

#2
CB 117394

ORDINANCE _____

1
2 AN ORDINANCE relating to the organization of City government; creating an Office of
3 Immigrant and Refugee Affairs; establishing the powers and duties of the Office of
4 Immigrant and Refugee Affairs; renaming the Immigrant and Refugee Advisory Board to
5 the Seattle Immigrant and Refugee Commission; establishing the responsibility to
6 provide staffing for the Seattle Immigrant and Refugee Commission; amending Chapter
7 3.14 and repealing Sections 3.35.090, 3.35.100, 3.35.110, and 3.35.120 of the Seattle
8 Municipal Code.

9 WHEREAS, Seattle is home to many immigrant and refugee communities and the City is
10 committed to strengthening the relationship between government and these communities;
11 and

12 WHEREAS, the City recognizes the value of cultural diversity and its contribution to Seattle's
13 civic and economic identity; and

14 WHEREAS, the City recognizes that language and cultural barriers may compromise equal
15 access to government services and programs; and

16 WHEREAS, the City recognizes the complex and dynamic nature of issues that impact
17 immigrant and refugee communities in Seattle; and

18 WHEREAS, the Mayor and City Council have worked to enhance and improve both the
19 relationship of the City government with Seattle's refugee and immigrant residents and
20 access to City services and resources for these communities; and

21 WHEREAS, the Mayor and City Council have taken proactive steps the address the challenges
22 facing immigrant and refugee communities through the creation of the Immigrant and
23 Refugee Advisory Board in 2007 and the subsequent development and ongoing
24 implementation of an Immigrant and Refugee Action Plan; and

25 WHEREAS, the Immigrant and Refugee Advisory Board has worked with the City's Race and
26 Social Justice Initiative to integrate principles of social justice and ensure consistency
27 with the Race and Social Justice Initiative; and

28 WHEREAS, as part of the 2012 Budget process, the City Council added funding and position
authority to create a new Office of Immigrant and Refugee Affairs; and

WHEREAS, it is the City Council's intent and expectation that creating the Office of Immigrant
and Refugee Affairs will further strengthen the ongoing efforts to address existing and
emerging needs of immigrant and refugee communities; NOW, THEREFORE,



1 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

2 Section 1. Department created. There is created within the Executive Department an
3 Office of Immigrant and Refugee Affairs.

4 Section 2. The Mayor shall allocate resources in accordance with Ordinance 123758
5 adopting the 2012 City Budget and as delineated in Council Green Sheet Budget Action 44-2-A-
6 3 found in Clerk File 311810 in order to effectuate this ordinance.

7 Section 3. Subchapter III of Chapter 3.14 of the Seattle Municipal Code is redesignated
8 "Office of Immigrant and Refugee Affairs" and new sections are added as follows:

9 **3.14.505 Office Created – Functions.**

10 There is created within the Executive Department an Office of Immigrant and Refugee
11 Affairs, under the direction of the Mayor. The mission of the Office shall be as follows:

- 12
- 13 A. To facilitate the successful integration of immigrants and refugees into Seattle's civic,
14 economic, and cultural life;
- 15 B. To celebrate diverse cultures of immigrants and refugees and their contributions to
16 Seattle; and
- 17 C. To advocate on behalf of immigrants and refugees.
- 18 D. To promote a citywide culture that understands and values the benefits that all members
19 of our society receive when immigrants and refugee communities are successfully
20 integrated into our civic, economic and cultural life.
- 21

22 In order to advance its mission, the Office will provide staff support to the Seattle Immigrant and
23 Refugee Commission. The Office will work with community partners, City departments, and the
24 Race and Social Justice Initiative to define and achieve desired outcomes for City investments
25 for immigrant and refugees, including setting specific measurable outcomes related to
26



1 employment, economic development, public health, student achievement, citizenship, public
2 safety, and criminal justice, civic engagement, and protection of civil rights.

3
4 The Office shall coordinate and facilitate City efforts aimed at improving services and better
5 engaging immigrant and refugee communities. The Office shall work in partnership with other
6 City departments, government agencies, community organizations, and the private sector to
7 advance the mission of the Office in a manner consistent with the City's Race and Social Justice
8 Initiative.

9 **3.14.515 Director – Appointment and Removal.**

10 The Director of the Office of Immigrant and Refugee Affairs shall be appointed by the
11 Mayor, subject to confirmation by a majority vote of all members of the City Council, and may
12 be removed by the Mayor at any time upon filing a statement of reason therefore with the City
13 Council.

14 **3.14.525 Director – Duties.**

15 The duties of the Director of the Office of Immigrant and Refugee Affairs shall be as
16 follows:

17 A. Oversee and manage the functions of the Office of Immigrant and Refugee
18 Affairs to advance the mission of the Office as prescribed in Section 3.14.985;

19 B. Appoint, remove, supervise and control officers and employees in the Office of
20 Immigrant and Refugee Affairs in accordance with Civil Service rules and regulations;

21 C. Manage the preparation of the proposed budget of the Office of Immigrant and
22 Refugee Affairs, authorize necessary expenditures and enter into contracts for professional and
23 expert services in accordance with the adopted budget, develop and manage programs, and
24 undertake authorized activities;



1 D. Execute, administer, modify and enforce such agreements and instruments as he
2 or she shall deem reasonably necessary to implement programs and carry out the
3 responsibilities, functions, and activities of the Office of Immigrant and Refugee Affairs; apply
4 for grants and donations for department programs; and solicit and use volunteer services;

5 E. Serve, in conjunction with other affected Department heads, as the City's
6 representative to boards, commissions, and organizations engaged in issues pertaining to
7 immigrant and refugee issues;

8 F. Promulgate rules and regulations to carry out departmental activities pursuant to
9 the Administrative Code, SMC Chapter 3.02;

10 G. Exercise such other and further powers and duties as shall be prescribed by
11 ordinance; and

12 H. Report to the Mayor and City Council on the City's efforts to advance the mission
13 of the Office of Immigrant and Refugee Affairs.

14 Section 4. A new Section 3.14.996 of the Seattle Municipal Code, is added as follows:

15 **3.14.535 Seattle Immigrant and Refugee Commission – Purposes and Duties.**

16 The Seattle Immigrant and Refugee Commission shall act in an advisory capacity, and
17 shall have the following purposes and duties:

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

21 B. Advise the City concerning the successful implementation of the Immigrant and
22 Refugee Action Plan and on future updates to the plan;

23 C. Advise all departments and offices of the City in matters affecting immigrants and
24 refugees, as appropriate;



1 D. Encourage understanding between and among the various immigrant and refugee
2 communities and the larger Seattle community;

3 E. Meet on a quarterly basis through a designated representative with the Seattle
4 Women's Commission, the Seattle Human Rights Commission, the Seattle LGBT (Lesbian,
5 Gay, Bisexual, Transgender) Commission, and the Seattle Commission for People with
6 Disabilities, to ensure coordination and joint project development; and

7 F. Develop an Annual Work plan for the coming year and an Annual Report on the
8 previous year's work. The Annual Report will include a summary of the Commission
9 accomplishments and challenges, as well as recommendations on how the City can continue to
10 facilitate access to City services and programs and strengthen the City's Immigrant and Refugee
11 Action Plan. The Commission will brief the Mayor's Office and the City Council on the Annual
12 Work plan and Annual Report.

13 Section 5. A new Section 3.14.997 of the Seattle Municipal Code, is added as follows:

14 **3.14.545 Seattle Immigrant and Refugee Commission -- Appointments, Membership and**
15 **Terms**

16 A. The Seattle Immigrant and Refugee Commission shall consist of 15 members. Seven
17 members shall be appointed by the City Council; and eight members shall be appointed by the
18 Mayor. All Mayoral appointments are subject to confirmation by a majority of the City Council.
19 The appointing body shall provide written public notice for a vacant position(s).

20 B. In making appointments to the Commission, the goal should be to maintain the
21 gender balance and reflect the diversity of the immigrant and refugee community in Seattle.
22 Attempts should be made to include two members from the Asian/Pacific Islander Community,
23 two members from the Latino Community, two members from the African Community, and two
24 members from the European/Middle East Community. At least, two members should be youth or
25 young adults under the age of 25 or represent youth issues. At least 2/3 of the members should be
26



1 immigrants and refugees themselves. All members shall demonstrate experience or expertise
2 with immigrant issues as well as commitment to all immigrant and refugee communities. The
3 Mayor and Council will coordinate appointments to help achieve the representation goals in this
4 Subsection.

5 C. Each Seattle Immigrant and Refugee Commission member shall serve for a term
6 of two years. No member of the Commission shall serve more than three consecutive terms. Any
7 vacancy shall be filled for the unexpired term in the same manner as originally appointed. If a
8 person is appointed to fill the duration of an unexpired term, then that term shall qualify as one
9 of the three consecutive terms only if the portion of the unexpired term actually served is one
10 year or more.

11 D. If the appointing authority fails to appoint or re-appoint a person to fill a
12 Commission position before the incumbent Commissioner's term has expired, then the
13 incumbent may remain in his or her position for a period not to exceed 90 days until such
14 appointment or re-appointment is made. The authority that appointed a Commissioner may
15 remove that Commissioner at will. The Commission may, by majority vote, recommend to the
16 appointing authority, removal from office of a Commissioner who is absent without excuse from
17 three Commission meetings during any one -year period. The Commission shall select a chair,
18 and may adopt, promulgate, amend and rescind administrative rules and regulations for its own
19 conduct.

20 Section 6. The initial membership of the Seattle Immigrant and Refugee Commission
21 shall be the same as the membership of the Immigrant and Refugee Advisory Board just prior to
22 its elimination by this ordinance. Those members shall be considered as Mayoral or Council
23 appointments for purposes of Section 3.14.997 according to who originally appointed each
24 member. Any term served on the Immigrant and Refugee Advisory Board shall count towards
25 the three term limitation in Section 3.14.997.



1 Section 7. A new Section 3.14.936 of the Seattle Municipal Code, is added as follows:

2 **3.14.555 Seattle Immigrant and Refugee Commission -- Annual Workplan**

3 The Seattle Immigrant and Refugee Commission will develop an Annual Workplan for
4 the coming year and an Annual Report on the previous year's work. The Annual Report will
5 include a summary of Commission accomplishments and challenges, as well as
6 recommendations on how the City can continue to facilitate access to City services and programs
7 and strengthen the City's Immigrant and Refugee Action Plan. The Commission will brief the
8 Mayor's Office and the City Council on the Annual Workplan and Annual Report.

9 Section 8. Section 3.35.090 of the Seattle Municipal Code is repealed.

10 ~~((3.35.090 Immigrant and Refugee Advisory Board Established.~~

11 ~~There is established an Immigrant and Refugee Advisory Board. The Department of~~
12 ~~Neighborhoods shall provide staff and meeting space to the Board, and shall maintain its~~
13 ~~records.))~~

14 Section 9. Section 3.35.100 of the Seattle Municipal Code is repealed.

15 ~~((3.35.100 Immigrant and Refugee Advisory Board -- Purposes and Duties.~~

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

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

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

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



1 ~~D. To encourage understanding between and among the various immigrant and refugee~~
2 ~~communities and the larger Seattle community.))~~

3 Section 10. Section 3.35.110 of the Seattle Municipal Code is repealed.

4 ~~((3.35.110 Immigrant and Refugee Advisory Board--Appointments, Membership and~~
5 ~~Terms.~~

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

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

20 ~~C. Each Immigrant and Refugee Advisory Board member shall serve for a term of two (2) years;~~
21 ~~provided, however, that three (3) of the initial Mayoral appointees and three (3) of the initial City~~
22 ~~Council appointees shall serve initial terms of one (1) year, to provide for staggered terms. The~~
23 ~~initial terms shall begin no later than January 2008 following the passage of this legislation~~
24 ~~creating the Board. No member of the Board shall serve more than two consecutive terms. Any~~
25 ~~vacancy shall be filled for the unexpired term in the same manner as originally appointed. If a~~
26



1 person is appointed to fill the duration of an unexpired term, then that term shall qualify as one
2 (1) of the two (2) consecutive terms only if the portion of the unexpired term actually served is
3 one (1) year or more.

4 (If the appointing authority fails to appoint or re-appoint a person to fill a Board position before
5 the incumbent Board member's term has expired, then the incumbent may remain in his or her
6 position for a period not to exceed ninety (90) days until such appointment or re-appointment is
7 made. The authority that appointed a Board member may remove that Board member at will. The
8 Board may, by majority vote, recommend to the appointing authority, removal from office of a
9 Board member who is absent without excuse from three (3) Board meetings during any one (1)-
10 year period. The Board shall select a chair, and may adopt, promulgate, amend and rescind
11 administrative rules and regulations for its own conduct. No employee of the City of Seattle shall
12 serve on the Board.))

13 Section 11. Section 3.35.120 of the Seattle Municipal Code is repealed.

14 ~~((3.35.120 Annual Work Plan.~~

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

21 Section 12. This ordinance shall take effect and be in force 30 days after its approval by
22 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
23 shall take effect as provided by Seattle Municipal Code Section 1.04.020.



1 Passed by the City Council the ____ day of _____, 2011, and
2 signed by me in open session in authentication of its passage this
3 ____ day of _____, 2011.

4 _____
5 _____
6 President _____ of the City Council

7
8 Approved by me this ____ day of _____, 2011.

9
10 _____
11 Michael McGinn, Mayor

12
13 Filed by me this ____ day of _____, 2011.

14
15 _____
16 Monica Martinez Simmons, City Clerk

17 (Seal)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Legislative	Mike Fong/5-1675	N/A

Legislation Title: AN ORDINANCE relating to the organization of City government; creating an Office of Immigrant and Refugee Affairs; establishing the powers and duties of the Office of Immigrant and Refugee Affairs; renaming the Immigrant and Refugee Advisory Board to the Seattle Immigrant and Refugee Commission; establishing the responsibility to provide staffing for the Seattle Immigrant and Refugee Commission; amending Chapter 3.14 and repealing Sections 3.35.090, 3.35.100, 3.35.110, and 3.35.120 of the Seattle Municipal Code.

Summary of the Legislation: This legislation implements the Council's policy direction established as part of the 2012 Budget review process. Funding and position authority was approved to create a two-person Office of Immigrant and Refugee Affairs. In addition, this bill would rename the current Immigrant and Refugee Advisory Board to the Immigrant and Refugee Commission and transfer staffing responsibility for this commission to the new Office of Immigrant and Refugee Affairs. Corresponding changes are made to the Seattle Municipal Code to reflect the new organizational structure.

Background: As mentioned previously, the Council approved funding to create a new Office of Immigrant and Refugee affairs as part of the 2012 Budget review process. Green Sheet 44-2-A-3 added \$238,000 in General Subfund support and created the necessary position authority to staff the new Office. The goal being to strengthen the City's work around refugee and immigrant issues.

In 2007, the City created an Immigrant and Refugee Advisory Board to advise the Council and Mayor on ways to enhance and improve access to City services and resources for these communities. Earlier in the year, legislation had been proposed to change the name of the board to the Immigrant and Refugee Commission. Creation of the Office of Immigrant and Refugee Affairs presents an opportunity to bring the staffing and coordination of the Commission's work in alignment with the new Office.

Please check one of the following:

- This legislation does not have any financial implications.**
(Please skip to "Other Implications" section at the end of the document and answer questions a-h. Earlier sections that are left blank should be deleted. Please delete the instructions provided in parentheses at the end of each question.)

NOTE: Appropriations for 2012 associated with the creation of the Office of Immigrant and Refugee Affairs and staffing associated with the Immigrant and Refugee Commission have been



addressed as part of the 2012 Budget review process and reflected in the 2012 Adopted Budget by Council.

This legislation has financial implications.

(If the legislation has direct fiscal impacts (e.g., appropriations, revenue, positions), fill out the relevant sections below. If the financial implications are indirect or longer-term, describe them in narrative in the "Other Implications" Section. Please delete the instructions provided in parentheses at the end of each title and question.)

Other Implications:

- a) **Does the legislation have indirect financial implications, or long-term implications?**
Creation of the Office assumes continued operational support into the future.
- b) **What is the financial cost of not implementing the legislation?**
Implementing the legislation is consistent with policy direction approved by the Council in November, 2011.
- c) **Does this legislation affect any departments besides the originating department?**
The legislation will change the staffing relationship of DON and SOCR with the Refugee and Immigrant Commission as it transfers this responsibility to the newly created Office of Immigrant and Refugee Affairs. The new Office will interact with all other City agencies and departments on issues related to immigrant and refugee communities.
- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**
Implementing the legislation is consistent with policy direction approved by the Council in November, 2011.
- 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:

