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**ORDINANCE** \_\_\_\_\_

AN ORDINANCE relating to the Whistleblower Protection Code; \_\_\_\_\_;  
\_\_\_\_\_; \_\_\_\_\_, amending the following sections of the Seattle  
Municipal Code: Section 4.20.800, to clarify the legislation purpose; Section 4.20.810, to  
clarify the rights, responsibilities and process for reporting; Section 4.20.860 to amend  
the manner in which allegation of retaliation are reported, investigated and resolved;  
adding new sections 4.20.805; 4.20.870; 4.20.875; 4.20.810; repealing sections  
4.20.820; 4.20.850....

WHEREAS, ...; and

WHEREAS, ...; NOW, THEREFORE,

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

Section 1. ...Section 4.20.800, last amended by Ordinance 11709, is amended as  
follows:

Seattle Municipal Code 4.20.800 - Policy -- Purpose.

It is the purpose of this ordinance to:

1. Encourage City employees to report in good faith improper governmental action  
and to provide employees with a clear process for making reports;
2. Provide City employees protection from retaliatory action for making good faith  
reports and cooperating in any subsequent inquiry or investigation;
3. Provide for an independent investigation of reports to inform the operation of City  
government and promote the public confidence;
4. Provide for an independent investigation and determination of alleged retaliation;

1           5.       Provide an administrative forum in which to address the harm caused by  
2 retaliatory behavior.

3           6.       Provide for the assessment of penalties against those individuals who retaliate  
4 against a City employee who acts in accordance with this chapter, and,

5           7.       Adopt a City Whistleblower program so as to comply with RCW 42.41.050, Local  
6 Government Whistleblower.

7           Section 2. A new section, Section 4.20.805, is added to the Seattle Municipal Code as  
8 follows:

9           Definitions

10          As used in Sections 4.20.800 through 4.20.880, the following terms shall have these  
11 meanings:

12          “Adverse change” includes, but is not limited to denial of adequate staff to perform  
13 duties;

14          frequent staff changes;

15          frequent and undesirable office changes or changes in the physical location of the  
16 employee’s workplace or a change in the basic nature of the employee’s job, if either are in  
17 opposition to the employee’s expressed wish;

18          refusal to assign meaningful work;

19          unsubstantiated letters of reprimand or unsatisfactory performance evaluations;

20          demotion, reduction in pay;

21          denial of promotion;

22          transfer or reassignment;

23          suspension or dismissal or other disciplinary action;

24          a supervisor or superior behaving in or encouraging coworkers to behave in a hostile  
25 manner toward the employee;

26          issuance of or attempt to enforce any nondisclosure policy or agreement in a manner  
27 inconsistent with prior practice, or  
28

1 any other action that is inconsistent compared to actions taken before the employee  
2 engaged in action protected by this chapter, or compared to other employees who have not  
3 engaged in action protected by this chapter.

4 "City Employee" or "Employee" means, every individual who is appointed to a position  
5 of employment in any City agency, whether in a permanent, temporary or intermittent position,  
6 an elected official, an individual who volunteers services to the City and individuals appointed to  
7 boards and commissions whether paid or unpaid.

8 "Commission" means the Seattle Ethics and Elections Commission.

9 . "Cooperating Employee" means:

10 . A City employee who in good faith makes a report pursuant to this chapter;

11 . A City employee who is perceived by the employer as having reported pursuant to  
12 this chapter, but who in fact, did not report;

13 . A City employee who in good faith provides information in connection with an  
14 inquiry or investigation of a report made pursuant to this chapter, or

15 . A City employee who is perceived by the employer as providing information in  
16 connection with an inquiry or investigation of a report made pursuant to this chapter, but who, in  
17 fact, has not done so.

18 "Executive Director" means the Executive Director of the Seattle Ethics and Elections  
19 Commission.

20 "Good Faith" means the individual reporting or providing information reporting pursuant  
21 to this chapter has a reasonable basis in fact for reporting or providing the information.

22 "Gross Waste of Public Funds or Resources" means to spend or use funds or resources, or  
23 to allow the use of any funds or resources, in a manner grossly deviating from the standard of  
24 care or competence that a reasonable person would observe in the same situation. The term  
25 "gross waste of public funds or resources" also includes the non-collection of a debt or other  
26 obligation owed the City when the non-collection is done in a manner grossly deviating from the  
27 standard of care or competence that a reasonable person would observe in the same situation.  
28

1 "Improper governmental action" means any action by an employee that is undertaken in  
2 the performance of the employee's official duties, whether or not the action is within the scope of  
3 employment, and:

4 Violates any federal, state or county law, or City ordinance or rule;

5 Creates a substantial or specific danger or a risk of serious injury, illness, peril, or  
6 loss, to which the exposure of the public is a gross deviation from the standard of care or  
7 competence which a reasonable person would observe in the same situation;

8 Results in a gross waste of public funds or resources, or

9 Prevents the dissemination of scientific opinion or alters technical findings  
10 without scientifically valid justification, unless disclosure is legally prohibited. This provision is  
11 not meant to preclude the discretion of department or agency management to adopt a particular  
12 scientific opinion or technical finding from among differing opinions or technical findings to the  
13 exclusion of other scientific opinion or technical findings.

14 "Improper Governmental Action" excludes: personnel actions, including but not  
15 limited to: employee grievances, complaints, appointments, promotions, transfers, assignments,  
16 reassignments, reinstatements, restorations, reemployments, performance evaluations, reductions  
17 in pay, dismissals, suspensions, demotions, reprimands, violations of collective bargaining or  
18 civil service laws, or alleged violations of agreements with labor organizations under collective  
19 bargaining, or any action that may be taken under RCW Chapters 41.08, 41.12, 41.14, 41.56,  
20 41.59, or 53.18 or RCW 54.04.170 and 54.04.180.

21 A properly authorized City program, reasonable expenditure or activity does not  
22 become an "improper governmental action" because an employee dissents from the City policy  
23 or considers the expenditures unwise.

24 "Interested Parties" means the Cooperating Employee who alleges retaliatory action, the  
25 head of the Cooperating Employee's department, the Executive Director, and the specific  
26 employee alleged to have retaliated.

27 "Retaliate," and its kindred nouns, "retaliation" and "retaliatory action," means to make,  
28 or use one's official authority to make any adverse change in an employee's employment status

1 or the terms and conditions of employment where the employee's protected activity under this  
2 subchapter is a contributing factor in the decision to undertake the adverse change.

3 "Use of official authority to influence" includes to threaten or knowingly take or direct  
4 others to take, a retaliatory action against a Cooperating Employee.

5 Section 3. ...Section 4.20.810, last amended by Ordinance 118392, is amended as  
6 follows:

7 4.20.810 – Employee Rights, Responsibility and Limitations.

8 A. Rights.

9 1. Every employee shall have the right to report in good faith pursuant to this subchapter,  
10 an assertion of improper governmental action.

11 2. Every employee, who acts in good faith pursuant to this subchapter, shall be free from  
12 retaliation.

13 3. To the extent allowed by law, the identity of a Cooperating Employee shall be kept  
14 confidential and shall not be disclosed unless the employee in writing waives confidentiality.

15 B. Responsibilities.

16 1. An Employee may not disclose information subject to an applicable privilege  
17 against disclosure at law (e.g., RCW 5.60.060 privileged communications), except to the extent  
18 that the information is necessary to substantiate a report made to the Executive Director, EEO  
19 officer or department head.

20 2. An employee who reports his or her own improper action will not be free from  
21 discipline or termination under Section 4.04.230 or 4.08.100 if his or her improper action would  
22 be cause for discipline or termination.

23 C. Protected Conduct

24 1. The following conduct by an employee is protected if carried out in good faith  
25 and in accordance with this subchapter:

26 a. Reporting an assertion of improper government action to the Executive Director;

27 b. Reporting an assertion of improper government action to an employee's  
28 supervisor, manager, officer or appointing authority or director;

1           c.     Reporting sexual harassment to the employee's supervisor, EEO officer,  
2     department head, or other government official as set out in the City's procedure for reporting  
3     sexual harassment complaints;

4           d.     Reporting violations of the Fair Employment Practices ordinance to the Office for  
5     Civil Rights;

6           e.     Reporting misconduct by Seattle Police Department personnel to the Seattle  
7     Police Office of Professional Accountability;

8           f.     Reporting violations of the Code of Judicial Conduct to the Washington State  
9     Commission on Judicial Conduct;

10          g.     Reporting violations of criminal laws to the appropriate county prosecuting  
11     attorney;

12          h.     Cooperating in an inquiry or investigation resulting from a report made in  
13     accordance with this subchapter;

14          i.     Testifying in any proceeding that arises in whole or in part from a report made in  
15     accordance with this subchapter;

16          j.     Reporting outside of City government or to law enforcement if:

17                i.     The employee is, in good faith, seeking advice, counsel or opinion on their  
18     rights and responsibilities under this subchapter to determine whether to make a report under this  
19     chapter, or

20                ii.    30 days have passed since the employee made a written report pursuant to  
21     this chapter.

22          k.     Reporting when the Employee believes in good faith that a crime is about to be  
23     committed, to any law enforcement agency, to the City Attorney or the County Prosecuting  
24     Attorney, the Executive Director, or any supervisor, manager or head of a department.

25          l.     Reporting in an emergency, to a person who has the ability to address the danger  
26     or risk, where the Employee believes in good faith that there is a substantial and specific danger  
27     or risk of serious injury, illness, peril, or loss to any person.. No emergency under this  
28     subsubsection exists where prompt attention and reporting under this subchapter by the employee  
   could have avoided the perceived need to report immediately.

2. No City officer or employee shall:

a. Use his or her official authority or influence, directly or indirectly, to threaten, intimidate, or coerce an employee for the purpose of interfering with that employee's right to disclose information concerning an improper governmental action, cooperate in an inquiry or investigation based on a report of improper governmental action or testify in any proceeding arising from a report.

b. Retaliate against any employee because that employee proceeded or is proceeding in good faith in accordance with this subchapter.

Section 4. Section 4.20.820, last amended by Ordinance 117039, is deleted.

Section 5. amending Seattle Municipal Code section 4.20.830, which was last amended by Ordinance 117039, as follows:

4.20.830 Reports to the Executive Director

A. Reports: Any employee may report to the Executive Director a good faith assertion of improper governmental action.

B. Time Limitation for Investigations: In order to be investigated by the Executive Director, an assertion of improper governmental action must be reported within 18 months of the occurrence of the alleged improper governmental action, or within 18 months of when a reasonable person similarly situated to the reporting employee would have become aware of the occurrence. The Executive Director may at his or her discretion and a finding that the public's interest would be served by initiating an inquiry or investigation into the asserted improper governmental action, may investigate or refer a matter which falls outside of this time period.

C. Inquiry - Within fourteen (14) days after receiving an assertion of alleged "improper governmental action," the Executive Director shall conduct a confidential preliminary inquiry to determine if the facts as asserted would constitute "improper governmental action." The Executive Director shall communicate the results to the reporting individual along with the actions, if any, that will be taken.

1. If, after a preliminary inquiry, the Executive Director determines that the facts as asserted would constitute "improper governmental action." , the Executive Director must make a mandatory referral, make a discretionary referral or open an investigation.

D. Mandatory and Discretionary Referral.

1. Mandatory Referral:

a. The Executive Director upon receiving a report alleging the following, shall refer the employee as follows

b. Assertions of sexual harassment to any management representative, the Seattle Office of Civil Rights, Equal Employment Opportunity Commission, the Washington Human Rights Commission, or other governmental official as set out in the City's adopted procedure for reporting sexual harassment complaints;

c. Assertions of violations of the Fair Employment Practices ordinance to the Office for Civil Rights;

d. Assertions regarding misconduct by Seattle Police Department personnel to the Seattle Police Office of Professional Accountability;

e. Assertions of violations of the Code of Judicial Conduct to the Washington State Commission on Judicial Conduct;

2.. Discretionary Referral: The Executive Director may refer a report to the chief elected official of the branch of government implicated in the allegation or to other governmental agencies the Executive Director believes better suited to investigate the allegation.

a. When the Executive Director makes a discretionary referral pursuant to this chapter, the Cooperating Employee shall be notified before the referral is made. The Executive Director shall not divulge the identity of the Cooperating Employee without a written waiver of confidentiality by the employee.

b. Within 60 days of a discretionary referral being made by the Executive Director, the official or department head receiving the referral shall personally or through their designated representative, write to the Executive Director, and to the reporting employee who initiated the complaint if the employee has waived confidentiality pursuant to SMC 4.20.810, as to actions taken by the department or agency. If the employee has not waived confidentiality the Executive Director inform the employee . If the report is not received, the Executive Director shall alert the Mayor and advise the City Council.

E. Investigation.

1           1.       When the Executive Director investigates an asserted violation of the Elections  
2 Code, the Executive Director shall handle that assertion according to SMC 2.04.070 and the  
3 Ethics and Election Commission’s Administrative Rules. If the Executive Director investigates  
4 an asserted a violation of the Ethics Code, the Executive Director shall handle that allegation  
5 according to SMC 4.16.090 and the Ethics and Election Commission’s Administrative Rules. If  
6 the Executive Director investigates an asserted violation of the Lobbying Code, the Executive  
7 Director shall handle that allegation according to SMC 2.06 and the Ethics and Election  
8 Commission’s Administrative Rules.

9           2.       Investigation of improper governmental action that does not assert violations of  
10 the Ethics, Election or Lobbying Code shall be completed within a period of six (6) months. If an  
11 investigation cannot be completed within that time the Executive Director must inform the  
12 employee who initiated the complaint as to the reason why and estimate the completion date of  
13 the investigation.

14           3.       Completion and Reports. Upon completion of the investigation, the Executive  
15 Director shall:

16           a.       Issue a report that summarizes the facts and makes a determination as to whether  
17 there is reasonable cause to believe that improper governmental action occurred.

18           b.       If the Executive Director determines there is reasonable cause to believe an  
19 improper governmental action has occurred, the Executive Director shall report the nature and  
20 details of the activity to:

21           c.       the reporting employee;

22           d.       to the head of the department with responsibility for the action, and

23           e.       if a department head is implicated, to the Mayor and City Council, and

24           f.       such other governmental officials or agencies as the Executive Director deems  
25 appropriate.

26           F.       Response by City Official: The head of the department with responsibility for the  
27 conduct, or their designated representative, shall report to the Executive Director within sixty  
28 (60) days what action was taken to address the conduct. The Executive Director shall report the  
resolution to the reporting employee. If satisfactory action to follow up the report is not being

1 taken within this time, the Executive Director shall report his or her determination to the Mayor  
2 and advise the City Council.

3 G. Closure and Decisions. The Executive Director may close an inquiry or  
4 investigation at any time he or she determines that no further action is warranted and shall so  
5 notify the reporting employee .

6 H. Decisions of the Executive Director under this section are not appealable to the  
7 Ethics and Elections Commission.

8 Section 7. Seattle Municipal Code section 4.20.840, which was last amended by  
9 Ordinance 117039, is deleted.

10 Section 8. Seattle Municipal Code section 4.20.850, which was last amended by  
11 Ordinance 118392, is deleted.

12 Section 9. Section 4.20.860, which was last amended by Ordinance 117039, is  
13 amended as follows:

14 4.20.860 Retaliation.

15 A. Complaint - Alleging Retaliation

16 1. Timeliness. In order to seek relief, an employee who believes he or she has been the  
17 subject of retaliation for engaging in action protected under this subchapter, must file a signed  
18 written complaint within 180 days of the occurrence alleged to constitute retaliation.

19 2. Place of Filing. The complaint shall be filed with) the Executive Director.

20 3. Contents of the Complaint. The complaint alleging retaliation must state:

21 a. The activity which gave rise to the protection under this sub-chapter and the date  
22 or time period over which the activity took place;

23 b. The alleged act of retaliation and the date or dates on which it occurred;

24 c. The person or persons responsible for the alleged retaliation, and

25 d. The specific relief requested.

26 B. Initial Determination

27 1. The Executive Director shall make an initial determination as to the sufficiency of  
28 the complaint. A complaint is sufficient if the Executive Director determines that if true, the facts  
would show the employee is a Cooperating Employee entitled to the protections of this sub-

1 chapter, that the alleged acts would meet the definition of retaliation and the alleged acts  
2 occurred within the proscribed time period. A complaint shall not be rejected as insufficient  
3 because of failure to include all required information so long as it substantially satisfies the  
4 informational requirements necessary for the executive Director's determination of sufficiency to  
5 be made.

6 a. If the complaint is found to be sufficient, the Executive Director shall investigate the  
7 complaint and endeavor to conclude that investigation within 90 days of receiving the  
8 employee's complaint.

9 b. If the complaint is found insufficient, the Executive Director shall reply to the  
10 employee in writing as to why the complaint fails and dismiss the complaint.

11 C. Reasonable Cause Investigation - The Executive Director may investigate  
12 complaints found to be sufficient. The investigation of a sufficient complaint shall be limited to  
13 the facts alleged in the complaint and shall be conducted in an objective and impartial manner.  
14 The Executive Director shall prepare a written determination which shall include a determination  
15 as to whether there is or is not reasonable cause to believe that retaliation has been committed, or  
16 is being committed, and that conduct protected under this sub-chapter was a contributing factor.

17 1. If the Executive Director determines there is no reasonable cause to believe that  
18 retaliation occurred the Executive Director shall dismiss the complaint. The Executive Director  
19 shall inform the employee of the dismissal. After this determination, the employee may seek any  
20 recourse or remedy otherwise permitted them by law.

21 2. If the Executive Director finds reasonable cause to believe that retaliation occurred, the  
22 Executive Director shall issue a written report which shall include:

23 a. A statement of the facts which provide the basis for finding that retaliation occurred  
24 and if the Executive Director finds any specific employee responsible for retaliation in violation of  
25 this subchapter and SMC 4.16.070.6, and a specific recommendation for departmental action  
26 necessary to address the retaliation and the relief sought by the Cooperating employee, and,

27 b. The identity of the specific employee responsible for retaliation in violation of this  
28 subchapter and a recommended penalty to be assessed against that employee.

1           c. The Executive Director may submit the findings and recommendations to the interested  
2 parties for review and comment prior to issuing the investigative report and determination.

3           d. Upon completion of the investigation, the Executive Director shall deliver a copy of the  
4 report finding reasonable cause to the interested parties.

5           D. Settlement. Within 30 days of the Executive Director's report finding reasonable cause,  
6 the Director shall confer with the interested parties and attempt to reach a joint settlement between  
7 any or all of the interested parties.

8           1. The Executive Director may utilize the services of the City of Seattle's Alternative  
9 Dispute Resolution or the King County Inter-local Conflict Resolution Group or similar service to  
10 aid in the resolution of the dispute.

11           2. The settlement may include, but is not limited to, any remedy agreed upon by the  
12 parties and not otherwise precluded by law, and may include compensatory damages such as  
13 restoration of employment, job classification, seniority rights, back pay, benefits, and any increases  
14 in compensation that would have occurred and interest if applicable, admittance to participation in a  
15 guidance, apprentice training or retraining program, or such other actions as the parties agree, except  
16 that non-compensatory damages may not exceed \$10,000.00.

17           3. Any settlement between a City department and the protected employee must include a  
18 provision in which the employee releases the City from further liability for acts giving rise to the  
19 retaliation complaint in order for the employee to obtain the benefits of the settlement.

20           4. Any settlement agreement between the Executive Director and a specific employee  
21 who engaged in retaliatory acts shall be subject to Commission approval.

22           Section 7. A new Section 4.20.870 is added to the Seattle Municipal Code as follows:

23           4.20.870 - Enforcement:

24           A. Enforcement

25           1. Within 60 days of the Executive Director's determination of reasonable cause, if no  
26 settlement has been reached, the Executive Director may file a complaint alleging retaliation  
27 with the Hearing Examiner providing notice to the head of the implicated department and the  
28 specific employee, if any, found to have engaged in prohibited retaliation.

1           2. All cases shall be governed by the Hearing Examiner Rules of Practice and  
2 Procedure. The Hearing Examiner may utilize of promulgate such additional administrative rules  
3 as needed to aid in the Determination of Reasonable Cause.

4           B. Proof. The burden of proof in any proceeding against a department for a Determination  
5 of Reasonable Cause is as follows:

6           1. If the Cooperating Employee is shown to have been subjected to an act defined in this  
7 sub-chapter as retaliation, it is presumed that retaliation prohibited by this sub-chapter has occurred.

8           a.) The department presumed to have taken retaliatory action under subsection (1) of  
9 this section may rebut that presumption by a preponderance of the evidence that the employee's  
10 status as a Cooperating Employee was not a contributory factor, and that the action taken was not  
11 merely pre-textual. Evidence of a series of documented personnel problems or a single, egregious  
12 event, or other evidence to support a finding that the departmental conduct or actions were based  
13 on wholly independent, separate and legitimate reasons shall be admitted. The Executive Director  
14 shall be allowed to present evidence to counter the departmental assertion.

15           2. The allegation that a specific employee or employees retaliated against a Cooperating  
16 Employee must be proved by the Executive Director by a preponderance of the evidence.

17           C. Findings of the Hearing Examiner: After hearing the evidence, the Hearing Examiner  
18 shall issue written findings of fact and conclusions of law as to whether this sub-chapter was  
19 violated.

20           1 If the Hearing Examiner concludes that a department retaliated against a Cooperating  
21 Employee in violation of this subchapter, the Hearing Examiner may order the appropriate remedy,  
22 including but not limited to, compensatory damages including the restoration of employment, job  
23 classification, seniority rights, back pay, benefits, and any increases in compensation that would have  
24 occurred and interest if applicable, admittance to participation in a guidance, apprentice training or  
25 retraining program, discipline of an employee who was found to have retaliated or such other  
26 actions as the parties agree, except that any award for non-compensatory damages may not exceed \$  
27 10,000.00, and such other actions as the Hearing Examiner may decide.

28           2. If the Hearing Examiner concludes that an employee retaliated against a cooperating  
employee in violation of this subchapter, the Hearing Examiner shall make a recommendation to the

Commission as to an appropriate fine or penalty. Only the Commission has the authority to impose a penalty against an individual employee.

3. The Commission may impose a fine as provided by SMC 4.16.100 on the employee found to have engaged in retaliatory behavior as defined under this sub-chapter

4. The final order of the Hearing Examiner or the Commission shall include a notice to the parties of the right to obtain judicial review of the order in accordance with State law.

Section 8. A new Section 4.20.875 is added to the Seattle Municipal Code as follows:

4.20.875 - Investigative Powers. At any stage in an inquiry or investigation of an alleged "improper governmental action," or the investigation regarding an assertion of retaliation for engaging in conduct protected in this sub-chapter, the Executive Director may issue subpoenas, administer oaths, examine witnesses, compel the production of documents or other evidence, enlist the assistance of the City Attorney, the City Auditor, the Chief of Police or the County Prosecuting Attorney.

Section 9. A new Section 4.20.880 is added to the Seattle Municipal Code as follows:

4.20.880 Annual Restatement. Upon entering City service and at least once each year thereafter, every City officer and employee shall receive a written summary of this chapter. The City shall use best efforts to ensure that accurate and complete summaries are distributed and that copies are posted where all employees will have reasonable access to them.

Section 10. A new section, Section 4.16.070.6 last amended in is amended as follows:

SMC 4.16.070.6 – A Covered Individual may not

Retaliate against any Cooperating Employee as those terms are defined in the City's Whistleblower Protection Code, SMC 4.20.805.

Section 11. Section 4.16.070., is amended as follows:

SMC 4.16.070.6 - Application to Certain Members of Advisory Committees.

A. SMC subsections 4.16.070.1.a and 4.16.070.1.b shall apply to employee members of advisory committees. SMC subsections 4.16.070.1.a and 4.16.070.1.b shall not apply to other members of advisory committees. This subsection 6 shall instead apply to all other members of advisory committees. No member of an advisory committee to whom this subsection applies shall:

1 1. Have a financial interest, direct or indirect, personally or through a member of his or her  
2 immediate family, in any matter upon which the member would otherwise act or participate in the  
3 discharge of his or her official duties, and fail to disqualify himself or herself from acting or  
4 participating in the matter.

5 2. Engage or have engaged in any transaction or activity which would to a reasonable  
6 person appear to be in conflict with or incompatible with the proper discharge of official duties, or  
7 which would to a reasonable person appear to impair the member's independence of judgment or  
8 action in the performance of official duties, without fully disclosing on the public record of the  
9 advisory committee the circumstances of the transaction or activity giving rise to such an appearance  
10 prior to engaging in the performance of such official duties. Such a member shall also file with the  
11 Commission a full written disclosure of the circumstances giving rise to such an appearance prior to  
12 engaging in such official duties. If such prior written filing is impractical, the member shall file such  
13 a disclosure as soon as practical.

14 Section 12 - SMC 3.70.010, which was last amended by Ordinance 116005, is amended as follows:

15 **SMC 3.70.010 Commission established -- Purpose.** There is hereby established a  
16 Seattle Ethics and Elections Commission to administer the City's Code of Ethics (Chapter 4.16); to  
17 administer the Election Campaign Code and its campaign matching fund program (Chapter 2.04); to  
18 publish the City's election pamphlets (Chapter 2.14); to administer the political sign ordinance  
19 (Chapter 2.24) and to administer the Whistleblower Protection Code (SMC Sections 4.20.800  
20 through 4.20.880 ).

21 Section 13 - SMC 3.70.100, which was last amended by Ordinance 116005, is amended as  
22 follows:

23 **SMC 3.70.100 Powers and duties.**

24 The Commission shall have the following powers: A. To administer the City's Code of Ethics (Code  
25 Chapter 4.16); the Election Campaign Code and its campaign matching fund program (Code  
26 Chapter 2.04); the City's election pamphlet ordinance (Code Chapter 2.14); the lobbying disclosure  
27 ordinance (Code Chapter 2.06); the political sign code (Code Chapter 2.24); and the whistleblower  
28 protection ordinance (SMC Sections 4.20.800 through 4.20.~~(860)~~880 inclusive) (called collectively  
"Commission-administered ordinances").

1 Section 10. Effective Date: This ordinance shall take effect and be in force 30 days after  
2 its approval by the Mayor, but if not approved and returned by the Mayor within ten days after  
3 presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2011, and  
5 signed by me in open session in authentication of its passage this  
6 \_\_\_\_ day of \_\_\_\_\_, 2011.

7 \_\_\_\_\_  
8  
9 President \_\_\_\_\_ of the City Council

10  
11 Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2011.

12 \_\_\_\_\_  
13  
14 Michael McGinn, Mayor

15  
16 Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2011.

17 \_\_\_\_\_  
18  
19 Monica Martinez Simmons, City Clerk

20  
21 (Seal)