

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, EXPRESSING APPROVAL OF REFERENDUM NO. 88 TO ALLOW AFFIRMATIVE ACTION SUCH AS RACE, SEX, COLOR, OR AGE AS FACTORS WHEN CONSIDERING A PERSON FOR OPPORTUNITIES IN THE AREAS OF PUBLIC EDUCATION, PUBLIC EMPLOYMENT, AND PUBLIC CONTRACTING AS LONG AS SUCH POLICIES DO NOT CONSTITUTE PREFERENTIAL TREATMENT AND DO NOT USE QUOTAS.**

**WHEREAS**, Washington Initiative Measure No. 200 (I-200) of 1998 prohibited public institutions from discriminating or granting preferential treatment based on race, sex, color, ethnicity, or national origin in the areas of public education, public employment, and public contracting; and

**WHEREAS**, Washington Initiative Measure No. 1000 (I-1000) was an initiative to the Washington State Legislature that was approved on April 28, 2019, meaning the measure did not have to go to the ballot for voter approval; and

**WHEREAS**, I-1000 allows affirmative action policies by the State of Washington in the areas of public education, public employment, and public contracting as long as such policies do not constitute preferential treatment and do not use quotas; and

**WHEREAS**, under I-1000 preferential treatment is prohibited as defined as using certain characteristics such as race, sex, color, or age as the sole factor for selecting a lesser-qualified candidate over another; but affirmative action is allowed as using certain characteristics such as race, sex, color, or age as factors when considering a person for education or employment opportunities; and

**WHEREAS**, I-1000 adds the following characteristics to the law such as sexual orientation, age, the presence of any sensory, mental, or physical disability or honorably discharged veteran or military status; and

**WHEREAS**, I-1000 was written to explicitly allow the State of Washington to implement affirmative action laws and policies while continuing to ban discrimination and preferential treatment; but also defining preferential treatment and affirmative action so that banning one and allowing the other is compatible; and

**WHEREAS**, I-1000 would also allow the State of Washington to remedy discrimination against, or under-representation of, disadvantaged groups as documented in a valid disparity study or proven in a court of law; and

**WHEREAS**, I-1000 will create the Governor's Commission on Diversity, Equity, and Inclusion, which would be responsible for ensuring compliance with the measure and is

required to issue an annual report on the progress of state agencies in achieving the goals under the measure; and

**WHEREAS**, the stated intent of I-1000 is to guarantee every resident of Washington state equal opportunity and access to public education, public employment, and public contracting without discrimination based on their race, sex, color, ethnicity, national origin, age, sexual orientation, the presence of any sensory, mental, or physical disability, or honorably discharged veteran or military status by restoring affirmative action into state law without the use of quotas or preferential treatment; defining the meaning of preferential treatment and its exceptions; and establishing governor's commission on diversity, equity, and inclusion; and

**WHEREAS**, Referendum No. 88 (R-88) requires a vote of the people on I-1000, meaning that an approve vote on R-88 approves I-1000 and a reject vote on R-88 rejects I-1000; an approve vote will allow I-1000 to go into effect and a reject vote on R-88 rejects I-1000 and law remains as provided in I-200; and

**WHEREAS**, Referendum 88 (R-88) will be presented to the voters at the General Election on November 5, 2019, with the following official Ballot title:

Referendum Measure No. 88

The legislature passed Initiative Measure No. 1000 concerning affirmative action and remedying discrimination, and voters have filed a sufficient referendum petition on this act.

Initiative 1000 would allow the state to remedy discrimination for certain groups and to implement affirmative action, without the use of quotas or preferential treatment (as defined), in public education, employment, and contracting.

Should Initiative 1000 be?

- Approved
- Rejected

and

**WHEREAS**, Governor Jay Inslee, and former governors Christine Gregoire, Gary Locke and Daniel Evans have endorsed an approve vote on Referendum 88 (R-88); and

**WHEREAS**, numerous other organizations and businesses have also endorsed an approve vote on R-88; and

**WHEREAS**, the approval of R-88 would provide more economic opportunities to veterans, small business owners, women, and people of color through public employment, public education and public contracting; and

**WHEREAS**, the Olympia City Council finds that our workplaces and our communities in Washington state are strongest when they include the most diverse range of backgrounds, experiences and perspectives, and that approval of R-88 and the Legislature's enactment of I-1000 will help to create an inclusive society, ensuring that everyone has full and fair access to opportunity; and

**WHEREAS**, RCW 42.17A.555 permits the City Council to take a position on a ballot measure at an open public meeting so long as notice of the meeting includes the ballot title and number of the ballot measure, and that those expressing an opposing view are afforded an approximately equal opportunity to express an opinion at a public hearing prior to action by the City Council;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OLYMPIA, WASHINGTON DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1.** The Olympia City Council hereby supports and expresses a vote of approval on Referendum 88 (R-88) to approve the Legislature's enactment of I-1000, which ballot proposition shall be presented to the electorate at the General Election on November 5, 2019.

**Section 2.** This Resolution shall take effect and be in full force immediately upon passage by the City Council.

**PASSED BY THE OLYMPIA CITY COUNCIL** this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
CITY ATTORNEY