

ORDINANCE No. 119554

(10)

COUNCIL BILL No. 112774

AN ORDINANCE submitting a proposition to the qualified electors of the City of Seattle at an election to be held on November 2, 1999, to amend Sections 5 and 6 of the Charter of the City of Seattle to allow the Civil Service Commission, under certain circumstances, to select a temporary Commission member in a manner to be established by ordinance, and so that if the commission fails to timely decide an appeal the decision, if any, of the hearing examiner shall be sustained, ratifying and confirming prior acts; calling on the City Clerk to certify the proposed amendments to the Director of the Department of Records and Elections of King County and directing such Director to submit the proposition to City voters; and providing for the publication of such proposed amendments

The City of Seattle--Legislative

REPORT OF COMMITTEE

Honorable President:

Your Committee on _____

to which was referred the within Council Bill No. _____ report that we have considered the same and respectfully recommend

7/13/99 Gov't, Education & Labor Comm

7-19-99 Full Council: Pass

COMPTROLLER FILE No. _____

Introduced: MAY 12 1999	By: DONALDSON
Referred: JUL 12 1999	To: Government, Education & Labor Committee
Referred:	To:
Referred:	To:
Reported: 7-19-99	Second Reading:
Third Reading: 7-19-99	Signed: 7-19-99
Presented to Mayor: 7-19-99	Approved:
Returned to City Clerk: JUL 26 1999	Published: 4 pages F.T.
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:



Committee Chair

(Klo)

The City of Seattle--Legislative Department

Date Reported
and Adopted

REPORT OF COMMITTEE

Honorable President:

Your Committee on _____

to which was referred the within Council Bill No. _____
report that we have considered the same and respectfully recommend that the same:

7/13/99 Gov't, Education & Labor Committee 3-0 Do Pass

7-19-99 Full Council: Passed 9-0



Committee Chair

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE
IT IS DUE TO THE QUALITY OF THE DOCUMENT.

Labor
9
F.T.

ORDINANCE 119554

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

AN ORDINANCE submitting a proposition to the qualified electors of the City, at the general election to be held on November 2, 1999, to amend Article XVI, Sections 5 and 6 of the Charter of the City of Seattle to allow the Civil Service Commission, under certain circumstances, to select a temporary Commission member in a manner to be established by ordinance, and so that if the commission fails to timely decide an appeal the decision, if any, of the hearing examiner shall be sustained; ratifying and confirming prior acts; calling on the City Clerk to certify the proposed amendments to the Director of the Department of Records and Elections of King County and directing such Director to submit the proposition to City voters; and providing for the publication of such proposed amendments.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subject to the approval of a proposition by a majority of the qualified electors casting votes thereon, Sections 5 and 6 of Article XVI of the Charter of the City of Seattle are amended as follows:

ARTICLE XVI Personnel System and Civil Service

Sec. 5. CIVIL SERVICE COMMISSION: There shall be an independent three-member Civil Service Commission to hear appeals involving the administration of the personnel system.

The Commission may also submit to the Mayor and the City Council such recommendations concerning the personnel system as it deems appropriate.

The members of the Civil Service Commission shall serve staggered three-year terms. One member shall be selected by the Mayor, one by the City Council, and one member shall be elected by the civil service employees; all members shall be removed only for cause by their selecting authority. The manner of election and removal of the member representing the civil service employees shall be as provided by ordinance. Should a member of the Commission be unable for any reason to perform any of his or her Commission duties, then the Commission may select a temporary member in a manner to be established by ordinance.

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.



1 Sec. 6. CIVIL SERVICE APPEALS PROCESS: The Commission shall establish rules for its
2 own operation. The Commission shall have the power to administer oaths, issue subpoenas, receive
3 relevant evidence, compel the production of documents, question witnesses at hearings which it
4 conducts, and issue such remedial orders as it deems appropriate. In any appeal involving a disciplinary
5 action, the employee shall have the right to cross-examine witnesses, and to ask for the attendance of
6 witnesses and production of relevant evidence. In all cases the appellant or the official whose action is
7 challenged shall have the right to a public hearing and to be represented by a person of his or her choice.

8 The Commission may delegate to one or more Hearing Examiners any of its powers, but a
9 decision by a Hearing Examiner may be appealed to the Commission by either party. A record of the
10 proceedings shall be made. Neither the Personnel Director, nor his or her staff, shall serve as Hearing
11 Examiner or staff for the Commission.

12 Hearings shall be conducted on a timely basis and decisions rendered within ninety days after the
13 hearing is completed. If the Commission fails to decide an appeal within ninety days, unless the
14 appellant consents to an extension, the ~~((appeal))~~ decision, if any, of the Hearing Examiner shall be
15 sustained.

16 No person shall be entitled to appeal to the Civil Service Commission if the subject of the appeal
17 has previously been the subject of binding arbitration under a labor contract.

18 Section 2. The King County Director of Records and Elections, as ex officio supervisor of
19 elections, is hereby directed to submit to the qualified electors of the City the proposition set forth below:
20 at the City general election on November 2, 1999.

21 The City Clerk is hereby authorized and directed to certify the proposition to the King County
22 Director of Records and Elections in the following form:

23 Proposed City Charter Amendment No. ____

24 Shall the Seattle City Charter be amended to allow the Civil Service Commission, under certain
circumstances, to select a temporary Commission member, and so that if the commission fails to timely

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE
IT IS DUE TO THE QUALITY OF THE DOCUMENT.

1 decide an appeal the decision, if any, of the hearing examiner shall be sustained; and shall Article XVI,
2 Sections 5 and 6 of said charter be amended accordingly?

Yes ___ No ___

3 Every qualified voter at the election desiring to ratify the proposition shall mark his or her ballot "Yes."

4 Every qualified voter desiring to reject the proposition shall mark his or her ballot "No."

5
6 Section 3. The City Clerk shall certify to the Director of the Department of Records and
7 Elections of King County as Supervisor of Elections the charter amendments proposed herein in the
8 form of a ballot title conforming to the foregoing statement of the same, and shall certify a copy of the
9 proposed charter amendments, and the same shall be published by the City Clerk in two daily
10 newspapers in the City for at least thirty (30) days prior to such election, and as required by RCW
11 35.22.170.

12 Section 4. Certification of the charter amendments proposed herein by the City Clerk to the
13 Director of Records and Elections and any other act pursuant to the authority and prior to the effective
14 date of this ordinance is hereby ratified and confirmed.

15 Section 5. This ordinance shall take effect and be in force immediately upon approval by the
16 Mayor or, if not approved and returned by the Mayor within ten (10) days after presentation, then on the
17
18
19
20
21
22
23
24

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE
IT IS DUE TO THE QUALITY OF THE DOCUMENT.

1 eleventh (11th) day after its presentation to the Mayor or, if vetoed by the Mayor, then immediately
2 upon its passage over his veto.

3 Passed by the City Council the 19th day of July, 1999, and signed by me in open
4 session in authentication of its passage this 19th day of July, 1999.

5 Joe Arnold
6 President of the City Council

7 Approved by me this 23rd day of July, 1999.

8 Paul Snee
9 Mayor

10 Filed by me this 26th day of July, 1999.

11 Carri Donfield
12 acting City Clerk

13 (Seal)
14
15
16
17
18
19
20
21
22
23
24

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE
IT IS DUE TO THE QUALITY OF THE DOCUMENT.

FILED
CITY OF SEATTLE

AN ORDER OF THE MANAGER 99 OCT 12 PM 12:50
RECORDS AND ELECTIONS DIVISION CITY CLERK
KING COUNTY, WASHINGTON

WHEREAS, the City of Seattle did present on September 17, 1999, Ordinance No. 119554 wherein they direct that a Special Election be held pursuant to RCW 29.13.020 for submission to the qualified voters of said jurisdiction for their consideration; and

WHEREAS, said governing body states that an emergency exists and, accordingly, requests that the Special Election be held in conjunction with the General Election to be held on November 2, 1999; and

WHEREAS, the request is found to be in compliance with the pertinent statutes governing special elections;

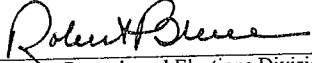
NOW, THEREFORE, BE IT ORDERED by the Manager, King County Records and Elections Division, as ex-officio supervisor of elections, having deemed that an emergency exists, that a special election shall be held in the City of Seattle on November 2, 1999, said election to be conducted at the prescribed polling places for the purpose of submitting to the qualified voters of said jurisdiction the following ballot measure:

CITY of SEATTLE
PROPOSITION NO. 9 - CHARTER AMENDMENT
CIVIL SERVICE COMMISSION

"Shall the Seattle City Charter be amended to allow the Civil Service Commission, under certain circumstances, to select a temporary Commission member, and so that if the commission fails to timely decide an appeal the decision, if any, if the hearing examiner shall be sustained; and shall Article XVI, Sections 5 and 6 of said charter be amended accordingly?"

The foregoing ballot title has been certified in accordance with of RCW 29.27.065.

DATED at Seattle, Washington, this 27th day of September, 1999



Manager, Records and Elections Division
King County

TIME AND DATE STAMP

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

_____	_____
_____	_____
_____	_____
_____	_____

[Handwritten Signature]

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE.

C. S. 20.28

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

ORDINANCE _____

AN ORDINANCE submitting a proposition to the qualified electors of the City, at the general election to be held on November 2, 1999, to amend Article XVI, Sections 5 and 6 of the Charter of the City of Seattle to allow the Civil Service Commission, under certain circumstances, to select a temporary Commission member in a manner to be established by ordinance, and so that if the commission fails to timely decide an appeal the decision, if any, of the hearing examiner shall be sustained; ratifying and confirming prior acts; calling on the City Clerk to certify the proposed amendments to the Director of the Department of Records and Elections of King County and directing such Director to submit the proposition to City voters; and providing for the publication of such proposed amendments.

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.



STATE OF WASHINGTON - KING COUNTY

108485
City of Seattle, City Clerk

—ss.

No. ORD IN FULL

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below period. The annexed notice, a

CT:ORD 119554/FULL

was published on

07/30/99

The amount of the fee charged for the foregoing publication is the sum of \$ _____, which amount has been paid in full.

[Signature]

Subscribed and sworn to before me on

07/30/99 *[Signature]*

Notary Public for the State of Washington
residing in Seattle

Affidavit of Publication

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

City of Seattle

ORDINANCE 110254

AN ORDINANCE submitting a proposition to the qualified electors of the City, at the general election to be held on November 2, 1999, to amend Article XVI, Sections 5 and 6 of the Charter of the City of Seattle to allow the Civil Service Commission, under certain circumstances, to select a temporary Commission member in a manner to be established by ordinance, and so that if the Commission fails to timely decide an appeal the decision, if any, of the hearing examiner shall be sustained; ratifying and confirming prior acts; calling on the City Clerk to certify the proposed amendments to the Director of the Department of Records and Elections of King County and directing such Director to submit the proposition to City voters; and providing for the publication of such proposed amendments.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subject to the approval of a proposition by a majority of the qualified electors casting votes thereon, Sections 5 and 6 of Article XVI of the Charter of the City of Seattle are amended as follows:

ARTICLE XVI PERSONNEL SYSTEM AND CIVIL SERVICE

Sec. 5. CIVIL SERVICE COMMISSION: There shall be an independent three-member Civil Service Commission to hear appeals involving the administration of the personnel system.

The Commission may also submit to the Mayor and the City Council such recommendations concerning the personnel system as it deems appropriate.

The members of the Civil Service Commission shall serve staggered three-year terms. One member shall be selected by the Mayor, one by the City Council, and one member shall be elected by the civil service employees; all members shall be removed only for cause by their selecting authority. The manner of election and removal of the member representing the civil service employees shall be as provided by ordinance. Should a member of the Commission be unable for any reason to perform any of his or her Commission duties, then the Commission may select a temporary member in a manner to be established by ordinance.

Sec. 6. CIVIL SERVICE APPEALS PROCESS: The Commission shall establish rules for its own operation. The Commission shall have the power to administer oaths, issue subpoenas, receive relevant evidence, compel the production of documents, question witnesses at hearings which it conducts, and issue such remedial orders as it deems appropriate. In any appeal involving a disciplinary action, the employee shall have the right to cross-examine witnesses, and to ask for the attendance of witnesses and production of relevant evidence. In all cases the appellant or the official whose action is challenged shall have the right to a public hearing and to be represented by a person of his or her choice.

The Commission may delegate to one or more Hearing Examiners any of its powers, but a decision by a Hearing Examiner may be appealed to the Commission by either party. A record of proceedings shall be made. Neither the Personnel Director, nor his or her staff, shall serve as Hearing Examiner or staff for the Commission.

Hearings shall be conducted on a timely basis and decisions rendered within ninety days after the hearing is completed. If the Commission fails to decide an appeal within ninety days, unless the appellant consents to an extension, the (appellant) decision, if any, of the Hearing Examiner shall be sustained.

No person shall be entitled to appeal to the Civil Service Commission if the subject of the appeal has previously been the subject of binding arbitration under a labor contract.

Section 2. The King County Director of Records and Elections, as ex officio supervisor of elections, is hereby directed to submit to the qualified electors of the City the proposition set forth below at the City general election on November 2, 1999.

The City Clerk is hereby authorized and directed to certify the proposition to the King County Director of Records and Elections in the following form:

Proposed City Charter Amendment No. _____

Shall the Seattle City Charter be amended to allow the Civil Service Commission, under certain circumstances, to select a temporary Commission member, and so that if the commission fails to timely decide an appeal the decision, if any, of the hearing examiner shall be sustained; and shall Article XVI, Sections 5 and 6 of said charter be amended accordingly?

Yes ___ No ___

Every qualified voter at the election desiring to ratify the proposition shall mark his or her ballot "Yes."

Every qualified voter desiring to reject the proposition shall mark his or her ballot "No."

Section 3. The City Clerk shall certify to the Director of the Department of Records and Elections of King County as Supervisor of Elections that the charter amendment proposed herein in the form of a ballot title conforming to the foregoing statement of the same, and shall certify a copy of the proposed charter amendment, and the same shall be published by the City Clerk in two daily newspapers in the City for at least thirty (30) days prior to such election, and as required by RCW 35.22.170.

Section 4. Certification of the charter amendments proposed herein by the City Clerk to the Director of Records and Elections and any other act pursuant to the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

Section 5. This ordinance shall take effect and be in force immediately upon approval by the Mayor, or if not approved and returned by the Mayor within ten (10) days after presentation, then on the eleventh (11th) day after its presentation to the Mayor or, if vetoed by the Mayor, then immediately upon its passage over his veto.

Passed by the City Council the 19th day of July, 1999 and signed by me in open session in authentication of its passage this 19th day of July, 1999.

SUE DONALDSON,
President of the City Council.

Approved by me this 23rd day of July, 1999.

PAUL SCHELL,
Mayor.

Filed by me this 26th day of July, 1999.

JEAN ERNE DORNFELD,
Acting City Clerk.

Publication ordered by JUDITH PIPPIN,
City Clerk.

(Boldface denotes deletion.)

Date of official publication in Daily Journal of Commerce, Seattle, July 20, 1999.

73091084681

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

STATE OF WASHINGTON - KING COUNTY

115138
City of Seattle, City Clerk

-ss.

No. PROP 2-15

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CITY PROCLAMATION, MAYO

was published on

02/23/00

The amount of the fee charged for the foregoing publication is the sum of \$ _____, which amount has been paid in full.

[Signature]

Subscribed and sworn to before me on

02/23/00

[Signature]

Notary Public for the State of Washington,
residing in Seattle

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

City of Seattle

PROCLAMATION

I, Paul Schell, Mayor of the City of Seattle, certify and declare that the following amendments to the Charter of the City of Seattle were submitted as Propositions to the qualified electors (voters) of the City of Seattle for their ratification or rejection at the General Election held Tuesday, November 2, 1939; and received the approval of a majority of the qualified electors voting thereon:

PROPOSITION 2 — ORDINANCE NO. 119552

"Shall the Seattle City Charter be amended to replace all exclusively male gender references with gender-neutral references, and shall various articles and sections of said charter be amended accordingly?"

PROPOSITION 3 — ORDINANCE NO. 119564

"Shall the Seattle City Charter be amended to eliminate obsolete references therein to the City territory and boundary, the City Planner, the City Public Health Department, the City Board of Public Works and the original salaries of elective officers; to delete Article II, Article V, Section 12; and Article IX of said charter; to change the headings of Article VII and Article VIII; and to amend Article XVII, Section 1 of said charter, accordingly?"

PROPOSITION 4 — ORDINANCE NO. 119563

"Shall the Seattle City Charter be amended to eliminate obsolete references to City Comptroller and City Treasurer and reassign various financial auditing, claims, contracting and clerical functions, responsibilities and procedures previously assigned these officers to conform with other current charter and ordinance provisions and practice; and shall certain sections of Articles IV, V, VIII, XII and XVIII of said charter be amended and a new section added to Article VIII of said charter accordingly?"

PROPOSITION 5 — ORDINANCE NO. 119560

"Shall the Seattle City Charter be amended to eliminate provisions concerning annual estimates of City expenses and revenues, which provisions have been rendered superfluous by State law; and shall Section 22 of Article IV of said charter be deleted accordingly?"

PROPOSITION 6 — ORDINANCE NO. 119576

"Shall the Seattle City Charter be amended to eliminate references to the Auditing Committee in order to conform with current financial practices, and shall the heading of Article VIII of said charter be changed, Article VIII, Section 13 of said charter be deleted, and Article XVII, Section 3 of said charter be amended, accordingly?"

PROPOSITION 7 — ORDINANCE NO. 119566

"Shall the Seattle City Charter be amended to clarify its provisions governing the filing of claims against the City, and to eliminate a provision, made superfluous by State law, concerning the statute of limitations for the filing of lawsuits; and shall Article IV, Section 24 of said charter be amended accordingly?"

PROPOSITION 8 — ORDINANCE NO. 119559

"Shall the Seattle City Charter be amended to delete obsolete references to processes for conducting City elections, which processes are now governed by State law; and shall Article IV, Section 2, Subdivision A and Article XVIII, Sections 1 and 2 of said charter be amended accordingly?"

PROPOSITION 9 — ORDINANCE NO. 119554

"Shall the Seattle City Charter be amended to allow the Civil Service Commission, under certain circumstances, to select a temporary Commission member, and so that if the commission fails to timely decide an appeal the decision, if any, of the hearing examiner shall be sustained; and shall Article XVI, Sections 5 and 6 of said charter be amended accordingly?"

PROPOSITION 11 — ORDINANCE NO. 119567

"Shall the Seattle City Charter be amended to modify the requirement that the Fire Chief have at least ten years prior service by permitting such service to have been in a fire department in any jurisdiction of not less than one hundred thousand population rather than requiring such service to have been in a city of not less than one hundred thousand population; and shall Article X, Section 2 of such charter be amended accordingly?"

PROPOSITION 12 — ORDINANCE NO. 119563

"Shall the Seattle City Charter be amended to specify that the Mayor is deemed to have taken favorable action on a bill (thereby commencing the period for filing referendum signatures) when the Mayor signs it, or returns it to the City Council unsigned but without the Mayor's disapproval, or when the ten days for returning the bill shall have elapsed without its return; and shall Article IV, Section 12 of said charter be amended accordingly?"

PROPOSITION 13 — ORDINANCE NO. 119565

"Shall the Seattle City Charter be amended to eliminate a provision that specifies that the time for procuring signatures on initiative petitions shall in no event exceed two hundred (200) days and to amend outdated references to the City Comptroller's role in the initiative process, and shall Article IV, Section 3, Paragraph B be amended accordingly?"

PROPOSITION 14 — ORDINANCE NO. 119551

"Shall the Seattle City Charter be amended to modify the requirements for oaths of office by specifying that the head of every City department shall take such an oath before entering upon the duties of his or her office, eliminating the requirement that assistants to City officers take and subscribe such an oath, and clarifying the nature of the oath, and shall Article XIX, Section 4 be amended accordingly?"

PROPOSITION 15 — ORDINANCE NO. 119561

"Shall the Seattle City Charter be amended to allow for the re-enactment or amendment of uncodified ordinances by setting forth in full the section or subsection being amended, as is already permitted by State law for codified ordinances; and shall Article IV, Section 9 of said charter be amended accordingly?"

NOW, THEREFORE, the results of said election having been duly certified to me, I, Paul Schell, Mayor of the City of Seattle,

PROCLAIM that said Propositions 2 through 9 and 11 through 15, by virtue of such approval by the electors, become, and are, a part of the City Charter of the City of Seattle.

IN WITNESS WHEREOF, I have signed this Proclamation and cause the corporate seal of the City of Seattle to be affixed hereto and attested by the City Clerk of the City of Seattle this 18th day of February, 2000.

PAUL SCHELL,
Mayor of the City of Seattle.
ATTEST: JUDITH E. PIPPIN,
City Clerk.
Publication ordered by JUDITH PIPPIN,
City Clerk.

Date of official publication in Daily Journal of Commerce, Seattle, February 23, 2000. 223(119538)

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.