

Ordinance No. 122886

Council Bill No. 116412

An Ordinance relating to security from terrorism; authorizing the City to partner with the State of Washington and King County to receive financial assistance from the Department of Homeland Security (DHS), Office for State and Local Government Coordination and Preparedness under the Urban Areas Security Initiative Grant for Federal Fiscal Year 2008 (UASI 08), authorizing an application for allocation of funds under that agreement, increasing appropriations to the Police Department, Fire Department and Department of Information Technology in the 2009 Budget.

CF No. _____

| | | |
|------------------------------|-----------------|---|
| Date Introduced: | <u>12.1.08</u> | |
| Date 1st Referred: | | To: Environment, Emergency Mgmt & Utilities (EEMU) |
| Date Re - Referred: | | To: (committee) |
| Date Re - Referred: | | To: (committee) |
| Date of Final Passage: | <u>12-15-08</u> | Full Council Vote: <u>9-0</u> |
| Date Presented to Mayor: | <u>12-16-08</u> | Date Approved: <u>12-19-08</u> |
| Date Returned to City Clerk: | <u>12.22.08</u> | Date Published: <u>3</u> T.O. <input checked="" type="checkbox"/> 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: _____

Councilmember

Committee Action:

12/9/08 3-0 unanimous yes Conlin, McEwen, Burzen

12-15-08 Passed 9-0

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

Committee: _____

(initial/date)

Law Department

Law Dept. Review

OMP
Review

City Clerk
Review

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City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

November 18, 2008

Honorable Richard Conlin
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill that appropriates \$3,581,078 from the Urban Area Security Initiative Grant for Federal Fiscal Year 2008 (UASI 08). Projects funded with UASI 08 resources will further the City's preparedness strategy that was presented to the City Council in December 2003 and approved by the Department of Homeland Security (DHS) in March 2004. Specifically, UASI 08 funding will provide training for Seattle's first responders to further enhance their ability to respond to, and aid in the recovery from, threats or acts of terrorism. Training may be given on such topics as improvised explosive devices (IEDs), chemical, biological, radiological, nuclear and explosive (CBRNE) heavy rescue, and enhancements to Seattle's SWAT capabilities. Evaluation protocols continue to be developed to determine the effectiveness of Homeland Security funding, and a Seattle Urban Area communications study will be undertaken to best determine how to meet our region's unique preparedness needs.

This is the seventh round of funding that DHS has provided for high-risk urban areas. The UASI program has supplied the Seattle Urban Area (comprised of Seattle, Bellevue and King, Pierce, and Snohomish Counties) with more than \$85 million, of which Seattle's share has exceeded \$41 million.

The funding package set forth in this legislation reflects a multi-disciplinary approach that recognizes the need for prevention, protection, and response capability. Months of work by City departments and Seattle's urban area partners have resulted in assessments of Seattle's risk, development of a response strategy, and a budget plan to implement that strategy. The training, equipment, and studies included in this funding package are vital to advancing our goal to make Seattle the most prepared city in America. Thank you for your consideration of this legislation. Should you have questions, please contact Dave Chavez at 206-386-0057.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Nickels", written over a large, stylized, looping flourish that extends across the signature area.

GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

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, Email: mayors.office@seattle.gov

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ORDINANCE 122886

AN ORDINANCE relating to security from terrorism; authorizing the City to partner with the State of Washington and King County to receive financial assistance from the Department of Homeland Security (DHS), Office for State and Local Government Coordination and Preparedness under the Urban Areas Security Initiative Grant for Federal Fiscal Year 2008 (UASI 08), authorizing an application for allocation of funds under that agreement, increasing appropriations to the Police Department, Fire Department and Department of Information Technology in the 2009 Budget.

WHEREAS, the projects identified in this legislation are consistent with the objectives of the Seattle-King County Urban Area Strategy, as approved by the Federal Department of Homeland Security; and

WHEREAS, Ordinance 121283, passed by the City Council on September 22, 2003, authorized the Police Department to apply for funding under Federal Fiscal Year 2003 UASI Grant Award Programs I and II, authorized the Police Department to execute an agreement to partner with the State of Washington, King County, and other local jurisdictions to participate in UASI Grant Award Program II, and appropriated an initial allocation of funding under both grant programs for immediate needs of conducting vulnerability assessments and providing urgently needed equipment to City departments; and

WHEREAS, Ordinance 121418 passed by the City Council on March 15, 2004 authorized the Police Department to apply for the remaining funding available through Federal Fiscal Year 2003 UASI Grant Award Programs I and II; and

WHEREAS, Ordinance 121515, passed by the City Council on June 28, 2004 authorized the Police Department to apply for funding under Federal Fiscal Year 2004 UASI; and

WHEREAS, Ordinance 121860, passed by the City Council on July 11, 2005, authorized the Police Department to apply for additional funding under Federal Fiscal Year 2005 UASI; and

WHEREAS, Ordinance 122348, passed by the City Council on February 26, 2007, authorized the Police Department to apply for additional funding under Federal Fiscal Year 2006 UASI; and

WHEREAS, Ordinance 122633, passed by the City Council on February 25, 2008, authorized the Police Department to apply for additional funding under Federal Fiscal Year 2007 UASI; and



WHEREAS, the projects to be funded by Federal Fiscal Year 2008 UASI were identified using a thorough process that involved operations staff from three City departments, including the Fire Department, Police Department, and Department of Information Technology.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Chief of Police or his designee is authorized to partner with the State of Washington and King County to receive financial assistance from DHS, and execute all documents he reasonably deems necessary for the application and receipt of Federal Fiscal Year 2008 UASI funds in the amount of \$3,581,078 to address the unique equipment, training, and planning needs of the Seattle urban area to prevent, respond to, and recover from threats or acts of terrorism. These funds are hereby accepted and shall be deposited in the funds named in Section 2 to reimburse for appropriations made in Section 2.


Section 2. To carry out the purpose of the agreements authorized in Section 1, and contingent upon the execution of those agreements, the appropriations for the following in the 2009 budget are increased as follows:

| Fund | Department | Budget Control Level | Amount |
|---|------------------------|-------------------------------|--------------------|
| General Subfund (00100) | Police | Chief of Police Program P1000 | \$2,331,078 |
| General Subfund (00100) | Fire | Operations F3000 | \$1,050,000 |
| Department of Information Technology (50410) | Information Technology | D3300 | \$200,000 |
| | | Total: | \$3,581,078 |

Section 3. Any act pursuant to the authority of this ordinance taken after the passage of this ordinance is hereby ratified and confirmed. If any provision of this ordinance is determined to be invalid or unenforceable the remainder shall nonetheless remain in full force and effect.

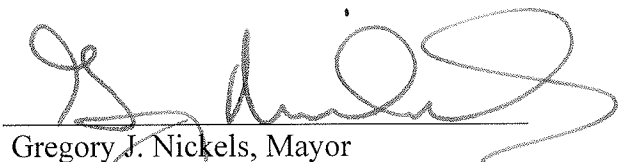
Section 4. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 15th day of December, 2008, and signed by me in open session in authentication of its passage this 15th day of December, 2008.



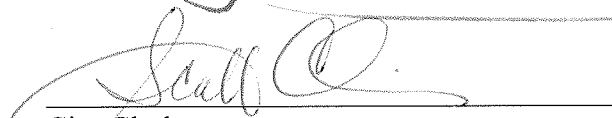
President _____ of the City Council

Approved by me this 14th day of December, 2008.



Gregory J. Nickels, Mayor

Filed by me this 22nd day of December, 2008.



City Clerk

(Seal)

FISCAL NOTE FOR NON-CAPITAL PROJECTS

| Department: | Contact Person/Phone: | DOF Analyst/Phone: |
|--------------------|------------------------------|---------------------------|
| Police | Dave Chavez/386-0057 | Greg Doss/615-1759 |

Legislation Title:

An Ordinance relating to security from terrorism; authorizing the City to partner with the State of Washington and King County to receive financial assistance from the Department of Homeland Security (DHS), Office for State and Local Government Coordination and Preparedness under the Urban Areas Security Initiative Grant for Federal Fiscal Year 2008 (UASI 08), authorizing an application for allocation of funds under that agreement, increasing appropriations to the Police Department, Fire Department and Department of Information Technology in the 2009 Budget.

- **Summary of the Legislation:** This legislation receives and appropriates \$3,581,078 under the Urban Area Security Initiative Grant for Federal Fiscal Year 2008 (UASI 08) to the funds outlined below to be reimbursed from funds received from the Department of Homeland Security (DHS). Funds will reimburse the City of Seattle for equipment, training, planning and management needs associated with preventing, responding to, and recovering from, threats or acts of terrorism.

This legislation additionally authorizes the Police Department to execute an agreement to partner with the State of Washington, King County, and other local jurisdictions to participate in UASI 08 and receive funding from the state in the amount of \$3,581,078 to increase the capacity of the Seattle urban area to prevent, respond to, and recover from threats or acts of terrorism.

- **Background:** This is the seventh ordinance SPD has asked the City Council to pass for the application and receipt of funds from DHS for furthering the City's emergency preparedness strategy. Seattle was one of seven cities awarded funding under Federal Fiscal Year 2003 UASI Grant Award Program I, and one of thirty urban areas funded under Federal Fiscal Year 2003 UASI Grant Award Program II. Ordinance 121283, adopted by the City Council on September 22, 2003, as well as Ordinance 121418, adopted by the City Council on March 15, 2004, authorized the Police Department to apply, where applicable, for funding from these grants. Ordinance 121515, adopted by the City Council on June 28, 2004, authorized SPD to apply for additional funding under Federal Fiscal Year 2004; Ordinance 121860 was adopted by the City Council on July 11, 2005, authorizing SPD to apply for funding under Federal Fiscal Year 2005; Ordinance 122348, adopted by the City Council on February 26, 2007, authorized SPD to apply for additional funding under Federal Fiscal Year 2006; and Ordinance 122633, adopted by



the City Council on February 25, 2008, authorized the Police Department to apply, where applicable, for additional funding under Federal Fiscal Year 2007.

- The funding authorized by this legislation continues previous efforts and reflects a multi-disciplinary approach that recognizes the need for prevention, protection, and response capability. Months of work by City departments and Seattle's urban area partners have resulted in risk assessments for Seattle, development of strategies to respond to those risks, and a budget plan that implements those strategies. Funding will continue to provide Seattle's first responders the training and equipment necessary to mitigate the ever-evolving threat scenarios, as well as assist in evaluating the effectiveness of Homeland Security funding. Funds received from this grant will also benefit Seattle's first responders by providing additional interoperable communication equipment and training.

X This legislation has financial implications.

***Appropriations:** This table should reflect appropriations that are a direct result of this legislation. In the event that the project/ programs associated with this ordinance have appropriations that were, or will be, received because of previous or future legislation or budget actions, please provide details in the Notes section below.*

| Fund Name and Number | Department | Budget Control Level* | 2009 Appropriation | 2010 Anticipated Appropriation |
|--|------------------------|-------------------------------|---------------------------|---------------------------------------|
| General Subfund (00100) | Police | Chief of Police Program P1000 | \$2,331,078 | \$0 |
| General Subfund (00100) | Fire | Operations F6000 | \$1,050,000 | \$0 |
| Department of Information Technology (50410) | Information Technology | D3300 | \$200,000 | \$0 |
| TOTAL | | | \$3,581,078 | |

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

Notes:



Anticipated Revenue/Reimbursement: Resulting From This Legislation: *This table should reflect revenues/reimbursements that are a direct result of this legislation. In the event that the issues/projects associated with this ordinance/resolution have revenues or reimbursements that were, or will be, received because of previous or future legislation or budget actions, please provide details in the Notes section below the table.*

| Fund Name and Number | Department | Revenue Source | 2009 Revenue | 2010 Revenue |
|--|------------------------|----------------|--------------------|--------------|
| General Subfund (00100) | Police | DHS | \$2,331,078 | \$0 |
| General Subfund (00100) | Fire | DHS | \$1,050,000 | \$0 |
| Department of Information Technology (50410) | Information Technology | DHS | \$200,000 | \$0 |
| TOTAL | | | \$3,581,078 | \$0 |

Notes:

Spending/Cash Flow: *This table should be completed only in those cases where part or all of the funds authorized by this legislation will be spent in a different year than when they were appropriated (e.g., as in the case of certain grants and capital projects). Details surrounding spending that will occur in future years should be provided in the Notes section below the table.*

| Fund Name and Number | Department | Budget Control Level* | 2009 Expenditures | 2010 Anticipated Expenditures |
|--|------------------------|-------------------------------|--------------------|-------------------------------|
| General Subfund (00100) | Police | Chief of Police Program P1000 | \$2,331,078 | \$0 |
| General Subfund (00100) | Fire | Operations F3000 | \$1,050,000 | \$0 |
| Department of Information Technology (50410) | Information Technology | D3300 | \$200,000 | \$0 |
| TOTAL | | | \$3,581,078 | \$0 |

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



What is the financial cost of not implementing the legislation? The costs to the City of not implementing the legislation include the loss of funding that has been made available to the City under Federal Fiscal Year 2008 UASI, resulting in significantly less capacity to improve the City's overall ability to prevent, respond to, and recover from threats or acts of terrorism. In addition, not implementing this legislation would likely result in the City of Seattle and contiguous jurisdictions being ineligible to receive future funding that is expected to be made available under later phases of the UASI Grant Program.

- **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** The only possible alternative would be to use scarce City resources to provide urban area security equipment, training and infrastructure protection, and to implement other elements of the urban area homeland security strategy that was authorized by Ordinance 122633.
- **Is the legislation subject to public hearing requirements:** No

Other Issues: Any sustainment issues with purchased equipment will be addressed within existing budget resources of the recipient departments.

Please list attachments to the fiscal note below:

STATE OF WASHINGTON – KING COUNTY

--SS.

233166
CITY OF SEATTLE, CLERKS OFFICE

No. TITLE ONLY

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.

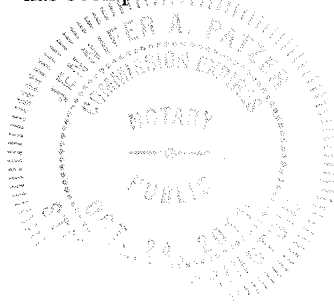
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a


CT:122881,83-122894

was published on

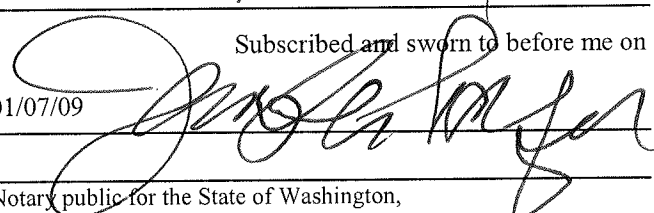
01/07/09

The amount of the fee charged for the foregoing publication is the sum of \$ 183.95, which amount has been paid in full.




Subscribed and sworn to before me on

01/07/09


Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle

TITLE-ONLY PUBLICATION

The full text of the following ordinances, passed by the City Council on December 15, 2008, and published here by title only, will be mailed, at no cost, on request for two months after this publication. For further information, contact the Seattle City Clerk at 684-8344.

ORDINANCE NO. 122894

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

ORDINANCE NO. 122893

AN ORDINANCE relating to City employment; authorizing the execution of a Memorandum of Understanding by and between the City of Seattle, the Seattle Department of Transportation, and the International Brotherhood of Electrical Workers, Local 77 effective January 23, 2009 through January 22, 2013; and providing payment therefor.

ORDINANCE NO. 122892

AN ORDINANCE relating to City employment; authorizing the execution of a Memorandum of Understanding by and between the City of Seattle, the City Light Department, and the International Brotherhood of Electrical Workers, Local 77 effective January 23, 2009 through January 22, 2013; and providing payment therefor.

ORDINANCE NO. 122891

AN ORDINANCE relating to City employment; authorizing the Mayor to sign and/or execute a collective bargaining agreement by and between the City of Seattle and the International Brotherhood of Teamsters, Local 117 Evidence Warehouse and Community Service Officers units to be effective through December 31, 2010; and providing payment therefor.

ORDINANCE NO. 122889

AN ORDINANCE authorizing the purchase, for park, open space and recreation purposes, of real property commonly known as Webster Park, a portion of the former Webster Elementary School, located at 3017 NW 67th Street, from Seattle School District No. 1, and authorizing acceptance of the deed, making appropriations, amending the 2008-2013 Capital Improvement Program, and authorizing the loan of funds from the City's Consolidated (Residual) Cash Pool, or its participating funds, to the Cumulative Reserve Subfund-Unrestricted Subaccount, all by a three-fourths vote of the City Council.

ORDINANCE NO. 122890

AN ORDINANCE authorizing the purchase, for park, open space, and recreation purposes, of real property commonly known as a portion of the former Crown Hill Elementary School, located at 9089 Holman Road Northwest, from Seattle School District No. 1, authorizing acceptance of the deed, authorizing the creation of an Opportunity Fund Project consistent with the requirements of Ordinance 120024, making appropriations, amending the 2008-2013 Capital Improvement Program, and authorizing the loan of funds from the City's Consolidated (Residual) Cash Pool, or its participating funds, to the 2000 Parks Levy Fund, all by a three-fourths vote of the City Council.

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ORDINANCE NO. 122885

AN ORDINANCE relating to lobbying activities by City of Seattle officials and employees; repealing Ordinance 120960.

ORDINANCE NO. 122888

AN ORDINANCE relating to City employment, ~~to be known~~ as the 2009 Pay Zone Ordinance; adjusting the pay zone structures for the City's discretionary pay programs for the year 2009.

ORDINANCE NO. 122887

AN ORDINANCE relating to City employment, commonly referred to as the Fourth Quarter 2008 Employment Ordinance; establishing new titles and/or salaries; designating positions as exempt from Civil Service status; all by a 2/3 vote of the City Council.

ORDINANCE NO. 122886

AN ORDINANCE relating to security from terrorism; authorizing the City to partner with the State of Washington and King County to receive financial assistance from the Department of Homeland Security (DHS), Office for State and Local Government Coordination and Preparedness under the Urban Areas Security Initiative Grant for Federal Fiscal Year 2008 (UASI 08), authorizing an application for allocation of funds under that agreement, increasing appropriations to the Police Department, Fire Department and Department of Information Technology in the 2009 Budget.

ORDINANCE NO. 122884

AN ORDINANCE adopting the 2007 City of Seattle Disaster Debris Management Plan and designating Seattle Public Utilities as the lead City department for debris management during the recovery phase following a large natural or human-caused disaster.

ORDINANCE NO. 122883

AN ORDINANCE authorizing Seattle Public Utilities to acquire by purchase or condemnation of land and all improvements thereon property situated at 1318 North 128th Street, Seattle for water, drainage and other utility or general municipal purposes.

ORDINANCE NO. 122881

AN ORDINANCE relating to the Neighborhood Parks, Green Spaces, Trails, and Zoo Levy; authorizing the acquisition of real property commonly known as 2100 Westlake Avenue; authorizing acceptance of the deed for open space, park, and recreation purposes; increasing appropriations to the Department of Parks and Recreation in the 2008 Budget; all by a three-fourths vote of the City Council.

Publication ordered by JUDITH PIPPIN, City Clerk

Date of publication in the Seattle Daily Journal of Commerce, January 7, 2009.

1/7(233166)