

Ordinance No. 12445

Council Bill No. 117993

AN ORDINANCE relating to police department command staff hiring, amending Section 4.08.060 of the Seattle Municipal Code to allow for the appointment of individuals from outside the department for sworn positions above the rank of captain.

Related Legislation File:

Date Introduced and Referred: <u>12.2.13</u>	To: (committee): <u>Public Safety, Civil Rights and Technology</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <u>1/21/14</u>	Date Presented to Mayor: <u>1/22/14</u>
Date Signed by Mayor: <u>1.28.14</u>	Date Returned to City Clerk: <u>1.28.14</u>
Published by Title Only _____	Date Vetoed by Mayor:
Published in Full Text _____	
Date Veto Published:	Date Passed Over Veto:
Date Veto Sustained:	Date Returned Without Signature:

The City of Seattle – Legislative Department

Council Bill/Ordinance sponsored by: Bruce C. Harrell Mayor

Committee Action:

Date	Recommendation	Vote
<u>1/15/14</u>	<u>Pass as amended</u>	<u>BH, SB, TB</u>

This file is complete and ready for presentation to Full Council.

Full Council Action:

Date	Decision	Vote
<u>Jan. 21, 2014</u>	<u>Passed</u>	<u>8-0 (excused: Licata)</u>

CITY OF SEATTLE
ORDINANCE 124415
COUNCIL BILL 117993

AN ORDINANCE relating to police department command staff hiring, amending Section 4.08.060 of the Seattle Municipal Code to allow for the appointment of individuals from outside the department for sworn positions above the rank of captain.

WHEREAS, Section 4.08.060 of the Seattle Municipal Code restricts appointments to sworn positions above the rank of police captain to captains and lieutenants in the Seattle Police Department; and

WHEREAS, acting under the police chief, the police department command staff (assistant chiefs and deputy chiefs) plays a critical leadership role for providing proper guidance to the department and improving public safety in the city; and

WHEREAS, it is in the interest of the city to have less restrictive applicant pool to attract the largest number of qualified candidates when openings in these positions arise;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Seattle Municipal Code 4.08.060, last amended by Ordinance 112821, is amended as follows:

SMC 4.08.060 Jurisdiction

A. The Public Safety Civil Service system includes and is limited to, and the provisions of this chapter apply only to police special recruits, police recruits, police officers, police sergeants, police lieutenants, and police captains; and fire fighter prerecruits, fire fighters, fire lieutenants, fire captains, fire battalion chiefs, and fireboat pilots, fireboat engineers, and assistant fireboat engineers.

B. Appointments and promotions to the positions:

1. Above the rank and position of Battalion Chief in the Fire Department; and



1 ~~2. Above the rank and position of Police Captain in the Police Department shall~~
2 be made by assignment from the ranks and positions of Battalion Chief or Captain in the
3 Seattle Fire Department ~~for Fire Department ranks and positions, and Captain or~~
4 Lieutenant in the Seattle Police Department ~~for Police Department ranks and positions,~~ at
5 the sole discretion of the appointing authority. In the event of removal from the assigned
6 position, the officer shall resume the rank and position from which he or she was so
7 assigned.

8 2. Above the rank and position of Police Captain in the Police Department shall
9 be made by:

10 a. Assignment from the ranks and positions of Captain or Lieutenant in the
11 Police Department, provided that any officer so assigned shall, in the event of
12 removal, have the right to resume the rank and position from which he or she was
13 so assigned; or

14 b. Appointment from outside of the Police Department of a law-
15 enforcement officer who shall serve at the sole discretion of the Chief of Police,
16 but who, in the event of removal, shall not have the right to any other position in
17 the Police Department.



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

4 Passed by the City Council the 21st day of January, 2014, and
5 signed by me in open session in authentication of its passage this
6 21st day of January, 2014.

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9 President _____ of the City Council

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11 Approved by me this 28 day of January, 2014.

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14 Edward B. Murray, Mayor

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16 Filed by me this 28th day of January, 2014.

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19 Monica Martinez Simmons, City Clerk

20 (Seal)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
LEG	Nate Van Duzer/684-8806	NA

Legislation Title: AN ORDINANCE relating to police department command staff hiring, amending Section 4.08.060 of the Seattle Municipal Code to allow for the appointment of individuals from outside the department for sworn positions above the rank of captain.

Summary of the Legislation: This legislation would allow appointments to positions in the police department above the rank of police captain to be made by appointment of a law-enforcement officer from outside of the department in addition to appointing from the ranks of captain and lieutenant within the department.

Individuals who are appointed from within the department shall, in the event of removal, revert to their former position as is the current practice. Individuals who are brought in from the outside serve at the sole discretion of the Chief of Police.

The legislation does not change current appointment practices in the Seattle Fire Department.

Background: Current Seattle Municipal Code language restricts the pool of candidates to positions above the rank of police captain (e.g. assistant and deputy chiefs) to only internal candidates. This hinders robust, healthy competition for these important positions and does not allow a chief hired from outside the department to bring trusted deputies with her or him.

Please check one of the following:

This legislation does not have any financial implications.

This legislation has financial implications.

Other Implications:

a) Does the legislation have indirect financial implications, or long-term implications?

Implementing this legislation would lead to more robust competition for vital positions in the police department command staff. It will also help attract top candidates in future police chief searches as it gives the Chief of Police more flexibility in choosing his or her top staff.

b) What is the financial cost of not implementing the legislation?

Not implementing the legislation keeps the number of candidates for positions in the police department command staff limited to a small pool of internal candidates. These vital positions directly manage and oversee the department's 1,300+ employees and \$286 million budget.

c) Does this legislation affect any departments besides the originating department?

No.

d) What are the possible alternatives to the legislation that could achieve the same or similar objectives?

Change to the Seattle Municipal Code is required to open up the pool of candidates for these positions.

e) Is a public hearing required for this legislation?

No.

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

No.

g) Does this legislation affect a piece of property?

No.

h) Other Issues:

List attachments to the fiscal note below:

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL 117 993

AN ORDINANCE relating to police department command staff hiring, amending Section 4.08.060 of the Seattle Municipal Code to allow for the appointment of individuals from outside the department for sworn positions above the rank of captain.

WHEREAS, Section 4.08.060 of the Seattle Municipal Code restricts appointments to sworn positions above the rank of police captain to captains and lieutenants in the Seattle Police Department; and

WHEREAS, acting under the police chief, the police department command staff (assistant chiefs and deputy chiefs) plays a critical leadership role for providing proper guidance to the department and improving public safety in the city; and

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1. Above the rank and position of Battalion Chief in the Fire Department; ~~and~~

THIS VERSION IS NOT ADOPTED

1 ~~2. Above the rank and position of Police Captain in the Police Department shall~~
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3 Seattle Fire Department ~~for Fire Department ranks and positions, and Captain or~~
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6 position, the officer shall resume the rank and position from which he or she was so
7 assigned.

8 2. Above the rank and position of Police Captain in the Police Department shall
9 be made by:

10 a. Assignment from the ranks and positions of Captain or Lieutenant in the
11 Police Department, provided that any officer so assigned shall, in the event of
12 removal, have the right to resume the rank and position from which he or she was
13 so assigned; or

14 b. Appointment from outside of the Police Department of a law-
15 enforcement officer who shall serve at the sole discretion of the Chief of Police
16 with no rights to other employment in the City.

17
18 Section 2. This ordinance shall take effect and be in force 30 days after its approval by
19 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
20 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

21 Passed by the City Council the ____ day of _____, 2013, and
22 signed by me in open session in authentication of its passage this
23 ____ day of _____, 2013.

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25 _____

THIS VERSION IS NOT ADOPTED

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President _____ of the City Council

Approved by me this ____ day of _____, 2013.

Michael McGinn, Mayor

Filed by me this ____ day of _____, 2013.

Monica Martinez Simmons, City Clerk

(Seal)

THIS VERSION IS NOT ADOPTED

STATE OF WASHINGTON -- KING COUNTY

--SS.

307690
CITY OF SEATTLE, CLERKS OFFICE

No. 124411,412,413,414,415

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.

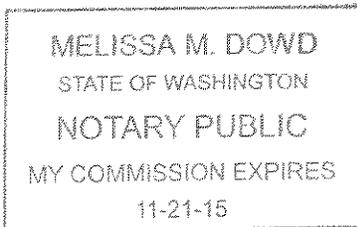
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

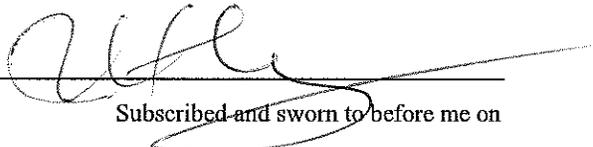
CT: TITLE ONLY ORDINANCES

was published on

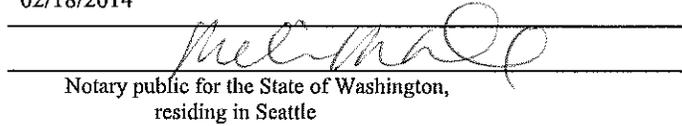
02/18/14

The amount of the fee charged for the foregoing publication is the sum of \$107.94 which amount has been paid in full.




Subscribed and sworn to before me on

02/18/2014


Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle

Title Only Ordinances

The full text of the following legislation, passed by the City Council on January 21, 2014, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Contact: Office of the City Clerk at (206) 684-8344.

ORDINANCE NO. 124411

AN ORDINANCE vacating a portion of an alley in Block 9, Plat of Holly Park Phase III, on the petition of the Seattle Housing Authority, a Washington public body, corporate and politic (C.F. 306415).

ORDINANCE NO. 124412

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

ORDINANCE NO. 124413

AN ORDINANCE accepting for general street purposes 15 deeds conveyed to the City of Seattle by the Central Puget Sound Regional Transit Authority ("Sound Transit") in connection with the Central Link Light Rail Transit Project as agreed to in a Property Acquisition and Transfer Procedures Agreement between the City of Seattle and Sound Transit, dated August 12, 2003 ("Property Transfer Agreement"); laying off, opening, widening, extending, and establishing portions of the rights-of-way located on Martin Luther King Jr. Way South between South Myrtle Street and South Kenyon Street; placing the real property conveyed by the deeds under the jurisdiction of the Seattle Department of Transportation; and ratifying and confirming certain prior acts.

ORDINANCE NO. 124414

AN ORDINANCE accepting for general street purposes 15 deeds conveyed to the City of Seattle by the Central Puget Sound Regional Transit Authority ("Sound Transit") in connection with the Central Link Light Rail Transit Project as agreed to in a Property Acquisition and Transfer Procedures Agreement between the City of Seattle and Sound Transit, dated August 12, 2003 ("Property Transfer Agreement"); laying off, opening, widening, extending, and establishing portions of the rights-of-way located on Martin Luther King Jr. Way South between South McClellan Street and South Byron Street, and between Myrtle Street and South Othello Street, and located on Rainier Avenue South between South Myrtle Street and South Othello Street; placing the real property conveyed by the deeds under the jurisdiction of the Seattle Department of Transportation; and ratifying and confirming certain prior acts.

ORDINANCE NO. 124415

AN ORDINANCE relating to police department command staff hiring, amending Section 4.08.060 of the Seattle Municipal Code to allow for the appointment of individuals from outside the department for sworn positions above the rank of captain.

Date of publication in the Seattle Daily Journal of Commerce, February 18, 2014.

2/18(307690)