

Ordinance No. 123879

Council Bill No. 117445

AN ORDINANCE relating to security from terrorism; authorizing the City to partner with the Port of Tacoma to receive financial assistance from the Department of Homeland Security (DHS), Office for State and Local Government Coordination and Preparedness under the Port Security Grant Program for Federal Fiscal Year (FFY) 2008 (PSGP FFY '08), authorizing an application for allocation of funds under that agreement, increasing appropriations to the Police 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: 4.16.12	To: (committee): Public Safety, Civil Rights, & Technology
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: May 7, 2012	Date Presented to Mayor: May 8, 2012
Date Signed by Mayor: 5.15.12	Date Returned to City Clerk: 5.16.12
Published by Title Only <input checked="" type="checkbox"/>	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. Harrell

Committee Action:

Date	Recommendation	Vote
<u>5/2/2012</u>	<u>Passed</u>	<u>BH, MO</u>

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

Full Council Action:

Date	Decision	Vote
<u>May 7, 2012</u>	<u>Passed</u>	<u>9-0</u>

Law Department

ORDINANCE 123879

AN ORDINANCE relating to security from terrorism; authorizing the City to partner with the Port of Tacoma to receive financial assistance from the Department of Homeland Security (DHS), Office for State and Local Government Coordination and Preparedness under the Port Security Grant Program for Federal Fiscal Year (FFY) 2008 (PSGP FFY '08), authorizing an application for allocation of funds under that agreement, increasing appropriations to the Police 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 Area Maritime Security Plan (AMSP), as approved by the Captain of the Port; 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 Port of Tacoma to receive financial assistance from DHS, and execute all documents he reasonably deems necessary for the application and receipt of Federal Fiscal Year 2008 PSGP funds in the amount of \$4,874,705 to address the unique equipment, training, and planning needs of the City of Seattle 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)	Police	Chief of Police Program P1000	\$4,874,705
		Total:	\$4,874,705

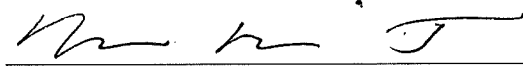
Section 3. Any act made pursuant to the authority of this ordinance taken before the passage and prior to the effective date of this ordinance is hereby ratified and confirmed. If any provision of this ordinance is determined to be invalid or unenforceable the remainder shall nonetheless remain in full 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.

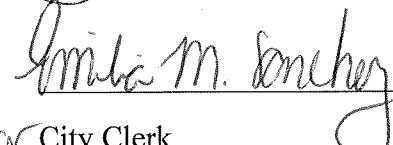
1 Passed by the City Council the 7th day of May, 2012, and
2 signed by me in open session in authentication of its passage this
3 7th day of May, 2012.

4
5 
6 President _____ of the City Council

7
8 Approved by me this 15th day of May, 2012.

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10 
11 Michael McGinn, Mayor

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13 Filed by me this 16th day of May, 2012.

14
15 
16 for 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 Port of Tacoma (PT) to receive financial assistance from the Department of Homeland Security (DHS), Office for State and Local Government Coordination and Preparedness under the Port Security Grant Program for Federal Fiscal Year 2008 (PSGP 08), authorizing an application for allocation of funds under that agreement, increasing appropriations to the Police 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 \$4,874,705 under the Port Security Grant Program for Federal Fiscal Year 2008 (PSGP 08) 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 and planning needs associated with preventing, responding to, and recovering from, threats or acts of terrorism.

This legislation additionally authorizes the Police Department to execute an agreement with the Port of Tacoma to participate in PSGP 08 and receive funding from the Port of Tacoma in the amount of \$4,874,705 to increase the capacity of the City of Seattle to prevent, respond to, and recover from threats or acts of terrorism.

- **Background:** This is the first ordinance SPD has asked the City Council to pass for the application and receipt of funds under the PSGP from DHS for furthering the City's emergency preparedness strategy. The Captain of the Port Security Zone Puget Sound comprised of the Port of Seattle, Tacoma and Everett is tier one rated in terms of risk and economic vulnerability.
- 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. Such prevention, protection and response capabilities is particularly important to the Port of Seattle, the 6th busiest in the US, Harbor Island, Washington State Ferry terminals, and cruise ship terminals (pier 66 and 91), to highlight a few major pieces of critical infrastructure. Months of work by city departments, along with regional and federal partners have determined this as a capability not adequately represented in the region. The equipment included in this funding package is vital in advancing our goal to make Seattle the most prepared city in America by protecting those attributes that shape the character of this city.

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*	2012 Appropriation	2013 Anticipated Appropriation
General Subfund (00100)	Police	Chief of Police Program P1000	\$4,874,705.00	\$0.00
TOTAL			\$4,874,705.00	\$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)	Police	DHS/FEMA	\$4,874,705.00	\$0.00
TOTAL			\$4,874,705.00	\$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*
TOTAL							

* 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:

Do positions sunset in the future?

N/A

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
General Subfund (00100)	Police	Chief of Police Program P1000	\$4,874,705.00	\$0.00
TOTAL			\$4,874,705.00	\$0.00

* 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 2008 PSGP, 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 PSGP.

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 implement the project as described or do nothing with this area of weakness ever present.

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 department.

List attachments to the fiscal note below: None.



City of Seattle
Office of the Mayor

March 13, 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 \$4,874,705 from the Port Security Grant Program for Federal Fiscal Year 2008 (PSGP 08). This project introduces a technological capability to deter and protect the City's waterways and port facilities within its geographical limits from acts of terrorism as well as other types of incidents which could impact the area's critical marine activity. Specifically, enhancements include strategic placement of video cameras monitoring port facilities, ferry terminals, and coast lines within the City's limits. A regionally accessible and controlled interactive wireless broadband mesh network would be established to facilitate the two-way exchange of real time data and video. This mesh network would provide for the transfer of data and video to both fixed and mobile first responder assets within the City of Seattle as well as allow regional and federal partners the ability for access as needed.

The funding package set forth in the legislation reflects a multi-disciplinary approach recognizing the need for prevention, protection, and response capabilities within the Captain of the Port Zone Puget Sound. Such prevention, protection and response capabilities is particularly important to the Port of Seattle, the 6th busiest in the US, Harbor Island, Washington State Ferry terminals, and cruise ship terminals (pier 66 and 91), to highlight a few major pieces of critical infrastructure. Months of work by city departments, along with regional and federal partners, have determined this is a capability not adequately represented in the region. The equipment included in this funding package is vital in advancing our goal to make Seattle the most prepared city in America by protecting those attributes that shape the character of this city.

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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PO Box 94749
Seattle, WA 98124-4749

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STATE OF WASHINGTON – KING COUNTY

--SS.

284610
CITY OF SEATTLE, CLERKS OFFICE

No. 123879,880,881,882,883

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

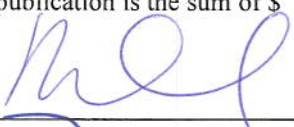
was published on

05/29/12

The amount of the fee charged for the foregoing publication is the sum of \$ 83.70, which amount has been paid in full.



Affidavit of Publication


Subscribed and sworn to before me on

05/29/12


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 May 7, 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.

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ORDINANCE NO. 123880

AN ORDINANCE relating to the City of Seattle's solid waste system, providing the Director of Seattle Public Utilities additional rulemaking authority to grant waivers and other relief from requirements relating to single-use food service ware and packaging, and amending Seattle Municipal Code Section 21.36.086 accordingly.

ORDINANCE NO. 123881

AN ORDINANCE relating to the solid waste system of Seattle Public Utilities; establishing rates and charges for solid waste services for the One Less Truck Pilot Program; and amending Chapter 21.40.050 of the Seattle Municipal Code.

ORDINANCE NO. 123882

AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to purchase certain real property located at 5560 South Holly Street, Seattle, Washington, and to execute, accept and record deeds and convenient documents and agreements deemed by the Director to be necessary to this transaction on behalf of the City.

ORDINANCE NO. 123883

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

Date of publication in the Seattle Daily Journal of Commerce, May 29, 2012.

5/29(284610)