



SEATTLE CITY COUNCIL

Legislative Summary

Res 31868

Record No.: Res 31868

Type: Resolution (Res)

Status: Adopted

Version: 2

Ord. no:

In Control: City Clerk

File Created: 03/04/2019

Final Action: 03/22/2019

Title: A RESOLUTION relating to City Council confirmation and reconfirmation of City department heads; describing the steps that the City Council intends to follow; outlining materials that should be submitted to the City Council prior to and as part of a nomination; describing general criteria that the Council intends to consider when evaluating the search process for an appointment and department head candidates; and superseding Resolution 30962.

Notes:

Date
Filed with City Clerk: 3/22/2019

Mayor's Signature: 3/22/2019

Sponsors: Mosqueda

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: Emilia.Sanchez@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	City Clerk	03/04/2019	sent for review	Council President's Office			
	Action Text: The Resolution (Res) was sent for review. to the Council President's Office						
	Notes:						
1	Council President's Office	03/04/2019	sent for review	City Council			
	Action Text: The Resolution (Res) was sent for review. to the City Council						
	Notes:						
1	City Council	03/04/2019	referred	City Council			
	Action Text: The Resolution (Res) was referred. to the City Council						
	Notes:						

1 City Council 03/18/2019 adopted as amended Pass

Action Text: The Motion carried, the Resolution (Res) was adopted as amended by the following vote, and the President signed the Resolution:

Notes: ACTION 1:

Motion was made and duly seconded to adopt Resolution 31868.

ACTION 2:

Motion was made by Councilmember Mosqueda, duly seconded and carried, to amend Resolution 31868, by substituting version 9 for version 4b.

ACTION 3:

By unanimous consent, Council Rule III.A.7, relating to amendments presented to the City Council, at least two hours before the meeting, was suspended to allow consideration of an amendment to Resolution 31868.

ACTION 4:

Motion was made by Councilmember Mosqueda, duly seconded and carried, to amend Resolution 31868, Section 3.M, the first sentence, as shown in the underlined and strike through language below:

M. Formal complaints filed by City of Seattle employees regarding employment and management practices, including complaints with the City's Office of the Employee Ombud, Office for Civil Rights, and the department or office's human resources office, that were resolved in the employee's favor along with other relevant information, such as ~~with~~ a description of any training or other corrective action that the person has completed subsequent to those complaints. Communications shall not include the name or identifying information of the individual making the complaint nor the name or identifying information of any witness to the conduct described in the complaint and shall protect employee information and prioritize anonymity and confidentiality as much as possible, subject to federal, state, and local law.

ACTION 5:

Motion was made and duly seconded to adopt Resolution 31868 as amended.

In Favor: 9 Councilmember Bagshaw, Councilmember González, Council President Harrell, Councilmember Herbold, Councilmember Johnson, Councilmember Juarez, Councilmember Mosqueda, Councilmember O'Brien, Councilmember Sawant

Opposed: 0

2 City Clerk 03/21/2019 submitted for Mayor
Mayor's signature

Legislative Summary Continued (Res 31868)

2	Mayor	03/22/2019	Signed	
2	Mayor	03/22/2019	returned	City Clerk
2	City Clerk	03/22/2019	attested by City Clerk	

Action Text: The Resolution (Res) was attested by City Clerk.

Notes:

CITY OF SEATTLE

RESOLUTION 31868

A RESOLUTION relating to City Council confirmation and reconfirmation of City department heads; describing the steps that the City Council intends to follow; outlining materials that should be submitted to the City Council prior to and as part of a nomination; describing general criteria that the Council intends to consider when evaluating the search process for an appointment and department head candidates; and superseding Resolution 30962.

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 and reconfirmation processes for a 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 selection, confirmation, and reconfirmation processes also afford the City Council and the public an opportunity to hear the Mayor's goals and vision for a department, as well as the desired qualifications, experience, accomplishment, leadership, and other qualities for the position of department head; and

WHEREAS, the selection, confirmation, and reconfirmation considerations set forth in this resolution are in accordance with the concept of checks and balances between the Executive and Legislative branches of government, and ensure that highly competent, inclusive, and dedicated individuals are in key City management positions; and

WHEREAS, Resolution 30962, adopted by the City Council in March 2007, outlines the process and general performance criteria for confirmation and reconfirmation of department

heads within ten weeks of submittal, but does not explicitly address what the Council will evaluate regarding the search process, including criteria to assess whether the search process was transparent and did not entrench institutional discrimination, nor what materials should be submitted describing the search process to identify the appointment; and

WHEREAS, the City Council expects fair, consistent, and inclusive processes and considerations for initial confirmation of candidates and periodic reconfirmation of department heads;
NOW, THEREFORE,

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

Section 1. The City Council intends for the following steps in this section to occur when evaluating new City department head candidates during the initial confirmation process, and when evaluating existing City department heads during the reconfirmation process.

A. For initial confirmation appointments, prior to identifying and transmitting a nomination, the Council requests that the Mayor communicates to the Committee Chair on the planned recruitment process, such as the following:

1. A description of the intended process;
2. Notification of any advisory groups, stakeholders, and subject matter experts who will provide recommendations on desired qualifications and skills; and
3. The composition of any advisory groups.

B. The Council will expect the following materials for the appointment of a department head in paper and electronic form consistent with the Office of the City Clerk standards, including, at a minimum:

1. Transmittal letter;
2. Letter to appointee describing terms of appointment;
3. Notice of appointment form;
4. Resume;
5. Oath of office;
6. Memo relating to background check;
7. Summary of the process as executed to identify strong candidates and recommended candidates for consideration by the Mayor, protecting applicant information, anonymity, and confidentiality, as allowable; and
8. Summary of how affected residents, communities, and stakeholder views were included and/or evaluated in making the nomination.

For a reappointment, only items B.1, B.3, B.4, and B.5 apply.

C. The City Clerk will create and process an Appointment File, in accordance with established legislative procedures, in preparation for the Council's Introduction and Referral Calendar.

D. After the Appointment File has been filed with the City Clerk, the committee chair distributes the Appointment File to all Councilmembers and the Director of Central Staff for review.

E. 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 Appointment File will be discussed, in addition to listing the Appointment File on the agenda for that committee meeting.

1 F. The committee chair takes public comment on the proposed confirmation or
2 reconfirmation at each committee meeting at which the Appointment File is discussed and also
3 accepts public comment submitted in other forms before City Council action.

4 G. The committee chair makes all written public comment available to all
5 Councilmembers for review and available to the public, including posting on the Council's
6 website as appropriate.

7 H. The Council President schedules full City Council action on the Appointment
8 File.

9 I. The date for Full Council action under subsection 1.H of this resolution should
10 take place within ten weeks of the Mayor's transmission of materials in subsection 1.B of this
11 resolution.

12 Section 2. The City Council intends to consider, prior to receiving a nomination and
13 during its deliberations over an appointment, as appropriate, the input received on the general
14 criteria listed below when evaluating the recruitment and nominating process for new City
15 department head candidates. In addition, for each individual confirmation or reconfirmation
16 process, these criteria may be supplemented by additional specific criteria appropriate to the
17 particular department head candidate being evaluated.

18 A. Utilization of the Racial Equity Toolkit or racial equity analysis during the
19 process and an assessment of the nominee's commitment to racial equity and how that was
20 considered during the process;

21 B. Inclusion of affected constituencies and groups in reviewing potential candidates,
22 interviewing candidates, and establishing expectations and how representatives were selected,
23 including, but not limited to:

1. Staff in the impacted department;
2. Representative(s) of communities most likely to be impacted by the work of the department;
3. Representative(s) from the labor community;
4. Representative(s) from the business community; and
5. Community partners.

Section 3. The City Council intends to consider, as appropriate, the general performance criteria listed below when evaluating new City department head candidates during the initial confirmation process and when evaluating existing City department heads during the reconfirmation process. In addition, for each individual confirmation or reconfirmation process, these criteria may be supplemented by additional specific criteria appropriate to the particular new department head candidate or existing department head being evaluated. If the Council is reviewing a new City department head candidate who has little or no previous experience working for The City of Seattle, the Council should modify the general performance criteria listed below to apply to previous non-City experience.

- A. Departmental or organizational accomplishments;
- B. Leadership and achievements;
- C. Timely completion of projects and work programs;
- D. Budget performance;
- E. Strategic planning;
- F. Demonstrated commitment to diversity in hiring, workplace operations, contracting, and constituent services;
- G. Departmental or organizational management;

1 H. Employee morale and motivation;

2 I. Relations with the public;

3 J. Relations with City Council or other elected officials or oversight boards;

4 K. Accomplishment of Council priorities or those of other elected officials or
5 oversight boards within schedule and budget; and

6 L. Responsiveness to Council requests or those from other elected officials or
7 oversight boards.

8 M. Formal complaints filed by City of Seattle employees regarding employment and
9 management practices, including complaints with the City's Office of the Employee Ombud,
10 Office for Civil Rights, and the department or office's human resources office, that were
11 resolved in the employee's favor along with other relevant information, such as a description of
12 any training or other corrective action that the person has completed subsequent to those
13 complaints. Communications shall not include the name or identifying information of the
14 individual making the complaint nor the name or identifying information of any witness to the
15 conduct described in the complaint and shall protect employee information and prioritize
16 anonymity and confidentiality as much as possible, subject to federal, state, and local law.

17 Section 4. As used in this resolution, "department head" means an individual who directs
18 a City department, office, or similarly named entity, whether inside or outside the Executive
19 Department, whose appointment is by the Mayor and whose confirmation is by the Council.

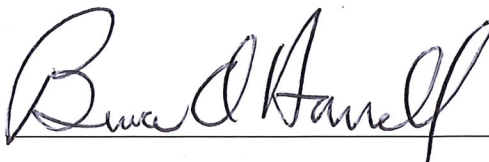
20 Section 5. This resolution does not apply to the appointment and confirmation processes
21 of the Chief of Police, the Director of the Office of Police Accountability, the Inspector General,
22 or the Director of the Office for Civil Rights. If appointment or confirmation processes are

1 specified in the future for any department head, they supersede the corresponding appointment or
2 confirmation processes of this resolution as applicable.

3 Section 6. Resolution 30962 is superseded.

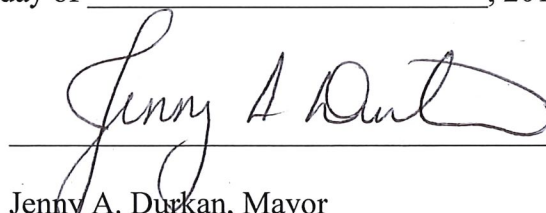
4 Section 7. For appointment materials submitted under Resolution 30962 and before this
5 resolution takes effect, the provisions of Resolution 30962 shall apply rather than the provisions
6 of this resolution.

1 Adopted by the City Council the 18th day of March, 2019,
2 and signed by me in open session in authentication of its adoption this 18th day of
3 March, 2019.

4 

5 President _____ of the City Council

6 The Mayor concurred the 22nd day of MARCH, 2019.

7 

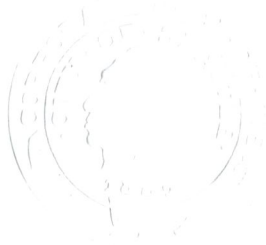
8 Jenny A. Durkan, Mayor

9 Filed by me this 22nd day of MARCH, 2019.

10 

11 Monica Martinez Simmons, City Clerk

12 (Seal)



STATE OF WASHINGTON -- KING COUNTY

--SS.

372259

No. 31868,69,70,71

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 RESOLUTIONS

was published on

04/03/19

The amount of the fee charged for the foregoing publication is the sum of \$69.00.



Affidavit of Publication

Subscribed and sworn to before me on

04/03/2019

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

Title Only Resolutions

Resolution 31868

A RESOLUTION relating to City Council confirmation and reconfirmation of City department heads; describing the steps that the City Council intends to follow; outlining materials that should be submitted to the City Council prior to and as part of a nomination; describing general criteria that the Council intends to consider when evaluating the search process for an appointment and department head candidates; and superseding Resolution 30962.

Resolution 31869

A RESOLUTION revising Resolution 31849, which endorsed a budget for The City of Seattle for 2020, by substituting a new Attachment A that corrects technical omissions and errors.

Resolution 31870

A RESOLUTION calling for additional measures by the City and its partners that complement mandatory housing affordability (MHA) implementation to promote livability and equitable development, mitigate displacement, and address challenges and opportunities raised by community members during the MHA public engagement process.

Resolution 31871

A RESOLUTION endorsing the final report and recommendations of the Regional Affordable Housing Task Force.

Date of publication in the Seattle Daily Journal of Commerce, April 3, 2019.

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