Ordinance No. 123093

Council Bill No. 116625

AN ORDINANCE accepting and authorizing the use of grant funds from the State of Washington Department of Commerce via the Washington Association of Sheriffs and Police Chiefs (WASPC) allocated through the American Recovery and Reinvestment Act of 2009; amending the 2009 Adopted Budget to increase appropriations for the Seattle Police Department, creating a new position exempt from Civil Service, and ratifying and confirming prior acts; all by a three-fourths vote of the City Council.

CF No.

Date Introduced: 9.8.09	
Date 1st Referred:	To: (committee) Finance + Budget
Date Re - Referred:	To: (committee)
Date Re - Referred:	To: (committee)
Date of Final Passage: 9.21-09	Full Council Vote: 9-0
Date Presented to Mayor: 9-22-09	Date Approved: 9.24.09
Date Returned to City Clerk: 9.24.09	Date Published: 4 T.O. ✓ F.T.
Date Vetoed by Mayor:	Date Veto Published:
Date Passed Over Veto:	Veto Sustained:

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Jean Godden
Councilmember

Committee Action:

Dopass ~~[illegible]~~ Y - JG, SC

9-21-09 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 | Electronic Copy Loaded | Indexed

T. Dave Chavez
SPD Gangs ARRA ORD
July 15, 2009
Version #4

ORDINANCE 123093

AN ORDINANCE accepting and authorizing the use of grant funds from the State of Washington Department of Commerce via the Washington Association of Sheriffs and Police Chiefs (WASPC) allocated through the American Recovery and Reinvestment Act of 2009; amending the 2009 Adopted Budget to increase appropriations for the Seattle Police Department, creating a new position exempt from Civil Service, and ratifying and confirming prior acts; all by a three-fourths vote of the City Council.

WHEREAS, the United States Congress has authorized $2,000,000,000 in the Edward Bryne Memorial Justice Assistance Grant (JAG) Program as part of the American Recovery and Reinvestment Act of 2009 ("ARRA"); and

WHEREAS, the City submitted an application to the State of Washington Department of Community, Trade & Economic Development (CTED), subsequently renamed the Department of Commerce, via the Washington Association of Sheriff-s and Police Chiefs (WASPC) on June 8, 2009 to request Edward Bryne Memorial Justice Assistance Grant (JAG) Program funds; and

WHEREAS, based on the City's successful application, CTED via WASPC has awarded $870,584 to the City of Seattle from these JAG funds; and

WHEREAS, the ARRA grant funding constitutes one-time funding for Special Enforcement, Intervention and Prevention in Targeting Gang Crime; and

WHEREAS, the City is not obligated to continue or maintain ARRA grant funding levels for the Edward Byrne Memorial Justice Assistance Grant once ARRA grant funds have lapsed; and

WHEREAS, pursuant to the terms of the grant whereby the City is to distribute grant funds to co-applicants, the City intends to transfer some of the ARRA funds it receives to those co-applicants as named herein; and

WHEREAS, the City Council wishes to amend the 2009 Adopted Budget for the Seattle Police Department to reflect the receipt and authorize the expenditure of these Edward Bryne Memorial Justice Assistance Grant (JAG) Program funds; NOW, THEREFORE,

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BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City of Seattle hereby accepts ARRA funds from the State of Washington Department of Commerce via the Washington Association of Sheriffs and Police Chiefs (WASPC) for the Edward Bryne Memorial Justice Assistance Grant (JAG) Program in the amount of $870,584 for the purpose of a special emphasis program focused on Special Enforcement, Intervention and Prevention in Targeting Gang Crime. Specifically funds will be used for:

- 1.0 FTE Regional Gang Specialist Police Officer in the Burien Police Department (PD), via contract with the King County Sheriff's Office (KCSO);
- 2.0 FTE Sworn officers in the Burien PD scheduled for abrogation due to budget shortfalls to work on gang issues;
- 1.0 FTE Sworn officer in the Auburn PD to conduct Gang Resistance Education and Training (G.R.E.A.T.) in middle schools;
- 0.5 FTE Civilian Crime Analyst & Prevention Specialist in the Federal Way PD;
- 0.5 FTE Civilian Gang Analyst in the Des Moines PD; and
- 1.0 FTE Civilian Strategic Advisor 2- Exempt in the Seattle Police Department, as well as operational overtime funds to be managed and disbursed to partners by the SPD;

The Mayor or his designee is authorized to execute and deliver and perform for and on behalf of The City of Seattle such agreements and certifications as may be necessary to accept the ARRA funds. Edward Bryne Memorial Justice Assistance Grant (JAG) Program funds, when received, shall be deposited into the Seattle Police Department Budget Control Levels in Section 2 below. The Mayor or his designee is further authorized to execute and deliver documents relating to the agreements if required by federal guidelines.

Section 2. Contingent upon the execution of the agreement(s) authorized in Section 1, and in order to meet actual necessary expenditures of the City for which insufficient appropriations have been made due to causes that could not reasonably have been foreseen at the

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time of the making of the 2009 Budget, the appropriations for the following items in the 2009 Budget are increased from the fund shown, as follows:

Fund Name and Number	**Department**	**Budget Control Level**	**Amount of increase**
General Subfund #00100	Police	Chief of Police #P1000	$754,168
General SubFund #00100	Police	Violent Crimes #P7100	$116,416
Total			$870,584

Unspent funds shall carry forward to subsequent years until they are exhausted or abandoned by ordinance.

Section 3. To carry out purposes of the appropriation in Section 2 of this ordinance, the following new position which is exempt from Civil Service and Public Safety Civil Service rules and laws, is created in the Seattle Police Department:

Department	**Position Title**	**Position Status**	**Number**
Police	Strategic Advisor 2-Exempt/Police	Full-time	1

The Chief of Police is authorized to fill this position. This position shall continue until 12 months after the date of hire or transfer into this position.

Section 4. Any act authorized by this ordinance and taken after its passage is ratified and confirmed.

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Section 5. 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 a three-fourths vote of the City Council the 21st day of September, 2009, and signed by me in open session in authentication of its passage this 21st day of September, 2009.

President _____ of the City Council

Approved by me this 24th day of September, 2009.

Gregory J. Nickels, Mayor

Filed by me this 24th day of September, 2009.

City Clerk

(Seal)

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Form revised May 5, 2009

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Police	Lt. Ron Wilson/684-5547; T. Dave Chavez, Jr./386-0057	Jennifer Albright/684-5211

Legislation Title:
AN ORDINANCE accepting and authorizing the use of grant funds from the State of Washington Department of Commerce via the Washington Association of Sheriffs and Police Chiefs (WASPC) allocated through the American Recovery and Reinvestment Act of 2009; authorizing the Mayor or his designee to execute related agreements, amending the 2009 Adopted Budget to increase appropriations for the Seattle Police Department, creating a new position exempt from Civil Service, and ratifying and confirming prior acts; all by a three-fourths vote of the City Council.

- **Summary of the Legislation:**
  This legislation authorizes the acceptance of grant funds made available through the American Recovery and Reinvestment Act of 2009 ("ARRA") and increases the 2009 Adopted Budget to authorize new expenditures.

- **Background:**
  The American Recovery and Reinvestment Act of 2009 has allocated $2,000,000,000 in the Edward Bryne Memorial Justice Assistance Grant (JAG) Program to provide for Special Enforcement, Intervention and Prevention in Targeting Gang Crime. The award was distributed to the City via a formula allocation from the Edward Bryne Memorial Justice Assistance Grant (JAG) Program.

  Specifically, the grant funds will support:

  1. 1.0 FTE Regional Gang Specialist Police Officer in the Burien Police Department (PD), via contract with the KCSO;
  2. 2.0 FTE Sworn officers in the Burien PD currently scheduled for abrogation due to budget shortfalls to work on gang issues;
  3. 1.0 FTE Sworn officer in the Auburn PD to conduct Gang Resistance Education and Training (G.R.E.A.T.) in middle schools;
  4. 0.5 FTE Civillian Crime Analyst & Prevention Specialist in the Federal Way PD;
  5. 0.5 FTE Civillian Gang Analyst in the Des Moines PD; and
  6. 1.0 FTE Civillian Strategic Advisor in the Seattle Police Department.

  The City will facilitate a multi-jurisdictional response to gang violence through the Washington State Fusion Center, by conducting joint emphasis operations, sharing information, and providing leads on individual cases and gang members. The goal is to have regional law enforcement partners work in unison rather than cross purposes in gang

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interdiction. The results will be faster apprehensions and stronger criminal cases being presented to the Prosecutors Office, while opening avenues for Federal prosecutions.

- *Please check one of the following:*

____ **This legislation does not have any financial implications.** (*Stop here and delete the remainder of this document prior to saving and printing.)*

__X__ **This legislation has financial implications.** *(Please complete all relevant sections that follow.)*

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 had, or will have, appropriations in other legislation, please provide details in the Notes section below.*

Fund Name and Number	Department	Budget Control Level*	2009 Appropriation	2010 Anticipated Appropriation
General Sub Fund #00100	Police	Chief of Police #P1000	$754,168	
General Sub Fund #00100	Police	Violent Crimes #P7100	$116,416	
TOTAL			**$870,584**	

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

***Notes to Appropriations Table*:** Spending of the appropriation in this section is contingent upon ARRA funds being granted to, and received by, the City.

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 Sub Fund #00100	Police	DOJ/Office of Justice Programs (OJP)	$870,584	
TOTAL			**$870,584**	

***Notes*:**

Total Regular Positions Created, Modified, Or Abrogated Through This Legislation,

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Including FTE Impact: *This table should only reflect the actual number of positions affected by this legislation. In the event that positions have been, or will be, created as a result of other legislation, please provide details in the Notes section below the table.*

Position Title and Department	Position # for Existing Positions	Fund Name & #	PT/FT	2009 Positions	2009 FTE	2010 Positions*	2010 FTE*
StratAdvsr2, Exempt	TBD	General Sub Fund #00100	FT	1	1.0	1	1.0
TOTAL				**1**	**1.0**	**1**	**1.0**

** 2010 positions and FTE are total 2010 position changes resulting from this legislation, not incremental changes. Therefore, under 2010, please be sure to include any continuing positions from 2009.*

Notes:

This position will be exempt from Civil Service and Public Safety Civil Service rules and laws.

- **Do positions sunset in the future?** *(If yes, identify sunset date):* Yes, sunset date is June 30, 2010.

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.*

Fund Name & #	Department	Budget Control Level*	2009 Expenditures	2010 Anticipated Expenditures
General Sub Fund #00100	Police	Chief of Police #P 1000	$377,084	$377,084
General Sub Fund #00100	Police	Violent Crimes #P7100	$58,208	$58,208
TOTAL			$435,292	$435,292

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

Notes:

What is the financial cost of not implementing the legislation? Without this legislation, the City will not receive $870,584 in revenues to support an emphasis program focused on Special Enforcement, Intervention and Prevention in targeting gang crime.

- **Does this legislation affect any departments besides the originating department?** • *If so, please list the affected department(s), the nature of the impact (financial, operational, etc)., and indicate which staff members in the other department(s) are aware of this Bill.*
  This legislation does not affect any other City departments.

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What are the possible alternatives to the legislation that could achieve the same or similar objectives? Acceptance of the grant award is a prerequisite for the receipt of these federal economic stimulus funds. There are no alternatives that could achieve the same or similar objectives.

- **Is the legislation subject to public hearing requirements:** *(If yes, what public hearings have been held to date, and/or what plans are in place to hold a public hearing(s) in the future.)* No.

- **Other Issues** (*including long-term implications of the legislation*):

Please list attachments to the fiscal note below:

City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

August 18, 2009

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, which accepts $870,584 in federal stimulus Edward Bryne Memorial Justice Assistance Grant (JAG) Program funds through the Washington Association of Sheriffs and Police Chiefs (WASPC) for the purpose of reducing youth violence. The Council Bill also increases appropriations to reflect the anticipated receipt and expenditure of these funds, and creates a new Strategic Advisor position in the Seattle Police Department.

The American Recovery and Reinvestment Act of 2009 has allocated $2,000,000,000 to states and local communities through a formula allocation process to support state and local law enforcement and related criminal and juvenile justice activities. Seattle's $870,584 JAG Program funds will support the City's and WASPC's efforts for special enforcement, intervention, and prevention in targeting gang crime and will result in an unprecedented collaboration between City and County agencies to strengthen intervention and suppression efforts related to youth violence, including gang activity.

Thank you for your consideration of this legislation. Should you have questions, please contact Lt. Ron Wilson at 684-5547 or Dave Chavez at 386-0057.

Sincerely,

GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

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