



Legislation Details (With Text)

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On agenda: 12/13/2021

Final Action: 12/15/2021 **Ord. No.** Ord 126512

Title: AN ORDINANCE creating an Indigenous Advisory Council for tribal and urban Indian engagement; adding a new Chapter 3.75 to the Seattle Municipal Code; and amending Section 3.35.050 of the Seattle Municipal Code.

Sponsors: Debora Juarez

Indexes:

Attachments: 1. Summary and Fiscal Note, 2. Central Staff Memo, 3. Signed Ordinance 126512, 4. Affidavit of Publication

Date	Ver.	Action By	Action	Result
12/15/2021	1	City Clerk	attested by City Clerk	
12/15/2021	1	Mayor	returned	
12/15/2021	1	Mayor	Signed	
12/15/2021	1	City Clerk	submitted for Mayor's signature	
12/13/2021	1	City Council	passed	Pass
12/7/2021	1	Public Assets and Native Communities Committee	pass	Pass
10/11/2021	1	City Council	referred	
10/6/2021	1	Council President's Office	sent for review	
10/6/2021	1	City Clerk	sent for review	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE creating an Indigenous Advisory Council for tribal and urban Indian engagement; adding a new Chapter 3.75 to the Seattle Municipal Code; and amending Section 3.35.050 of the Seattle Municipal Code.

WHEREAS, Indigenous people of the lands now known as the Americas have cultivated and stewarded these lands since time immemorial; and

WHEREAS, since time immemorial, the Coast Salish peoples, including Chief Sealth (Seattle) governed the Salish Sea (Puget Sound) region; and

WHEREAS, The City of Seattle, chartered 150 years ago, is built on the homelands of the Indigenous and first peoples of this region; and

WHEREAS, in 1865, The City of Seattle passed an exclusionary ordinance banning American Indian and Alaska Native people within city limits that was in effect until 1869; and

WHEREAS, Indigenous communities have sustained an organized resistance to settler colonialization of these lands and resources for centuries; and

WHEREAS, the United Nations Declaration on the Rights of Indigenous Peoples recognizes that “Indigenous peoples have suffered from historic injustices as a result of... their colonization and dispossession of their lands, territories and resources”; and

WHEREAS, due to this history, in addition to settler colonialism, systemic oppression, and institutional racism, Indigenous people in the United States are subject to disproportionately high rates of structural violence, homelessness, poverty, income inequality, death, and poor health and education outcomes, associated with barriers to access to employment, education, housing, health and mental health treatment, social services, and criminal justice; and

WHEREAS, federal policies of relocation, termination, and forced assimilation have resulted in the relocation of Indigenous people from their traditional lands into urban areas, resulting in separation from family, clan, community, cultural institutions, and sacred sites; and

WHEREAS, a lack of recognition and awareness of these issues, through the perpetuation of settler colonialism, has led to historical and intergenerational trauma that continues to adversely affect Indigenous individuals, families, and communities; and

WHEREAS, 76 percent of American Indians and Alaska Natives live in urban settings; and

WHEREAS, urban Indians are tribal people currently living off federally-defined tribal lands in urban areas; and

WHEREAS, despite the historical traumas that continue to manifest into intergenerational and collective

trauma, Indigenous communities including American Indian, Alaska Native, and Native Hawaiian people continue to remain resilient in the wake of further challenges of modern-day world threats, such as institutionalized racism, climate change, the Missing and Murdered Indigenous Women and Girls epidemic, and the COVID-19 pandemic; and

WHEREAS, other cities, such as Portland and San Francisco, have successfully created a position or similar entity like the Indigenous Advisory Council proposed in this ordinance; and

WHEREAS, The City of Seattle has an opportunity to rely on an entity of subject matter experts from tribes, tribal organizations, urban Indian organizations, and the broader Native community to shape policy priorities impacting Native communities through the Mayor's Office, City Council, and City departments; and

WHEREAS, the City requires an official, staffed Indigenous Advisory Council to build and strengthen Indigenous representation and Indigenous knowledge in The City of Seattle's public policy making processes, as well as promote and advance priorities and solutions identified by Native communities for Native communities in Seattle; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 3.35.030 of the Seattle Municipal Code, last amended by Ordinance 125492, is amended as follows:

3.35.030 Director-Functions

The Director of the Department of Neighborhoods shall manage the department and shall:

- A. Serve as liaison with residents, neighborhood groups, and other community organizations;
- B. Provide staff for the Community Involvement Commission, the Seattle Youth Commission, ~~((and))~~

the Seattle Renters' Commission, and the Indigenous Advisory Council;

* * *

Section 2. A new Chapter 3.75 is added to the Seattle Municipal Code, as follows:

CHAPTER 3.75 INDIGENOUS ADVISORY COUNCIL

3.75.010 Establishment

There is established an Indigenous Advisory Council (IAC) that shall advise the Mayor, City Council, and City departments on policies of importance to the City, including but not limited to policies directly affecting Indigenous populations including American Indian, Alaska Native, and Native Hawaiian people.

The overall goal of the IAC is to further define and strengthen the City's ongoing and unique relationship with the Coast Salish communities that are the original stewards of the land Seattle was founded upon and work to fulfill trust and treaty obligations to the American Indian, Alaska Native, and Native Hawaiian people that reside in Seattle. IAC membership will be empowered to redefine the cultural fabric of Seattle as a City and foster the overall health and well-being of Indigenous residents by:

- A. Collaborating and advising the Mayor, City Council, and City Department leaders regarding issues, policies, budgets, and potential projects;
- B. Providing opportunities to educate and practice Native cultures and lifeways within the urban landscape and City institutions; and
- C. Developing best practices to engage with Indigenous peoples in the area.

3.75.020 Membership

The IAC shall consist of nine members representing the urban Native Community including but not limited to American Indian, Alaska Native, and Native Hawaiian peoples. All members shall demonstrate a commitment to advancing Indigenous knowledge, values, and priorities within the City landscape with the goal to improve access to City services by Indigenous people, as well as to advance City services themselves to better serve Indigenous people in an equitable way. All members appointed by the Mayor shall be confirmed by the City Council. Positions shall be numbered 1 through 9.

- A. Positions 1-3 shall be filled by a member of an Indigenous Tribe and shall be nominated by the respective Tribal Council as their official delegate. Positions 1 and 2 shall be appointed by the City Council

from nominations made by Tribes located in Washington State. Position 3 shall be appointed by the Mayor from Tribal Council nominations.

B. Position 4 shall be designated for an Indigenous Youth aged 18-29. Position 5 shall be designated for an Indigenous Elder age 50 or older. Position 4 shall be appointed by the Mayor. Position 5 shall be appointed by the City Council.

C. Positions 6-9 shall be designated for representatives from urban Indian organizations (commonly referred to as UIOs) as defined by 25 U.S.C. 1603, serving urban Native people in The City of Seattle and shall be nominated by the Board of Directors of the respective urban Indian organization. Positions 6 and 7 shall be appointed by the City Council from nominations made by the urban Indian organizations. Position 8 and 9 shall be appointed by the Mayor from nominations made by the urban Indian organizations.

3.75.030 Term

Terms for all positions shall be two years, except that the initial term for positions 1, 4, 6, and 8 shall be one year. Members may not be reappointed to a fifth consecutive term unless the Department of Neighborhoods, after due diligence, has found no interested and qualified person to recommend to the appoint authority for that position. Any vacancy in an unexpired term shall be filled in the same manner as the original appointment. If a person is appointed to fill the duration of an unexpired term, then the term shall count as one of the consecutive terms only if the portion of the unexpired term actually served is at least one year. A member whose term is ending may continue on an interim basis as a member with voting rights until such time as a successor for that position has been appointed by the City Council or confirmed by the City Council.

3.75.040 Compensation

The Director of the Department of Neighborhoods is authorized to expend funds to compensate IAC members for expertise and participation on the IAC and funding to cover member travel reimbursements and meeting supplies. The compensation strategy should consider the need to reduce barriers for participation for communities impacted by historic and on-going systemic oppression and the value provided by culturally

specific and community oriented subject matter expertise of the IAC members. The compensation shall be based on compensation rates commensurate with other City reimbursement processes.

3.75.050 Duties

The IAC shall act in an advisory capacity and have the following purposes and duties:

A. Provide information, advice, and counsel to the Mayor, City Council and Council committees, and other City departments and offices on ways to enhance and improve access to City services and resources for American Indian, Alaska Native, and Native Hawaiian people and communities, as well as strengthen opportunities to participate in the civic life of the city.

B. Advise on the development and implementation of a tribal consultation policy for all City departments and offices to establish a government-to-government framework for engaging local tribal nations.

C. Advise on the development and implementation of a policy for all City departments and offices to confer with urban Indian organizations to establish a framework for fulfilling fiduciary and other obligations to urban American Indian and Alaska Native people.

D. Create and execute annual programming to encourage understanding between and among the diverse American Indian and Alaska Native communities and the larger Seattle community. As part of its annual budget process, The City of Seattle shall provide funding to support programming that support actions to bring community together, such as for meetings, events, annual gatherings, and cultural events.

E. Develop an annual work plan for the coming year and an annual report on the previous year's work. The annual report will include a summary of IAC accomplishments and challenges, as well as recommendations on how The City of Seattle can continue to facilitate access to City services and programs. The annual work plan, as an example, may include priorities that would:

1. Promote partnership opportunities for Tribes, tribal organizations, Native Hawaiian organizations, and urban Indian organizations with The City of Seattle, such as with the Office of the Mayor,

the Office of Intergovernmental Relations, and the City Council; and

2. Highlight policy recommendations by the IAC for the Mayor and the City Council.

F. Brief the Mayor's Office and the full City Council on the annual work plan and Annual Report.

3.75.060 Holding contributions in perpetuity

The City of Seattle recognizes the rights of the IAC members and their communities to their cultural property. Members of the IAC reserve the right to maintain joint or individual ownership over recommendations, Indigenous informed wisdoms, culturally significant objects, and other intangible property (i.e., cultural symbols) provided that The City of Seattle shall have a perpetual license to use them for its purposes. The IAC may adopt rules to identify how it and its members will hold control over Indigenous cultural property.

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 _____ day of _____, 2021, and signed by me in open session in authentication of its passage this _____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)