>	Appointment of Annabelle Backman as member, Seattle LGBTQ Commission, for a term to April 30, 2020.	Community Economic Development Committee

**By: Morales**

7. [Appt 01517](#) Appointment of Grace Weil as member, Seattle Women's Commission, for a term to July 1, 2020. Community Economic Development Committee

**By: Morales**

8. [Appt 01518](#) Appointment of Yadira Siqueiros as member, Seattle Women's Commission, for a term to July 1, 2021. Community Economic Development Committee

**By: Mosqueda**

9. [CB 119706](#) AN ORDINANCE relating to gifts and donations to the City; eliminating the Gift Catalogue Account and creating specific departmental donation funds; adding the Office of Intergovernmental Relations as a department eligible to receive donation funds; allowing department heads to accept certain gifts; making technical corrections; amending Chapter 5.78 of the Seattle Municipal Code; and repealing Ordinance 120935. Finance and Housing Committee

**By: Mosqueda**

10. [Res 31931](#) A RESOLUTION establishing a Watch List of large, complex, discrete capital projects that will require enhanced quarterly monitoring reports for the 2020 calendar year. Finance and Housing Committee

**By: Strauss**

11. [CB 119469](#) AN ORDINANCE relating to land use and zoning; amending Section 25.05.675 of the Seattle Municipal Code to establish environmental policies to mitigate the impact of new residential development on displacement of lower income households in areas with a high risk of displacement. Land Use and Neighborhoods Committee

**By: Strauss**

12. [CB 119483](#) AN ORDINANCE relating to land use and zoning; implementing Mandatory Housing Affordability and rezoning areas in the University District; amending the Official Land Use Map at pages 59, 60, 61, 78, and 79; and amending Section 23.47A.009 of the Seattle Municipal Code. Land Use and Neighborhoods Committee

**By: Strauss**

13. [Appt 01546](#) Reappointment of Nathan G. Torgelson as Director, Seattle Department of Construction and Inspections, for a term to January 1, 2024. Land Use and Neighborhoods Committee

**By: No Sponsor Required**

14. [CF 314367](#) Application of 14302 Development, LLC, and the Seattle Housing Authority, to rezone portions of the lot located at 14302 30th Avenue NE and portions of the lot located at 14330 30th Avenue NE from Single Family 7200 (SF 7200) to Lowrise 3 (LR3) multifamily residential (Project No. 3023581, Type IV). Land Use and Neighborhoods Committee

**By: No Sponsor Required**

15. [CF 314400](#) Application of 1620 Holdings, LLC to rezone an approximate 7,200 square foot site located at 1620 16th Avenue from Lowrise 3 (LR3) and Neighborhood Commercial 3 with a 65-foot height limit (NC3-65) to Neighborhood Commercial 3 with a 65-foot height limit and M1 Mandatory Housing Affordability suffix (NC3-65(M1)) (Project No. 3030517-LU; Type IV). Land Use and Neighborhoods Committee

**By: No Sponsor Required**

16. [CF 314404](#) Application of Pecos Pit Intl., LLC to rezone an approximately 9,600 square foot site located at 3243 Southwest Genesee Street from Single Family 5000 (SF 5000) to Neighborhood Commercial 3 with a 65-foot height limit and (M2) Mandatory Housing Affordability Suffix (NC3 65 (M2)) (Project No. 3029960 - LU; Type IV). Land Use and Neighborhoods Committee

**By: No Sponsor Required**

17. [CF 314414](#) Application of Bellwether Housing to rezone an approximately 21,600 square foot site located at 1400 Madison Street from Neighborhood Commercial 3 with a Pedestrian designation and 160 foot height limit (NC3P 160) to Neighborhood Commercial 3 with a Pedestrian designation, 200 foot height limit, and a M Mandatory Housing Affordability suffix (NC3P 200 (M)) (Project No. 3032534, Type IV). Land Use and Neighborhoods Committee

**By: No Sponsor Required**

18. [CF 314420](#) Application of Mt. Baker Housing to rezone an approximately 17,992 square foot site located at 2802 S. McClellan St. from Seattle Mixed North Rainier with a 65-foot height limit (SM-NR-65) to a Seattle Mixed North Rainier with a 75-foot height limit and MHA suffix (SM-NR-75 (M)) (Project No. 3028436; Type IV). Land Use and Neighborhoods Committee

**By: No Sponsor Required**

19. [CF 314421](#) Application of Green Lake North, LLC to rezone an approximately 24,700 square foot site located at 420 NE 72nd St from Neighborhood Commercial 2 with a 40-foot height limit and Pedestrian designation (NC2P-40) to Neighborhood Commercial 2 with a 75-foot height limit, pedestrian designation and MHA suffix (NC2P-75(M1)) (Project No. 3031405, Type IV). Land Use and Neighborhoods Committee

**By: No Sponsor Required**

20. [CF 314424](#) Application of Mt. Baker Housing to rezone an approximately 10,841 square foot site located at 2800 M L King Jr. Way S. from Neighborhood Commercial 1 with a 40-foot height limit (NC1-40) to Neighborhood Commercial 1 with a 75-foot height limit and MHA suffix (NC1-75 (M)) (Project No. 3028449; Type IV). Land Use and Neighborhoods Committee

**By: No Sponsor Required**

21. [CF 314427](#) Application of Bellwether Housing to rezone an approximately 18,156 square foot portion of land located at 7930 Rainier Ave S. from Low Rise 3 (LR3(M)) to Neighborhood Commercial 2 with a 55 foot height limit and MHA suffix (NC2-55(M)); and a 44,122 square foot portion of land located 7930 Rainier Ave S. from Single Family (SF5000) to Low Rise 3 and MHA suffix (LR3(M2)) (Project No. 3027659, Type IV). Land Use and Neighborhoods Committee

**By: No Sponsor Required**

22. [CF 314430](#) Application of Seattle Central College to prepare a new Major Institution Master Plan for the Seattle Central College Campus, located at 1701 Broadway (Project No. 3034600; Type IV). Land Use and Neighborhoods Committee

**By: No Sponsor Required**

23. [CF 314435](#) Application of Seattle Pacific University to prepare a new Major Institution Master Plan for the Seattle Pacific University Campus located at 3307 3rd Ave W. Land Use and Neighborhoods Committee

**By: No Sponsor Required**

24. [CF 314440](#) Application of John Defeo for a contract rezone of a site located at 1578 Lakeview Blvd. E. from Single Family 5000 (SF 5000) to Lowrise 2 with a Mandatory Housing Affordability suffix (LR2 (M1)) to allow three 5-story apartment buildings containing 40 units and parking for 40 vehicles (Project No. 3032232; Type IV). Land Use and Neighborhoods Committee

**By: No Sponsor Required**

25. [CF 314441](#) Application of Wallace Properties - Park at Northgate, LLC for a contract rezone of a site located at 10735 Roosevelt Way NE from Lowrise 3 with an M Mandatory Housing Affordability (MHA) suffix (LR3 (M)) to Midrise with an M1 MHA suffix (MR (M1)). (Project No. 3033517; Type IV). Land Use and Neighborhoods Committee

**By: Herbold**

26. [CB 119593](#) AN ORDINANCE relating to crimes and offenses; conforming the Seattle Municipal Code with changes in state law; amending Sections 12A.04.110, 12A.06.120, 12A.06.195, 12A.10.020, 12A.14.010, 12A.14.140, 12A.14.150, 12A.14.180, and 12A.14.185 of the Seattle Public Safety and Human Services Committee

Municipal Code; and adding new Sections 12A.14.230 and 12A.14.240 to the Seattle Municipal Code.

**By: Herbold**

27. [Appt 01545](#) Appointment of Prachi Vipinchandra Dave as member, Community Police Commission, for a term to December 31, 2020. Public Safety and Human Services Committee

**By: Herbold**

28. [CF 314399](#) Chief of Police Audit Report of select files obtained through the Police Department's membership in the Law Enforcement Intelligence Unit (LEIU) and the Western States Information Network (WSIN) maintained exclusively for confidential information; dated June 15, 2018, in accordance with Ordinance 108333 (Municipal Code 14.12). Public Safety and Human Services Committee

**By: Sawant**

29. [CB 119585](#) AN ORDINANCE relating to residential rental properties; requiring a minimum of 180 days' prior written notice to tenants whenever the housing costs to be charged a tenant are to increase; and amending Sections 7.24.030, 22.202.080, and 22.206.180 of the Seattle Municipal Code. Sustainability and Renters' Rights Committee

**By: Sawant**

30. [CB 119640](#) AN ORDINANCE relating to prohibiting natural gas piping systems in new buildings; adding a new Chapter 22.940 to the Seattle Municipal Code. Sustainability and Renters' Rights Committee

**By: No Sponsor Required**

31. [CF 314392](#) Petition of Paul Aigner to the Seattle City Council for a proposed 8th Avenue Skybridge Permit, pursuant to Chapter 15.64 of the Seattle Municipal Code. Transportation and Utilities Committee



Legislation Text

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**File #: CB 119738, Version: 1**

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**CITY OF SEATTLE**

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

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

AN ORDINANCE appropriating money to pay certain audited claims for the week of January 27, 2020 through January 31, 2020 and ordering the payment thereof.

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

Section 1. Payment of the sum of \$30,809,329.12 on PeopleSoft 9.2 mechanical warrants numbered 4100307640- 4100309820 plus manual or cancellation issues for claims, E-Payables of \$50,844.89 on PeopleSoft 9.2 9100005459- 9100005508 and Electronic Financial Transactions (EFT) in the amount of \$67,628,551.81 are presented for ratification by the City Council per RCW 42.24.180.

Section 2. Any act consistent with the authority of this ordinance taken prior to its effective date is hereby ratified and confirmed.

Section 3. 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 10th day of February 2020 and signed by me in open session in authentication of its passage this 10th day of February 2020.

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



Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Jenny A. Durkan, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)



Legislation Text

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File #: CB 119726, Version: 2

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**CITY OF SEATTLE**

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

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

AN ORDINANCE relating to termination of residential rental tenancies; prohibiting evictions in winter months; and amending Section 22.206.160 of the Seattle Municipal Code.

WHEREAS, on November 2, 2015, the Mayor issued a Civil Emergency to address the homelessness crisis in the City of Seattle; and

WHEREAS, on November 3, 2015, the City Council adopted Resolution 31630, ratifying and confirming the Mayoral Proclamation of Civil Emergency; and

WHEREAS, in September 2018, the Seattle Women’s Commission and the King County Bar Association jointly published *Losing Home: The Human Cost of Eviction in Seattle*, finding that households who are evicted face material hardships that make it more difficult to secure safe and affordable housing and that the most disadvantaged groups face the highest likelihood of eviction; and

WHEREAS, the *Losing Home* report found that most evicted respondents became homeless, with 37.5 percent completely unsheltered, 25.0 percent living in a shelter or transitional housing, and 25.0 percent staying with family or friends. Only 12.5 percent of evicted respondents found another apartment or home to move into; and

WHEREAS, in 2018, the King County Medical Examiner’s Office (KCMEO) investigated the deaths of 194 individuals presumed to be homeless. This represents 25 more deaths than investigated in 2017; and

WHEREAS, people experiencing homelessness have a much higher risk than the general population of developing exposure-related conditions. The KCMEO 2018 investigation found that over half (n=107)

of presumed homeless deaths investigated occurred outside and that approximately 62 percent (n=121) of presumed homeless deaths investigate were attributed to non-natural causes (drug overdose, accidents (that includes hypothermia), suicide, homicide, and undetermined); and

WHEREAS, prohibiting evictions during winter months will protect the public health, safety, and welfare by reducing the number of individuals and families entering into homelessness during the wintertime, which means lowering the number of people at higher risk of developing exposure-related conditions; NOW, THEREFORE,

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

Section 1. Subsection 22.206.160.C of the Seattle Municipal Code, which section was last amended by Ordinance 125954, is amended as follows:

**22.206.160 Duties of owners**

\* \* \*

C. Just cause eviction

1. Pursuant to provisions of the Washington State Residential Landlord-Tenant Act (RCW 59.18.290), an owner((s)) may not evict a residential tenant((s)) without a court order, which can be issued by a court only after the tenant has an opportunity in a show cause hearing to contest the eviction (RCW 59.18.380). An o((Θ))wner((s)) of a housing unit((s)) shall not evict or attempt to evict any tenant, or otherwise terminate or attempt to terminate the tenancy of any tenant, unless the owner can prove in court that just cause exists. Regardless of whether just cause for eviction may exist, an o((Θ))wner((s)) may not evict a residential tenant((s)) from a rental housing unit((s)) if: the unit((s-are)) is not registered with the Seattle Department of Construction and Inspections if required by Section 22.214.040; or if subsection 22.206.160.C.8 provides the tenant a defense to the eviction ((, regardless of whether just cause for eviction may exist)).

An owner is in compliance with ~~((this))~~ the registration requirement if the rental housing unit is registered with the Seattle Department of Construction and Inspections before issuing a notice to terminate

tenancy. The reasons for termination of tenancy listed below, and no others, shall constitute just cause under this Section 22.206.160:

a. The tenant fails to comply with a 14 day notice to pay rent or vacate pursuant to RCW 59.12.030(3); a ten day notice to comply or vacate pursuant to RCW 59.12.030(4); or a three day notice to vacate for waste, nuisance (including a drug-related activity nuisance pursuant to chapter 7.43 RCW), or maintenance of an unlawful business or conduct pursuant to RCW 59.12.030(5);

b. The tenant habitually fails to pay rent when due which causes the owner to notify the tenant in writing of late rent four or more times in a 12 month period;

c. The tenant fails to comply with a ten day notice to comply or vacate that requires compliance with a material term of the rental agreement or that requires compliance with a material obligation under chapter 59.18 RCW;

d. The tenant habitually fails to comply with the material terms of the rental agreement which causes the owner to serve a ten day notice to comply or vacate three or more times in a 12 month period;

e. The owner seeks possession so that the owner or a member of ~~((his or her))~~ the owner's immediate family may occupy the unit as that person's principal residence and no substantially equivalent unit is vacant and available in the same building, and the owner has given the tenant at least 90 days' advance written notice of the date the tenant's possession is to end. The Director may reduce the time required to give notice to no less than 20 days if the Director determines that delaying occupancy will result in a personal hardship to the owner or to the owner's immediate family. Personal hardship may include but is not limited to hardship caused by illness or accident, unemployment, or job relocation. For the purposes of this Section 22.206.160, "Immediate family" includes the owner's domestic partner registered pursuant to Section 1 of Ordinance 117244 or the owner's spouse, parents, grandparents, children, brothers and sisters of the owner, of the owner's spouse, or of the owner's domestic partner. There is a rebuttable presumption of a violation of this subsection 22.206.160.C.1.e if the owner or a member of the owner's immediate family fails to occupy the

unit as that person's principal residence for at least 60 consecutive days during the 90 days immediately after the tenant vacated the unit pursuant to a notice of termination or eviction using this subparagraph as the cause for eviction;

f. The owner elects to sell a single-family dwelling unit and gives the tenant at least 90 days' written notice prior to the date set for vacating, which date shall coincide with the end of the term of a rental agreement, or if the agreement is month to month, with the last day of a monthly period. The Director may reduce the time required to give notice to no less than 60 days if the Director determines that providing 90 days' notice will result in a personal hardship to the owner. Personal hardship may include but is not limited to hardship caused by illness or accident, unemployment, or job relocation. For the purposes of this Section 22.206.160, an owner "elects to sell" when the owner makes reasonable attempts to sell the dwelling within 30 days after the tenant has vacated, including, at a minimum, listing it for sale at a reasonable price with a realty agency or advertising it for sale at a reasonable price in a newspaper of general circulation. There shall be a rebuttable presumption that the owner did not intend to sell the unit if:

1) Within 30 days after the tenant has vacated, the owner does not list the single-family dwelling unit for sale at a reasonable price with a realty agency or advertise it for sale at a reasonable price in a newspaper of general circulation, or

2) Within 90 days after the date the tenant vacated or the date the property was listed for sale, whichever is later, the owner withdraws the rental unit from the market, rents the unit to someone other than the former tenant, or otherwise indicates that the owner does not intend to sell the unit;

g. The tenant's occupancy is conditioned upon employment on the property and the employment relationship is terminated;

h. The owner seeks to do substantial rehabilitation in the building; provided that, the owner must obtain a tenant relocation license if required by Chapter 22.210 and at least one permit necessary for the rehabilitation, other than a Master Use Permit, before terminating the tenancy;

i. The owner (i) elects to demolish the building, convert it to a cooperative, or convert it to a nonresidential use; provided that, the owner must obtain a tenant relocation license if required by Chapter 22.210 and a permit necessary to demolish or change the use before terminating any tenancy, or (ii) converts the building to a condominium provided the owner complies with the provisions of Sections 22.903.030 and 22.903.035;

j. The owner seeks to discontinue use of a housing unit unauthorized by Title 23 after receipt of a notice of violation. The owner is required to pay relocation assistance to the tenant(s) of each such unit at least two weeks prior to the date set for termination of the tenancy, at the rate of:

1) \$2,000 for a tenant household with an income during the past 12 months at or below 50 percent of the County median income, or

2) Two months' rent for a tenant household with an income during the past 12 months above 50 percent of the County median income;

k. The owner seeks to reduce the number of individuals residing in a dwelling unit to comply with the maximum limit of individuals allowed to occupy one dwelling unit, as required by Title 23, and:

1)

a) The number of such individuals was more than is lawful under the current version of Title 23 but was lawful under Title 23 or Title 24 on August 10, 1994;

b) That number has not increased with the knowledge or consent of the owner at any time after August 10, 1994; and

c) The owner is either unwilling or unable to obtain a permit to allow the unit with that number of residents.

2) The owner has served the tenants with a 30 day notice, informing the tenants that the number of tenants exceeds the legal limit and must be reduced to the legal limit,

3) After expiration of the 30 day notice, the owner has served the tenants with and the tenants have failed to comply with a ten day notice to comply with the limit on the number of occupants or vacate, and

4) If there is more than one rental agreement for the unit, the owner may choose which agreements to terminate; provided that, the owner may either terminate no more than the minimum number of rental agreements necessary to comply with the legal limit on the number of occupants, or, at the owner's option, terminate only those agreements involving the minimum number of occupants necessary to comply with the legal limit;

1.

1) The owner seeks to reduce the number of individuals who reside in one dwelling unit to comply with the legal limit after receipt of a notice of violation of the Title 23 restriction on the number of individuals allowed to reside in a dwelling unit, and:

a) The owner has served the tenants with a 30 day notice, informing the tenants that the number of tenants exceeds the legal limit and must be reduced to the legal limit; provided that((; )) no 30 day notice is required if the number of tenants was increased above the legal limit without the knowledge or consent of the owner;

b) After expiration of the 30 day notice required by subsection 22.206.160.1.1.a ((above)), or at any time after receipt of the notice of violation if no 30 day notice is required pursuant to subsection 22.206.160.1.1.a, the owner has served the tenants with and the tenants have failed to comply with a ten day notice to comply with the maximum legal limit on the number of occupants or vacate; and

c) If there is more than one rental agreement for the unit, the owner may choose which agreements to terminate; provided that((;)) the owner may either terminate no more than the minimum number of rental agreements necessary to comply with the legal limit on the number of occupants, or,

at the option of the owner, terminate only those agreements involving the minimum number of occupants necessary to comply with the legal limit.

2) For any violation of the maximum legal limit on the number of individuals allowed to reside in a unit that occurred with the knowledge or consent of the owner, the owner is required to pay relocation assistance to the tenant(s) of each such unit at least two weeks prior to the date set for termination of the tenancy, at the rate of:

a) \$2,000 for a tenant household with an income during the past 12 months at or below 50 percent of the county median income, or

b) Two months' rent for a tenant household with an income during the past 12 months above 50 percent of the county median income;

m. The owner seeks to discontinue use of an accessory dwelling unit for which a permit has been obtained pursuant to Sections 23.44.041 and 23.45.545 after receipt of a notice of violation of the development standards provided in those sections. The owner is required to pay relocation assistance to the tenant household residing in such a unit at least two weeks prior to the date set for termination of the tenancy, at the rate of:

1) \$2,000 for a tenant household with an income during the past 12 months at or below 50 percent of the county median income, or

2) Two months' rent for a tenant household with an income during the past 12 months above 50 percent of the county median income;

n. An emergency order requiring that the housing unit be vacated and closed has been issued pursuant to Section 22.206.260 and the emergency conditions identified in the order have not been corrected;

o. The owner seeks to discontinue sharing with a tenant of the owner's own housing unit, i.e., the unit in which the owner resides, seeks to terminate the tenancy of a tenant of an accessory dwelling unit



authorized pursuant to Sections 23.44.041 and 23.45.545 that is accessory to the housing unit in which the owner resides, or seeks to terminate the tenancy of a tenant in a single-family dwelling unit and the owner resides in an accessory dwelling unit on the same lot. This subsection 22.206.160.C.1.o does not apply if the owner has received a notice of violation of the development standards of Section 23.44.041. If the owner has received such a notice of violation, subsection 22.206.160.C.1.m applies;

p. A tenant, or with the consent of the tenant, the tenant's subtenant, sublessee, resident, or guest, has engaged in criminal activity on the premises, or on the property or public right-of-way abutting the premises, and the owner has specified in the notice of termination the crime alleged to have been committed and the general facts supporting the allegation, and has assured that the Seattle Department of Construction and Inspections has recorded receipt of a copy of the notice of termination. For purposes of this subsection 22.206.160.C.1.p, a person has "engaged in criminal activity" if (~~he or she~~) the person:

1) Engages in drug-related activity that would constitute a violation of chapters 69.41, 69.50, or 69.52 RCW, or

2) Engages in activity that is a crime under the laws of this state, but only if the activity substantially affects the health or safety of other tenants or the owner.

2. Any rental agreement provision which waives or purports to waive any right, benefit or entitlement created by this subsection 22.206.160.C shall be deemed void and of no lawful force or effect.

3. With any termination notices required by law, owners terminating any tenancy protected by this Section 22.206.160 shall advise the affected tenant or tenants in writing of the reasons for the termination and the facts in support of those reasons.

4. If a tenant who has received a notice of termination of tenancy claiming subsection 22.206.160.C.1.e, 22.206.160.C.1.f, or 22.206.160.C.1.m as the ground for termination believes that the owner does not intend to carry out the stated reason for eviction and makes a complaint to the Director, then the owner must, within ten days of being notified by the Director of the complaint, complete and file with the Director a

certification stating the owner's intent to carry out the stated reason for the eviction. The failure of the owner to complete and file such a certification after a complaint by the tenant shall be a defense for the tenant in an eviction action based on this ground.

5. In any action commenced to evict or to otherwise terminate the tenancy of any tenant, it shall be a defense to the action that there was no just cause for such eviction or termination as provided in this Section 22.206.160.

6. It shall be a violation of this Section 22.206.160 for any owner to evict or attempt to evict any tenant or otherwise terminate or attempt to terminate the tenancy of any tenant using a notice (~~which~~) that references subsections 22.206.160.C.1.e, 22.206.160.C.1.f, 22.206.160.C.1.h, 22.206.160.C.1.k, 22.206.160.C.1.l, or 22.206.160.C.1.m as grounds for eviction or termination of tenancy without fulfilling or carrying out the stated reason for or condition justifying the termination of such tenancy.

7. An owner who evicts or attempts to evict a tenant or who terminates or attempts to terminate the tenancy of a tenant using a notice which references subsections 22.206.160.C.1.e, 22.206.160.C.1.f or 22.206.160.C.1.h as the ground for eviction or termination of tenancy without fulfilling or carrying out the stated reason for or condition justifying the termination of such tenancy shall be liable to such tenant in a private right for action for damages up to \$2,000, costs of suit, or arbitration and reasonable attorney's fees.

8. Except as provided in subsection 22.206.160.C.8.a, an owner may not evict a residential tenant from a rental housing unit if the eviction would result in the tenant having to vacate the housing unit at any time between November 1 and April 1.

a. If the reason for termination is due to conditions described in subsections 22.206.160.C.1.e, 22.206.160.C.1.f provided that the tenant was provided at least 90 days' written notice prior to the date set for vacating the unit, 22.206.160.C.1.j, 22.206.160.C.1.k, 22.206.160.C.1.m, 22.206.160.C.1.n, 22.206.160.C.1.o, or 22.206.160.C.1.p, or if the reason for termination is due to the tenant's failure to comply with a three day notice to vacate for a drug-related activity nuisance pursuant to chapter 7.43 RCW or

maintenance of an unlawful business or conduct pursuant to RCW 59.12.030(5), the eviction may occur as otherwise allowed by law.

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 \_\_\_\_\_, 2020, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Jenny A. Durkan, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)

**SUMMARY and FISCAL NOTE\***

<b>Department:</b>	<b>Dept. Contact/Phone:</b>	<b>CBO Contact/Phone:</b>
LEG	Aly Pennucci / 48148	n/a

*\* Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

**1. BILL SUMMARY**

**Legislation Title:** AN ORDINANCE relating to termination of residential rental tenancies; prohibiting evictions in winter months; and amending Section 22.206.160 of the Seattle Municipal Code.

**Summary and background of the Legislation:** This legislation amends the Just Cause Eviction Ordinance (SMC 22.206.160) to prohibit evictions in winter months (November 1 through March 31). Because an eviction can lead to homelessness, and because of the public health hazards posed by sleeping outdoors in cold-weather, this will not allow tenants to be evicted in the winter months; a landlord could still pursue eviction action, but the eviction would be delayed until April 1<sup>st</sup>.

**2. CAPITAL IMPROVEMENT PROGRAM**

**Does this legislation create, fund, or amend a CIP Project?** \_\_\_ Yes  No

**3. SUMMARY OF FINANCIAL IMPLICATIONS**

**Does this legislation amend the Adopted Budget?** \_\_\_ Yes  No

**Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?**

The legislation will require updating print materials, changing landlord training curriculum, changing web-based information, and may require some associated outreach. This work could potentially be part of existing work of the Renting in Seattle program and the Property Owner and Tenant Assistance group at a negligible cost. There may be increases in tenant complaints and caseload because of these provisions.

**Is there financial cost or other impacts of *not* implementing the legislation?**

No.

**4. OTHER IMPLICATIONS**

- a. Does this legislation affect any departments besides the originating department?**  
Yes, the Seattle Department and Inspections is responsible for implementing the existing Just Cause Eviction Ordinance that this legislation amends.

**b. Is a public hearing required for this legislation?**

No

**c. Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?**

No

**d. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**

No

**e. Does this legislation affect a piece of property?**

No

**f. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?**

This legislation will prevent evictions in winter months. Households with low-incomes and households of color are disproportionately subject to eviction actions; this legislation will benefit those communities to prevent evictions during winter months.

**g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s).**

**List attachments/exhibits below:**

**Full Council – February 10, 2020**

**Amendment 1 to CB 119726 – Amendment to add a recital and clarify language.**

**Sponsor:** Councilmember Sawant

**Description:**

[Council Bill 119726](#) would amend the Just Cause Eviction Ordinance (SMC 22.206.160) to provide a defense to evictions between November 1 through March 31. This amendment would:

- Add a recital referencing the Legislature’s expressed intent to discourage residential evictions;
- Amends the proposal to clarify that this bill establishes a defense to tenants in eviction proceedings; and
- Adds one additional “just cause” to the list of causes where the eviction could proceed at any time of the year.

**Notes:**

- Double underlines indicate new language to be added.
- ~~Double strikethroughs~~ indicate language proposed to be removed.

**Amendment\***

Amend the recitals as follows:

WHEREAS, on November 2, 2015, the Mayor issued a Civil Emergency to address the  
homelessness crisis in the City of Seattle; and

\* \* \*

WHEREAS, people experiencing homelessness have a much higher risk than the general  
population of developing exposure-related conditions. The KCMEO 2018 investigation  
found that over half (n=107) of presumed homeless deaths investigated occurred outside  
and that approximately 62 percent (n=121) of presumed homeless deaths investigate were  
attributed to non-natural causes (drug overdose, accidents (that includes hypothermia),  
suicide, homicide, and undetermined); and

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\* Other amendments may impact the numbering or lettering shown in this amendment. All amendments adopted by the City Council will be reconciled in the final version of the Council Bill.

WHEREAS, the Washington State Legislature has declared a state policy to help residents who are experiencing a temporary crisis in retaining stable housing to avoid eviction from their homes, as expressed in Laws of 2019 c 356 section 1; and

WHEREAS, prohibiting evictions during winter months will protect the public health, safety, and welfare by reducing the number of individuals and families entering into homelessness during the wintertime, which means lowering the number of people at higher risk of developing exposure-related conditions; NOW, THEREFORE,

\* \* \*

Amend Section 1 of Council Bill 119726 as follows:

\* \* \*

8. Except as provided in subsection 22.206.160.C.8.a, ~~((an owner may not evict a residential tenant from a rental housing unit if the eviction))~~ it is a defense to eviction if the eviction would result in the tenant having to vacate the housing unit at any time between November 1 and April 1.

a. If the reason for termination of the tenancy is due to conditions described in subsections 22.206.160.C.1.e, 22.206.160.C.1.f provided that the tenant was provided at least 90 days' written notice prior to the date set for vacating the unit, 22.206.160.C.1.j, 22.206.160.C.1.k, ~~22.206.160.C.1.l~~, 22.206.160.C.1.m, 22.206.160.C.1.n, 22.206.160.C.1.o, or 22.206.160.C.1.p, or if the reason for termination is due to the tenant's failure to comply with a three day notice to vacate for a drug-related activity nuisance pursuant to chapter 7.43 RCW or maintenance of an unlawful business or conduct pursuant to RCW 59.12.030(5), the eviction may occur as otherwise allowed by law.

\* \* \*

**Full Council – February 10, 2020**

**Amendment 2 to CB 119726 – Amendment to establish a mitigation fund**

**Sponsor:** Councilmember Lewis

**Description:**

[Council Bill 119726](#) would amend the Just Cause Eviction Ordinance (SMC 22.206.160) to provide a defense to evictions between November 1 through March 31.

This amendment would establish a mitigation fund that would provide financial assistance during that period to:

- Low-income tenants who (1) utilize this defense, (2) cannot access funds through other programs that provide assistance to tenants at risk of eviction (either because funds are depleted or the tenant is ineligible), and (3) are unable to pay the rent during that period independently. Tenants could apply for assistance through this fund at the time they receive a 14-day pay or vacate notice, up through the date a writ of restitution is executed.
- Affordable housing providers who can demonstrate that (1) an eviction was delayed during this period because the tenant raised this defense and (2) the tenant is unable to pay rent during that period independently.

This assistance could be used either to (1) cure the eviction by helping the tenant become current on all rental charges; or (2) to assist the tenant in paying back rent and stay current on rent in the winter months while the eviction is delayed; or (3) providing rental payments to nonprofit housing providers during this period.

**Notes:**

- Double underlines indicate new language to be added.
- ~~Double strikethroughs~~ indicate language proposed to be removed.

**Amendment\***

Amend Section 1 of Council Bill 119726 as follows:

8. Except as provided in subsection 22.206.160.C.8.a, an owner may not evict a residential tenant from a rental housing unit if the eviction would result in the tenant having to vacate the housing unit at any time between November 1 and April 1.

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\* Other amendments may impact the numbering or lettering shown in this amendment. All amendments adopted by the City Council will be reconciled in the final version of the Council Bill.



a. If the reason for termination is due to conditions described in subsections 22.206.160.C.1.e, 22.206.160.C.1.f provided that the tenant was provided at least 90 days' written notice prior to the date set for vacating the unit, 22.206.160.C.1.j, 22.206.160.C.1.k, 22.206.160.C.1.m, 22.206.160.C.1.n, 22.206.160.C.1.o, or 22.206.160.C.1.p, or if the reason for termination is due to the tenant's failure to comply with a three day notice to vacate for a drug-related activity nuisance pursuant to chapter 7.43 RCW or maintenance of an unlawful business or conduct pursuant to RCW 59.12.030(5), the eviction may occur as otherwise allowed by law.

b. A rent mitigation fund is created to provide funds to eligible low-income tenant households at risk of residential eviction during the period described in subsection 22.206.160.C.8, if other sources of funds are not available to assist the tenant, or to provide financial assistance to a non-profit corporation or other housing provider that cannot evict a tenant from a rental housing unit during the period described in subsection 22.206.160.C.8 because the unit is subject to restrictions on tenant incomes or rent as a condition of that assistance.

1) Tenant eligibility. To be eligible to receive funds, (1) the reason for termination must include nonpayment of rent; and (2) the tenant household must be a low-income household as defined in Section 23.84A.016; and (3) the tenant must demonstrate that the tenant does not have the financial resources to avoid eviction; and (4) the tenant must request mitigation funds on or before the date a writ of restitution is executed.

2) Housing provider eligibility. To be eligible to receive funds the housing provider shall (1) demonstrate that an eviction was delayed during this period because the tenant raised the defense described in subsection 22.206.160.C.8; and (2) demonstrate that the tenant does not have financial resources available to pay rent during the period described in

subsection 22.206.160.C.8; and (3) demonstrate that the tenant resides in a unit that is subject to restrictions on tenant incomes or rent; and (4) sign an agreement stating that the housing provider will not report the tenant's delinquency on rent payment to credit reporting agencies.

3) The Director shall have rulemaking authority to administer the fund. This authority includes t ability to have the fund administered by a public or private organization having experience administering or capable of administering similar tenant assistance programs. If by rule the Director determines that payments shall be made directly to a landlord, the landlord shall sign an agreement with the Director prior to payment stating that the landlord will not report the tenant's delinquent rent payment to credit reporting agencies.

4) The availability of funds is subject to the existence of budget appropriations for that purpose. A request for funding shall be denied if insufficient funds are available. The City is not civilly or criminally liable for failure to provide funding and no penalty or cause of action may be brought against the City resulting from the provision or lack of provision of funds.

5) When a landlord issues a notice to terminate tenancy due to nonpayment of rent, the notice must contain information to the tenant about how to access the tenant mitigation fund. The landlord is not required to provide this information if insufficient funds have been appropriated by the City Council to provide the funds for mitigation. The information for the notice shall be adopted by the Seattle Department of Construction and Inspections by rule.

**Full Council – February 10, 2020**

**Amendment 3 to CB 119726** – Amendment to exempt landlords who own 4 or fewer rental units.

**Sponsor:** Councilmember Pedersen

**Description:**

[Council Bill 119726](#) would amend the Just Cause Eviction Ordinance (SMC 22.206.160) to provide a defense to evictions between November 1 through March 31. This amendment would exempt units that are owned by a landlord who owns four or fewer rental units in Seattle.

**Notes:**

- Double underlines indicate new language to be added.
- ~~Double strikethroughs~~ indicate language proposed to be removed.

**Amendment\***

Amend Section 1 of Council Bill 119726 as follows:

8. Except as provided in subsection 22.206.160.C.8.~~ac~~, an owner may not evict a residential tenant from a rental housing unit if:

a. ~~the~~ The eviction would result in the tenant having to vacate the housing unit at any time between November 1 and April 1; and

b. ~~The housing unit that the tenant would have to vacate is owned by a person who owns more than four rental housing units in The City of Seattle. For purposes of this subsection 22.206.160.C.8.c, “owns” includes having an ownership interest in the housing units.~~

c. If the reason for termination is due to conditions described in subsections 22.206.160.C.1.e, 22.206.160.C.1.f provided that the tenant was provided at least 90 days' written notice prior to the date set for vacating the unit, 22.206.160.C.1.j, 22.206.160.C.1.k, 22.206.160.C.1.m, 22.206.160.C.1.n, 22.206.160.C.1.o, or 22.206.160.C.1.p, or if the reason for

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\* Other amendments may impact the numbering or lettering shown in this amendment. All amendments adopted by the City Council will be reconciled in the final version of the Council Bill.

termination is due to the tenant's failure to comply with a three day notice to vacate for a drug-related activity nuisance pursuant to chapter 7.43 RCW or maintenance of an unlawful business or conduct pursuant to RCW 59.12.030(5), the eviction may occur as otherwise allowed by law.



Legislation Text

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**File #:** Res 31930, **Version:** 2

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**CITY OF SEATTLE**

**RESOLUTION \_\_\_\_\_**

A RESOLUTION affirming the City's good faith intent to consider raising in the collective bargaining process for the Seattle Police Officer's Guild (SPOG) 2021 contract renewal police accountability proposals that have been identified by the public and the City's police oversight agencies.

WHEREAS, the mission of the Seattle Police Department is to prevent crime, enforce the law, and support quality public safety by delivering respectful, professional and dependable police services; and

WHEREAS, public confidence in the fairness and integrity of the Seattle Police Department and its policing practices is a necessary component of effective policing; and

WHEREAS, the City Council recognizes the sacrifice and contributions of Seattle Police Officers Guild (SPOG) members, who strive to ensure the City achieves its public safety goals while being strong partners in ongoing efforts to implement lasting policing reforms and accountability structures, critical to ensuring the security of Seattle communities but especially those that have been disproportionately impacted by unconstitutional policing; and

WHEREAS, the City Council recognizes the right of SPOG and all public employee unions to collectively bargain for wages, hours, and working conditions in the best interest of their members; and

WHEREAS, the Collective Bargaining Agreement (CBA) between The City of Seattle and the SPOG will expire on December 31, 2020 and the parties will begin negotiating a new contract as soon as March 2020; and

WHEREAS, the City respects the collective bargaining process and will negotiate and bargain a new CBA in good faith with the SPOG and respect the confidentiality of the process as required by Seattle Municipal Code (SMC) subsection 4.04.120.E; and

WHEREAS, SMC subsection 4.04.120.F requires the Council's Labor Policy and Public Safety, Human Services and Education committees or the successor committees to hold a public hearing on the effectiveness of the City's police accountability system and that this meeting should be held at least ninety days before the City begins collective bargaining agreement negotiations with the SPOG; and

WHEREAS, SMC subsection 4.04.120.G requires the City to consider in good faith whether and how to carry forward the interests expressed at the public hearing; and

WHEREAS, the Council's Labor Policy committee and Gender Equity, Safe Communities, New Americans and Education Committee held on December 5, 2019 a public hearing and received input from the Office of Police Accountability (OPA), Community Police Commission (CPC), the Office of Inspector General for Public Safety (OIG), and 32 citizens that provided personal testimony or represented community, non-profit or labor organizations that have a stake in police accountability and the SPOG contract; and

WHEREAS, represented organizations included, but were not limited to local businesses, neighborhood groups, communities of color, police and fire bargaining units, public safety advocacy associations and community building organizations that focus on civil liberties and represent the rights of citizens who are disproportionately affected by police misconduct and/ or are over-represented in the criminal-legal system; and

WHEREAS, representatives of the CPC supported full implementation of the Police Accountability Ordinance (Ordinance 125315) and highlighted ten key priorities including: 1) the burden of proof and standard of review for disciplinary cases; 2) reforming the calculation of the 180-day timeline for disciplinary investigations; 3) subpoena authority for the OPA and OIG; 4) reforming features of the disciplinary process affecting public confidence; 5) ensuring civilian oversight authority includes allegations of criminal misconduct; 6) revising statute of limitations and record retention rules; 7) disclosure of material information during investigations; 8) empowering the SPD Chief to place employees on leave without pay; 9) reforms to secondary employment; and 10) whether complainants and victims should be

allowed to appeal disciplinary decisions, and these priorities are further detailed in a letter from the CPC dated November 25, 2019 as Attachment 1 to this resolution; and

WHEREAS, the OPA and OIG identified three principles for the bargaining process, including a desire for more information about what has happened or is happening in the collective bargaining process, enhancing public trust and solidifying accountability entity independence; and

WHEREAS, specific recommendations from the OPA and OIG included: 1) a request that the City include in the negotiations process an external advisor with accountability experience ; 2) ensuring full subpoena authority of the OPA and OIG; 3) holding misconduct allegations to a quantum of proof that reflects a preponderance of the evidence; 4) providing clarity around the calculation of the 180-day timeline, newly discovered evidence, and time lags in reporting; 5) increasing the transparency and efficiency of the arbitration process; 6) prohibiting *de novo* review of the Chief's final disciplinary decisions; 7) improving the selection process for arbitrators; 8) providing authority for OPA to decide to whom criminal referrals are made and to oversee investigations of criminal SPD misconduct; 9) creating a uniform enforcement mechanism to ensure SPD cooperation with accountability agencies; and 10) providing to OPA and OIG sufficient funding and staffing to support robust accountability and for the City to employ means to solidify oversight authority in ways that cannot be weakened by the collective bargaining process, and these priorities are further detailed in a letter from the OPA dated January 27, 2020 as Attachment 2 to this resolution, and these priorities are also further detailed in a letter from the OIG dated January 27, 2020 as Attachment 3 to this resolution; and

WHEREAS, testimony from individuals and on behalf of interest groups largely echoed the requests made by the CPC, OIG, and OPA, and included support for full implementation of the Police Accountability Ordinance (Ordinance 125315), support for additional police training including de-escalation and mental health training, support for bringing the City into compliance with the United States Department of Justice Consent Decree with regard to police accountability, opposition to racial disproportionality in

the criminal justice system, support for new citizen review powers, support for new rights for complainants, support for making the role of the discipline appellate process consistent with the values of transparency and accountability, support for SPD officers to follow department policies and when privately employed, support for third party investigations, support for the hiring of additional officers, support for the protection of workers' rights as maintained through the collective bargaining process, support for more outreach to the community on issues of police accountability, and support for requiring officers to have a relationship/ tie to the community they serve; and

WHEREAS, the City Council voted in November 2018 to approve Council Bill 119368 (Ordinance 125693) and, with it, the current SPOG CBA, while acknowledging that the Community Police Commission, the Office of Police Accountability, and the Office of Inspector General for Public Safety, identified concerns about the SPOG CBA's compliance with the Police Accountability Ordinance (Ordinance 125315); and

WHEREAS, the City Council passed in November 2018 Resolution 31855, which requested that the City Attorney's Office petition the Court to review those contract terms that fall within the scope of the Court's judicial oversight role pursuant to the Department of Justice Consent Decree, specifically including, but without limitation, the following terms of the CBA:

- A. **Article 3.1** (page 6) - The standard of review and burden of proof in labor arbitration (SMC 3.29.135.F);
- B. **Article 3.6.B-D** (pages 9-12) - The calculation, extension and/or re-calculation of the 180-day timeline for the Office of Police Accountability to investigate complaints of misconduct by the Seattle Police Department (SMC 3.29.130); and
- C. **Appendix E.12** (page 84) - Narrowing of legislated subpoena powers of the Office of Police Accountability (SMC 3.29.125.E) and the Office of Inspector General (SMC 3.29.240.K); and

WHEREAS, on May 21, 2019 the Court found that The City of Seattle had fallen partially out of full and



effective compliance with the Consent Decree due to concerns about the disciplinary appeals process and its impact on police accountability. The Court ordered the City to develop a methodology (1) to assess the present accountability regime, and (2) for how the City proposes to achieve compliance; and

WHEREAS, in July 2019, The City of Seattle hired 21CP Solutions, LLC to work with the City and the Department of Justice, and with the assistance of stakeholders and accountability partners to develop a methodology to assess the Seattle Police Department's accountability regime as it relates to officer discipline and appeals process; and

WHEREAS, the Court on October 15, 2019 authorized the City to proceed with the proposed assessment, to include the City's proposal to "present objective, evidence-based observations to inform the decisions of the City's elected leaders, appointees and community... including an analysis of ... four features of City's accountability system: (1) 180-day timeline for disciplinary investigations; (2) burden of proof and standard of review in disciplinary appeals; (3) subpoena authority of OPA and OIG; and (4) features of arbitration to promote public confidence"; and

WHEREAS, the City filed with the Court on December 13, 2019 its response, including a report authored by 21CP that made findings on the issues noted above, some of which were identified by both members of the community and the accountability agencies in the December 5 hearing pursuant to SMC 4.04.120.F; and

WHEREAS, consistent with SMC 4.04.120.G, the City of Seattle will consider in good faith whether and how to carry forward the interests expressed at the public hearing. Those suggested changes that are legally required to be bargained with the SPOG, SPMA, or their successor labor organizations will be considered by the City, in good faith, for inclusion in negotiations but the views expressed in the public hearing will not dictate the City's position during bargaining; and

WHEREAS, the City Council has in the past adopted resolutions that memorialize the testimony given at hearings pursuant to SMC 4.04.120.F, including City Council Resolution 31535, NOW, THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE THAT:**

Section 1. The City of Seattle will consider in good faith whether and how to carry forward these interests through various means including, but not limited to, enactment of appropriate legislation, development of collective bargaining goals and objectives, and facilitating community police dialogue. To the extent that Washington law requires any changes to be bargained with employee representatives, the City will seek to discharge such obligations in good faith.

Adopted by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2020, and signed by me in open session in authentication of its adoption this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)

Attachment 1 - Community Police Commission’s Recommendations Concerning City of Seattle’s Labor Negotiations with Seattle Police Officers Guild and Seattle Police Management Association, November 25, 2019

Attachment 2 - Upcoming Contract Negotiations with the Seattle Police Officers’ Guild, January 27, 2020

Attachment 3 - OIG feedback regarding Seattle Police Officers’ Guild contract negotiations with the City, January 27, 2020

November 25, 2019

VIA E-MAIL

Mayor Jenny Durkan  
Seattle City Hall  
600 Fourth Avenue, 7th Floor  
Seattle, Washington 98104

Council President Bruce Harrell  
Councilmember Sally Bagshaw  
Councilmember M. Lorena Gonzalez  
Councilmember Lisa Herbold  
Councilmember Debora Juarez  
Councilmember Teresa Mosqueda  
Councilmember Mike O'Brien  
Councilmember Kshama Sawant  
Seattle City Hall  
600 Fourth Avenue, 2nd Floor  
Seattle, Washington 98104

RE: Community Police Commission's Recommendations Concerning City of Seattle's Labor Negotiations with Seattle Police Officers Guild and Seattle Police Management Association

Dear Mayor Durkan and City Councilmembers:

On behalf of the Seattle Community Police Commission (CPC), we thank you for the opportunity to provide our thoughts and recommendations concerning the City's collective bargaining agenda as the City begins another round of negotiations with the Seattle Police Management Association (SPMA) and the Seattle Police Officers Guild (SPOG).<sup>1</sup>

At the outset, the CPC continues to call for full implementation of the reforms in the Accountability Ordinance.<sup>2</sup> That law, which passed unanimously, represented a watershed moment in our City's ongoing efforts to ensure fair, transparent, and equitable police accountability. But many of those reforms did not survive the City's collective bargaining with its police unions. We recall, and are heartened by, the City's pledge at the conclusion of the last rounds of bargaining to continue building upon the reforms from the ordinance that were included in the contracts at that time.

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<sup>1</sup> SMC 3.29.450 provides as follows: "Those who provide civilian oversight of the police accountability system shall be consulted in the formation of the City's collective bargaining agenda for the purpose of ensuring their recommendations with collective bargaining implications are thoughtfully considered and the ramifications of alternative proposals are understood. These individuals shall be subject to the same confidentiality provisions as any member of the Labor Relations Policy Committee." The same accountability processes should apply to all ranks. SMC 3.29.100.D.

<sup>2</sup> See *United States v. City of Seattle*, 2:12-cv-01282-JLR, Dkt. 533 (Levinson Decl.), which we incorporate by reference.

Given the complexity of these issues, we strongly recommend the City appoint an external advisor with accountability expertise, jointly recommended by the OPA, OIG, and CPC to assist the City in bargaining and navigating the impacts of any proposed contract changes. The City has the authority to make this appointment.<sup>3</sup> And to build community trust, the advisor should participate with the Labor Relations Policy Committee during development of bargaining agendas, during the bargaining process, and in any re-opener discussions, and be tasked with reporting out to the community after the conclusion of bargaining on the process, to the extent possible considering confidentiality limitations.

The CPC also takes this opportunity to highlight **10 key priorities**:<sup>4</sup>

1. **Burden of Proof and Standard of Review:** Return to use of the preponderance standard for all allegations of misconduct.
2. **Reforming the Calculation of the 180-Timeline for Disciplinary Investigations:** Ensuring that start and end of the 180-day timeline is consistent, ends once OPA issues its findings, and is tolled or otherwise extended in various circumstances, including (i) any type of criminal investigation that delays the disciplinary investigation; (ii) witness or labor representative unavailability; (iii) failure to refer a complaint to OPA in a timely manner; (iv) new evidence being brought forward after the investigation that reasonably requires additional time; and (v) vacancy of the OPA Director position. Union approval of extensions to the 180-day timeline should not be required when OPA is not responsible for the delay.
3. **Subpoena Authority for OPA and OIG:** Align the SPOG contract with the Accountability Ordinance and with the SPMA contract to provide OIG and OPA with full subpoena authority.
4. **Reforming Features of Disciplinary Process Affecting Public Confidence:**
  - a. *Standard of review:* Disciplinary decisions should only be overturned applying the good faith for cause standard.
  - b. *Deference:* Modifications to disciplinary decisions should be narrowly tailored to address any underlying defect in the process, and otherwise defer to the factfinder (e.g., the Chief).
  - c. *Dishonesty:* Remove requirements that intentionality must be proven or that the information must be knowingly incorrect to sustain allegations of dishonesty. The obligation to be honest should extend to all actions and statements, not only OPA interviews.

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<sup>3</sup> SMC 4.04.120.B

<sup>4</sup> These priorities are not ranked in any precedential order.

- d. *Transparency*: Disciplinary appeal hearings should be open to the public.
  - e. *Timelines*: Firm timelines should be required for each step of the disciplinary process (including appeals) to reduce the length of time for cases to be resolved.
  - f. *Neutral panelists*: Align the SPOG contract with the Accountability Ordinance and the SPMA contract so that no member of the Public Safety Civil Service Commission is a peer, subordinate, or supervisor of officer appealing discipline, but instead a neutral third party, appointed by the Mayor using a merit-based selection process.
  - g. *Public Policy*: Clearly stating right to appeal to Superior Court for decisions that violate public policy (should arbitration be maintained).
5. **Ensure Civilian Oversight Authority Includes Allegations of Criminal Misconduct**: If an alleged misconduct claim triggers potential criminal liability, OPA should have the authority to *refer* the criminal investigation to an independent agency (e.g., another police department), *oversee* both the administrative and criminal investigations, and *coordinate* with the investigative agency and prosecutors (e.g., determine sequencing of investigations, sit in on interviews, review documents, etc.) to ensure that the most effective, thorough, and rigorous criminal and administrative investigations are conducted. The tolling reforms outlined above would dovetail with this reform.
6. **Revising Statute of Limitations and Record Retention**: The statute of limitations should not apply for serious excessive force (e.g., Type III force), dishonesty, criminal conduct, or where the underlying allegations were concealed by anyone. Otherwise, the statute of limitations should be five (5) years. And to ensure an adequate record, personnel files (including OPA files) should be preserved for at least six years after the officer is no longer employed by the City.
7. **Disclosure of Material Information During Investigations**: The named employee or bargaining representative must disclose material evidence or witnesses during OPA investigation as soon as possible. If not disclosed, the information may not be used in an exculpatory manner, either at the due process hearing or on appeal.
8. **Chief Should Be Empowered to Place Employee on Leave Without Pay**: Where the allegations in a complaint, if true, could lead to termination, or where the Chief determines that it is necessary to ensure public safety, public trust, or otherwise warranted under the circumstances, the Chief should have the authority to immediately suspend an employee without pay. This authority should be discretionary and not subject to appeal, and if the employee is subsequently acquitted or the charges are dropped, the employee's wages and benefits would be restored.
9. **Reforms to Secondary Employment**: Secondary employment is a practice by which police agencies permit officers to work for other employers when off-duty, while still wearing SPD

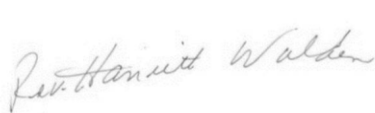
uniforms, carrying weapons, and maintaining the powers and authority of on-duty officers. But various allegations relating to the management of secondary employment have demonstrated that the practice is not sufficiently regulated. The Mayor’s Office issued an executive order in September 2017 “directing a coordinated interdepartmental effort to require [SPD] to provide greater oversight through internal regulation and management of all secondary employment for SPD officers.”<sup>5</sup> The substantive requirements concerning secondary employment in the Accountability Ordinance, the oversight officials’ recommendations, and the executive order should be included in the City’s bargaining agenda.

**10. Whether Complainants and Victims Should Be Allowed to Appeal Disciplinary Decisions:**

When a complainant alleges that she has been a victim of excessive force, an officer is typically allowed to appeal—but the complainant/victim is not allowed to do the same. The City Council discussed this topic in 2017 when it passed the Accountability Ordinance, passing a resolution expressly directing the CPC to lead stakeholders in assessing the need for developing a complainant right of appeal process. That work is about to get underway.

We look forward to meeting with each of you at your earliest convenience to discuss these issues and how we can cooperate with the City to ensure these priorities are placed on the bargaining agenda. Again, we strongly suggest that the City appoint an advisor jointly recommended by the oversight agencies to facilitate this process.

Sincerely,



Rev. Harriett Walden



Isaac Ruiz



Emma Catague

**Co-Chairs, Community Police Commission**

cc:

- Peter Holmes, Esq., Seattle City Attorney (via e-mail)
- Chief Carmen Best, Seattle Police Department (via e-mail)
- Merrick Bobb, Police Assessment Resource Center (via e-mail)
- Commissioners, Seattle Community Police Commission
- David A. Perez, Esq., Perkins Coie, outside counsel to Community Police Commission (via e-mail)

<sup>5</sup> Executive Order 2017-09: Reforming Secondary Employment at the Seattle Police Department (Sept. 27, 2017), available at <http://www.seattle.gov/Documents/Departments/Mayor/Executive-Order-2017-09-Secondary-Employment.pdf>.



VIA ELECTRONIC MAIL ONLY

January 27, 2020

Lisa Herbold  
600 Fourth Avenue, Floor 2  
PO Box 34025  
Seattle, Washington 98124-4025

RE: Upcoming Contract Negotiations with the Seattle Police Officers' Guild

Dear Councilmember Herbold,

I am writing in response to your request for written comments from the Office of Police Accountability (OPA) concerning the upcoming contract negotiations between the City of Seattle and the Seattle Police Officers' Guild (SPOG). This is a topic into which I have put much thought and careful consideration. Along with the other accountability entities, I presented to City Council at the December 5, 2019 public hearing. I also provided feedback on the related resolution that is being considered in committee tomorrow. I believe the resolution accurately reflects the input previously provided by my office and the other accountability entities.

The issues outlined in the resolution remain areas of focus for OPA. While I understand that the final collective bargaining agreement between the City and SPOG may not incorporate all of the technical advice offered by OPA and the other accountability entities, I am confident that the City is committed to thoughtfully and comprehensively addressing these issues.

Below are two categories of recommendations. The first are issues previously identified by OPA and the other accountability entities at the December 5 hearing. The second are additional issues that OPA believes the City should consider in bargaining. These lists are not exclusive; there are several other improvements to the collective bargaining agreement that the City could consider that are not set forth herein.

While not included in these lists, in advance of the December 5 hearing, OPA and the OIG encouraged the City to more broadly consider during negotiations the overall transparency of the collective bargaining process, the enhancing of public trust in both the process and the outcome, and, wherever possible, to strive to solidify the independence of the accountability entities. OPA reiterates that advice here.

**A. Issues Previously Identified**

- Simplify the calculation of the 180-day deadline
- Establish mandatory extensions to the 180-day deadline when new evidence is discovered and where there are delays in reporting
- Make Rapid Adjudication permanent and add timeline flexibility
- Eliminate the five-day notice
- Clarify and expand the tolling of criminal investigations
- Lift restrictions on how OPA utilizes civilian investigators and acting sergeants
- Institute mandatory rotations between Patrol, Investigations, and specialty units



- Require the burden of proof for all allegations of misconduct to be preponderance of the evidence
- Make improvements to the arbitrator appeal option, including, but not limited to: instituting firm timelines; eliminating de novo review; ensuring the neutrality and expertise of arbitrators; and increasing transparency of the process
- Allow OPA to determine the investigative agency for allegations of criminal misconduct and increase OPA's ability to coordinate with the agency during the pendency of the investigation
- Strengthen and clarify subpoena authority and the process for how subpoenas are to be issued and enforced
- Include an external advisor in the bargaining process who understands labor negotiations and the intricacies of Seattle's police accountability system

## **B. Additional Issues for the City to Consider**

- Bargain and fully implement supervisor handling of minor misconduct
- Clarify who may attend OPA interviews and define the nature and extent of permissible SPOG objections
- Address the impact of the new rules under Initiative 940

I very much appreciate being afforded the opportunity to address the issues set forth in this letter. Please do not hesitate to contact me with any questions concerning the above.

Sincerely,

*Andrew Myerberg*

Andrew Myerberg  
Director, Office of Police Accountability

cc: Mayor Jenny A. Durkan  
Michelle Chen, Mayor's Office  
Chief Carmen Best, Seattle Police Department  
Deputy Chief Marc Garth Green, Seattle Police Department  
Executive Director Bessie Scott, Community Police Commission  
Lisa Judge, Inspector General for Public Safety  
Pete Holmes, City Attorney  
Council President Lorena Gonzalez (Position 9, Citywide)  
Councilmember Teresa Mosqueda (Position 8, Citywide)  
Councilmember Tammy Morales (District 2)  
Councilmember Kshama Sawant (District 3)  
Councilmember Alex Pedersen (District 4)  
Councilmember Debora Juarez (District 5)  
Councilmember Dan Strauss (District 6)  
Councilmember Andrew Lewis (District 7)



SENT VIA EMAIL

**MEMORANDUM**

January 27, 2020

**To:** Councilmember Lisa Herbold

**From:** Lisa Judge, Inspector General for Public Safety

**Re:** OIG feedback regarding Seattle Police Officers' Guild contract negotiations with the City

In response to your request for input, and in support of the resolution put forth regarding upcoming labor contract negotiations with the Seattle Police Officers' Guild (SPOG), the following comments are offered by the Office of Inspector General (OIG). Although offered by OIG, the three oversight entities, including OIG, the Community Police Commission (CPC), and the Office of Police Accountability (OPA), have expressed accord with the principles discussed below.

These comments memorialize the testimonial feedback I provided regarding upcoming SPOG negotiations to committee on December 5, 2019. They also mirror and integrate feedback offered jointly by OIG and OPA regarding the Seattle Police Management Association (SPMA) contract. Notably, the current SPMA contract contains numerous provisions that promote police accountability. Prompt bargaining of the SPMA contract could provide an excellent pathway for approaching SPOG negotiations, especially if additional beneficial terms are negotiated to bolster the accountability system.

A strong accountability system must promote the following principles:

- 1) **public trust** built through transparency, clarity, and a culture of accountability in government actions,
- 2) **fair outcomes** that provide procedural justice for both affected community members and law enforcement service providers, and
- 3) **strong, independent oversight** by entities who possess the authority to hold the system accountable to the public interest, even in the face of countervailing pressures that may arise.

**Public Trust Through Transparency**

A recurring theme from community is lack of transparency and, correspondingly, lack of public trust, in the collective bargaining process and disciplinary appeals system. When the public has insight into and understanding of the workings of government, it enhances public trust that the process is fair, community needs are considered, and the system is working as intended. Making processes more



accessible to the public serves to inform community about issues being considered and provides a means of holding government to account if public needs are not being appropriately considered.

Transparency in the bargaining process can be bolstered in two ways. First, there is an opportunity to enhance accountability outside the bargaining room. The three oversight entities (OIG, CPC, and OPA) should continue to be consulted during both the agenda-setting (as required by ordinance) and during negotiations. The City's bargaining team should meet with the three oversight entities to review issues throughout bargaining, so that collective wisdom on technical aspects can be shared.

Second, use of a neutral "advisor" to enhance transparency, and correspondingly trust, in the bargaining process has been suggested by community and oversight partners. This recommendation should focus on the concept of a neutral party whose function would be to provide process visibility to those outside the bargaining room, while being mindful of confidentiality restrictions on what can be reported and to whom. This endeavor would require safeguards to protect the confidentiality and integrity of the system, provide timely information to decision-makers, and instill confidence in the public that the **process** is working as intended regardless of the **result**.

### **Fair Outcomes**

During bargaining, the City should ensure that it addresses elements that have been identified as significantly affecting accountability-related operations and oversight authority. There is substantial consensus on these issues, as many of these issues were previously identified by OPA, OIG, CPC, and the City in memoranda and Court briefings.<sup>1</sup> Five issues highlighted by OIG include the following:

1. Subpoena power - Preserving subpoena power as achieved in the SPMA contract;
2. Quantum of proof - Holding all misconduct allegations to a preponderance of the evidence standard for determination by OPA and the Chief, as well as on appeal;
3. 180-day timeline - Providing clarity around the calculation of the 180-day timeline for disciplinary investigations, including appropriate tolling for criminal investigations, newly discovered evidence, and time lags in reporting;
4. Arbitration - Examining features of arbitration that affect public confidence, such as increasing transparency and efficiency of the hearings process, prohibiting *de novo* review of the Chief's final disciplinary decisions, and improving the selection process for arbitrators to ensure objectivity, fairness, and expertise; and
5. Civilian/Sworn investigation staffing authority – The SPOG contract permits OPA to hire up to two civilian investigators. Because this represents about 20 percent of OPA's investigators, it potentially constrains OPA's ability to determine the ideal mix of civilian and sworn investigators. This limit also impacts the ability of OIG to analyze the effects of civilianization.

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<sup>1</sup> See, e.g., Court Document 576, City of Seattle's Stipulated Motion to Approve Accountability Methodology, p. 24-25.



### **Strengthening Oversight Independence**

In line with the Court's suggestion to embrace new ways of thinking about accountability, the City also has the opportunity to innovate ways to strengthen oversight independence both within and outside the context of bargaining. For example, the City could explore additional ways to ensure that staffing and resources for oversight entities are sufficient to support robust accountability. When the City is no longer the subject of federal oversight and the Monitor is no longer routinely examining core accountability areas like use of force, that responsibility will fall to the existing entities, and they must be able to carry out those functions with proper resources without having to rely on favorable relationships or political expediency. OIG would welcome the opportunity to work with Council and the Mayor to identify ways that they can, through legislation, executive orders, or other lasting means, express support for oversight entity authority and independence.

### **Conclusion**

All contract negotiations require compromise. However, the above recommendations, if adopted by the City as bargaining priorities, could strengthen the current system and more fully align the SPOG collective bargaining agreement with the landmark accountability law.

Contracts by their nature come up for renegotiation and individuals change, so to the extent necessary oversight authority can be preserved and maintained independently, institution of structural changes that can survive administrations are also critical in furthering Seattle's robust independent oversight process. OIG, in partnership with OPA and CPC, seeks to work with the City in responding to the Court on novel permanent ways outside of bargaining where the City can strengthen its accountability system.

Cc: Mayor Jenny Durkan  
Council President M. Lorena González  
Councilmember Debora Juarez  
Councilmember Andrew J. Lewis  
Councilmember Tammy J. Morales  
Councilmember Teresa Mosqueda  
Councilmember Alex Pedersen  
Councilmember Kshama Sawant  
Councilmember Dan Strauss  
City Attorney Pete Holmes  
Andrew Myerberg, Office of Police Accountability Director  
Bessie Scott, Community Police Commission Executive Director  
Rev. Harriett Walden, Community Police Commission Co-Chair  
Emma Catague, Community Police Commission Co-Chair

**SUMMARY and FISCAL NOTE\***

<b>Department:</b>	<b>Dept. Contact/Phone:</b>	<b>CBO Contact/Phone:</b>
LEG	206-256-6225	

*\* Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

**1. BILL SUMMARY**

**Legislation Title:**

A RESOLUTION affirming the City's good faith intent to consider raising in the collective bargaining process for the Seattle Police Officer's Guild (SPOG) 2021 contract renewal police accountability proposals that have been identified by the public and the City's police oversight agencies.

**Summary and background of the Legislation:**

The Collective Bargaining Agreement (CBA) between The City of Seattle and the SPOG will expire on December 31, 2020 and the parties will begin negotiating a new contract as soon as March 2020. SMC subsection 4.04.120.F requires the Council's Labor Policy and Public Safety, Human Services and Education committees or the successor committees to hold a public hearing on the effectiveness of the City's police accountability system and that this meeting should be held at least ninety days before the City begins collective bargaining agreement negotiations with the SPOG.

Pursuant to SMC 4.04.120.F, the Council's Labor Policy committee and Gender Equity, Safe Communities, New Americans and Education Committee held on December 5, 2019 a public hearing and received input from the Office of Police Accountability (OPA), Community Police Commission (CPC), the Office of Inspector General for Public Safety (OIG), and 32 citizens that provided personal testimony or represented community, non-profit or labor organizations that have a stake in police accountability and the SPOG contract.

**Resolution #00000** memorializes the input provided at the meeting and notes in Section 1 that the City of Seattle will consider in good faith whether and how to carry forward these interests through various means including, but not limited to, enactment of appropriate legislation, development of collective bargaining goals and objectives, and facilitating community police dialogue. To the extent that Washington law requires any changes to be bargained with employee representatives, the City will seek to discharge such obligations in good faith.

**2. CAPITAL IMPROVEMENT PROGRAM**

Does this legislation create, fund, or amend a CIP Project? \_\_\_ Yes  No

### 3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? \_\_\_ Yes  No

Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

NO

Is there financial cost or other impacts of *not* implementing the legislation?

NO

#### 3.a. Appropriations

This legislation adds, changes, or deletes appropriations? \_\_\_ Yes  No

#### 3.b. Revenues/Reimbursements

This legislation adds, changes, or deletes revenues or reimbursements? \_\_\_ Yes  No

#### 3.c. Positions

This legislation adds, changes, or deletes positions? \_\_\_ Yes  No

### 4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

NO

b. Is a public hearing required for this legislation?

NO

c. Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?

NO

d. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

NO

- e. **Does this legislation affect a piece of property?**

NO

- f. **Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?**

The act of memorializing via resolution the police accountability input provided at the December 5, 2019 hearing will not in-and-of-itself have an impact on vulnerable or historically disadvantaged communities. However, the successful negotiation of proposals that reflect such input in the 2021 CBA with the Seattle Police Officer's Guild, consistent with constitutional and accountable policing, may have a significant impact on vulnerable or historically disadvantaged communities.

- g. **If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s).**

N/A

**List attachments/exhibits below:**



Legislation Text

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**File #:** Appt 01527, **Version:** 1


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Appointment of Kevin Werner as member, Levy to Move Seattle Oversight Committee, for a term to December 31, 2021.

The Appointment Packet is provided as an attachment.



# City of Seattle Boards & Commissions Notice of Appointment

<b>Appointee Name:</b> Kevin Werner		
<b>Board/Commission Name:</b> Move Seattle Levy Oversight Committee		<b>Position Title:</b> Member
<input checked="" type="checkbox"/> Appointment OR <input type="checkbox"/> Reappointment		<b>Council Confirmation required?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Appointing Authority:</b> <input checked="" type="checkbox"/> Council <input type="checkbox"/> Mayor <input type="checkbox"/> Other: Fill in appointing authority	<b>Date Appointed:</b> mm/dd/yy. 11/26/19	<b>Term of Position: *</b> 1/1/2018 to 12/31/2021 <input checked="" type="checkbox"/> Serving remaining term of a vacant position
<b>Residential Neighborhood:</b> Leschi	<b>Zip Code:</b> 98144	<b>Contact Phone No.:</b> [REDACTED]
<b>Background:</b> Kevin Werner holds a doctorate in Political Science, Master of Public Administration, and a Master of Science in Atmospheric Sciences and current serves as the Science and Research Director of Northwest Fisheries Science Center. Kevin is interested in increasing our city's mobility and resiliency, increasing racial and social equity, as well as continuing to build strong communities and economic enablers in our city.		
<b>Authorizing Signature (original signature):</b> 		<b>Appointing Signatory:</b> Jenny A. Durkan Council member O'Brien Mayor of Seattle Chair of Sustainability & Transportation Committee

\*Term begin and end date is fixed and tied to the position and not the appointment date.



**KEVIN WERNER**

Seattle WA 98144

## **EXECUTIVE SUMMARY**

Proven executive leadership in federal agencies with extensive experience in public administration, science, and science application. Expertise in applying scientific output to meet real world challenges in water resources, climate, and natural resources. Exceptional communication, relationship building, and facilitation skills for supporting well informed, science based decision making by stakeholders.

## **EDUCATION**

<b>Doctorate in Political Science</b> Dissertation: States, Water, and Climate: Who's Planning for Change? University of Utah	<b>2015</b>
<b>Master of Public Administration</b> University of Utah	<b>2009</b>
<b>Master of Science in Atmospheric Sciences</b> University of Washington	<b>1999</b>
<b>Bachelor of Science in Atmospheric Sciences &amp; Mathematics</b> University of Washington Included more than 24 semester hours in physical science required for this position. Please see included University of Washington transcript for detailed course information.	<b>1996</b>

## **EXPERIENCE**

**Science and Research Director, Northwest Fisheries Science Center** 5/15/2017 to present  
National Marine Fisheries Service  
National Oceanic and Atmospheric Administration  
Seattle, WA  
Grade: Senior Executive Service  
40 hours per week

Leads a large and complex federal research organization that delivers high quality science output to support management of the nation's fisheries and marine protected resources. The Northwest Fisheries Science Center (NWFSC) includes approximately 500 scientists, technicians, and support staff with an annual budget of approximately \$70m. The NWFSC includes scientists with diverse expertise in the life science, social science, and physical sciences as well as a full range of

support staff with expertise in budgeting, facilities, communication, information technology, boats and ships, data, and more. The science output of the organization provides important and foundational information for managing west coast fisheries, protected resources including threatened or endangered salmon and marine mammals.

Provides executive level leadership including setting priorities, working with and supporting stakeholders in resource management. Stakeholders include Congress, fisheries management councils, resource managers in NOAA, action agencies at all levels of government, and other research organizations such as Universities.

**Director, Office of Organizational Excellence**

**1/1/2016 to 5/15/2017**

National Weather Service

National Oceanic and Atmospheric Administration

Silver Spring, MD

Grade: Senior Executive Service

40 hours per week

The Office of Organizational Excellence leads and manages activities enabling NWS to become the agile and effective organization needed to build a Weather-Ready Nation. The Office plans and oversees organizational changes based on recommendations of two independent studies of the National Weather Service: “Weather Services for the Nation: Becoming Second to None,” National Academy of Sciences (NAS), 2012, and “Forecast for the Future: Assuring the Capacity of the National Weather Service,” National Academy of Public Administration (NAPA), May 2013. The Office also administers a framework for change which enables and facilitates continuous evolution of the National Weather Service. The Office focuses on large-scale, significant changes to the organizational structure, infrastructure, or operations of the National Weather Service. The Office coordinates and oversees transition activities, and evaluates if changes implemented are effective and meet the intent of study recommendations. The Office manages the framework for change process, as well as communication of change activities to both internal and external stakeholders by working closely with the Office of Planning and Programming for Service Delivery (OPPSD), Portfolio Offices, and the Communications and Legislative Affairs in the Office of the Chief of Staff.

**Regional Climate Service Director, Western Region**

**3/1/2014 to 1/1/2016**

National Oceanic and Atmospheric Administration

Seattle, WA

Grade: ZP5 (GS15 equivalent)

40 hours per week

Coordinated and advised on National Oceanic and Atmospheric Administration (NOAA) climate services investments in an eight state region in the Western United States including activities and programs from the National Weather Service (NWS), NOAA Research, the National Climatic Data Center (NCDC), and NOAA Fisheries.

Led a NOAA wide services assessment focused on understanding the impacts of the 2012-2014 California drought and the opportunities to improve or enhance services, forecasts, and data

offered by NOAA supporting impacted decision makers. My role included developing the team's charter, identifying team members, leading team calls, coordinating team fieldwork, and overseeing and vetting the team's report.

Developed a NOAA drought and water resources pilot activity focused on incorporating climate science, data, and forecasts into existing habitat and flood protection collaborations in the Puget Sound basin.

Collaborated with key stakeholders in the region including Western Governors Association, the Western States Water Council, private sector stakeholders, and federal partners to identify needs related to climate, drought, and NOAA services in the region and to develop avenues to meet those needs.

Prepared and proposed budgets for science and technical projects including drought early warning system prototypes in the Pacific Northwest and California.

Briefed news media on various western USA climate particularly focusing on water resources, water supply, and drought as one-on-one interviews, routine or special briefings to multiple outlets, and working with public affairs staff on media roll out plans.

#### **Service Coordination Hydrologist**

**3/1/2008 to 3/1/2014**

Colorado Basin River Forecast Center (CBRFC)  
National Weather Service; Salt Lake City, UT  
Grade: GS14  
40 hours per week

Utilized physical sciences knowledge to outreach and engage partners, customers and stakeholders in applications of climate information produced by the CBRFC, including the interpretation of data products. Collaborated with NOAA Regional Integrated Sciences and Assessments to develop a toolkit for stakeholder engagement, which included survey techniques, scenario exercises, and hands-on activities.

Identified emerging issues and needs for water, weather, and climate forecast information, and worked in partnership with regional providers and users, such as Weather Forecast Offices, regional water managers, and the general public, to develop, test and operationally transition new climate information products and services.

Collaborated and led interdisciplinary teams, working groups and committees to plan, coordinate and implement numerous workshops and meetings with regional stakeholders, partners and scientists. This included other Federal agency partners, state, local and tribal government stakeholders, and academic and private sector partners.

Presented weather and climate information, and documented regional needs for water, weather, and climate information for the purposes of new product development. Engaged the research

community to define research questions to address the evolving needs of water managers and other consumers in the Colorado Basin. Developed new forecast products, scientific studies, and datasets to better support regional decision-makers.

Managed and led water and weather forecasting operations and service programs including during flooding events, peak flow forecasts, and water supply forecasts. This included scheduling the forecast staff, coordinating with other NWS offices and with stakeholders, and responding to requests and problems as they came up. This also included extensive experience with all aspects of generating both water and weather forecasts.

Advised on office budgeting, human resource development, and managed project budgets for research grants. This included advising on personnel selections, budget allocations, and spending plans to achieve the office mission.

Extensively evaluated and advised on organizational and technical procedures including forecast enhancements through forecast verification and evaluation and project planning. Authored several forecast evaluation and verification studies designed to identify and correct forecast deficiencies.

Developed, analyzed, and evaluated program policies, regulations, goals, and objectives through diverse avenues and activities but typically linked to stakeholder input and needs.

Evaluated cooperative agreements to ensure they were current and relevant for both parties especially the long standing NWS – NRCS water supply forecasting arrangement.

**NOAA Leadership Competencies Development Program (LCDP) Fellow  
3/2012-1/2014**

Competitively selected into the NOAA Leadership Competencies VIII Program, and successfully completed three detail assignments. *Awarded the Dr. Linda Winner Peer Award for demonstrated class leadership.*

**LCDP Detail 1: Climate Adaptation Advisor, EcoAdapt and The Nature Conservancy,  
Seattle, WA**

Developed climate adaptation initiatives in partnership with EcoAdapt to assist the Nez Pierce – Clearwater National Forest in integrating climate adaptation and climate change information in their forest management plan. This National Forest is one of five nationwide to prototype the inclusion of climate change considerations in forest management plans.

Worked with The Nature Conservancy on the Floodplains by Design initiative in Puget Sound. Utilized science expertise in hydrology and outreached to flood managers, fisheries and habitat managers, and the agricultural sector to advance the goal of this initiative to build an interdisciplinary coalition of stakeholders to develop a shared vision and strategies to improve the resiliency of the Puget Sound tributaries to changing climate.

**LCDP Detail 2: Science Advisor, Hurricane Sandy Rebuilding Task Force, Washington, DC**

Served as Science Advisor to the Hurricane Sandy Rebuilding Task Force established by Executive Order to provide coordination support for rebuilding efforts. Advised on Hurricane Sandy Task Force activities including providing and organizing technical science review of Task Force work, including the Task Force Strategy Report.

Successfully developed relationships between Task Force political and career staff and the federal science and technology community, and collaborated with the Office of Science and Technology Policy, Council on Environmental Quality, and other designated federal agencies to organize, convene and staff an interagency Science Coordination Group for the purposes of providing well-coordinated and timely science based information and advice.

Presented information and represented NOAA at meetings related to the Task Force, including the National Academies of Science, Army Corps of Engineers Comprehensive Study meetings, and NOAA communicating climate workshop.

**LCDP Detail 3: Special Assistant to Regional Administrator, National Marine Fisheries Service, Seattle, WA**

Utilized physical science expertise to advise on the Puget Sound tributary hydrology for supporting salmon habitat. Assessed science and policy environments surrounding river flow to support salmon habitat in the Puget Sound basin, and worked with other federal agencies, such as the Bureau of Indian Affairs and U.S. Geological Survey to identify intersecting interests and collaborative opportunities, and advised NMFS leadership on findings.

**Regional Hydrologic Science Program Manager**

**6/2004 to 3/2008**

Western Region Headquarters  
National Weather Service; Salt Lake City, UT  
Grade: GS13  
40 hours per week

Managed efforts to infuse new science and development into National Weather Service (NWS) hydrologic forecasting operations, including coordination of NOAA climate observation and data experiments, such as the Hydrometeorology Testbed. Led USGS/NOAA efforts to improve debris flow warnings in Southern California; developed a water resources forecast web based tool kit, and successfully convened a regional team of experts to verify hydrologic forecasts and generate case studies, the results of which were used to inform a national program.

Evaluated local office hydrology programs as part of program reviews for the Western Region Headquarters to ensure compliance with agency directives as well as to identify opportunities to advance the state of hydrologic forecasting.

**Officer, Lieutenant**  
NOAA Corps

**6/1999 to 6/2004**

**Hydrologist**

**3/2002 to 6/2004**

Colorado Basin River Forecast Center (CBRFC)  
National Weather Service; Salt Lake City, UT

Conducted operations for forecasting river flows, developed new methodologies for forecasting river flows, and collaborated with research scientists inside and outside of NOAA to improve products and services and customer access. Routinely utilized River Forecast Center modeling systems to analyze diverse data including weather, streamflow, and reservoir data to produce forecasts.

Developed new techniques for improving hydrologic forecasts through my effort to develop techniques for integrating ensemble weather and climate forecasts into hydrologic ensemble forecasts. In particular developed and validated techniques that I published in the literature that formed the foundation for the Hydrologic Ensemble Forecast System that was subsequently implemented at NWS River Forecast Centers.

**Officer-In-Charge** **2002**  
NOAA Ship OSCAR SETTE; NOAA Ship VINDICATOR

Responsible for outfitting efforts for NOAA ships in preparation for their entry into the NOAA fleet. Managed personnel and budgetary resources, and completed preparations for “going to sea” including Panama Canal transit.

**Field Operations Officer** **10/1999 to 2/2002**  
NOAA Ship KA’IMIMOANA

Responsible for organizing day-to-day activities in support of the ship’s research mission, coordinated with ship's crew and visiting scientists, and conducted bridge watch.

**Research Assistant** **6/1996 to 6/1999**  
Department of Atmospheric Sciences  
University of Washington

Conducted research on climate variability in the tropical Atlantic climate system using numerical global climate models and analyzed climate data records. Successfully demonstrated that the entire climate system (ocean, atmosphere, lithosphere) is integral to defining climate variability in the region. Taught undergraduate Atmospheric Sciences courses.

## **HONORS & AWARDS**

Employee of the Year, National Center for Environmental Information	<b>2015</b>
NOAA LCDP Linda Winner Award	<b>2013</b>
NOAA LCDP Fellow	<b>2012</b>
National Weather Service (NWS) quality step increase	<b>2005, 2007, 2010, 2013</b>
Pi Alpha Alpha Member	<b>2009</b>
G. Homer Durham MPA Scholarship	<b>2008</b>
NWS Special Service Act Cash Award	<b>2004, 2005, 2006, 2007, 2008</b>

NOAA Administrator's Award 2007  
 Regional and local Isaac Cline Award 2007

## PROFESSIONAL TEACHING EXPERIENCE

**Introduction to Meteorology** 2004 to 2008  
 Non-majors undergraduate Meteorology course.  
 Adjunct instructor at the University of Utah

## SELECTED PUBLICATIONS

**Werner, K.**, Averyt, K., Owens, G. River Forecast Application for Water Management: Oil and Water? *Weather, Climate, and Society*, 5(3), (2013).

**Werner, K.**, Yeager, K. Challenges in Forecasting the 2011 Runoff Season in the Colorado Basin. *Journal of Hydrometeorology*, 14(4), (2013).

Hobbins, M., Wood, A., Streubel, D., & **Werner, K.** What Drives the Variability of Evaporative Demand across the Conterminous United States?. *Journal of Hydrometeorology*, 13(4), 1195-1214 (2012).

Demargne, J., Mullusky, M., **Werner, K.**, Adams, T., Lindsey, S., Schwein, N., Marosi, W., Welles, E. Application of Forecast Verification Science to Operational River Forecasting in the U.S. National Weather Service. *Bulletin of the American Meteorological Society* 90: 779-784 (2009).

Restrepo, P., Jorgensen, D. Cannon, S., Costa, J., Laber, J., Major, J., Martner, B., Purpura, J., and **Werner, K.** Joint NOAA/NWS/USGS Prototype Debris Flow Warning System for Recently Burned Areas in Southern California. *Bulletin of the American Meteorological Society* 89: 1845-1851 (2008).

**Werner, K.**, Brandon, D., Clark, M., and Gangopadhyay, S. Incorporating medium-range numerical weather model output into the ensemble streamflow prediction system of the National Weather Service. *Journal of Hydrometeorology* 6: 101-114 (2005).

**Werner, K.**, Brandon, D., Clark, M., Gangopadhyay, S. Climate index weighting schemes for NWS ESP-based seasonal volume forecasts. *Journal of Hydrometeorology* 5: 1076-1090 (2004).

Gangopadhyay, S., Clark, M., **Werner, K.**, Brandon, D., and Rajagopalan, B. Effects of spatial and temporal aggregation on the accuracy of statistically downscaled precipitation estimates in the upper Colorado river basin. *Journal of Hydrometeorology* 5: 1192-1206 (2004).

## PROFESSIONAL DEVELOPMENT & CIVIC SERVICE

Innovative culture summit 2016

Vice Chair, Western Area Federal Support Team (westFAST)	<b>2015 to present</b>
American Meteorological Society Water Resources Committee	<b>2013 - 2014</b>
American Meteorological Society Board on Global Strategies	<b>2013 to present</b>
NOAA Leadership Development Competencies Program	<b>2012 - 2013</b>
Co-convened short course on water supply forecasting American Meteorological Society Annual Meeting	<b>January 2011</b>
President, Board of Directors Salt Lake City Library	<b>2010 to 2014</b>
Selected participant in Policy Colloquium American Meteorological Society	<b>June 2008</b>
Charter member "1st" N State Toastmasters Club	<b>2006 - 2008</b>
Passed Actuaries Exam P1 - Probability	<b>February 2006</b>

**MISCELLANEOUS INFORMATION FOR FEDERAL POSITIONS**

Citizenship: USA

Selective Service Registration: Yes

Federal Employment Listed Here: All full time (40 hours per week)

Career Senior Executive Service since January 2016

Security Clearance: TSSI Security Clearance



16 Members: Pursuant to Ordinance 124796, 10 members subject to City Council confirmation, 4-year terms:

- 5 City Council-appointed
- 5 Mayor-appointed
- # Other Appointing Authority-appointed (specify): 4 modal advisory board representatives appointed by respective modal advisory boards; City Council Transportation Committee Chair; City Budget Director

**Roster:**

*D	**G	RD	Position No.	Position Title	Name	Term Begin Date	Term End Date	Term #	Appointed By
	F	3	1.	Member	Rachel Ben-Shmuel	1/1/20	12/31/23	2	Mayor
6	F	7	2.	Member	Hester Serebrin	1/1/16	12/31/22	2	Mayor
	M	6	3.	Co-Chair	Ron Posthuma	1/1/18	12/31/21	1	Mayor
6	M	4	4.	Member	Samuel Ferrara	1/1/19	12/31/22	1	Mayor
6	F	3	5.	Member	Lisa Bogardus	1/1/20	12/31/23	1	Mayor
1	M	5	6.	Member	Nick Paranjpye	1/1/20	12/31/23	2	Council
	F	5	7.	Member	Vicky Clarke	1/1/19	12/31/22	1	Council
6	F	4	8.	Member	Inga Manskopf	1/1/20	12/31/23	1	Council
	M	1	9.	Member	Joe Laubach	1/1/19	12/31/22	2	Council
	M	2	10.	Member	Kevin Werner	1/1/18	12/31/21	1	Council
	M	2	11.	Bike Advisory Board Member	Patrick Taylor	9/1/18	8/31/20	1	SBAB
	M	3	12.	Pedestrian Advisory Board Member	David Seater	4/1/19	3/31/21	2	SPAB
	M		13.	Freight Advisory Board Member	Todd Biesold	6/1/18	5/31/19	1	SFAB
	F	2	14.	Transit Advisory Board Member	Alex Wakeman Rouse	8/3/19	8/2/21	1	STAB
	M	6	15.	Councilmember	Mike O'Brien	n/a	n/a		
	M		16.	Budget Director	Ben Noble	n/a	n/a		

**SELF-IDENTIFIED DIVERSITY CHART (1) (2) (3) (4) (5) (6) (7) (8) (9)**

	Male	Female	Transgender	NB/ O/ U	Asian	Black/ African American	Hispanic/ Latino	American Indian/ Alaska Native	Other	Caucasian/ Non-Hispanic	Pacific Islander	Middle Eastern	Multiracial
Mayor	2	3											
Council	3	2											
Other	5	1											
<b>Total</b>	<b>10</b>	<b>6</b>											

**Key:**

- \*D List the corresponding *Diversity Chart* number (1 through 9)
- \*\*G List *gender*, M= Male, F= Female, T= Transgender, NB= Non-Binary O= Other U= Unknown
- RD Residential Council District number 1 through 7 or N/A

*Diversity information is self-identified and is voluntary.*



Legislation Text

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**File #:** Appt 01544, **Version:** 1


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Appointment of Judith Blinder as member, Seattle City Employees' Retirement System Board of Administration, for a term to June 30, 2020.

The Appointment Packet is provided as an attachment.



# City of Seattle Boards & Commissions Notice of Appointment

<b>Appointee Name:</b> <i>Judith Blinder</i>		
<b>Board/Commission Name:</b> <i>Seattle City Employees' Retirement System</i>		<b>Position Title:</b> <i>Member, Seattle City Employees' Retirement System Board of Administration</i>
<input checked="" type="checkbox"/> <b>Appointment</b> OR <input type="checkbox"/> <b>Reappointment</b>	<b>City Council Confirmation required?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Appointing Authority:</b> <input type="checkbox"/> City Council <input type="checkbox"/> Mayor <input checked="" type="checkbox"/> Other: <i>SMC 4.36.500</i>	<b>Term of Position: *</b> Date of City Council confirmation <b>to</b> <i>6/30/2020</i>  <input type="checkbox"/> <i>Serving remaining term of a vacant position</i>	
<b>Residential Neighborhood:</b> <i>n/a</i>	<b>Zip Code:</b> <i>n/a</i>	<b>Contact Phone No.:</b> [REDACTED]
<b>Background:</b> <i>Judith Blinder has worked for the City of Seattle for 26 years. She is currently a Senior Economist for Seattle City Light's Finance Division. She has an MBA from Seattle University in Finance and is a Chartered Financial Analyst (CFA). Her career has included positions as a financial analyst and economic/financial analyst.</i>  <i>Her work experience, technical training, and strong financial analysis skills will be of value to the Seattle City Employees' Retirement System Board of Directors.</i>		
<b>Authorizing Signature (original signature):</b>  	<b>Appointing Signatory Title:</b> <i>Councilmember, At Large</i>  <b>Date Signed (appointed):</b> <i>1/30/2020</i>	

JUDITH BLINDER

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#### EDUCATION

Chartered Financial Analyst (C.F.A.)

M.B.A. Finance, Seattle University

B.A. French Literature, Reed College

#### WORK EXPERIENCE

Economist, 11/93 to 12/00 (out-of-class Senior Economist, 4/95 to 12/96), Senior Economist, 12/00 to present (out-of-class Acting Manager, Financial Planning Unit, 1/05 to 12/06), Finance Division, Seattle City Light

Financial forecasting, management reporting, strategic planning, budgeting, cost/benefit analysis, cost of service studies, rate design, and analysis to support long-term debt issuance.

Financial Analyst, Investments Dept., Kibble & Prentice, Seattle, Washington, 2/92 to 11/93.

Investment portfolio performance reporting and analysis. Asset allocation modelling, drafting investment policy statements, and creating cash flow projections to assist clients in their financial planning. Preparing investment presentations for participants in client-owned retirement plans.

Economic and Financial Analyst, Financial Planning and Treasury Management Departments, First Interstate Bank of Washington, Seattle, Washington, 1/89 to 12/91. Corporate financial planning, forecasting and reporting, economic reporting, investment portfolio reporting, budgeting.

## **Seattle City Employees' Retirement System Board of Administration appointment**

### **Appointment Background**

The Seattle City Employees' Retirement System Board of Administration is comprised of seven members serving on a mix of appointed and elected terms. Elected Board members serve a term of three years, and all Board members' terms are guided by the Seattle Municipal Code, section: 4.36.500. Below is a chart outlining current Board membership.

When there is a vacancy in an elected position outside the regular election cycle, the SMC states that the Seattle City Council shall fill the position by appointment. For Board members who are current City employees, the appointee must come from the same employing unit as the person leaving the position.

This November one of the elected Board member seats became vacant when Jaya Bajpai resigned from the Board. Jaya was employed by Seattle City Light, so the appointee must come from the same department. This past summer, when Jaya was elected to the Board, the other two candidates were also City Light employees.

SCERS is recommending that the Seattle City Council appoint the second-place finisher in the recent election, Judith Blinder, to the vacated Board seat. Judith Blinder's candidate statement from this year's Board election is below.

This appointment is through June 30, 2020. An election will be held to select a Board member to serve out the final two years of this position's term.

### **2020 SCERS Board membership**

<b>Position</b>	<b>Name</b>	<b>Elected/Appointed</b>
Ex Officio Chair	Teresa Mosqueda, Finance Chair, Seattle City Council	Appointed
Ex Officio Secretary	Bobby Humes, Director, Human Resources, City of Seattle	Appointed
Ex Officio Treasurer	Glen Lee, Finance Director, City of Seattle	Appointed
Current City Employee and SCERS member	Sherri Crawford, Finance and Administrative Services	Elected by SCERS membership
Current City Employee and SCERS member	Judith Blinder (recommended by SCERS ED)	Temporary Council appointment, up for election in 2020
City Retiree and SCERS member	Lou Walter	Elected by SCERS membership
At-large, non-SCERS member	Robert Harvey	Appointed by the other six members



Legislation Text

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**File #:** Appt 01150, **Version:** 2

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Appointment of Betsy McFeely as member, Labor Standards Advisory Commission, for a term to April 30, 2021.

The Appointment Packet is provided as an attachment.





# City of Seattle Boards & Commissions Notice of Appointment

<b>Appointee Name:</b> Betsy McFeely		
<b>Board/Commission Name:</b> Labor Standards Advisory Commission		<b>Position Title:</b> Commissioner
<input checked="" type="checkbox"/> Appointment OR <input type="checkbox"/> Reappointment		<b>Council Confirmation required?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Appointing Authority:</b> <input type="checkbox"/> Council <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Other: <i>Fill in appointing authority</i>	<b>Date Appointed:</b> 9/10/2018 2-6-20 AM	<b>Term of Position: *</b> 5/1/2017 5-1-19 AM to 4/30/2019 4-30-21  <input checked="" type="checkbox"/> Serving remaining term of a vacant position
<b>Residential Neighborhood:</b>	<b>Zip Code:</b>	<b>Contact Phone No.:</b> [REDACTED]
<b>Background:</b> Betsy McFeely is currently the Director of Community Relations at Seattle Goodwill. In this role, she creates and implements community relations plans to raise Goodwill's profile in community and increase mission awareness. Before this, she worked in the Public Relations department for Goodwill, as the Director of Communications and as Assistant Director of Public Relations. She is also a member of the South Park Neighborhood Association, Rainier Chamber of Commerce, and is a volunteer at the Seattle Art Museum.		
<b>Authorizing Signature (original signature):</b> 		<b>Appointing Signatory:</b> Jenny A. Durkan Mayor of Seattle

FILED  
 CITY OF SEATTLE  
 18 SEP 10 AM 11:25  
 CITY CLERK

\*Term begin and end date is fixed and tied to the position and not the appointment date.

## **BETSY McFEELY**

### **SUMMARY**

- Diverse talents in the areas of community relations, communications, volunteer management, operations, special event planning, public relations, fundraising, sales, and marketing
- Proven skills in building and maintaining excellent customer relations
- Team player, creative, organized, and effective problem solver
- History of being promoted for performance and results

### **PROFESSIONAL EXPERIENCE & ACHIEVEMENTS**

#### **SEATTLE GOODWILL**

**November 1998 – present**

##### **Director of Community Relations**

**5/14 – present**

Created and implemented community relations plan for newly created department with goals of raising Goodwill's profile in community, increase mission awareness and position us as a thought leader.

- Generate engagement to advance partnerships with Goodwill supporters.
- Develop relationships with elected officials at local, state and federal level. Secured \$25K grant for Burien Job Training Center as result of relationships developed with Mayor and City Council.
- Plan annual event to position Goodwill as thought leader and consultant on workforce issues.
- Represent Goodwill at a multitude of events, Chamber of Commerce meetings, and other forums.
- Connect the President & CEO with influencers in communities we serve for various purposes.
- Advise organization on advocacy issues and related activity when needed.
- Manage sponsorship program to enhance connectivity and maintain community presence.
- Co-hosted panel discussion with WTIA to explore ways to help underserved populations access jobs in tech industry.

##### **Director of Public Relations-Director of Communications**

**11/02 – 5/14**

##### **Assistant Director of Public Relations**

**5/99 – 11/02**

Developed and implemented internal and external communication plans to ensure name/brand recognition and mission awareness in community and among employees.

- Handled media relations inquiries, wrote and edited public relations materials and collateral and acted as agency spokesperson when needed.
  - Developed and implemented targeted media plan for community activity in opposition to site development project.
- Administered marketing/advertising plans to promote job training and education programs and store openings. Openings met financial goals and garnered media and community support.
- Organized special events including fundraisers and professional meetings. Gross revenues of several years surpassed budgeted goal by 25%. Successfully recruited, trained and managed 80 event volunteers; coordinated program, video production and other event logistics.
- Developed and managed communications budget of \$950,000. History of fiscal responsibility.
- Managed department of 6 fulltime and one part time staff members.

##### **Volunteer and Community Relations Coordinator**

**11/98 – 5/99**

Created and administered new agency volunteer program, developing program policies, designing forms and training manuals to producing a quarterly volunteer newsletter. Group volunteer participation increased 300% in first year.

- Ran department for 3 months when supervisor was on maternity leave.



**MUSEUM OF SCIENCE, Boston, MA**  
**Group Sales Associate and Contractor**

**July 1996 – August 1998**

Managed group sales and adjunct projects to attract tour/senior market. Generated over \$300,000 in revenues during first year of program.

- Developed Pilot Program for Museum Dinner Series and coordinated plan among eight departments from ticketing to marketing.
- Created and implemented marketing program to increase sales and market share. Built relationships with tour operators and developed hotel and restaurant partnerships through attendance at conventions, providing exemplary customer service, and producing a quality product. Organized tour group visits and related activities. Recognized for excellent follow through skills.
- Initiated "Senior Topic Testing Day" to evaluate existing Museum programs and review senior accessibility issues.
- Created Volunteer Group Guide Program to train volunteer tour escorts for group visits.
- Acted as on site Event Coordinator for corporate and university events.

**CATHOLIC CHARITIES, Boston, MA**

**January 1993 – June 1996**

**Project Director, Retired & Senior Volunteer Program**

Administered national volunteer program involving 600 volunteers and 90 community agencies. In 1995, volunteers donated 87,500 hours or the equivalent of over 1 million dollars in services to non-profit agencies.

- Managed agency thrift store and 20 volunteer who ran store. Implemented changes resulting in 60% increase in revenues.
- Generated press releases resulting in increased press coverage.
- Developed and monitored annual budget.
- Supervised two staff members.

**LESLEY COLLEGE, Boston, MA**

**December 1991 – July 1992**

**Alumni Relations Volunteer Consultant**

Collaborated with the Director of Alumni Relations to develop a Volunteer Management Program for the Alumni Office.

**PHOTOGRAPHIC RESOURCE CENTER, Boston, MA**

**January 1990 – November 1991**

**Director of Development**

Directed all facets of fundraising including \$500,000 budget planning, special event planning, grant writing, and annual appeal.

- Successfully implemented major fundraising events and Annual Phonathon whose proceeds surpassed revenue projections.
- Wrote proposal resulting in \$50,000 grant, the largest single award in the Center's history.

**VOLUNTEER AFFILIATIONS**

- South Park Neighborhood Association – Board Member 2011-14
- Rainier Chamber of Commerce – Board Member 2001-14; President, Board of Directors, 2003-04
- Seattle Art Museum Volunteer

**EDUCATION**

Ohio Wesleyan University  
BA – Double Major in Social Welfare, Human Development & Family Studies  
President and Member: Delta Delta Delta Sorority

Delaware, OH

# Labor Standards Advisory Commission

15 Members: Pursuant to *Ord. 124643*, all members subject to City Council confirmation, 2-year terms:

- 7 City Council-appointed
- 7 Mayor-appointed
- 1 Other Appointing Authority-appointed (specify): Commission-appointed

## Roster:

*D	**G	RD	Position No.	Position Title	Name	Term Begin Date	Term End Date	Term #	Appointed By
	F	2	1.	Commissioner	Elizabeth Ford	5/1/19	4/30/21	2	Mayor
2	M	NA	2.	Commissioner	Anthony Burnett	5/1/18	4/30/20	2	Mayor
			3.	Commissioner		5/1/19	4/30/21		Mayor
6	F	2	4.	Commissioner	Nicole Grant	5/1/18	4/30/20	2	Mayor
			5.	Commissioner		5/1/19	4/30/21		Mayor
6	M	2	6.	Commissioner	Andrew Beane	5/1/18	4/30/20	2	Mayor
	F	NA	7.	Commissioner	Betsy McFeely	5/1/19	4/30/21	1	Mayor
	U	NA	8.	Commissioner	Artie Nosrati	5/1/18	4/30/20	1	City Council
6	M	2	9.	Commissioner	Will Pittz	5/1/19	4/30/21	1	City Council
6	F	1	10.	Commissioner	Samantha Grad	5/1/18	4/30/20	1	City Council
6	F	3	11.	Commissioner	Gay Gilmore	5/1/19	4/30/21	1	City Council
6	F	2	12.	Commissioner	Mona Smith	5/1/18	4/30/20	2	City Council
6	F	2	13.	Commissioner	Marilyn Watkins	5/1/19	4/30/21	1	City Council
5	F	1	14.	Commissioner	Alia Abboud	5/1/18	4/30/20	2	City Council
1	F	2	15.	Commissioner	Janet Chung	5/1/19	4/30/21	2	Commission

## SELF-IDENTIFIED DIVERSITY CHART

	(1)		(2)		(3)		(4)		(5)		(6)		(7)		(8)		(9)	
	Male	Female	Transgender	NB/ O/ U	Asian	Black/ African American	Hispanic/ Latino	American Indian/ Alaska Native	Other	Caucasian/ Non-Hispanic	Pacific Islander	Middle Eastern	Multiracial					
Mayor	2	3				1				2								
Council	1	6		1					1	5								
Other		1			1													
<b>Total</b>	<b>2</b>	<b>7</b>		<b>1</b>	<b>1</b>	<b>1</b>			<b>1</b>	<b>7</b>								

## Key:

\*D List the corresponding *Diversity Chart* number (1 through 9)

\*\*G List *gender*, M= Male, F= Female, T= Transgender, NB= Non-Binary O= Other U= Unknown

RD Residential Council District number 1 through 7 or N/A

*Diversity information is self-identified and is voluntary.*