Ordinance No. 123092

Council Bill No. 116624

AN ORDINANCE accepting funds from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) allocated through the American Recovery and Reinvestment Act of 2009; authorizing the Mayor or his designee to execute related agreements, amending the 2009 Adopted Budget to increase appropriations for the Police Department, creating new positions in the Police Department including two positions exempt from civil service status, and ratifying and confirming prior acts; all by a three-fourths vote of the City Council.

CF No.

Date Introduced: 9.8.09	
Date 1st Referred:	To: (committee) Finance + Budget
Date Re - Referred:	To: (committee)
Date Re - Referred:	To: (committee)
Date of Final Passage: 9-21-09	Full Council Vote: 9-0
Date Presented to Mayor: 9-22-09	Date Approved: 9.24.09
Date Returned to City Clerk: 9.24.09	Date Published: 4 T.O. ✓ F.T.
Date Vetoed by Mayor:	Date Veto Published:
Date Passed Over Veto:	Veto Sustained:

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Jean Godden
Councilmember

Committee Action:

Do pass y - JG, SC

9-21-09 Passed 9-0

This file is complete and ready for presentation to Full Council. Committee: _____ (initial/date)

Law Department

Law Dept. Review	OMP Review	City Clerk Review	Electronic Copy Loaded	Indexed

Staff Name: Shawn Tonkin
SPD ICAC ARRA ORD July 15, 2009
version #3

ORDINANCE 123092

AN ORDINANCE accepting funds from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) allocated through the American Recovery and Reinvestment Act of 2009; authorizing the Mayor or his designee to execute related agreements, amending the 2009 Adopted Budget to increase appropriations for the Police Department, creating new positions in the Police Department including two positions exempt from civil service status, and ratifying and confirming prior acts; all by a three-fourths vote of the City Council.

WHEREAS, the United States Congress has authorized $50,000,000 for the Internet Crimes Against Children (ICAC) Task Force Grant Program as part of the American Recovery and Reinvestment Act of 2009 ("ARRA"); and

WHEREAS, the City submitted an application to the Office of Juvenile Justice and Delinquency Prevention (OJJDP) on April 14, 2009 to request grant funds; and

WHEREAS, based on the City's successful application, the OJJDP has awarded $848,038 to the City of Seattle from these ICAC Task Force Grant Program funds; and

WHEREAS, the ARRA grant funding constitutes one-time funding for an effective response to cyber enticement and child pornography cases; and

WHEREAS, the City is not obligated to continue or maintain ARRA grant funding levels for the ICAC Task Force Program once ARRA grant funds have lapsed; and

WHEREAS, recipients of ARRA funds from the City should not anticipate the City will assume responsibility for any program costs funded by ARRA once ARRA funds are spent; and

WHEREAS, the City Council wishes to amend the 2009 Adopted Budget for the Police Department to reflect the anticipated receipt and authorize the expenditure of these $848,038 funds; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City of Seattle hereby accepts ARRA funds from OJJDP for the ICAC Task Force Grant Program in the amount of Eight Hundred Forty-eight Thousand Thirty-eight Dollars ($848,038) for the purpose of providing an effective response to cyber enticement and

ACTING CITY CLERK

the investigation of child pornography cases. The Mayor or his designee is authorized to execute and deliver and perform for and on behalf of The City of Seattle such agreements and certifications as may be necessary to accept the ARRA funds. ICAC funds, when received, shall be deposited into the Police Department fund named in Section 2. The Mayor or his designee is further authorized to execute and deliver documents relating to the agreements if required by federal guidelines.

Section 2. Contingent upon the execution of the agreement(s) authorized in Section 1, and in order to meet actual necessary expenditures of the City for which insufficient appropriations have been made due to causes that could not reasonably have been foreseen at the time of the making of the 2009 Budget, the appropriations for the following item in the 2009 Budget is increased from the funds shown, as follows:

Fund Name and Number	**Department**	**Budget Control Level**	**Amount**
General Subfund (00100)	Police	P7000 – Criminal Investigative Administration	$848,038
Total			**$848,038**

Unspent funds shall carry forward to subsequent years until they are exhausted or abandoned by ordinance.

Section 3. To carry out purposes of the appropriation in Section 2 of this ordinance, the following new positions are created in the Seattle Police Department.

ACTING CITY CLERK

Department	Position Title	Position Status	Number
Seattle Police Department	Detective	Full Time	1
Seattle Police Department	Victim Advocate	Full Time	1
Seattle Police Department	Mgmt System Analyst	Full Time	1

The Chief of Police is authorized to fill the Detective position subject to Civil Service personnel rules and laws. The Victim Advocate and Management System Analyst positions shall be exempt from Civil Service and Public Safety Civil Service rules and laws. These positions shall continue until 24 months after the date of hire or transfer into the position.

Section 4. Any act authorized by this ordinance and taken after its passage is ratified and confirmed.

ACTING CITY CLERK

Section 5. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by a three-fourths vote of the City Council the 21st day of September, 2009, and signed by me in open session in authentication of its passage this 21st day of September, 2009.

President of the City Council

Approved by me this 24th day of September, 2009.

Gregory J. Nickels, Mayor

Filed by me this 24th day of September, 2009.

City Clerk

(Seal)

ACTING CITY CLERK

Shawn Tonkin/st
SPD ICAC ARRA FISC)
July 15, 2009
Version # 3

Form revised May 5, 2009

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Police	Shawn Tonkin / 386-0063	Jennifer Albright / 684-5211

Legislation Title:
AN ORDINANCE accepting funds from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) allocated through the American Recovery and Reinvestment Act of 2009; authorizing the Mayor or his designee to execute related agreements, amending the 2009 Adopted Budget to increase appropriations for the Police Department, creating new positions in the Police Department including two positions exempt from civil service status, and ratifying and confirming prior acts; all by a three-fourths vote of the City Council.

- **Summary of the Legislation:**
  This legislation authorizes the acceptance of $848,038 grant funds made available through the American Recovery and Reinvestment Act of 2009 ("ARRA") and increases the 2009 Adopted Budget to authorize new expenditures.

  - **Background:**
    The American Recovery and Reinvestment Act of 2009 has allocated $50 million to eligible recipients to provide an effective response to cyber enticement and child pornography through regional Internet Crimes Against Children (ICAC) Task Force programs. Since 2000, Seattle Police has served as the lead agency in the State of Washington and investigated over 2000 ICAC cases.

    The award was distributed to the City via a formula allocation. Specific expenditures are as follows:

    - SPD will fund 1.0 FTE Victim Advocate, 1.0 FTE Police Officer - Detective and 1.0 FTE Management Systems Analyst.
    - SPD will purchase a mobile forensic van to assist regional law enforcement agencies with collecting forensic evidence and transporting suspects.
    - SPD will provide regional training opportunities to increase the number of trained detectives, which will increase regional investigative capabilities throughout Washington State.
    - SPD will use the funds travel related to ICAC trainings/conferences and task force supplies, which will increase the number of trained ICAC detectives within SPD.
- *Please check one of the following:*

____ **This legislation does not have any financial implications.**
__X__ **This legislation has financial implications.**

ACTING CITY CLERK

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*	2009 Appropriation	2010 Anticipated Appropriation
General Subfund (00100)	Police	P7000 – Criminal Investigation Admin	$848,038	N/A
TOTAL			**$848,038**	

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

***Notes to Appropriations Table*:** Spending of the appropriation in this section is contingent upon ARRA funds being granted to, and received by, the City.

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	2009 Revenue	2010 Revenue
General Subfund (00100)	Police	Office of Juvenile Justice and Delinquency Prevention	$848,038	N/A
TOTAL			**$848,038**	

***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/FT	2009 Positions	2009 FTE	2010 Positions*	2010 FTE*
Detective		**General Subfund 00100**	**FT**	**1**	**1.0**	**1**	**1.0**
Victim Advocate		**General Subfund 00100**	**FT**	**1**	**1.0**	**1**	**1.0**
Mgmt System Analyst		**General Subfund**	**FT**	**1**	**1.0**	**3**	**3.0**

ACTING CITY CLERK

		00100					
TOTAL				**3**	**3.0**	**3**	**3.0**

** 2010 positions and FTE are total 2010 position changes resulting from this legislation, not incremental changes. Therefore, under 2010, please be sure to include any continuing positions from 2009.*

Notes:

- **Do positions sunset in the future?**
  Yes, twenty four (24) months after hire or transfer.

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*	2009 Expenditures	2010 Anticipated Expenditures
General Subfund (00100)	Police	P7000 – Criminal Investigation Admin	$502,772	$345,266
TOTAL			**$502,772**	**$345,266**

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

Notes: It is anticipated that half of the grant funds will be expended in 2009 in salary and training expenditures, and the purchase of the forensic van. Expenditures will continue in 2010 due to positions being funded beyond one year, the completion of the customization of the van's interior, and additional training sessions.

What is the financial cost of not implementing the legislation? If not accepted, the City will not receive $848,038 in revenues to support the Seattle ICAC Task Force.

Does this legislation affect any departments besides the originating department

What are the possible alternatives to the legislation that could achieve the same or similar objectives? Acceptance of the grant award is a prerequisite for the receipt of these federal economic stimulus funds. There are no alternatives that could achieve the same or similar objectives.

- **Is the legislation subject to public hearing requirements:** No

- **Other Issues:** None

Please list attachments to the fiscal note below:

ACTING CITY CLERK

City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

August 18, 2009

Honorable Richard Conlin
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill, which accepts $848,038 in federal stimulus Internet Crimes Against Children (ICAC) Grant funds through the Office of Juvenile Justice and Delinquency Prevention. The Council Bill also increases appropriations to reflect the anticipated receipt and expenditure of these funds.

The American Recovery and Reinvestment Act of 2009 has allocated $50 million to law enforcement agencies through a formula allocation process to provide an effective response to cyber enticement and child pornography cases. Funds will be used for salary, benefits, equipment, travel, training and supplies for a 24-month period. Three new positions (one detective, one management system analyst, and one victim advocate) will be created in the Seattle Police Department by this ordinance. There are no matching fund requirements associated with the ICAC grant.

The $848,038 in ARRA funds accepted by this Bill will support the City's efforts to increase regional investigative capacity, continue public outreach and victim support efforts, increase the number of cases investigated, and enhance the assistance provided to other law enforcement agencies and crime victims. Thank you for your consideration of this legislation. Should you have questions, please contact Shawn Tonkin in the Seattle Police Department at 386-0063 or Jennifer Albright in the Department of Finance at 684-5211.

Sincerely,

GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 7th Floor, P.O. Box 94749, Seattle, WA 98124-4749
Tel: (206) 684-4000, TDD: (206) 615-0476 Fax: (206) 684-5360, Email: mayors.office@seattle.gov
An equal employment opportunity, affirmative action employer. Accommodations for people with disabilities provided upon request.