

Ordinance No. 121640

Council Bill No. 115049

AN ORDINANCE relating to and providing for the disposition of certain monies seized and forfeited, and for the proceeds of the sale of goods and materials seized and forfeited, pursuant to the Money Laundering Act, RCW 9A.83; accepting such forfeitures; appropriating such monies to reimburse expenses incurred by the Police Department to expand Police Department programs that enforce controlled substances-related laws in accordance with RCW 9A.83; and increasing the 2005 Budget of the Police Department; all by a three-fourths vote of the City Council.

CF No. _____

Date Introduced:	<u>OCT 11 2004</u>	
Date 1st Referred:	To: (committee)	<u>BUDGET</u>
<u>OCT 11 2004</u>		
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote:	
<u>11-22-04</u>	<u>9-0</u>	
Date Presented to Mayor:	Date Approved:	
<u>11-22-04</u>	<u>11/30/04</u>	
Date Returned to City Clerk:	Date Published:	T.O. <input checked="" type="checkbox"/>
<u>11/30/04</u>	<u>2 PDR</u>	F.T. <input type="checkbox"/>
Date Vetoed by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

The City of Seattle - Legislative Department
Council Bill/Ordinance sponsored by: _____

Committee Action:

11-9-04 Pass RMJC, RC, D.D, J.D, JG,
11-22-04 Passed 9-0

This file is complete and ready for presentation to Full Council. Com

Law Department

Law Dept. Review

OMP
Review

City Clerk
Review

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: _____

Richard J. McIver
Councilmember

Budget

Committee Action:

11-9-04 Pass RMJC, RC, D.D., J.D., JG, NL, TR, PS

11-22-04 Passed 9-0

This file is complete and ready for presentation to Full Council.

Committee:

(initial/date)

*for the clerk by
Sponsoring
Committee
Full text loaded
D.D. to
Green Bill to
No Revision Memo
+ 10 attachments*

Law Department

Law Dept. Review

OMP
Review

City Clerk
Review

Electronic
Copy Loaded

Indexed

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE
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Diane Pilon
May 21, 2004
SPD Money Laundering (Vice) Forfeiture 2005 Ordinance
version # 2

ORDINANCE 121640

AN ORDINANCE relating to and providing for the disposition of certain monies seized and forfeited, and for the proceeds of the sale of goods and materials seized and forfeited, pursuant to the Money Laundering Act, RCW 9A.83; accepting such forfeitures; appropriating such monies to reimburse expenses incurred by the Police Department to expand Police Department programs that enforce controlled substances-related laws in accordance with RCW 9A.83; and increasing the 2005 Budget of the Police Department; all by a three-fourths vote of the City Council.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The sum of Seventeen Thousand Dollars (\$17,000) has been seized by the Chief of Police and forfeited pursuant to RCW 9A.83.030. This amount represents forfeited funds that are proceeds derived from a violation of RCW 9A.83.020 or proceeds of specified unlawful activities that are a class A or B felony under Washington law, are listed as "criminal profiteering" in RCW 9A.82.010, are offenses committed in any other state that are punishable under the laws of that state by more than one year in prison, or are offenses that are punishable under federal law by more than one year in prison.. These funds are hereby accepted and shall be deposited in the General Subfund for the purposes described in Section 2 below.

Section 2. In order to pay for necessary costs and expenses to be incurred in 2005, but for which insufficient appropriations were made, the appropriation for the following in the 2005 Budget is increased from the fund shown as follows:

Fund	Department	Budget Control Level	Amount
General Subfund (00100)	Police	Special Investigations (P7800)	\$17,000

Provided that this sum shall not be used for any purpose other than to allow funding for investigative training, specialized computer and investigative equipment, and incidental costs of



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May 21, 2004
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version # 2

1 special vice investigations, all of which will help to expand and improve controlled substance-
2 related law enforcement activities.

3 Section 3. Any action taken consistent with the authority and prior to the effective date of
4 this ordinance is hereby ratified and confirmed.

5 Section 4. This ordinance shall take effect and be in force thirty (30) days from and after
6 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
7 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

8 Passed by a three-fourths vote of all the members of the City Council the 22nd day of
9 November, 2004, and signed by me in open session in authentication of its passage this 22nd
10 day of November, 2004.
11

12
13 Kan Drago
14 President of the City Council

15 Approved by me this 30th day of November

16
17 Gregory J. Nickels
18 Gregory J. Nickels, Mayor

19 Filed by me this 30th day of Nov., 2004.

20
21 Joseph E. Pippin
22 City Clerk

23 (Seal)

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City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

September 27, 2004

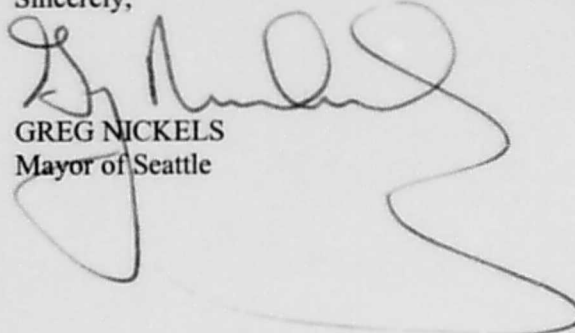
Honorable Jan Drago
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Drago:

I am pleased to transmit the attached proposed Council Bill that appropriates a total of \$17,000 from the Vice Forfeiture Account to pay for costs of the Vice Unit in 2005 that are associated with expanding and improving controlled substance-related law enforcement activities. The requested appropriation is consistent with the intent of Council Resolution 30541, which adopted policies governing expenditure of money derived from the forfeiture of personal property pursuant to RCW 9A.83, the Money Laundering Act. This legislation will greatly support the Seattle Police Department's efforts to enforce the vice laws and thereby advance the cause of public safety in Seattle. This year, the State of Washington already received its share of forfeited assets and, therefore, there is no appropriation for that purpose in the proposed ordinance.

Thank you for your consideration of this legislation. Should you have any questions, please contact Captain Greg Ayco, at 684-8660.

Sincerely,



GREG NICKELS
Mayor of Seattle

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600 Fourth Avenue, 7th Floor, P.O. Box 94749, Seattle, WA 98124-4749

Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, E-mail: mayors.office@seattle.gov

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Diane Pilon
May 21, 2004
SPD Money Laundering (Vice) Forfeiture 2005 Ordinance
Version #: 2

Form revised March 16, 2004

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Police	Captain Greg Ayco 684-8660	Doug Carey 684-8067

Legislation Title:

AN ORDINANCE relating to and providing for the disposition of certain monies seized and forfeited, and for the proceeds of the sale of goods and materials seized and forfeited, pursuant to the Money Laundering Act, RCW 9A.83; accepting such forfeitures; appropriating such monies to reimburse expenses incurred by the Police Department to expand Police Department programs that enforce controlled substances-related laws in accordance with RCW 9A.83; and increasing the 2005 Budget of the Police Department; all by a three-fourths vote of the City Council.

• **Summary of the Legislation:**

The attached ordinance appropriates a total of \$17,000 from the Vice Forfeiture Account to pay for costs of the Vice Unit in expanding and improving controlled substances-related law enforcement activities. The items covered by the ordinance are investigative training (\$7,500), specialized computer and investigative equipment (\$6,500), and incidental costs of special vice investigations in 2005 (\$3,000). The State of Washington has already received its share of assets that were forfeited in accordance with RCW 69.50.505 (9)(a). This legislation will support SPD's efforts to enforce the vice laws and thereby advance the cause of public safety.

• **Background:**

This is the third year that SPD has asked City Council to appropriate funds from the Vice Forfeiture Account, which contains monies that are the result of personal property seizure and forfeiture as allowed for in the Money Laundering Act, RCW 9A.83. Most of the activity of the Vice Unit involves controlled substances-related law enforcement, and the specific items of expenditures proposed do not supplant other City funds. The purposes for which funds are requested are consistent with both the RCW and the policy guidelines contained in Council Resolution 30541, which adopted policies governing expenditure of money held in the Vice Forfeiture Account.

- Please check one of the following:

☐ **This legislation does not have any financial implications.**

☒ **This legislation has financial implications.**



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Diane Pilon
 May 21, 2004
 SPD Money Laundering (Vice) Forfeiture 2005 Ordinance
 Version #: 2

Appropriations:

Fund Name and Number	Department	Budget Control Level*	2004 Appropriation	2005 Anticipated Appropriation
General Subfund (00100)	Police	Special Investigations (P7800)	\$0	\$17,000
TOTAL			\$0	\$17,000

*See budget book to obtain the appropriate Budget Control Level for your department.

Notes:

Anticipated Revenue/Reimbursement: Resulting From This Legislation:

Fund Name and Number	Department	Revenue Source	2004 Revenue	2005 Revenue
General Subfund (00100)	Police	Vice Forfeiture Account	\$0	\$17,000
TOTAL			\$0	\$17,000

Notes:

Total Regular Positions Created Or Abrogated Through This Legislation, Including FTE Impact:

Position Title and Department*	Fund Name	Fund Number	Part-Time/Full Time	2004 Positions	2004 FTE	2005 Positions**	2005 FTE**
N/A—no FTE Positions are created by this legislation							
TOTAL							

* List each position separately

** 2005 positions and FTE are total 2005 position changes resulting from this legislation, not incremental changes. Therefore, under 2005, please be sure to include any continuing positions from 2004

Notes:

- **Do positions sunset in the future?** (If yes, identify sunset date): N/A

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Version #: 2

Spending/Cash Flow:

Fund Name and Number	Department	Budget Control Level*	2004 Expenditures	2005 Anticipated Expenditures
General Subfund (00100)	Police	Special Investigations (P7800)	\$0	\$17,000
TOTAL			\$0	\$17,000

* See budget book to obtain the appropriate Budget Control Level for your department.

Notes:

• **What is the financial cost of not implementing the legislation?**

The costs of not adopting this legislation relate to the effectiveness and safety of Vice Unit detectives. Special Vice enforcement efforts in 2005 will be significantly reduced if this legislation is not implemented. This would have a negative impact on public safety and the quality of life in the City.

• **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**

There are no good alternatives to the proposed legislation.

• **Is the legislation subject to public hearing requirements:**

No.

• **Other Issues:**

There are no long-term or sustainability issues.

Please list attachments to the fiscal note below:

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STATE OF WASHINGTON - KING COUNTY

--SS.

179665
CITY OF SEATTLE, CLERKS OFFICE

No. 121687-121640 121640

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 ORDINANCE

was published on

12/10/2004



Journal of Commerce
Subscribed and sworn to before me on
12/10/2004 Jennifer Patten
Notary public for the State of Washington,
residing in Seattle



State of Washington, King County

City of Seattle

TITLE-ONLY PUBLICATION

The full text of the following ordinances, passed by the City Council on November 22, 2004, and published here by title only, will be mailed upon request or can be accessed electronically at <http://clerk.ci.seattle.wa.us>. For further information, contact the Seattle City Clerk at 594-5344.

ORDINANCE NO. 121658

AN ORDINANCE declaring four properties under the jurisdiction of the Fleets and Facilities Department to be surplus to the City's needs; approving the sale of the property by public bid; authorizing execution of a Quitclaim Deed with respect to each such property; and designating the disposition of sales proceeds.

ORDINANCE NO. 121648

AN ORDINANCE authorizing the Department of Executive Administration to close the Key Tower Operating Subfund of the General Fund; transferring that subfund's assets and liabilities; abandoning unexpended and unencumbered appropriation authority; and repealing Section 4 of Ordinance 119081.

ORDINANCE NO. 121647

AN ORDINANCE authorizing the Department of Executive Administration to close the Police Support Facility Subfund of the General Fund; transferring all unexpended balances; and abandoning unexpended and unencumbered appropriation authority.

ORDINANCE NO. 121646

AN ORDINANCE relating to the provision of services including shelter to people who are homeless; authorizing the transfer of funds from the H.H. Dearborn Trust to the General Subfund; and authorizing the execution of an agreement with the Downtown Emergency Service Center for emergency shelter and related services for people who are homeless.

ORDINANCE NO. 121660

AN ORDINANCE adopting a budget, including a capital improvement program and position list, for the City of Seattle for fiscal year 2005.

ORDINANCE NO. 121641

AN ORDINANCE relating to the General Fund, Parks Fund and Solid Waste Fund; authorizing the deposit into the Solid Waste Fund, Parks Fund, and General Fund in 2005 and 2006, of receipts of two taxes on persons in the business of collecting or transferring solid waste; and authorizing the transfer of certain funds from the General Fund to the Solid Waste Fund.

ORDINANCE NO. 121640

AN ORDINANCE relating to and providing for the disposition of certain monies seized and forfeited, and for the proceeds of the sale of goods and materials seized and forfeited, pursuant to the Money Laundering Act, RCW 9A.83; accepting such forfeitures; appropriating such monies to reimburse expenses incurred by the Police Department to expand Police Department programs that enforce controlled substances-related laws in accordance with RCW 9A.83; and increasing the 2005 Budget of the Police Department; all by a three-fourths vote of the City Council.

Date of publication in the Seattle Daily Journal of Commerce, December 10, 2004.
12/10(179685)

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