

Ordinance No. 122441

Council Bill No. 115940

AN ORDINANCE establishing a City Immigrant and Refugee Advisory Board by adding new sections to Subchapter III of Chapter 3.14 SMC.

CF No. _____

Date Introduced:	<u>7-16-07</u>	
Date 1st Referred:	<u>7-16-07</u>	To: (committee) <u>Housing</u>
Date Re - Referred:		To: (committee) <u>Human Services and Health</u>
Date Re - Referred:		To: (committee)
Date of Final Passage:	<u>7/23/07</u>	Full Council Vote: <u>9-0</u>
Date Presented to Mayor:	<u>7/24/07</u>	Date Approved: _____
Date Returned to City Clerk:	<u>8/2/07</u>	Date Published: <u>4</u> T.O. <input checked="" type="checkbox"/> F.T. <input checked="" type="checkbox"/>
Date Vetoed by Mayor:		Date Veto Published:
Date Passed Over Veto:		Veto Sustained:

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Tom Roemer
Councilmember

Committee Action:

7-17 Pass 3-0 TR, SC

7/23/07 FULL COUNCIL PASSED AS AMENDED 9-0

This file is complete and ready for presentation to Full Council. Committee: _____
(initial/date)

Law Department

Law Dept. Review

OMP
Review

City Clerk
Review

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Gregory J. Nickels
Mayor of Seattle

FILED
CITY OF SEATTLE
AUG - 3 2007
CITY CLERK

August 3, 2007

The Honorable Nick Licata
The Honorable Members of the Seattle City Council
Seattle City Council
CH-02-01

Dear Council President Licata and Members of the City Council:

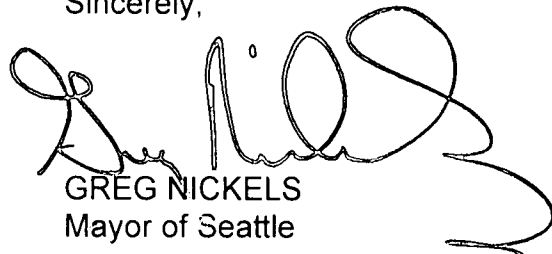
I am returning Council Bill 115940 (regarding the establishment of an Immigrant and Refugee Advisory Board) unsigned because of Council amendments to the appointment process.

Improving services to Seattle's growing immigrant and refugee population is a very high priority for both me and the City Council. An Immigrant and Refugee Advisory Board will be vital to us in ensuring those services are successful. I am concerned, however, with having the City Council confirm all nominees to the Board, both my nominees and the City Council's.

The proposed ordinance I submitted to the Council provided for the Executive to appoint half of the Advisory Board members and the Council to appoint the other half of the members. The adopted ordinance, as amended by the Council, creates an inherently unbalanced process by requiring Council approve all nominees to the Board.

I look forward to the creation of the Immigrant and Refugee Advisory Board and working with the City Council to improve our services to immigrants and refugees, but do so without concurring with Council Bill 115940, as amended.


Sincerely,



GREG NICKELS
Mayor of Seattle



**Legislative Department
Office of City Clerk
Memorandum**

Date: August 3, 2007
To: Councilmembers
From: Laurel Humphrey for Judith E. Pippin, City Clerk 
Subject: Mayor's Return of Council Bill No. 115940, Unsigned
(relates to City Immigrant and Refugee Advisory Board.)

On August 2, 2007, Mayor Nickels returned Council Bill No. 115940 (Ordinance 122441) to this office without his signature of approval. This is the Bill relating to the establishment of a City Immigrant and Refugee Advisory Board.

Mayor's Office staff members have indicated that a letter of explanation from Mayor Nickels will be forthcoming.

The absence of the Mayor's signature indicates neither his approval nor disapproval of the Council Bill, as addressed in Seattle Municipal Code 1.04.020 and City Charter Article IV, Section 12.

However, a Bill returned by the Mayor unsigned is considered "approved" for purposes of the Bill becoming an Ordinance, and therefore law, within the City of Seattle.

No further action on the part of Council is required.



**Legislative Department
Office of City Clerk
Memorandum**

Date: August 6, 2007

To: Councilmembers

From: Laurel Humphrey for Judith E. Pippin, City Clerk

Subject: Mayor's Return of Council Bill No. 115940, Unsigned
(relates to City Immigrant and Refugee Advisory Board.)

Attached is Mayor Nickels' letter of explanation regarding his decision not to sign Council Bill No. 115940, relating to the City Immigrant and Refugee Advisory Board.



City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

July 3, 2007

Honorable Nick Licata
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Licata:

I am pleased to transmit the attached proposed Council Bill that will create an Immigrant and Refugee Advisory Board for the City of Seattle.

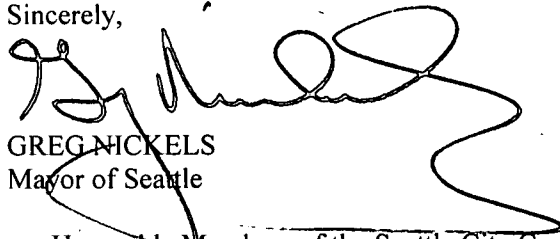
In September 2005, the City Council adopted Resolution 30796 calling for the establishment of a community advisory task force to advise the City on issues facing Seattle's growing immigrant and refugee population. The Board established by this Bill will advise the Mayor and City Council on ways to enhance and improve access to City services and resources, as well as increase opportunities, for immigrants and refugees to inform and participate in the civic life of the City.

The Board, which will be comprised of 15 members (eight appointed by the Mayor and seven appointed by the Council), will maintain gender balance and reflect the diversity of Seattle's immigrant and refugee population. Representatives from the Asian, African, Latino, European, and Middle East communities, as well as youth, will be recruited to serve on the Board.

With the unprecedented growth in the foreign-born population since the 1980s, Seattle has become a multi-cultural city, rich with diversity. In keeping with the Race and Social Justice Initiative, I want to ensure that City government provides high quality customer service to all, including immigrants and refugees living and working in Seattle. The Immigrant and Refugee Advisory Board will help the City reach its goals.

Thank you for your consideration of this legislation. Should you have questions, please contact Marilyn Littlejohn at 233-3894 or Haddis Tadesse at 684-8119.

Sincerely,



GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council



ORDINANCE 122441

AN ORDINANCE establishing a City Immigrant and Refugee Advisory Board by adding new sections to Subchapter III of Chapter 3.14 SMC.

WHEREAS, Seattle is home to individuals of diverse heritage with over 100,000 foreign-born individuals of numerous nationalities; and

WHEREAS, the City seeks to make government services and resources easily available and understandable to all Seattle residents, including non-native English speakers; and

WHEREAS, many Seattle residents speak English as a second language or are non-English speakers and face additional challenges in understanding eligibility for benefits and participating in government programs; and

WHEREAS, the City has developed an Immigrant and Refugee Action Plan that identifies current efforts and establishes actions the City plans to take to provide equal access to City services and programs to Seattle's immigrant and refugee residents; and

WHEREAS, the Mayor and City Council recognize the complex and dynamic nature of issues that impact the immigrant and refugee communities in Seattle, and the City could benefit from additional expertise to inform and advise officials of ways to enhance and improve access to City services and resources; and

WHEREAS, in September 2005 the City Council adopted Resolution 30796 calling for an action plan to identify and address issues facing Seattle's immigrant and refugee communities and establishment of a community advisory task force to advise the City; and

WHEREAS, the Mayor's Immigrant and Refugee Action Plan recommends the creation of an Advisory Board; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subchapter III of Chapter 3.14 of the Seattle Municipal Code is amended to add the following sections:



1 **3.14.540. Immigrant and Refugee Advisory Board Established**

2
3 There is established an Immigrant and Refugee Advisory Board. The Office of Policy and
4 Management shall provide staff and meeting space to the Board, and shall maintain its records.

5
6 **3.14.550. Immigrant and Refugee Advisory Board – Purposes and Duties**

7 The Immigrant and Refugee Advisory Board shall act in an advisory capacity, and shall have the
8 following purposes and duties:

- 9
10 A. To advise the Mayor, City Council and other departments and offices on ways to
11 enhance and improve access to City services and resources for immigrants and refugees, as well
12 as strengthen opportunities for immigrants and refugees to participate in the civic life of the City;
- 13 B. To advise the City concerning the successful implementation of the Immigrant
14 and Refugee Action Plan and on future updates to the plan;
- 15
16 C. To advise all departments and offices of the City in matters affecting immigrants
17 and refugees, as appropriate; and
- 18 D. To encourage understanding between and among the various immigrant and
19 refugee communities and the larger Seattle community.

20
21 **3.14.560 Immigrant and Refugee Advisory Board – Appointments,**
22 **Membership and Terms**

- 23 A. The Immigrant and Refugee Advisory Board shall consist of fifteen (15) members. Seven
24 (7) members shall be appointed by the City Council; and eight (8) members shall be appointed by
25 the Mayor. All appointments are subject to confirmation by a majority of the City Council. The
26 appointing body shall provide written public notice for a vacant position (s).

1 B. In making appointments to the Board, the goal should be to maintain the gender balance
2 and reflect the diversity of the immigrant and refugee community in Seattle, and attempts should
3 be made to include two (2) members from the Asian / Pacific Islander Community, two (2)
4 members from the Latino Community, two (2) members from the African Community, and two
5 (2) members from the European/Middle East Community. At least, two (2) members should be
6 youth or young adults under the age of 25 or represent youth issues. At least two thirds (2/3) of
7 the members should be immigrants and refugees themselves. All members shall demonstrate
8 experience or expertise with immigrant issues as well as commitment to all immigrant and
9 refugee communities. The Mayor and Council will coordinate appointments to help achieve the
10 representation goals in this Subsection.

11 C. Each Immigrant and Refugee Advisory Board member shall serve for a term of two (2)
12 years; provided, however, that three (3) of the initial Mayoral appointees and three (3) of the
13 initial City Council appointees shall serve initial terms of one (1) year, to provide for staggered
14 terms. The initial terms shall begin no later than January 2008 following the passage of this
15 legislation creating the Board. No member of the Board shall serve more than two consecutive
16 terms. Any vacancy shall be filled for the unexpired term in the same manner as originally
17 appointed. If a person is appointed to fill the duration of an unexpired term, then that term shall
18 qualify as one (1) of the two (2) consecutive terms only if the portion of the unexpired term
19 actually served is one (1) year or more. If the appointing authority fails to appoint or re-appoint a
20 person to fill a Board position before the incumbent Board member's term has expired, then the
21 incumbent may remain in his or her position for a period not to exceed ninety (90) days until
22 such appointment or re-appointment is made. The authority that appointed a Board member may
23 remove that Board member at will. The Board may, by majority vote, recommend to the
24 appointing authority, removal from office of a Board member who is absent without excuse from
25 three (3) Board meetings during any one (1)-year period. The Board shall select a chair, and may
26 adopt, promulgate, amend and rescind administrative rules and regulations for its own conduct.
27 No employee of the City of Seattle shall serve on the Board.
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3.14.570 Annual Work Plan

The Immigrant and Refugee Advisory Board will develop an Annual Workplan for the coming year and an Annual Report on the previous year's work. The Annual Report will include a summary of Board accomplishments and challenges, as well as recommendations on how the City can continue to facilitate access to City services and programs and strengthen the City's Immigrant and Refugee Action Plan. The Board will brief the Mayor's Executive Team and the City Council on the Annual Workplan and Annual Report.

Section 2. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 23rd day of July, 2007, and signed by me in open session in authentication of its passage this 23rd day of July, 2007.



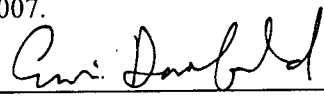
President _____ of the City Council

Approved by me this ____ day of _____, 2007.

Returned Unsigned
by Mayor

Gregory J. Nickels, Mayor

Filed by me this 2nd day of August, 2007.



acting City Clerk

(Seal)



Returned by
Major U. Lang

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Office of Policy and Management	Haddis Tadesse 4-8119 Patricia Lee 6-0078	Linda Taylor-Manning 4-8376

Legislation Title: AN ORDINANCE establishing a City Immigrant and Refugee Advisory Board by adding new sections to Subchapter III of Chapter 3.14 SMC.

• **Summary of the Legislation:**

This legislation adds sections to the Seattle Municipal Code, establishing an Immigrant and Refugee Advisory Board. The charge of the Board will be to advise the Mayor and City Council on ways to enhance and improve access to City services and resources for immigrants and refugees, as well as strengthen opportunities for immigrants and refugees to inform and participate in the civic life of the City. The Immigrant and Refugee Advisory Board shall consist of fifteen (15) members. Seven (7) members shall be appointed by the City Council; and eight (8) members shall be appointed by the Mayor. All appointments are subject to confirmation by a majority of the City Council.

• **Background:** *(Include brief description of the purpose and context of legislation and include record of previous legislation and funding history, if applicable):*

With the unprecedented growth in the foreign-born population since the 1980s, Seattle has become an increasingly multi-cultural city, rich with diversity. As part of the Race and Social Justice Initiative, City government has committed to ensuring quality customer service for all, including immigrant and refugee communities living and working in Seattle. The Advisory Board will help the City reach these goals.

• *Please check one of the following:*

☒ **This legislation does not have any financial implications.** *(Stop here and delete the remainder of this document prior to saving and printing.)*

☐ **This legislation has financial implications.** *(Please complete all relevant sections that follow.)*



ORDINANCE _____

AN ORDINANCE establishing a City Immigrant and Refugee Advisory Board by adding new sections to Subchapter III of Chapter 3.14 SMC.

WHEREAS, Seattle is home to individuals of diverse heritage with over 100,000 foreign-born individuals of numerous nationalities; and

WHEREAS, the City seeks to make government services and resources easily available and understandable to all Seattle residents, including non-native English speakers; and

WHEREAS, many Seattle residents speak English as a second language or are non-English speakers and face additional challenges in understanding eligibility for benefits and participating in government programs; and

WHEREAS, the City has developed an Immigrant and Refugee Action Plan that identifies current efforts and establishes actions the City plans to take to provide equal access to City services and programs to Seattle's immigrant and refugee residents; and

WHEREAS, the Mayor and City Council recognize the complex and dynamic nature of issues that impact the immigrant and refugee communities in Seattle, and the City could benefit from additional expertise to inform and advise officials of ways to enhance and improve access to City services and resources; and

WHEREAS, in September 2005 the City Council adopted Resolution 30796 calling for an action plan to identify and address issues facing Seattle's immigrant and refugee communities and establishment of a community advisory task force to advise the City; and

WHEREAS, the Mayor's Immigrant and Refugee Action Plan recommends the creation of an Advisory Board; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subchapter III of Chapter 3.14 of the Seattle Municipal Code is amended to add the following sections:



1 **3.14.540. Immigrant and Refugee Advisory Board Established**

2
3 There is established an Immigrant and Refugee Advisory Board. The Office of Policy and
4 Management shall provide staff and meeting space to the Board, and shall maintain its records.

5
6 **3.14.550. Immigrant and Refugee Advisory Board – Purposes and Duties**

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8 following purposes and duties:

- 9
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11 enhance and improve access to City services and resources for immigrants and refugees, as well
12 as strengthen opportunities for immigrants and refugees to participate in the civic life of the City;
- 13 B. To advise the City concerning the successful implementation of the Immigrant
14 and Refugee Action Plan and on future updates to the plan;
- 15 C. To advise all departments and offices of the City in matters affecting immigrants
16 and refugees, as appropriate; and
- 17
18 D. To encourage understanding between and among the various immigrant and
19 refugee communities and the larger Seattle community.

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22 **Membership and Terms**

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25 the Mayor. All appointments are subject to confirmation by a majority of the City Council. The
26 appointing body shall provide written public notice for a vacant position (s).

1 B. In making appointments to the Board, the goal should be to maintain the gender balance
2 and reflect the diversity of the immigrant and refugee community in Seattle, and attempts should
3 be made to include two (2) members from the Asian / Pacific Islander Community, two (2)
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7 the members should be immigrants and refugees themselves. All members shall demonstrate
8 experience or expertise with immigrant issues as well as commitment to all immigrant and
9 refugee communities. The Mayor and Council will coordinate appointments to help achieve the
10 representation goals in this Subsection.

11 C. Each Immigrant and Refugee Advisory Board member shall serve for a term of two (2)
12 years; provided, however, that three (3) of the initial Mayoral appointees and three (3) of the
13 initial City Council appointees shall serve initial terms of one (1) year, to provide for staggered
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20 person to fill a Board position before the incumbent Board member's term has expired, then the
21 incumbent may remain in his or her position for a period not to exceed ninety (90) days until
22 such appointment or re-appointment is made. The authority that appointed a Board member may
23 remove that Board member at will. The Board may, by majority vote, remove from office a
24 Board member who is absent without excuse from three (3) Board meetings during any one (1)-
25 year period. The Board shall select a chair, and may adopt, promulgate, amend and rescind
26 administrative rules and regulations for its own conduct. No employee of the City of Seattle
27 shall serve on the Board.
28

3.14.570 Annual Work Plan

Annually, the Immigrant and Refugee Advisory Board will develop a work plan and brief the Mayor's Executive Team and the City Council on that work plan.

Section 2. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the ____ day of ____, 2007, and signed by me in open session in authentication of its passage this ____ day of ____, 2007.

President ____ of the City Council

Approved by me this ____ day of ____, 2007.

Gregory J. Nickels, Mayor

Filed by me this ____ day of ____, 2007.

City Clerk

(Seal)

STATE OF WASHINGTON – KING COUNTY

--SS.

214190
CITY OF SEATTLE, CLERKS OFFICE

No.

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 stated period. The annexed notice, a

CT:122441 ORDINANCE

was published on

08/07/07

The amount of the fee charged for the foregoing publication is the sum of \$ 251.10, which amount has been paid in full.



[Signature]

Subscribed and sworn to before me on

08/07/07

[Signature]
Notary public for the State of Washington,
residing in Seattle

State of Washington, I

City of Seattle

ORDINANCE 122441

AN ORDINANCE establishing a City Immigrant and Refugee Advisory Board by adding new sections to Subchapter III of Chapter 3.14 SMC.

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There is established an Immigrant and Refugee Advisory Board. The Office of Policy and Management shall provide staff and meeting space to the Board, and shall maintain its records.

3.14.550. Immigrant and Refugee Advisory Board - Purposes and Duties

The Immigrant and Refugee Advisory Board shall act in an advisory capacity, and shall have the following purposes and duties:

A. To advise the Mayor, City Council and other departments and offices on ways to enhance and improve access to City services and resources for immigrants and refugees, as well as strengthen opportunities for immigrants and refugees to participate in the civic life of the City;

B. To advise the City concerning the successful implementation of the Immigrant and Refugee Action Plan and on future updates to the plan;

C. To advise all departments and offices of the City in matters affecting immigrants and refugees, as appropriate; and

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3.14.560 Immigrant and Refugee Advisory Board - Appointments, Membership and Terms

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B. In making appointments to the Board, the goal should be to maintain the gender balance and reflect the diversity of the immigrant and refugee community in Seattle, and attempts should be made to include two (2) members from the Asian / Pacific Islander Community, two (2) members from the Latino Community, two (2) members from the African Community, and two (2) members from the European/Middle East Community. At least, two (2) members should be youth or young adults under the age of 25 or represent youth issues. At least two thirds (2/3) of the members should be immigrants and refugees themselves. All members shall demonstrate experience or expertise with immigrant issues as well as commitment to all immigrant and refugee communities. The Mayor and Council will coordinate appointments to help achieve the representation goals in this Subsection.

C. Each Immigrant and Refugee Advisory Board member shall serve for a term of two (2) years; provided, however, that three (3) of the initial Mayoral appointees and three (3) of the initial City Council appointees shall serve initial terms of one (1) year, to provide for staggered terms. The initial terms shall begin no later than January 2008 following the passage of this legislation creating the Board. No member of the Board shall serve more than two consecutive terms. Any vacancy shall be filled for the unexpired term in the same manner as originally appointed. If a person is appointed to fill the duration of an unexpired term, then that term shall qualify as one (1) of the two (2) consecutive terms only if the portion of the unexpired term actually served is one (1) year or more. If the appointing authority fails to appoint or re-appoint a person to fill a Board position before the incumbent Board member's term has expired, then the incumbent may remain in his or her position for a period not to exceed ninety (90) days until such appointment or re-appointment is made. The authority that appointed a Board member may remove that Board member at will. The Board may, by majority vote: recommend to the appointing authority, removal from office of a Board member who is absent without excuse from three (3) Board meetings during any one (1)-year period. The Board shall select a chair, and may adopt, promulgate, amend and rescind administrative rules and regulations for its own conduct. No employee of the City of Seattle shall serve on the Board.

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The Immigrant and Refugee Advisory Board will develop an Annual Workplan for the coming year and an Annual Report on the previous year's work. The Annual Report will include a summary of Board accomplishments and challenges, as well as recommendations on how the City can continue to facilitate access to City services and programs and strengthen the City's Immigrant and Refugee Action Plan. The Board will brief the Mayor's Executive Team and the City Council on the Annual Workplan and Annual Report.

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Passed by the City Council the 23rd day of July, 2007, and signed by me in open session in authentication of its passage this 23rd day of July, 2007.

Nick Licata

President of the City Council

Approved by me this ___ day of ___, 2007.

Gregory J. Nickels, Mayor

Filed by me this 2nd day of August, 2007.

(Seal) Judith Pippin

City Clerk

Publication ordered by JUDITH PIPPIN, City Clerk

Date of publication in the Seattle Daily Journal of Commerce, August 7, 2007.

8/7(214190)

2 of affidavit