



SEATTLE CITY COUNCIL

Legislative Summary

CB 118727

Record No.: CB 118727

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125080

In Control: City Clerk

File Created: 06/10/2016

Final Action: 07/22/2016

Title: AN ORDINANCE relating to the Seattle Music Commission; amending Sections 3.74.010, 3.74.020, 3.74.030, and 3.74.040 of the Seattle Municipal Code to clarify terms of members and make technical corrections.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Herbold

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: danielle.hursh@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	06/21/2016	Mayor's leg transmitted to Council	City Clerk			
	Action Text: The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk						
	Notes:						
1	City Clerk	06/21/2016	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
	Notes:						
1	Council President's Office	06/23/2016	sent for review	Civil Rights, Utilities, Economic Development, and Arts Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Civil Rights, Utilities, Economic Development, and Arts Committee						
	Notes:						

Legislative Summary Continued (CB 118727)

- 1 Full Council 07/11/2016 referred Civil Rights,
Utilities, Economic
Development, and
Arts Committee
Action Text: The Council Bill (CB) was referred. to the Civil Rights, Utilities, Economic Development, and Arts
Committee
Notes:
- 1 Civil Rights, Utilities, 07/12/2016 pass Pass
Economic Development,
and Arts Committee
Action Text: The Committee recommends that Full Council pass the Council Bill (CB).
In Favor: 4 Chair Herbold, Vice Chair Sawant, Member O'Brien, Johnson
Opposed: 0
- 1 Full Council 07/18/2016 passed Pass
Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:
In Favor: 8 Councilmember Bagshaw, Councilmember Burgess, Council President
Harrell, Councilmember Herbold, Councilmember Johnson,
Councilmember Juárez, Councilmember O'Brien, Councilmember Sawant
Opposed: 0
- 1 City Clerk 07/19/2016 submitted for Mayor
Mayor's signature
Action Text: The Council Bill (CB) was submitted for Mayor's signature. to the Mayor
Notes:
- 1 Mayor 07/22/2016 Signed
Action Text: The Council Bill (CB) was Signed.
Notes:
- 1 Mayor 07/22/2016 returned City Clerk
Action Text: The Council Bill (CB) was returned. to the City Clerk
Notes:
- 1 City Clerk 07/22/2016 attested by City
Clerk
Action Text: The Ordinance (Ord) was attested by City Clerk.
Notes:
-

CITY OF SEATTLE
ORDINANCE 125080
COUNCIL BILL 118727

AN ORDINANCE relating to the Seattle Music Commission; amending Sections 3.74.010, 3.74.020, 3.74.030, and 3.74.040 of the Seattle Municipal Code to clarify terms of members and make technical corrections.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 3.74.010 of the Seattle Municipal Code, enacted by Ordinance 124422, is amended as follows:

3.74.010 Seattle Music Commission – Continuation of prior establishment

((A-)) The Seattle Music Commission (referred to in this Chapter 3.74 as the
(("))Commission(("))), established by Resolution 31173, shall continue in full force and effect, as composed ((~~on the effective date of Ordinance [this ordinance]~~)) March 2, 2014, and all prior acts of the Commission are ratified and confirmed.

Section 2. Section 3.74.020 of the Seattle Municipal Code, enacted by Ordinance 124422, is amended as follows:

3.74.020 Composition

A. The Commission shall be composed of 21 members, whose positions shall be numbered from one to 21. Odd-numbered positions shall be appointed by the Mayor's office and even-numbered positions shall be appointed by the City Council. All appointments to first terms are to be confirmed by the City Council.

B. Appointments shall be made to ensure that the varied interests of the Seattle music industry are represented to achieve a diverse cross section of music industry viewpoints and to address diverse concerns. In making appointments, efforts shall be made to include

1 representation from each of the following subgroups: (a) interactive media; (b) working
2 musicians; (c) radio; (d) record labels; (e) recording studios; (f) performance institutions (g)
3 major Seattle corporations; (h) for profit and not-for-profit music venue operators; (i) local music
4 festivals; (j) artist management; (k) funding foundations that support local music; (l) non-profit
5 and grassroots community music organizations; (m) music retailers; and (n) local music
6 associations.

7 C. Commission members shall be appointed to staggered three-year terms. As of the
8 effective date of the ordinance introduced as Council Bill _____, ((The)) the staggering and
9 length of terms shall ((continue as established in Resolution 31173, and all Commission
10 members in place on the effective date of Ordinance [this ordinance] shall continue to serve their
11 terms.)) be as follows:

12 1. All Commission members in place in unexpired terms as of the effective date
13 of the ordinance introduced as Council Bill _____ shall continue to serve in their positions, with
14 their terms ending the day before the next term would start under subsections 3.74.020.C.2
15 through 3.74.020.C.4. For all other positions, a short term will exist from September 1, 2016 to
16 the day before the next three-year term would start under subsections 3.74.020.C.2 through
17 3.74.020.C.4. Any Commission member in place that is serving a second term shall not have to
18 vacate that term solely because an extension of that term under this subsection 3.74.020.C.1
19 would extend the member's service beyond the maximum six years under subsection 3.74.020.D.

20 2. The next three-year term for positions 1 through 7 shall start September 1, 2017
21 and end August 31, 2020.

22 3. The next three-year term for positions 8 through 14 shall start September 1,
23 2018 and end August 31, 2021.

1 4. The next three-year term for positions 15 through 21 shall start September 1,
2 2016 and end August 31, 2019.

3 D. To ensure the continuity and longevity of a member's work, members shall have the
4 option to serve for a second consecutive term for a maximum of six consecutive years of service.
5 Requests to serve a second term shall be considered by and voted on by an Executive Committee
6 of the Commission which shall be established by rules or bylaws established by the Commission.
7 The Executive Committee shall report any second term extensions to the ~~((Mayor and City~~
8 ~~Council))~~ member's original appointing authority via staff in the Office of Film + Music. If a
9 member fails to serve a complete term, a replacement shall be appointed for the remainder of the
10 member's term, odd-numbered positions to be appointed by the Mayor and even-numbered
11 positions to be appointed by the City Council. ~~((A member who has been appointed as a~~
12 ~~replacement may serve a second term after completion of the term served as a replacement for a~~
13 ~~maximum of six years of service if so approved by the Executive Committee.))~~ For purposes of
14 requesting a second term, serving in any part of a term counts as one term.

15 ~~((D.))~~ E. Each year, by a majority vote of the Commission, one Commission member
16 shall be elected Chairperson for a one-year term, and one shall be elected Vice Chairperson for a
17 one-year term, who shall serve as Chair in absence of the Chairperson.

18 Section 3. Section 3.74.030 of the Seattle Municipal Code, enacted by Ordinance 124422,
19 is amended as follows:

20 **3.74.030 Purpose of the Commission**

21 ~~((A.))~~ The Commission shall consider and serve the economic and business interests of
22 the local music industry and community of Seattle. Its goal shall be to recommend to the Mayor

1 and the City Council policies and partnerships, whether public or private, that ensure a thriving
2 music marketplace and a vibrant music economy.

3 Section 4. Section 3.74.040 of the Seattle Municipal Code, enacted by Ordinance 124422,
4 is amended as follows:

5 **3.74.040 Powers and duties of the Commission**

6 A. The Commission shall act in an advisory role to the Mayor and City Council on issues
7 related to the City of Seattle's support for achievement of the goals and development strategy
8 outlined in the Seattle City of Music vision document attached to Ordinance (~~[[this ordinance]]~~)
9 122422 as Exhibit A.

10 B. The Commission shall have the power to:

11 1. Organize itself, establish committees or subcommittees, and delegate duties for
12 the performance of its work; and

13 2. Adopt rules of procedure to accomplish its functions.

14 C. The City's Office of Film + Music shall provide staff support and meeting facilities for
15 the Commission and maintain its records. The Commission shall meet at least three times per
16 year on a schedule established by the Commission.

17 D. The Commission shall work with City departments in an attempt to advance the goals
18 outlined in the Seattle City of Music vision document attached to Ordinance (~~[[this ordinance]]~~)
19 122422 as Exhibit B. The work of the Commission shall include the following:

20 1. Prioritization of work based on research recommendations of the Commission.

21 2. Communication with City staff to identify leadership actions that the City may
22 undertake based on the prioritized recommendations and ideas of the Commission's Annual
23 Workplan, and the available resources of the City.

1 3. Communication with City staff to identify issues or actions relevant to the local
2 music industry for which the City could offer support.

3 4. Oversight towards accomplishment of Commission driven recommendations.

4 5. Development of an effective and ongoing communication conduit between City
5 departments and the Seattle music industry.

6 6. Building participation by Seattle music businesses, individual musicians, and
7 non-profit music entities in advancing the City of Music Vision.

8 E. The Commission shall operate under the provisions of the Open Public Meetings Act,
9 ((Chapter)) chapter 42.30 RCW.

Section 5. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 18th day of JULY, 2016, and signed by me in open session in authentication of its passage this 18th day of JULY, 2016.



President _____ of the City Council

Approved by me this 22nd day of JULY, 2016.



Edward B. Murray, Mayor

Filed by me this 22nd day of JULY, 2016.



Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Contact Person/Phone:	Executive Contact/Phone:
Office of Film + Music	Mikhael Mei Williams / 206.684.8504	Kate Becker / 206.684.5030

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to the Seattle Music Commission; amending Sections 3.74.010, 3.74.020, 3.74.030, and 3.74.040 of the Seattle Municipal Code to clarify terms of members and make technical corrections.

Summary and background of the Legislation: This legislation clarifies terms of Seattle Music Commission members and makes technical corrections across all 21 positions.

During the formation of the Seattle Music Commission, established in 2010 through Resolution Number 31173 and fully ordained in 2014 (Ordinance 124422), a process to stagger the initial membership terms was established to ensure no more than one-third of the Commission was re-elected or retiring each year. The initial staggered terms were to be implemented as follows: positions one through seven to serve an initial term of one year; positions eight through 14 to serve an initial term of two years; and positions 15 through 21 to serve an initial term of three years. After the initial appointments, all positions were to be appointed to three-year terms.

The initial staggered terms, as outlined in Resolution 31173 and upheld in Ordinance 124422, were never implemented and, in May 2016, nine of the “Charter” members of the Seattle Music Commission are scheduled to retire. The proposed changes to Seattle Music Commission Ordinance 124422 establish new term limits for all Commission seats and include staggered terms to mitigate for the original staggering of terms not being implemented.

Since the ordinance needs to be revised, OFM staff worked with LAW to clarify additional areas of the code – all of those changes are minor and have no significant impact.

2. CAPITAL IMPROVEMENT PROGRAM

☐ This legislation creates, funds, or amends a CIP Project.

3. SUMMARY OF FINANCIAL IMPLICATIONS

☒ This legislation does not have direct financial implications.

4. OTHER IMPLICATIONS

- a) Does the legislation have indirect or long-term financial impacts to the City of Seattle that are not reflected in the above? No.

b) Is there financial cost or other impacts of not implementing the legislation?

If this legislation is not implemented, the Music Commission will continue to have a significant number of positions (almost half of its members) retire at once. This negatively impacts the Commission's ability to maintain proper management of ongoing programs and initiatives as well as provide oversight for the Commission as a whole. Significant resources are required to identify, recruit, nominate and appoint such a large number of Commissioners. In addition, the time it will take to properly onboard such a large number of new members to city policy and the work of the Commission would be an ongoing and significant disruption to the Commission's ability to function.

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

No.

d) Is a public hearing required for this legislation?

No.

e) Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?

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) Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?

This legislation has no impact on vulnerable or historically disadvantaged communities.

i) If this legislation includes a new initiative or a major programmatic expansion: What are the long-term and measurable goals of the program? Please describe how this legislation would help achieve the program's desired goals.

The Seattle Music Commission is an existing program within OFM.

j) Other Issues:

List attachments/exhibits below:

STATE OF WASHINGTON -- KING COUNTY

--SS.

340099

No. 125078,079,080

CITY OF SEATTLE, CLERKS OFFICE

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.

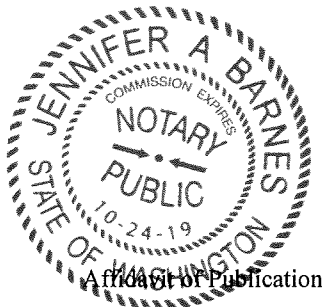
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT: TITLE ONLY ORDINANCES

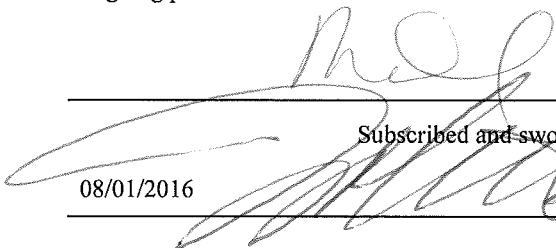
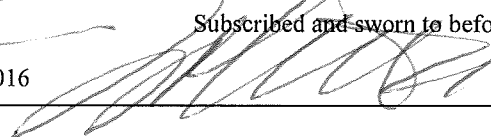
was published on

08/01/16

The amount of the fee charged for the foregoing publication is the sum of \$63.80 which amount has been paid in full.



Affidavit of Publication


Subscribed and sworn to before me on
08/01/2016

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on June 18, 2016, 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>.

Ordinance 125078

Council Bill 118729

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

Ordinance 125079

Council Bill 118728 PASSED (8-0)

AN ORDINANCE relating to City employment; authorizing the execution of a collective bargaining agreement between The City of Seattle and International Association of Fire Fighters, Local 27 AFL-CIO-CLC, for the time period of January 1, 2016, through December 31, 2018; amending Ordinance 124927, which adopted the 2016 Budget, by increasing appropriations to the Seattle Fire Department for providing the 2015 and 2016 payments therefor; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

Ordinance 125080

Council Bill 118727 PASSED (8-0)

AN ORDINANCE relating to the Seattle Music Commission; amending Sections 3.74.010, 3.74.020, 3.74.030, and 3.74.040 of the Seattle Municipal Code to clarify terms of members and make technical corrections.

Date of publication in the Seattle Daily Journal of Commerce, August 1, 2016.

8/1(340009)