

## **Appointment and Confirmation, and Reappointment and Reconfirmation, of Certain City Offices**

February 20, 2013

*(Note: This process pertains not only to Council's role of reconfirmation, but also the Mayor's reappointment role, if applicable.)*

A list of City department heads subject to City Council confirmation, and reconfirmation where applicable, is provided as *Attachment 1*.

### **Resolution 30962**

Resolution 30962 describes the Council process for confirmation and reconfirmation when evaluating the appointment of a City department head. This Resolution is provided as *Attachment 2*, and includes the following steps for the confirmation or reconfirmation of a department head:

- a. The Mayor submits to the Council the materials for the appointment or reappointment of a department head in paper and electronic form. The Mayor submits, at a minimum, the following:
  - Transmittal letter;
  - Letter to appointee describing terms of appointment (does not apply for reappointment);
  - Appointment form;
  - Oath of office;
  - Resume; and
  - Memo relating to background check (does not apply for reappointment).
- b. The City Clerk places the materials in a Clerk File (C.F.) and processes the C.F. as proposed legislation is processed, including placing the C.F. on the Referral Calendar to be introduced and referred to the appropriate Council committee as determined by the Council President, and posting the materials on the Clerk's website under the assigned C.F. number.
- c. The committee chair distributes to all Councilmembers the written materials for the appointment or reappointment submitted by the Mayor.
- d. The committee chair provides public notice of the confirmation or reconfirmation process and the availability of the materials at least two weeks before the committee meeting at which the C.F. will be discussed, in addition to listing the C.F. on the agenda for that committee meeting.
- e. The committee chair takes public comment on the proposed confirmation or reconfirmation at each committee meeting at which the C.F. is discussed, and also accepts public comment submitted in other forms before City Council action.
- f. The committee chair makes all written public comment available to all Councilmembers for review and available to the public, including posting on the Council's website as appropriate.
- g. The Council President schedules full City Council action on the C.F. within ten weeks of the date that the Mayor submits to the Council the written materials for the appointment or reappointment of a department head.

## **Background 2006 Charter Amendment**

In 2006, the City Council wanted to make all major department heads subject to periodic reappointment by the Mayor and reconfirmation by the Council.

- Five department heads were already subject to this requirement (City Light, Neighborhoods, Planning and Development, Seattle Public Utilities, and SDOT).
- Five department heads were governed only by the Seattle Municipal Code and so the change could be made to the Code by ordinance (Executive Administration, Fleets and Facilities, Human Services, Information Technology, and Seattle Center).
- Five department heads were governed by the City Charter and so the change had to be made by Charter amendment (Finance, Parks and Recreation, Personnel, Police, and Fire).

A Charter amendment proposed in 2006 provided for periodic reappointment by the Mayor and reconfirmation by the Council for the heads of Finance, Parks and Recreation, Personnel, Police, and Fire. At the Full Council meeting of July 31, 2006, an amendment was approved to delete the requirement for reappointment and reconfirmation for the Police and Fire Chiefs.

## **Charter Amendment Process**

**ARTICLE XX. Sections 1. and 2., provide in pertinent part:**

### **Section 1. Charter Amendments Proposed by the Council**

1. An amendment or amendments to the City Charter may be proposed by the City Council if the same be agreed to by a majority of all Councilmembers.
2. Upon the passage of any such amendment or amendments, the same shall be submitted to electors of the City for their ratification at the next **general** state or municipal election, which shall be at least sixty days after the adoption of such proposed amendment in the council.
3. If at such election any such amendment shall be ratified by a majority of the qualified electors voting thereon, the same shall thereby become a part of this Charter, and within five days after certification of the results of such election shall be by the Mayor by proclamation published in the City official newspaper and proclaimed a part thereof.
4. After the passage of such proposed amendments through the Council the same shall be published in accordance with state law by the City Clerk prior to the day of submitting the same to the electors for their approval.

### **Section 2. Charter Amendments Proposed by Voters**

1. Whenever fifteen percent in number of the registered voters of the City voting at the last preceding election for the office of Mayor shall file with the City Council a petition for a specified Charter amendment it shall be the duty of the City Council to submit said amendment to the voters of the City for their ratification or rejection at the next **general** municipal election occurring at least sixty days after the filing of such petition.
2. Such amendment shall be submitted in the manner provided by law for the submission of propositions to the voters of the City.

3. When such petition is filed with the City Council it shall be the duty of the City Clerk to convey the signed petitions to the officer responsible for verification of the sufficiency of signatures under state law, and to convey to the City Council any report received as to the number of valid signatures contained in such petition.
4. If at the general municipal election at which such amendment is submitted, a majority of the lawful voters voting thereon shall by their vote ratify any amendment so submitted, the same shall thereby become a part of the Charter and within five days after certification of the results of such election it shall, by proclamation of the Mayor, which shall be published in the city official newspaper, be so proclaimed.
5. If more than one amendment be petitioned for and submitted at the same election such amendments shall be submitted in such manner that the electors may vote for or against each amendment separately.
6. After submission by the City Council, every such amendment shall be published by the City Clerk in accordance with state law prior to such election and such other notice shall be given as may be required by state law for the submission of propositions to the voters of the City for their ratification or rejection.

### **2013 General Election Schedule**

The 2013 King County Elections Jurisdiction Calendar requires all November 5, General Election ballot measures be submitted to King County no later than August 6, 2013.

## Notes on Council Confirmation or Reconfirmation of a Department Head

### Background:

- For heads of most departments as well as heads of offices in “Executive Department” (all referred to here as “departments”), Charter and/or Seattle Municipal Code (SMC) require appointment by Mayor and confirmation by Council.
- Under the Charter and SMC, some department heads are subject to periodic *re*appointment by Mayor and *re*confirmation by Council.

A: Department heads subject to initial appointment by the Mayor and confirmation by the Council, and reappointment by the Mayor and reconfirmation by the Council every four years:

<u>Department</u>	<u>Head</u>	<u>Clerk File</u>	<u>Date for Reappointment</u>
City Budget Office (in Exec. Dep’t)	Beth Goldberg	C.F. 310958	September 7, 2014
Finance and Administrative Services	Fred Podesta	C.F. 310959	September 7, 2014
Human Services	Dannette Smith	C.F. 310988	September 13, 2014
Information Technology	Erin Devoto	C.F. 312730	(pending)
Neighborhoods	Bernie Matsuno	C.F. 311602	December 31, 2013 *
Parks and Recreation	Christopher Williams (acting)		
Personnel	David Stewart	C.F. 311672	August 8, 2015
Planning and Development	Diane Sugimura	C.F. 311467	June 6, 2015
Seattle Center	Robert Nellams	C.F. 311299	May 9, 2015
Seattle City Light	Jorge Carrasco	C.F. 312413	July 23, 2016
Seattle Department of Transportation	Peter Hahn	C.F. 310432	April 19, 2014
Seattle Public Utilities	Ray Hoffman	C.F. 310552	May 17, 2014

\* Per SMC, the term of the DON Director “shall be coterminous with that of the Mayor.”

B. Department heads subject to initial appointment by the Mayor and confirmation by the Council, but not subject to periodic reappointment or reconfirmation:

<u>Department</u>	<u>Head</u>	<u>C.F.</u>
Fire	Gregory Dean	C.F. 306616
Police	John Diaz	C.F. 310947
Offices in Executive Department:		
Arts and Cultural Affairs	Randy Engstrom (acting)	
Civil Rights	Julie Nelson	C.F. 309120
Economic Development	Steve Johnson	C.F. 310967
Housing	Rick Hooper	C.F. 311466
Intergovernmental Relations	Marco Lowe	C.F. 310433
Sustainability and the Environment	Jill Simmons	C.F. 310968
Immigrant and Refugee Affairs	Magdaleno Rose-Avila	C.F. 312380

C. Department heads *appointed by the Council, and subject to periodic reappointment:*

<u>Department</u>	<u>Head</u>	<u>C.F.</u>	<u>Date for Reappointment</u>
Hearing Examiner	Sue Tanner	C.F. 312487	July 21, 2016
City Auditor	David Jones	C.F. 310258	December 14, 2013

D. Department head whose *initial* appointment (by the Ethics and Elections Commission), but *not* subsequent reappointments, is subject to Council confirmation:

Ethics and Elections	Wayne Barnett	C.F. 306747
----------------------	---------------	-------------

E. Department head appointed by Municipal Court judges and subject to Council confirmation:

Municipal Court Administrator	Yolande Williams	C.F. 303441
-------------------------------	------------------	-------------

F. Department head *jointly* appointed by County Executive and Mayor, subject to confirmation by City Council and County Council:

Public Health – Seattle & King County	David Fleming	C.F. 308464
---------------------------------------	---------------	-------------

G. Other department head (*Council has no role* in selecting):

Seattle Public Library	Marcellus Turner, selected by Library Board (per state law)
------------------------	---

H. Departments headed by *elected officials*:

- City Council / Legislative Department
- City Attorney’s Office / Law Department
- Office of the Mayor (part of Executive Department)

Martha Lester  
LEG Dep't head conf & reconf RES.doc  
2/16/07 v#4

RESOLUTION 30962

A RESOLUTION relating to City Council confirmation and reconfirmation of City department heads; outlining the steps that the Council intends to follow, and the general performance criteria that the Council intends to consider, when evaluating new department head candidates during the initial confirmation process and when evaluating existing department heads during the reconfirmation process; and superseding Resolution 30903 and other prior City Council policies or procedures.

WHEREAS, the City Charter and the Seattle Municipal Code provide that the heads of certain City departments are subject to appointment or reappointment by the Mayor, and confirmation or reconfirmation by the City Council every four years; and

WHEREAS, the confirmation process for a new department head candidate affords the City Council and the public an opportunity to review the candidate's leadership, accomplishments, vision, goals, priorities, challenges, management, and decision-making approaches; and

WHEREAS, the reconfirmation process for an existing department head affords the City Council and the public an opportunity to review the department head's leadership, accomplishments, vision, goals, priorities, challenges, management, and decision-making approaches; and

WHEREAS, Resolution 30903, adopted by the City Council in July 2006 outlines process and criteria for reconfirmation of department heads but does not explicitly address the initial confirmation process; and

WHEREAS, the City Council desires to outline steps and general performance criteria for both the initial confirmation process for department heads and the reconfirmation process; and

WHEREAS, the confirmation and reconfirmation process set forth below is in accordance with the concept of checks and balances between the Executive and Legislative branches of government, and ensures that highly competent and dedicated individuals are in key City management positions; and

WHEREAS, the Council intends to have a uniform and consistent process for initial confirmation and periodic reconfirmation of department heads and intends to establish fair and objective general performance criteria to consider when evaluating department head candidates or existing department heads; NOW, THEREFORE,

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

Section 1. The City Council intends to follow the steps listed below when evaluating new City department head candidates during the initial confirmation process, and when evaluating



Martha Lester  
LEG Dep't head conf & reconf RES.doc  
2/16/07 v#4

1 existing City department heads during the reconfirmation process.

- 2 a. The Mayor submits to the Council the materials for the appointment or  
3 reappointment of a department head in paper and electronic form consistent with the  
4 Clerk's Office standards. The Mayor should submit, at a minimum, the following:
- 5 – Transmittal letter;
  - 6 – Letter to appointee describing terms of appointment (does not apply for  
7 reappointment);
  - 8 – Appointment form;
  - 9 – Oath of office;
  - 10 – Resume; and
  - 11 – Memo relating to background check (does not apply for reappointment).
- 12 b. The City Clerk places the materials in a Clerk File (C.F.) and processes the C.F. as  
13 proposed legislation is processed, including placing the C.F. on the Referrals  
14 Calendar to be introduced and referred to the appropriate Council committee as  
15 determined by the Council President, and posting the materials on the Clerk's  
16 website under the assigned C.F. number.
- 17 c. The committee chair distributes to all Councilmembers the written materials for the  
18 appointment or reappointment submitted by the Mayor.
- 19 d. The committee chair provides public notice of the confirmation or reconfirmation  
20 process and the availability of the materials at least two weeks before the committee  
21 meeting at which the C.F. will be discussed, in addition to listing the C.F. on the  
22 agenda for that committee meeting.
- 23  
24  
25  
26  
27



Martha Lester  
LEG Dep't head conf & reconf RES.doc  
2/16/07 v#4

- 1 e. The committee chair takes public comment on the proposed confirmation or  
2 reconfirmation at each committee meeting at which the C.F. is discussed, and also  
3 accepts public comment submitted in other forms before City Council action.
- 4 f. The committee chair makes all written public comment available to all  
5 Councilmembers for review and available to the public, including posting on the  
6 Council's website as appropriate.
- 7  
8 g. The Council President schedules full City Council action on the C.F. within ten  
9 weeks of the date that the Mayor submits to the Council the written materials for the  
10 appointment or reappointment of a department head.

11  
12 Section 2. The City Council intends to consider, as appropriate, the general performance  
13 criteria listed below when evaluating new City department head candidates during the initial  
14 confirmation process and when evaluating existing City department heads during the reconfirmation  
15 process. In addition, for each individual confirmation or reconfirmation process, these criteria may  
16 be supplemented by additional specific criteria appropriate to the particular new department head  
17 candidate or existing department head being evaluated. If the Council is reviewing a new City  
18 department head candidate who has little or no previous City of Seattle experience, the Council  
19 should modify the general performance criteria listed below to apply to previous non-City  
20 experience.  
21

- 22 a. Departmental or organizational accomplishments  
23 b. Leadership and achievements  
24 c. Timely completion of projects and work programs  
25 d. Budget performance  
26  
27  
28



Martha Lester  
LEG Dep't head conf & reconf RES.doc  
2/16/07 v#4

- e. Strategic planning
- f. Demonstrated commitment to diversity in hiring, workplace operations, contracting, and constituent services
- g. Departmental or organizational management
- h. Employee morale, motivation
- i. Relations with public
- j. Relations with City Council or other elected officials or oversight boards
- k. Accomplishment of Council priorities or those of other elected officials or oversight boards
- l. Responsiveness to Council requests or those from other elected officials or oversight boards

Section 3. Resolution 30903, and any prior City Council policies or procedures relating to confirmation or reconfirmation of City department heads, are superseded.

Adopted by the City Council the 5<sup>th</sup> day of March, 2007, and signed by me in open session in authentication of its adoption this 5<sup>th</sup> day of March, 2007.

  
\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Filed by me this 5<sup>th</sup> day of March, 2007.

  
\_\_\_\_\_  
City Clerk

(Seal)

