

Resolution No. 25625

A RESOLUTION AND PROPOSITION to amend Article III, Section 1 of the City Charter to provide for the creation, consolidation and reorganization of City departments, divisions and offices by ordinance; amending Article VII to provide for the establishment by ordinance of a Board of Public Works to ensure that all contracts for public works are awarded and carried out in accordance with law, and providing for the designation of the City official newspaper by said Board; and amending Article XI, Section 1 of the City Charter relating to the Department of Parks and Recreation to eliminate the four year term of the Superintendent of Parks and Recreation and the membership of such officer on the Board of Public Works and City Planning Commission.

CF-285467

INTRODUCED: SEP 6 1977	BY: EXECUTIVE REQUEST
REFERRED: SEP 6 1977	TO: COMMITTEE OF WHOLE
REFERRED:	TO:
AMENDED:	
PASSED: SEP 9 1977	SIGNED: SEP 9 1977
FILED: SEP 9 1977	FIRST PUBLICATION:

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RESOLUTION 25625
PROPOSITION _____

A RESOLUTION AND PROPOSITION to amend Article III, Section 1 of the City Charter to provide for the creation, consolidation and reorganization of City departments, divisions and offices by ordinance; amending Article VII to provide for the establishment by ordinance of a Board of Public Works to ensure that all contracts for public works are awarded and carried out in accordance with law, and providing for the designation of the City official newspaper by said Board; and amending Article XI, Section 1 of the City Charter relating to the Department of Parks and Recreation to eliminate the four year term of the Superintendent of Parks and Recreation and the membership of such officer on the Board of Public Works and City Planning Commission.

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

That Section 1 of Article III of the Charter of The City of Seattle be amended to read as follows:

Section 1. DEPARTMENTS: The legislative authority of the city may by ordinance create, consolidate and reorganize the departments, divisions and offices of the city for the conduct of municipal functions except as such creation, consolidation or reorganization shall be precluded by other provisions of this Charter.

BE IT FURTHER RESOLVED:

That Article VII of the Charter of The City of Seattle relating to the Board of Public Works and the Engineering, Water, Lighting and Building Departments, and providing for the making of local and other public improvements be amended to read as follows:

ARTICLE VII

Board of Public Works

Section 1. CREATION; MEMBERSHIP; CHAIRMAN; REMOVAL:
As of the effective date of an ordinance establishing the same, there shall be a board of public works composed of no less than three members who shall be city department heads.

1 The number and qualifications of members and the length of
2 their terms shall be defined by ordinance, subject to the
3 provisions of this article. Each member of the board of
4 public works shall be appointed by the mayor and confirmed
5 by a majority of the members of the city council. The
6 chairperson of the board of public works shall be appointed
7 by the mayor from among the members of the board. Members
8 of the board, as such, shall receive no compensation.

9 Any member of the board of public works may be removed
10 for cause by the mayor upon filing with the city council a
11 statement of his or her reasons therefor; provided that upon
12 the resignation of any member of the board of public works
13 in response to the mayor's request, the mayor shall file
14 with the city council a statement of his or her reasons for
15 making such request.

16 Section 2. PURPOSE OF BOARD: The purpose of the board
17 of public works shall be to ensure that all contracts for
18 public works projects awarded by the city are developed and
19 carried out in a manner consistent with all applicable city
20 ordinances and state and federal laws.

21 Section 3. MEETINGS AND QUORUM: The chairperson of
22 the board of public works shall from time to time call such
23 meetings as the chairperson determines to be necessary. All
24 meetings shall be public. A majority of all the members of
25 the board shall constitute a quorum.

26 Section 4. POWERS AND DUTIES OF THE BOARD: The board
27 of public works shall make such rules and regulations as
28 shall be necessary to ensure:
29

1 First, that all public improvements to be made pursuant
2 to a contract by the city shall be awarded to the lowest and
3 best bidder.

4 Second, that anyone employed pursuant to a contract for
5 a public works contract awarded by the city shall be paid at
6 not less than the prevailing rate of pay for city employees
7 performing like duties.

8 Such rules and regulations shall apply equally to all
9 contracts awarded by the city for public improvements within
10 the city or upon property belonging to or under the control
11 of the city.

12 Section 5. CITY OFFICIAL NEWSPAPER: The "City Official
13 Newspaper," which shall publish all official proceedings
14 required by law to be published shall be designated annually
15 by the board of public works after a call for bids from the
16 daily newspapers of general circulation published in the
17 city at least six (6) days per week.

18 The lowest and best bidder shall be designated the city
19 official newspaper and shall post a surety company bond in
20 an amount to be determined by the board of public works
21 conditioned that full compliance shall be made in carrying
22 out the contract. A bid bond shall be required from each
23 bidder in such amount as the board of public works shall
24 designate.

25 Section 6. The ordinance required by Section 1 of this
26 Article shall be enacted by November 8, 1978. The provisions
27 of Article VII in effect prior to the adoption of this
28 amended Article VII shall remain in effect until the ordinance
29 required by Section 1 of this Article takes effect.

30 BE IT FURTHER RESOLVED:

31 That Section 1 of Article XI of the Charter of The City
32 of Seattle be amended to read as follows:

1 Section 1. DEPARTMENT OF PARKS AND RECREATION: There
2 shall be a department of parks and recreation, the head of
3 which shall be the superintendent of parks and recreation,
4 who shall have responsibility for the management and control
5 of the park and recreation system of the city. Such superin-
6 tendent shall appoint under civil service laws and rules,
7 supervise and control all officers and employees in the depart-
8 ment of parks and recreation, and shall have such further powers
9 and perform such other duties as may be prescribed by ordinance.
10 The superintendent of parks and recreation shall be appointed
11 by the mayor, subject to confirmation by a majority of the
12 city council, and may be removed for cause by the mayor upon
13 filing with the city council a statement of his or her reasons
14 therefor; provided that upon the resignation of the superinten-
15 dent of parks and recreation in response to the mayor's request,
16 the mayor shall file with the city council a statement of his
17 or her reasons for making such request.

18 PASSED the City Council the 9 day of September,
19 1977 and signed by me in open session in authentication of
20 its passage this 9 day of September, 1977.

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President of the City Council

24 Filed by me this 9 day of September, 1977.

25 ATTEST: 

City Controller and City Clerk

26 By: 

Deputy

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LAW DEPARTMENT

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CLAIMS MANAGER

V. L. PORTER

September 2, 1977

City Council
Seattle

Honorable Members:

Pursuant to your request by letter of August 31, 1977 and in accordance with oral instructions from Mr. Casey Jones, Executive Director, we have prepared and forward herewith proposed resolutions and propositions amending the City Charter as follows:

- (1) A RESOLUTION AND PROPOSITION to amend Article XVI of the City Charter to provide for the establishment of a personnel and civil service system by ordinance, and repealing Article V, Section 11 of the City Charter relating to the City Personnel Director.
- (2) A RESOLUTION AND PROPOSITION to amend Article III, Section 1 of the City Charter to provide for the creation, consolidation and reorganization of City departments, divisions and offices by ordinance; amending Article VII to provide for the establishment by ordinance of a Board of Public Works to ensure that all contracts for public works are awarded and carried out in accordance with law, and providing for the designation of the City official newspaper by said Board; and amending Article XI, Section 1 of the City Charter relating to the Department of Parks and Recreation to eliminate the four year term of the Superintendent of Parks and Recreation and the membership of such officer on the Board of Public Works and City Planning Commission.
- (3) A RESOLUTION AND PROPOSITION to amend Article VIII, Section 1 of the City Charter to eliminate the requirement that the City Comptroller issue all licenses.

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- (4) A RESOLUTION AND PROPOSITION to amend Article VI, Section 2 and repeal Article VI, Section 3 of the City Charter to eliminate the requirement for a competitive examination of candidates for the position of Chief of Police.
- (5) A RESOLUTION AND PROPOSITION to amend Article XIII of the City Charter to change the title of "Corporation Counsel" to "City Attorney."

ALTERNATIVE PROPOSITIONS

- (6) A RESOLUTION AND PROPOSITION to amend Article XVI, Section 1 of the City Charter to provide for selection of one member of the Civil Service Commission by the City Council.
- (7) A RESOLUTION AND PROPOSITION to amend Article XVI, Section 9 of the City Charter to extend the probationary period for firefighters to twelve months.
- (8) A RESOLUTION AND PROPOSITION to amend Article V, Section 11 and Article XVI, Section 9 of the City Charter to provide that the chief examiner and secretary of the Civil Service Commission shall hold no other position or office in the public service of the City.

With respect to the proposed amendment of Article VIII Section 1 (Item (3) above) to eliminate the requirement therein that the City Comptroller issue all licenses, you ask that we advise whether such proposed amendment "will in fact enable the legislative authority to determine by ordinance who shall issue licenses." We advise that such is the purpose and effect of the proposed amendment.

In connection with the proposed amendments of Articles VI and VII (Items (2) and (4) above) you ask that we draft language that would accomplish the City Council's intent that the Mayor file a statement of reasons for removal of the Chief of Police and members of the Board of Public Works "whether the removal is by firing or forced resignation." For such purpose we have included language in Section 1 of proposed Article VII and the proposed amendment of Section 2 of Article VI requiring that upon the resignation of such officers ". . . in response to the mayor's request, the

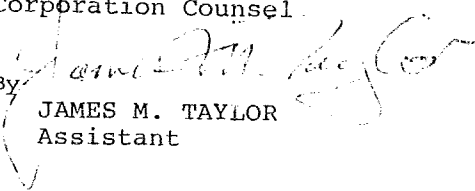
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mayor shall file with the city council a statement of his reasons for making such request."

Yours very truly,

JOHN P. HARRIS
Corporation Counsel

By


JAMES M. TAYLOR
Assistant

JMT:vf

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted

Your Committee on COMMITTEE OF THE WHOLE

SEP 9 1977

to which was referred

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amending Article III, Section I of the City Charter to provide for the creation, consolidation and reorganization of City departments, divisions and offices by ordinance; amending Article VII to provide for the establishment by ordinance of a Board of Public Works to ensure that all contracts for public works are awarded and carried out in accordance with law and providing for the designation of the city official newspaper by said Board; and amending Article XI, Section 1 of the City Charter relating to the Department of Parks and Recreation to eliminate the four year term of the Superintendent of Parks and Recreation and the membership of such officer on the Board of Public Works and City Planning Commission,

RECOMMENDS THAT SAME BE ADOPTED.

Chairman

Chairman

Committee

Committee

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