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**ORDINANCE \_\_\_\_\_**

AN ORDINANCE relating to the Seattle Streetcar and authorizing an Interlocal Agreement between the City of Seattle and King County to clarify the duties of local law enforcement agencies with respect to the Streetcar.

WHEREAS, Ordinance 122424 authorized the Mayor or his designee to execute an Interlocal Agreement with King County (jointly referred to as "Parties") to govern the operations and maintenance of the Seattle Streetcar;

WHEREAS, the City of Seattle and King County entered into the aforesaid Agreement on August 20, 2007;

WHEREAS, subsequent to the start of Streetcar operations a need has arisen to clarify the respective duties of local law enforcement agencies with respect to the Streetcar;

WHEREAS, the Parties intend to modify the 2007 Agreement concerning the respective duties of local law enforcement agencies with respect to the Streetcar; NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. The Mayor or his designee is authorized to execute an agreement substantially in the form of Attachment A.

Section 2. This ordinance shall take effect and be in force 30 days from and 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 \_\_\_\_ day of \_\_\_\_\_, 2011, and signed by  
2 me in open session in authentication of its passage this  
3 \_\_\_\_ day of \_\_\_\_\_, 2011.

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7 \_\_\_\_\_  
8 President \_\_\_\_\_ of the City Council

9 Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2011:

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11 \_\_\_\_\_  
12 Michael McGinn, Mayor

13 Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2011.

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15 \_\_\_\_\_  
16 City Clerk

17 (Seal)

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20 Attachment A – INTERLOCAL AGREEMENT by and between the City of Seattle and King  
21 County



Michael A. Quinn  
SPD Streetcar Interlocal ATT A  
November 15, 2010  
Version #2

## INTERLOCAL AGREEMENT

by and between

The City of Seattle

and

King County

This Interlocal Agreement (“Agreement”) reflects the understanding of the City of Seattle (“City”), and King County (“County”), (jointly referred to as “Parties”) regarding modifications to the Parties’ August 20, 2007 Interlocal Agreement concerning Seattle Streetcar Operations and Maintenance (“August 2007 Agreement”).

### RECITALS

Whereas, subsequent to the Seattle Streetcar (“Streetcar”) becoming operational a need has arisen to clarify the respective duties of various local law enforcement agencies with regard to the Streetcar;

Whereas, it is the parties’ intent to modify the August 2007 Agreement concerning Streetcar operations, as set forth below;

Whereas, RCW 10.93.130 permits law enforcement agencies to agree by interlocal agreements to enforce each other’s laws;

NOW, THEREFORE, in consideration of the mutual terms and obligations contained herein and in the August 2007 Agreement, the Parties agree as follows:

- 1) The Seattle Police Department shall be the primary law enforcement agency (as that term is commonly understood in the Seattle policing community) charged with providing public safety services that arise in the operation of the Streetcar. Such responsibilities shall include, but not be limited to, serving as the primary law enforcement agency in accident investigation, responding to calls for law enforcement, and providing security services. Nothing in this paragraph shall preclude the Seattle Police Department from seeking assistance from the King County Sheriff’s Office pursuant to the parties’ mutual aid agreement.
- 2) King County will apply its code of conduct on the Streetcar and Streetcar stations pursuant to Ch. 28.96 KCC and its implementing administrative policies and



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procedures. The Seattle Police Department will have primary enforcement of this code of conduct.

- 3) Sections 10 and 11 of Interlocal Agreement 15860, dated June 12, 2007, are superseded by the agreement of the parties to the extent that they conflict with the provisions set forth above.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement as of the day and year set forth below their signatures.

**King County**

**City of Seattle**

\_\_\_\_\_  
**Dow Constantine**  
**King County Executive**

\_\_\_\_\_  
**Michael McGinn**  
**Mayor of Seattle**

**Date:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Approved as to form:**

**Approved as to form:**

\_\_\_\_\_  
**Deputy Prosecuting Attorney**

\_\_\_\_\_  
**Assistant City Attorney**

**Date:** \_\_\_\_\_

**Date:** \_\_\_\_\_



**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
Seattle Police Department	Mike Quinn, 615-1230	Mike Katz, 684-5211

**Legislation Title:**

AN ORDINANCE relating to the Seattle Streetcar and authorizing an Interlocal Agreement between the City of Seattle and King County to clarify the duties of local law enforcement agencies with respect to the Streetcar.

**Summary of the Legislation:**

The proposed Council Bill authorizes the Mayor or his designee to enter into an agreement with King County to clarify the respective roles of the Seattle Police Department (SPD) and the King County Sheriff's Office (KCSO) with respect to operation of the Seattle Streetcar. This agreement will establish SPD as the primary law enforcement agency charged with providing public safety services to the Seattle Streetcar. KCSO will provide assistance upon request. The proposed Council Bill will ensure the smooth interaction of law enforcement agencies with regard to Streetcar operations, thereby enhancing the safety of Streetcar riders and operators.

**Background:**

Ordinance 122424 authorized the City and King County to enter into an agreement that would govern the operations and maintenance of the Seattle Streetcar. Per the ordinance, this agreement was duly executed and entered into force on August 20, 2007. Subsequent to that time, it became apparent that the law enforcement provisions of the agreement would need to be clarified. With two major law enforcement agencies named in the original agreement, questions naturally arose with respect to which agency would exercise lead responsibility for accident investigations, response to calls for service, and providing security services. This ordinance will authorize a new agreement that will modify the provisions of August 20, 2007 agreement and provide clarification with regard to these matters.

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.)



City of Seattle  
Office of the Mayor

November 23, 2010

Honorable Richard Conlin  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill that authorizes the Executive to enter into an Interlocal Agreement with King County to clarify the duties of local law enforcement agencies with respect to operation of the Seattle Streetcar. This agreement will establish the Seattle Police Department as the primary law enforcement agency providing public safety services to the Streetcar, with the King County Sheriff's Office providing assistance upon request.

Ordinance 122424 authorized the City and King County to enter into an agreement that would govern the operation and maintenance of the Seattle Streetcar. Per the ordinance, this agreement was duly executed and entered into force on August 20, 2007. Subsequent to that time, it became apparent that the law enforcement provisions of the agreement would need to be clarified. With two major law enforcement agencies named in the original agreement, questions naturally arose with respect to which agency would exercise lead responsibility for accident investigations, response to calls for service, and providing security services. The proposed Council Bill will authorize a new agreement that will modify the provisions of August 20, 2007 agreement and provide clarification with regard to these matters.

The proposed Council Bill will ensure the smooth interaction of law enforcement agencies with regard to Streetcar operations, thereby enhancing the safety of Streetcar riders and operators. Thank you for your consideration of this legislation. Should you have questions, please contact Deputy Chief Clark Kimerer at 615-0764.

Sincerely,

Michael McGinn  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

