

Ordinance No. 123930

Council Bill No. 117475

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 (FFY) 2011 (UASI FFY '11), authorizing an application for allocation of funds under that agreement, increasing appropriations to the Seattle Police Department and Seattle Fire Department in the 2012 Budget, and ratifying and confirming prior acts; all by a three-fourths vote of the City Council.

Related Legislation File:

Date Introduced and Referred: <u>May 29, 2012</u>	To: (committee): <u>Public Safety, Civil Rights, and Technology</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <u>7.23.12</u>	Date Presented to Mayor: <u>7.24.12</u>
Date Signed by Mayor: <u>[Signature] 7/30/12</u>	Date Returned to City Clerk: <u>8/1/12</u>
Published by Title Only ☒	Date Vetoed by Mayor:
Published in Full Text	
Date Veto Published:	Date Passed Over Veto:
Date Veto Sustained:	Date Returned Without Signature:

The City of Seattle – Legislative Department

Council Bill/Ordinance sponsored by:

Bruce A. Hanell

Committee Action:

Date	Recommendation	Vote
<u>7/18/2012</u>	<u>Passed</u>	<u>BH</u>

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

Full Council Action:

Date	Decision	Vote
<u>7.23.12</u>	<u>Passed</u>	<u>8-0</u>
	<u>examined: SC</u>	

Leg Department

CITY OF SEATTLE
ORDINANCE 123130
COUNCIL BILL 117475

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 (FFY) 2011 (UASI FFY '11), authorizing an application for allocation of funds under that agreement, increasing appropriations to the Seattle Police Department and Seattle Fire Department in the 2012 Budget, and ratifying and confirming prior acts; all by a three-fourths vote of the City Council.

WHEREAS, the projects identified in this legislation are consistent with the objectives of the Seattle 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 Seattle Police Department to apply for funding under FFY 2003 UASI Grant Award Programs I and II, authorized the Seattle 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 Seattle 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 Seattle Police Department to apply for funding under UASI FFY 2004; and

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

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



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

WHEREAS, Ordinance 122886, passed by the City Council on December 15, 2008, authorized the Seattle Police Department to apply for additional funding under UASI FFY 2008; and

WHEREAS, Ordinance 123196, passed by the City Council on December 7, 2009, authorized the Seattle Police Department to apply for the additional funding under UASI FFY 2009;

WHEREAS, Ordinance 123551, passed by the City Council on February 28, 2011, authorized the Seattle Police Department to apply for the additional funding under FFY10; and

WHEREAS, the projects to be funded by UASI FFY 2011 were identified using a thorough process that involved operations staff from two City departments, including the Seattle Police Department and Seattle Fire Department; 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 2011 UASI funds in the amount of \$2,744,015 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 2012 budget are increased as follows. Unspent funds so appropriated shall carry forward to subsequent fiscal years until they are exhausted or abandoned by ordinance:



Fund	Department	Budget Control Level	Amount
General Subfund (00100)	Seattle Police Department	Chief of Police P1000	\$1,774,015
General Subfund (00100)	Seattle Fire Department	Grants and Reimbursables F6000	\$970,000
		Total:	\$2,744,015

Section 3. Any act made pursuant to the authority of this ordinance taken prior to the effective date 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 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.



1 Passed by the City Council the 23rd day of July, 2012, and
2 signed by me in open session in authentication of its passage this
3 23rd day of July, 2012.

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5 Sally Bagshaw

6 President pro tem of the City Council

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8 Approved by me this 30th day of July, 2012.

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10 Michael McGinn

11 Michael McGinn, Mayor

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13 Filed by me this 1st day of August, 2012.

14
15 Monica M. Simmons

16 Monica Martinez Simmons, City Clerk

17 (Seal)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Police	Dave Chavez / 386-0057	Michael Katz / 684-5211

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 (FFY) 2011 (UASI FFY '11), authorizing an application for allocation of funds under that agreement, increasing appropriations to the Seattle Police Department and Seattle Fire Department in the 2012 Budget, and ratifying and confirming prior acts; all by a three-fourths vote of the City Council.

- **Summary of the Legislation:** This legislation receives and appropriates \$2,744,015 under the Urban Area Security Initiative Grant for Federal Fiscal Year 2011 (UASI FFY '11) 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, exercise, planning and management needs associated with preventing, responding to, and recovering from, threats or acts of terrorism.

This legislation additionally authorizes the Seattle Police Department to execute an agreement to partner with the State of Washington, King County, and other local jurisdictions to participate in UASI FFY '11 and receive funding from the state in the amount of \$2,744,015 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 tenth ordinance the Seattle Police Department 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 Seattle Police Department to apply, where applicable, for funding from these grants. Ordinance 121515, adopted by the City Council on June 28, 2004, authorized the Seattle Police Department to apply for additional funding under Federal Fiscal Year 2004; Ordinance 121860 was adopted by the City Council on July 11, 2005, authorizing the Seattle Police Department to apply for funding under Federal Fiscal Year 2005; Ordinance 122348, adopted by the City Council on February 26, 2007, authorized the Seattle Police Department to apply for additional funding under Federal Fiscal Year 2006; Ordinance 122633, adopted by the City Council on February 25, 2008, authorized the Seattle Police Department to apply, where applicable, for additional funding under Federal Fiscal Year 2007; Ordinance 122886, adopted by the City Council on December 15, 2008,



authorized the Seattle Police Department to apply, where applicable, for additional funding under Federal Fiscal Year 2008; Ordinance 123196, adopted by the City Council on December 7, 2009, authorized the Seattle Police Department to apply, where applicable, for additional funding under Federal Fiscal Year 2009; and Ordinance 123551, adopted by the City Council on February 28, 2011, authorized the Seattle Police Department to apply, where applicable, for additional funding under Federal Fiscal Year 2010.

- 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.

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.)

☒ **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*	2012 Appropriation	2013 Anticipated Appropriation
General Subfund (00100)	Seattle Police Department	Chief of Police P1000	\$1,774,015.00	\$0.00
General Subfund (00100)	Seattle Fire Department	Grants and Reimbursables F6000	\$970,000.00	\$0.00
TOTAL			\$2,744,015.00	\$0.00

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

Appropriations Notes: N/A



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	2012 Revenue	2013 Revenue
General Subfund (00100)	Seattle Police Department	DHS/FEMA	\$1,774,015.00	\$0.00
General Subfund (00100)	Seattle Fire Department	DHS/FEMA	\$970,000.00	\$0.00
TOTAL			\$2,744,015.00	\$0.00

Revenue/Reimbursement Notes:

Total Regular Positions Created, Modified, or Abrogated through this Legislation, 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/F T	2012 Positions	2012 FTE	2013 Positions*	2013 FTE*
Plng&Dev Spec, Sr - SPD	10002872	General Subfund (00100)	FT	0	0	0	0
Plng & Dev Spec, Sr - SPD	10002745	General Subfund (00100)	FT	0	0	0	0
Lieutenant - SPD	10004307	General Subfund (00100)	FT	0	0	0	0
StratAdvsr 2 - SPD	10004349	General Subfund (00100)	FT	0	0	0	0
TOTAL				0	0	0	0

* 2013 positions and FTE are total 2013 position changes resulting from this legislation, not incremental changes. Therefore, under 2013, please be sure to include any continuing positions from 2012.

Position Notes: This award continues funding for four existing positions. A Lieutenant, a Strategic Advisor 2 and two Planning & Development Specialist 2 positions are funded through



this grant.

Do positions sunset in the future?

This grant will provide sufficient funding to extend the above listed positions through May 31, 2014. The creation of these positions was approved under previous ordinances.

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 & #	Department	Budget Control Level*	2012 Expenditures	2013 Anticipated Expenditures	2014 Anticipated Expenditures
General Subfund (00100)	Seattle Police Department	Chief of Police P1000	\$667,027.00	\$1,006,988.00	\$100,000.00
General Subfund (00100)	Seattle Fire Department	Grants and Reimbursables F6000	\$970,000.00	\$0.00	\$0.00
TOTAL			\$1,637,027.00	\$1,006,988.00	\$100,000.00

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

Spending/Cash Flow Notes: N/A

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 2011 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.

Does this legislation affect any departments besides the originating department?

No.

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 123551.

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.

List attachments to the fiscal note below: None.



City of Seattle
Office of the Mayor

May 15, 2012

Honorable Sally J. Clark
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Clark:

I am pleased to transmit the attached proposed Council Bill that appropriates \$2,744,015 from the Urban Area Security Initiative Grant for Federal Fiscal Year 2011 (UASI FFY'11). Projects funded with UASI FFY '11 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 FFY '11 funding continues to 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 will be given on chemical, biological, radiological, nuclear and explosive (CBRNE) topics and heavy rescue/structural collapse. A regional joint law enforcement/fire service exercise focused on Special Events/Mass gatherings and Aviation Insertion will be held. Recent events have determined SPD's precincts are in need of security upgrades to harden each facility in several areas. SPD and SFD will also continue efforts to sustain critical CBRNE personal protective equipment as current stock reaches expiration dates.

This is the tenth round of funding that DHS/FEMA has provided for high-risk urban areas. The UASI program has supplied the Seattle Urban Area (comprised of the core city of Seattle, the core county of King, the City of Bellevue and Pierce and Snohomish Counties) with more than \$107 million, of which the City of Seattle's share has exceeded \$50 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 planning 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,


Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Michael McGinn, Mayor
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12 SEP -7 PM 3:14
CITY CLERK

STATE OF WASHINGTON – KING COUNTY

--SS.

287391
CITY OF SEATTLE, CLERKS OFFICE

No. 123923,929,930,931,932

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

08/10/12

The amount of the fee charged for the foregoing publication is the sum of \$ 118.58, which amount has been paid in full.



Affidavit of Publication

Subscribed and sworn to before me on
08/10/12

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle Title Only Ordinances

The full text of the following legislation, passed by the City Council on July 23, 2012, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Contact: Office of the City Clerk at (206) 684-8344.

ORDINANCE NO. 123923

AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at page 159 of the Official Land Use Map to rezone property located at 3902 S. Ferdinand Street from Lowrise 3 (LR3) and Single Family 5000 (SF 5000) to Lowrise 3 with a Residential-Commercial overlay zone (LR3-RC) and SF 5000 (Application of Kevin Broderick, C.F. 311662, Project No. 3011960, Type IV).

ORDINANCE NO. 123929

AN ORDINANCE relating to taxicabs and for-hire vehicles; increasing the taximeter rates for taxicabs licensed to operate in Seattle; increasing the flat rate from the downtown hotel district to the Seattle-Tacoma International Airport; allowing for the charging of tolls and fares in addition to the taximeter rate or flat rate; clarifying the factors considered in the City Council's review of taximeter rates, and amending Section 6.310.530 of the Seattle Municipal Code in connection thereto.

ORDINANCE NO. 123930

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 (FFY) 2011 (UASI FFY '11), authorizing an application for allocation of funds under that agreement, increasing appropriations to the Seattle Police Department and Seattle Fire Department in the 2012 Budget, and ratifying and confirming prior acts; all by a three-fourths vote of the City Council.

ORDINANCE NO. 123931

AN ORDINANCE relating to private party use of the City's fiber optic cable network; authorizing the Chief Technology Officer to enter agreements allowing private parties to use the excess capacity of the City's fiber optic cable network for providing high speed internet services and for other lawful purposes; amending Ordinance 117981 to allow agreements for private use; creating a fund for the financial transactions associated with private use; providing for an inter-fund loan; and amending the 2012 budget, Ordinance 123758, by adding a new budget control level and increasing appropriations; all by a three-fourths vote of the City Council.

ORDINANCE NO. 123932

AN ORDINANCE related to the 2012 Budget; amending Ordinance 123758, which adopted the 2012 Budget, including the 2012-2017 Capital Improvement Program (CIP); changing appropriations to various departments and budget control levels, and from various funds in the Budget; making cash transfers between various City funds; adding new projects; revising project allocations for certain projects in the 2012-2017 CIP; creating exempt positions; creating new positions; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

Date of publication in the Seattle Daily Journal of Commerce, August 10, 2012.

8/10(287391)