SEATTLE CITY COUNCIL

Legislative Summary

CB 118483

Record No.: CB 118483 **Type:** Ordinance (Ord) **Status:** Passed

Version: 1 124849 **In Control:** City Clerk

File Created: 07/22/2015

Final Action: 09/11/2015

Title: An ORDINANCE related to the City's Emergency Management Program; adding Sections 10.02.045 and 10.02.047 to the Seattle Municipal Code (SMC) to refine the roles and responsibilities of the Office of Emergency Management; and amending Sections 10.02.050, 10.02.060, 10.02.070, 10.02.080, 10.02.090, 10.02.100, and 10.02.110 of the SMC to accommodate these refinements.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Harrell

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: angela.socci@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File **Legal Notice Published:** ☐ Yes ☐ No

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	08/03/2015	Mayor's leg transmitted to Council	City Clerk			
	Action Text:	The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk					
	Notes:						
1	City Clerk	08/03/2015	sent for review	Council President's Office			
	Action Text:	The Council Bill (CB) was sent for review. to the Council President's Office					
	Notes:						
1	Council President's Office	08/05/2015	sent for review	Public Safety, Civil Rights, and Technology Committee			
	Action Text:	The Council Bill (CB) was sent for review. to the Public Safety, Civil Rights, and Technology Committee					
	Notes:						

1	Full Council	08/17/2015	referred	Public Safety, Civil Rights, and Technology Committee		
1	Public Safety, Civil Rights, and Technology Committee	08/19/2015	pass		09/08/2015	Pass

Action Text: The Committee recommends that Full Council pass the Council Bill (CB).

In Favor: 2 Member Bagshaw, Chair Harrell

Opposed: 0

1	Full Council	09/08/2015	passed			Pass

Action Text: The Council Bill (CB) was passed by the following vote and the President signed the Bill:

In Favor: 9 Councilmember Bagshaw, Council President Burgess, Councilmember Godden, Councilmember Harrell, Councilmember Licata, Councilmember O'Brien, Councilmember Okamoto, Councilmember Rasmussen, Councilmember Sawant

Opposed: 0

1	City Clerk	09/10/2015	submitted for Mayor's signature	Mayor

Action Text: The Council Bill (CB) was submitted for Mayor's signature. to the Mayor

Notes:

1	Mayor	09/11/2015	Signed	

Action Text: The Council Bill (CB) was Signed.

Notes:

1	Mayor	09/11/2015	returned	City Clerk

Action Text: The Council Bill (CB) was returned. to the City Clerk

Notes:

1	City Clerk	09/11/2015	attested by City Clerk	

Action Text: The Ordinance (Ord) was attested by City Clerk.

Notes:

CITY OF SEATTLE

ORDINANCE 124849

COUNCIL BILL 118483

An ORDINANCE related to the City's Emergency Management Program; adding Sections 10.02.045 and 10.02.047 to the Seattle Municipal Code (SMC) to refine the roles and responsibilities of the Office of Emergency Management; and amending Sections 10.02.050, 10.02.060, 10.02.070, 10.02.080, 10.02.090, 10.02.100, and 10.02.110 of the SMC to accommodate these refinements.

WHEREAS, Seattle's emergency management program has evolved in the last ten years from a primarily first responder-focused program to a full-fledged whole community program including roles, responsibilities, training, and practice for nearly all City Departments and dozens of community partners; and

WHEREAS, the Seattle Municipal Code (SMC) Chapter describing this program was enacted in the 1970s with only minor department name changes in the 2000s and no longer reflects the strength and breadth of the current program, which has grown to reflect the national standards for emergency management accreditation; and

WHEREAS, the Seattle emergency management program is seeking professional accreditation for its city-wide program; though there have been numerous improvements to the program over the last several years, there remains a need to amend the SMC to address specific areas necessary for compliance with emergency management accreditation standards; and

WHEREAS, Chapter 10.02 of the SMC addresses the establishment of the Disaster Management Committee but is silent as to the designation of an Office of Emergency Management or a designated individual responsible for that office and the City-wide program; and

WHEREAS, Emergency Management Accreditation Program Standard 3.2.1 states: "There shall be a designated emergency management agency, department or office established for the jurisdiction empowered with the authority to administer the emergency management program on behalf of the jurisdiction." Currently, Chapter 10.02 identifies only a Disaster Management Committee that must meet at least quarterly; and

WHEREAS, Emergency Management Accreditation Program Standard 4.2.1 states: "The emergency management program's authorities and responsibilities are established in and executed in accordance with statutes, regulations, directives or policies." Currently, Chapter 10.02 does not include the identification of a program office (such as our Office of Emergency Management); and

WHEREAS, Emergency Management Accreditation Program Standard 4.7.1 states: "The Emergency Management Program shall formally adopt an incident management system. The system shall include but not be limited to the following concepts: modular organization, unified command, multi-agency coordination, span of control, common terminology, action planning process, comprehensive resource management, integrated communications and pre-designated facilities." Though The City of Seattle adopted the National Incident Management System by Executive Order 02-05 in June 2005, it would be prudent to include this commitment in the SMC as well; and

WHEREAS, Emergency Management Accreditation Program Standard 4.7.2 states: "The emergency management program shall designate a single point of contact to serve as the coordinator for the incident management system implementation." The Seattle Office of Emergency Management has been serving as the coordinator of City-wide implementation of the national incident management system as identified in Executive

Order 02-05. It would be prudent to include this commitment in the Municipal Code as well; and

WHEREAS, WAC 118-30-050(5) states: "Each political subdivision must specify in the ordinance or resolution establishing the emergency management organization, that the agency shall be headed by a director of emergency management who shall be appointed by and directly responsible to the executive head of the political subdivision." Currently, Chapter 10.02 does not include the appointment of the Director of the Office of Emergency Management; and

WHEREAS, WAC 118-30-050(7) states: "Each political subdivision shall specify by ordinance or resolution that the local director of emergency management shall be directly responsible for the organization, administration, and operation of the emergency management organization." Currently, Chapter 10.02 only references the Disaster Management Committee and omits any reference to the Director of Emergency Management or their responsibilities or authorities.

WHEREAS, there was formerly no assignment of the responsibilities to address policies associated with disasters as well as operations. Although the Disaster Management Committee has been quite adept at their operational roles in all phases of emergency management, it has been a relatively new evolution of the City's overall emergency management program to specifically form a policy level group – the Mayor's Emergency Executive Board. The Board has been meeting quarterly for about 8 years and it is time to identify this part of the program in the Code; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. A new Section 10.02.045 is added to the Seattle Municipal Code as follows:

10.02.045 Director of the Office of Emergency Management

There shall be a Director of the Office of Emergency Management who shall be appointed by the Mayor. The Director shall be responsible for the organization, administration and operation of the City's emergency management organization and program.

Section 2. A new Section 10.02.047 is added to the Seattle Municipal Code as follows:

10.02.047 Office of Emergency Management

There shall be an Office of Emergency Management to oversee implementation of the City-wide emergency management program including, but not limited to, hazard identification and consequence analysis, capability assessment, hazard mitigation, emergency planning, training, exercising, community preparedness, operational readiness, disaster response and recovery coordination, and partnership building. The Office of Emergency Management shall be the coordinating agency to ensure City-wide compliance with local, state, and federal laws, regulations, and guidelines relating to emergency preparedness including the adoption of the national incident management system.

Section 3. Section 10.02.050 of the Seattle Municipal Code, which section was enacted by Ordinance 102850, is amended as follows:

10.02.050 ((~~Disaster readiness and response plan.~~))<u>Comprehensive Emergency Management Plan</u>

Plans and programs for executing emergency powers including a ((~~disaster readiness and response~~)) <u>Comprehensive Emergency Management</u> ((~~p~~))<u>P</u>lan shall be prepared and kept current under the direction of the Mayor who shall submit ((~~such~~))plans and programs <u>for executing emergency powers,</u> and proposed amendments ((~~thereto~~))<u>to these plans and programs,</u> to the City Council for review and approval by resolution. Upon ((~~such~~))<u>the City Council's</u> approval the

Mayor shall be authorized to exercise the powers provided by and in accordance with ((~~such~~))plans and programs for executing emergency powers((~~ the powers provided therein~~)).

The Comprehensive Emergency Management Plan will assign roles and responsibilities to City Departments and establish the operational, planning, training, and exercise doctrine for the City's emergency management program to improve readiness for natural, technological, and human-caused disasters. The major components of the Comprehensive Emergency Management Plan will, at minimum, include a hazard and consequence analysis, an emergency operations plan, a mitigation plan, a disaster recovery framework, and any other plans or programs necessary to comply with state and federal laws and regulations.

Section 4. Section 10.02.060 of the Seattle Municipal Code, which section was last amended by Ordinance 124567, is amended as follows:

10.02.060 ((~~Disaster Management Committee.~~))Emergency Management organization

A. There shall be a Mayor's Emergency Executive Board consisting of Mayor's Office senior staff and the directors of City departments who have a key role or responsibility in emergency mitigation, prevention, protection, preparedness, response, or recovery as identified in the Comprehensive Emergency Management Plan.

1. The Mayor or Mayor's designee shall chair the Emergency Executive Board.

2. The Mayor's Emergency Executive Board shall meet quarterly to advise the Mayor on policy level issues related to emergency preparedness, mitigation, response, and recovery, and to train for their role in disasters.

3. The Office of Emergency Management will staff and facilitate the meetings of the Emergency Executive Board.

B. There shall be a Disaster Management Committee consisting of((:)) representatives of City Departments, including the Legislative Department, Public Health – Seattle King County, subject matter experts, and community stakeholders who have a key role or responsibility in emergency mitigation, prevention, protection, preparedness, response, or recovery.

((~~1. The department heads or their designees of the following departments and offices, or their successor agencies: City Light, the City Budget Office, the Office of Economic Development, the Department of Finance and Administrative Services, the Seattle Fire Department, the Office of Housing, the Human Services Department, the Department of Information Technology, the Office of Intergovernmental Relations, the Law Department, the Legislative Department, the Department of Parks and Recreation, the Seattle Department of Human Resources, the Seattle Police Department, Seattle Public Library, the Department of Neighborhoods, Seattle Center, the Office of Sustainability and the Environment, Seattle Public Utilities, and the Seattle Department of Transportation; and~~

~~2. The Director of Public Health – Seattle & King County or his or her designee; and~~

~~3. Representatives of other agencies or organizations, or other persons with expertise in disaster management as shall be appointed by the Mayor.~~))

((~~B~~)) 1. The ((~~Mayor shall designate the~~)) Director of the Office of Emergency Management shall chair ((~~of~~)) the Disaster Management Committee.

((~~C. Members of the Committee described in subsection A3 shall serve without compensation, but may be reimbursed for reasonable and necessary expenses incurred in the performance of their duties.~~))

((~~D~~)) 2. The Committee shall meet ((~~at least quarterly~~))monthly at the places and times as shall be prescribed by the ((~~Mayor~~))Director of the Office of Emergency Management, and shall:

((~~1.~~)) a. Advise the Mayor and City Council on all matters pertaining to disaster readiness and response capabilities within the City;

((~~2~~)) b. Periodically review and make recommendations for the revision and/or maintenance of up-to-date disaster ((~~response~~)) plans for the City consistent with ((~~RCW~~))Chapter 38.52 RCW and WAC 118-30 and including:

((~~a.~~)) 1) Preparations for and the carrying out of executive emergency powers;

((~~b.~~)) 2) The delegation and subdelegation of administrative authority by the Mayor;

((~~c.~~)) 3) The performance of emergency functions including firefighting, police, medical and health, welfare, rescue, engineering, transportation, communications and warning services, evacuation of persons from stricken areas, plant protection, restoration of utility services, and other functions relating to civilian protection together with all activities necessary or incidental to the preparation for and carrying out of such functions; and

((~~d.~~)) 4) Requirements for department operation including management succession, procedures for providing 24-hour capability, mobilization procedures, special disaster response procedures, plans for records protection, personnel procedures, finance plans, and training procedures for disaster response.

((~~3~~)) c. Provide cooperation and coordination with the disaster response plans of other local organizations and agencies;

((4)) d. Prepare and recommend to the Mayor plans for mutual aid operations ((~~with the state and political subdivisions thereof~~));

e. Strategically plan and build capabilities for city-wide emergency preparedness;

((~~5~~)) f. Recommend expenditures for disaster preparations and training.

3. The Office of Emergency Management will convene subcommittees of the Disaster Management Committee as necessary to focus greater attention to any specific emergency management initiatives.

Section 5. Section 10.02.070 of the Seattle Municipal Code, which section was last amended by Ordinance 123361, is amended as follows:

10.02.070 Emergency purchases of supplies((~~,~~))

Upon the proclamation of a civil emergency by the Mayor, and during the existence ((~~thereof~~))of a civil emergency, emergency purchases of supplies, materials, and equipment are authorized to be made in accordance with the following procedure:

A. Preprinted emergency purchasing forms shall be provided by the Director of Finance and Administrative Services for use for all emergency purchases or contracting for supplies, materials or labor during the existence of such emergency, which forms shall provide for the filling in of appropriate information prescribed by the Director including: date and time of purchase; name and address of supplier; quantity, unit, description, unit price, and total price of item; name and appropriate identification number from the City employee identification card of the person making the purchase; date required and date delivered; description of use of item, including disaster work order number, description of disaster work and location of use; and name

and appropriate identification number from the City employee identification card of the person receiving the item.

B. An employee identification card shall be used in all cases to verify that the purchaser is an employee of the City.

C. A log of all purchases made during any emergency shall be maintained by each department and by the Director of Finance and Administrative Services.

D. The heads of departments using emergency purchase forms shall account for all costs incurred in making such purchases.

E. Upon termination of the emergency, the heads of departments shall review all emergency purchase orders issued by their respective departments, and shall verify and authenticate ((~~such~~))all orders, and submit a summary ((~~thereof~~))of emergency purchase orders through the Director of Finance and Administrative Services to the City Council for authorization of payment.

Section 6. Section 10.02.080 of the Seattle Municipal Code, which section was last amended by Ordinance 123361, is amended as follows:

10.02.080 City Budget Director to be informed of certain purchases and review mutual aid agreements((~~,~~))

The City Budget Director, in cooperation with City departments making purchases or expenditures during the existence of an emergency, shall be informed of ((~~all such~~))those purchases or expenditures for potential reimbursement under appropriate state or federal disaster assistance programs or other available state or federal grant funds. The City Budget Director shall also review all mutual aid agreements and services received ((~~thereunder~~))under disaster assistance programs or grant funds by the City during any such ((~~civil~~)) emergency and shall

certify to the Director of Finance and Administrative Services the services received and any payment due ((~~therefore~~))as a result.

Section 7. Section 10.02.090 of the Seattle Municipal Code, which section was last amended by Ordinance 124567, is amended as follows:

10.02.090 Seattle Department of Human Resources

The Seattle Department of Human Resources with the cooperation of City departments shall be responsible for the registration of City employees and volunteers as ((~~civil defense or~~)) emergency services workers pursuant to ((~~RCW~~))Chapter 38.52 RCW and shall formulate and recommend a plan and program for compensation and reimbursement of persons so registered.

Section 8. Section 10.02.100 of the Seattle Municipal Code, which section was last amended by Ordinance 120606, is amended as follows:

10.02.100 Notification of Governor, news media, and public((.))

The Mayor shall cause each proclamation or order issued by ((~~him~~))the Mayor pursuant to the authority of this ((e))Chapter 10.02 to be delivered to the Governor of the state and, to the extent practicable, to all news media within the City, and shall utilize as many other available means, including, but not limited to, posting on public facilities and public address systems, as may be practical to use, in order to give the widest dissemination of ((~~such~~))the proclamations and orders to the public.

Section 9. Section 10.02.110 of the Seattle Municipal Code, which section was enacted by Ordinance 120850, is amended as follows:

10.02.110 Violation—Penalty((.))

It is unlawful for anyone to fail or refuse to obey an order proclaimed by the Mayor pursuant to the provisions of this ((e))Chapter 10.02. Anyone convicted of a violation of this

((s))Section 10.02.110 shall be punishable by a fine of not more than ((~~Five Hundred Dollars ()~~))$500((~~.00~~))) or by imprisonment for not more than ((~~one hundred eighty ()~~))180((~~()~~))days, or both such fine and imprisonment.

Section 10. 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.

Passed by the City Council the 8th day of September, 2015, and signed by me in open session in authentication of its passage this 8th day of September, 2015.

President _____ of the City Council

Approved by me this 11th day of September, 2015.

Edward ~~B.~~ Murray, Mayor

Filed by me this 11th day of September, 2015.

Monica Martinez Simmons, City Clerk

(Seal)

STATE OF WASHINGTON -- KING COUNTY

--ss.

328689 No. 124850,849,848,847,846

CITY OF SEATTLE,CLERKS OFFICE

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 ORDINANCES

was published on

09/24/15

The amount of the fee charged for the foregoing publication is the sum of $108.50 which amount has been paid in full.

JENNIFER A. BARNES NOTARY PUBLIC STATE OF WASHINGTON COMMISSION EXPIRES 10-24-15

Subscribed and sworn to before me on

09/24/2015

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle

Title Only Ordinances

The full text of the following legislation, passed by the City Council on September 8th, 2015, 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 124850

AN ORDINANCE relating to Historic Districts; adding a new Chapter 25.30 to the Seattle Municipal Code (SMC); creating the Sand Point Naval Air Station Landmark District; specifying the district's boundaries; adopting criteria for designating the district; establishing a procedure for preserving significant physical elements within the district; establishing the Sand Point Naval Air Station Landmark District Application Review Committee; providing for administration and enforcement of this Ordinance; and amending Section 22.900C.010 and Table C-1 for Section 22.900C.010 of the SMC to provide for the collection of fees for interpretation of Historic District regulations by the Department of Neighborhoods.

Ordinance 124849

An ORDINANCE related to the City's Emergency Management Program; adding Sections 10.02.045 and 10.02.047 to the Seattle Municipal Code (SMC) to refine the roles and responsibilities of the Office of Emergency Management; and amending Sections 10.02.050, 10.02.060, 10.02.070, 10.02.080, 10.02.090, 10.02.100, and 10.02.110 of the SMC to accommodate these refinements.

Ordinance 124848

AN ORDINANCE relating to the Seattle Police Department; authorizing the Chief of Police to issue Special Police Officer Commissions to qualified government employees to conduct limited law enforcement duties or to former police officers or parking enforcement officers to conduct traffic control; eliminating the authority to authorize Retired Police Officer Commissions; amending Section 3.28.150, and repealing Sections 3.28.450, 3.28.460, 3.28.470, and 3.28.480 of the Seattle Municipal Code.

Ordinance 124847

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the Superintendent of Parks and Recreation to execute, for and on behalf of the City, a concession agreement granting Fifth Avenue Sports, LLC d/b/a Green Lake Boathouse the right to operate a concession providing boat rental service, and retail and food sales at the Department's facility at Green Lake Park.

Ordinance 124846

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

Date of publication in the Seattle Daily Journal of Commerce, September 24, 2015.

9/24(328689)