

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Executive	Glenn Harris/233-5199	Candice Livingston/233-7274

Legislation Title:

AN ORDINANCE related to the creation of the Office of the Community Police Commission within the Executive Department; amending Ordinance 124058 by establishing a budget control level, position authority and appropriations for the 2013 fiscal year; amending Section 1 of Ordinance 124021; creating new sections in Chapter 3.14 of the Seattle Municipal Code; and amending Section 4.13.010 of the Seattle Municipal Code to exempt a position from the Civil Service system; all by a 2/3 vote of the City Council.

Summary of the Legislation:

This legislation creates the structure and staffing in support of the Community Police Commission (CPC) established and defined by Executive Order 02-2012 and Ordinance 124021 per the United States Department of Justice (DOJ) and the City of Seattle settlement agreement and memorandum of understanding filed with the United States District Court: Western District of Washington. It also amends a related Ordinance and Section of the Seattle Municipal Code.

Background:

On July 27, 2012, the DOJ and the City of Seattle entered into a Settlement Agreement (Agreement) and Memorandum of Understanding (MOU) filed with the United States District Court: Western District of Washington, related to ensuring police services are delivered to the people of Seattle in a manner consistent with the Constitution and laws of the United States. These documents outline a substantive and meaningful role for a newly created CPC to provide ongoing community input regarding the reform process. The CPC was to be created within 90 days of the August 30, 2012 court filing of the Agreements.

On October 9, 2012, the Mayor issued Executive Order 02-2012 outlining the parameters for creating the CPC in order to begin the application process for selecting members. In addition, the City Council through Ordinance 124021, provided additional guidance consistent with and complementary to the Agreement and MOU regarding the role of the CPC in order to provide additional clarity to commission members and transparency for members of the public.

The City of Seattle is committed to providing the staff support necessary for the CPC to perform all of the duties and responsibilities outlined in this ordinance and the Agreements. The creation of the Office of the Community Police Commission (OCPC) Budget Control Level (BCL), authorization of positions, and appropriation of funding helps accomplish this task.

This action will not impact net 2013 Budget appropriations. It moves \$362,865 from the Finance General reserve to a new BCL in the Executive Department. This leaves a remaining balance of approximately \$532,000 in the reserve for miscellaneous implementation costs that may emerge as the work plan is developed. As required in the proviso in the 2013 Adopted Budget, the amount that remains in reserve may only be accessed if authorized through Council-approved legislation.

Below is a summary of Finance General reserve uses including this legislation:

Action	Amount
Creation of the OCPC	\$362,865
Finance General amount required to pay for the monitor and initial OCPC set-up costs	\$925,000
SPD – new positions and funding in 2013	\$2,767,110
Remaining Reserve	\$532,525
	\$4,587,500

This action also amends Section 1 of Council Ordinance 124021, indicating that the Mayor and City Council will assess the need for continuation of the Commission, staffing, and funding within six months of the termination of the settlement agreement.

Please check one of the following:

This legislation does not have any financial implications.

(Please skip to “Other Implications” section at the end of the document and answer questions a-h. Earlier sections that are left blank should be deleted. Please delete the instructions provided in parentheses at the end of each question.)

This legislation has financial implications.

(If the legislation has direct fiscal impacts (e.g., appropriations, revenue, positions), fill out the relevant sections below. If the financial implications are indirect or longer-term, describe them in narrative in the “Other Implications” Section. Please delete the instructions provided in parentheses at the end of each title and question.)

Appropriations:

Fund Name and Number	Department	Budget Control Level*	2013 Appropriation	2014 Anticipated Appropriation
General Fund 00100	Executive	Office of the Community Police Commission - X1P00	\$362,865	\$433,051
General Fund 00100	Finance General	Reserve - 2QD00	(\$362,865)	(\$433,051)
TOTAL			\$0	\$0

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

Appropriations Notes:

This appropriation provides for three positions and expense funding for the operation of the CPC. The 2013 appropriation is for 10 months of operations. The 2014 anticipated appropriation is for 12 months of operations plus anticipated cost increases.

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Department	Revenue Source	2012 Revenue	2013 Revenue
N/A				
TOTAL				

Revenue/Reimbursement Notes:

None.

Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact:

Position Title and Department	Position # for Existing Positions	Fund Name & #	PT/FT	2012 Positions	2012 FTE	2013 Positions*	2013 FTE*
StratAdvsr3, Exempt Executive	N/A	General Fund 00100	FT	0	0	1	1
StratAdvsr2, Exempt Executive	N/A	General Fund 00100	FT	0	0	1	1
Admin Staff Asst, Exempt Executive	N/A	General Fund 00100	FT	0	0	1	1
TOTAL						3	3

* 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:

None.

Do positions sunset in the future?

No

Spending/Cash Flow:

Fund Name & #	Department	Budget Control Level*	2012 Expenditures	2013 Anticipated Expenditures
TOTAL				

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

Spending/Cash Flow Notes:

None.

Other Implications:

- a) **Does the legislation have indirect financial implications, or long-term implications?**
No
- b) **What is the financial cost of not implementing the legislation?**
None, however, the CPC would not have staff or financial support.
- c) **Does this legislation affect any departments besides the originating department?**
Office of the Community Police Commission
- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** There are no alternatives that would achieve similar objectives. This Office cannot share staff with other smaller commissions or offices due to the amount of workload expected.
- e) **Is a public hearing required for this legislation?**
No.
- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No.
- g) **Does this legislation affect a piece of property?**
No.
- h) **Other Issues:**

List attachments to the fiscal note below: