



CITY OF SEATTLE

City Council

Agenda

Public Hearing

Monday, September 20, 2021

2:00 PM

Remote Meeting. Call 253-215-8782; Meeting ID: 586 416 9164; or
Seattle Channel online.

M. Lorena González, President

Lisa Herbold, Member

Debora Juarez, Member

Andrew J. Lewis, Member

Tammy J. Morales, Member

Teresa Mosqueda, Member

Alex Pedersen, Member

Kshama Sawant, Member

Dan Strauss, Member

Chair Info: 206-684-8809; Lorena.González@seattle.gov

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<http://seattle.gov/cityclerk/accommodations>.



CITY OF SEATTLE
City Council
Agenda
Public Hearing
September 20, 2021 - 2:00 PM

Meeting Location:

Remote Meeting. Call 253-215-8782; Meeting ID: 586 416 9164; or Seattle Channel online.

Committee Website:

<http://www.seattle.gov/council>

In-person attendance is currently prohibited per Washington State Governor's Proclamation 20-28.15, until the COVID-19 State of Emergency is terminated or Proclamation 20-28 is rescinded by the Governor or State legislature. Meeting participation is limited to access by telephone conference line and online by the Seattle Channel.

Register online to speak during the Public Comment period and the Public Hearing on Council Bill 120157 at the 2:00 p.m. City Council meeting or Public Hearing at the 2:00 p.m. City Council meeting at <http://www.seattle.gov/council/committees/public-comment>.

Online registration to speak at the City Council meeting will begin two hours before the 2:00 p.m. meeting start time, and registration will end at the conclusion of the Public Comment period or the Public Hearing during the meeting. Speakers must be registered in order to be recognized by the Chair.

Submit written comments to all Councilmembers at Council@seattle.gov
Sign-up to provide Public Comment or to speak during the Public Hearing at the meeting at <http://www.seattle.gov/council/committees/public-comment>

Watch live streaming video of the meeting at

<http://www.seattle.gov/council/watch-council-live>

Listen to the meeting by calling the Council Chamber Listen Line at 253-215-8782 Meeting ID: 586 416 9164

One Tap Mobile No. US: +12532158782,,5864169164#

A. CALL TO ORDER

B. ROLL CALL**C. PRESENTATIONS****D. APPROVAL OF THE JOURNAL**

[Min 347](#) September 13, 2021

Attachments: [Minutes](#)

E. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR

Introduction and referral to Council committees of Council Bills (CB), Resolutions (Res), Appointments (Appt), and Clerk Files (CF) for committee recommendation.

[IRC 318](#) September 20, 2021

Attachments: [Introduction and Referral Calendar](#)

F. APPROVAL OF THE AGENDA**G. PUBLIC COMMENT**

Members of the public may sign up to address the Council for up to 2 minutes on matters on this agenda; total time allotted to public comment at this meeting is 20 minutes.

Register online to speak during the Public Comment period at the 2:00 p.m. City Council meeting at <http://www.seattle.gov/council/committees/public-comment>.

Online registration to speak at the City Council meeting will begin two hours before the 2:00 p.m. meeting start time, and registration will end at the conclusion of the Public Comment period during the meeting. Speakers must be registered in order to be recognized by the Chair.

H. PUBLIC HEARING

[CB 120157](#) AN ORDINANCE relating to affordable housing on properties owned or controlled by religious organizations; modifying affordability requirements adopted in Ordinance 126384; and amending Section 23.42.055 of the Seattle Municipal Code and Section 10 of Ordinance 126384.

Supporting Documents:

[Summary and Fiscal Note](#)

[Director's Report](#)

Public Hearing

Register online to speak during this Public Hearing at <http://www.seattle.gov/council/committees/public-comment>.

Sign-up registration will begin two hours before the 2:00 p.m. meeting start time and registration will end at the conclusion of the Public Hearing during the meeting. Speakers must be registered in order to be recognized by the Chair.

If you are unable to participate remotely, please submit written comments to all Councilmembers at Council@seattle.gov.

I. PAYMENT OF BILLS

These are the only Bills which the City Charter allows to be introduced and passed at the same meeting.

[CB 120179](#) AN ORDINANCE appropriating money to pay certain audited claims for the week of September 6, 2021 through September 10, 2021 and ordering the payment thereof.

J. COMMITTEE REPORTS

Discussion and vote on Council Bills (CB), Resolutions (Res), Appointments (Appt), and Clerk Files (CF).

CITY COUNCIL:

1. [Appt 02034](#) Appointment of Marques J. Gittens as member, Families, Education, Preschool and Promise Levy Oversight Committee, for a term to December 31, 2022.

Attachments: [Appointment Packet](#)

GOVERNANCE AND EDUCATION COMMITTEE:

2. [Appt 02033](#) Reappointment of David G. Jones as City Auditor, for a term to December 13, 2025.

The Committee recommends that City Council confirm the Appointment (Appt).

**In Favor: 5 - González , Juarez, Mosqueda, Sawant, Strauss
Opposed: None**

Attachments: [Appointment Packet](#)

3. [CB 120172](#) AN ORDINANCE relating to City employment, commonly referred to as the Third Quarter 2021 Employment Ordinance; returning positions to the civil service system; and amending classification titles.

The Committee recommends that City Council pass the Council Bill (CB).

**In Favor: 5 - González , Juarez, Mosqueda, Sawant, Strauss
Opposed: None**

Supporting Documents: [Summary and Fiscal Note](#)

PUBLIC SAFETY AND HUMAN SERVICES COMMITTEE:

4. [CB 120142](#) AN ORDINANCE relating to the Seattle Police Department; prohibiting training, exchanges, and partnerships with certain governments; and adding a new Section 3.28.141 to the Seattle Municipal Code.

The Committee recommends that City Council pass as amended the Council Bill (CB).

**In Favor: 3 - Herbold, Morales, Sawant
Opposed: None
Abstain: 2 - González , Lewis**

Supporting Documents: [Summary and Fiscal Note](#)
[Proposed Amendment 1](#)

TRANSPORTATION AND UTILITIES COMMITTEE:

5. [Res 32019](#) A RESOLUTION providing an honorary designation of Thomas St between 1st Ave N and 2nd Ave N as “Lenny Wilkens Way.”

The Committee recommends that City Council adopt the Resolution (Res).

In Favor: 5 - Pedersen, Strauss, González , Herbold, Morales

Opposed: None

Supporting Documents:

[Summary and Fiscal Note](#)

6. [CB 120160](#) AN ORDINANCE relating to the City Light Department; adding a new section to Chapter 21.49 of the Seattle Municipal Code to establish the Renewable Plus Program; authorizing the City Light Department to implement and execute customer participation agreements; amending Seattle Municipal Code subsection 21.49.130.B to authorize the City Light Department to execute, implement, and administer contracts for the acquisition of eligible renewable energy resources, together with any necessary or convenient transmission, integration, or ancillary services related to such renewable energy.

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 5 - Pedersen, Strauss, González , Herbold, Morales

Opposed: None

Supporting Documents:

[Summary and Fiscal Note](#)

7. [CB 120170](#) AN ORDINANCE relating to the City Light Department; authorizing the General Manager and Chief Executive Officer of City Light to establish and fund an early action Skagit Habitat Enhancement Program in anticipation of new Skagit River Hydroelectric Project license conditions to implement meaningful habitat and watershed improvements in the Skagit River watershed for Endangered Species Act listed species; authorizing the execution of necessary and convenient agreements to implement the early action habitat and watershed improvements in the Skagit River watershed; and ratifying and confirming certain prior acts.

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 5 - Pedersen, Strauss, González , Herbold, Morales

Opposed: None

Supporting Documents:

[Summary and Fiscal Note](#)

8. [CB 120174](#) AN ORDINANCE granting permission to the Board of Regents of the University of Washington to continue to operate and maintain an existing underground pedestrian concourse tunnel under and across 6th Avenue, north of University Street; repealing Section 8 of Ordinance 123793; and providing for acceptance of the permit and conditions.

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 5 - Pedersen, Strauss, González , Herbold, Morales

Opposed: None

Supporting Documents:

[Summary and Fiscal Note](#)

[Summary Att A - UW 6th Tunnel Area Map](#)

[Summary Att B – Annual Fee Assessment Summary](#)

9. [CB 120161](#) AN ORDINANCE relating to Seattle Public Utilities; updating water regulations to conform to current standards; making technical corrections; and amending Section 21.04.480 of the Seattle Municipal Code.
- The Committee recommends that City Council pass the Council Bill (CB).**
In Favor: 5 - Pedersen, Strauss, González , Herbold, Morales
Opposed: None
- Supporting Documents:** [Summary and Fiscal Note](#)
10. [CB 120175](#) AN ORDINANCE authorizing Seattle Public Utilities to execute agreements under RCW 70A.140.040 for projects and programs that prevent water pollution using green stormwater infrastructure and other nature-based approaches.
- The Committee recommends that City Council pass the Council Bill (CB).**
In Favor: 5 - Pedersen, Strauss, González , Herbold, Morales
Opposed: None
- Supporting Documents:** [Summary and Fiscal Note](#)
11. [CB 120171](#) AN ORDINANCE relating to surveillance technology implementation; authorizing approval of uses and accepting surveillance impact reports for the Seattle Fire Department's use of Emergency Scene Cameras and Hazardous Materials Cameras.
- The Committee recommends that City Council pass as amended the Council Bill (CB).**
In Favor: 5 - Pedersen, Strauss, González , Herbold, Morales
Opposed: None
- Attachments:** [Att 1 - 2018 SIR: Emergency Scene Cameras](#)
[Att 2 - 2018 SIR: Hazmat Cameras](#)
[Att 3 - 2021 Executive Overview: Emergency Scene Cameras](#)
[Att 4 - 2021 Executive Overview: Hazmat Cameras](#)
- Supporting Documents:** [Summary and Fiscal Note](#)

FINANCE AND HOUSING COMMITTEE:

12. [CB 120156](#) AN ORDINANCE relating to the Multifamily Housing Property Tax Exemption Program; amending Sections 5.73.010, 5.73.020, 5.73.040, 5.73.090, 5.73.100, 5.73.105, and 5.73.110 of the Seattle Municipal Code to allow extended property tax exemptions under certain conditions; to allow exemptions for up to 20 years for permanently affordable homeownership; to add reporting requirements for permanently affordable homeownership; and to make technical changes, consistent with chapter 84.14 of the Revised Code of Washington as amended.

The Committee recommends that City Council pass the Council Bill (CB).

**In Favor: 5 - Mosqueda, Herbold, González , Lewis, Strauss
Opposed: None**

**Supporting
Documents:**

[Summary and Fiscal Note](#)

13. [Res 32017](#) A RESOLUTION calling for research, engagement and presentation of information to the Mayor and City Council on the Multifamily Tax Exemption (MFTE) program prior to considering renewal of the program in 2023.

The Committee recommends that City Council adopt as amended the Resolution (Res).

**In Favor: 5 - Mosqueda, Herbold, González , Lewis, Strauss
Opposed: None**

**Supporting
Documents:**

[Summary and Fiscal Note](#)

PUBLIC ASSETS AND NATIVE COMMUNITIES COMMITTEE:

14. [CB 120163](#) AN ORDINANCE relating to City of Seattle right-of-way along the Central Waterfront; designating portions of Alaskan Way, Elliot Way, Railroad Way, and Union Street as park boulevards; repealing Ordinance 102696; authorizing the transfer of jurisdiction over portions of those right-of-way from the Seattle Department of Transportation to the Seattle Department of Parks and Recreation; and amending Appendices I and to II to Ordinance 117569 and Title 15 of the Seattle Municipal Code, and Section 11.16.125 of the Seattle Municipal Code.

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 3 - Juarez, Herbold, Sawant

Opposed: None

Absent(NV): 1 - Pedersen

Attachments: [Ex 1 - Waterfront Park Boulevards Boundaries Map](#)
[Ex 2 - Illustration of Authorization for Waterfront Park Boulevards](#)

Supporting Documents: [Summary and Fiscal Note](#)
[Summary Att A - Waterfront Park Boulevards Boundaries Map](#)
[Summary Att B - RSJI Racial Equity Toolkit Assessment Memo](#)

15. [Appt 02024](#) Reappointment of N. Iris Friday as member, Seattle Indian Services Commission, for a term to October 31, 2022.

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 4 - Juarez, Pedersen, Herbold, Sawant

Opposed: None

Attachments: [Appointment Packet](#)

16. [Appt 02025](#) Reappointment of Colleen Echohawk-Hayashi as member, Seattle Indian Services Commission, for a term to December 31, 2024.

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 4 - Juarez, Pedersen, Herbold, Sawant

Opposed: None

Attachments: [Appointment Packet](#)

K. ADOPTION OF OTHER RESOLUTIONS

L. OTHER BUSINESS

M. ADJOURNMENT



Legislation Text

File #: Min 347, **Version:** 1

September 13, 2021

SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor
Seattle, WA 98104



Journal of the Proceedings of the Seattle City Council

Monday, September 13, 2021

2:00 PM

Remote Meeting. Call 253-215-8782; Meeting ID: 586 416 9164; or
Seattle Channel online.

City Council

M. Lorena González, President

Lisa Herbold, Member

Debora Juarez, Member

Andrew J. Lewis, Member

Tammy J. Morales, Member

Teresa Mosqueda, Member

Alex Pedersen, Member

Kshama Sawant, Member

Dan Strauss, Member

Chair Info: 206-684-8809; Lorena.González@seattle.gov

In-person attendance is currently prohibited per Washington State Governor's Proclamation 20-28.15, until the COVID-19 State of Emergency is terminated or Proclamation 20-28 is rescinded by the Governor or State legislature. Meeting participation is limited to access by telephone conference line and online by the Seattle Channel.

A. CALL TO ORDER

The City Council of The City of Seattle met remotely pursuant to Washington State Governor's Proclamation 20-28.15, and guidance provided by the Attorney General's Office, on September 13, 2021, pursuant to the provisions of the City Charter. The meeting was called to order at 2:01 p.m., with Council President González presiding

B. ROLL CALL

The following Councilmembers were present and participating electronically:

Present: 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

C. PRESENTATIONS

There were none.

D. APPROVAL OF THE JOURNAL

[Min 346](#)

August 16, 2021

Motion was made, duly seconded and carried, to adopt the proposed Minutes by the following vote, and the President signed the Minutes:

In Favor: 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

E. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR

[IRC 317](#)**September 13, 2021**ACTION 1:

Motion was made and duly seconded to adopt the proposed Introduction and Referral Calendar (IRC).

ACTION 2:

By unanimous consent, Introduction and Referral Calendar item 8, Appointment 2034, was amended by changing the committee referral from the Governance and Education Committee to the City Council.

Appointment 2034, The Appointment of Marques J. Gittens as member, Families, Education, Preschool, and Promise Levy Oversight Committee, for a term to December 31, 2022.

ACTION 3:

By unanimous consent, Council Rule III.A.5., relating to circulation of a Council Bill for introduction by 5:00 p.m. on the preceding business day, was suspended to allow consideration of an amendment to the proposed Introduction and Referral Calendar.

ACTION 4:

Motion was made by Councilmember Mosqueda, duly seconded and carried, to amend the proposed Introduction and Referral Calendar by introducing Council Bill 120178, and by referring it to the Finance and Housing Committee.

Council Bill 120178, AN ORDINANCE amending Ordinance 126237, which adopted the 2021 Budget; changing appropriations to various departments and budget control Levels, and from various funds in the Budget; and lifting a proviso; all by a 3/4 vote of the City Council.

ACTION 5:

Motion was made by Councilmember Pedersen and duly seconded, to amend the proposed Introduction and Referral Calendar by introducing a Council Bill and by referring it to the City Council.

AN ORDINANCE relating to the Seattle Police Department; renewing an incentive program for hiring police officers; creating an incentive program for retaining police officers; and ratifying and confirming certain prior acts.

The Motion failed by the following vote:

In Favor: 3 - Juarez, Lewis, Pedersen

Opposed: 6 - González, Herbold, Morales, Mosqueda, Sawant, Strauss

ACTION 6:

Motion was made and duly seconded to adopt the proposed Introduction and Referral Calendar as amended.

The Motion carried, and the Introduction & Referral Calendar (IRC) was adopted as amended by the following vote:

In Favor: 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

F. APPROVAL OF THE AGENDA

ACTION 1:

Motion was made and duly seconded to adopt the proposed Agenda.

ACTION 2:

Motion was made by Councilmember Mosqueda and duly seconded, to amend the proposed Agenda to hold indefinitely Agenda item 1, Council Bill 120119.

- 1. [CB 120119](#) **AN ORDINANCE relating to employment in Seattle; amending Sections 100.025 and Section 5 of Ordinance 126274 to establish a new date for ending hazard pay requirements and automatically repealing the ordinance.**

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 3 - Mosqueda, González , Lewis

Opposed: None

Abstain: 1 - Herbold

The Motion carried, and Council Bill (CB) 120119 was held indefinitely by the following vote:

In Favor: 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

G. PUBLIC COMMENT

By unanimous consent, the Council Rules were suspended to provide a 60 minute Public Comment period.

The following individuals addressed the Council:

Peter Condit
Howard Gale
Kody Zalewski
Travonna Thompson-Wiley
Em Reinl
Kathryn Dawson
Angelica Chazaro
Alice Mar-Abe
Shamir Tanna
Aisha Mansour
Madison Swain-Bowden
Susan Koppelman
Julie Patt
Shelby Handler
QoQo Weber
Kevin Vitz-Wong
Izzy Halaka
Walker Thomas
Alice Rothchild
Dante Meola
Leah Radecki
Matthew Lauder
Alice Lockhart
Sadie Scott-Hobson
Robert Stephens Jr
Alisha Foster
Stephanie Ingram
Erin O'Connell
Annette Klapstein
BJ Last
Claire Bomkamp
Renee Lamberjack
Lee Swedin
Ben Sercombe
Eric Salinger
Taylor Case
Jimmy McNamara
Izzy Baer

Michael Mellini
Tessa Jackson
Alexander Ajeto
Kwan Wah Lui
Deborah Harrison
Stephanie Kiracofe
Equinox Equinox
Sanders Lauture
Silvie Reynolds

H. PAYMENT OF BILLS

[CB 120166](#) **AN ORDINANCE appropriating money to pay certain audited claims for the week of August 9, 2021 through August 13, 2021 and ordering the payment thereof.**

Motion was made and duly seconded to pass Council Bill 120166.

The Motion carried, the Council Bill (CB) was passed by the following vote, and the President signed the Council Bill (CB):

In Favor: 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

[CB 120167](#) **AN ORDINANCE appropriating money to pay certain audited claims for the week of August 16, 2021 through August 20, 2021 and ordering the payment thereof.**

Motion was made and duly seconded to pass Council Bill 120167.

The Motion carried, the Council Bill (CB) was passed by the following vote, and the President signed the Council Bill (CB):

In Favor: 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

[CB 120168](#) **AN ORDINANCE appropriating money to pay certain audited claims for the week of August 23, 2021 through August 27, 2021 and ordering the payment thereof.**

Motion was made and duly seconded to pass Council Bill 120168.

The Motion carried, the Council Bill (CB) was passed by the following vote, and the President signed the Council Bill (CB):

In Favor: 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

[CB 120176](#) **AN ORDINANCE appropriating money to pay certain audited claims for the week of August 30, 2021 through September 3, 2021 and ordering the payment thereof.**

Motion was made and duly seconded to pass Council Bill 120176.

The Motion carried, the Council Bill (CB) was passed by the following vote, and the President signed the Council Bill (CB):

In Favor: 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

From the amended Agenda.

I. COMMITTEE REPORTS

FINANCE AND HOUSING COMMITTEE:

2. [CB 120111](#) **AN ORDINANCE authorizing, in 2021, acceptance of funding from non-City sources; authorizing the heads of the Executive Department, Human Services Department, City Light Department, Department of Transportation, Seattle Fire Department, and Seattle Parks and Recreation to accept specified grants, private funding, and subsidized loans and to execute, deliver, and perform corresponding agreements; and ratifying and confirming certain prior acts.**

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 4 - Mosqueda, Herbold, González , Lewis

Opposed: None

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

In Favor: 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

3. [CB 120112](#) **AN ORDINANCE amending Ordinance 126237, which adopted the 2021 Budget, including the 2021-2026 Capital Improvement Program (CIP); changing appropriations to various departments and budget control levels, and from various funds in the Budget; revising project allocations for certain projects in the 2021-2026 CIP; creating positions; modifying positions; abrogating positions; modifying or adding provisos; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.**

The Committee recommends that City Council pass as amended the Council Bill (CB).

In Favor: 4 - Mosqueda, Herbold, González , Lewis

Opposed: None

ACTION 1:

Motion was made by Councilmember Herbold, duly seconded and carried, to amend Council Bill 120112, Section 5, as shown on Attachment 1 to the Minutes.

ACTION 2:

Motion was made by Councilmember Lewis, duly seconded and carried, to amend Council Bill 120112, Section 2, as shown on Attachment 2 to the Minutes.

ACTION 3:

Motion was made by Councilmember Pedersen and duly seconded, to amend Council Bill 120112, by amending Sections 2 and 20, and adding a new Section 21, as shown on Attachment 3 to the Minutes.

The Motion failed by the following vote:

In Favor: 2 - Juarez, Pedersen

Opposed: 7 - González, Herbold, Lewis, Morales, Mosqueda, Sawant, Strauss

ACTION 4:

Motion was made by Councilmember Pedersen and duly seconded, to amend Council Bill 120112, by amending Section 20, and adding a new Section 21, as shown on Attachment 4 to the Minutes.

The Motion failed by the following vote:

In Favor: 4 - Juarez, Lewis, Pedersen, Strauss

Opposed: 5 - González, Herbold, Morales, Mosqueda, Sawant

ACTION 5:

Motion was made by Councilmember Mosqueda, duly seconded and carried, to amend Council Bill 120112, by amending Section 2, and adding a new Section 21, as shown on Attachment 5 to the Minutes.

ACTION 6:

Motion was made by Councilmember Sawant and duly seconded, to amend Council Bill 120112, by amending Sections 1, 2, and 21, as shown on Attachment 6 to the Minutes.

The Motion failed by the following vote:

In Favor: 2 - Morales, Sawant,

Opposed: 7 - González, Herbold, Juarez, Lewis, Mosqueda, Pedersen, Strauss

ACTION 7:

Motion was made and duly seconded to pass Council Bill 120112 as amended.

The Motion carried, the Council Bill (CB) was passed as amended by the following vote, and the President signed the Council Bill (CB):

In Favor: 8 - González, Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Strauss

Opposed: 1 - Sawant

4. [CB 120165](#) **AN ORDINANCE relating to the Department of Finance and Administrative Services; authorizing the Director of the Department of Finance and Administrative Services or the Director's designee to negotiate and execute a real property lease with the Port of Seattle for vacant land known as the Tsubota Property; and ratifying and confirming certain prior acts.**

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 4 - Mosqueda, Herbold, González, Lewis

Opposed: None

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

In Favor: 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

5. [Appt 01936](#) **Reappointment of Frank F. Alvarado III as member, Community Roots Housing Public Development Authority Governing Council, for a term to March 31, 2024.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 4 - Mosqueda, Herbold, González , Lewis

Opposed: None

The Appointment (Appt) was confirmed by the following vote:

In Favor: 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

6. [Appt 01937](#) **Reappointment of Barbara Nabors-Glass as member, Community Roots Housing Public Development Authority Governing Council, for a term to March 31, 2024.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 4 - Mosqueda, Herbold, González , Lewis

Opposed: None

The Appointment (Appt) was confirmed by the following vote:

In Favor: 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

7. [Appt 01938](#) **Reappointment of Drew Porter as member, Community Roots Housing Public Development Authority Governing Council, for a term to March 31, 2024.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 4 - Mosqueda, Herbold, González , Lewis

Opposed: None

The Appointment (Appt) was confirmed by the following vote:

In Favor: 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

TRANSPORTATION AND UTILITIES COMMITTEE:

8. [CB 120138](#) **AN ORDINANCE relating to the Terminal 5 Quiet Zone Improvements project under the Freight Spot Improvement Program; authorizing the Director of the Department of Transportation to acquire, accept, and record both temporary and permanent property rights from abutting property owners located along West Marginal Way Southwest between 17th Avenue Southwest and Delridge Way Southwest, necessary or convenient for the Terminal 5 Quiet Zone Improvements project through negotiation or condemnation; placing the acquired real property rights under the jurisdiction of the Seattle Department of Transportation and designating for transportation, utility, and general municipal purposes; authorizing payment of all other costs associated with acquisition; and ratifying and confirming certain prior acts.**

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 4 - Pedersen, Strauss, González , Herbold

Opposed: None

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

In Favor: 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

9. [CB 120159](#) **AN ORDINANCE** relating to grant funds from the United States Department of Transportation and other non-City sources; authorizing the Director of the Seattle Department of Transportation to accept specified grants and execute related agreements for and on behalf of the City; amending Ordinance 126237, which adopted the 2021 Budget, including the 2021-2026 Capital Improvement Program (CIP); changing appropriations for the Seattle Department of Transportation; revising allocations and spending plans for certain projects in the 2021-2026 CIP; and ratifying and confirming certain prior acts.

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 4 - Pedersen, Strauss, González , Herbold

Opposed: None

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

In Favor: 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

10. [CB 120128](#) **AN ORDINANCE** relating to drainage services of Seattle Public Utilities; adjusting drainage rates to pass through changes to treatment rates charged by King County and meet capital financing requirements; amending Section 21.33.030 of the Seattle Municipal Code to reflect adjusted rates; and amending Section 21.76.040 of the Seattle Municipal Code to adjust credits to low-income customers.

The Committee recommends that City Council pass as amended the Council Bill (CB).

In Favor: 4 - Pedersen, Strauss, González , Herbold

Opposed: None

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

In Favor: 8 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Strauss

Opposed: 1 - Sawant

11. [CB 120129](#) **AN ORDINANCE relating to wastewater services of Seattle Public Utilities; adjusting wastewater rates to pass through changes to treatment rates charged by King County; amending Section 21.28.040 of the Seattle Municipal Code to reflect adjusted rates; and amending Section 21.76.040 of the Seattle Municipal Code to adjust credits to low-income customers.**

The Committee recommends that City Council pass as amended the Council Bill (CB).

In Favor: 4 - Pedersen, Strauss, González , Herbold

Opposed: None

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

In Favor: 8 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Strauss

Opposed: 1 - Sawant

12. [CB 120130](#) **AN ORDINANCE relating to rates and charges for water services of Seattle Public Utilities; revising water rates and charges, and credits to low-income customers; and amending Sections 21.04.430, 21.04.440, and 21.76.040 of the Seattle Municipal Code.**

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 4 - Pedersen, Strauss, González , Herbold

Opposed: None

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

In Favor: 8 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Strauss

Opposed: 1 - Sawant

13. [Res 32016](#) **A RESOLUTION relating to the University of Washington Husky Stadium Transportation Management Plan; approving a revised framework document that includes performance standards and access management strategies to be included and detailed within in an annual operating plan for certain events at the stadium; and superseding Resolution 27435.**

The Committee recommends that City Council adopt as amended the Resolution (Res).

In Favor: 4 - Pedersen, Strauss, González , Herbold

Opposed: None

The Resolution (Res) was adopted by the following vote, and the President signed the Resolution (Res):

In Favor: 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

14. [Appt 02027](#) **Reappointment of Warren Aakervik Jr. as member, Seattle Freight Advisory Board, for a term to May 31, 2022.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 4 - Pedersen, Strauss, González , Herbold

Opposed: None

The Appointment (Appt) was confirmed by the following vote:

In Favor: 9 - González , Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

Opposed: None

Councilmember Mosqueda left the meeting at 5:25 p.m.

15. [Appt 02028](#) **Reappointment of Yasir Alfarag as member, Seattle Bicycle Advisory Board, for a term to August 31, 2023.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 4 - Pedersen, Strauss, González , Herbold

Opposed: None

The Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - González , Herbold, Juarez, Lewis, Morales, Pedersen, Sawant, Strauss

Opposed: None

Absent(NV): 1 - Mosqueda

16. [Appt 02029](#) **Reappointment of Andrea Lai as member, Seattle Bicycle Advisory Board, for a term to August 31, 2023.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 4 - Pedersen, Strauss, González , Herbold

Opposed: None

The Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - González , Herbold, Juarez, Lewis, Morales, Pedersen, Sawant, Strauss

Opposed: None

Absent(NV): 1 - Mosqueda

17. [Appt 02030](#) **Reappointment of Erin Tighe as member, Seattle Transit Advisory Board, for a term to August 2, 2023.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 4 - Pedersen, Strauss, González , Herbold

Opposed: None

The Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - González , Herbold, Juarez, Lewis, Morales, Pedersen, Sawant, Strauss

Opposed: None

Absent(NV): 1 - Mosqueda

18. [Appt 02031](#) **Reappointment of Michelle Zeidman as member, Seattle Transit Advisory Board, for a term to August 2, 2023.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 4 - Pedersen, Strauss, González , Herbold

Opposed: None

The Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - González , Herbold, Juarez, Lewis, Morales, Pedersen, Sawant, Strauss

Opposed: None

Absent(NV): 1 - Mosqueda

J. ADOPTION OF OTHER RESOLUTIONS

There were none.

K. OTHER BUSINESS

There was none.

L. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 5:31 p.m.

Jodee Schwinn, Deputy City Clerk

Signed by me in Open Session, upon approval of the Council, on September 20, 2021.

M. Lorena González, Council President of the City Council

Monica Martinez Simmons, City Clerk

- Att 1 - Action 1 of CB 120112**
- Att 2 - Action 2 of CB 120112**
- Att 3 - Action 3 of CB 120112**
- Att 4 - Action 4 of CB 120112**
- Att 5 - Action 5 of CB 120112**
- Att 6 - Action 6 of CB 120112**

Att 1 – Action 1 of CB 120112

Amendment 1 to CB 120112 - 2021 Midyear Supplemental Budget ORD

Sponsor: Councilmember Herbold

Technical Amendment to reflect the changes to SPD’s 2021 budget described in Section 20 of CB 120112

Amend Section 5 to CB 120112 as follows and adjust the total for the table accordingly:

Section 5. The appropriations for the following items in the 2021 Adopted Budget are modified, as follows:

Item	Department	Fund	Budget Summary Level/ BCL Code	Amount
* * *				
<u>5.6</u>	<u>Seattle Police Department</u>	<u>General Fund (00100)</u>	<u>East Precinct (00100-BO-SP-P6600)</u>	<u>(\$763,800)</u>
		<u>General Fund (00100)</u>	<u>South Precinct (00100-BO-SP-P6500)</u>	<u>\$763,800</u>
		<u>General Fund (00100)</u>	<u>Criminal Investigations (00100-BO-SP-P7000)</u>	<u>(\$500,000)</u>
		<u>General Fund (00100)</u>	<u>Leadership and Administration (00100-BO-SP-P1600)</u>	<u>\$500,000</u>

* * *

Att 2 – Action 2 of CB 120112

Amendment 2 to CB 120112 - 2021 Midyear Supplemental Budget ORD

Sponsor: Councilmember Lewis

Technical Amendment to Revise Budget Summary Level for Chief Seattle Club’s mixed-use project

Amend Section 2 to CB 120112 as follows:

Section 2. In order to pay for necessary costs and expenses incurred or to be incurred in 2021, but for which insufficient appropriations were made due to causes that could not reasonably have been foreseen at the time of making the 2021 Budget, appropriations for the following items in the 2021 Budget are increased from the funds shown, as follows:

Item	Department	Fund	Budget Summary Level/ BCL Code	Amount
* * *				
2.42	((Human Services Department)) Executive (Office of Planning and Community Development)	General Fund (00100)	((Supporting Affordability & Livability (BO-HS-H1000))) Planning and Community Development (00100-BO-PC-X2P00)	\$1,700,000

Amendment 3A to CB 120112 - 2021 Midyear Supplemental Budget ORD

Sponsor: Councilmember Pedersen

Return \$3.0 Million from HSD Community Safety Investments to SPD for Hiring Bonuses and a Retention Incentive Program

Amend Section 2 to CB 120112 as follows, renumber items and adjust the total for the table accordingly:

Section 2. In order to pay for necessary costs and expenses incurred or to be incurred in 2021, but for which insufficient appropriations were made due to causes that could not reasonably have been foreseen at the time of making the 2021 Budget, appropriations for the following items in the 2021 Budget are increased from the funds shown, as follows:

Item	Department	Fund	Budget Summary Level/ BCL Code	Amount
((2.4 6))	((Human Services Department))	((General Fund (00100)))	((Supporting Safe Communities (00100-BO- HS-H4000)))	(((\$3,000,000))
2.50	Seattle Police Department	General Fund (00100)	Leadership and Administration (00100-BO- SP-P1600)	(((\$68,000)) <u>\$3,068,000</u>

Amend Section 20 as follows:

Section 20. The Council expresses its intent that, by lifting the provisos in Section 19 of this ordinance, the Seattle Police Department will have sufficient non-restricted sworn salary savings to fund the following (see Attachment A to this ordinance for more details about this spending):

- Hiring Incentives: \$233,000
- Technology Updates: \$2,250,000
- Civilian Positions: \$1,086,000
- Work Scheduling Timekeeping Project: \$500,000
- NICJR Contract: \$50,000

- SPD Mental Health Provider Program: \$150,000
- Contract Background Services: \$110,000
- Separation Pay Shortfall: \$2,593,626
- Deferred Compensation Shortfall: \$602,020
- Paid Parental Leave: \$200,000

The Council requests that the City Budget Office provide to Council's Central Staff the information necessary to produce a technical amendment that would move sworn salary savings from the originating Budget Summary Levels (BSLs) to the BSLs that will be charged for the above expenditures.

The Council further expresses its intent that the City increase its use of Parking Enforcement Officers (PEO) when providing staffing for special events, so that sworn officers can focus their time and energy on responding to 911 calls, as the Seattle Police Department has noted an increase in both response times and priority call response days. The Council also requests that the Director of the Seattle Department of Transportation (SDOT) notify the Council if SDOT needs more funding to increase PEO staffing of special events.

The Council is concerned that a December 2020 audit performed by the Office of the Inspector General for Public Safety (OIG) found that the "high capacity of the [evidence storage] warehouse and the 100 percent capacity of the vehicle storage facility presented risk" and recommended that "SPD should remedy the capacity issues at both storage facilities to ensure fire safety and proper evidence storage." The Council finds that the Department of Finance and Administrative Services can begin to address storage capacity issues with an additional \$500,000 to dedicate towards additional leased space for SPD. The Council requests that the Seattle Police Department fully implement the recommendations and comments noted in the Audit as an immediate step toward remedying the non-facility issues noted by OIG.

The Council is concerned that a March 2015 Audit performed by the City Auditor found that staffing issues in SPD's Public Disclosure unit hinder SPD's ability to ensure accurate and timely responses, provide reasonable assurance of compliance with State law, and promote transparency and public trust. The Council agrees with the City Auditor's recommendations and supports the SPD's hiring of additional Administrative Staff Analysts to support Public Disclosure work. Additionally, the Council requests that SPD dedicate no fewer than 2.0 FTE Administrative Staff Analysts funded through the Office of Police Accountability to work on public records requests made of the Office of Police Accountability. The Council further supports the City Auditor's recommendations through the addition of 1.0 FTE Information Technology Specialist position that is funded in the Seattle Information Technology Department but is dedicated to SPD public disclosure e-mail search and may be housed inside of the Seattle Police Department Headquarters Building.

Add a new Section 21 to CB 120112 as follows and renumber subsequent sections as appropriate:

The Council expresses its intent that the Seattle Police Department use \$2,767,000 of its sworn salary savings as initial funding to develop an officer retention program, such as retention pay, or to supplement an existing program that addresses morale issues and stabilizes the force.

* * *

Att 4 – Action 4 of CB 120112

Amendment 3B to CB 120112 - 2021 Midyear Supplemental Budget ORD

Sponsor: Councilmember Pedersen

Allocate SPD Salary Savings to Hiring Bonuses and a Retention Incentive Program

Amend Section 20 as follows:

Section 20. The Council expresses its intent that, by lifting the provisos in Section 19 of this ordinance, the Seattle Police Department will have sufficient non-restricted sworn salary savings to fund the following (see Attachment A to this ordinance for more details about this spending):

- Hiring Incentives: \$233,000
- Technology Updates: \$2,250,000
- Civilian Positions: \$1,086,000
- Work Scheduling Timekeeping Project: \$500,000
- NICJR Contract: \$50,000
- SPD Mental Health Provider Program: \$150,000
- Contract Background Services: \$110,000
- Separation Pay Shortfall: \$2,593,626
- Deferred Compensation Shortfall: \$602,020
- Paid Parental Leave: \$200,000

The Council requests that the City Budget Office provide to Council’s Central Staff the information necessary to produce a technical amendment that would move sworn salary savings from the originating Budget Summary Levels (BSLs) to the BSLs that will be charged for the above expenditures.

The Council further expresses its intent that the City increase its use of Parking Enforcement Officers (PEO) when providing staffing for special events, so that sworn officers can focus their time and energy on responding to 911 calls, as the Seattle Police Department has noted an increase in both response times and priority call response days. The Council also requests that the Director of the Seattle Department of Transportation (SDOT) notify the Council if SDOT needs more funding to increase PEO staffing of special events.

The Council is concerned that a December 2020 audit performed by the Office of the Inspector General for Public Safety (OIG) found that the “high capacity of the [evidence storage] warehouse and the 100 percent capacity of the vehicle storage facility presented risk” and recommended that “SPD should remedy the capacity issues at both storage facilities to ensure fire safety and proper evidence storage.” The Council finds that the Department of Finance and Administrative Services can begin to address storage capacity issues with an additional \$500,000 to dedicate towards additional leased space for SPD. The Council requests that the Seattle Police Department fully implement the recommendations and comments noted in the Audit as an immediate step toward remedying the non-facility issues noted by OIG.

The Council is concerned that a March 2015 Audit performed by the City Auditor found that staffing issues in SPD’s Public Disclosure unit hinder SPD’s ability to ensure accurate and timely responses, provide reasonable assurance of compliance with State law, and promote transparency and public trust. The Council agrees with the City Auditor’s recommendations and supports the SPD’s hiring of additional Administrative Staff Analysts to support Public Disclosure work. Additionally, the Council requests that SPD dedicate no fewer than 2.0 FTE Administrative Staff Analysts funded through the Office of Police Accountability to work on public records requests made of the Office of Police Accountability. The Council further supports the City Auditor’s recommendations through the addition of 1.0 FTE Information Technology Specialist position that is funded in the Seattle Information Technology Department

but is dedicated to SPD public disclosure e-mail search and may be housed inside of the Seattle Police Department Headquarters Building.

The Council expresses its intent to provide the Seattle Police Department with sufficient appropriation authority to fully fund all contractual and revenue backed special events, including, but not limited to sporting events, citywide and neighborhood-based events, parades, and street fairs. If SPD budget staff believe that the Department has insufficient appropriation authority to provide such services, then the Council requests that the Department seek additional authority in the 2021 Year-End Supplemental Budget.

Add a new Section 21 to CB 120112 as follows and renumber subsequent sections as appropriate:

The Council expresses its intent that the Seattle Police Department use \$867,000 of its sworn salary savings as initial funding to develop an officer retention program, such as retention pay, or to supplement an existing program that addresses morale issues and stabilizes the force.

* * *

Att 5 – Action 5 of CB 120112

Amendment 4 to

CB 120112 2021 Midyear Supplemental Budget

Sponsors: Councilmembers Mosqueda and Herbold

Triage Response Protocol

Amend Section 2 to CB 120112 as follows:

Section 2. In order to pay for necessary costs and expenses incurred or to be incurred in 2021, but for which insufficient appropriations were made due to causes that could not reasonably have been foreseen at the time of making the 2021 Budget, appropriations for the following items in the 2021 Budget are increased from the funds shown, as follows:

Item	Department	Fund	Budget Summary Level/ BCL Code	Amount
* * *				
2.45	Executive (Community Safety and Communications Center)	General Fund (00100)	Community Safety and Communications Center (00100-BO-CS-10000)	((\$1,040,000)) \$340,000
2.46	Human Services Department	General Fund (00100)	Supporting Safe Communities (00100-BO-HS-H4000)	\$3,000,000
2.47	Finance and Administrative Services	Finance and Administrative Services Fund (50300)	Facilities Services (50300-BO-FA-FACILITY)	\$500,000
2.48	Seattle Information Technology Department	Information Technology Fund (50410)	Leadership and Administration (50410-BO-IT-D0100)	\$50,000
2.49	Human Services Department	General Fund (00100)	Supporting Safe Communities (00100-BO-HS-H4000)	\$500,000
2.50	Seattle Police Department	General Fund (00100)	Leadership and Administration (00100-BO-SP-P1600)	\$68,000

Item	Department	Fund	Budget Summary Level/ BCL Code	Amount
2.51	Seattle Department of Transportation	General Fund (00100)	Mobility Operations (BO-TR-17003)	\$50,000
<u>2.52</u>	<u>Finance General</u>	<u>General Fund (00100)</u>	<u>General Purpose (00100-BO-FG-2QD00)</u>	<u>\$700,000</u>
Total				\$43,687,188

Add a new Section 21 to CB 120112 as follows and renumber subsequent sections as appropriate:

Section 21. This ordinance imposes a proviso, as follows:

“Of the appropriation in the 2021 Budget for Finance General - General Purpose Summary Level, \$700,000 may not be spent until the Chair of the Public Safety and Human Services Committee files a certification with the City Clerk that the Executive has provided a report to the City Council detailing how and when the Community Safety and Communications Center, preferably working with Local 27 and community service providers, will create a complete response protocol for a Triage Team. A complete response protocol must, at a minimum, identify confirmed service providers such as case managers and mental health professionals and support systems such as shelters and medical clinics, as well as staffing and equipment requirements.”

Amendment 5 to CB 120112 - 2021 Midyear Supplemental Budget ORD

Sponsor: Councilmember Sawant

Cut \$2.41 million from SPD and Add \$2.41 million to HSD for the Community Safety Capacity Building RFP

Amend Section 1 to CB 120112 as follows and adjust the total for the table accordingly:

Section 1. The appropriations for the following items in the 2021 Adopted Budget are reduced from the funds shown below:

Item	Department	Fund	Budget Summary Level/ BCL Code	Amount
1.19	Seattle Police Department	General Fund (00100)	West Precinct (00100-BO-SP-P6100)	(\$1,041,679) (\$1,720,626)
1.20	Seattle Police Department	General Fund (00100)	North Precinct (00100-BO-SP-P6200)	(\$1,185,932) (\$1,958,901)
1.21	Seattle Police Department	General Fund (00100)	South Precinct (00100-BO-SP-P6500)	(\$763,800)
1.22	Seattle Police Department	General Fund (00100)	East Precinct (00100-BO-SP-P6600)	(\$828,535) (\$1,368,559)
1.23	Seattle Police Department	General Fund (00100)	Southwest Precinct (00100-BO-SP-P6700)	(\$641,411) (\$1,059,471)

Amend Section 2 to CB 120112 as follows and adjust the total for the table accordingly:

Section 2. In order to pay for necessary costs and expenses incurred or to be incurred in 2021, but for which insufficient appropriations were made due to causes that could not

reasonably have been foreseen at the time of making the 2021 Budget, appropriations for the following items in the 2021 Budget are increased from the funds shown, as follows:

Item	Department	Fund	Budget Summary Level/BCL Code	Amount
2.46	Human Services Department	General Fund (00100)	Supporting Safe Communities (00100-BO-HS-H4000)	(\$3,000,000) <u>\$5,410,000</u>

Add a new Section 21 to CB 120012 as follows and renumber subsequent sections as appropriate:

Section 21. This ordinance imposes a proviso, as follows:

“Of the appropriations in the 2021 budget for the Human Service Department’s (HSD’s) Supporting Safe Communities (HSD-BO-HS-H4000) Budget Summary Level that were added by the ordinance introduced as Council Bill 120112, ~~\$(3)~~5.41 million is appropriated solely for community-led efforts to scale up organizations to increase public safety through technical support, capacity building, and expansion of capacity (including HSD’s associated administrative costs) and may be spent for no other purpose, notwithstanding powers provided to the Mayor by Section 3 of the Proclamation of Civil Emergency dated March 3, 2020. These funds are intended to add funds to the Council’s re-imagining of community safety work.”

* * *



Legislation Text

File #: IRC 318, Version: 1

September 20, 2021



Introduction and Referral Calendar

List of proposed Council Bills (CB), Resolutions (Res), Appointments (Appt) and Clerk Files (CF) to be introduced and referred to a City Council committee

Record No.	Title	Committee Referral
<u>By: Mosqueda</u>		
1. CB 120179	AN ORDINANCE appropriating money to pay certain audited claims for the week of September 6, 2021 through September 10, 2021 and ordering the payment thereof.	City Council
<u>By: Strauss</u>		
2. Appt 02039	Appointment of Lauren Kush as member, Pioneer Square Preservation Board, for a term to March 1, 2022.	City Council
<u>By: Strauss</u>		
3. Appt 02040	Appointment of Maureen R. Elenga as member, Pioneer Square Preservation Board, for a term to March 1, 2022.	City Council
<u>By: Strauss</u>		
4. Appt 02041	Reappointment of Lynda Collie as member, Pioneer Square Preservation Board, for a term to March 1, 2022.	City Council
<u>By: Strauss</u>		
5. Appt 02042	Reappointment of Alex Rolluda as member, Pioneer Square Preservation Board, for a term to March 1, 2022.	City Council
<u>By: Strauss</u>		
6. Appt 02043	Reappointment of Felicia M. Salcedo as member, Pioneer Square Preservation Board, for the term to March 1, 2022.	City Council
<u>By: Strauss</u>		
7. Appt 02044	Appointment of Lindsey M. Pflugrath as member, Pioneer Square Preservation Board, for a term to March 1, 2023.	City Council
<u>By: Strauss</u>		
8. Appt 02045	Reappointment of Kianoush Naficy Curran as member, Pioneer Square Preservation Board, for a term to March 1, 2023.	City Council
<u>By: Strauss</u>		
9. Appt 02046	Appointment of Jose Lorenzo-Torres as member, Pioneer	City Council

Square Preservation Board, for a term to March 1, 2024.

By: Strauss

10. [Appt 02047](#) Reappointment of David A. Goldberg as member, Seattle Planning Commission, for a term to April 15, 2024. City Council

By: Strauss

11. [Appt 02048](#) Reappointment of Patience Manzezulu Malaba as member, Seattle Planning Commission, for a term to April 15, 2024. City Council

By: Strauss

12. [Appt 02049](#) Reappointment of Julio A. Sanchez as member, Seattle Planning Commission, for a term to April 15, 2024. City Council

By: Strauss

13. [Appt 02050](#) Reappointment of Rose Lew Tsai-Le Whitson as member, Seattle Planning Commission, for a term to April 15, 2024. City Council

By: Morales

14. [CB 120180](#) AN ORDINANCE relating to human rights; including protections against discrimination based on citizenship and immigration status; adding a definition of race for certain purposes; and amending Sections 3.14.910, 3.14.931, 14.04.020, 14.04.030, 14.04.040, 14.04.050, 14.06.020, 14.06.030, 14.08.015, 14.08.020, 14.08.045, 14.08.070, 14.08.190, 14.10.010, and 14.10.020 of the Seattle Municipal Code. Community Economic Development Committee

By: Morales

15. [Appt 02035](#) Reappointment of Diya Khanna as member, Seattle Women's Commission, for a term to July 1, 2022. Community Economic Development Committee

By: Morales

16. [Appt 02036](#) Reappointment of Whitney Nakamura as member, Seattle Women's Commission, for a term to July 1, 2022. Community Economic Development Committee

By: Morales

17. [Appt 02037](#) Reappointment of Min Pease as member, Seattle Women's Commission, for a term to July 1, 2023. Community Economic Development Committee

By: Morales

18. [Appt 02038](#) Reappointment of Jamilah Williams as member, Seattle Women’s Commission, for a term to July 1, 2023. Community Economic Development Committee

By: Strauss

19. [CB 120181](#) AN ORDINANCE amending Section 23.58A.044 of the Seattle Municipal Code to facilitate the transfer of development rights from Pierce and Snohomish Counties to Seattle. Land Use and Neighborhoods Committee

By: Sawant

20. [CB 120182](#) AN ORDINANCE relating to the Tenant Relocation Assistance Ordinance; clarifying that a tenant relocation license is required before the removal of a rent or income restriction; and amending Sections 22.210.020, 22.210.030, 22.210.040, 22.210.050, 22.210.070, 22.210.080, 22.210.090, 22.210.100, 22.210.110, 22.210.120, 22.210.130, 22.210.136, 22.210.140, and 22.210.160 of the Seattle Municipal Code. Sustainability and Renters' Rights Committee



Legislation Text

File #: CB 120157, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to affordable housing on properties owned or controlled by religious organizations; modifying affordability requirements adopted in Ordinance 126384; and amending Section 23.42.055 of the Seattle Municipal Code and Section 10 of Ordinance 126384.

WHEREAS, in June 2021 the City Council adopted Ordinance 126384, establishing alternative standards for the development of long-term affordable housing on property owned or controlled by a religious organization; and

WHEREAS, this legislation implemented Chapter 218, Laws of 2019 (SHB 1377), adopted in 2019 by the Washington State Legislature and codified in RCW 36.70A.545, requiring jurisdictions to allow additional density for affordable housing on religious organization property; and

WHEREAS, SHB 1377 requires that all housing developed using additional density provided under RCW 36.70A.545 must be affordable to low-income households, defined as households with incomes up to 80 percent of area median income (AMI), for 50 years; and

WHEREAS, the City, through the Office of Housing funding awards, has supported the development of hundreds of affordable rental apartments on land availed by faith-based organizations; and

WHEREAS, the Seattle Housing Levy Administrative and Financial Plan and Housing Funding Policies, adopted by City Council, require rental housing developments funded by the Office of Housing to serve households with a range of incomes, generally up to 60 percent of AMI and with a focus on households with incomes at or below 30 percent of AMI; and

WHEREAS, the Office of Housing annually receives requests for funding that exceed available resources by

tens of millions of dollars; and

WHEREAS, affordable housing developed to serve low-income households without the need for public subsidy would provide public benefit and allow limited public resources to support other affordable housing developments; and

WHEREAS, Ordinance 126384, as amended, would lower the household income eligibility for projects using the development bonus to an average of 60 percent of AMI as of July 1, 2022; and

WHEREAS, several faith institutions expressed concern that an average income eligibility level lower than 80 percent of AMI could jeopardize their ability to pursue affordable housing developments without public subsidy and limit the ability of members of their community to be eligible for the affordable housing;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 23.42.055 of the Seattle Municipal Code, enacted by Ordinance 126384, is amended as follows:

23.42.055 Low-income housing on property owned or controlled by a religious organization

* * *

C. Affordability requirements

1. Eligible households. All dwelling units or congregate residence sleeping rooms permitted pursuant to this Section 23.42.055 shall serve only:

a. For rental units, households with incomes no greater than 80 percent of median income, adjusted by household size.

~~((1) In development with a complete Master Use Permit application, if required, or complete building permit application filed by July 1, 2022, households with incomes no greater than 80 percent of median income, adjusted by household size, or~~

~~2) In development with a complete Master Use Permit application, if required, or~~

~~complete building permit application filed after July 1, 2022, households with incomes no greater than 80 percent of median income, adjusted by household size, and average household income across all units in the project no greater than 60 percent of median income.))~~

b. For ownership units, households with incomes no greater than 80 percent of median income, adjusted by household size.

2. Duration. The obligation to provide dwelling units meeting the requirements of subsection 23.42.055.B shall last for a period of 50 years from the date of the certificate of occupancy or, if a certificate of occupancy is not required, from the date of the final building permit inspection for the development to which this Section 23.42.055 applies.

3. Affordable rent. Monthly rent shall not exceed 30 percent of 80 percent of median income. For purposes of this subsection 23.44.055.C.3, "monthly rent" includes a utility allowance for heat, gas, electricity, water, sewer, and refuse collection, to the extent such items are not paid for tenants by the owner, and any recurring fees that are required as a condition of tenancy.

4. Affordable sale price

a. Affordable price - initial sales. The initial affordable sale price must be an amount in which total ongoing housing costs do not exceed 30 percent of 80 percent of median income. The Director of Housing will establish by rule the method for calculating the initial sale price including standard assumptions for determining upfront housing costs, including the down payment, and ongoing housing costs, which must include mortgage principal and interest payments, homeowner's insurance payments, homeowner or condominium association dues and assessments, and real estate taxes and other charges included in county tax billings. The Director of Housing may establish by rule a maximum down payment amount.

b. Affordable price - resales. Eligible households for purchase of an ownership unit subsequent to the initial sale must have incomes no greater than 80 percent of median income at initial occupancy. The Office of Housing will establish by rule the formula for calculating maximum affordable prices

for sales subsequent to the initial sale to allow modest growth in homeowner equity while maintaining long-term affordability for future buyers.

* * *

Section 2. Section 10 of Ordinance 126384 is amended as follows:

Section 10. The Council requests that the Office of Housing, in coordination with the Seattle Department of Construction and Inspections, by March 31, 2022, and then annually for five years thereafter, provide a report to the City Council on all permits issued for developments that used the provisions ~~((provided in subsection))~~ of Section 23.42.055 of the Seattle Municipal Code during the prior 12-month period. The report should include information on the property (such as the size of the lot and the zoning designations), the affordability levels, whether the project received City funding to support the development, and the ownership structures of the property at the time the permit application was filed~~((,))~~ and, if known, the ownership structure after a certificate of occupancy is issued or the project passes final inspection. The report due by March 31, 2027, should also include a comprehensive review of all permits issued for developments that used the provisions of Section 23.42.055 of the Seattle Municipal Code since they took effect. Following the publication of the report due by March 31, 2027, the Council may consider retaining, lowering, or otherwise amending the household income eligibility requirements for rental units as provided in subsection 23.42.055.C.1, provided any amendments comply with the provisions of RCW 36.70A.545.

Section 3. 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 _____ day of _____, 2021, and signed by me in open session in authentication of its passage this _____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Office of Planning and Community Development	Nick Welch, 206-684-8203	Christie Parker, 206-684-5211

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to affordable housing on properties owned or controlled by religious organizations; modifying affordability requirements adopted in Ordinance 126384; and amending Section 23.42.055 of the Seattle Municipal Code and Section 10 of Ordinance 126384.

Summary and background of the Legislation: This legislation modifies the income threshold for developments eligible for additional density under the provisions adopted in Ordinance 126384. That legislation implemented a suite of Land Use Code changes that provide alternative height, floor area, and density standards for eligible affordable housing developments on property owned or controlled by religious organizations, in accordance with the requirements adopted in 2019 by the Washington Legislature in Substitute House Bill 1377 (SHB 1377). For rental housing, Ordinance 126384 established a requirement that all units permitted after July 1, 2022, serve households with an average income of 60 percent of area median income (AMI). This legislation would modify this eligibility criterion to require that all rental housing units serve households with an average income of 80 percent of AMI. The legislation also directs Council to consider retaining, lowering, or otherwise amending this income threshold following publication of the required annual report in 2027.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes **X** No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes **X** No

Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

The legislation has no direct financial impacts to the City and no financial impacts beyond those already identified for Ordinance 126384.

Is there financial cost or other impacts of *not* implementing the legislation?

No.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

The legislation affects and has been developed in partnership with the Office of Housing. The legislation could slightly alter the type and/or number of affordable housing developments permitted under the new provisions adopted in Ordinance 126384.

b. Is a public hearing required for this legislation?

A public hearing will be required under SMC 23.76.062 because this legislation would amend Title 23 and is a Type V Council land use decision.

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

Yes. At least one public hearing will be held during the City Council's deliberative process. Public notice was required in *The Daily Journal of Commerce* and the City's Land Use Information Bulletin of the comment and appeal period for our environmental review under SEPA.

d. Does this legislation affect a piece of property?

No.

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

The legislation modifies the eligibility requirements for a new tool, recently adopted in Ordinance 126384, that aims to address the challenges of housing affordability and displacement, both of which disproportionately impact BIPOC communities. This legislation responds to concerns shared by stakeholders, including predominantly Black churches in the Central Area, about the current income provisions established in Ordinance 126384 by providing additional flexibility for affordable housing projects that may seek to use the additional density provided in that Ordinance.

Materials about this new policy on the OPCD website can be translated. OPCD and OH sent information by mail to properties owned by religious organizations with information in the seven Tier 1 languages identified by OIRA. OPCD and OH plan to send an email communication to subscribers, the content of which can be translated, about the revision proposed in this legislation.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

The legislation is not likely to have a material effect on carbon emissions.

2. **Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**

No.

- g. **If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s).**

Not applicable.

List attachments/exhibits below:

None

Affordable Housing on Religious Organization Property Income Adjustment and Reporting Requirement

Director's Report
August 2021

Background

In June 2021, the City Council adopted Council Bill 120081 (CB 120081), implementing a suite of Land Use Code changes that support development of long-term affordable housing on property owned or controlled by religious organizations. The legislation fulfilled requirements in Substitute House Bill 1377 (SHB 1377), adopted in 2019 by the Washington State Legislature and codified in RCW 36.70A.545, which stipulates that jurisdictions must allow additional density for affordable housing on religious organization property that meets certain eligibility requirements. Under CB 120081, qualifying affordable housing developments can meet alternative standards for height, floor area, and/or density limits provided that all housing created under these provisions is affordable to low-income households for at least 50 years.

In their deliberation on CB 120081, the Council discussed and ultimately adopted an amendment (Amendment 1B) that modifies the income eligibility requirements for rental housing in developments using these alternative standards. Initially, rental units must serve households with incomes up to 80 percent of area median income (AMI). Amendment 1B lowered the household income eligibility for rental units to an average of 60 percent of AMI for developments permitted after July 1, 2022.

As transmitted to the Council, CB 120081 reflected more than a year of engagement with stakeholders including faith-based organizations and nonprofit affordable housing developers by the Office of Housing (OH) and Office of Planning and Community Development (OPCD). Several religious organizations in Seattle are at various stages of exploring redevelopment of their property, including some that are planning housing for a range of incomes up to 80 percent of AMI.

When she signed CB 120081, Mayor Jenny Durkan issued a statement acknowledging concerns that some faith stakeholders raised about Amendment 1B and its impacts on their ability to use this new tool to address displacement and provide services for their community. While we anticipate many religious institutions pursuing development using these provisions will rely on public subsidy that requires housing to serve households with incomes up to 60 percent of AMI or lower, some may be contemplating developments that are feasible without public subsidy and serve households with incomes up to 80 percent of AMI. Some stakeholders, such as the Nehemiah Initiative, a coalition of historically Black churches in the Central Area, envision redeveloping their underutilized land with affordable housing to address gentrification and displacement pressures and to bolster the financial stability of the church as a community and cultural anchor.

Proposed legislation

To address these and other concerns, OPCD and OH have developed the proposed legislation, which would revise the income eligibility criterion adopted in CB 120081 as amended. The legislation would:

- 1** Amend Section 23.42.055 of the Seattle Municipal Code to maintain 80 percent of AMI as the household income criterion for rental housing in developments seeking to use alternative height, floor area, and density standards.
- 2** Strengthen the annual reporting requirements for OH and the Seattle Department of Construction and Inspections (SDCI) to include a comprehensive review of all permits issued for developments using these alternative standards so that the Council may consider retaining, lowering, or otherwise amending the household income eligibility requirements.

Environmental analysis and Comprehensive Plan consistency

OPCD already completed an environmental analysis under the State Environmental Policy Act (SEPA) for the original legislation transmitted as CB 120081, and SDCI made a determination of non-significance. The proposed legislation would match the proposal evaluated in that environmental analysis and would make no substantive changes that could result in greater or differential environmental impacts than those already studied.

The [Directors' Report](#) issued by OPCD and OH for CB 120081 includes a summary of goals and policies it supports related to housing affordability, housing choice, and context-sensitive development in *Seattle 2035*, the City's Comprehensive Plan. The proposed legislation would likewise support these goals and policies.

Recommendation

OPCD and OH recommend adoption of the proposed legislation to amend the income eligibility criterion and strengthen annual reporting requirements adopted in CB 120081 for affordable housing development on religious organization property.



Legislation Text

File #: CB 120179, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE appropriating money to pay certain audited claims for the week of September 6, 2021 through September 10, 2021 and ordering the payment thereof.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Payment of the sum of \$13,824,868.74 on PeopleSoft 9.2 mechanical warrants numbered 4100493694- 4100495426 plus manual or cancellation issues for claims, E-Payables of \$30,802.58 on PeopleSoft 9.2 9100010106- 9100010148 and Electronic Financial Transactions (EFT) in the amount of \$30,241,977.71 are presented for ratification by the City Council per RCW 42.24.180.

Section 2. Any act consistent with the authority of this ordinance taken prior to its effective date is hereby ratified and confirmed.

Section 3. 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 20th day of September 2021 and signed by me in open session in authentication of its passage this 20th day of September 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this ____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this ____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)



Legislation Text

File #: Appt 02034, **Version:** 1

Appointment of Marques J. Gittens as member, Families, Education, Preschool and Promise Levy Oversight Committee, for a term to December 31, 2022.

The Appointment Packet is provided as an attachment.



City of Seattle Boards & Commissions Notice of Appointment

Appointee Name: <i>Marques J. Gittens</i>		
Board/Commission Name: <i>Families Education Preschool and Promise Levy Oversight Committee</i>		Position Title: <i>Member</i>
<input checked="" type="checkbox"/> Appointment OR <input type="checkbox"/> Reappointment		City Council Confirmation required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Appointing Authority: <input type="checkbox"/> City Council <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Other: <i>Fill in appointing authority</i>		Term of Position: * <i>1/1/2021</i> to <i>12/31/2022</i> <input type="checkbox"/> <i>Serving remaining term of a vacant position</i>
Residential Neighborhood: <i>Skyway</i>	Zip Code: <i>98178</i>	Contact Phone No.:
Background: I have a keen interest in ensuring that youth and families of color access every opportunity necessary to thrive along their educational pathways. Over the past 12 years, I've been dedicated to building systems that produce equitable outcomes in education. I am highly interested in this opportunity to support the success of the levy initiatives and I believe that serving on these boards are high leverage opportunities to affect change. Finally, my work in education has been specifically focused on ensuring that students of color and students impacted by poverty are loved, nurtured, and supported within our education system. I look forward to bringing my experiences and beliefs to the table through this initiative.		
Authorizing Signature (original signature): 		Appointing Signatory: <i>Jenny A. Durkan</i> <i>Mayor of Seattle</i>
Date Signed (appointed): <i>8/19/21</i>		

*Term begin and end date is fixed and tied to the position and not the appointment date.

Marques J. Gittens

EXPERIENCE

SEATTLE HOUSING AUTHORITY (2019-Present)

SEATTLE, WA

Youth Development & Education Manager

Leading Seattle Housing Authority's Education and Youth Development Initiatives aimed at ensuring that youth in low income public housing thrive along their educational journey and access postsecondary opportunities. Seattle Housing Authority supports nearly 6,000 youth, which accounts for approximately 10% of Seattle Public School's student population and 46% of their black student population, which is the target focus of their most recent strategic plan.

- Oversee a team dedicated to providing and coordinating supports for youth and families early learning through postsecondary
- Manage our portfolio of educational partnerships, including partnerships with Seattle Public Schools, Seattle University, other institutional partners, and a host of service providers who serve youth and families across SHA communities
- Honoring the self-determination of youth and families through co-design efforts aimed at creating systems that meet the felt needs of youth and families
- Manage initiatives aimed at strengthening the connection between home and school, connecting youth to educational, employment, internship, and postsecondary opportunities.

PUGET SOUND EDUCATIONAL SERVICE DISTRICT (2014-Present)

RENTON, WA

Director, Early Warning Systems

Leading work in the Puget sound region to enhance the use of Early Warning Systems to increase the number of students on track for graduation and postsecondary access. Puget Sound ESD (PSESD) is an anti-racist multicultural organization committed to closing the opportunity gap through service to the 35 school districts in the Puget Sound Region.

High Impact Professional Learning & Support:

- Support region in implementing use of research based predictive indicator data with a racial equity lens and in alignment with existing initiatives, and in support of the implementation of evidence based and promising practices
- Convened learning communities designed to address problems of practice and to ensure continuous improvement at both school and district levels
- Provided training, consultation, and technical assistance to area school districts, schools, and community organizations, in Early Warning Implementation, data literacy, employing culturally responsive practice and anti-racist practices, including authentic student, family, and community engagement

Program Leadership:

- Created structure and vision for program components in partnership with multiple stakeholders
- Secured and managed grant funding in support of program components
- Created contracts with schools and districts and distributed grant funding the schools and districts

Marques J. Gittens

- Support the evaluation of programmatic initiatives, including the development and tracking of performance outcomes and indicators

Organizational Leadership:

- Provided leadership to the internal Collaborative Leadership Team, which is focused on the integration of key K-12 and postsecondary programs
- Created and Launched PSESD's student internship program, enhancing the agency's ability to authentically engage students as equal partners in eliminating the opportunity gap
- Presented for nationally, including on behalf of Johns Hopkins National Student Attendance, Engagement, and Success Center and on behalf of the U.S. Department of Education on three national webinars
- Provided leadership on several Equity Initiatives, including as a Racial Equity Trainer, Caucus Facilitator, Transformation Team Member, Co-lead of Direction 5 a multi-disciplinary team focused on reimagining internal and external accountability
- Currently leading Direction Action Team 5, a multi-disciplinary team focused on implementation accountability measures in service of implementing our racial equity policy

PEACE COMMUNITY CENTER (2011-2014)

TACOMA, WA

Middle School Program Director, Director of Curriculum & Instruction

Charged with starting and overseeing new middle school program designed to empower students towards a college going track by the end of 8th grade. Peace Community Center is an education focused non-profit organization that seeks to serve students and families from K-College.

Program Leadership: Responsible for recruiting, hiring, training, supervision, evaluation and retention of all middle school program staff, including teachers, academic coaches, teaching assistants, and high school interns. Included strategically putting together summer and school year teams

- Strategically disseminated information to advance program efforts and empower multiple constituent groups, including parents, teachers, students, and key partners. This included creating publications, phone calls, and holding small and large group presentations.
- Spearheaded the continued development and growth of the middle school phase, including the development of systems, developing curriculum, devising, proposing, & launching of new initiatives, and continued advancement of key partnerships. Results include new online case file system, launching new Hilltop Scholars Class, and program growth.
- Strategically managed concurrent projects, creating detailed project plans, proposals, and analyzing the success of initiatives, making well informed decisions to advance program initiatives.
- Successfully managed program budget, leveraging resources to come under budget every year. Most recent budget managed was approximately \$140,000. Included all staff costs and program expenses.
- Created and maintained accurate online and manual files, including student files, reporting data for grant purposes. Collected and reported necessary data to ensure program quality, grant compliance, and

Marques J. Gittens

participation in larger regional initiatives (submitting summer programming data to Foundation for Tacoma, which has initiatives around increasing high school graduation and summer learning participation)

Organizational Leadership: Leveraged influence to affect positive change in advancing organizational initiatives.

- Participation on several subcommittees designed to meet organizational priorities, including creating our organizational Theory of Change, Professional Development scope & sequence, and devising ways of incorporating Character Development into our work with youth.
- Sparked organizational initiatives around cultural competency and the recruiting and retaining culturally and ethnically diverse staff, through holding key conversations
- Successfully devised framework for, and facilitation of recruitment, hiring, and on boarding of all summer staff for our elementary, middle school, and high school Summer Academies, including teachers and support staff.
- Participated in key professional development opportunities, including the Youth Program Quality Initiative through the Greater Tacoma Community Foundation, and the Wiekart Foundation. Included attending workshops and implementing best practices in youth programming to spur student growth and retention.

Leveraging Partnerships: Leveraged key partnerships to advance program goals.

- Collaborated with the Curriculum & Instruction office of Tacoma Public Schools to devise curriculum and assessments for Summer Academy
- Partnering with school administration, teachers, and staff to establish program at Jason Lee Middle School, includes running our 2014 Summer Academy through a joint partnership between our organization, Tacoma Public Schools, and the YMCA.
- Collaborated with other afterschool programs in the best interest of students, including partnering with Trinity Presbyterian to run the Learning Center (after school tutoring.)
- Built and maintained strong relationships with the caring adults in the lives of students, including parents, family members, and community members. Led recruitment campaigns to yield new students (37 in 2011, additional 50 in 2012).

SEATTLE PACIFIC UNIVERSITY

SEATTLE, WA

Visit & Events Coordinator, Admissions Representative

Served in the Admissions Department at Seattle Pacific university as a Visit & Events Coordinator and Admissions Representative.

- **Leadership:** Co-founder and co-director of the University Ambassadors Program, which is designed to train and mobilize highly motivated college students to represent the University and improve the overall experience of our visitors. Included creating the vision and structure of the program, creating job descriptions, recruiting, training, supporting and evaluating the ambassadors.
- **Key Partnerships:** Partnered with high schools, middle schools, and organizations to create unique college visit experiences that help to reinforce/create a college going culture and to put on a variety of visit events tailored to a variety of audiences.

Marques J. Gittens

- **Project Management, Event Planning, & Serving Diverse Backgrounds:** Coordinator and primary contact for a variety of outreach events, including the National Christian College Fair and events specifically tailored for students and families of diverse backgrounds, all of which required partnering with middle schools and high schools, other universities, and community organizations
- **Strategic Planning:** Conceptualized and implemented outreach strategy that helped increase student attendance out Urban Preview by 75% in 2009 and an additional 6% in 2010. Included partnering with school personnel and organizations in Everett, Seattle, and Tacoma.

OAKLAND UNIFIED SCHOOL DISTRICT (2007-2009)

OAKLAND, CA

Teacher

Taught in Oakland through Teach for America, a selective national service corps of recent college graduates. Taught 6-8th grade SPED, 8th grade science, 8th grade math intervention, Pre-Kindergarten co-teacher.

- Designed and implemented curriculum that produced growth in skills, grade level standards, and student engagement, with a focus on social emotional learning.
- Utilized cooperative learning to leverage youth voice and leadership
- Engaged families, students of a variety of age groups, and community members to provide holistic support to students
- Served as IEP case manager, including assessing student needs, coordinating with specialist, and holding regular meetings.

EDUCATION

ALLIANT INTERNATIONAL UNIVERSITY

SAN FRANCISCO, CA

Masters of Arts in Education
Multiple Subjects K-8 Credential

UNIVERSITY OF WASHINGTON

SEATTLE, WA

B.A. International Studies

Families, Education, Preschool, and Promise Levy Oversight Committee

17 Members: Pursuant to *Ordinance 125604*, 12 members subject to City Council confirmation, *staggered*-year terms:

- 6 City Council-appointed 3-year terms, subject to City Council confirmation
- 6 Mayor-appointed 3-year terms, subject to City Council confirmation
- 5 Other Appointing Authority-appointed (specify): *Ordinance 125604*

Roster:

*D	**G	RD	Position No.	Position Title	Name	Term Begin Date	Term End Date	Term #	Appointed By
1	F	2	1.	Member	Erin Okuno	1/1/20	12/31/22	1	Council
2	F	2	2.	Member	Princess Shareef	1/1/20	12/31/22	1	Council
9	F	2	3.	Member	Manuela Slye	1/1/21	12/31/24	1	Council
		1	4.	Member	Jennifer Matter	1/1/19	12/31/21	1	Council
2	M	2	5.	Member	Donald Felder	1/1/19	12/31/21	1	Council
2	F	N/A	6.	Member	Kimberly Walker	1/1/19	12/31/20	2	Council
2	F	N/A	7.	Member	Trish Dziko	1/1/19	12/31/21	1	Mayor
		7	8.	Member	Constance Rice	1/1/19	12/31/21	1	Mayor
3	F	N/A	9.	Member	Susan Lee	1/1/19	12/31/22	1	Mayor
	M		10.	Member	Marques J. Gittens	1/1/21	12/31/22	1	Mayor
6	F	4	11.	Member	Stephanie Gardner	1/1/20	12/31/23	1	Mayor
			12.	Member		1/1/19	12/31/20	1	Mayor
6	F	N/A	13.	Mayor	Jenny Durkan	N/A	N/A	1	Ordinance 125604
3	F	N/A	14.	Governance and Education Committee	Lorena Gonzalez	N/A	N/A	1	Ordinance 125604
4	F	N/A	15.	School District Superintendent	Brent Jones	N/A	N/A	1	Ordinance 125604
			16.	School District Board Member	Leslie Harris	N/A	N/A	1	Ordinance 125604
1	M	5	17.	Chancellor of Seattle Colleges	Shouan Pan	N/A	N/A	1	Ordinance 125604

SELF-IDENTIFIED DIVERSITY CHART

	SELF-IDENTIFIED DIVERSITY CHART				(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
	Male	Female	Transgender	NB/ O/ U	Asian	Black/ African American	Hispanic/ Latino	American Indian/ Alaska Native	Other	Caucasian/ Non-Hispanic	Pacific Islander	Middle Eastern	Multiracial
Mayor	0	1				2	1			1			
Council	2	3			1	2	1						1
Other	2	3			1		1	1		2			
Total	4	7			2	4	3	1		3			1

Key:

*D List the corresponding *Diversity Chart* number (1 through 9)

**G List gender, M= Male, F= Female, T= Transgender, NB= Non-Binary O= Other U= Unknown

RD Residential Council District number 1 through 7 or N/A

Diversity information is self-identified and is voluntary.



Legislation Text

File #: Appt 02033, **Version:** 1

Reappointment of David G. Jones as City Auditor, for a term to December 13, 2025.

The Appointment Packet is provided as an attachment.



MEMORANDUM

To: Councilmembers
From: Lorena González, Council President
Date: August 20, 2021
Subject: Reappointment of City Auditor David Jones
CC: Monica Martinez-Simmons, Dan Eder, Lise Kay

It is my intention to nominate David Jones for reappointment as City Auditor. David has served the City very well during his tenure, overseeing numerous performance audits of City departments, programs, grantees and contracts, as well as some non-audit projects. Over the past four years, the Office of City Auditor (OCA) has facilitated and advocated for effective design and rigorous evaluations of City programs in areas including public safety, labor standards, affordable housing, and public health.

The OCA, under David's direction, has also demonstrated national leadership in the incorporation of race and social justice considerations in audit planning and on how to analyze data from an equity perspective. Each of OCA's audits use a modified version of the City's Race and Social Justice Initiative (RSJI) Toolkit to consider RSJI implications during audit planning and fieldwork. Finally, David has supported his staff's professional development, with several individuals completing advanced degrees and others completing certifications and training to add to their subject matter expertise.

Please see David's attached letter of interest and resume for a longer list of his accomplishments and experience.

David's current term expires on December 13, 2021, but the Municipal Code requires the Council to act on the Auditor's reappointment 45 days prior to this date. As Council's annual budget deliberations consume much of the fall schedule, the Governance and Education Committee will consider this reappointment on September 14th with a potential vote. It is anticipated that full Council will consider this reappointment on September 20, 2021.

Please send any questions or concerns to me or to Vy Nguyen (vy.nguyen@seattle.gov) in my office.



City of Seattle Department Head Notice of Appointment

Appointee Name: David G. Jones		
Board/Commission Name: Office of the City Auditor		Position Title: City Auditor
<input type="checkbox"/> Appointment OR <input checked="" type="checkbox"/> Reappointment	City Council Confirmation required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Appointing Authority: <input checked="" type="checkbox"/> City Council <input type="checkbox"/> Mayor <input type="checkbox"/> Other: <i>Fill in appointing authority</i>	Term of Position: * 12/14/2021 to 12/13/2025 <input type="checkbox"/> <i>Serving remaining term of a vacant position</i>	
Legislated Authority: Ordinance 122180	Zip Code:	Contact Phone No.:
Background: David G. Jones has worked for 36 years as a government performance auditor and for 31 years as a supervisor or manager of auditors. He has performed and supervised all aspects of the audit process, including planning audits, performing and supervising audit field works and analysis, writing and reviewing draft reports, and make presentations to the City Council and the public. He was first appointed to a four-year term as Seattle City Auditor in 2009, and reappointed in 2013 and 2017. In his most recent term, David G. Jones oversaw and led audits mandated by ordinance and requested by Council on some of the most complex issues facing the City and will continue to lead the City Auditor's Office through the COVID-19 pandemic.		
Authorizing Signature (original signature): 	Appointing Signatory: M. Lorena González Seattle City Council, President	
Date Signed (appointed): 8/20/21		

*Term begin and end date is fixed and tied to the position and not the appointment date.



CITY OF SEATTLE ▪ STATE OF WASHINGTON
OATH OF OFFICE

State of Washington

County of King

I, David G. Jones, swear or affirm that I possess all of the qualifications prescribed in the Seattle City Charter and the Seattle Municipal Code for the position of the City Auditor of the Office of City Auditor; that I will support the Constitution of the United States, the Constitution of the State of Washington, and the Charter and Ordinances of The City of Seattle; and that I will faithfully conduct myself as the City Auditor of the Office of City Auditor.

David G. Jones

Subscribed and sworn to before me

this ____ day of _____, 2021.

[Seal]

Monica Martinez Simmons, City Clerk

David G. Jones, CGFM, CIA, CISA

davidg.jones@seattle.gov

(206) 233-1095 (work)

PROFESSIONAL EXPERIENCE

City Auditor, Office of City Auditor, Seattle, Washington, December 2009 – Present.

- Appointed by the Seattle City Council to a four-year term in December 2009 after a national search and reappointed in September 2013 to a second term and in October 2017 to a third term. Responsible for directing and prioritizing all audit activities; developing the office work plan and annual budget; hiring, evaluating, and assigning staff; ensuring quality and relevant work products to meet requesters' needs; maintaining compliance with Government Auditing Standards including successfully passing an independent peer review by the Association of Local Government Auditors (ALGA); making presentations to Seattle City Councilmembers; and responding to inquiries from the public and media. Expanded the office's use of data mining software, statistical analysis, information security reviews, program evaluations, and work with consultants. Served as Acting City Auditor from April 2009 to December 2009.

Deputy City Auditor, Office of City Auditor, Seattle, Washington, January 1998 – March 2009.

- Assisted the City Auditor with the supervision of the seven assistant auditors, administrative staff, consultants, and interns. Responsible for performing quality assurance reviews of draft reports; making presentations to councilmembers, professional associations, and citizen groups; assisting with development of the office work plan, annual report, and budget materials; writing performance evaluations of office staff; developing and updating the office's policies and procedures; participating in hiring and personnel activities; overseeing work related to internal control and information technology; and coordinating and preparing for external peer reviews.

Supervisory Auditor, Office of City Auditor, Seattle, Washington, April 1996 – December 1997.

- Served as the lead auditor of four published audit products. Responsible for supervising audit staff, participating in hiring and personnel activities, and making presentations to the City Council on my reports. Assisted with development of the office work plan. Implemented the office's use of the Control Self-Assessment (CSA) audit technique.

Supervisory Auditor, U.S. General Accounting Office (GAO), Washington, D.C., October 1990 – April 1996.

- Planned and supervised the completion of four audit projects of sensitive U.S. government programs and contributed to the congressional testimony on a fifth program. Two of these audits were cited for their significance and quality in the U.S. Comptroller General's annual reports for 1994 and 1995.

Staff Auditor, U.S. General Accounting Office (GAO), Washington, D.C. and Panama City, Republic of Panama, August 1985 – September 1990.

- Performed audit research and drafted reports, including drafting a report on a \$17.7 million children's health program. Made significant contributions to ten other audits on topics ranging from information management systems to the effectiveness of U.S. narcotics enforcement programs. Earned the Outstanding Achievement Award for contributions to studies that

prompted improvements in the Interstate Commerce Commission's enforcement program and identified \$1.4 billion in reductions to the U.S. Navy's 1987 ship building budget.

EDUCATION

Master of Public Policy – John F. Kennedy School of Government, Harvard University, Cambridge, Massachusetts, June 1985.

Bachelor of Arts (History) – Haverford College, Haverford, Pennsylvania, May 1978.

AWARDS

Association of Local Government Auditors (ALGA) 2015 Knighton Distinguished Award for Report by Medium Size Audit Office

Manager for March 18, 2015, report: *Audit of the Seattle Police Department's Public Disclosure Process*

Association of Local Government Auditors (ALGA) 2014 Knighton Exemplary Award for Report by Medium Size Audit Office

Manager for October 17, 2014, report: *Seattle's Paid Sick and Safe Time Ordinance Enforcement Audit*

Association of Local Government Auditors (ALGA) 2010 Knighton Bronze Award for Report by Medium Size Audit Office

Supervisor for July 28, 2010, report: *Anti-Graffiti Efforts: Best Practices and Recommendations*

Association of Local Government Auditors (ALGA) 2007 Knighton Silver Award for Report by Medium Size Audit Office

Supervisor for August 6, 2007, report: *Seattle Indigent Public Defense Services*

Distinguished Faculty Member of Institute of Internal Auditors (IIA) Seminars Program

Named Distinguished Faculty Member in January 2001 for high level of performance in teaching courses on audit report writing, risk assessment, control self-assessment, interviewing techniques, and skills for new supervisory auditors.

GAO Exceptional Performance Bonus Awards, December 1993 and January 1995

For role as Auditor-in-Charge on major reports on the U.S-Israel Arrow missile program and the U.S-Japan FS-X aircraft program.

GAO Assistant Comptroller General Exceptional Performance Commendation, April 1992

For quickly providing the Senate Foreign Relations Committee with information needed for deliberations on military assistance to El Salvador.

GAO Assistant Comptroller General Letters of Commendation, May 1990

For contributions in 1989 and 1990 to reviews of Central American refugees and U.S. programs in Belize under extremely short time frames and stressful conditions.

U.S State Department Superior Honor Award, June 1988

For sustained superior performance with GAO's Latin America office throughout the June 1987 to June 1988 political and economic crisis in the Republic of Panama.

Letters of Commendation, January 1987

From Congressman Bill Chappell and the U.S. Comptroller General for significant assistance provided to the congressional review of the Department of Navy's fiscal year 1987 budget request.

GAO Washington Regional Office Outstanding Achievement Award, October 1986

For outstanding performance during audits of the Interstate Commerce Commission and the U.S. Navy.

ADDITIONAL EXPERIENCE

Certifications:

- Certified Internal Auditor (CIA) from the Institute of Internal Auditors (IIA)
- Certified Government Financial Manager (CGFM) from the Association of Government Accountants (AGA)
- Certified Information Systems Auditor (CISA) from the Information Systems and Control Association (ISACA)

Memberships:

- From 2015-2019, served as chair of the Association of Local Government Auditors (ALGA) Advocacy Committee, which advocates for the establishment and support of local government auditing.
- Former member of the National Association of Local Government Auditors (NALGA) Peer Review Committee and leader of three NALGA peer review teams (reviewed operations of audit offices in Multnomah County, Oregon; Stockton, California; and Austin, Texas). At the request of the King County Auditor, headed the team that performed the peer review of her office in December 2004.
- Member of 2005 King County Auditor Reappointment Committee.

Presentations (invited to speak on audit-related topics):

- Pacific Northwest Intergovernmental Audit Forum
- American Society for Public Administration
- OLGA (a Scandinavian local government auditors association)
- Washington State Finance Officers Association
- Washington Society of Certified Public Accountants
- Washington State Local Government Auditors Association
- Multnomah County Auditor's Office
- University of Washington's Daniel J. Evans School of Public Affairs
- Seattle University's Institute of Public Service
- News Media Internal Audit Association
- Seattle Management Association
- City of Seattle Administrative Forum
- Puget Sound Chapter of the Institute of Internal Auditors



City of Seattle
Office of City Auditor

August 6, 2021

Seattle City Council President Lorena González
600 Fourth Avenue, 2nd Floor
Seattle, Washington 98124

Dear Council President González,

I am writing to convey my interest in serving another term as the City Council-appointed Seattle City Auditor as my current appointment will expire in December of this year. I am seeking this reappointment because I would like to continue promoting equitable, effective, and efficient City programs, and to lead the Office of City Auditor through the changes occurring in Seattle due to the COVID-19 pandemic. I am proud of the independent, objective, and significant work that my office has done during my tenure.

As you will see in my attached resume, I have the educational background and work experience required for reappointment. I have worked successfully for 36 years as a government performance auditor and for 31 years as a supervisor or manager of auditors. I have performed or supervised all aspects of the audit process, including planning audits, performing, and supervising audit fieldwork and analysis, writing reports and reviewing them, and making presentations to the City Council and the public.

I believe the accomplishments of our office during the past four years support my reappointment. The following summary describes some of these accomplishments:

Effectively Responding to City Council Requests and Interests

- Focus on Ordinance Mandated and Council-Requested Audits: In accordance with Seattle Municipal Code 3.40.020, during the past four years, we have prioritized completing audits mandated by ordinances approved by the City Council or requested by City Councilmembers. This work included audits of the effectiveness of the [City's Navigation Team in dealing with unsheltered individuals](#), the [City's handling of Hate Crimes](#), the [City's financial condition based on selected financial and economic indicators](#), the [Seattle Police Department's staffing of special events](#), the [Seattle Fire Department's special events cost recovery efforts](#), the [Seattle Department of Transportation's use of surveillance technologies](#), [Seattle City Light's billing and customer care practices](#), the [City's enforcement of the Minimum Wage Ordinance](#), the [operations of the Seattle Municipal Court's Court Resource Center](#), and the [City's bridge maintenance program](#). These audits have provided the Council with many recommendations for improving City programs and have identified efficiencies and potential additional revenues. For example, in our audit of the Seattle Fire Department's special events efforts we estimated that the department in 2018 could have billed for at least \$180,000 in planning and administrative

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costs and in the [2019 audit we performed with Seattle Public Utilities on New Taps billings](#) identified \$169,233 in billings that were not made that should have been.

- **Relevant Ongoing and Future Work:** Most of our ongoing and planned future work has been mandated by ordinance or requested by Councilmembers. Our ongoing work includes audits of the Seattle Municipal Court's probation program, the implementation of [Ordinance 125873](#) concerning Notices of Intent to Sell Low-Income Housing, the Seattle Department of Transportation's sidewalks maintenance efforts, the procurement of Seattle Police Department patrol vehicles, the City's management of federal emergency COVID funds, and the Human Services Department's work to support the community-based organizations that have received Community Safety awards. In the future, we are required by the Surveillance Technologies Ordinance to complete reviews by September 2022 of three Seattle City Light technologies and one Seattle Fire Department technology and follow-up on two Seattle Department of Transportation technologies that we previously reviewed.
- **Persistent Follow-Up on Audit Recommendations:** In response to Council requests for information about the status of the implementation of our audit recommendations, in 2010 we began issuing annual reports on the implementation status of all our audit recommendations. This is important because it provides transparency about the effectiveness of our office's work and helps encourage departments to implement the recommendations in a timely manner. Our annual audit recommendation follow-up reports have shown that since 2007, about 70% of our recommendations have been implemented by departments. To help make it easier for anyone to obtain information about the status of our recommendations, we recently placed an interactive recommendation status [dashboard](#) on our office's website.
- **Non-Audit Reports on Topics of Interest to the Council:** During the past four years, we have also completed several non-audit projects to provide information to Councilmembers. For example, we issued a 2019 report mandated by [Ordinance 125620](#) on firearms-related hospitalizations and deaths in Seattle for the overall population and among youth, and guns reported to or recorded by the Seattle Police Department as stolen in Seattle. We also produced a [2020 report](#) on our review of loss of assets reports filed by the Information Technology Department to ensure that the department had adequate controls in place to track its equipment.
- **Work on Other Topics of Interest to the Council:** Although most of our work is in response to Council approved ordinances or requests from Councilmembers, we also try to respond to requests from other parties that are aligned with Council interests and priorities. For example, in December 2020, in response to a request from the Core Team of the Rainier Beach: A Beautiful Safe Place for Youth program, we identified and reviewed studies to develop an [annotated bibliography](#) on community-led strategies to address gentrification.

Focusing on High-Risk Areas

- **Homelessness and Encampments:** In 2020, we completed two reports concerning homelessness. First, in response to Seattle City Council President Lorena González's request, we reviewed [Human Service Department's \(HSD\) management of the City's homeless services contracts](#). The report included 18 recommendations for improving HSD's management of homeless services contracts, homeless policy and program design, and service provider performance and contract compliance. In response to one of our recommendations, HSD developed a proposed timeline for executing contracts that would address the problem of untimely payments to service

providers and has taken steps to improve contract monitoring. Our [second 2020 homelessness report](#) was completed as part of our November 2017 Navigation Team Reporting Plan requested by City Councilmember Lisa Herbold. We identified a strategic approach that includes five steps that the City of Seattle could take to help reduce or prevent unsanctioned encampment trash from accumulating, and to track whether encampment trash accumulation was increasing or decreasing. We offered five recommendations associated with these steps that recognized that the complex issues surrounding unsheltered homelessness require a systematic, coordinated, multi-pronged response, and we hope the report's recommendations will help inform the City's future approaches to homelessness.

- **Surveillance Technologies:** We completed the first two usage reviews of City surveillance technologies required by the City's Surveillance Technologies [Ordinance 125376](#). The reports on SDOT's [License Plate Readers](#) and [Closed-Circuit Television Traffic Cameras](#) contained a total of 28 recommendations.
- **Utility Audits:** After an over \$1 million fraud occurred in 2011 at Seattle Public Utilities (SPU), the Council authorized a position in our office dedicated to utility audits. Since 2011, we have had ongoing audits of SPU and Seattle City Light (SCL), focusing on high-risk utility revenue streams and customer service. The recommendations from these reports are intended to ensure that SPU and SCL collect and deposit the appropriate amounts of customer payments, take reasonable steps to protect City assets and prevent fraud, and provide good customer service. During the past four years, we have issued audit reports on [SPU wholesale water sales](#), [SPU New Taps billing and controls](#), [SCL billing for utility pole attachments and replacements](#), and one on [SCL's customer care and billing practices](#) requested by Councilmember Mosqueda in response to customer concerns about unexpected high bills. In these reports, we made a total of 50 recommendations for improvements. We are currently conducting a review of SPU's residential solid waste billing process.
- **Assist the Office of Inspector General (OIG):** In instances in which the Office of Police Accountability (OPA) staff have a conflict of interest in investigating alleged police officer misconduct, the Office of Inspector General (OIG) assumes responsibility for conducting the investigation. In such cases, our office conducts the quality assurance certification review of the investigation that is normally performed by OIG on OPA's work. To date we have conducted five of these reviews.

Supporting Evidence-Based Practices and Program Evaluation

- **Work in Four Council Priority Areas:** In response to direction from the City Council, our office has continued during the past four years to facilitate and be an advocate for effective design and rigorous evaluations of City programs. We have conducted such work in four areas that are Council priorities: Public Safety, Labor Standards, Affordable Housing, and Public Health.
- **Public Safety Through Non-Arrest Approaches to Reducing Youth Violence:** Our work in this area was an outgrowth of our Council-requested work on crime hot spots and the Seattle Youth Violence Prevention Initiative. Since 2012, we have been providing technical assistance for the implementation and evaluation of two public safety projects in Rainier Beach. First, we continue to provide technical assistance in the implementation and evaluation of [Rainier Beach: A Beautiful Safe Place for Youth \(ABSPY\)](#), a community-led, place-based approach to reducing youth victimization and crime in the Rainier Beach neighborhood. ABSPY focuses on five

“hotspots” in the Rainier Beach neighborhood where crime has been highly concentrated. Second, our office continues to serve as co-research lead and grant coordinator with George Mason University’s Center for Evidence-Based Crime Policy, the Seattle Public Schools, and several community partners on a five-year \$3.8 million research grant funded by the U.S. Department of Justice, National Institute of Justice. This grant is intended to reduce school discipline, youth crime, victimization, and youth exposure to the criminal legal system in Rainier Beach through non-punitive approaches. The initiative combines the application of Positive Behavioral Interventions and Supports (PBIS) and Restorative Practices (RP) in schools and community settings. These public health-oriented, evidence-informed strategies focus on transforming adult-run systems and institutions while providing youth with multi-tiered systems of support. Decades of rigorous research and practice have found PBIS to be an effective framework for helping schools serve as effective learning environments, reducing suspensions and discipline referrals, and improving students’ social and academic performance, attendance, perception of safety, and organizational health of schools. RP have been found to be generally effective in reducing recidivism, improving school climate, student connectedness and academic achievement. The project in Rainier Beach, is the first in the country to expand the use of PBIS from schools to community settings including the community center, library, public spaces, and local businesses and involves an assessment of whether the integration of PBIS and RP frameworks can improve school climate and overall rates of youth crime and community safety.

- Labor Standards Work on Secure Scheduling: As required by the [Secure Scheduling Ordinance](#), which made Seattle the second U.S. city to establish guidelines to promote predictable employee scheduling and incomes, our office convened and is managing a team of academic researchers with expertise in employee scheduling to analyze the legislation’s impacts. The research team’s members are from the University of Chicago, University of California Berkeley, Rutgers University, and the University of Washington’s West Coast Poverty Center. To date the team has published three reports: a [2018 report](#) on baseline conditions, a [2019 report](#) on the ordinance’s effects on workers and employers after the first year of implementation, and a [2021 report](#) on the law’s impact on workers two years after the law’s passage. The final report on the impact of the ordinance on employers two years after the ordinance’s passage is scheduled for issuance in 2021.
- Affordable Rental Housing Evaluation: In response to legislation passed by the Council concerning affordable housing, our office selected and oversaw the work of University of Washington researchers to gather critical baseline data on rental housing conditions and cost. [Their report](#), which was published in July 2018, provided insights into tenant and landlord experiences, particularly related to new City laws, and data on the Seattle rental market (e.g., rental rates). This study focused on the experiences of renters and landlords operating in the Seattle market as well as the distribution, condition, cost and change in rental housing in the Seattle area from August 2017 through April 2018. It provides valuable information about Seattle’s rental housing market that can be used as the basis for future evaluations.
- Public Health and Economic Effects of the Sweetened Beverage Tax: [Ordinance 125324](#) passed by the Seattle City Council in June 2017, required the City Auditor to contract with academic researchers to conduct a multi-year evaluation of the behavioral, health, and economic impacts of the Sweetened Beverage Tax, including one requested by several Councilmembers on food deserts in Seattle and an assessment of Seattle's food bank network. We contracted with Public Health - Seattle and King County (Public Health) to lead the evaluations. Public Health

contracted with the University of Washington and Seattle Children's Research Institute to help it conduct the evaluations. This work, since 2017, has been funded by Sweetened Beverage Tax revenues of \$500K annually and is funded through 2021. The [first report](#) was published in 2018 and provided baseline information on conditions before the implementation of the tax in Seattle. The [second report](#) released in January 2019 provided information collected by the research team on the prices of taxed and nontaxed beverages before the tax took effect and six months after the start of the tax. The [third report](#), issued in February 2019, was on healthy food availability and Seattle's food bank network. The [fourth report](#), issued in 2020, summarizes findings from data collected 12 months after implementation of the tax on the price of beverages in stores and the beverage consumption of a cohort of lower-income children and parents living in Seattle and the South King County area. The next report is scheduled to be published in 2021 on conditions 24 months after the Tax's implementation.

Advancing Professionalism and Analytical Capabilities

- Another Successful External Peer Review: In November 2017, our office underwent and passed its [third external peer review](#) of our compliance with the U.S. Comptroller General's rigorous Government Auditing Standards, which was conducted by a team of outside auditors selected by the Association of Local Government Auditors (ALGA). Our office will undergo another ALGA peer review in late 2021.
- Awards for Office Reports: During my third term as City Auditor, our office won two more ALGA Knighton Awards for the quality and impact of our audit reports: our [April 2017 report](#) "Audit of Seattle's Incentive Zoning for Affordable Housing" and our [September 2020 report](#) "Seattle Department of Transportation: Strategic Approach to Vehicle Bridge Maintenance is Warranted."
- Professional Development: Our staff members have continued to further their professional development. In 2020, Claudia Gross Shader earned a PhD in Criminology from Hebrew University and Melissa Alderson earned an Executive Master's in Public Administration from the University of Washington. In 2021, IB Osuntoki earned a Master's in Public Health from the University of Washington. We have also continued to encourage and support our staff in earning certifications that demonstrate their knowledge of topics that make them better performance auditors. In 2018, Jane Dunkel and Melissa Alderson earned Certified Government Auditing Professional certifications from the Institute of Internal Auditors and in 2019 Marc Stepper became a Certified Information Systems Auditor. I was also pleased that some of our staff learned how to use the Power BI software that enabled Sean DeBlieck to create an interactive dashboard for our audit recommendation database.
- Commitment to RSJI and DEI: As City Auditor, I created a working environment in which our office's staff know that we support the City's Race and Social Justice Initiative (RSJI) and value diversity, equity, and inclusion (DEI) in all aspects of our work. Furthermore, I have encouraged members of our office to do the work necessary to ensure that DEI figures prominently in the local government auditing community. As a result:
 1. For each of our audits we use a modified version of the City's Race and Social Justice Initiative (RSJI) Toolkit to consider the RSJI implications of our work during audit planning and fieldwork. We updated this tool to include asking City departments that we audit if they had completed an RSJI Toolkit on the issues included in the audit scope, thereby holding

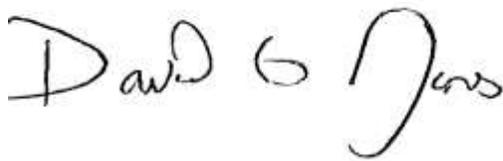
them accountable for this work, and asking our auditors to perform and document outreach to stakeholders, and to develop more inclusive and diverse lists for distributions of our reports. Our tool has been adopted by other local government audit offices. During the past four years, we have used this tool on 23 audits.

2. During the past four years, our office has had a representative on the Legislative Department's RSJI Change Team.
3. We encourage staff to take a minimum amount of training annually on RSJI issues and we track the hours they earn each year on such training. I have also empowered staff to form small groups to study and discuss RSJI issues.
4. Members of our office contributed to the auditing profession's use and knowledge of RSJI principles through our participation in the Association of Local Government Auditors (ALGA). Virginia Garcia of our office served as chair of ALGA's newly formed Diversity, Equity, and Inclusion (DEI) Committee. The committee, under her leadership, influenced local government auditors nationally by encouraging the use of the RSJI toolkit in audit planning, providing training on how to analyze data from an equity perspective, highlighting these issues at conferences, working successfully to have a DEI Board Officer position added to the ALGA Board of Directors and to have DEI included in ALGA's vision, mission, and strategic plan.
5. Our office also worked with ALGA to submit materials and lobby successfully to have the U.S. Government Accountability Office reinstate equity in the [Government Auditing Standards](#) as a relevant issue to audit. This will have far reaching impacts on the field of auditing, as most local, state, and federal auditors in the U.S. follow these standards.

I would relish the opportunity to continue to work with my colleagues on addressing ongoing areas of risk facing the City of Seattle.

Thank you for considering my request for reappointment to the position of Seattle City Auditor.

Sincerely,

A handwritten signature in black ink that reads "David G. Jones". The signature is written in a cursive, slightly slanted style.

David G. Jones
City Auditor
Attachment:

8_06_21 DavidGJones_Resume

City Auditor Reappointment

Questions for David Jones

Please return by 9/8/2021

1. Please tell us about your progress on the following goals set by Council with the Office of the City Auditor (OCA):
 - Be a champion for effective program design and evaluations with City government, including partnering with departments early on to establish programs in a way that measuring effectiveness is possible;

Toward these goals we're managing ongoing evaluations, have published reports and are currently working on projects concerning program design and evaluation topics. In some cases, we have been able to partner with Executive branch departments and in other instances this did not occur.

Since 2017, as required by ordinance, our office is overseeing multi-year evaluations by research teams of the Sweetened Beverage Tax and the Secure Scheduling Ordinance.

On June 6, 2017, the Seattle City Council passed Ordinance 125324 imposing a tax on engaging in the business of distributing sugar-sweetened beverages in Seattle. The ordinance required our office to oversee a five-year evaluation that assesses the impact of the tax on 1) economic outcomes (such as household food expenditures, beverage prices and sales, jobs, and store revenues) and 2) health behaviors (such as dietary purchases and consumption), 3) intermediate health outcomes, and 4) identification and assessment of food deserts in the city, and 5) the effectiveness and efficiency of the foodbank network in Seattle. The evaluation is also assessing the process of implementing the tax, including perceptions of Seattle residents and specifically low-income households, food retailers, tax administrators, and City of Seattle officials. The Seattle research team that we contracted with includes Public Health– Seattle & King County, the University of Washington, and Seattle Children's Research Institute. Our office has overseen five of these evaluation reports since 2017. Noteworthy findings two years after the tax include that Seattle residents with lower incomes had increasingly negative perceptions of the healthfulness of sugary beverages, with larger numbers believing that sugary beverages increase risk for chronic diseases.

On July 1, 2017, the Seattle City Council passed Ordinance 125135, creating one of the nation's first laws mandating schedule predictability for a subset of workers. The Secure Scheduling Ordinance (SSO) covers hourly workers at retail and food service establishments with 500 or more employees worldwide and at full-service restaurants with at least 500 employees and at least 40 locations worldwide. As mandated by the Ordinance, our office engaged a team of researchers with expertise in working conditions

to conduct an evaluation of the law's impacts in the first and second years of its implementation. The evaluation consists of two complementary parts: a Worker Impact Study that evaluates the impacts of the ordinance on the work schedules reported by covered workers, and an Employer Implementation Study that examines the implementation of the SSO as reported by frontline managers responsible for scheduling workers in covered worksites. Our office has overseen three SSO evaluation reports since 2017. Noteworthy findings two years after the law went into effect include that the SSO continued to have positive effects on workers' schedule predictability. In addition, the evaluation found that the SSO led to increases in job satisfaction and workers' overall well-being and financial security. In particular, the evaluation found that SSO had the following impacts for Seattle workers: increased work schedule stability and predictability; increased job satisfaction and satisfaction with work schedules; increased overall happiness and sleep quality; and reduced material hardship.

Our office has tried to partner with City departments early on to establish programs in a way that measuring effectiveness is possible.

Since 2013, we have been engaged in a long-term partnership with community-based organizations, City departments, and Seattle Public Schools to implement and rigorously evaluate a community-led program to address youth victimization and crime at five locations in Rainier Beach. In 2016, at request of CM Burgess, we issued a [report](#) on ten considerations for conducting a rigorous evaluation of a pilot Implementation of an Acoustic Gunshot Locator System, when the City was considering deploying such a system, to help ensure that it produced the desired outcomes for Seattle. The report summarized the current literature on acoustic gunshot locator systems and the essential factors for conducting an evaluation of them. In 2017, we produced a report after the passage of [Ordinance 125315](#), which established a new police oversight structure for Seattle, that provided information to the City Council about the issues involved in evaluating the new police oversight system. We produced another [report](#) in 2017, at the request of Councilmember (CM) Herbold, that provided a reporting plan to enable the City Council to evaluate the effectiveness of the Navigation Team's efforts to address unsheltered people living in Seattle. At the time the report was released, the Executive agreed with the plan, but ultimately did not implement the recommendations we made in this report and subsequent ones we issued on the Navigation Team.

Currently, at the request of CMs Lewis and Herbold, we are working on a report that will help the City design a data-dashboard to better understand whether City-funded programs to address issues related to unsanctioned encampments are having a positive effect in three domains (i.e., lived experience, public health, system performance). Also, at the request of CM Herbold, we are working with the Human Services Department to ensure that its new investments in community safety are informed by the best available research evidence and are well-positioned to measure their effectiveness.

- Stand firm as the City’s primary process and accountability watchdog, independent from the executive branch;

As City Auditor, to ensure that our office follows rigorous federal audit standards for independence from the Executive branch, I have had our office undergo thorough independent external reviews by the Association of Local Government Auditors (ALGA). The peer review reports opine on our office’s adherence to the U.S. Government Accountability Office’s Government Auditing Standards, which includes an assessment of our office’s independence and the quality of our audits. Since I became City Auditor in 2009, our office has successfully passed [three ALGA peer reviews](#) (2011, 2014, 2017) that attest to our office’s independence and the quality of our audits.

The best evidence of our independence and focus on accountability can be found in our reports that contain numerous conclusions and recommendations for improving Executive branch programs. Between 2007 and 2020, 69 percent of the 788 recommendations we made have been implemented to accomplish things such as more effective and efficient City programs, enhanced protection of City assets, better information for City decision makers, decreased costs, and increased revenues. Since I became City Auditor in 2009, our office has produced a report each year that contains the implementation status of our report recommendations and documents our success in enhancing the accountability of City government.

- Continue to proactively commence audits on topics you deem to be important to the City; and

Every year, we produce at least one self-initiated report that our office deems to be of importance to the City. Our annual recommendation follow-up reports were initiated by our office, and we have initiated and conducted several audits of the utilities’ billing processes (e.g., a 2016 report on [Seattle City Light Billable Services](#), a 2018 report on [Seattle Public Utilities Wholesale Water Sales](#), a 2019 report on [Seattle Public Utilities New Taps Billing and Controls Review](#), a 2020 report on [Seattle City Light’s Billable Pole Attachments and Pole Replacements Audit](#)). Furthermore, we are currently working on a self-initiated audit of Seattle Public Utilities Residential Solid Waste program that we expect to complete this year. We also initiated and completed a [2020 report](#) on our review of loss of assets reports filed by the Information Technology Department to ensure that the department had adequate controls in place to track its equipment. In December 2020, in response to a request from the Core Team of the Rainier Beach: A Beautiful Safe Place for Youth program, we identified and reviewed studies to develop an [annotated bibliography](#) on community-led strategies to address gentrification.

- Improve the consistency of report formatting and branding.

To address the consistency and branding of Office of City Auditor documents, we created new report and presentation templates and a resource guide that defines and describes our office's publication standards. These standards include style, formatting, font, and standard colors. Our reports, presentations, publications, memos, etc. are also reviewed by a designated team member to check for consistency and formatting before publication.

2. Do you have any suggestions for improving how Council and OCA work together?

I believe our office has had good relations with the Council. One element that is particularly beneficial is the Council practice of consulting with our office before it passes an ordinance or Statement of Legislative Intent (SLI) that specifies that our office should do certain work. This allows us to allocate resources appropriately and keep our portfolio of projects on schedule.

I also appreciate the City Council's understanding of the need for our office, while prioritizing work requested by Council, to conduct its work independently by allowing the City Auditor to decide on what work the office should perform and how it performs its work.

3. Are there any goals you would like OCA to focus on during a subsequent term as City Auditor?

First, I would like to continue our legacy of providing timely and accurate reports containing useful recommendations for improvements in City programs to the City Council and other City decision makers and the public. Second, I would also to continue to produce reports that focus on equity as well as the traditional audit topics of effectiveness and efficiency. Third, I want to have a smooth transition to successfully replace the long-serving auditors who have and will retire from our office. Fourth, I want to continue to further strengthen our office's ability to perform complex quantitative analyses and to efficiently audit information technology issues.

4. What do you see as the primary challenges facing OCA in the next four years?

I foresee two primary challenges facing the Office of City Auditor in the next four years. One of the challenges will be balancing our workload with the additional demand generated by the [Surveillance Technology Ordinance](#) that requires our office to review non-police technologies. In 2022, we not only have to perform initial reviews of four surveillance technologies (i.e., Seattle Fire Department Computer-Aided Dispatch, three Seattle City Light diversion technologies) but the ordinance also requires us to conduct annual reviews of the technologies that we have previously reviewed, which to date are Seattle Department of Transportation License Plate Readers and Traffic Cameras. This means by September 2022 we will have to complete reports on six surveillance technologies. Furthermore, reports on two more technologies (i.e., Seattle Fire Department Emergency Scene Cameras and Hazmat Cameras) will be due in September 2022 if

Council approves, before the end of 2021, these technologies' Surveillance Impact Reports. Under either scenario, we will have to dedicate a substantial portion of our staff to this line of work leaving us with little staff time to audit other City issues and programs.

A second significant challenge will be dealing with the retirements of some of our most experienced auditors. I address how I plan to meet this challenge in my response below to Question #15.

5. Do you believe your budget appropriation is sufficient? Staffing adequate?

Our office will always strive to be as productive as it can with whatever resources we receive. Nevertheless, I believe the City would benefit from the addition of more staff to our office. An increase in our staff count would allow us to better manage the workload imposed by the Surveillance Technologies Ordinance while also continuing to be responsive to Council requests, legal mandates, and unanticipated issues (e.g., the shutdown in 2021 of the upper West Seattle Bridge that led to a Council request for our audit of the City's bridge maintenance program). Also, given our current budget for staffing and consultants, we have been able to do only a limited amount of proactive self-initiated work to focus on issues and risks that our office believes warrant audits. Furthermore, given the retirements of several of our most experienced staff who could conduct complex performance audits by themselves, we will likely need to work more in teams and provide an increased level of supervision to new staff, which means that more staff will be needed.

6. Given the growth of the City and expanding legal mandates, does the Office of the City Auditor (OCA) have sufficient capacity and funding to manage its workload?

See answer to number 5.

7. How do you integrate racial and social justice concerns into your work?

For each of our audits we use a modified version of the City's Race and Social Justice Initiative (RSJI) Toolkit to consider the RSJI implications of our work during audit planning and fieldwork. We updated this tool to include asking City departments that we audit if they had completed an RSJI Toolkit on the issues included in the audit scope, thereby holding them accountable for this work, and asking our auditors to perform and document outreach to stakeholders, and to develop more inclusive and diverse lists for distributions of our reports. Our tool has been adopted by other local government audit offices. During the past four years, we have used this tool on 23 audits.

To help ensure that our office's staff improves its knowledge of RSJI so that they are better able to incorporate it into their work, we encourage our staff to take a minimum amount of training

annually on RSJI issues and we track the hours they earn each year on such training. I have also empowered staff to form small groups to study and discuss RSJI issues.

Members of our office contributed to the auditing profession's use and knowledge of RSJI principles through our participation in the Association of Local Government Auditors (ALGA). Virginia Garcia of our office served as chair of ALGA's newly formed Diversity, Equity, and Inclusion (DEI) Committee. The committee, under her leadership, influenced local government auditors nationally by encouraging the use of the RSJI toolkit in audit planning, providing training on how to analyze data from an equity perspective, highlighting these issues at conferences, working successfully to have a DEI Board Officer position added to the ALGA Board of Directors and to have DEI included in ALGA's vision, mission, and strategic plan.

Finally, our office has worked with ALGA to submit materials and lobby successfully to have the U.S. Government Accountability Office reinstate equity in the [Government Auditing Standards](#) as a relevant issue to audit. This will have far reaching impacts on the field of auditing, as most local, state, and federal auditors in the U.S. follow these standards.

8. Is there any area of the City's government that OCA does not currently audit that you would like to see OCA take on in the future?

There are areas of City government that our office has not audited or has not audited in recent years that could benefit from future audits. These include:

- City departments' performance in meeting environmental goals
- City departments' adherence to Race and Social Justice Initiative (RSJI) Executive Orders and [Resolution 31164](#) concerning RSJI
- Emergency management and continuity of operations
- Utility affordability programs
- City wide human resource functions
- Purchasing functions
- Developer compliance with City requirements in exchange for benefits
- Code enforcement
- Permitting
- Non-Police overtime
- Equity in City justice systems
- Public disclosure
- Contract management
- Capital facilities inspections
- Administration of City healthcare plans
- City built infrastructure maintenance
- Community Centers
- Infrastructure security

9. Do you or your staff ever experience interference or obstruction while doing your work?

During the last four years, we have not experienced any significant instances of interference or obstruction of our work. However, our information requests and requests for reviews of draft reports are often competing with other Executive staff priorities, which has in some cases thrown us off schedule by delaying the completion of some of our projects and delaying the initiation of new audits.

10. Given the increasing significance of technology issues for the City, including cybersecurity and surveillance, has the OCA developed specialized in-house expertise in technology audits and/or program evaluation?

Yes. The Office of City Auditor has developed in-house expertise with information technology (IT) audits and evaluations. Two of our staff are Certified Information Systems Auditors (CISA) and two are Certified Internal Auditors (CIA). Both certifications require knowledge of controls over IT, an understanding of cybersecurity risks, and familiarity with cybersecurity frameworks and standards. Our office supports and encourages staff to enhance their ability to conduct IT audits through ongoing training. Additionally, as we plan for new staff, one criterion we will be looking for is experience with and/or knowledge of IT auditing.

11. Are there other emerging areas where OCA will need to retain outside consultants or build in-house expertise?

At this point, aside from cybersecurity and surveillance technologies issues, we are not currently aware of any emerging areas in which we are certain that we will need outside consultants or to build further in-house expertise. However, we know, based on experience, that it would be helpful for our office to have discretionary funding to hire consulting help when the need arises. Cuts to our budget in recent years have made this impossible. In the past, we used office funds to hire consultants to perform security assessments of City information technology systems, which led to recommendations to better protect these systems. We also hired a highly skilled quantitative analyst to review King County data in our 2011 audit of the City's wastewater, which led to a valuable audit finding.

12. Is OCA coordinating with the Office of Inspector General in approaching issues of common interest, such as audit protocols and/or reports and the annual surveillance technology usage reports?

Yes, we have coordinated with the Office of Inspector General (OIG) on several issues of common interest. First, we have kept the OIG informed about any new work that we are starting that concerns the Seattle Police Department (SPD) or public safety issues. For example, we notified OIG early on about the audit Councilmember Lewis asked us to perform on the SPD patrol car fleet. Second, we have kept OIG informed about our work following up on recommendations from past audit reports that we completed on SPD (e.g., our [2016 report on SPD's management of](#)

[overtime](#)). Third, we have coordinated with OIG on the review of surveillance technologies our two offices are mandated to perform by [Ordinance 125679](#). For example, in 2020, OIG and our office issued joint memos on the status of our [2018](#) and [2019](#) Annual Surveillance Reviews. We also worked with OIG to agree on whose office should perform the reviews of certain public safety surveillance technologies – our office will cover the Seattle Fire Department’s Computer Aided Dispatch System while OIG will perform the reviews of the 911 Logging Recorder and Parking Enforcement Systems. We have been and will be continuing discussions with OIG about agreeing on a common methodology and format for our future reviews of surveillance technologies. Finally, we assist the OIG when Office of Police Accountability (OPA) staff have a conflict of interest in investigating alleged police officer misconduct. In such cases, OIG assumes responsibility for conducting the investigation, and our office conducts the quality assurance certification review of the investigation that is normally performed by OIG on OPA’s work. To date we have conducted five of these reviews.

13. Please describe what you consider to be your major accomplishments during your tenure to date.

This question asks what I consider to be “my” major accomplishments during my tenure as City Auditor. While I have worked very hard and am very proud of my role in the many accomplishments of our office during the past twelve years, I cannot emphasize enough that it has been a team effort involving everyone in the office to make these positive things happen. Given that, here’s a list of some of the accomplishments I am most proud of:

- Since 2007, achieving about a 70% implementation rate for the 788 audit recommendations contained in our reports. These recommendations have led to cost savings, identification of revenues, avoidance of and decreases in the risks faced by City programs, and increased transparency and accountability of City government operations to the Council and public.
- Since I became City Auditor in 2009, our office has won five national [awards](#) from the Association of Local Government Auditors (ALGA) for the quality and impact of our audit reports.
- When I became City Auditor, I decided that our office every three years would undergo independent peer reviews by ALGA to determine whether our office was adhering to the rigorous [Government Auditing Standards](#) issued by the U.S. Comptroller General. We successfully passed [three peer reviews in 2011, 2014, and 2017](#), and will be undergoing another peer review in November.
- I am very proud of how our office produced the same number of products during the past year compared to the previous year despite having to switch to working remotely because of the COVID pandemic.

- Our office produced many reports concerning equity issues and has embraced the principles of the City's Race and Social Justice Initiative and embedded it in our work (see answer to Question 7 above for more details).

For more details on our accomplishments, please see the August 6, 2021, letter that I submitted to the Council President González requesting reappointment to another term as City Auditor, and the City Charter required [annual reports](#) our office has produced since 2009.

14. What do you perceive as key unimplemented OCA recommendations from past audits?

As of December 31, 2020, we had 108 pending recommendations that had not yet been implemented. In my judgment, key unimplemented Office of City Auditor recommendations include:

- In our 2009 audit of the Management of City Trees, we recommended that the City adopt new tree regulations for tree protection on private property. We decided to stop tracking this recommendation because more than a decade had passed since we made this recommendation.
- In our 2015 report [Audit of the Seattle Police Department's Public Disclosure Process](#), we recommended that the Seattle Police Department's (SPD) Public Disclosure Unit (PDU) begin to track its workload and use performance data to develop a staffing model to enable SPD management to assess the PDU's staffing levels, and determine the most appropriate mix of PDU positions, and adjust staff as needed. To date, this hasn't been done. We will consider this recommendation implemented when SPD has obtained at least some of the additional resources identified by the staffing analysis. If this issue is not addressed, SPD will continue to risk long delays in responding to public disclosure requests.
- We are currently following up on the three unimplemented recommendations from our 2015 report [The City of Seattle Could Reduce Violent Crime and Victimization by Strengthening Its Approach to Street Outreach](#), at the request of Councilmember Herbold, through our ongoing audit concerning the Community Safety Initiative.
- There are currently seven unimplemented recommendations from our [2016 Seattle Police Department Overtime Controls Audit](#). Of these recommendations, six of seven can't be implemented until SPD can implement the automated Work Scheduling and Timekeeping System (WTS). One of the unimplemented recommendations concerns SPD's ability to track officers' off-duty work. Also, there was one recommendation that SPD implemented but then unimplemented. That recommendation called for SPD to assign someone independent of SPD Operations to monitor and analyze payroll to look for anomalies in overtime pay. SPD implemented this recommendation by adding a position to their Budget Section funded by the 2016 First Quarter Supplemental Budget Ordinance, but

later 2020 budget constraints made SPD stop funding this additional, independent layer of monitoring.

- In our 2017 report [Audit of Seattle's Incentive Zoning for Affordable Housing](#), in which we found that the City had not collected \$3.4 million payment for affordable housing, we made recommendations to change the Seattle Municipal Code to require better documentation of payments and the methodology to calculate them. However, staffing shortages and other priorities prevented the Executive from implementing these recommendations.
- Although it is no longer operational, we had key recommendations from our four reports issued between 2017 through 2020 on the City's Navigation Team that were never implemented. Most notably recommendations from our [2017 Reporting Plan for Navigation Team](#) involving self-assessment in staffing, opportunities for prioritizing hygiene, opportunities to prevent trash accumulation, and developing an evaluation plan with input from unsheltered individuals. At the request of Councilmembers Lewis and Herbold, our office is currently working on a follow-up report that incorporates some of our previous Navigation Team report recommendations into a dashboard that tracks conditions related to unsanctioned encampments.
- There are still 12 recommendations from our 2017 report [Special Events – Police Staffing and Cost Recovery](#) that are pending and have not yet been implemented.
- In our 2019 report [City of Seattle Financial Condition 2017](#), we recommended that the City should maintain a stable employer contribution rate and continue to fund Seattle City Employees Retirement System (SCERS) at or above the actuarially determined rate to help them achieve full funding by the end of 2042. This is in line with what the Council committed to doing when it adopted [Resolution 31474](#) in August 2013. We consider the recommendation pending as the City will need to continue funding SCERS at or above the actuarially required contribution rate in subsequent years to achieve the goal of fully funding the pension liability by 2042. We will consider this recommendation implemented when SCERS' pension liability is fully funded.
- There are four pending recommendations from In our 2019 report [Seattle Fire Department – Special Event Cost Recovery](#) that have not yet been implemented because meetings of a Citywide working group to develop a strategy pertaining to various special events issues were canceled due to the COVID-19 pandemic, which meant that no action was taken to further any of our office's recommendations. Activities related to this recommendation are supposed to be led by the Mayor's Office and the working group may reconvene in 2021. We will decide on the classification of this recommendation's implementation status based on the outputs created by the working group.

- There are nine pending recommendations from our [2020 report](#) on the Human Services Department's (HSD) management of homelessness contracts that HSD officials told us would need to be addressed by the King County Regional Homelessness Authority.

15. Do you have a strategy for and/or any concerns about succession planning for your team?

Our office is actively planning for changes that may occur in our staffing, and we have developed mitigation strategies to address key issues. During the past decade, we have benefited from having very experienced auditors and little staff turnover. This allowed us to have many projects staffed by only one person because of their long experience in performance auditing and City government. I am somewhat concerned about how we will replace the many years of experience we have lost and will be losing due to the retirements of some of our most experienced staff. One of our approaches for addressing this will be to hire new staff with highly developed analytical skills and experience with software tools. Furthermore, we are developing a training program to rapidly integrate new members into our office's work and culture. We have successfully piloted a team approach on a recent project which, when rolled out across our audit portfolio, will ensure that we have the proper mixture of skills and experience on each project. Finally, I want to ensure that we have a diversity of staff backgrounds in our office to better mirror the diverse population within Seattle. We plan to develop outreach strategies for hiring that will ensure we attract a diverse pool of candidates.



Legislation Text

File #: CB 120172, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to City employment, commonly referred to as the Third Quarter 2021 Employment Ordinance; returning positions to the civil service system; and amending classification titles.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Returning 13 positions to Civil Service status. As recommended by the Seattle Human Resources Director in the Classification Determination Report specified, the following positions are returned to Civil Service:

- 1 vacant position (10007022) in Office for Civil Rights, Strategic Advisor 1, General Government (Report #18040)
- 1 vacant position (10007007) in Finance and Administrative Services, Strategic Advisor 1, General Government (Report #18193)
- 2 vacant position (10007044, 10007045) in Finance and Administrative Services, Strategic Advisor, Purchasing, Contracting, & Risk Management (Report #18112)
- 1 vacant position (10007023) in Office of Emergency Management, Strategic Advisor 2, Finance, Budget, and Accounting (Report #18265)
- 3 vacant positions (10007041, 10007042, 10007043) in Seattle Municipal Court, Strategic Advisor 1, Information Technology (Report #18228)
- 1 vacant position (10006988) in Seattle Public Utilities, Executive Assistant, Senior (Report #18220)
- 1 vacant position (10006345) in Parks and Recreation, Manager 2, Engineering and Plans Review

(Report #18239)

- 1 filled position (10006710) in Department of Education and Early Learning, Manager 2, Finance, Budget, and Accounting (Report #18248)
- 1 vacant position (10007030) in Seattle Department of Human Resources, Strategic Advisor 1, General Government (Report #18092)
- 1 filled position (00016088) in Seattle Department of Human Resources, Accountant, Principal (Report #18172)

Section 2. The following classification titles are amended to reflect the transfer of positions from the Seattle Police Department to Community Safety and Communications Center.

Former Classification Titles	New Classification Titles Effective June 1, 2021
Police Comms Dispatcher I	9-1-1 Emergency Comms Dispatcher I
Police Comms Dispatcher II	9-1-1 Emergency Comms Dispatcher II
Police Comms Dispatcher III	9-1-1 Emergency Comms Dispatcher III
Police Comms Dispatcher Supv	9-1-1 Emergency Comms Dispatcher Supv
Police Comms Analyst	9-1-1 Emergency Comms Analyst

Section 3. 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 _____ day of _____, 2021, and signed by me in open session in authentication of its passage this _____ day of _____, 2021.

President _____ of the City Council

Approved by me this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Seattle Department of Human Resources	Amanda Grumbach/ 206-684-3068	Arushi Kumar/206-684-0025 Joe Russell/206-684-8546

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title:

AN ORDINANCE relating to City employment, commonly referred to as the Third Quarter 2021 Employment Ordinance; returning positions to the civil service system; and amending classification titles.

Summary and background of the Legislation: If passed, this legislation:

- a. Returns thirteen positions to the civil service system. As a result of a classification review and determination, these positions no longer meet the exemption criteria.
- b. Amends the titles for a classification series. There was no change to the civil service status, rates of pay, or other elements requiring legislation for these positions. Ordinance 126353 authorized the transfer of these positions from the Seattle Police Department to the Community Safety and Communications Center.

2. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes ___ **X** No

Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

There are not costs associated with the change of civil service status for positions. Costs associated with related changes to title or classification will be absorbed by departments' existing budget authority and do not require appropriation of new funds.

Is there financial cost or other impacts of *not* implementing the legislation?

This legislation is needed to appropriately designate civil service status, which can have personnel implications.

3. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

This legislation affects the Seattle Police Department, Community Safety and Communications Center, Office of Civil Rights, Office of Emergency Management, Seattle Parks and Recreation,

Department of Early Learning, Finance and Administrative Services, Seattle Public Utilities, Seattle Municipal Courts, and the Seattle Department of Human Resources.

b. Is a public hearing required for this legislation?

No

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No.

d. Does this legislation affect a piece of property?

No

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

N/A.

f. Climate Change Implications

1. **Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?** No.

2. **Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.** No.

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s). N/A.

List attachments/exhibits below:

None.



Legislation Text

File #: CB 120142, **Version:** 2

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the Seattle Police Department; prohibiting training, exchanges, and partnerships with certain governments; and adding a new Section 3.28.141 to the Seattle Municipal Code.

WHEREAS, as the City Council has affirmed in Resolutions 31858 and 31928, Seattle is a Human Rights City

that endorses the rights set out in the Universal Declaration of Human Rights, and it is committed to protecting and promoting the human rights and dignity of Native peoples and all residents and visitors to Seattle, including civil, political, social, economic, and cultural rights; and

WHEREAS, through the passage of Resolution 31928, the City has affirmed Seattle as a welcoming city,

condemning all forms of oppression throughout the world, and stating that the Office of

Intergovernmental Relations will continue to alert the Seattle City Council about international issues impacting Seattle and inform Councilmembers when City Council action could contribute meaningfully to a positive outcome; and

WHEREAS, it is the Seattle City Council's intent to ensure protection of the human rights as set forth in the

Universal Declaration of Human Rights to all persons as they relate to biased policing activities and to require the policies, training, and data that safeguards against such activities in Seattle; and

WHEREAS, after a Department of Justice (DOJ) investigation found in 2011 that the Seattle Police

Department (SPD) engaged in an unconstitutional pattern of excessive force and bias, Seattle entered into a Consent Decree with the DOJ that requires the City to ensure that its policing services comply with the Constitution; and

WHEREAS, in Seattle and nationally, the increasing use of militarized units such as SWAT Teams, by the police has been demonstrated to disproportionately harm Black, Indigenous, and other People of Color; and

WHEREAS, even after nearly a decade of Seattle being subject to the Consent Decree, communities of color still experience disproportionate police use of force, as exemplified by the Seattle Police Department's 2019 Annual Use of Force Report, which found that of male individuals subjected to use of force by Seattle police in 2019, 30 percent of those individuals were Black, while Black people constitute only seven percent of Seattle's population; and

WHEREAS, in response to SPD's well-documented complaints of excessive force, including chemical weapons against thousands of protestors during the Black Lives Matter uprisings in response to the murder of George Floyd in the late Spring and Summer of 2020, the Seattle City Council took steps toward defunding SPD during the summer emergency budget vote and the 2021 city budget; and

WHEREAS, federal law, including 22 U.S.C. 2304, prohibits any United States law enforcement agency from providing security assistance to any country the government of which engages in a "consistent pattern of gross violations of internationally recognized human rights," including "torture or cruel, inhuman, or degrading treatment or punishment, prolonged detention without charges and trial, causing the disappearance of persons by the abduction and clandestine detention of those persons, and other flagrant denial of the right to life, liberty, or the security of person;" and

WHEREAS, the United Nations Declaration on Human Rights, together with the International Covenant on Civil and Political Rights and its two Optional Protocols (including the complaints procedure and on the death penalty) and the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol, form the International Bill of Human Rights; and

WHEREAS, United Nations bodies periodically monitor states for compliance with these international human rights covenants that are part of the International Bill of Human Rights; and

WHEREAS, the Fourth Geneva Convention addresses humanitarian protections for civilians in a war zone, in armed conflicts where war has not been declared, and in an occupation of another country's territory; and

WHEREAS, the International Court of Justice, established in 1945 as the principal judicial organ of the United Nations, is responsible for settling, in accordance with international law, legal disputes submitted to it by states and to give advisory opinions on legal questions referred to it by authorized United Nations organs and specialized agencies; and

WHEREAS, The City of Seattle wishes to promote an encompassing vision for public safety that moves towards the abandonment of militarization and instead embraces other markers of wellness, such as respecting and protecting civil and human rights, and providing its people with access to resources including affordable housing, health services, and public transportation; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. A new Section 3.28.141 is added to the Seattle Municipal Code as follows:

3.28.141 Training with certain countries prohibited

The Seattle Police Department shall not participate in any training programs, exchanges, or partnerships with the military forces of any country, or engage in travel to any foreign country or territory for the purpose of training with a foreign military. SPD shall not participate in any training programs, exchanges, or partnerships with the police forces, intelligence agencies or security services of any country or engage in travel to any foreign country or territory:

A. That is not party to the International Covenant on Civil & Political Rights and the International Covenant on Economic Social & Cultural Rights; or

B. That within the country or territory's boundaries exists: a situation under non-preliminary investigation by the International Criminal Court; or an actor against which that Court has found a violation in the last ten years.

Section 2. 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 _____ day of _____, 2021, and signed by me in open session in authentication of its passage this _____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
LEG	Greg Doss	206-755-6385

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to the Seattle Police Department; prohibiting training, exchanges, and partnerships with certain governments; and adding a new Section 3.28.141 to the Seattle Municipal Code.

Summary and background of the Legislation: The legislation would prohibit Seattle Police Department (SPD) staff and officers from participating in any training programs, exchanges, or partnerships with the military forces of any country, or the police forces, intelligence agencies, security services, or other armed forces of any country, or engage in travel to any foreign country:

- That is not party to the International Covenant on Civil & Political Rights and the International Covenant on Economic Social & Cultural Rights; or
- That has been found in the last ten years by an international court or United Nations body to have been in violation of either of these covenants; or
- That has been documented by an international court or United Nations body to have committed violations of the Fourth Geneva Convention that have not been fully remedied to the satisfaction of the court or body that documented those violations.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes X No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes X No

Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

No. SPD Command Staff have indicated that SPD officers will not participate in any international trainings in 2021.

Is there financial cost or other impacts of *not* implementing the legislation?

No.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

No

b. Is a public hearing required for this legislation?

Yes

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No

d. Does this legislation affect a piece of property?

No

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

It is well accepted that police surveillance techniques, such as those that might be taught in a training provided by a foreign military, have a disproportionate impact on communities of color. Higher arrest and incarceration rates for these communities cause harm and are not reflective of disproportionate participation in criminal activities, but rather of law enforcement's focus on urban areas, lower income communities and people of color.

Arrests and incarceration result in devastating financial consequences, including loss of long-term employment viability. Disproportionate enforcement perpetuates a cycle of poverty among Seattle's low-income communities and communities of color.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

No/ NA

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so,

explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

N/A

- g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s).**

List attachments/exhibits below:

N/A

Amendment 1

to

CB 120142

Sponsor: Councilmember Sawant

Change standards for exclusion as a training partner to improve enforceability

Amend Section 1 of the bill, to add the following language as shown:

Section 1. A new Section 3.28.141 is added to the Seattle Municipal Code as follows:

3.28.141 Training with certain countries prohibited

The Seattle Police Department (SPD) shall not participate in any training programs, exchanges, or partnerships with the military forces of any country, or the police forces, intelligence agencies, security services, or other armed forces of any country, or engage in travel to any foreign country or territory for the purpose of training with a foreign military. SPD shall not participate in any training programs, exchanges, or partnerships with the police forces, intelligence agencies or security services of any country or engage in travel to any foreign country or territory:

A. That is not party to the International Covenant on Civil & Political Rights and the International Covenant on Economic Social & Cultural Rights; or

B. That within the country or territory's boundaries, or within territories that the country occupies or effectively controls, exists a situation under non-preliminary investigation by the International Criminal Court; or an actor against which that Court has found a violation in the last ten years.

Effect: The proposed amendment would broaden the criteria used to capture countries that have human rights violations and would not be able to train with SPD.

Background: The ICC operates separately and independently from the two bodies that administer the ICCPR and the IESCR and it has a different purview. It does, however, focus on identifying and holding accountable those who have committed the type of human rights violations which would also rise to the level of ICCPR and IESCR violations. Due to the ICC's high standard of cause for raising an investigation from the preliminary to the non-preliminary level, this change aligns with the legislation's intent and goal. The ICC maintains a current list of all countries and territories in which its investigations are ongoing as well as a record of its past findings.



Legislation Text

File #: Res 32019, **Version:** 1

CITY OF SEATTLE

RESOLUTION _____

A RESOLUTION providing an honorary designation of Thomas St between 1st Ave N and 2nd Ave N as “Lenny Wilkens Way.”

WHEREAS, Lenny Wilkens is a legendary basketball player and coach, having been inducted into the

Washington Sports Hall of Fame and College Basketball Hall of Fame and inducted three times to the Naismith Memorial Basketball Hall of Fame (as an NBA player, NBA coach, and assistant coach of the 1992 Olympic “Dream Team”), been awarded Honorary Doctors of Humanities by Providence College and Seattle University, has been named 13 times an NBA All-Star, has won two Olympic Gold Medals in 1992 and 1996, and has coached more games than any other coach in NBA history; and

WHEREAS, after receiving his Bachelor’s of Science degree in Economics from Providence College, serving as a Lieutenant in the US Army, and playing the first part of his NBA career with the St. Louis Hawks, Lenny Wilkens began his four year tenure as a player with the Seattle Supersonics (1969-72), three of which he served as head coach for the team while also continuing as the team’s starting point guard. After returning to the team in 1977 as head coach, Wilkens led the Sonics to a Western Conference Championship, followed by another conference championship during the 1978-79 season that culminated in a 5-game NBA Finals win over the Washington Bullets to claim the Sonics’ one and only World Championship title; and

WHEREAS, in addition to continuing to inspire Seattle sports fans, Lenny Wilkens continues to live in and serve the Seattle community as the founder and chair of the Lenny Wilkens Foundation for Children where he has raised over \$7.5 million for the Odessa Brown Clinic, as well as other organizations that

provide care and opportunities for local disadvantaged youth in Seattle; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE MAYOR

CONCURRING, THAT:

Section 1. Thomas St between 1st Ave N and 2nd Ave N shall have an honorary designation as "Lenny Wilkens Way."

Section 2. The Council requests that the Seattle Department of Transportation manufacture, install, and maintain an honorary sign at the northeast corner of N Thomas St and 1st Ave N, which shall reflect the "Lenny Wilkens Way" honorary designation.

Adopted by the City Council the _____ day of _____, 2021, and signed by me in open session in authentication of its adoption this _____ day of _____, 2021.

President _____ of the City Council

The Mayor concurred the _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
SDOT	Bill LaBorde/206.484.8662	Aaron Blumenthal/206.233.2656

* Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.

1. BILL SUMMARY

Legislation Title: A RESOLUTION honorary designation of Thomas St between 1st Ave N and 2nd Ave N as “Lenny Wilkens Way.”

Summary and background of the Legislation: Seattle Department of Transportation will manufacture, install, and maintain an honorary sign at the intersection of Thomas St at 1st Ave N (adjacent to the SW corner of Climate Pledge Arena) which shall reflect the “Lenny Wilkens Way” honorary designation. Lenny Wilkens is a Basketball Hall of Fame player and coach who played for the Seattle Supersonics for four years, three of which he also served as head coach for the team. After his retirement as a player, Wilkens returned to the Sonics in 1977 as head coach role, leading the team that season to a Western Conference championship, followed the followed by a victory in the 1978-79 NBA Finals for the Sonics one and its only World Championship. Wilkens continues to live in the Seattle area where he heads the Lenny Wilkens Foundation for Children, a major contributor to the Central District’s Odessa Brown Children’s Clinic.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes x No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes x No

Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

The resolution will require SDOT to manufacture, install and maintain signage for this honorary designation. The requesting sponsor will reimburse SDOT for the \$1,200 cost of the signs.

Is there financial cost or other impacts of *not* implementing the legislation?

No

4. OTHER IMPLICATIONS

- a. **Does this legislation affect any departments besides the originating department?**
Seattle Center. The honorary street signs will be added to existing sign posts adjacent to Seattle Center's Climate Pledge Arena.
- b. **Is a public hearing required for this legislation?**
No
- c. **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No
- d. **Does this legislation affect a piece of property?**
No
- e. **Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?**
This resolution will honor a beloved and widely celebrated African-American athlete and coach whose foundation continues to support a pediatric health and dental clinic that primarily serves children of color in central and south Seattle, regardless of their families' ability to pay.
- f. **Climate Change Implications**
1. **Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?**
No.
 2. **Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**
No.
- g. **If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s).**
N/A

List attachments/exhibits below:



Legislation Text

File #: CB 120160, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the City Light Department; adding a new section to Chapter 21.49 of the Seattle Municipal Code to establish the Renewable Plus Program; authorizing the City Light Department to implement and execute customer participation agreements; amending Seattle Municipal Code subsection 21.49.130.B to authorize the City Light Department to execute, implement, and administer contracts for the acquisition of eligible renewable energy resources, together with any necessary or convenient transmission, integration, or ancillary services related to such renewable energy.

WHEREAS, an increasing number of large, non-residential customers seek to address climate change by working with the City Light Department (“City Light”) to increase the supply of renewable energy in the Pacific Northwest region serving their operations in City Light’s service territory; and

WHEREAS, a majority of City Light’s hydroelectric energy supply, although carbon-neutral, does not qualify as renewable energy under current regulations and therefore City Light does not produce renewable energy certificates (“RECs”) associated with such energy, a non-power attribute valued by large non-residential customers with renewable energy goals; and

WHEREAS, City Light’s large non-residential customers have expressed specific interest in renewable energy programs beyond those authorized under the Seattle Municipal Code (Section 21.49.082, Net metering program; Section 21.49.083, Large Solar Program; and Section 21.49.084, Voluntary Green Power Programs) in order to meet their renewable energy goals; and

WHEREAS, City Light seeks to establish the Renewable Plus Program to meet the desires of its large non-residential customers who seek to increase the supply of renewable energy on the electric grid; and

WHEREAS, City Light seeks to offer the Renewable Plus Program in a manner that will have no material

financial impact on customers who do not participate in the Renewable Plus Program; and

WHEREAS, to increase the supply of renewable energy and integrate it into the energy mix as desired by City Light customers, City Light seeks to enter into one or more long-term power purchase agreements with one or more developers for the acquisition of new renewable energy, together with all associated environmental attributes, to City Light for the Renewable Plus Program; and

WHEREAS, to minimize the financial impact of Renewable Plus Program to non-participants, City Light will seek to enter into long-term agreements with large non-residential customers; and

WHEREAS, in order to further minimize the financial impact of the Renewable Plus Program to non-participants, City Light must secure long-term agreements from customers to determine the amount of renewable energy for the Renewable Plus Program prior to committing to the acquisition of any renewable resource for the Renewable Plus Program; and

WHEREAS, City Light expects to benefit from diversifying its energy supply portfolio to include additional wind and solar resources to improve grid resiliency and take advantage of market opportunities in the Western Energy Imbalance Market; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. To endeavor to meet certain renewable energy goals of the City Light Department's ("Department") large non-residential customers, the Department is authorized to establish the Renewable Plus Program to make renewable energy, together with associated renewable energy certificates ("RECs"), available to customers on a long-term subscription basis.

Section 2. Under the Renewable Plus Program, City Light is authorized to implement and enter into contracts with qualifying customers to purchase renewable energy, together with associated RECs, for a period not exceeding 20 years.

Section 3. A new Section 21.49.089 is added to the Seattle Municipal Code as follows:

21.49.089 Renewable Plus Program

A. The Department shall implement and offer a Renewable Plus Program that enables qualifying customers to purchase energy from renewable resources, together with associated RECs, on a long-term subscription basis. The Renewable Plus Program shall be open to customers demonstrating a minimum aggregated annual consumption of 10,000 megawatt hours (MWhs). The Department may implement additional rules and conditions associated with the Renewable Plus Program that are in the best interests of the Department and are necessary or convenient for the implementation and operation of the Renewable Plus Program.

B. The Department may execute long-term customer commitment contracts with qualifying customers to purchase energy and RECs associated with renewable resources for a period not exceeding 20 years.

C. The Department shall purchase all energy acquired for the Renewable Plus Program and will integrate it into its existing supply portfolio as business conditions allow.

D. The Department shall retire the Renewable Energy Certificates associated with the energy purchased by customers under the Renewable Plus Program with the Western Renewable Energy Generation Information System, or its successor organization, toward the associated renewable power served to participating customers.

Section 4. Customer agreements under the Renewable Plus Program will make performance by the parties contingent upon authorization by City Council of a Program Rate.

Section 5. To respond to customer requests for additional supply resources not in the Department's supply portfolio and to enable the Department to minimize the costs and risks of obtaining renewable energy from a resource, subsection 21.49.130.B of the Seattle Municipal Code, which was last amended by Ordinance 125575, is amended as follows:

21.49.130 Authority ((-))

* * *

B. Rulemaking and contract authority

1. The Department shall have authority to adopt and file as appropriate rules, regulations,

policies, and procedures relating to its performance of the provisions of this Chapter 21.49 and to the operation of the Department's light and power system. The Department may require compliance with such rules, regulations, policies, and procedures as a condition for the supply or continued supply of electric service.

2. Effectively managing its power supply portfolio to achieve balance between supply and customer demand requires that City Light transact in the wholesale energy markets for energy and transmission services and products, including the purchase or sale of short-term capacity or energy, or integration, transmission, or ancillary services. The Department may therefore execute, implement, and administer contracts with any city or town, public utility district, governmental agency, municipal corporation, mutual association, broker, or agent, or with any person, firm, or corporation, or any other member of the general public, outside its service area, for an effective term of not more than 60 months from the month following the date on which the contract is first signed ("prompt month"), providing for the acquisition, exchange, or sale of capacity or energy, or integration, transmission, or ancillary services, or eligible renewable resources, which shall have the same meaning as defined by RCW 19.285.030, on terms most favorable to the Department under such circumstances and in compliance with state law, including RCW 43.09.210. Such acquisition, sale, or exchange shall be made on a basis representing the value of such capacity or energy, or integration, transmission, or ancillary services, under then-existing market conditions, and may include provisions that require indemnification by the Department.

3. The Department may execute agreements with the Bonneville Power Administration providing for reimbursements from Bonneville of some or all of the costs of operating energy conservation programs authorized by the City Council. The Department shall determine that such agreements or amendments to such agreements shall not incur any indebtedness or the acceptance of moneys imposing any duties or obligations on the City that are inconsistent with the Department's budget appropriation for such energy conservation programs. The Department shall provide a written notification prior to the execution of such contracts and a copy of such contracts to the appropriate authorizing committee of the City Council.

4. The Department may execute contracts for the purchase or sale of environmental attributes, including but not limited to ((,)) renewable energy credits (RECs), ((green-house)) greenhouse gas offsets, and carbon credits to meet policy and regulatory requirements in a cost-effective and timely manner. The Department may enter into such contracts in advance of the target date for acquisition identified in the Department's Integrated Resource Plan or the date required by state or federal law. These purchases will be made within the Department's yearly budget authority limits. Sales will be made on an as-needed basis to balance demand with supply of these products, and to minimize overall costs to ratepayers.

5. The Department may execute contracts for the purchase or acquisition of cost-effective energy conservation resources for an effective term of not more than 84 months, provided that the payment terms for such contracts do not exceed 60 months. "Energy conservation resources" shall have the same meaning set forth in the Energy Independence Act, chapter 19.285 RCW, including, without limitation, long-term energy efficiency projects, new construction, whole-building performance, and pay-for-performance programs.

6. In order to meet the requirements of the Renewable Plus Program, the Department may execute contracts with any city or town, public utility district, government agency, municipal corporation, mutual association, broker, or agent, or with any person, firm, or corporation, or any other member of the general public, outside its service territory providing for the acquisition or exchange of capacity or energy, or integration, transmission, or ancillary services, of renewable resources, which shall have the same meaning as defined by RCW 19.280.020 for a term of not more than 20 years. The Department shall endeavor to match the term of the acquisition contracts with the needs and requirements of the Renewable Plus Program customer contract terms. Such acquisition or exchange of capacity, energy, or services shall be made on a basis representing the value of such capacity or energy, or integration, transmission, or ancillary services, under then-existing market conditions, and may include provisions that require indemnification by the Department.

* * *

Section 6. 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 _____ day of _____, 2021, and signed by me in open session in authentication of its passage this ____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Seattle City Light	Scott Cooper/386-4594	Greg Shiring/386-4085

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to the City Light Department; adding a new section to Chapter 21.49 of the Seattle Municipal Code to establish the Renewable Plus Program; authorizing the City Light Department to implement and execute customer participation agreements; amending Seattle Municipal Code subsection 21.49.130.B to authorize the City Light Department to execute, implement, and administer contracts for the acquisition of eligible renewable energy resources, together with any necessary or convenient transmission, integration, or ancillary services related to such renewable energy.

Summary and background of the Legislation: Large corporate customers with aggressive climate goals have been pressing utilities to offer opportunities to support the development of new renewable energy resources. City Light has been approached by large, non-residential customers to increase the supply of renewable energy on the electric grid serving their operations. To date, the combination of declining retail loads, traditional utility policies, and prevailing power market prices has not justified the need for City Light to add new resources to its portfolio. However, customers are eager, and have a financial interest, to demonstrate their environmental commitment by sourcing up to 100% of their electricity from new renewable resources and these customers are seeking optional and voluntary opportunities to purchase renewable energy bundled with Renewable Energy Certificates (RECs) generated by newly constructed renewable resources. With this Ordinance, City Light is seeking new authority to establish the Renewable Plus Program to make this bundled renewable energy product available to customers on a long-term subscription basis and to contract for renewable resources to support the program.

City Light's Green Up Program provides customers with the opportunity to purchase an unbundled renewable energy product. Customers may choose to "green-up" a certain percentage of their electricity consumption and City Light secures the RECs that represent proof that 1 megawatt-hour of electricity was generated from an eligible renewable energy resource. Since the program only provides the RECs and not the actual electricity from the renewable energy resource, this is considered an unbundled offering. A bundled offering allows customers to purchase both the renewable electricity and the RECs through participation in a single program while also supporting "additionality" – the direct connection between their participation/investment in a program to the construction and integration of newly constructed renewable resources, typically solar or wind, into the utility mix. Programs like the proposed Renewable Plus Program provide customers a pathway to meet renewable energy goals where on-site solar arrays are not feasible or other constraints prohibit the customer from purchasing/installing renewable energy projects.

Seattle City Light is uniquely positioned to meet the majority of our customer's climate and environmental needs with existing programs, services, and our resource portfolio. As the energy-related landscape is evolving, City Light must adapt to meet our evolving customer preferences for broader program and portfolio offerings. The development of a new Renewable Plus program will allow City Light to meet needs that are not being met by our current programs or resource mix. Certain customers have established aggressive sustainability targets including the explicit goal to directly increase renewable energy market additionality with their electricity purchases. Furthermore, City Light's system resource planning team is leveraging this Renewable Plus Program opportunity to analyze the value of adding solar or wind into our energy mix, with an eye towards building system resiliency and understanding rate impacts.

Development of the Renewable Plus Program

To meet the intent described above, Seattle City Light is planning to launch the new Renewable Plus Program for large commercial customers. City Light will contract for the development of a new renewable (solar or wind) resource that would be integrated into City Light's resource mix. City Light began engaging with customers and stakeholders in August 2020 to help inform the size of the renewable project and other aspects of the program design. City Light then released a Request for Proposals in late-2020 for a renewable resource to supply a bundled product for this program. A decision to contract for this resource will occur later in 2021, pending contracting authority from Council and further engagement with customers to determine the size of the resource needed to meet program demand.

The Renewable Plus Program will be a voluntary opportunity for qualifying customers to purchase the bundled energy from a newly constructed renewable energy resource. Qualifying customers are larger commercial customers with high electricity loads, likely exceeding 10 million kWh/year. Customers will be required to sign a contract with City Light for a period not exceeding 20 years. The contracts will take the form of a Renewable Plus Participation Agreement that outlines all program terms and conditions. The program subscribers will be charged a specific renewable rate that would be added to their existing, standard City Light rate; the final program rate will be calculated once City Light has secured a renewable resource for the program. A key feature of the Renewable Plus Program is to ensure that all costs associated with the development, implementation, and administration of the Program will be borne by program subscribers and not by customers that are not participating in the program.

To secure the renewable resources for the Renewable Plus Program, City Light will enter into agreements with renewable resource developers to secure a bundled product. City Light aims to enter contract negotiations for a new renewable resource in late 2021. As this will be a newly constructed resource, construction will begin following power purchase agreement (PPA) execution and likely will come online in 2024.

Council Action Required

To establish this new renewable energy program, City Council approval is being sought to allow City Light to create a new section to Seattle Municipal Code 21.49.089 to establish the Renewable Plus Program and to amend SMC 21.49.130 to establish contracting authority for resources for the Renewable Plus Program.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes X No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes X No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

City Light will continue to use existing staff to develop and implement the Renewable Plus Program; the staff are budgeted positions and can accommodate this work within their existing workload. The Renewable Plus Program is designed to have the participating customers fund the program costs and hold other non-participants harmless from incurring any program costs. Future budget authority will be necessary to pay for the renewable resource contracted to underwrite the program and that budget will be offset by the program's revenues.

Is there financial cost or other impacts of *not* implementing the legislation?

If City Light does not offer this program for these key customers there is a risk that they will seek other existing avenues to meet their sustainability goals, potentially at a cost to City Light retail revenue or to City Light's unique positioning to provide energy services to meet evolving customer demands.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

No other Department is impacted by this legislation.

b. Is a public hearing required for this legislation?

No, a public hearing is not required for this legislation.

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No, a notice is not required for this legislation.

d. Does this legislation affect a piece of property?

No, this legislation does not affect a piece of property.

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

The Renewable Plus program is designed to target some of City Light's largest customers while minimizing impact on non-participant customers. Contracting for this new renewable energy resource will result in both temporary and permanent green jobs in the community in

which the resource will be sited. The procurement process for the renewable resource will strive to ensure that workforce development and equity outcomes are in line with City Light's Race and Social Justice and Equity principles. Those principles will be reflected in resource selection as well as in the community benefits and impacts occurring from resource construction, operations and maintenance. Communications for the program will be targeted at the largest non-residential customers served by City Light, and the program team will work closely with the City Light Communications team to ensure that planned program communications are accessible for eligible customers.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

Implementation of the Renewable Plus Program will decrease carbon emissions, both for Seattle City Light, and for the region. The program will directly result in the development of new grid-scale renewable energy resources in the Pacific Northwest. Implementation will increase the renewable resources that are used to serve City Light's customers, thus reducing the fossil fuels embedded in City Light's resource mix. This new renewable supply is also expected to increase City Light's surplus sales and would therefore increase the regional supply of hydroelectric power, reducing regional dependence on fossil fuels.

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

The new resource for the Renewable Plus Program will be integrated into City Light's long term resource planning and evaluated for its impacts on resource adequacy and the requirements set by the State renewable portfolio standard and the Clean Energy Transformation Act (CETA). This new resource will diversify City Light's energy portfolio is expected to increase the utility's resiliency to climate change.

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?

This is a new initiative. The long-term goals of the program include: meeting customer demand for such an offering; securing a new renewable resource to underwrite the Program; integration of a new renewable resource into City Light's energy mix; and developing the skills/experience to do that integration and build a comprehensive understanding of its impacts on our short/long term resource planning, rates, and energy portfolio resilience. The program experience would prove valuable to initiate other renewable energy efforts within the utility.



Legislation Text

File #: CB 120170, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the City Light Department; authorizing the General Manager and Chief Executive Officer of City Light to establish and fund an early action Skagit Habitat Enhancement Program in anticipation of new Skagit River Hydroelectric Project license conditions to implement meaningful habitat and watershed improvements in the Skagit River watershed for Endangered Species Act listed species; authorizing the execution of necessary and convenient agreements to implement the early action habitat and watershed improvements in the Skagit River watershed; and ratifying and confirming certain prior acts.

WHEREAS, Puget Sound Chinook, steelhead, and bull trout have been listed as threatened species under the federal Endangered Species Act (ESA); and

WHEREAS, as part of the previous Federal Energy Regulatory Commission (FERC) relicensing of the Skagit River Hydroelectric Project (FERC Project No. 553) (“Skagit Project”), the City Light Department entered into the Fisheries Settlement Agreement with many of the licensing participants to address Project impacts on fisheries resources and aquatic habitat; and

WHEREAS, the Fisheries Settlement Agreement included substantial financial commitments by the City Light Department to fund mitigation for aquatic habitat impacts, and this mitigation has provided significant benefits to aquatic resources; and

WHEREAS, the City Light Department has also responded to the ESA listings of Puget Sound Chinook, steelhead, and bull trout, in part, through the development and implementation of an Early Action Proposal for Puget Sound Chinook, approved by Resolution 29905; and

WHEREAS, by Ordinance 120618, the City Council authorized the acquisition of various habitat lands in the Skagit and Tolt/Snoqualmie watersheds as part of the Early Action Proposal, and the majority of these

properties have been purchased; and

WHEREAS, the existing FERC license for the Skagit Project expires on April 30, 2025, and the City Light

Department is currently engaged in the relicensing of the Skagit Project with the objective of obtaining a new long-term license from FERC for the continued operation of the Skagit Project; and

WHEREAS, the City Light Department anticipates that a new license issued by FERC will likely require

implementation of new protection, mitigation, and enhancement measures to address the ongoing impacts of the Project on fisheries resources and aquatic habitat (including the impacts on ESA listed species and designated critical habitat); and

WHEREAS, an early action Skagit Habitat Enhancement Program will serve as an early implementation

measure with respect to the new license that will partially address the Skagit Project's impacts on fisheries resources and aquatic habitat, provide benefits in continuation of what has been provided under the existing Fisheries Settlement Agreement, and bring new and potentially more timely resources to the effort to protect, conserve, and restore the fisheries resources and aquatic habitat of the Skagit River watershed; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Skagit Habitat Enhancement Program. In anticipation of new licensing obligations through the City Light Department's ("City Light") relicensing of the Skagit River Hydroelectric Project (FERC Project No. 553, the "Skagit Project"), the General Manager and Chief Executive Officer of City Light, or the General Manager and Chief Executive Officer's designee ("General Manager"), is hereby authorized to establish an early action Skagit Habitat Enhancement Program ("Program"). The Program is intended to allow for early action in the implementation of certain anticipated licensing requirements for meaningful habitat and watershed improvements in the Skagit River watershed for Endangered Species Act listed species. In addition, the Program, together with the anticipated early action work, is intended to foster a collaborative working relationship with the licensing participants in working towards further protection, mitigation, and enhancement

measures in the new license for the Skagit River Hydroelectric Project, rather than City Light taking adversarial positions that limit early participation in the habitat and watershed improvements.

Section 2. Funding. The General Manager is authorized to provide initial funding to establish the Program in the amount of up to \$2,500,000 from previously appropriated City Light funds. The General Manager is further authorized to provide additional funding from appropriated City Light funds, during each year from 2022 through the issuance of the new license by FERC for the Skagit Project, in amounts the General Manager determines are consistent with City Light's Skagit Project relicensing efforts and in the best interests of City Light.

Section 3. Purpose of Program. The Program shall be used to fund fisheries resource and aquatic habitat projects and studies in the Skagit River watershed consistent with City Light's Skagit Project relicensing efforts. In identifying and determining projects and studies to fund, City Light shall seek the input of the Sauk-Suiattle Indian Tribe, the Swinomish Indian Tribe, the Upper Skagit Indian Tribe, and the federal and state resource agencies involved in the Skagit Project relicensing.

Section 4. The General Manager is further authorized to execute any necessary and convenient agreements to implement and further the habitat and watershed protection, enhancement and mitigation measures determined to be in the best interests of City Light's Skagit Project relicensing efforts, including fishery resource and aquatic habitat projects and studies in the Skagit River watershed.

Section 5. Any actions taken after passage of this ordinance but prior to its effective date are hereby ratified and confirmed.

Section 6. 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 _____ day of _____, 2021, and signed by

me in open session in authentication of its passage this _____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Seattle City Light	Chris Townsend/304-1210	Greg Shiring/386-4085

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to the City Light Department; authorizing the General Manager and Chief Executive Officer of City Light to establish and fund an early action Skagit Habitat Enhancement Program in anticipation of new Skagit River Hydroelectric Project license conditions to implement meaningful habitat and watershed improvements in the Skagit River watershed for Endangered Species Act listed species; authorizing the execution of necessary and convenient agreements to implement the early action habitat and watershed improvements in the Skagit River watershed; and ratifying and confirming certain prior acts.

Summary and background of the Legislation:

The current license for the Skagit River Hydroelectric Project (Project) expires in April 2025. The project provides about 20% of the electricity needs of the City of Seattle. The Skagit River is important habitat for several species listed under the Endangered Species Act (ESA) including bull trout and Chinook salmon. The proposed Program would enable City Light to implement actions, in partnership with tribes and public agencies, important to the protection and recovery of ESA-listed species and other necessary early actions prior to the issuance of the new license. In 2021, the Program would provide \$2.5 million for priority projects and studies. Every year after 2021 until the issuance of the new license, the Program would provide an additional \$500,000 on an annual basis.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? Yes No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? Yes No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

Projects supported by the Program may require annual monitoring and maintenance to maintain target habitat functions. Property may be acquired with this Program which would require long-term stewardship.

Is there financial cost or other impacts of *not* implementing the legislation?

The Program is an important component of maintaining collaborative relationships and work in the Skagit River Watershed during the relicensing process. Key partners engaged in the

implementation of project supported by the Program include three tribes and federal and state regulatory agencies.

4. OTHER IMPLICATIONS

- a. **Does this legislation affect any departments besides the originating department?**
No.
- b. **Is a public hearing required for this legislation?**
No.
- c. **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No.
- d. **Does this legislation affect a piece of property?**
No.
- e. **Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?**
The Program would support the protection of salmon and other fish that are critically important to the culture and livelihoods of at least three native American tribal communities.
- f. **Climate Change Implications**
- 1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?**
No.
 - 2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**
The proposed Program is an integral component of stewardship of the City's hydroelectric generation facilities. Hydroelectricity is an essential component of a carbon-free clean energy future.
- g. **If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?**
N/A.

List attachments/exhibits below:

N/A.



Legislation Text

File #: CB 120174, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE granting permission to the Board of Regents of the University of Washington to continue to operate and maintain an existing underground pedestrian concourse tunnel under and across 6th Avenue, north of University Street; repealing Section 8 of Ordinance 123793; and providing for acceptance of the permit and conditions.

WHEREAS, by Ordinance 123793, The City of Seattle granted the Board of Regents of the University of

Washington permission to maintain and operate an existing underground pedestrian concourse tunnel under and across 6th Avenue, north of University Street, for a ten-year term, renewable for two successive ten-year terms; and

WHEREAS, the permission authorized by Ordinance 123793, was due for renewal on November 1, 2019; and

WHEREAS, although the permission expired on October 31, 2019, the Board of Regents for the University of

Washington has complied with all the conditions and obligations of Ordinance 123793; and

WHEREAS, the Board of Regents of the University of Washington submitted an application to the Director of

Transportation to renew the permission granted by Ordinance 123793 for a 15-year term; and

WHEREAS, the obligations of Ordinance 123793 remain in effect after the ordinance term expires until the

encroachment is removed, or the Board of Regents of the University of Washington is relieved of the obligations by the Seattle Department of Transportation Director, or the Seattle City Council passes a new ordinance to renew the permission granted; and

WHEREAS, the Board of Regents of the University of Washington has satisfied all the terms of the original

authorizing ordinance and the Director of Transportation recommends that the term permit be renewed

for 15 years subject to the terms identified in this ordinance; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. **Permission.** Subject to the terms and conditions of this ordinance, the City of Seattle (“City”) grants permission (also referred to in this ordinance as a permit) to the Board of Regents of the University of Washington, and its successors and assigns as approved by the Director of the Seattle Department of Transportation (“Director”) according to Section 13 of this ordinance (the party named above and each such approved successor and assign are referred to as “Permittee”), to continue maintaining and operating an existing underground pedestrian concourse tunnel under and across 6th Avenue, north of University Street. The underground pedestrian concourse tunnel is adjacent in whole or in part to the properties legally described as:

PARCEL A:

THAT PORTION OF BLOCK 61, ADDITION TO THE TOWN OF SEATTLE, AS LAID OUT BY A.A. DENNY (COMMONLY KNOWN AS A.A. DENNY’S 5TH ADDITION TO THE CITY OF SEATTLE), ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 3 OF PLATS, PAGE 89, IN KING COUNTY, WASHINGTON;

AND THE VACATED ALLEY LYING THEREIN AS PROVIDED BY ORDINANCE NUMBER 107299 OF THE CITY OF SEATTLE;

AND OF VACATED 7TH AVENUE ADJACENT, AS VACATED BY CITY OF SEATTLE ORDINANCE NUMBER 111138 DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST SOUTHERLY CORNER OF LOT 12 OF SAID BLOCK 61;

THENCE NORTH 30°37’08” WEST, ALONG THE WESTERLY LINE OF SAID BLOCK 119.84 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 59°20’00” EAST 105.15 FEET;

THENCE NORTH 30°40’32” WEST 38.89 FEET;

THENCE NORTH 59°23’00” EAST 14.80 FEET;

THENCE NORTH 30°37’00” WEST 0.55 FEET;

THENCE NORTH 59°20’34” EAST 135.80 FEET TO THE EASTERLY LINE OF SAID BLOCK;

THENCE SOUTH 30°35’43” EAST ALONG SAID EAST LINE 116.45 FEET TO THE WESTERLY MARGIN OF INTERSTATE HIGHWAY NO. 5;

THENCE NORTH 59°24'17" EAST 33.00 FEET TO THE CENTERLINE OF SAID VACATED 7TH AVENUE;

THENCE NORTH 30°35'43" WEST, ALONG SAID CENTERLINE, 311.89 FEET TO THE SOUTHERLY MARGIN OF UNION STREET AS ESTABLISHED BY CITY OF SEATTLE ORDINANCE NUMBER 18188; THENCE SOUTH 59°22'04" WEST ALONG SAID SOUTHERLY MARGIN 288.79 FEET TO THE EASTERLY MARGIN OF 6TH AVENUE;

THENCE SOUTH 30°37'08" EAST 234.99 FEET TO THE TRUE POINT OF BEGINNING;

(ALSO KNOWN AS PARCEL B OF CITY OF SEATTLE SHORT SUBDIVISION NUMBER 8606903, RCORDED UNDER KING COUNTY RECORDING NUMBER 8702260616).

PARCEL B:

THAT PROTION OF LOTS 4, 5, AND 6, BLOCK 16, ADDITION TO THE TOWN OF SEATTLE, AS LAID OUT BY A.A. DENNY (COMMONLY KNOWN AS A.A. DENNY'S THIRD ADDITION TO THE CITY OF SEATTLE), ACCORDING TO THE PLAT THEROF RECORDED IN VOLUME 1 OF PLATS, PAGE 33, IN KING COUNTY, WASHINGTON

Section 2. **Term.** The permission granted to the Permittee is for a renewed term of 15 years starting on the effective date of this ordinance, and ending at 11:59 p.m. on the last day of the fifteenth year. Upon written application made by the Permittee at least one year before the expiration of the first term, the Director or City Council may renew the permit once, for a successive 15-year term, subject to the right of the City to require the removal of the pedestrian tunnel or to revise by ordinance any of the terms and conditions of the permission granted by this ordinance. The total term of the permission, including renewals, shall not exceed 30 years.

Section 3. **Protection of utilities.** The permission granted is subject to the Permittee bearing the expense of any protection, support, or relocation of existing utilities deemed necessary by the owners of the utilities, and the Permittee being responsible for any damage to the utilities due to the construction, repair, reconstruction, maintenance, operation, or removal of the underground pedestrian concourse tunnel and for any consequential damages that may result from any damage to utilities or interruption in service caused by any of the foregoing.

Section 4. **Removal for public use or for cause.** The permission granted is subject to use of the street

right-of-way or other public place (collectively, “public place”) by the City and the public for travel, utility purposes, and other public uses or benefits. The City expressly reserves the right to deny renewal, or terminate the permission at any time prior to expiration of the initial term or any renewal term, and require the Permittee to remove the underground pedestrian concourse tunnel, or any part thereof or installation on the public place, at the Permittee’s sole cost and expense if:

A. The City Council determines by ordinance that the space occupied by the underground pedestrian concourse tunnel is necessary for any public use or benefit or that the underground pedestrian concourse tunnel interferes with any public use or benefit; or

B. The Director determines that use of the underground pedestrian concourse tunnel has been abandoned; or

C. The Director determines that any term or condition of this ordinance has been violated, and the violation has not been corrected by the Permittee by the compliance date after a written request by the City to correct the violation (unless a notice to correct is not required due to an immediate threat to the health or safety of the public).

A City Council determination that the space is needed for, or the underground pedestrian concourse tunnel interferes with, a public use or benefit is conclusive and final without any right of the Permittee to resort to the courts to adjudicate the matter.

Section 5. Permittee’s obligation to remove and restore. If the permission granted is not renewed at the expiration of a term, or if the permission expires without an application for a new permission being granted, or if the City terminates the permission, then within 90 days after the expiration or termination of the permission, or prior to any earlier date stated in an ordinance or order requiring removal of the underground pedestrian concourse tunnel, the Permittee shall, at its own expense, remove the underground pedestrian concourse tunnel and all of the Permittee’s equipment and property from the public place and replace and restore all portions of the public place that may have been disturbed for any part of the underground pedestrian

concourse tunnel in as good condition for public use as existed prior to construction of the underground pedestrian concourse tunnel and in at least as good condition in all respects as the abutting portions of the public place as required by Seattle Department of Transportation (SDOT) right-of-way restoration standards.

Failure to remove the underground pedestrian concourse tunnel as required by this section is a violation of Chapter 15.90 of the Seattle Municipal Code (SMC) or successor provision; however, applicability of Chapter 15.90 does not eliminate any remedies available to the City under this ordinance or any other authority. If the Permittee does not timely fulfill its obligations under this section, the City may in its sole discretion remove the underground pedestrian concourse tunnel and restore the public place at the Permittee's expense, and collect such expense in any manner provided by law.

Upon the Permittee's completion of removal and restoration in accordance with this section, or upon the City's completion of the removal and restoration and the Permittee's payment to the City for the City's removal and restoration costs, the Director shall then issue a certification that the Permittee has fulfilled its removal and restoration obligations under this ordinance. Upon prior notice to the Permittee and entry of written findings that it is in the public interest, the Director may, in the Director's sole discretion, conditionally or absolutely excuse the Permittee from compliance with all or any of the Permittee's obligations under this section.

Section 6. Repair or reconstruction. The underground pedestrian concourse tunnel shall remain the exclusive responsibility of the Permittee and the Permittee shall maintain the underground pedestrian concourse tunnel in good and safe condition for the protection of the public. The Permittee shall not reconstruct or repair the underground pedestrian concourse tunnel except in strict accordance with plans and specifications approved by the Director. The Director may, in the Director's judgment, order the underground pedestrian concourse tunnel reconstructed or repaired at the Permittee's cost and expense because of: the deterioration of the underground pedestrian concourse tunnel; the installation, construction, reconstruction, maintenance, operation, or repair of any municipally-owned public utilities; or for any other cause.

Section 7. Failure to correct unsafe condition. After written notice to the Permittee and failure of the

Permittee to correct an unsafe condition within the time stated in the notice, the Director may order the underground pedestrian concourse tunnel be removed at the Permittee's expense if the Director deems that the underground pedestrian concourse tunnel creates a risk of injury to the public. If there is an immediate threat to the health or safety of the public, a notice to correct is not required.

Section 8. **Continuing obligations.** Notwithstanding termination or expiration of the permission granted, or removal of the underground pedestrian concourse tunnel, the Permittee shall remain bound by all of its obligations under this ordinance until the Director has issued a certification that the Permittee has fulfilled its removal and restoration obligations under Section 5 of this ordinance, or the Seattle City Council passes a new ordinance to renew the permission granted and/or establish a new term. Notwithstanding the issuance of that certification, the Permittee shall continue to be bound by the obligations in Section 9 of this ordinance and shall remain liable for any unpaid fees assessed under Section 14 and Section 16 of this ordinance.

Section 9. **Release, hold harmless, indemnification, and duty to defend.** The Permittee, by accepting the terms of this ordinance, releases the City, its officials, officers, employees, and agents from any and all claims, actions, suits, liability, loss, costs, expense, attorneys' fees, or damages of every kind and description arising out of or by reason of the underground pedestrian concourse tunnel or this ordinance, including but not limited to claims resulting from injury, damage, or loss to the Permittee or the Permittee's property.

The Permittee agrees to at all times defend, indemnify, and hold harmless the City, its officials, officers, employees, and agents from and against all claims, actions, suits, liability, loss, costs, expense, attorneys' fees, or damages of every kind and description, excepting only damages that may result from the sole negligence of the City, that may accrue to, be asserted by, or be suffered by any person or property including, without limitation, damage, death or injury to members of the public or to the Permittee's officers, agents, employees, contractors, invitees, tenants, tenants' invitees, licensees, or successors and assigns, arising out of or by reason of:

A. The existence, condition, construction, reconstruction, modification, maintenance, operation, use, or removal of the underground pedestrian concourse tunnel;

B. Anything that has been done or may at any time be done by the Permittee by reason of this ordinance; or

C. The Permittee failing or refusing to strictly comply with every provision of this ordinance; or arising out of or by reason of the underground pedestrian concourse tunnel or this ordinance in any other way.

If any suit, action, or claim of the nature described above is filed, instituted, or begun against the City, the Permittee shall upon notice from the City defend the City, with counsel acceptable to the City, at the sole cost and expense of the Permittee, and if a judgment is rendered against the City in any suit or action, the Permittee shall fully satisfy the judgment within 90 days after the action or suit has been finally determined, if determined adversely to the City. If it is determined by a court of competent jurisdiction that Revised Code of Washington (RCW) 4.24.115 applies to this ordinance, then in the event claims or damages are caused by or result from the concurrent negligence of the City, its agents, contractors, or employees, and the Permittee, its agents, contractors, or employees, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the Permittee or the Permittee's agents, contractors, or employees.

Section 10. **Insurance.** For as long as the Permittee exercises any permission granted by this ordinance and until the Director has issued a certification that the Permittee has fulfilled its removal and restoration obligations under Section 5 of this ordinance, the Permittee shall obtain and maintain in full force and effect, at its own expense, insurance and/or self-insurance that protects the Permittee and the City from claims and risks of loss from perils that can be insured against under commercial general liability (CGL) insurance policies in conjunction with:

A. Construction, reconstruction, modification, operation, maintenance, use, existence, or removal of the underground pedestrian concourse tunnel, as well as restoration of any disturbed areas of the public place in connection with removal of the underground pedestrian concourse tunnel;

B. The Permittee's activity upon or the use or occupation of the public place described in Section 1 of this ordinance; and

C. Claims and risks in connection with activities performed by the Permittee by virtue of the permission granted by this ordinance.

Minimum insurance requirements are CGL insurance written on an occurrence form at least as broad as the Insurance Services Office (ISO) CG 00 01. The City requires insurance coverage to be placed with an insurer admitted and licensed to conduct business in Washington State or with a surplus lines carrier pursuant to chapter 48.15 RCW. If coverage is placed with any other insurer or is partially or wholly self-insured, such insurer(s) or self-insurance is subject to approval by the City's Risk Manager.

Minimum limits of liability shall be \$5,000,000 per Occurrence; \$10,000,000 General Aggregate; \$5,000,000 Products/Completed Operations Aggregate, including Premises Operations; Personal/Advertising Injury; Contractual Liability. Coverage shall include the "City of Seattle, its officers, officials, employees and agents" as additional insureds for primary and non-contributory limits of liability subject to a Separation of Insureds clause.

Within 60 days after the effective date of this ordinance, the Permittee shall provide to the City, or cause to be provided, certification of insurance coverage including an actual copy of the blanket or designated additional insured policy provision per the ISO CG 20 12 endorsement or equivalent. The insurance coverage certification shall be delivered or sent to the Director or to SDOT at an address as the Director may specify in writing from time to time. The Permittee shall provide a certified complete copy of the insurance policy to the City promptly upon request.

If the Permittee is self-insured, a letter of certification from the Corporate Risk Manager may be submitted in lieu of the insurance coverage certification required by this ordinance, if approved in writing by the City's Risk Manager. The letter of certification must provide all information required by the City's Risk Manager and document, to the satisfaction of the City's Risk Manager, that self-insurance equivalent to the

insurance requirements of this ordinance is in force. After a self-insurance certification is approved, the City may from time to time subsequently require updated or additional information. The approved self-insured Permittee must provide 30 days' prior notice of any cancellation or material adverse financial condition of its self-insurance program. The City may at any time revoke approval of self-insurance and require the Permittee to obtain and maintain insurance as specified in this ordinance.

In the event that the Permittee assigns or transfers the permission granted by this ordinance, the Permittee shall maintain in effect the insurance required under this section until the Director has approved the assignment or transfer pursuant to Section 13 of this ordinance.

Section 11. Contractor insurance. The Permittee shall contractually require that any and all of its contractors performing work on any premises contemplated by this permit name the "City of Seattle, its officers, officials, employees and agents" as additional insureds for primary and non-contributory limits of liability on all CGL, Automobile and Pollution liability insurance and/or self-insurance. The Permittee shall also include in all contract documents with its contractors a third-party beneficiary provision extending to the City construction indemnities and warranties granted to the Permittee.

Section 12. Adjustment of insurance and bond requirements. The Director may adjust minimum liability insurance levels and require surety bond requirements during the term of this permission. If the Director determines that an adjustment is necessary to fully protect the interests of the City, the Director shall notify the Permittee of the new requirements in writing. The Permittee shall, within 60 days of the date of the notice, provide proof of the adjusted insurance and surety bond levels to the Director.

Section 13. Consent for and conditions of assignment or transfer. When the Property is transferred, the permission granted by this ordinance shall be assignable and transferable by operation of law pursuant to Section 19 of this ordinance. Prior to transfer, the new owner of the Property shall accept in writing all of the terms and conditions of the permission granted by this ordinance and the new owner of the Property shall be conferred with the rights and obligations of Permittee by this ordinance. Other than a transfer to a new owner

of the Property, Permittee shall not transfer, assign, mortgage, pledge or encumber the same without the Director's consent, which the Director shall not unreasonably refuse. The Director may approve assignment or transfer of the permission granted by this ordinance to a successor entity only if the successor or assignee has accepted in writing all of the terms and conditions of the permission granted by this ordinance; has provided, at the time of the acceptance, the bond and certification of insurance coverage required under this ordinance; and has paid any fees due under Section 14 and Section 16 of this ordinance. Upon the Director's approval of an assignment or transfer, the rights and obligations conferred on the Permittee by this ordinance shall be conferred on the successors and assigns. Any person or entity seeking approval for an assignment or transfer of the permission granted by this ordinance shall provide the Director with a description of the current and anticipated use of the underground pedestrian concourse tunnel.

Section 14. **Inspection fees.** The Permittee shall, as provided by SMC Chapter 15.76 or successor provision, pay the City the amounts charged by the City to inspect the underground pedestrian concourse tunnel during construction, reconstruction, repair, annual safety inspections, and at other times deemed necessary by the City. An inspection or approval of the underground pedestrian concourse tunnel by the City shall not be construed as a representation, warranty, or assurance to the Permittee or any other person as to the safety, soundness, or condition of the underground pedestrian concourse tunnel. Any failure by the City to require correction of any defect or condition shall not in any way limit the responsibility or liability of the Permittee.

Section 15. **Inspection reports.** The Permittee shall submit to the Director, or to SDOT at an address specified by the Director, an inspection report that:

- A. Describes the physical dimensions and condition of all load-bearing elements;
- B. Describes any damages or possible repairs to any element of the underground pedestrian concourse tunnel;
- C. Prioritizes all repairs and establishes a timeframe for making repairs; and
- D. Is stamped by a professional structural engineer licensed in the State of Washington.

A report meeting the foregoing requirements shall be submitted within 60 days after the effective date of the ordinance; subsequent reports shall be submitted every two years, provided that, in the event of a natural disaster or other event that may have damaged the underground pedestrian concourse tunnel, the Director may require that additional reports be submitted by a date established by the Director. The Permittee has the duty of inspecting and maintaining the underground pedestrian concourse tunnel. The responsibility to submit structural inspection reports periodically or as required by the Director does not waive or alter any of the Permittee's other obligations under this ordinance. The receipt of any reports by the Director shall not create any duties on the part of the Director. Any failure by the Director to require a report, or to require action after receipt of any report, shall not waive or limit the obligations of the Permittee.

Section 16. **Annual fee.** Beginning on the effective date of this ordinance the Permittee shall pay an Issuance Fee, and annually thereafter, the Permittee shall promptly pay to the City, upon statements or invoices issued by the Director, an Annual Renewal Fee, and an Annual Use and Occupation fee of \$32,736, or as adjusted annually thereafter, for the privileges granted by this ordinance.

Adjustments to the Annual Use and Occupation Fee shall be made in accordance with a term permit fee schedule adopted by the City Council and may be made every year. In the absence of a schedule, the Director may only increase or decrease the previous year's fee to reflect any inflationary changes so as to charge the fee in constant dollar terms. This adjustment will be calculated by adjusting the previous year's fee by the percentage change between the two most recent year-end values available for the Consumer Price Index for the Seattle-Tacoma-Bellevue Area, All Urban Consumers, All Products, Not Seasonally Adjusted. Permittee shall pay any other applicable fees, including fees for reviewing applications to renew the permit after expiration of the first term. All payments shall be made to the City Finance Director for credit to the Transportation Fund.

Section 17. **Compliance with other laws.** Permittee shall construct, maintain, and operate the underground pedestrian concourse tunnel in compliance with all applicable federal, state, County and City laws and regulations. Without limitation, in all matters pertaining to the underground pedestrian concourse tunnel,

the Permittee shall comply with the City’s laws prohibiting discrimination in employment and contracting including Seattle’s Fair Employment Practices Ordinance, Chapter 14.04, and Fair Contracting Practices code, Chapter 14.10 (or successor provisions).

Section 18. **Acceptance of terms and conditions.** The Permittee shall provide evidence of insurance coverage required by Section 10 of this ordinance and the covenant agreement required by Section 19 of this ordinance within 60 days after the effective date of this ordinance. Continued occupation of the right-of-way constitutes the Permittee’s acceptance of the terms of this ordinance.

Section 19. **Obligations run with the Property.** The obligations and conditions imposed on the Permittee by and through this ordinance are covenants that run with the land and bind subsequent owners of the property adjacent to the underground pedestrian concourse tunnel and legally described in Section 1 of this ordinance (the “Property”), regardless of whether the Director has approved assignment or transfer of the permission granted herein to such subsequent owner(s). At the request of the Director, Permittee shall provide to the Director a current title report showing the identity of all owner(s) of the Property and all encumbrances on the Property. The Permittee shall, within 60 days of the effective date of this ordinance, and prior to conveying any interest in the Property, deliver to the Director upon a form to be supplied by the Director, a covenant agreement imposing the obligations and conditions set forth in this ordinance, signed and acknowledged by the Permittee and any other owner(s) of the Property and recorded with the King County Recorder’s Office. The Director shall file the recorded covenant agreement with the City Clerk. The covenant agreement shall reference this ordinance by its ordinance number. At the request of the Director, Permittee shall cause encumbrances on the Property to be subordinated to the covenant agreement.

Section 20. **Repealing Section 8 of Ordinance 123793.** Section 8 of Ordinance 123793 is repealed:

~~((Section 8. Continuing obligations. Notwithstanding termination or expiration of the permission granted, or closure or removal of the tunnel, the Permittee shall remain bound by its obligation under this ordinance until:~~

~~(a) the tunnel and all its equipment and property are removed from the right-of-way;~~

~~(b) the area is cleared and restored in a manner and to a condition satisfactory to the~~

~~Director; and~~

~~(c) the Director certifies that the Permittee has discharged its obligations under this ordinance.~~

~~Upon prior notice to the Permittee and entry of written findings that it is in the public interest, the Director may, in the Director's sole discretion, excuse the Permittee, conditionally or absolutely from compliance with all or any of the Permittee's obligations to remove the tunnel and its property and to restore any disturbed areas.))~~

Section 21. **Section titles.** Section titles are for convenient reference only and do not modify or limit the text of a section.

Section 22. 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 _____ day of _____, 2021, and signed by me in open session in authentication of its passage this _____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed by me this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Seattle Department of Transportation	Amy Gray/206-386-4638	Christie Parker/206-684-5211

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title:

AN ORDINANCE granting permission to the Board of Regents of the University of Washington to continue to operate and maintain an existing underground pedestrian concourse tunnel under and across 6th Avenue, north of University Street; repealing Section 8 of Ordinance 123793; and providing for acceptance of the permit and conditions.

Summary and background of the Legislation:

This legislation allows the Board of Regents of the University of Washington to continue maintaining and operating an existing underground pedestrian concourse tunnel under and across 6th Avenue, north of University Street. The pedestrian concourse tunnel is open to the general public at all times during business hours. The pedestrian concourse tunnel permit is for a period of 15 years, commencing on the effective date of the ordinance. The permit may be extended for one successive 15-year term. The legislation specifies the conditions under which permission is granted and repeals Section 8 of Ordinance 123793.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes X No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? X Yes ___ No

Appropriation change (\$):	General Fund \$		Other \$	
	2021	2022	2021	2022
	\$0	\$0	\$0	\$0
Estimated revenue change (\$):	Revenue to General Fund		Revenue to Other Funds	
	2021	2022	2021	2022
	\$0	\$0	Annual Fee: \$32,736	TBD
Positions affected:	No. of Positions		Total FTE Change	
	2021	2022	2021	2022

Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

No.

Is there financial cost or other impacts of *not* implementing the legislation?

If the legislation is not enacted by City Council, the City of Seattle would not receive the 2021 Annual Fee of \$32,736 and future annual fees.

3.a. Appropriations

This legislation adds, changes, or deletes appropriations.

3.b. Revenues/Reimbursements

This legislation adds, changes, or deletes revenues or reimbursements.

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Dept	Revenue Source	2021 Revenue	2022 Estimated Revenue
Transportation Fund (13000)	SDOT	Annual Fee	\$32,736	TBD
TOTAL			\$32,736	TBD

Is this change one-time or ongoing?

On-going

Revenue/Reimbursement Notes:

The 2021 fee is based on the 2021 land value as assessed by King County.

3.c. Positions

This legislation adds, changes, or deletes positions.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

No.

b. Is a public hearing required for this legislation?

No.

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No.

d. Does this legislation affect a piece of property?

Yes, the University of Washington property legally described in Section 1 of the Council Bill.

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

This legislation does not have any implications for the principles of the Race and Social Justice Initiative and does not impact vulnerable or historically disadvantaged communities.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

No.

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

No.

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s).

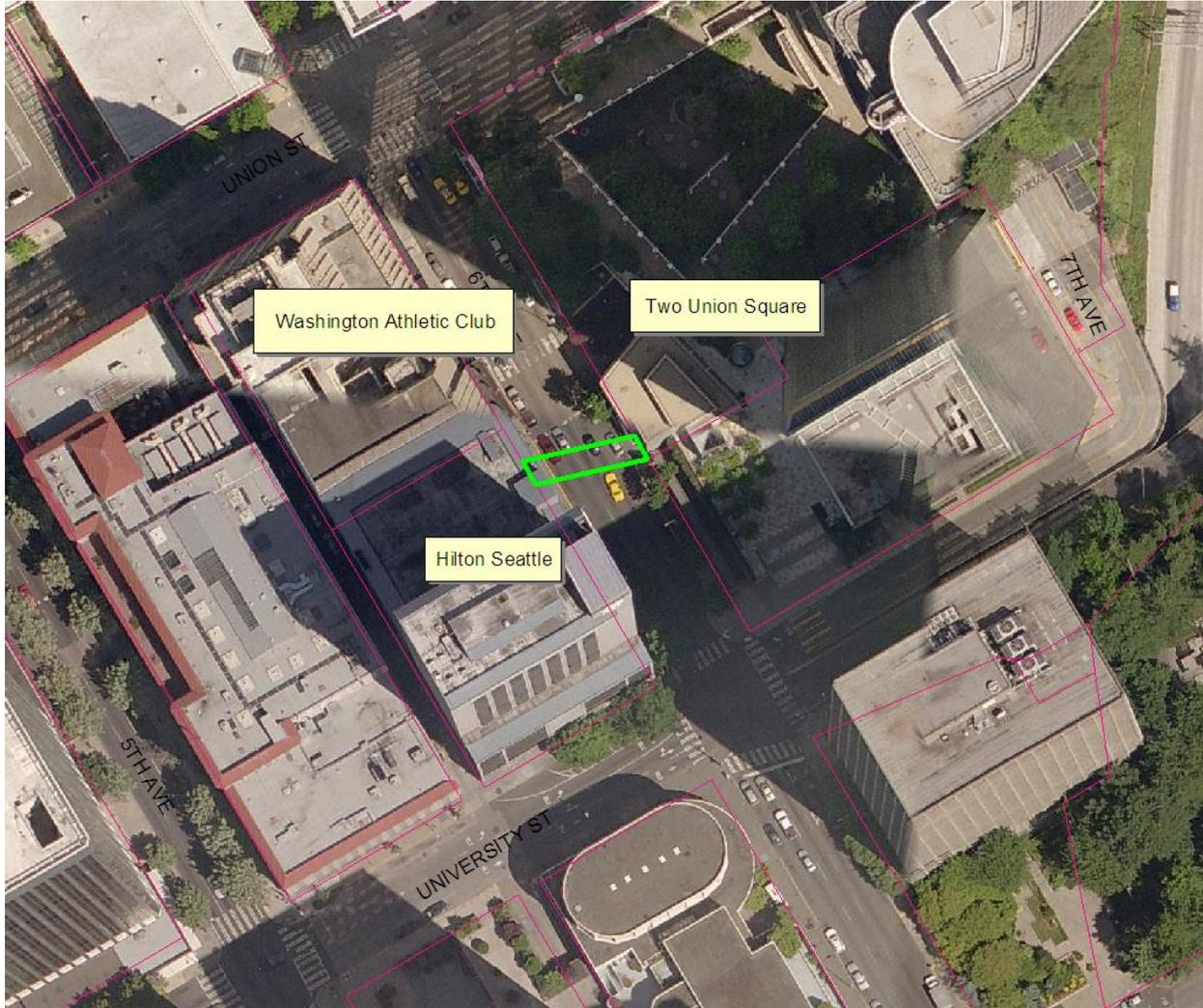
N/A

List attachments/exhibits below:

Summary Attachment A – UW 6th Tunnel Area Map

Summary Attachment B – Annual Fee Assessment Summary

Attachment A – UW 6th Tunnel Area Map



Map is for informational purposes only and is not intended to modify or supplement the legal description(s) in the Ordinance.

Attachment B - Annual Fee Assessment Summary

STREET USE ANNUAL FEE ASSESSMENT

Date: 12/16/2020

<p><u>Summary:</u> Land Value: \$1,550/SF 2021 Permit Fee: \$32,736</p>
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I. Property Description:

Existing pedestrian tunnel under and across 6th Avenue, north of University Street. The tunnel provides a below-grade pedestrian connection between Two Union Square and the Washington Athletic Club. The tunnel area is **1,056 square feet**.

Applicant:

Board of Regents of the University of Washington

Abutting Parcels, Property Size, Assessed Value:

2021

Parcel 1976700125; Lot size: 89,950 square feet
Tax year 2021 Appraised Land Value \$139,422,500 (\$1,550/square foot)

Parcel 1975700025; Lot size: 21,000 square feet
Tax year 2021 Appraised Land Value \$32,550,000 (\$1,550/square foot)

Average 2021 Tax Assessed Land Value: \$1,550/SF

II. Annual Fee Assessment:

The 2021 permit fee is calculated as follows:

Tunnel:

$(\$1,550/\text{SF}) \times (1,056 \text{ SF}) \times (25\%) \times (8\%) = \boxed{32,736}$ where 25% is the degree of alienation for a tunnel and 8% is the annual rate of return.

Fee methodology authorized under Ordinance 123485, as amended by Ordinances 123585, 123907, and 124532.



Legislation Text

File #: CB 120161, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to Seattle Public Utilities; updating water regulations to conform to current standards; making technical corrections; and amending Section 21.04.480 of the Seattle Municipal Code.

WHEREAS, Seattle Public Utilities fosters healthy people, a healthy environment, and a healthy economy by partnering with the community to equitably manage water and wastewater resources for today and for future generations; and

WHEREAS, portions of the City’s Water Code, Subtitle I of Title 21 of the Seattle Municipal Code, are outdated and need revision to ensure Seattle Public Utilities is transparent about when its customers will be billed based on estimated water usage; and

WHEREAS, it serves the public interest for the City to update provisions of its code to be consistent with current terminology and practices; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 21.04.480 of the Seattle Municipal Code, last amended by Ordinance 118396, is amended as follows:

21.04.480 Meters-Property of City-Failure to register properly

All meters, unless otherwise authorized by the Director, shall ~~((be and))~~ remain the property of the City and will not be removed unless the use of water on the premises is ~~((to be entirely))~~ stopped, or the service connection is discontinued or abandoned. In all cases where meters are lost, ~~((injured))~~ damaged, or broken by carelessness or negligence of owners or occupants of premises, they shall be replaced or repaired by or under

the direction of the Director and the cost charged against the owner or occupant. ~~((, and in))~~ In case of nonpayment of service charges, the water shall be shut off in accordance with Section 21.04.250 and will not be turned on until such charges and the charge for turning on the water are paid as required by Section 21.04.470. In the event of the meter ~~((getting out of order or))~~ failing to register properly or where the City is unable to obtain a meter read for any other reason, the consumer shall be charged on an estimate made by the Director based on the average ~~((monthly consumption during the last three months that the same was in good order or from what he may consider to be the most reliable data at his command))~~ historical water consumption from the same period of time the year prior, post-repair consumption, or other reliable data available.

Section 2. 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 _____ day of _____, 2021, and signed by me in open session in authentication of its passage this _____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Seattle Public Utilities	Dan Ward/4-8486 Amy Bonfrisco/4-4190	Akshay Iyengar /4-0716

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to Seattle Public Utilities; updating water regulations to conform to current standards; making technical corrections; and amending Section 21.04.480 of the Seattle Municipal Code.

Summary and background of the Legislation:

This legislation would confirm water meters are the property of the City of Seattle and clarify the actions Seattle Public Utilities will take with respect to damaged, broken, or abandoned meters, and cross references the applicable credit and collection provisions that apply for nonpayment of water service charges. It also specifies the circumstances when SPU will bill customers based on estimated reads and describes the general method for relying on average monthly consumption for a consecutive three-month period.

This proposed code update will not result in any policy or operational change for SPU. The proposed changes do not address nonpayment of service charges or utility shut offs, but rather clarify that bills will be estimated when the meter fails to register properly or when SPU cannot obtain a meter read for any other reason. It also provides a high-level explanation of the methods for computing estimated bills.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? Yes No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? Yes No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

No

Is there financial cost or other impacts of *not* implementing the legislation?

There are no direct costs. These changes are proposed to ensure the SMC is current and accurately captures current business practices.

4. OTHER IMPLICATIONS

- a. **Does this legislation affect any departments besides the originating department?**

No

- b. **Is a public hearing required for this legislation?**

No

- c. **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**

No

Does this legislation affect a piece of property?

No

- d. **Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?**

No perceived implication for the principles of the Race and Social Justice Initiative.

- e. **Climate Change Implications**

1. **Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?**

No

2. **Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**

No

- f. **If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?**

N/A

List attachments/exhibits below:

None



Legislation Text

File #: CB 120175, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE authorizing Seattle Public Utilities to execute agreements under RCW 70A.140.040 for projects and programs that prevent water pollution using green stormwater infrastructure and other nature-based approaches.

WHEREAS, green stormwater infrastructure (GSI) and other approaches that mimic or repair natural systems and cycles have been a cornerstone of the Seattle Public Utilities' (SPU) approach to water pollution prevention and stormwater management since its inception; and

WHEREAS, the Seattle City Council in 2013 approved Resolution 31459, establishing a City policy that GSI is a critical aspect of a sustainable drainage system and adopting a 2025 goal to accelerate GSI implementation in Seattle; and

WHEREAS, the Seattle City Council further affirmed SPU's work to expand the use of GSI and other sustainable approaches when it adopted SPU's 2021-2026 Strategic Business Plan, which highlights investments in green infrastructure to advance climate-resilient, nature-based, community-led solutions to drainage and wastewater challenges; and

WHEREAS, GSI expansion is a key element of SPU's community-centered planning for the next 50 years of Seattle's drainage and wastewater systems, Shape Our Water; and

WHEREAS, Seattle City Council, via Resolution 31895, recognized that on-going investment in water infrastructure, green space, and natural systems is essential to prepare for climate-change and achieve a just transition; and

WHEREAS, infrastructure investments coupled with strategies such as targeted workforce development and

community-driven projects and partnerships further SPU’s contribution to the City of Seattle’s Green New Deal goals and equitable COVID-19 economic recovery efforts; and

WHEREAS, RCW 70A.140.040 provides that “the legislative authority of a public body may secure services by means of an agreement to...perform one or more of the following services: [d]esign, finance, construct, own, operate, or maintain water pollution control facilities by which services are provided to the public body”; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The General Manager/CEO of Seattle Public Utilities, or designee, is authorized to execute, for and on behalf of The City of Seattle, agreements under RCW 70A.140.040 for the planning, design, construction, commissioning, operation, and/or maintenance of water pollution control projects. Selection and development of projects will adhere to transparent eligibility and performance criteria, and the selection of a service provider under this authority will include a full and formal public solicitation, evaluation, and selection process, per RCW 70A.140.040.

Section 2. 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 _____ day of _____, 2021, and signed by me in open session in authentication of its passage this _____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Seattle Public Utilities	Pam Emerson 206-940-6074	Akshay Iyengar 4-0716

* Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.

1. BILL SUMMARY

Legislation Title: AN ORDINANCE authorizing Seattle Public Utilities to execute agreements under [RCW 70A.140.040](#) for projects and programs that prevent water pollution using green stormwater infrastructure and other nature-based approaches.

Summary and background of the Legislation:

The legislation authorizes the General Manager/CEO of Seattle Public Utilities, or designee, to execute service agreements under [RCW 70A.140.040](#), for the delivery of water pollution control projects, as part of the RainCity Partnerships program or as part of subsequent programs that emerge from the [Shape Our Water](#) planning process. Selection and development of water pollution control projects will adhere to transparent eligibility and performance criteria, and the selection of a service provider will include a full and formal public recruitment solicitation, evaluation, selection, and contracting process.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes No

This legislation provides authority for the preferred delivery model for this program. The program is funded within SPU's 2021-2026 budget, with additional budget placeholders beyond 2026 identified.

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes No

Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

The RainCity Partnership program will manage stormwater and deliver additional public value at a lower cost than could be administered by the City alone. This provides long term savings to ratepayers. Other benefits include the potential for private funding, community support and commitment, transfer of risk, and opportunities for greater innovation and accelerated adoption of sustainable practices.

Is there financial cost or other impacts of *not* implementing the legislation?

Not implementing the legislation would result in less efficient implementation of green infrastructure projects to address drainage and wastewater system capacity and water quality priorities. This legislation would enable a new delivery mechanism, which is anticipated to yield both cost savings and greater total value for SPU ratepayers, per unit of stormwater

management/water pollution control achieved.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

The legislation does not directly affect other departments. Creating the RainCity Partnerships Program will result in additional stormwater infrastructure projects requiring permits and related plan review via SDCI business processes. SPU consulted with SDCI and determined the increase in SDCI workload would be *de minimus*. The overall financial impact is anticipated to be revenue-neutral for the City.

b. Is a public hearing required for this legislation?

No.

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No.

d. Does this legislation affect a piece of property?

No.

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

Improved and expanded racial equity outcomes are a significant driver for the proposed legislation. The decision to pursue the project delivery mechanism enabled by the legislation was influenced by the initial Racial Equity Toolkit (RET) process conducted by SPU. RET process participants recommended SPU not pursue a grant program structure to achieve its goal of accelerating voluntary green infrastructure retrofits and better serving ratepayers with multiple-value infrastructure. The project delivery mechanism enabled by the legislation allows SPU to define program-scale community benefit requirements that are consistent with direction to City departments articulated in the City of Seattle’s Equity and Environment Agenda.

The delivery mechanism enabled by the legislation will also expand the geographic eligibility boundaries for voluntary green infrastructure retrofit projects, to include more areas identified as high priority in the Office of Planning and Community Development’s [Racial and Social Equity Index map](#). The RainCity program requirements to meaningfully engage and appropriately resource place-based community organizations in the identification and development of projects – together with the programmatic community benefit targets outlined above – are strategies the RainCity pilot enabled by this legislation will use to counter-act the potential for ‘green displacement’ pressure associated with infrastructure improvements. These strategies are part of SPU’s broader work to partner with sister City agencies to address and prevent displacement and to meaningfully contribute to our communities’ ability to thrive in place.

Climate Change Implications

1. **Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?**

The legislation is not expected to substantively impact carbon emissions.

Predominant sources of carbon emissions in green infrastructure projects include emissions associated with concrete production and emissions from construction equipment. As a sector, green infrastructure relies more heavily on plant- and soil-based living systems (than on underground concrete pipes), though concrete elements are still sometimes necessary. Green infrastructure and riparian restoration also include tree planting, which provides an opportunity for modest carbon sequestration that is not provided by conventional gray-only infrastructure approaches. Green infrastructure systems typically do not require pumps or other electricity-using elements, once installed.

2. **Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**

Investing in voluntary green infrastructure development is promoted as a key climate adaptation and resilience strategy by prominent national and local environmental agencies and organizations as well as by justice-oriented organizations, including: [U.S. Environmental Protection Agency](#), [American Society of Landscape Architects](#), [WA State Department of Commerce, Front and Centered](#); and [Seattle's Office of Sustainability and Environment](#). Additionally, green infrastructure, particularly trees, can play a critical role in reducing urban heat island effect in densely populated urban centers.

f. **If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s).**

Enabling this additional delivery model to accelerate green infrastructure implementation will support SPU's work to integrate community benefit targets with standard stormwater management performance targets in program delivery. These include targets such as:

- Priority hire/local hire requirements for project planning & design and construction & commissioning
- WMBE Utilization Plan and similar approach to community-based organizations
- Organizational and/or business mentorship, for entities interested in elements of the growing green infrastructure economy
- Paid internships, starting in Year two of the program in green infrastructure planning and design in green infrastructure construction, commissioning, and maintenance

The final set of community benefit targets for the RainCity pilot enabled by this legislation will be determined via the service provider selection process and contract negotiation process.



Legislation Text

File #: CB 120171, **Version:** 2

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to surveillance technology implementation; authorizing approval of uses and accepting surveillance impact reports for the Seattle Fire Department’s use of Emergency Scene Cameras and Hazardous Materials Cameras.

WHEREAS, Section 14.18.020 of the Seattle Municipal Code (SMC), enacted by Ordinance 125376, requires City Council approval of a surveillance impact report (SIR) related to uses of surveillance technology, with existing/retroactive technology to be placed on a Master Technology List; and

WHEREAS, SMC 14.18.020 applies to the Emergency Scene Cameras and Hazardous Materials (“Hazmat”) Cameras in use by the Seattle Fire Department (SFD); and

WHEREAS, SFD conducted policy rule review and community review as part of the development of the SIRs; and

WHEREAS, SMC 14.18.080, enacted by Ordinance 125679, also requires review of the SIRs by the Community Surveillance Working Group, composed of relevant stakeholders, and a statement from the Chief Technology Officer in response to the Working Group’s recommendations; and

WHEREAS, development of the SIRs and review by the Working Group has been completed; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Pursuant to Ordinances 125376 and 125679, the City Council approves use of the Seattle Fire Department’s Emergency Scene Cameras and Hazardous Materials (“Hazmat”) Cameras. The City Council accepts the Surveillance Impact Reports (SIRs) for these technologies, attached to this ordinance as

Attachments 1 and 2, and the Executive Overviews for the same technologies, attached to this ordinance as Attachments 3 and 4.

Section 2. The Seattle Fire Department shall submit revised SIRs for Emergency Scene Cameras and for Hazardous Materials Cameras to the Clerk within 30 days after the conclusion of the Department's next labor negotiations. The revised SIRs must include additional policies and/or guidelines governing the use and operation of Emergency Scene Cameras and Hazardous Materials Cameras, including measures to protect for the privacy of individuals and homes, record retention schedules, protocols for data sharing with law enforcement, and training.

Section 3. 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 _____ day of _____, 2021, and signed by me in open session in authentication of its passage this _____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1 - 2018 Surveillance Impact Report: Emergency Scene Cameras

Attachment 2 - 2018 Surveillance Impact Report: Hazardous Materials (Hazmat) Camera

Attachment 3 - 2021 Surveillance Impact Report Executive Overview: Emergency Scene Cameras

Attachment 4 - 2021 Surveillance Impact Report Executive Overview: Hazmat Cameras

POWERFUL TECHNOLOGY SOLUTIONS
FOR THE CITY AND PUBLIC WE SERVE

2018 Surveillance Impact Report

EMERGENCY SCENE CAMERAS

SEATTLE FIRE DEPARTMENT



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SURVEILLANCE IMPACT REPORT OVERVIEW

The Seattle City Council passed Ordinance [125376](#), also referred to as the “Surveillance Ordinance”, on September 1, 2017. This Ordinance has implications for the acquisition of new technologies by the City, and technologies that are already in use that may fall under the new, broader definition of surveillance.

SMC 14.18.020.B.1 charges the City’s Executive with developing a process to identify surveillance technologies subject to the Ordinance. Seattle IT, on behalf of the Executive, developed and implemented a process through which a privacy and surveillance review is completed prior to the acquisition of new technologies. This requirement, and the criteria used in the review process, are documented in [Seattle IT Policy PR-02](#), the “Surveillance Policy”.

HOW THIS DOCUMENT IS COMPLETED

As Seattle IT and department staff complete the document, they should keep the following in mind.

- Responses to questions should be in the text or check boxes only; all other information (questions, descriptions, etc.) should **NOT** be edited by the department staff completing this document.
- All content in this report will be available externally to the public. With this in mind, avoid using acronyms, slang, or other terms which may not be well-known to external audiences. Additionally, responses should be written using principally non-technical language to ensure they are accessible to audiences unfamiliar with the topic.

PRIVACY IMPACT ASSESSMENT

PURPOSE

A Privacy Impact Assessment (“PIA”) is a method for collecting and documenting detailed information collected in order to conduct an in-depth privacy review of a program or project. A PIA asks questions about the collection, use, sharing, security and access controls for data that is gathered using a technology or program. It also requests information about policies, training and documentation that govern use of the technology. The PIA responses are used to determine privacy risks associated with a project and mitigations that may reduce some or all of those risks. In the interests of transparency about data collection and management, the City of Seattle has committed to publishing all PIAs on an outward facing website for public access.

WHEN IS A PRIVACY IMPACT ASSESSMENT REQUIRED?

A PIA may be required in two circumstances.

- 1) When a project, technology, or other review has been flagged as having a high privacy risk.
- 2) When a technology is required to complete the Surveillance Impact Report process. This is one deliverable that comprises the report.

1.0 ABSTRACT

1.1 Please provide a brief description (one paragraph) of the purpose and proposed use of the project/technology.

Certain Seattle Fire Department (SFD) response vehicles maintain a digital camera for use during emergency operations. These cameras may be utilized by Department personnel for several reasons:

- Providing emergency medical doctors with pictures of the mechanism of injury for trauma patients.
- Pictures of fire scenes for Fire Investigation Unit (FIU) investigations.
- Safety investigations following collisions involving Department response vehicles.

First responders take the cameras from the vehicles, use the images for one of the purposes above and then delete the images in accordance with Seattle Fire Department’s Policies and Operating Guidelines (“POG”).

1.2 Explain the reason the project/technology is being created or updated and why the PIA is required.

According to the Surveillance Ordinance, a technology has surveillance capability if it can be used “to collect, capture, transmit, or record data that could be used to surveil, regardless of whether the data is obscured, de-identified, or anonymized before or after collection and regardless of whether technology might be used to obscure or prevent the capturing of certain views or types of information.”

Digital cameras are a ubiquitous part of modern life, and their use by first responders are no exception. However, cameras used to capture images without the knowledge or consent of the subjects or property owners are also an example of a technology that meets the most basic definition of surveillance.

First responders are often required to enter incident scenes at private residences or businesses, gaining access to potentially sensitive locations or encountering victims requiring emergency medical services (EMS). In specific cases, SFD personnel use digital cameras to take pictures of patients and incident scenes, and could potentially capture images of identifiable individuals or their residences during emergency responses.

2.0 PROJECT / TECHNOLOGY OVERVIEW

Provide an overview of the project or technology. The overview gives the context and background necessary to understand the purpose, mission and justification for the project / technology proposed

2.1 Describe the benefits of the project/technology.

In emergency settings, time is of the essence. A camera is a useful tool for first responders for information sharing purposes because images convey a significant amount of information in a short amount of time.

Providing medical professionals with immediate access to information during emergency responses can reduce potential for further injury or loss of life for patients. Photos of incident scenes can also provide valuable information for fire investigators to examine and share their findings with other Fire Investigation Unit (FIU) staff and the Seattle Police Department’s Arson and Bomb Squad (ABS).

Chiefs may use the cameras to take photos of incident scenes for research or for use in training. Pictures are also taken during safety investigations involving Fire Department personnel, such as vehicle collisions.

2.2 Provide any data or research demonstrating anticipated benefits.

The National Fire Protection Association provides guidelines on situational responses, including best practices and operating procedures. [NFPA 904 the Incident Follow-up Report Guide](#) recommends collecting photographs as a data point to reduce risk over long term when reviewing incidents.

2.3 Describe the technology involved.

The make and model of emergency scene cameras differ slightly according to the unit or response vehicle. In all cases though, the cameras are used to take photographs via a basic “point and click” method.

Chiefs and Medic Units use the [Nikon Coolpix L24](#) or the [Panasonic Lumex TS30](#). The Fire Investigation Unit’s [Nikon D7200](#) has more functionality, including the ability to take high quality videos. It is only used to take pictures for fire investigations.

2.4 Describe how the project or use of technology relates to the department’s mission.

The SFD’s mission is to save lives and protect property through emergency medical service, fire and rescue response and fire prevention. Effective communication and information sharing are essential components required to achieve our mission.

2.5 Who will be involved with the deployment and use of the project / technology?

The following are involved with the deployment and use of the emergency scene cameras:

- SFD Operations Staff (SFD HQ)
- Seattle Medic One (Battalion 3 at Harborview Medical Center)
- Safety Office (SFD HQ)
- Support Services (SFD HQ)
- SFD Client Services Director

3.0 USE GOVERNANCE

Provide an outline of any rules that will govern the use of the project / technology. Please note: non-City entities are bound by restrictions specified in the Surveillance Ordinance and Privacy Principles and must provide written procedures for how the entity will comply with any restrictions identified.

3.1 Describe the processes that are required prior to each use, or access to/ of the project / technology, such as a notification, or check-in, check-out of equipment.

For Medic One units, cameras are located in a locked safe with the controlled drugs on each response vehicle, which require a special PIN to access. The accountability system for the controlled drugs also allows for an audit trail of all personnel who access the safe. Daily inventories are conducted for every medic unit, and a quarterly inventory is done by the Medical Services Officer (“MSO”).

For FIU photo records, only investigators and one administrative specialist have access to the Nikon D7200 camera and photographs. The cameras are physically located in an office secured behind two locked doors, which can only be accessed by FIU staff.

3.2 List the legal standards or conditions, if any, that must be met before the project / technology is used.

[The Uniform Health Care Information Act \(RCW 70.02\)](#) governs the use, retention and disclosure of confidential medical information, which includes photos of traumatic injuries sustained by patients. For covered entities, the Health Information Portability and Accountability Act (HIPAA) also provides useful standards regarding data security and privacy. For FIU records, investigation photos are retained in a database that is compliant with current Criminal Justice Information Services (CJIS) standards.

3.3 Describe the policies and training required of all personnel operating the project / technology, and who has access to ensure compliance with use and management policies.

The Seattle Fire Department's internal Policies and Operating Guidelines ("POG") establishes rules around the use and retention of digital photographs during emergency medical responses:

- Section 5001-13: "All Medic Units and Medic 44 carry a digital camera in the controlled drug safe. These cameras may be utilized by Department personnel to record the mechanism of injury for trauma patients. These photographs will only be shown to appropriate hospital emergency department staff to clearly explain the severity of injury and then will be promptly deleted from the camera's internal memory."
- Section 5001-2.6: "Digital photographs of mechanism of injury for trauma patients taken with the digital camera carried in Medic Unit(s) and/or M44 shall be deleted after being shown to appropriate hospital emergency department staff."
- Section 3004-7: "in accordance with OG 5001.2 Aid and Medic Responses, Digital Cameras, on-duty firefighter/paramedics may use digital cameras provided by the Department to record the mechanism of injury to trauma patients. After showing the photographs to appropriate hospital emergency department staff the photos will be deleted."

All SFD uniformed personnel are trained extensively on all POG sections during recruit school and their one-year probationary period following the hire date. Battalion 3 (Medic One) paramedics receive additional training on the use of cameras for documenting traumatic injuries during paramedic training school.

For the Fire Investigation Unit (FIU), the Captain is responsible for ensuring investigation photos are maintained in a secure, CJIS compliant database. <https://www.seattle.gov/police-manual/title-12---department-information-systems/12050---criminal-justice-information-systems>

In general, commanding officers, such as the acting Lieutenant and/or Captain, are responsible for ensuring compliance of uniformed personnel in their unit. While the Department has strict policies around the use of personal devices, such as cameras and cell phones, at this time there are no sections of the POG specifically addressing the use of department-issued digital cameras and photo retention. The Department is working to develop a policy update regarding the use of department-issued digital cameras in general, as well as their use and retention in vehicle collision investigations by the Safety office and fire investigations by the FIU.

4.0 DATA COLLECTION AND USE

Provide information about the policies and practices around the collection and use of the data collected.

4.1 Provide details about what information is being collected from sources other than an individual, including other IT systems, systems of record, commercial data aggregators, publicly available data and/or other city departments.

No information from other sources is collected by this technology.

4.2 What measures are in place to minimize inadvertent or improper collection of data?

The Department is working to develop a policy for the all staff regarding the acceptable use of this technology during emergency responses, as well as the subsequent storage of photos and sharing with law enforcement agencies. However, there are strict policies regarding the use and deletion of photos if they include victims requiring emergency medical service (POG section 3004-7).

4.3 How and when will the project / technology be deployed or used? By whom? Who will determine when the project / technology is deployed and used?

Digital cameras are currently in use by three divisions of the Seattle Fire Department:

- Medic One (Battalion 3) paramedic units
- Battalion Chiefs in Safety 1 and Safety 2 units
- Fire Investigation Unit (FIU) investigators and the FIU Captain

4.4 How often will the technology be in operation?

Digital cameras are currently used in three divisions of the Department. They are used as necessary by first responders.

4.5 What is the permanence of the installation? Is it installed permanently, or temporarily?

The cameras are included in the apparatus inventory for the respective Department units, but can be removed for use as needed during an emergency response or investigation.

4.6 Is a physical object collecting data or images visible to the public? What are the markings to indicate that it is in use? What signage is used to determine department ownership and contact information?

All digital cameras used by Department personnel are visibly recognizable as such. No signs or other markings indicate that a digital camera is in use.

4.7 How will data that is collected be accessed and by whom?

The Medic Unit cameras can only be accessed Battalion 3 paramedics. First responders take the pictures and display them to the Medic One doctor at Harborview Medical Center. Per Department policy, the data is not retained following transfer of patient care.

Fire Investigation Unit (FIU) photos are stored in a CJIS-compliant database physically located in a secured room of the Fire Prevention Division. The records are accessible only to fire investigators, the FIU Captain and one civilian administrative specialist.

Safety chiefs take pictures for collision investigations, which are stored on the Department's internally shared computer or "O" drive and accessible only to the safety office. A total of four battalion-level chiefs have access to the stored records.

4.8 If operated or used by another entity on behalf of the city, provide details about access, and applicable protocols. Please link memorandums of agreement, contracts, etc. That are applicable.

There are no applicable MoA's, contracts or protocols associated with the use of digital camera technology by SFD personnel, with the one exception of trauma patient photos taken during EMS responses (POG Section 3004-7).

4.9 What are acceptable reasons for access to the equipment and/or data collected?

For medic units, cameras are only to be used during emergency medical responses where showing the mechanism of injury to hospital staff is required to maintain high-level continuity of care. The FIU camera may only be used for fire investigations. The Safety Office cameras can only be used by chiefs during safety investigations, such as vehicle collisions.

The Department is working develop a 2018 policy update to document the access and other protocols for digital cameras, photo retention and data-sharing.

4.10 What safeguards are in place, for protecting data from unauthorized access (encryption, access control mechanisms, etc.) And to provide an audit trail (viewer logging, modification logging, etc.)?

CAD may be used to identify personnel associated with a specific unit or incident, as all on-shift SFD members are required to sign-in to CAD. Daily inventory and equipment use that can be traced to the personnel on duty.

5.0 DATA STORAGE, RETENTION AND DELETION

5.1 How will data be securely stored?

Strict policies regarding the use and deletion of photos for trauma patients are outlined in the Department's Policies and Operating Guidelines (POG) section 3004-7 following the completion of a patient's transfer of care to hospital staff.

Fire Investigation Unit photos are stored on a CJIS-client database. Safety office photos are stored on a secured city server within the Department's "O" drive.

The Department is also adopting Multi Factor Authentication in late 2021, which will further increase the security of any images stored on City drives.

5.2 How will the owner allow for departmental and other entities, to audit for compliance with legal deletion requirements?

Any oversight agency may schedule an appointment with the appropriate officer listed in 5.4.

5.3 What measures will be used to destroy improperly collected data?

Strict policies regarding the use and deletion of photos for trauma patients are outlined in the Department's Policies and Operating Guidelines (POG) section 3004-7 following the completion of a patient's transfer of care to hospital staff.

FIU photos are retained according to the same retention schedule as the Seattle Police Department's Arson and Bomb Squad and DEMS requirements.

5.4 Which specific departmental unit or individual is responsible for ensuring compliance with data retention requirements?

Medic One/Battalion 3 - Four Medical Safety Officers (MSO), one for each shift, and the Medic One Deputy Chief.

Fire Investigation Unit – FIU Captain

Safety Office – Four Battalion Chiefs, one for each shift.

6.0 DATA SHARING AND ACCURACY

6.1 Which entity or entities inside and external to the city will be data sharing partners?

Photos of trauma patients are only shared in person with emergency room staff for the purposes of providing patient care. The pictures themselves are never transferred from the camera in any format.

Photos taken by Safety Chiefs for vehicle collision investigations may be shared with the Risk Management Division of Finance and Administrative Services (FAS) for the purposes of processing claims for damages against the City.

FIU photos are shared with the Seattle Police Department using a shared CJIS-compliant database known as Digital Evidence Management Software (DEMS).

6.2 Why is data sharing necessary?

The mechanism of injury (MOI) for trauma patients can be shared much more quickly and accurately with emergency medical staff with a picture than by written or verbal communication. Time and accuracy are critical in these scenarios, so sharing photos is an invaluable tool for first responders during medical emergencies.

The Seattle Fire Department's Fire Investigation Unit works closely with the Seattle Police Department's Arson and Bomb Squad (ABS). The sharing of information and records is necessary for adequate law enforcement.

In addition, all Department records, including photos, are subject to the Public Records Act (RCW 42.56). FIU records are exempt from disclosure during an ongoing law enforcement investigation (RCW 42.56.240). Once an investigation is closed, all photos are then subject to disclosure, except for those showing a victim (RCW 70.02). The sharing of FIU photos with the SPD ABS only occurs within a CJIS-compliant framework, as the two offices share a secure database.

6.3 Are there any restrictions on non-city data use?

Yes No

6.3.1 If you answered Yes, provide a copy of the department's procedures and policies for ensuring compliance with these restrictions.

Photos of victims are considered confidential medical records protected by the UHCIA (RCW 70.02). Department policies, outlined above in section 3.3, prohibit the retention of photos showing injuries sustained by trauma patients.

The Department is working to develop a policy update for incorporation into the POG specifically regarding the use of Department-issued cameras. However, those policy changes will have to be included in the next round of collective bargaining before they are officially adopted as Department policy.

6.4 How does the project/technology review and approve information sharing agreements, memorandums of understanding, new uses of the information, new access to the system by organizations within City of Seattle and outside agencies?

At this time, no such information sharing agreements exist regarding the use of SFD’s digital cameras and sharing of pictures.

6.5 Explain how the project/technology checks the accuracy of the information collected. If accuracy is not checked, please explain why.

In all cases, the technology simply produces an image. Any “corrections” to the photographs would actually reduce the accuracy of the information collected.

6.6 Describe any procedures that allow individuals to access their information and correct inaccurate or erroneous information.

No corrections to pictures or photos are necessary for this technology, nor would it be appropriate.

7.0 LEGAL OBLIGATIONS, RISKS AND COMPLIANCE

7.1 What specific legal authorities and/or agreements permit and define the collection of information by the project/technology?

Photos of trauma patients are considered confidential medical records according to RCW 70.02, otherwise known as the Uniform Health-Care Information Act (UHCIA).

Fire Investigation photos are maintained in a CJIS-compliant database known as Digital Evidence Management Software (DEMS). Policies set forth by CJIS include:

- A limit of 5 unsuccessful login attempts by a user accessing CJIS
- Event logging various login activities, including password changes
- Weekly audit reviews
- Active account management moderation
- Session lock after 30 minutes of inactivity
- Access restriction based on physical location, job assignment, time of day, and network address

7.2 Describe what privacy training is provided to users either generally or specifically relevant to the project/technology.

The only privacy training provided is the City-wide privacy and security training. For the Medic Units, all paramedics undergo training on the use of cameras for recording the mechanism of injury for trauma patients during EMS responses. POG section 3004-7 governs the use of cameras during such incidents.

7.3 Given the specific data elements collected, describe the privacy risks identified and for each risk, explain how it was mitigated. Specific risks may be inherent in the sources or methods of collection, or the quality or quantity of information included.

Please work with the Privacy Team to identify the specific risks and mitigations applicable to this project / technology.

Private occupancies or sensitive areas may be accessed by SFD personnel during an emergency response. Other records of the response, such as Computer-Aided Dispatch reports, could be then used in conjunction with this technology to identify individuals at an incident scene.

7.4 Is there any aspect of the project/technology that might cause concern by giving the appearance to the public of privacy intrusion or misuse of personal information?

Examples might include a push of information out to individuals that is unexpected and appears to be intrusive, or an engagement with a third party to use information derived from the data collected, that is not explained in the initial notification.

Sharing of incident records with law enforcement is likely the greatest cause for concern. Another would be protection of records associated with emergency medical services, which are protected by RCW 70.02.

8.0 MONITORING AND ENFORCEMENT

8.1 Describe how the project/technology maintains a record of any disclosures outside of the department.

Disclosures are only authorized if processed by the Department’s Public Disclosure Officer. The PDO ensures compliance with the POG, UHCIA and the City’s Privacy Principles.

All disclosures are tracked in a log, which is regularly updated and retained on a secure server accessible only to select employees, as well as the Public Records Request Center (AKA GovQA).

8.2 What auditing measures are in place to safeguard the information, and policies that pertain to them, as well as who has access to the audit data? Explain whether the project/technology conducts self-audits, third party audits or reviews.

Medic One cameras are stored in a secure safe on each medic rig, which provides an audit trail of all individuals who access the safe. The FDA conducts regular audits of the controlled drug safe to ensure compliance with federal regulations.

At this time, there are no specific auditing measures in place for this technology. The Department will develop a policy on disclosure, tracking and retention of Unit 77 records and incorporate it into the Seattle Fire Departments Policies and Operating Guidelines (POG) following negotiations with labor partners.

FINANCIAL INFORMATION

PURPOSE

This section provides a description of the fiscal impact of the surveillance technology, as required by the Surveillance Ordinance.

1.0 FISCAL IMPACT

Provide a description of the fiscal impact of the project/technology by answering the questions below.

1.1 Current or potential sources of funding: initial acquisition costs

Current Potential

Date of Initial Acquisition	Date of Go Live	Direct Initial Acquisition Cost	Professional Services for Acquisition	Other Acquisition Costs	Initial Acquisition Funding Source
FIU Camera: 11/23/16 Medic One & Safety Office Cameras: 5/6/15	All currently live	FIU: \$1,349.99 per camera Medic One & Safety Office: \$211.11 per camera	N/A	None	Seattle Fire Department General Fund – Submitted as a Form 22

1.2 Current or potential sources of funding: on-going operating costs, including maintenance, licensing, personnel, legal/compliance use auditing, data retention and security costs.

Current Potential

Annual Maintenance and Licensing	Legal/compliance, audit, data retention and other security costs	Department Overhead	IT Overhead	Annual Funding Source
\$0.00	\$0.00	\$0.00	\$0.00	Department general fund, if replacement is needed.

1.3 Cost savings potential through use of the technology

In an emergency setting, good communication is always critical. Pictures allow first responders to convey large amounts of information to hospital staff in a quick, efficient and accurate manner.

Early and accurate sharing of information with medical professionals can prevent further injury or loss of life of patients.

Safety chiefs take pictures of collision involving Department apparatus to preserve information that could be later used for risk management, including documentation used in processing claims for damage, as well as improvements to emergency vehicle incident prevention (EVIP) training

1.4 Current or potential sources of funding including subsidies or free products offered by vendors or governmental entities

None.

EXPERTISE AND REFERENCES

PURPOSE

The following information is provided to ensure that Council has a group of experts to reference while reviewing the completed Surveillance Impact Report (“SIR”). Any individuals or agencies referenced must be made aware ahead of publication that their information has been included. All materials must be available for Council to access or review, without requiring additional purchase or contract.

1.0 OTHER GOVERNMENT REFERENCES

Please list any other government bodies that have implemented this technology and can speak to the implementation of this technology.

Agency, Municipality, etc.	Primary Contact	Description of Current Use
Bellevue Fire Department	(425) 452-6892	Use during emergency responses.
South King Fire & Rescue	(253) 839-6234	Use during emergency responses.

2.0 ACADEMICS, CONSULTANTS, AND OTHER EXPERTS

Please list any experts in the technology under consideration, or in the technical completion of the service or function the technology is responsible for.

Agency, Municipality, etc.	Primary Contact	Description of Current Use
National Fire Protection Association (NFPA)	NFPA Secretary of Standards Council: Address – 1 Batterymarch Park P.O. Box 9101 Quincy, MA 02269-9101; Email - stds_admin@nfpa.org	Provides standards for usage and adoption of by local fire departments across the country.

3.0 WHITE PAPERS OR OTHER DOCUMENTS

Please list any authoritative publication, report or guide that is relevant to the use of this technology or this type of technology.

Title	Publication	Link
Mechanism of Injury in Prehospital Trauma Triage	EMS 1	https://www.ems1.com/ems-products/education/articles/597356-Mechanism-of-Injury-in-Prehospital-Trauma-Triage/ o
Photography in Arson Investigations	Journal of Criminal law and Criminology	https://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=4433&context=iclc
Arriving at the Fire and/or Arson Scene: Documenting the Scene	National Institute of Justice	https://www.nij.gov/topics/law-enforcement/investigations/crime-scene/guides/fire-arson/pages/document.aspx

RACIAL EQUITY TOOLKIT AND ENGAGEMENT FOR PUBLIC COMMENT WORKSHEET

PURPOSE

Departments submitting a SIR are required to complete an adapted version of the Racial Equity Toolkit (“RET”).

1. To provide a framework for the mindful completion of the Surveillance Impact Reports in a way that is sensitive to the historic exclusion of vulnerable and historically underrepresented communities. Particularly, to inform the public engagement efforts Departments will complete as part of the Surveillance Impact Report.
2. To highlight and mitigate any impacts on racial equity from the adoption and the use of the technology.
3. To highlight and mitigate any disparate impacts on individuals or vulnerable communities.
4. To fulfill the public engagement requirements of the Surveillance Impact Report.

ADAPTION OF THE RET FOR SURVEILLANCE IMPACT REPORTS

The RET was adapted for the specific use by the Seattle Information Technology Departments’ (“Seattle IT”) Privacy Team, the Office of Civil Rights (“OCR”), and Change Team members from Seattle IT, Seattle City Light, Seattle Fire Department, Seattle Police Department, and Seattle Department of Transportation.

RACIAL EQUITY TOOLKIT OVERVIEW

RACIAL EQUITY TOOLKIT: TO ASSESS POLICIES, INITIATIVES, PROGRAMS, AND BUDGET ISSUES

The vision of the Seattle Race and Social Justice Initiative is to eliminate racial inequity in the community. To do this requires ending individual racism, institutional racism and structural racism. The Racial Equity Toolkit lays out a process and a set of questions to guide the development, implementation and evaluation of policies, initiatives, programs, and budget issues to address the impacts on racial equity.

WHEN DO I USE THIS TOOLKIT?

Early. Apply the toolkit early for alignment with departmental racial equity goals and desired outcomes.

HOW DO I USE THIS TOOLKIT?

With inclusion. The analysis should be completed by people with different racial perspectives.

Step by step. The Racial Equity Analysis is made up of six steps from beginning to completion:

Please refer to the following resources available on the Office of Civil Rights’ website [here](#): Creating effective community outcomes; Identifying stakeholders & listening to communities of color; Data resources

1.0 SET OUTCOMES

1.1. Seattle City Council has defined the following inclusion criteria in the surveillance ordinance, and they serve as important touchstones for the risks departments are being asked to resolve and/or mitigate. Which of the following inclusion criteria apply to this technology?

- The technology disparately impacts disadvantaged groups.
- There is a high likelihood that personally identifiable information will be shared with non-City entities that will use the data for a purpose other than providing the City with a contractually agreed-upon service.
- The technology collects data that is personally identifiable even if obscured, de-identified, or anonymized after collection.
- The technology raises reasonable concerns about impacts to civil liberty, freedom of speech or association, racial equity, or social justice.

1.2 What are the potential impacts on civil liberties through the implementation of this technology?

Some personally identifiable information (PII) gathered during emergency responses could be used to identify individuals, such as their name, home address or contact information. Medical privacy is particularly relevant in the case of pictures taken during medical emergencies. Victims of criminal activity may also be identified during incident responses, whose identities should be protected in accordance with [RCW 42.56.240](#) and [RCW 70.02](#).

1.3 What does your department define as the most important racially equitable community outcomes related to the implementation of this technology?

The Seattle Fire Department is committed to equitable service delivery regardless of race, sexual orientation, income, immigration or refugee status. All individuals, including non-residents and visitors to the City will be treated with compassion, professionalism and respect by SFD personnel.

1.4 What racial equity opportunity area(s) will be affected by the application of the technology?

- | | |
|--|--|
| <input type="checkbox"/> Education | <input checked="" type="checkbox"/> Criminal Justice |
| <input type="checkbox"/> Community Development | <input type="checkbox"/> Jobs |
| <input type="checkbox"/> Health | <input type="checkbox"/> Housing |
| <input type="checkbox"/> Environment | <input checked="" type="checkbox"/> Other |

1.5 Are there impacts on:

- | | |
|---|---|
| <input type="checkbox"/> Contracting Equity | <input type="checkbox"/> Inclusive Outreach and Public Engagement |
| <input type="checkbox"/> Workforce Equity | <input checked="" type="checkbox"/> Other |
| <input type="checkbox"/> Immigrant and Refugee Access to Services | |

2.0 INVOLVE STAKEHOLDERS, ANALYZE DATA

2.1 Departmental conclusions about potential neighborhood impacts of the technology. Are the impacts on geographic areas?

Yes No

Check all neighborhoods that apply (see map of neighborhood boundaries in Appendix A: Glossary, under “Seattle Neighborhoods”):

All Seattle neighborhoods

Ballard

North

Northeast

Central

Lake Union

Southwest

Southeast

Delridge

Greater Duwamish

East District

King County (outside Seattle)

Outside King County. Please describe:

[Respond here, if applicable.]

2.2 What are the racial demographics of those living in the area or impacted by the issue?

(see Stakeholder and Data Resources [here](#).)

City of Seattle demographics: White - 69.5%; Black or African American - 7.9%; Amer. Indian & Alaska Native - 0.8%; Asian - 13.8%; Native Hawaiian & Other Pac. Islander - 0.4%; Other race - 2.4%; Two or more races - 5.1%; Hispanic or Latino ethnicity (of any race): 6.6%; Persons of color: 33.7%.

King County demographics: White – 70.1%; Black or African American – 6.7%; American Indian & Alaskan Native – 1.1%; Asian, Native Hawaiian, Other Pacific Islander – 17.2%; Hispanic or Latino (of any race) – 9.4%

STOP: Department should complete RET questions 2.3 – 6 and Appendices B-I AFTER completing their public comment and engagement requirements.

2.3 Have you completed the following steps to engage the public?

If you have not completed these steps, pause here until public outreach and engagement has been completed. (See OCR’s RET worksheet [here](#) for more information about engaging the public at this point in the process to ensure their concerns and expertise are part of analysis.)

Create a public outreach plan. Residents, community leaders, and the public were informed of the public meeting and feedback options via:

Email

Mailings

- Fliers
- Phone calls
- Social media
- Other

The following community leaders were identified and invited to the public meeting(s):

- American Civil Liberties Union (ACLU)
- CARE
- Northwest Immigrant Rights
- OneAmerica
- JACL
- For Seattle Police Department only, Community Police Commissions
- Other:

Engagement for Public Comment #1

Date of meeting:

Location of meeting:

Summary of discussion:

Small group discussion regarding the importance of cameras in emergency settings. See Appendix B for an overview of comments received, and demographics on attendees. See Appendix E for the transcript of all comments received for this technology.

Engagement for Public Comment #2

Date of meeting:

Location of meeting:

Summary of discussion:

Concerns regarding medical privacy and audit of persons with access to cameras. See Appendix B for an overview of comments received, and demographics on attendees. See Appendix E for the transcript of all comments received for this technology.

Engagement for Public Comment #3 (if applicable)

Date of meeting:

Location of meeting:

Summary of discussion:

N/A

Collect public feedback via mail and email

Number of feedback submissions received: 2

Summary of feedback: See Appendix B for an overview of comments received, and demographics on attendees. See Appendix E for the transcript of all comments received for this technology.

Open comment period: October 8, 2018 – November 5, 2018

Community Technology Advisory Board (CTAB) Presentation

Date of presentation: N/A

Summary of comments:

N/A

2.4 What does data and conversations with stakeholders tell you about existing racial inequities that influence people’s lives and should be taken into consideration when applying/implementing/using the technology?

(See OCR’s RET worksheet [here](#) for more information; King County Opportunity Maps are a good resource for information based on geography, race, and income.)

With regard to emergency scene cameras, there is a concern regarding the sharing of pictures with law enforcement. These cameras are used across the City, including underprivileged communities that may have greater worry about being unfairly targeted. For example, if vulnerable populations such as refugees do not trust first responders, they are less likely to call 911.

2.5 What are the root causes or factors creating these racial inequities?

Mitigation strategies will be addressed in 4.1 and 5.3. *Examples: bias in process; lack of access or barriers; lack of racially inclusive engagement.*

A key factor is mistrust of government, particularly calling 911. Communities that are more vulnerable to fires, such as immigrants and refugees, may be less willing to contact first responders in an emergency.

3.0 DETERMINE BENEFIT AND/OR BURDEN

Provide a description of any potential disparate impact of surveillance on civil rights and liberties on communities of color and other marginalized communities. Given what you have learned from data and from stakeholder involvement...

3.1 How will the technology, or use of the technology increase or decrease racial equity?

What are potential unintended consequences? What benefits may result? Are the impacts aligned with your department's community outcomes that were defined in 1.0?

Emergency scene cameras are only used in specific scenarios by Fire Department personnel. With the exception of fire investigations, the photos are never shared with law enforcement or the general public. There is no discernable effect on racial equity with regard to emergency scene cameras.

3.2 What benefits to the impacted community/demographic may result?

Potentially exposing individuals or their homes to strangers during very difficult times. While the images are not shared with law enforcement or the public, it can still be embarrassing to have first responders entering a residence during an emergency.

3.3 What are potential unintended consequences (both negative and positive potential impact)?

A potential positive impact is reducing the likelihood of further loss of life or property during an emergency. Cameras are a useful tool for first responders, and anything that makes them more effective can result in lives being saved. There is also the potential misuse of cameras by first responders when they have access to sensitive areas and people experiencing medical emergencies. Strict policies and controlled access to cameras help prevent improper use.

3.4 Are the impacts aligned with your department's community outcomes that were defined in step 1.0?

The mission of the Seattle Fire Department is ultimately to protect lives and property. This technology helps with that mission by assisting first responders with better communication and coordination during very dangerous moments. While there is a valid concern that the cameras could be used to identify individuals, they are not used for that purpose or shared with law enforcement in any case.

4.0 ADVANCE OPPORTUNITY OR MINIMIZE HARM

Provide a mitigation plan for the impacts described in step 3.

4.1 How will you address the impacts (including unintended consequences) on racial equity?

What strategies address immediate impacts? What strategies address root causes of inequity listed in 2.5? How will you partner with stakeholders for long-term positive change? If impacts are not aligned with desired community outcomes for surveillance technology (see 1a), how will you re-align your work?

Program/Partnership Strategies:

The Community Fire Safety Advocates (CFSA Program) are a great resource for communicating with communities across the City, including those who speak languages other than English. These advocates can be used to translate fire prevention messages and educate SFD personnel on appropriate ways to interact with their communities.

Policy Strategies:

While the Department already has some policies in place, new and stricter policies regarding the use of digital cameras are currently being considered for adoption. These rules will clarify when, where and how digital cameras are to be used. The policy has been drafted and is currently waiting approval for adoption in the POG following the next round of collective bargaining with labor partners.

5.0 EVALUATE, RAISE RACIAL AWARENESS, BE ACCOUNTABLE

The following information must be provided to the CTO, via the Privacy Office, on an annual basis for the purposes of an annual report to the City Council on the equitable use of surveillance technology. For Seattle Police Department, the equity impact assessments may be prepared by the Inspector General for Public Safety.

The following information does not need to be completed in the SIR submitted to Council, unless this is a retroactive review.

5.1 Which neighborhoods were impacted/targeted by the technology over the past year and how many people in each neighborhood were impacted?

- All Seattle neighborhoods
- Ballard
- North
- NE
- Central
- Lake Union
- Southwest
- Southeast
- Greater Duwamish

- East District
- King County (outside Seattle)
- Outside King County. Please describe:

Not applicable.

5.2 Demographic information of people impacted/targeted by the technology over the past year.

To the best of the department’s ability, provide demographic information of the persons surveilled by this technology. If any of the neighborhoods above were included, compare the surveilled demographics to the neighborhood averages and City averages.

City of Seattle demographics: White - 69.5%; Black or African American - 7.9%; Amer. Indian & Alaska Native - 0.8%; Asian - 13.8%; Native Hawaiian & Other Pac. Islander - 0.4; Other race - 2.4%; Two or more races - 5.1%; Hispanic or Latino ethnicity (of any race): 6.6%; Persons of color: 33.7%.

King County demographics: White – 70.1%; Black or African American – 6.7%; American Indian & Alaskan Native – 1.1%; Asian, Native Hawaiian, Other Pacific Islander – 17.2%; Hispanic or Latino (of any race) – 9.4%

5.3 Which of the mitigation strategies that you identified in step 4 were implemented in the past year?

Specifically, what adjustments to laws and policies should be made to remedy any disproportionate impacts so as to achieve a more equitable outcome in the future.

Type of Strategy (program, policy, partnership)	Description of Strategy	Percent complete of implementation	Describe successes and challenges with strategy implementation
Policy	Implementation of a more strict policy regarding the use of cameras by SFD personnel. Will be incorporated in the Department’s Policies and Operating Guidelines (POG).	90%	There are many stakeholders that have to review and approve the policy, including Department leadership and multiple unions. The policies can only be put in the POG twice a year (June and December).
Program/Partnership	The Community Fire Safety Advocate (CFSA) program was developed to effectively meet the specific fire safety	100%	Over 24,000 immigrant/refugee community members have received safety messages, including carbon monoxide

	<p>needs of Seattle’s immigrant and refugee communities. Initiated after a tragic fire in 2010, this program has expanded to provide fire prevention services to multiple language and cultural groups. SFD practices are also communicated to vulnerable populations via these advocates.</p>		<p>poisoning, home fire evacuation planning and cooking, and heating fire safety since the program began.</p>
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5.4 How have you involved stakeholders since the implementation/application of the technology began?

- Public Meeting(s)
- CTAB Presentation
- Postings to Privacy webpage seattle.gov/privacy
- Other external communications
- Stakeholders have not been involved since the implementation/application

5.5 What is unresolved?

What resources/partnerships do you still need to make changes?

None

6.0 REPORT BACK

Responses to Step 5 will be compiled and analyzed as part of the CTO’s Annual Report on Equitable Use of Surveillance Technology.

Departments will be responsible for sharing their own evaluations with department leadership, Change Team Leads, and community leaders identified in the public outreach plan (Step 2c).

PRIVACY AND CIVIL LIBERTIES ASSESSMENT

PURPOSE

This section shall be completed after public engagement has concluded and the department has completed the Racial Equity Toolkit section above. The Privacy and Civil Liberties Assessment is completed by the Community Surveillance Working Group (“Working Group”), per the Surveillance Ordinance which states that the Working Group shall:

“[p]rovide to the Executive and the City Council a privacy and civil liberties impact assessment for each SIR that must be included with any departmental request for surveillance technology acquisition or in-use approval. The impact assessment shall include a description of the potential impact of the surveillance technology on civil rights and liberties and potential disparate impacts on communities of color and other marginalized communities. The CTO shall share with the Working Group a copy of the SIR that shall also be posted during the period of public engagement. At the conclusion of the public engagement period, the CTO shall share the final proposed SIR with the Working Group at least six weeks prior to submittal of the SIR to Council for approval. The Working Group shall provide its impact assessment in writing to the Executive and the City Council for inclusion in the SIR within six weeks of receiving the final proposed SIR. If the Working Group does not provide the impact assessment before such time, the Working Group must ask for a two-week extension of time to City Council in writing. If the Working Group fails to submit an impact statement within eight weeks of receiving the SIR, the department and City Council may proceed with ordinance approval without the impact statement.”

WORKING GROUP PRIVACY AND CIVIL LIBERTIES ASSESSMENT

From: Seattle Community Surveillance Working Group (CSWG)

To: Seattle City Council

Date: April 23, 2019

Re: Privacy and Civil Liberties Impact Assessment for Emergency Scene Cameras, Hazardous Materials Cameras, CCTVs

EXECUTIVE SUMMARY AND BACKGROUND

On February 27th, CSWG received the Surveillance Impact Reports, or SIRs, for the above-mentioned technologies included in Group 1 of the Seattle Surveillance Ordinance technology review process. This document is CSWG’s Privacy and Civil Liberties Impact Assessment for those technologies as set forth in SMC 14.18.080(B)(1), which we provide for inclusion in the final SIRs submitted to the City Councils.

Our assessment of these surveillance technologies focuses on three key issues:

- (1) The use of these systems and the data collected by them for purposes other than those intended;
- (2) Over-collection and over-retention of data;
- (3) Sharing of that data with third parties (such as federal law enforcement agencies).

While the stated purposes of the cameras may be relatively innocuous, it is important to remember that images taken by such cameras, for example at emergency scenes, can compromise the privacy of individuals at vulnerable moments, and can be misused to target and profile communities based on their religious, ethnic, or associational makeup. In addition, with the widespread and inexpensive availability of facial recognition (or face surveillance) technology, which can be applied after the fact to any image showing a face, it is even more important that protections limiting the use of these tools to their intended purpose be enacted.

For all of these systems, the Council should adopt, via ordinance, clear and enforceable rules that ensure, at a minimum, the following:

1. The purposes of camera use should be clearly defined, and its operation and data collected should be explicitly restricted to those purposes only.
2. Data retention should be limited to the time needed to effectuate the purpose defined.
3. Data sharing with third parties should be limited to those held to the same restrictions.
4. Clear policies should govern operation, and all operators of the cameras should be trained in those policies.

We recommend creating these rules in a single, blanket ordinance that will govern not only these, but other, similar camera technologies operated by or at the behest of the City, and would be happy to work with the City to create such an ordinance.

EMERGENCY SCENE CAMERAS (ESCS) (SEATTLE FIRE DEPARTMENT)

The initial (October 2018) Surveillance Impact Report (SIR) for this technology stated that no explicit internal policy exists at SFD that governs the use of ESCs (with one limited exception for mechanism-of-injury recordings). The updated January 2019 SIR added a letter (dated February 28, 2018) from Fire Chief Harold D. Scoggins in Appendix I, stating that SFD would update its policy with specified language regarding the use of Department-issued digital cameras. However, the CSWG was notified on April 5, 2019 that the specified policy language in the February 2018 letter was never actually adopted by

SFD. (See Appendix 1 for that communication.) It is unclear why the February 2018 letter was added to the January 2019 SIR if there was no intent to adopt any of the specified policy language. This also renders language currently in the updated SIR inaccurate.¹

Existing general policies provided with the April 5 email leave a number of outstanding concerns. For

Emergency Scene Cameras, the Council's approval of this technology should ensure use is limited to the specific emergency, investigative, or training purposes set forth, that the data is deleted immediately upon completion of those purposes, that data sharing with third parties is prohibited unless explicitly specified for those same uses, and only instances where the third party is held to the same use and retention standards. More specific recommendations for the Council's approval of this technology are below.

Specifically, the existing policy:

- Does not clearly define the term "Department-issued digital camera," making it unclear if the intended scope is to cover both ESCs and Hazmat Cameras.
 - *Recommendation: SFD should adopt a policy that explicitly states that it applies to both ESCs and Hazmat Cameras.*
- Does not include use rules for the cameras.
 - *Recommendation: SFD's adopted policy should include clear statements of what can and cannot be photographed depending on the situation, including specific protections for the privacy of individuals and homes.*
- Does not create clear guidelines on what data is retained, and how it is stored and for how long (with the exception of photos that include photos of victims requiring emergency medical services).
 - *Recommendation: SFD's adopted policy should include clear data retention policies, including where and how the data is stored, with all photos immediately deleted once their intended purpose is fulfilled. The policy should explicitly define under what specific*

¹ The SIR states the following in Section 4.0:

"While the Department already has some policies in place, new and stricter policies regarding the use of digital cameras are currently being considered for adoption. These rules will clarify when, where and how digital cameras are to be used. The policy has been drafted and is currently waiting approval by Department leadership and relevant stakeholders for adoption during the next POG update anticipated in December 2018."

And further in Section 4.2:

“The Department is working to develop a policy for the all staff regarding the acceptable use of this technology during emergency responses, as well as the subsequent storage of photos and sharing with law enforcement agencies. However, there are strict policies regarding the use and deletion of photos if they include victims requiring emergency medical service (POG section 3004-7).”

circumstances photos are permitted to be transferred off the cameras (e.g., via a SD card, USB cable, or WiFi).

- Does not make clear whether any legal standard is being applied in use or retention.
 - *Recommendation: In instances where a legal standard such as reasonable suspicion is applied, it should be clear what the standard is, who applies it, and how that application is documented.*
- Does not restrict data sharing with third parties, including law enforcement agencies.
 - *Recommendation: The policy should explicitly ban sharing of camera data with third parties except for specified instances necessary to fulfill the purpose of the cameras, and only in instances where the third party is held to the same use and retention standards.*
- Does not ensure all operators of the cameras are trained in the foregoing policies.
 - *Recommendation: This requirement should be part of any new policy.*

HAZARDOUS MATERIALS (HAZMAT) CAMERAS (SFD)

The initial October 2018 SIR for Hazmat cameras indicated that no policy governing the use of this technology currently exists, with one limited exception for mechanism-of-injury recordings (see SIR Section 3.3). The updated January 2019 SIR included the same letter from Fire Chief Harold D. Scoggins, and again, the specified policy language was never actually adopted by SFD. This once again renders the language of the January 2019 SIR inaccurate.²

Given the lack of adequate existing policy, we recommend that SFD adopt a policy for Hazmat Cameras that includes all the elements set forth above for ESCs, and that the Council’s approval of this technology incorporate that policy. The use policy would limit use of these cameras to hazardous materials documentation and enforcement.

In addition, Section 6.4 of the January 2019 Hazmat SIR states:

“The Department is working to develop a 2018 policy that addresses the use of this technology, photo retention, and sharing of records with law enforcement. With this policy the Department will develop Memorandum of Agreements with the Seattle branch of the FBI and Seattle Police Department.”

² As with the ESC SIR, because the January 2019 Hazmat SIR states intent to update current policies, the language in the letter and the SIR is misleading. For example, Sections 4.2 and 4.8 of the Hazmat SIR both state:

“The Department is working to develop a policy for the Hazmat unit regarding the acceptable use of this technology during emergency responses, as well as the subsequent storage of photos and sharing with law enforcement agencies. However, there are strict policies regarding the use and deletion of photos if they include victims requiring emergency medical service (POG section 3004-7).”

It is unclear whether these MoAs have been developed and what they cover. But both the MoAs and

SFD’s policy should limit such data sharing to the purpose of criminal hazmat enforcement, and only where the third party is held to the same use and retention standards as SFD. The Council’s approval of this technology should incorporate this requirement.

CLOSED CIRCUIT TELEVISION “TRAFFIC CAMERAS” (CCTVS)(SDOT)

As with ESCs and Hazmat Cameras, concern around these traffic cameras relates to limiting their use to specific purposes, ensuring protections against invasion of privacy and general data collection, and limiting data sharing with third parties. It is important for these limits to be set forth in clear, enforceable policies. The updated January 2019 SIR states that SDOT “has developed” policies on use of the cameras, but it is not clear where all of these policies are set forth and whether they are currently in effect (see Section 3.3). We have reviewed the Camera Control Protocol document that sets forth existing policies.

For CCTVs, the Council’s approval of this technology should ensure use is limited to traffic operations, that no data is collected except for clearly specified exceptions (and that data must be deleted immediately upon completion of those purposes), and that data sharing with third parties is prohibited. More specific recommendations for the Council’s approval of this technology are below.

The existing policy:

- Does not set forth clear use, collection, and retention rules.
 - *Recommendation: SDOT’s adopted policy should make clear that no data may be recorded or retained except for specifically defined purposes. Currently, the SDOT Camera Control Protocol states that recording is allowed for “compelling SDOT traffic operations and traffic planning needs”—but that term is undefined. The retention of data for “engineering studies” must also be clearly defined. No personally-identifiable information should ever be recorded. For any data recording that is allowed, it must be deleted within 10 days (which is stated in the SIR and protocol) and not shared with third parties. The policy should also make clear that traffic camera data (beyond what is made available to the general public) may not be used for law enforcement purposes, and that no associated surveillance technologies such as facial recognition or license plate readers may be incorporated into the cameras.*
- Does not ensure all operators of the cameras are trained in the foregoing policies.
 - *Recommendation: This requirement should be part of any new policy.*
- Does not state include technical controls.
 - *Recommendation: Technical controls ensure logging how cameras are moved from their preset locations, when camera streams to the public are stopped or restarted, and whether there are access controls determining who, when, where, and why users can access the camera management software. Without these technical controls, it would be difficult to detect if users are abusing their access to cameras (e.g., by cutting camera feeds to the public, moving a camera to zoom and view into the window of a home). These technical controls (logging when cameras are moved, stopped, or restarted; and mandating access controls for cameras) should be included in SDOT’s adopted policy.*

APPENDIX 1: APRIL 5, 2019 EMAIL FROM MEGAN ERB, SEATTLE IT (INCLUDING ATTACHMENTS)

From: Erb, Megan <Megan.Erb@seattle.gov>
Sent: Friday, April 05, 2019 3:45 PM
To: Shankar Narayan <snarayan@aclu-wa.org>; Negin Dahya <ndahya@uw.edu>; mmerrriweather@urbanleague.org; mfouladi@cair.com; asha@youthclub.org; joseph.r.woolley@gmail.com; Stolz, Rich <rich@weareoneamerica.org>
Cc: Day, Seferiana <Seferiana.Day2@seattle.gov>; Loter, Jim <Jim.Loter@seattle.gov>; Armbruster, Ginger <Ginger.Armbruster@seattle.gov>; Stringer, Omari <Omari.Stringer@seattle.gov>
Subject: Surveillance Advisory Working Group updates re: recent SIR questions and requests

Hello Working Group members,

We wanted to provide you with several updates regarding your recent SIR questions and requests for information:

1. The linked and/or embedded documents in the SDOT LPR and CCTV SIRs have been updated and are available on the Working Group SharePoint page and the publicly accessible Seattle.gov website

- a. <http://www.seattle.gov/Documents/Departments/Tech/2018-12-10%20DRAFT%20SIR%20-%20CCTV%20Traffic%20Cameras%20-%20For%20Working%20Group%20Review.pdf>
 - b. <http://www.seattle.gov/Documents/Departments/Tech/2018-12-10%20DRAFT%20SIR%20%20License%20Plate%20Readers%20-%20For%20Working%20Group%20Review.pdf>
2. Regarding policies from SFD on Emergency Scene Cameras and HazMat Cameras, please see the attached documentation related to their implemented policies in response to your questions posed. Additionally:
- a. The Seattle Fire Department policies on image recording devices in general (Section 3004-6) and digital cameras specifically (5001-13) are attached. These policies are currently in our Policies and Operating Guidelines (POG) and are being enforced.
 - b. As for the 2/28/18 letter from Chief Scoggins, that was actually just a draft dispatch that I wrote on his behalf. The specifics of that dispatch were never actually adopted into the POG. We felt that the broad language contained in sections 3004-6 and 5001-13 already addressed the issue with regard to all image recording devices and that the additional specifics were not necessary.
3. Regarding policies from SDOT and their CCTV cameras, some are located in the Camera Control Protocol that was embedded in the SIR (that has been updated to be accessible).

Additionally, we would like to remind you that Seattle IT has created an externally accessible SharePoint Online page where you can access the Surveillance Impact Reports and related materials that are currently ready for your review. **Please let me know which email address is used for your Microsoft account, so that we can set up appropriate site permissions relative to that email address.**

Thank you and have a great weekend,

Megan

Megan Erb

Communications Manager

SEATTLE INFORMATION TECHNOLOGY

megan.erb@seattle.gov o: (206)233-

8736 m:(206)375-3895

TECHNOLOGY SOLUTIONS FOR THE CITY AND PUBLIC WE SERVE

For one year after leaving City employment, a former member of the Seattle Fire Department may not communicate, on behalf of any person on a matter involving the City, with an employee of the agency of the City with which he or she was previously employed (see SMC 4.16.075.C).

Examples of violations of this instruction include:

- Communicating on behalf of any person or entity with the Fire Department about a Code compliance matter.
- Communicating on behalf of any person or entity in an attempt to sell goods or services to the Fire Department.

The prohibitions of the preceding two instructions do not apply to former employees acting as employees or agents of a governmental agency unless that governmental agency's interest in the matter is adverse to the interest of the City (see SMC 4.16.075.F).

For one year after leaving City employment, a former member of the Seattle Fire Department may not participate as a competitor in any competitive selection process for a City contract in which he or she assisted the City in determining the project or work to be done or the process to be used in selecting a contractor (see SMC 4.16.075.D).

OFF-DUTY EMPLOYMENT

Officers and employees of the Seattle Fire Department may engage in off-duty employment so long as it does not interfere with their ability to carry out their duties for the City, and provided it does not result in a conflict of interest or otherwise violate these instructions.

Officers and employees of the Seattle Fire Department are specifically prohibited from conducting or engaging in the following types of off-duty employment:

- Selling and/or installing fire protection equipment or systems within the City of Seattle.
- Process serving, repossessing, bill collecting, or other employment in which your position with the City might tend to be used to collect money, merchandise, etc., for a private purpose of a civil nature.
- Employment that might require you to have access to Fire Department files, records, or services as a condition of the off-duty employment.

IMAGE RECORDING DEVICES

PERSONAL IMAGE RECORDING DEVICES

The use of personal devices to take still or digital photographs, or video or audio recordings, by Operations personnel at emergency scenes for personal use or Department training purposes is not authorized.

**DEPARTMENT
AUTHORIZED DIGI-
TAL CAMERAS**

Members responding to an incident may not use helmet mounted cameras, video cameras, personal cell phones, cameras, or any other recording device while on an emergency response.

In accordance with OC 5001.2 *Aid and Medic Responses, Digital Cameras*, on-duty firefighter/paramedics may use digital cameras provided by the Department to record the mechanism of injury to trauma patients. After showing the photographs to appropriate hospital emergency department staff the photos will be deleted.

EQUIPMENT

All Aid and Medic Units should be inventoried at the beginning of every shift. If units leave equipment with a patient transported by a Medic Unit, the Medic Unit will be contacted promptly to ensure the equipment is returned or replaced as soon as possible. However, Aid Unit personnel should be aware that the Medic One Office does not replace items left on a Medic Unit. Equipment that is not immediately returned should be noted in the Watch Desk Journal and the Form 9. The notation should include the items missing, the incident number, and the Medic Unit involved.

Each Company, Aid, and Medic Unit has been issued backboards assigned as part of their inventory. Replacement boards will come from the on-scene Aid or Medic Unit, if possible. If none are available, replacement boards can be obtained from hospital emergency rooms, or requisitioned from Medic One.

DOUBLE-WIDE BACKBOARDS

A double-wide backboard is located in each fire station housing a ladder company. The backboards are 32" X 72" and resemble the wood backboards currently in service throughout the Department. Company Captains are responsible for the proper storage of the backboard within their respective stations. When the need for a double-wide backboard arises, on-scene personnel must prompt FAC to dispatch an Operations company with one of the backboards. Each board has an approximate weight limit of 700 pounds. The eleven backboards comprise the Department's current inventory, and arrangements must be made to recover them, as soon as possible, after each use.

DEPARTMENT AUTHORIZED DIGITAL CAMERAS

All Medic Units and Medic 44 carry a digital camera in the controlled drug safe. These cameras may be utilized by Department personnel to record the mechanism of injury for trauma patients.

These photographs will only be shown to appropriate hospital emergency department staff to clearly explain the severity of injury and then will be promptly deleted from the camera's internal memory.

The utilization of the digital camera will not infringe on the quality of patient care provided on an emergency response.

OTHER IMAGE RECORDING DEVICES

In accordance with OC 3004.7 *Image Recording Devices* section, members responding to an incident may not use helmet mounted cameras, video cameras, personal cell phones, personal cameras, or any other recording device while on an emergency response.

The use of personal devices to take still or digital photographs, video or audio recordings by Operations personnel at emergency scenes for personal use or Department training purposes is not authorized.

LP 500 DOWNLOAD INSTRUCTIONS

Instructions for downloading patient summaries from the LifePac 500 are posted near the station computer. The instruction sheet is entitled "Instructions for Downloading LP500 Resuscitations". In the event that the sheet is lost, the information is also available on the "O" drive at O:\Dept\LP500.

Additional assistance can be obtained by contacting the EMS Coordinator or the on-duty MSO.

SUBMITTING DEPARTMENT RESPONSE



Memo

Date: 11/27/2018
To: City Council
From: Seattle Fire Department
Subject: Surveillance Impact Report Cover Memo – Emergency Scene Cameras

Description

Seattle Fire Department first responders use Digital Cameras in certain emergency situations, allowing personnel to quickly and efficiently transmit information required to provide seamless handoff to medical personnel. They are also used by investigators to document significant fire incidents and collisions involving Department vehicles.

Purpose

Collecting photos at response incidents is a best practice guideline from the National Fire Protection Association. These photos help provide medical professionals information during emergency responses, which can reduce potential for loss of life for patients and direct emergency medical treatment options. Photos of incident scenes also provide valuable information for SFD's Fire Investigation Unit and Safety Office.

Benefits to the Public

The tactical use of cameras by first responders allows them to better do their jobs, which helps protect lives and property from further harm. Getting critical information to hospital staff before and after a patient arrives can drastically improve the likelihood of a positive outcome. In addition, investigators can use pictures to better understand what happened following a fire or collision and use that knowledge to potentially prevent another loss of life or property in Seattle.

Privacy and Civil Liberties Considerations

As with any use of camera technology, there may be concerns about inappropriate image collection or use outside of the purpose originally identified. To reduce these risks, the Seattle Fire Department adheres to internal policies and operating guidelines, as well as relevant laws governing the use, retention and disclosure of photos taken by Department personnel. The use of digital cameras is strictly limited to Fire Investigators, Safety Chiefs and paramedic units during severe medical emergencies or SFD vehicle collision investigations.

Summary

When time is of the essence, such as during an emergency response, communicating as much information as possible becomes vital to prevent further loss of life or property. For example, paramedics can provide emergency room doctors with pictures of trauma patients before they arrive at the hospital, which allows them to provide more accurate information to first responders and better prepare for the patient's arrival. Following fires, investigators use cameras to better understand the conditions on the ground and document their findings for later analysis. Digital cameras are an invaluable tool for firefighters to meet their mission of protecting lives and property.

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Frequently Asked Questions (FAQs)

Q: Does SFD ask permission to take photos?

A: No, in the few scenarios where Department personnel use cameras, permission is generally not sought. During ALS responses to capture the mechanism of injury, the patient's consent is implied as part of their treatment by certified medical providers.

Q: You mention that you do data sharing with SPD, do you have agreements or contracts around sharing this data?

A: The Seattle Fire Department does not have a specific data-sharing agreements with SPD, but we are in compliance with law enforcement data management policies (CJIS) for fire investigation photos, as well as medical privacy laws (HIPAA & RCW 70.02) when used during advanced life support responses.

Q: Are patient photos not covered under the Health Insurance Portability and Accountability Act (HIPAA)?

A: Photos of patients are protected under the Uniform Health Care Information Act (RCW 70.02) and the Department is in full compliance with HIPAA's Privacy and Security Rules.

Q: Is there an audit trail for people not taking photos off the camera (i.e. when an audit is preformed, are they just checking that the camera is in the secure box, or are they checking that not photos are on the camera)?

A: Not to that specificity, but all uses of cameras can be traced back to the assigned personnel on a particular unit, which allows for tracking non-compliance by Department personnel.

Q: Are there any policies governing fire using personal phones for taking photos of people?

A: Yes, this is prohibited according to the Department's Policies and Operating Guidelines (POG).

Q: Are emergency responders provided data management training?

A: All City of Seattle employees, including all Seattle Fire Department personnel, undergo a yearly privacy and security training. The Department's Policies and Operating Guidelines (POG) are also taught during recruit school and regularly reinforced throughout day-to-day operations.

Q: Does the Department use audio/video from vehicle-mounted or body cameras?

A: SFD does not use cameras on vehicles or body cameras.

APPENDIX A: GLOSSARY

Accountable: (Taken from the Racial Equity Toolkit.) Responsive to the needs and concerns of those most impacted by the issues you are working on, particularly to communities of color and those historically underrepresented in the civic process.

Community Outcomes: (Taken from the Racial Equity Toolkit.) The specific result you are seeking to achieve that advances racial equity.

Contracting Equity: (Taken from the Racial Equity Toolkit.) Efforts to achieve equitable racial outcomes in the way the City spends resources, including goods and services, consultants and contracting.

DON: “Department of Neighborhoods.”

Immigrant and Refugee Access to Services: (Taken from the Racial Equity Toolkit.) Government services and resources are easily available and understandable to all Seattle residents, including non-native English speakers. Full and active participation of immigrant and refugee communities exists in Seattle’s civic, economic and cultural life.

Inclusive Outreach and Public Engagement: (Taken from the Racial Equity Toolkit.) Processes inclusive of people of diverse races, cultures, gender identities, sexual orientations and socio-economic status. Access to information, resources and civic processes so community members can effectively engage in the design and delivery of public services.

Individual Racism: (Taken from the Racial Equity Toolkit.) Pre-judgment, bias, stereotypes about an individual or group based on race. The impacts of racism on individuals including white people internalizing privilege, and people of color internalizing oppression.

Institutional Racism: (Taken from the Racial Equity Toolkit.) Organizational programs, policies or procedures that work to the benefit of white people and to the detriment of people of color, usually unintentionally or inadvertently.

MSO: “Medical Services Officer”

OCR: “Office of Arts and Culture.”

Opportunity Areas: (Taken from the Racial Equity Toolkit.) One of seven issue areas the City of Seattle is working on in partnership with the community to eliminate racial disparities and create racial equity. They include: Education, Health, Community Development, Criminal Justice, Jobs, Housing, and the Environment.

POG: “Seattle Fire Department’s Policies and Operating Guidelines”

Racial Equity: (Taken from the Racial Equity Toolkit.) When social, economic and political opportunities are not predicted based upon a person’s race.

Racial Inequity: (Taken from the Racial Equity Toolkit.)
When a person’s race can predict their social, economic, and political opportunities and outcomes.

RET: “Racial Equity Toolkit”

Seattle Neighborhoods: (Taken from the Racial Equity Toolkit Neighborhood.) Boundaries defined for the purpose of understanding geographic areas in Seattle.

Stakeholders: (Taken from the Racial Equity Toolkit.) Those impacted by proposed policy, program, or budget issue who have potential concerns or issue expertise. Examples might include: specific racial/ethnic groups, other institutions like Seattle Housing Authority, schools, community-based organizations, Change Teams, City employees, unions, etc.

Structural Racism: (Taken from the Racial Equity Toolkit.) The interplay of policies, practices and programs of multiple institutions which leads to adverse outcomes and conditions for communities of color compared to white communities that occurs within the context of racialized historical and cultural conditions.

Surveillance Ordinance: Seattle City Council passed Ordinance [125376](#), also referred to as the “Surveillance Ordinance.”

SIR: “Surveillance Impact Report”, a document which captures the fulfillment of the Council-defined Surveillance technology review process, as required by Ordinance [125376](#).

Workforce Equity: (Taken from the Racial Equity Toolkit.) Ensure the City's workforce diversity reflects the diversity of Seattle.



APPENDIX B: PUBLIC COMMENT DEMOGRAPHICS AND ANALYSIS

OVERVIEW OF PUBLIC COMMENT ANALYSIS

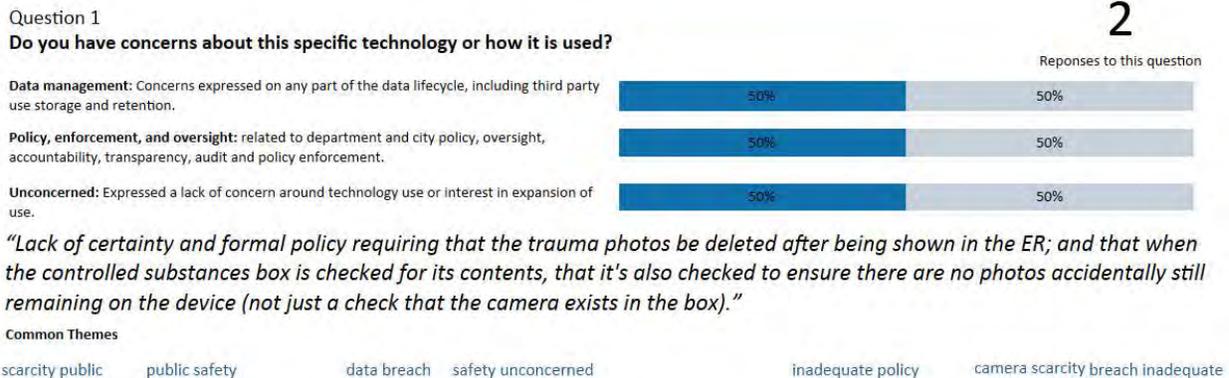
Analysis of public comments was completed using a combination of thematic analysis and qualitative coding. Comments were gathered from many sources, from public engagement meetings, an online survey form, letters, emails, and focus group discussions. All comments may be reviewed in the Surveillance Impact Report, Appendix E.

After assigning a theme and code for the content, City staff conducted an analysis using R. A high-level summary of the results of this analysis are shown below. A detailed description of the methodology is available in the Surveillance Impact Report, Appendix H.

Below is a summary of the responses by question, prepared by Privacy Office staff. This data includes comments from all submission methods (e.g. letter, email, public meeting, etc.). The total number of responses to this question is in the top right. The percentage of responses to that question, following the identified theme is shown in dark blue. The dark gray shows the percent of comments for this technology that did not answer that specific question. The light gray shows the percent of responses to that question that fall into other themes, (General, Data Management, Policy, Enforcement, and Oversight, etc.).

A word cloud of each qualitative sub-code identified appears at the bottom of each question to provide more context of the question response themes. If an appropriate quote could be identified to capture the overall tone of the majority of comments it was included.

COMMENTS SPECIFICALLY ADDRESSING EMERGENCY SCENE CAMERAS



Question 2

What value do you think this technology brings to our city?

2

Value Other value

Reponses to this question

Efficiency and City finance: increase City capacity and results in cost savings, revenue generation, innovation, or better service.



Public safety: All applications of public safety from traffic and transit, to emergency response, and law enforcement.



Valuable: The public sees great value for City use of the technology, including to reduce bias through technological subjectivity.



“this technology seems the most straightforward in its clear help for the City and potential help in saving lives.”

Common Themes

emergency response public service public safety response public

Question 3

What worries you about how this is used?

2

Worry Other worry

Reponses to this question

Government Overreach and Civil Liberties: Government unnecessarily or oversurveillance in a way that could impact individual rights and civil liberties.



Unconcerned: expressed a lack of concern around technology use or interest in expansion of use



Question 4

What recommendations would you give policy makers at the City about this technology?

2

Yes No

Reponses to this question

Increase policy, enforcement, and oversight: recommendations related to department and city policy, oversight, accountability, transparency, audit and policy enforcement.



Improve data management: Recommendation to improve approach to data lifecycle management, including third party use storage and retention.



“An ETA/deadline needs to be supplied for getting the SFD POG updated, overall.”

Question 5

Can you imagine another way to solve the problem this technology solves?

1

Alternative solution Did not respond to question

Reponses to this question

None: The respondent has no alternative solutions to recommend.



Question 6

Do you have any other comments?

2

Comment Other comment

Reponses to this question

Improve SIR Process: Change the surveillance impact report process, suggestions include adding a cost benefit analysis, increasing information clarity, etc.



Public safety: All applications of public safety from traffic and transit, to emergency response, and law enforcement.

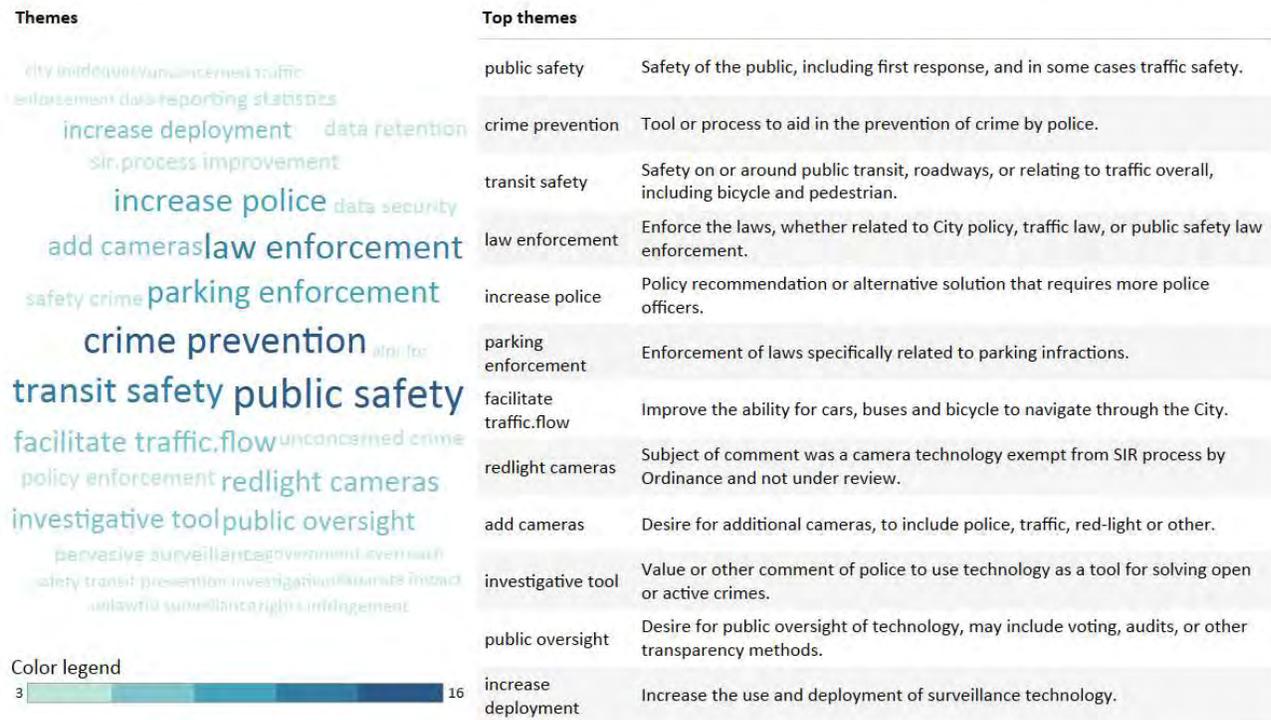


Common Themes

public safety improvement information information clarity sir.process improvement

GENERAL SURVEILLANCE COMMENT THEMES

Many comments were submitted as part of the public comment period that were not specific to a technology, but to either the concept of surveillance in general, or to technologies which are not on the Master List.

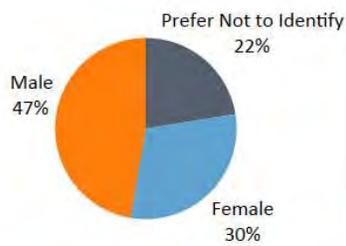


DEMOGRAPHICS FOR GROUP ONE COMMENTS

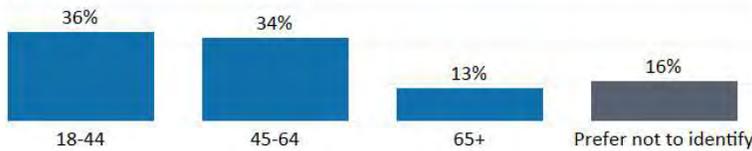
The number of reported demographics does not correspond to the number of comments received for the following reasons.

1. The demographic information includes all responses, regardless of which technology was commented on to protect the privacy of those who provided a response.
2. Some individuals offered more than one comment.
3. Some individuals did not provide any demographic information.

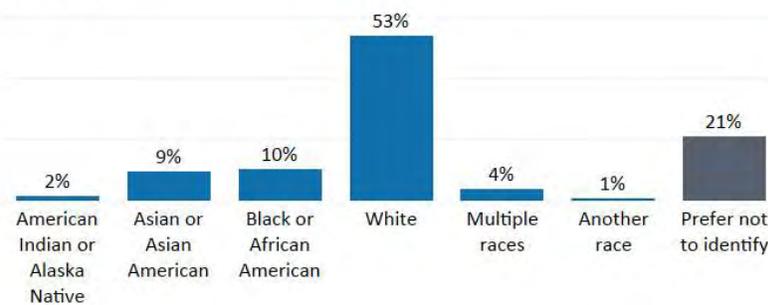
Method Submitted By	Gender
Focus Group 1	9
Focus Group 2	5
Meeting 1	15
Meeting 2	7
Meeting 3	10
Meeting 4	14
Meeting 5	5
Survey Monkey	64
Grand Total	129



Age



Ethnicity



Neighborhoods



King County (outside Seattle)	8
Outside of King County	1
Prefer not to identify	10

APPENDIX C: PUBLIC MEETING NOTICE(S)

Notice of Public Meetings Surveillance Technology Public Comment

This is the first round of public comment on previously acquired surveillance technologies. For more information on these technologies or Surveillance Ordinance visit seattle.gov/privacy.

	Meeting 1	Meeting 2	Meeting 3	Meeting 4	Meeting 5
Depts. Presenting	Police Dept.	Transportation, Fire Dept.	Police Dept.	Police Dept.	Transportation, Fire Dept.
Date & Time	October 22, 2018 5-6:30 p.m.	October 25, 2018 5-6:30 p.m.	October 29, 2018 5-6:30 p.m.	October 30, 2018 5-6:30 p.m.	November 5, 2018 4:30-5:30 p.m.
Location	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

Technologies discussed at the meetings include:

Transportation (Meetings 2 & 5)	Fire Dept. (Meetings 2 & 5)	Police Dept. (Meetings 1, 3, & 4)
Traffic Cameras & License Plate Readers	Emergency Scene Cameras & Hazmat Cameras	Parking Enforcement Systems & Automated License Plate Readers

Here's how you can provide comments:

The open comment period for these technologies is **October 8 - November 5, 2018**. There are three ways to comment:

- Attend the meeting. See the table above for locations and times.
- Submit comment online at seattle.gov/privacy.
- Send mail to Attn: Surveillance & Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.

Comments submitted will be included in the final Surveillance Impact Report submitted to City Council and available to the public. To comment after this period has closed, contact City Council staff at seattle.gov/Council.

Please note, this meeting will:

Be video recorded.

Ask for a sign-in record of attendees.

Collect public comments.

For meeting accommodations: Please let us know **two weeks in advance of the meeting date** if language translation, or other services are needed by emailing Surveillance@seattle.gov.



Aviso de audiencias públicas

Comentarios del público sobre tecnologías de vigilancia

Esta es la primera ronda de audiencias públicas sobre tecnologías de vigilancia adquiridas previamente. Para obtener más información sobre estas tecnologías o sobre la [Surveillance Ordinance](#) (Ordenanza sobre Vigilancia), visite seattle.gov/privacy.

	Audiencia 1	Audiencia 2	Audiencia 3	Audiencia 4	Audiencia 5
Departamentos a cargo	Depto. de Policía	Depto. de Transporte y de Bomberos	Depto. de Policía	Depto. de Policía	Depto. de Transporte y de Bomberos
Fecha y hora	22 de octubre de 2018 5:00 a 6:30 p. m.	25 de octubre de 2018 5:00 a 6:30 p. m.	29 de octubre de 2018 5:00 a 6:30 p. m.	30 de octubre de 2018 5:00 a 6:30 p. m.	5 de noviembre de 2018 4:30 a 5:30 p. m.
Lugar	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

En las audiencias se hablará de las siguientes tecnologías:

Transporte (audiencias 2 y 5)	Depto. de Bomberos (audiencias 2 y 5)	Depto. de Policía (audiencias 1, 3 y 4)
Cámaras de tránsito y lectores de placas de automóviles	Cámaras para escenas de emergencia y cámaras para Hazmat (hazardous materials, materiales peligrosos)	Sistemas de control de áreas de estacionamiento y lectores automáticos de placas de automóviles

Cómo puede enviar sus comentarios:

El período abierto para recibir comentarios sobre estas tecnologías es desde el **8 de octubre hasta el 5 de noviembre de 2018**. Existen tres formas de aportar comentarios:

- 1.** Asista a la audiencia. Consulte la tabla anterior para conocer los horarios y los lugares.
- 2.** Deje sus comentarios en línea en seattle.gov/privacy.
- 3.** Envíe comentarios por correo postal a la siguiente dirección: [Surveillance & Privacy Program](#), Seattle IT, PO Box 94709, Seattle, WA 98124.

Los comentarios enviados se incluirán en la versión final del [Surveillance Impact Report](#) (Informe del efecto de la vigilancia) que se presentará ante el Consejo de la Ciudad y estará disponible al público en general. Para aportar comentarios luego de este período, comuníquese con el personal del Consejo de la Ciudad desde la página web seattle.gov/Council.

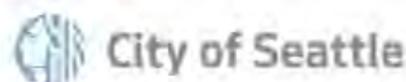
Tenga en cuenta que esta audiencia tendrá las siguientes características:

Se grabará en video.

Se llevará un registro de asistencia.

Se recolectarán comentarios del público.

Adaptaciones para las audiencias: Si necesita servicios de traducción u otros servicios, envíenos un correo electrónico a Surveillance@seattle.gov dos semanas antes de la audiencia.



Ogaysiiska Kulanada Dadwaynaha
Fikradaha Dadwaynaha ee ku aadan Qalabka
Muraaqabaynta Casriga ah

Kani waa wareegi koowaad ee lagu aruurinaayo fikradaha dadwaynuhu kaqabaan qalabka muraaqabaynta casriga ah noociisii hore. Wixii macluumaad dheeraad ah oo kusaabsan qalabkaan ama Surveillance Ordinance (Qaabka Muraaqabaynta) booqo seattle.gov/privacy.

	Kulanka 1	Kulanka 2	Kulanka 3	Kulanka 4	Kulanka 5
Waaxaha. Soojeedinta	Waaxda Booliiska.	Gaadiidka, Waaxda Dab Damiska.	Waaxda Booliiska.	Waaxda Booliiska.	Gaadiidka, Waaxda Dab Damiska.
Tariikhda iyo waqtiga	Oktoobar 22, 2018 5-6:30 p.m.	Oktoobar 25, 2018 5-6:30 p.m.	Oktoobar 29, 2018 5-6:30 p.m.	Oktoobar 30, 2018 5-6:30 p.m.	Nofeembar 5, 2018 4:30-5:30 p.m.
Goobta	Laanta Maktabada ee Magaalada Columbia 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Laanta Maktabada Green Lake 7364 East Green Lake Dr. N, Seattle, WA 98115	Laanta Maktabada Green Lake 7364 East Green Lake Dr. N, Seattle, WA 98115

Tignoolojiyadaha looga dooday kulanada waxaa kamid ah:

Gaadiidka (kulanada 2 iyo 5)	Waaxda Dab damiska. (Kulanada 2 iyo 5)	Waaxda Booliiska. (Kulanada 1, 3, iyo 4)
Kaamirooyinka taraafikada iyo Qalabka Akhriya Aqoonsiga Shatiyada	Kaamirooyinka Dhacdooyinka Degdega ah iyo kaamirooyinka Hamzat	Nidaamyada Xakamaynta Baakinka iyo Qalabka Akhriya Aqoonsiga Shatiyada

Halkaan kabaro sida aad fikrado kudhiiban karto:

Mudada ay furantahay fikrad kadhiibashada qalabkaan casriga ah waa **Oktoobar 8 - Nofeembar 5, 2018.** Waxaa jira saddex qaab oo fikir lagu dhiiban karo:

1. Inaad kulanka kaqaybgasho. Fiiri shaxda kore oo ay kuqoran yihiin goobaha iyo xiliyada laqabanaayo kulanada.
2. Fikirkaaga kudir si oonleen ah seattle.gov/privacy.
3. Boosto udir: Surveillance & Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.

Fikrado kasta oo lasoo gudbiyo waxaa lagu darayaa War bixinta ugu danbaysa Surveillance Impact Report (Saamaraynta Qalabka Muraaqabada) ee loogudbiyo Dawlada hoose dadwaynuhuna ay akhri sankaraan. Si aad fikirkaaga udhiibato kadib marka mudadaan dhammaato, laxiriir Shaqaalaha Dawlada Hoose oo ciwaankoodu yahay seattle.gov/Council.

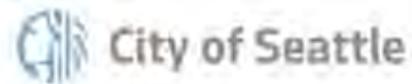
Fadlan ogsoonow, kulankaan waa:

Laduubayaa si muqaal ahaan ah.

Dalbo Diiwanka Galitaanka dadka Kaqaybgalaaya ay saxiixayaan.

Aruuri Fikradaha Dadwaynaha.

Wixii laxiriira adeegyada kulanada intay socdaan labixinaayo: Fadlan noosoosheeg labo asbuuc kahor taariikhda kulanku dhacayo haddii adeegyada turjumida luuqada, ama adeegyo kale loobaahdo adoo email noogusoo diraaaya Surveillance@seattle.gov.



公開會議通知

監視技術公開意見徵集會

這是第一輪會議，徵集公眾對之前取得的監控技術的建議。要獲取有關這些技術或 Surveillance Ordinance (監控條例) 的更多資訊，請瀏覽 seattle.gov/privacy。

	會議 1	會議 2	會議 3	會議 4	會議 5
出席部門	警察署	交通、消防署	警察署	警察署	交通、消防署
日期及時間	2018 年 10 月 22 日 下午 5-6:30	2018 年 10 月 25 日 下午 5-6:30	2018 年 10 月 29 日 下午 5-6:30	2018 年 10 月 30 日 下午 5-6:30	2018 年 11 月 5 日 下午 4:30-5:30
地點	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

會上討論的技術包括：

交通署 (會議 2 和會議 5) 交通攝像頭和車輛牌照識別器	消防署 (會議 2 和會議 5) 緊急現場攝像頭與危險品攝像頭	警察署 (會議 1、3 和 4) 停車執行系統與車輛牌照自動識別器
--	---	---

您提交意見的方式：

針對這些技術的公眾意見徵集時間是 **2018 年 10 月 8 日至 11 月 5 日**。有三種方式可提交意見：

1. 出席會議。
和時間見上表。

2. 透過 seattle.gov/privacy
網上提交意見。

3. 寄郵件至：Surveillance & Privacy Program, Seattle II, PO Box 94709, Seattle, WA 98124。

提交的所有意見都將收錄於最終的 Surveillance Impact Report (監控影響報告)，遞交至市議會並向大眾開放。如果要在這期間結束後提交意見，請瀏覽 seattle.gov/Council，聯繫市議會的工作人員。

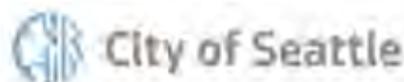
請注意，此會議將：

進行錄影。

要求參會者簽到。

收集公眾意見。

會議輔助服務：如果需要語言翻譯或其他服務，請參照會議日期提前兩週發送電子郵件至 Surveillance@seattle.gov 告知我們。



公开会议通知

坎地比士公共空间征询会

这是第一轮会议，征集公众对之前取得的监控技术的意见。要获得有关这些技术或 Surveillance Ordinance (监控条例) 的更多信息，请访问 seattle.gov/privacy。

	第 1 次会议	第 2 次会议	第 3 次会议	第 4 次会议	第 5 次会议
出席部门	警察局	交通、消防局	警察局	警察局	交通、消防局
日期与时间	2018 年 10 月 22 日 下午 5-6:30	2018 年 10 月 25 日 下午 5-6:30	2018 年 10 月 29 日 下午 5-6:30	2018 年 10 月 30 日 下午 5-6:30	2018 年 11 月 5 日 下午 4:30-5:30
地点	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

会上讨论的技术包括：

交通局 (第 2 和第 5 次会议)	消防局 (第 2 和第 5 次会议)	警察局 (第 1、3、4 次会议)
交通摄像头和车辆牌照识别器	紧急现场摄像头与危险品摄像头	停车执行系统与车辆牌照自动识别器

您提交意见的方式：

针对这些技术的公众意见征集时间是 **2018 年 10 月 8 日至 11 月 5 日**。提交意见的三种途径：

1. 出席会议。
地点和时间见上表。
2. 通过网站
seattle.gov/privacy
在线提交意见。
3. 寄送邮件至：Surveillance & Privacy Program, Seattle II, PO Box 94709, Seattle, WA 98124。

提交的所有意见都将收录于最终的 Surveillance Impact Report (监控影响报告)，递交至市议会并向大众开放。如果要在此期间结束后提交意见，请浏览 seattle.gov/Council，联系市议会的工作人员。

请注意，此会议将：

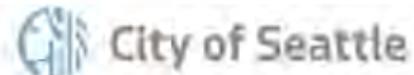
进行录像。

要求参会者签到。

收集公众意见。

会议辅助服务：如果需要语言翻译或其他服务，请参照会议

日期提前两周发送电子邮件至 Surveillance@seattle.gov



Thông Báo Về Các Cuộc Họp Công Chúng Ý Kiến Của Công Chúng Về Công Nghệ Giám Sát

Đây là vòng thu thập ý kiến của công chúng đầu tiên về các công nghệ giám sát đã được ứng dụng trước đây. Để có thêm thông tin về các công nghệ này hoặc Surveillance Ordinance (Sắc Lệnh Giám Sát), hãy truy cập seattle.gov/privacy.

	Cuộc họp 1	Cuộc họp 2	Cuộc họp 3	Cuộc họp 4	Cuộc họp 5
Các Sở Tổ Chức Cuộc Họp	Sở Cảnh Sát	Sở Giao Thông Vận Tải, Sở Cứu Hỏa	Sở Cảnh Sát	Sở Cảnh Sát	Sở Giao Thông Vận Tải, Sở Cứu Hỏa
Ngày & Giờ	Ngày 22 tháng 10 năm 2018 5 giờ - 6 giờ 30 phút chiều	Ngày 25 tháng 10 năm 2018 5 giờ - 6 giờ 30 phút chiều	Ngày 29 tháng 10 năm 2018 5 giờ - 6 giờ 30 phút chiều	Ngày 30 tháng 10 năm 2018 5 giờ - 6 giờ 30 phút chiều	Ngày 5 tháng 11 năm 2018 4 giờ 30 - 5 giờ 30 phút chiều
Địa điểm	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

Các công nghệ được thảo luận tại các cuộc họp bao gồm:

Giao thông vận tải (Cuộc họp 2 & 5)	Sở Cứu Hỏa (Cuộc họp 2 & 5)	Sở Cảnh Sát (Cuộc họp 1, 3 & 4)
Các Máy Quay Giao Thông & Các Thiết Bị Đọc Biển Số Xe	Máy Quay Trường Hợp Khẩn Cấp & Máy Quay Hazmat	Hệ Thống Thực Thi Việc Đậu Xe & Các Thiết Bị Đọc Biển Số Xe Tự Động

Đây là cách quý vị có thể đưa ra ý kiến của mình:

Thời gian lấy ý kiến cho các công nghệ trên là **Ngày 8 tháng 10 – Ngày 5 tháng 11 năm 2018**. Có ba cách đưa ra ý kiến:

1. Tham dự cuộc họp. Xem bảng bên trên để biết thời gian và địa điểm.
2. Nộp ý kiến trực tuyến tại seattle.gov/privacy.
3. Gửi thư đến Attn: Surveillance & Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.

Các ý kiến được nộp sẽ được đưa vào bản Surveillance Impact Report (Báo Cáo Tác Động Giám Sát) cuối cùng nộp cho Hội Đồng Thành Phố và có sẵn dành cho công chúng. Để đưa ra ý kiến sau khi giai đoạn thu thập ý kiến đã kết thúc, hãy liên hệ với nhân viên của Hội Đồng Thành Phố tại seattle.gov/Council.

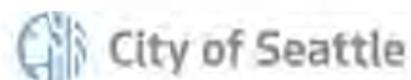
Vui lòng lưu ý, cuộc họp này sẽ:

Được ghi hình.

Yêu cầu lưu tên trong danh sách đăng ký tham dự.

Thu thập các ý kiến của công chúng.

Để đáp ứng các yêu cầu điều chỉnh: Vui lòng thông báo cho chúng tôi biết **hai tuần trước ngày diễn ra cuộc họp** nếu quý vị cần dịch vụ thông dịch ngôn ngữ hoặc các dịch vụ khác, bằng cách gửi email đến Surveillance@seattle.gov.



Paunawa sa Mga Pampublikong Pagpupulong Komento ng Publiko sa Teknolohiya sa Pagmamanman

Ito ang unang round para sa pagkomento ng publiko tungkol sa mga dating nakuhang teknolohiya sa pagmamanman. Para sa higit pang impormasyon tungkol sa mga teknolohiyang ito o sa Surveillance Ordinance (Ordinansa sa Pagmamanman), bumisita sa seattle.gov/privacy.

	Pagpupulong 1	Pagpupulong 2	Pagpupulong 3	Pagpupulong 4	Pagpupulong 5
Mga departamentong Naglalahad	Departamento ng Pulisya	Departamento ng Transportasyon, Bumbero	Departamento ng Pulisya	Departamento ng Pulisya	Departamento ng Transportasyon, Bumbero
Petsa at Oras	Oktubre 22, 2018 5-6:30 p.m.	Oktubre 25, 2018 5-6:30 p.m.	Oktubre 29, 2018 5-6:30 p.m.	Oktubre 30, 2018 5-6:30 p.m.	Nobembre 5, 2018 4:30-5:30 p.m.
Lokasyon	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

Kabilang sa mga teknolohiyang tatalakayin sa mga pagpupulong ang:

Transportasyon (Pagpupulong 2 at 5)	Departamento ng Bumbero (Pagpupulong 2 at 5)	Departamento ng Pulisya (Pagpupulong 1, 3, at 4)
Mga Camera sa Trapiko at License Plate Readers (Mga Tagabasa ng Lisensyadong Plaka)	Mga Camera sa Pinangyarihan ng Emergency at Mga Camera ng Hazmat	Mga Sistema sa Pagpapatupad ng Tamang Pagpaparada at Mga Automated License Plate Reader (Mga Awtomatikong Tagabasa ng Lisensyadong Plaka)

Narito ang mga paraan kung paano ka makapagbibigay ng mga komento:

Ang panahon ng bukas na pagkomento para sa mga teknolohiyang ito ay mula **Oktubre 8 - Nobyembre 5, 2018**. May tatlong paraan upang makapagkomento:

1. Dumalo sa pulong. Tingnan ang talahanayan sa itaas para sa mga lokasyon at oras.
2. Magsumite ng komento online sa seattle.gov/privacy.
3. Magpadala ng liham sa Attn: Surveillance & Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.

Isasama ang anumang isinuniteng komento sa huling Surveillance Impact Report (Ulat sa Epekto ng Pagmamanman) na isusumite sa Konseho ng Lungsod at isasapubliko. Upang makapagbigay ng komento pagkalipas ng panahong ito, makipag-ugnayan sa mga kawani ng Konseho ng Lungsod sa seattle.gov/Council.

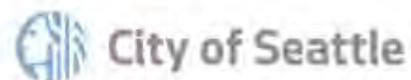
Mangyaring tandaan, ang pulong na ito ay:

Ire-record sa video.

Hihingi ng tala ng pag-sign in ng mga dadalo.

Mangongolekta ng mga komento ng publiko:

Para sa mga pangangailangan sa pagpupulong: Mangyaring ipaalam sa amin kung kailangan mo ng mga serbisyo sa pagsasalitang wika o iba pang serbisyo dalawang linggo bago ang petsa ng pagpupulong sa pamamagitan ng pagpapadala ng email sa Surveillance@seattle.gov.



공개 회의 통지 감시 기술 여론 수렴

본 회의는 과거 획득된 감시 기술에 대한 제1차 여론 수렴 회의입니다. 본 기술 또는 Surveillance Ordinance(감시 조례 관련) 자세한 정보는 seattle.gov/privacy를 참조해 주시기 바랍니다.

	회의1	회의2	회의3	회의4	회의5
발표 부처	경찰국	교통국, 소방국	경찰국	경찰국	교통국, 소방국
날짜 및 시간	2018년 10월 22일 5-6:30 p.m.	2018년 10월 25일 5-6:30 p.m.	2018년 10월 29일 5-6:30 p.m.	2018년 10월 30일 5-6:30 p.m.	2018년 11월 5일 4:30-5:30 p.m.
장소	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

회의에서 논의되는 기술 항목:

교통국(회의 2 & 5)	소방국(회의 2 & 5)	경찰국(회의 1, 3, & 4)
교통 카메라 및 번호판 판독기	응급 현장 카메라 및 Hazmat 카메라	주차 단속 시스템 및 자동 번호판 판독기

의견 전달 방법:

상기 기술에 대한 공개 의견 기간은 **2018년 10월 8일~11월 5일**입니다. 의견 전달 방법은 다음 세 가지입니다.

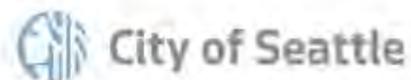
1. 회의에 참석합니다. 장소 및 시간은 상기 표를 참조해 주십시오.
2. 의견은 온라인 seattle.gov/privacy로 제출해 주십시오.
3. 우편 발송지: Surveillance & Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.

제출된 의견은 시의회에 전달되는 최종 Surveillance Impact Report(감시 영향 보고서)에 수록되며 일반에게도 공개됩니다. 본 의견 수렴 기간 종료 후 의견을 제출하시려면, 시의회 담당 직원에게 seattle.gov/Council로 문의해 주시기 바랍니다.

회의 시 참고 사항은 다음과 같습니다.

비디오가 녹화됩니다. 참가 기록을 요청합니다. 대중 의견을 수집합니다.

회의 편의 제공: 언어 번역 또는 기타 서비스가 필요한 경우 회의 개최일 2주 전에 Surveillance@seattle.gov로 이메일을 보내 당국에 알려 주시기 바랍니다.



APPENDIX D: MEETING SIGN-IN SHEET(S)

Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Under 18	<input checked="" type="checkbox"/> Female
<input type="checkbox"/> Central	<input type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input type="checkbox"/> 18-44	<input type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input type="checkbox"/> Asian	<input checked="" type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input checked="" type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		



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APPENDIX E: INDIVIDUAL COMMENTS RECEIVED

ALL COMMENTS RECEIVED ON EMERGENCY SCENE CAMERAS

ID: 10333698252

Submitted Through: Survey Monkey

Date: 11/7/2018 5:12:21 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SFD: Emergency Scene Cameras

Do you have concerns about this specific technology or how it is used?

1) Lack of ability to detect (and I believe, if I recall correctly, also a lack of formal policy governing/preventing) photos of patients on the SFD devices being transferred off device, such as via SD card, USB cable, NFC/wifi, etc. 2) Lack of certainty and formal policy requiring that the trauma photos be deleted after being shown in the ER; and that when the controlled substances box is checked for its contents, that it's also checked to ensure there are no photos accidentally still remaining on the device (not just a check that the camera exists in the box). 3) Overall need for timely improvements to the SFD POG (encompassing the prior 2 comments and as noted by SFD itself in multiple places in the draft SIR).

What value do you think this technology brings to our city?

Out of all 6 technologies currently up for review, this technology seems the most straightforward in its clear help for the City and potential help in saving lives. My concerns/worries noted are not at all meant to diminish its value, and instead are hopeful areas to further bolster the patient protections in place, as we maintain this technology in use.

What worries you about how this is used?

1) I was surprised to learn that photos of trauma patients taken using these SFD devices aren't covered under HIPAA. I mean, Seattle can't change HIPAA of course, this is just something I didn't realize wasn't covered; and does indeed make me uneasy (though it did sound like at the meeting that SFD personnel do generally treat the photos with caution). 2) (Not with SFD, to the best of my knowledge but) There have been some incidents known online of nurses/doctors taking photos/videos of patients in compromising/derogatory ways, such as mocking a patient that was dying (though they did end up surviving). These incidents don't seem common (thankfully) and they make the news due to the violation of patient trust and generally unethical behavior displayed. One would hope that SFD would never be found doing such, but you asked for worries about this technology, and this is an honest answer.

What recommendations would you give policy makers at the City about this technology?

1) I do believe that most SFD personnel use the cameras in a responsible manner, but people are human and can be forgetful (especially if its a busy day for responding to incidents back-to-back), so it'd be a reasonable (but hopefully rare) accident for photos to not get deleted at times, so it'd be great if the formal procedure for auditing the controlled substances box included ensuring the camera has no lingering photos on it. 2) An ETA/deadline needs to be supplied for getting the SFD POG updated, overall.

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

I appreciated SFD's honesty at the community meeting, but I do think it would be helpful in any future SIR (across departments/technologies), if when a citizen would be reasonably likely to believe that HIPAA was in scope, that the draft/formal SIR explicitly said either "this technology is in scope for HIPAA" or "this technology is not in scope for HIPAA", so there would never been any ambiguity about it.

ID: 10312336531

Submitted Through: Survey Monkey

Date: 10/29/2018 10:01:24 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SFD: Emergency Scene Cameras

Do you have concerns about this specific technology or how it is used?

I wish we had more cameras around West Seattle. I visit London and NYC often and feel safer knowing the cameras are on!

What value do you think this technology brings to our city?

Huge value to citizens and visitors for feeling safe in our city.

What worries you about how this is used?

None. Other than stupid people saying it infringes on their liberties and having certain city council persons use it as a way to rally her radicals.

What recommendations would you give policy makers at the City about this technology?

Have a citizen oversight committee to ensure legitimate security and privacy concerns are addressed.

Can you imagine another way to solve the problem this technology solves?

No I can not. Let's be grown ups for once.

Do you have any other comments?

Maybe cameras could have figured out two unsolved murders on Alki.

ALL COMMENTS RECEIVED ON GENERAL SURVEILLANCE

ID: 66

Submitted Through: Focus Group 1

Date: 11/8/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

no. Glad some surveillance is being used.

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 65

Submitted Through: Focus Group 1

Date: 11/8/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Technologies discussed are less dangerous than some other technologies in our personal lives

ID: 63

Submitted Through: Focus Group 1

Date: 11/8/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

not a lot of privacy anymore: google earth, maps, streetview

What value do you think this technology brings to our city?

What worries you about how this is used?

Google home is always listening. There is always someone listening to your conversations.

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Some of the images you can find online appear to be voyeurism

ID: 61

Submitted Through: Focus Group 1

Date: 11/8/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Street sweepers coming in the middle of the night are ineffective, cars are parked and blocking areas

ID: 60

Submitted Through: Focus Group 1

Date: 11/8/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Sometimes too much surveillance

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Curious about how much construction has to pay when blocking off half a block for parking.

ID: 56

Submitted Through: Mail

Date: 10/23/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Surveillance. I don't want it. Any of it. Just stop.

ID: 28

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Can you please do a better job telling the public about these meetings? Targeted Ads? KUOW - helped, Blogs, Newspaper - Poor turnout

ID: 27

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Most too technical and need to communicate better with public

ID: 26

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Concerned about aggregation of technology and data collected

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

More transparent; less defnesive is how you gain trust

ID: 25

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

KC Parcel viewer information is too much. State listings of addresses of voters is a problem. Too much info has impact on DV victims - keeping them from voting

ID: 24

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Work and Human Rights Activist- Process too complicated. Can be benign but SPD doesn't make dark usage more clear. Info is too complex/data need better education for public on technologies.

ID: 23

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No concerns as a professor. Traffic is getting worse - how do we make improvements. How do we use data in other ways to improve our lives?

What value do you think this technology brings to our city?

Impressed by how City handles data - Check it and Chuck it

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Spent time on dark web and stunned by what they can do

ID: 53

Submitted Through: Meeting 4

Date: 10/30/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

People lose track of "public service" being performed. Misuse of data

ID: 52

Submitted Through: Meeting 4

Date: 10/30/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Hate to go "China route" tied to credit

ID: 51

Submitted Through: Meeting 4

Date: 10/30/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Restricted use: will it generate income? Mission creep. Report back to community

ID: 10334071978

Submitted Through: Survey Monkey

Date: 11/7/2018 9:41:13 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Yes

What value do you think this technology brings to our city?

Minimal

What worries you about how this is used?

Very concerned about how red light enforcement cameras are racially unjust and frequently cause tickets to be issued to people of color.

What recommendations would you give policy makers at the City about this technology?

Remove red light cameras, if a particular intersection requires policing then assign officers to be posted there to create a presence that can be seen.

Can you imagine another way to solve the problem this technology solves?

Use officers in cars.

Do you have any other comments?

Red light cameras create an unjust, racially imbalanced burden on blacks, latinos and other marginalized groups. They should be eliminated from the city.

ID: 10328244312

Submitted Through: Survey Monkey

Date: 11/5/2018 8:41:00 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

We, the Critical Platform Studies Group, are a collective of researchers at the University of Washington Information School conducting a third-party ethnographic research study of the Seattle Surveillance Ordinance. In our ongoing research, we are conducting interviews with stakeholders on the processes leading to the revised Seattle Surveillance Ordinance. We have also compared the law to similar U.S. initiatives, and analyzed the functionality of each technology covered by Seattle's ordinance. Despite the salience of algorithmic processes in surveillance technologies, we are finding that the ordinance does not describe or address machine learning, artificial intelligence (AI), or algorithmic bias. We conclude that there is a pressing need for attention to algorithmic bias within disclosed surveillance technologies, for which we suggest additional elements be added to Seattle Surveillance Impact Reports, or by expanded stakeholder engagement in the RFP stage of the procurement process. Our preliminary findings that lead to these recommendations are as follows: ***Expanded use of technologies triggers new surveillance review***: The Seattle ordinance models a strong process for submitting a given to technology to further review in the event its functionality or uses are expanded. ***Law motivated by concern for marginalized groups***: The motivation for the Seattle Surveillance Ordinance was to protect groups that have historically been targeted by surveillance programs. Given that the implicit biases that have been demonstrated to exist in algorithmic systems invariably affect marginalized groups, it is critical to consider the algorithmic aspects and potential algorithmic biases in disclosed surveillance technologies. ***Gap between perception and reality of current machine learning use***: Three municipal employees familiar with the Surveillance program stated that machine learning technologies are not used in technologies on the Master List. Contrary to these statements we found that at least two technologies on the Master List rely on machine algorithms---Automated License Plate Recognition

(ALPR) and Booking Photo Comparison Software (BPCS). We found that at least two other technologies on the Master List rely on AI technology that could also be used long term in a way that implicates protected groups---i2 iBase and Maltego. The reliance on machine learning technologies likely introduces algorithmic bias, such as through "false positive" identifications. *Absence of algorithmic considerations in other surveillance ordinances*: None of the six municipal surveillance ordinances we surveyed included language for wrestling with algorithmic bias. *Opportunity to strengthen existing processes*: The Seattle Surveillance Impact Reports could include questions or prompts that would target and stimulate investigation into machine learning / AI facets or into algorithmic bias in disclosed surveillance technologies.

ID: 10326819811

Submitted Through: Survey Monkey

Date: 11/5/2018 9:14:43 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Adaptive signal technology does not seem ready for a multimodal city where bikes/pedestrians need priority.

What value do you think this technology brings to our city?

It can potentially improve mobility and that has certainly been demonstrated for cars at least.

What worries you about how this is used?

It doesn't account for bikes or pedestrians or requires some sort of additional effort (like installing an app) to work for those groups.

What recommendations would you give policy makers at the City about this technology?

Are these technologies helping or hurting the vision zero goals?

Can you imagine another way to solve the problem this technology solves?

I would question whether cars being in gridlock is a problem that can be solved or simply a consequence of the culture that we are encouraging in a dense city.

Do you have any other comments?

ID: 10326707921

Submitted Through: Survey Monkey

Date: 11/5/2018 8:38:49 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No

What value do you think this technology brings to our city?

As our population grows this is the only way to enforce laws as we don't have enough police to do it

What worries you about how this is used?

None. If you're abiding by the law you have nothing to fear

What recommendations would you give policy makers at the City about this technology?

Allow police to use it to their advantage to do their job to keep us all safe, but don't use it against them!

Can you imagine another way to solve the problem this technology solves?

Create an environment that would make police want to stay in Seattle and do the job they were hired to do.

Do you have any other comments?

See above

ID: 10324587536

Submitted Through: Survey Monkey

Date: 11/4/2018 3:55:12 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

License plate cameras in general, I'm supportive of, if they can be used at greater frequency to crack down on illegal parking and driving.

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Full steam ahead! Bus lane camera on every bus, so that operators can push a button to send video of an illegal bus lane violator or other moving/parking violations when they see one, to get folks to drive better.

Can you imagine another way to solve the problem this technology solves?

Literally no.

Do you have any other comments?

I have no worries about these technologies. Get bus cameras online ASAP.

ID: 10322210731

Submitted Through: Survey Monkey

Date: 11/2/2018 9:47:34 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

This is government overreach and Big Brother at it's finest. Surveillance technologies do not belong in a free society and are solely implemented to farm money from taxpayers for minor infractions, at "best".

What value do you think this technology brings to our city?

None; outside of the ticket-issuing racket.

What worries you about how this is used?

Law Enforcement will abuse this technology. As a prior victim of stalking at the hands of a Law Enforcement Officer, we don't need to give Police more surveillance tools which make it easier to harass citizens.

What recommendations would you give policy makers at the City about this technology?

Do not turn Seattle into Singapore, China, or the United Kingdom. America is The Land of the Free. We don't want to be under the Watchful Eye of Big Brother.

Can you imagine another way to solve the problem this technology solves?

Use your eyes and have officers enforce the law as needed.

Do you have any other comments?

Robots are not Sworn Officers of the Law. SPD should be writing tickets, not computers. This technology will likely be abused, it will violate privacy laws, and I don't trust the Government to keep secure such a Mass Surveillance system. The costs of securing and maintaining such a system will require massive amounts of artificial "ticketing". At best, this is a Perpetual Revenue Generator for City Hall; at worst, it's a Gross Violation of Our Civil Rights.

ID: 10315099454

Submitted Through: Survey Monkey

Date: 10/30/2018 7:57:58 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No

What value do you think this technology brings to our city?

Hi it brings proof. It impacts crime before it occurs.

What worries you about how this is used?

Mone

What recommendations would you give policy makers at the City about this technology?

Where you see lots of camera you see less crime.

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10314183202

Submitted Through: Survey Monkey

Date: 10/30/2018 12:34:32 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

The location of the cameras/where the police vans circulate can be racially discriminatory. The city should make sure that these are distributed equitably.

What recommendations would you give policy makers at the City about this technology?

If the city is already going to be placing these cameras, they should also use these cameras to enforce speeding violations. Cars are always driving dangerously fast in this city, and these cameras should also make people follow the law.

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10312185174

Submitted Through: Survey Monkey

Date: 10/29/2018 7:45:04 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Yes

What value do you think this technology brings to our city?

What worries you about how this is used?

Over-policing. Waste of tax money. City government probably isn't sufficiently organized or skilled to process and analyze the data collected. It will ultimately lead to more overly bureaucratic, under-skilled, departments hopelessly trying to learn how to use the equipment and manage a massive records collection. The City should think twice before tying their shoes together on this one. It won't turn out well. I suggest you save yourselves the headache and bad PR by abandoning any surveillance plans now.

What recommendations would you give policy makers at the City about this technology?

Fire whoever is responsible for trying to waste tax money on invasive surveillance equipment. Also, whoever wrote question #6 should take a course on writing unbiased survey questions because the question assumes that the proposed surveillance equipment in fact solves a problem but that is not an established truth.

Can you imagine another way to solve the problem this technology solves?

This is a loaded question. It does not solve a problem. It creates an IT nightmare, costs way too much to store the data, invasive surveillance, and bad PR. Eventually, someone involved will likely lose a future election as a result.

Do you have any other comments?

ID: 10312163737

Submitted Through: Survey Monkey

Date: 10/29/2018 7:35:08 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Yes, I don't agree on public surveillance. This is America not China!

What value do you think this technology brings to our city?

I think it strips me from my right as a citizen and make me feel like the whole country is big huge jail

What worries you about how this is used?

How it's interpret and what people of color will have to go through to not been punished for small and trivial crimes.

What recommendations would you give policy makers at the City about this technology?

We're not ready, this is not London. Don't do it!

Can you imagine another way to solve the problem this technology solves?

I don't think it's solving a problem as much as it's creating one.

Do you have any other comments?

Don't do it!

ID: 10310577035

Submitted Through: Survey Monkey

Date: 10/29/2018 8:13:55 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Yes, the police are not honest about how and when they use this technology which means they are violating the 4th amendment rights which is a federal offense. Are they held accountable? No, almost never.

What value do you think this technology brings to our city?

The percentage of crimes solved with these technologies is a very small amount. And violating 4th amendment rights is a normal act by police in many of those instances.

What worries you about how this is used?

I support the pursuit of justice to make our city safer but but lawful citizens and criminals all have rights which the police disregard because there is no price to pay. If you could cheat and got caught doing so but there was no consequences, why wouldn't you? Its examples like this in our leaders, public officials and public servants that have eroded society and the trust people in each other.

What recommendations would you give policy makers at the City about this technology?

Until we have good honest leaders at the top who oversee the ones who use these technologies and who have no bias about who is held accountable for violations of ANY kind, they should be sidelined.

Can you imagine another way to solve the problem this technology solves?

Good morals and the respect for your fellow humans. It starts with the people on top to set good examples. We as a society have gotten more numb to violence, dishonesty and corruption at the highest

levels ,it has now sown itself into our way of life. If we see this kind of behavior from the people that are "roll models" or "leaders" then we adopt them as our own values.

Do you have any other comments?

Unfortunately, corruption is widespread in government agencies and public enterprises. Our political system promotes nepotism and wasting money. This has undermined our legal system and confidence in the functioning of the state. Communism is the corruption of a dream of justice.

ID: 10307049643

Submitted Through: Survey Monkey

Date: 10/26/2018 7:08:32 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I need the red light cameras NOT to have flash equipment on them. These lights are too bright, and they flash without warning, blinding people on the sidewalks at intersections.

What value do you think this technology brings to our city?

Damn all. It may be that drivers get citations--but this does not compensate for the blinding of pedestrians, bicyclists, etc.

What worries you about how this is used?

I have several times been so bedazzled and startled that I might easily have stumbled into traffic, if I'd chanced to be closer to the curb.

What recommendations would you give policy makers at the City about this technology?

Get cameras that don't need so much light, if you INSIST on having such cameras.

Can you imagine another way to solve the problem this technology solves?

Since I don't think it solves anything, no.

Do you have any other comments?

Other cameras are intrusive and invasive--but they're not so immediately dangerous, generally.

ID: 10307028243

Submitted Through: Survey Monkey

Date: 10/26/2018 6:42:15 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

None of these technologies are novel, particularly compared to other parts of the world (Europe, Asia). However, the use of the automated parking enforcement technology specifically for the purpose of booting cars is of highly questionable value.

What value do you think this technology brings to our city?

Hopefully some efficiencies in reducing human effort required to perform basic data-gathering and enforcement. If the parking enforcement buggies can cover many more blocks in a day, or a police officer yanks someone out of a car that's actually stolen, great!

What worries you about how this is used?

Abuse of data access, lax enforcement of retention and removal-of-access policies, above SECURITY BREACH OF DATA that may be useful in some level of identification (car with plate X was seen at location Y at time Z). Be wary of social justice impacts, particularly of the auto-boot technology. Those who are the most vulnerable may be in more frequently trouble with the law (and absolutely unable to rectify fines) and would thus unable to reach services. It would be absolutely unacceptable if a vulnerable member of the population who may be living in a vehicle is booted and unable to access basic human services, or worse.

What recommendations would you give policy makers at the City about this technology?

Data security is of paramount importance -- if data cannot be handled safely by the right people at the right time with prompt removal processes for data and access, then none of this matters and the public trust is gone. If there are any questions about this whatsoever, do not proceed with adoption. After that is transparency. Be specific about what is gathered, down to individual data elements: publicly post the data schemas (but obviously not the data). E.g., when your license plate is recorded, it also gathers: date, time, location, and so on. Finally, policies about use must be clearly understood by the public and the civil servants the tech is entrusted too. "SPD may use tech [when] for [reason] in order to perform duty [elaborate]." "SDOT uses these cameras to perform analysis of [condition]". People care about access and retention policies in this day and age -- post them and perform routine audits no less than quarterly but ideally more often than that (again, posting results publicly).

Can you imagine another way to solve the problem this technology solves?

Drone-mounted cameras can be used to gather movement data for travel time analysis; this doesn't require the use or exposure of any identifying marks whatsoever. They may also be helpful for SFD response scenes to perform rapid large area surveys.

Do you have any other comments?

Addressing these topics with serious care and thoughtfulness raises chances of success. Be intentional about uses of these technologies and do not allow for hidden uses.

ID: 10307002973

Submitted Through: Survey Monkey

Date: 10/26/2018 6:13:10 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Not particularly

What value do you think this technology brings to our city?

CCTV makes this city safer, particularly since we are so short of police officers.

What worries you about how this is used?

Nothing

What recommendations would you give policy makers at the City about this technology?

Beat policemen are better.

Can you imagine another way to solve the problem this technology solves?

Policemen/women who walk or ride bikes in the same neighborhood on a daily basis. We've all read English novels. Doesn't the bobby on his beat seem like the best way to protect a neighborhood, and make a neighborhood feel safe?

Do you have any other comments?

I've lived in Ballard for 35 years. In the last five years I've put grates on my windows, bought a wrought-iron screen door, locked the gate to the backyard. This is after the theft of my bicycle from my shed, shoes from my porch, etc. Opioids. The government is cracking down on doctors who overprescribe.

How about cracking down on street drug dealers as well? If a bath tub is overflowing from two spigots going full blast, turning off only one of those spigots doesn't work. Gotta turn off both.

ID: 10306958976

Submitted Through: Survey Monkey

Date: 10/26/2018 5:25:35 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I do have concerns. However, if there is public oversight of the surveillance technology used, both by elected officials and through releases of content recorded to the general public, then these concerns will be sufficiently addressed.

What value do you think this technology brings to our city?

I think this has the ability to automate many of the services currently done by the city. Further, it can provide hard evidence of events that occurred which human testimony cannot do.

What worries you about how this is used?

I am worried that these systems could be used by its operators to spy on people they know or to blackmail individuals both known and unknown to the operators. The accountability to elected officials and through releases to the public would prevent these things from happening.

What recommendations would you give policy makers at the City about this technology?

Make sure there is actual transparency and accountability to the general public and the press, and make sure this technology is about automation and providing evidence, not to keep tabs on people.

Can you imagine another way to solve the problem this technology solves?

no

Do you have any other comments?

ID: 10303980026

Submitted Through: Survey Monkey

Date: 10/25/2018 12:46:20 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I have concerns about the validity of Seattle's privacy program after listening to Seattle's Chief Privacy Officer on KUOW today. Per Ordinance 125376, greykey (the ability for the Seattle Govt to unlock iPhones without having the password) should have been reviewed by the Privacy Officer Armbruster, but it wasn't and she provided no explanation why. She offered no apology. This lacks transparency and accountability.

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10300614662

Submitted Through: Survey Monkey

Date: 10/24/2018 9:04:59 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

yes

What value do you think this technology brings to our city?

On a world level, at the federal government level, and at the city level we move closer towards fascism and other forms of authoritarianism, expanded surveillance will give expanded power to authoritarian regimes such as ours.

What worries you about how this is used?

The list of technologies for surveillance should include all other 'law' enforcement agencies at work in our city such as ICE.

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

As I sat down on the Seattle Trolley on Jackson Street a drone flew up and held stationary and then tilted slightly up. The blue lens of a camera flashed and the drone banked off. I'd like to know what other technologies are at use in our city, by ICE for instance as well as other 'law' agencies.

ID: 10299219171

Submitted Through: Survey Monkey

Date: 10/23/2018 7:14:36 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

in general I'm concerned about the collection, retention, aggregation, sharing, and mining of information collected thru surveillance technologies, particularly with regard to the risk for abuse by agencies like ICE or other yet-to-be created Federal agencies that do not represent the views of the Seattle area population.

What value do you think this technology brings to our city?

Emergency Scene cameras give medical professional an opportunity to prepare for treating emergencies and protect first responders from frivolous lawsuits. Hazmat cams gather information while allowing humans to remain at a safe distance. The rest of them essentially allow the city to more effectively collect revenue, except for ALPR, which scans licenses in search of stolen cars or vehicles sought for other reasons.

What worries you about how this is used?

ALPR is essentially a surveillance dragnet. Data is retained for 90 days even on vehicles that have nothing to do with anything.

What recommendations would you give policy makers at the City about this technology?

Do not retain any ALPR data except that which pertains to tagged vehicles. In general, always err on the side of not collecting data, not storing it, and not sharing it. Please. I work for Google.

Can you imagine another way to solve the problem this technology solves?

Fund transportation infrastructure so we don't have so many cars on the road running traffic lights and hitting pedestrians and cyclists and being driven by drunks.

Do you have any other comments?

Thank you for the opportunity to comment.

ID: 10298281561

Submitted Through: Survey Monkey

Date: 10/23/2018 11:18:38 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

It seems like all of these technologies are primarily focused on the movement of vehicles through Seattle instead of pedestrians and their own needs

What value do you think this technology brings to our city?

Giving the illusion of gathering useful, but inactionable, data.

What worries you about how this is used?

general privacy concerns about collecting so much data. There's no such thing as perfect security, to say the least.

What recommendations would you give policy makers at the City about this technology?

Use it to benefit the most vulnerable road users: pedestrians, including cyclists and other small transport methods/vehicles.

Can you imagine another way to solve the problem this technology solves?

Does it solve things? It's a bit early to say that.

Do you have any other comments?

Stop focusing on car throughput, and instead focus on people.

ID: 10298170617

Submitted Through: Survey Monkey

Date: 10/23/2018 10:37:29 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Can you quantify the # of crime investigations, stolen cars recovered and \$ amount of traffic violations recovered by using the ALPR/LPR technology.

What value do you think this technology brings to our city?

I am concerned that we are trading our privacy for a "sense" of security. How have surveillance technologies incrementally affected our security in Seattle.

What worries you about how this is used?

slippery slope -- see "The Last Enemy" film

What recommendations would you give policy makers at the City about this technology?

I'd like to see more police body cams; less surveillance;

Can you imagine another way to solve the problem this technology solves?

I have not been convinced except in the case of the Fire Department technology that we are actually better off -- I need to see numbers.

Do you have any other comments?

I would like to see year over year numbers comparing "before technology - after technology"

ID: 10296707285

Submitted Through: Survey Monkey

Date: 10/22/2018 9:13:04 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

The public ought to be made aware of all surveillance technologies being used. In the case of permanent fixed surveillance devices such as cameras, the public should be readily able to find information about where all such devices are installed.

What value do you think this technology brings to our city?

The provided examples of traffic monitoring seem useful. However, a full-blown security system similar to the widespread CCTV coverage in London seems overly pervasive.

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Minimize the number of surveillance devices implemented, and make their locations available for online viewing by the public at any time. No surveillance devices should be installed without informing the public.

Can you imagine another way to solve the problem this technology solves?

Security cameras should be limited to guarding private property or specific locations of concern, and not used to generally monitor all public areas at all times.

Do you have any other comments?

ID: 10296428154

Submitted Through: Survey Monkey

Date: 10/22/2018 5:35:21 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10295649414

Submitted Through: Survey Monkey

Date: 10/22/2018 11:24:46 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

What value do you think this technology brings to our city?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

What worries you about how this is used?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

What recommendations would you give policy makers at the City about this technology?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

Can you imagine another way to solve the problem this technology solves?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

Do you have any other comments?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

ID: 10295424650

Submitted Through: Survey Monkey

Date: 10/22/2018 10:02:24 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

SPD has proved over decades that it should BE constantly monitored, rather than be further enabled to abuse - the inseparable seduction of its under-controlled power.

What value do you think this technology brings to our city?

Surveillance tech further dehumanizes and commoditizes residents. A better SPD investment would be in outside beat walking and mingling with citizens.

What worries you about how this is used?

SPD is under Federal oversight due to its documented abuses. Its modus operandi are Trumpist (i.e. thrive only in the dark). We have witness where that tends.

What recommendations would you give policy makers at the City about this technology?

No Councilperson can adequately oversee or hold accountable her portfolio, let alone the Mishmash and Safe Communities octopus. Until proven effective governance by elected officials obtains, no greater powers should be distributed to SPD.

Can you imagine another way to solve the problem this technology solves?

The morality police in Iran and Saudi Arabia and the like in China demonstrate that everyday citizens are readily induced to spy and report on their neighbors. Although beyond the pale, a progressive version of neighborly support and assistance should be the direction Seattle pioneers to deal with the pressing problems of Mass Humanity.

Do you have any other comments?

One cannot "tech" to a humanitarian city, least of all through an insidiously equipped praetorian armed force. SPD elevates the interests of its minuscule membership above those of a citizenry whose dwarf it in all regards. City Council year-in/year-out approves the contracts cementing this folly. Seattle needs a formal goal of reducing its separate-but-armed constituency into the service element it should be, not the formidable power-center it is.

ID: 10295330166

Submitted Through: Survey Monkey

Date: 10/22/2018 9:29:06 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Yes. We have crimes and shootings that occur in public areas where there is no reasonable expectation of privacy but we lack the info to respond effectively.

What value do you think this technology brings to our city?

By placing cameras in certain areas with frequent criminal activity we could both deter and aid in the arrest and prosecution of those responsible. The city is undergoing an epidemic of property crime and dumping of garbage in many areas. Cameras could help deter, aid in the arrest/fines and prosecution of those responsible.

What worries you about how this is used?

Very little. If used in public spaces there is no reasonable expectation of privacy. If there is concern about privacy or tracking, the data could be encrypted by default and then made available to police after an incident with a court order or approval of some oversight body.

What recommendations would you give policy makers at the City about this technology?

Hurry up and put cameras in place where it makes sense. If there are privacy concerns, implement some kind of a check on access but get moving.

Can you imagine another way to solve the problem this technology solves?

Not cost effectively.

Do you have any other comments?

ID: 10295152382

Submitted Through: Survey Monkey

Date: 10/22/2018 8:30:01 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

A person could be set up, I suppose. I just read that the journalist who was murdered in the embassy....well his ambushers had a double for him. Now whether this is true or not it could happen. Of course facial recognition might put a stop to imposters posing as someone else.

What value do you think this technology brings to our city?

Safety in public spaces is increased...although, it is sadly 'after the fact' that it is usually the most effective. I think that just the knowledge that you might be watched could deter criminal behavior or, for that matter, abuse by law enforcement. It works both ways. Also, if you had more speed detectors you could generate a lot of revenue with speeding tickets. I can't tell you the number of times I've had cars speed by me in neighborhoods where speed limits are 25 mph. I know police can't be everywhere...but cameras can be. People are much less respectful nowadays. I drive to neighborhoods all over Seattle 5 days a week as a caregiver and have people honking at me because I'm driving too slow for them. I wish I could take the Mayor along with me on some of my trips so she could see first hand how rude people can be.

What worries you about how this is used?

It will alleviate my worries about road rage....maybe make people feel safer walking about outside...especially those most vulnerable who stay cooped up in their homes too afraid to go outside.

What recommendations would you give policy makers at the City about this technology?

Please...more sir. I would love to see children outside playing...who aren't afraid of being outside playing...in quiet neighborhoods or parks. We need these cameras etc. if only to act as a babysitter in some respects.

Can you imagine another way to solve the problem this technology solves?

Change human nature....which is nearly impossible.

Do you have any other comments?

I'm sure there would be people who could try to use surveillance to watch women etc.....when I was younger I've had police pull me over I'm sure just to check me out...stupid weirdos....BUT there is a lot of good to be had with watching over the public for the public good

ID: 10291758143

Submitted Through: Survey Monkey

Date: 10/19/2018 2:19:06 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No, I support surveillance cameras, even as I understand this is a tradeoff to privacy. But, CC TVs are widely accepted and extraordinarily helpful for law enforcement in other countries such as the UK.

What value do you think this technology brings to our city?

The ability to safeguard spaces and revisit victimizations.

What worries you about how this is used?

How long the data is kept. We should have a period of time that the data is kept after which it is destroyed.

What recommendations would you give policy makers at the City about this technology?

Adopt this widely.

Can you imagine another way to solve the problem this technology solves?

NO.

Do you have any other comments?

As a UW professor who studies law, I fully support better surveillance of our population--this includes police, citizens, and so on.

ID: 10287347565

Submitted Through: Survey Monkey

Date: 10/17/2018 9:55:10 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No. Technology is ubiquitous; surveillance is everywhere. Technology plays a pivotal role in keeping our communities safe. The paranoia of some should be easily address by strong policies and auditing of use.

What value do you think this technology brings to our city?

Technology is critical to solving crime, deterring crime, and bringing criminals to justice, and providing closure to victims.

What worries you about how this is used?

I worry that it is not used enough. I live in the South End, yes, in a black community (I am black) and we have been pleading with the city (you, Councilmember Harrell) for cameras for years. The ACLU, and supposed "community activists", do not speak for the average among us who go to work, take our kids to school, and just want to live in a safe community.

What recommendations would you give policy makers at the City about this technology?

Lead. Do what you're paid to do. Protect the communities you serve, and allow - perhaps even enable - the police to keep our communities safe.

Can you imagine another way to solve the problem this technology solves?

A ridiculous question. If the city's not going to invest in a technological solution, why would the city invest in a lesser solution?

Do you have any other comments?

Please, do not hamstring our first responders anymore. Property crime is rampant. Auto theft is rampant. Our kids are being robbed on the street. And you want to TAKE AWAY tools to solve crime?? We want cameras - like we were promised, Councilmember Harrell. We want crimes solved, and deterred. Do not let absurdity rule the day.

ID: 10281389699

Submitted Through: Survey Monkey

Date: 10/15/2018 4:13:31 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No

What value do you think this technology brings to our city?

Possible reduction in open street crimes

What worries you about how this is used?

May be considered not useful to detect crimes in low income communities.

What recommendations would you give policy makers at the City about this technology?

Use the technologies to cut down the kidnapers/rapist-- violent sex predators working and living in southend housing.

Can you imagine another way to solve the problem this technology solves?

Police patrols more often and seizure--not just showing up and leaving the scene.

Do you have any other comments?

The city seems to be over-run by kidnapers raping, I am getting sick to my stomach. Violent Sex Predators seem to be running the city via what I know.

ID: 10281279313

Submitted Through: Survey Monkey

Date: 10/15/2018 3:10:22 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10273624842

Submitted Through: Survey Monkey

Date: 10/11/2018 1:35:22 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10271359916

Submitted Through: Survey Monkey

Date: 10/10/2018 6:19:02 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I think we need more. Especially at every bus stop.

What value do you think this technology brings to our city?

Hopefully catching criminals

What worries you about how this is used?

Nothing

What recommendations would you give policy makers at the City about this technology?

More cameras.

Can you imagine another way to solve the problem this technology solves?

No

Do you have any other comments?

ID: 10270768915

Submitted Through: Survey Monkey

Date: 10/10/2018 1:10:42 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No

What value do you think this technology brings to our city?

I think it has great value in areas of high use, especially in areas where crime is historically reported. Both deterrent to crime and tool that helps law enforcement in the event crime has occurred.

What worries you about how this is used?

totally ok with it, as long as it's targeted in areas of heavy use, congested areas, high volume of people, areas with historically issues with crime, etc.

What recommendations would you give policy makers at the City about this technology?

Make sure law enforcement has real time access. Limit access to law enforcement type groups, don't get sidetracked as to possible other uses of the data.

Can you imagine another way to solve the problem this technology solves?

more police officers

Do you have any other comments?

Believe this is a cost effective way to help keep people safe.

ID: 10270556248

Submitted Through: Survey Monkey

Date: 10/10/2018 11:50:08 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I do not want increased surveillance. License Plate Readers,

What value do you think this technology brings to our city?

None.

What worries you about how this is used?

Privacy and tracking concerns are rampant in an age where social media [LinkedIn] is almost required for a profession, a cell phone is required for jobs, and cars are required for jobs. StingRay [cell phone interceptor] has already been shown to be used unlawfully. I can only imagine a database version would be subject to equal lack of scrutiny.

What recommendations would you give policy makers at the City about this technology?

Vote no.

Can you imagine another way to solve the problem this technology solves?

Mountains out of molehills. Patrol HOV lanes.

Do you have any other comments?

Enforce HOV restrictions.

ID: 10270098107

Submitted Through: Survey Monkey

Date: 10/10/2018 9:10:36 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

ALPR/LPR: how is this technology used; if the data is being passively collected - how can the general public audit the back-end systems for sake of privacy (in the age of data breaches, this is a risk of *when* there is a breach and not *if*)

What value do you think this technology brings to our city?

Studies have shown that increased surveillance does not actually lead to reduced crime. More studies have also shown that community watch organisations do more to reduce crime than passive/active remote surveillance.

What worries you about how this is used?

Unclear duration of data usage, sharing and retention, and public request process to remove targeted data.

What recommendations would you give policy makers at the City about this technology?

Carefully evaluate vendors and their products to make sure the systems are hardened against breaches; evaluate whether the systems allow for public access to the data so that people can limit invasive surveillance.

Can you imagine another way to solve the problem this technology solves?

Better community education and watch programs. Try to find root causes of crimes and solve those causes. Surveillance is a short term gain with long term consequences and it doesn't address the problem of why crimes happen. Getting to the root cause may prove to be more productive (and in some cases, cost less public money)

Do you have any other comments?

ID: 10269149042

Submitted Through: Survey Monkey

Date: 10/10/2018 1:58:48 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

With all of these technologies, my main concern is unnecessary storage and retention. For example, what if you're storing some kind of information on people's cars, which then is acquired by ICE to prosecute undocumented individuals in spite of our city's sanctuary status?

What value do you think this technology brings to our city?

I believe there is value in the diagnostic capabilities, for example finding out what kind of traffic levels there are on a street or sidewalk, finding out how many bus lane cheaters there are, or maybe finding a pattern of frequent dangerous behavior on a street. In the same vein, I'm extremely supportive of having cameras on buses that bus operators can use to report bus lane violations because I think the level of bus lane violations we have is a serious impediment to our transportation system. I also appreciate that tech like this removes any prejudices that a police officer may have. Either you broke the law, or you didn't. I love that this tech will be used in parking enforcement. We need to enforce our traffic laws or nobody will care.

What worries you about how this is used?

Though it removes prejudice on the part of officers, I do also think this may be sub-optimal in some circumstances. Perhaps someone as speeding by only 1 mile per hour, which reasonably, we should let slide, but with cameras, we probably won't.

What recommendations would you give policy makers at the City about this technology?

Bus and bike lane camera enforcement, yes! You have no idea how many times some bus lane violators slow down a 60-person bus, or someone blocks the bike lane forcing me to make an unsafe movement. I'd also love to see box blocking or crosswalk blocking detection technology to prevent those things from happening because it seriously reduces the livability and safety of pedestrians and transit users. Don't have any facial recognition software though.

Can you imagine another way to solve the problem this technology solves?

I don't know how actionable this is, but maybe we could work with the judicial system to give the law a little bit of discretion on the prosecution of crimes, so for example if you're speeding by 1 mph, you don't get the same fine as someone speeding by 10 mph or 30 mph.

Do you have any other comments?

Please implement bus/bike lane enforcement cameras yesterday. I get there are challenges WRT privacy and whatnot, but if we're sensitive to these issues, we can make our city safer.

APPENDIX F: LETTERS FROM ORGANIZATIONS

Shankar Narayan
TECHNOLOGY AND LIBERTY
PROJECT DIRECTOR



October 24th, 2018

RE: ACLU-WA Comments Regarding Group 1 Surveillance Technologies

Dear Seattle IT:

On behalf of the ACLU of Washington, I write to offer the ACLU-WA's comments on the surveillance technologies included in Group 1 of the Seattle Surveillance Ordinance process. We are submitting these comments by mail because they do not conform to the specific format of the online comment form provided on the CTO's website, and because the technologies form groups in which some comments apply to multiple technologies.

These comments should be considered preliminary, given that the Surveillance Impact Reports for each technology leave a number of significant questions unanswered. Specific unanswered questions for each technology are noted in the comments relating to that technology, and it is our hope that those questions will be answered in the updated SIR provided to the City Council prior to its review of that technology.

The technologies in Group 1 are covered in the following order:

- I. Automated License Plate Recognition (ALPR) Group
 1. Automated License Plate Recognition (ALPR)(Patrol)(SPD)
 2. Parking Enforcement Systems (Including ALPR)(SPD)
 3. License Plate Readers (SDOT)
- II. Camera Group
 1. Emergency Scene Cameras (SFD)
 2. Hazardous Materials (Hazmat) Camera (SFD)
 3. Closed Circuit Television "Traffic Cameras" (SDOT)

I. ALPR Group

Automated License Plate Reader Systems (ALPRs) are powerful surveillance technologies that have the potential to significantly chill constitutionally protected activities by allowing the government to create a detailed picture of the movements—and therefore the lives—of a massive number of community members doing nothing more than going about their daily business. Indeed, at the first public meeting seeking comment on the SPD Patrol ALPRs, it was revealed that the ALPR system collected

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37,000 license plates in a 24 hour period—which equates to over 13.5 million scans over a full year. The overwhelming majority of these drivers are not suspected of any crime.

With this massive database of information, agencies can comprehensively track and plot the movements of individual cars over time, even when the driver has not broken any law. This enables agencies, including law enforcement, to undertake widespread, systematic surveillance on a level that was never possible before. Aggregate data stored for long periods of time becomes more invasive and revealing. Existing law in Seattle places no specific limits on the use of ALPR technology or data, meaning an agency can choose whether and how they want to retain data and track vehicle movements.

ALPR technology can be used to target drivers who visit sensitive places such as centers of religious worship, protests, union halls, immigration clinics, or health centers. Whole communities can be targeted based on their religious, ethnic, or associational makeup, and indeed, exactly that has happened elsewhere. In New York City, police officers drove unmarked vehicles equipped with license plate readers around local mosques in order to record each attendee as part of a massive program of suspicionless surveillance of the Muslim community. In the U.K., law enforcement agents installed over 200 cameras and license plate readers to target a predominantly Muslim community suburbs of Birmingham. ALPR data obtained from the Oakland Police Department showed that police there disproportionately deployed ALPR-mounted vehicles in low-income communities and communities of color. And the federal Immigration and Customs Enforcement agency has sought access to ALPR data in order to target immigrants for deportation. All of these concerns are magnified in light of a long history of the use of invasive surveillance technologies to target vulnerable communities (see, for example, Simone Browne’s excellent, multidisciplinary book on the subject, *Dark Matters: On the Surveillance of Blackness*).

The foregoing concerns suggest the Council should ensure strong protections against the misuse of this technology, regardless of which agency is deploying it and for what purpose. Specific comments follow.

1. Automated License Plate Recognition (ALPR)(Patrol)(SPD)

The SIR relating to Patrol ALPRs raises a number of specific concerns around current policy and practice, and leaves open a number of significant questions. I attempt to capture these in sections below on concerns, questions, and recommendations.

a. Major Concerns

- *Inadequate Policies.* Policies cited in the SIR are vague, contradictory, and appear to impose no meaningful restrictions on the purposes for which ALPR data may be collected or used. Policy 16.170—the only apparent policy specific to ALPRs—for example, is very short, contains undefined terms, and focuses on training rather than use. Subsection 3 of the policy says that “ALPR Operation Shall be for Official Department Purposes” and that ALPR may be used “during routine patrol or any criminal investigation.” This does not meaningfully restrict

the purposes for which ALPR may be used. And another part of the policy states that ALPR data may be accessed only when it relates to a specific criminal investigation—yet it is unclear how this relates to the enforcement of civil violations mentioned in both SPD SIRs. More generally, much of the practice described in the SIR does not appear to be reflected in any written policy at all (for example, the practice of manually verifying a hit visually is not reflected in policy).

- *Dragnet Use with No Justification.* While the SIR contains contradictory information on this point, it appears that ALPR cameras are always running, offering a vast dragnet of data collection. No legal standard is stated to justify this general, dragnet use. The Seattle Intelligence Ordinance is cited, but SPD seems to assume that dragnet surveillance is consistent with this Ordinance, without any specific policy (for example, are ALPR-equipped vehicles kept away from protests?).
- *Lengthy Retention Window with No Justification.* SPD retains ALPR data for 90 days, but examples given in the SIR of crimes solved using ALPRs largely appear to involve immediate matches against a hotlist. It is unclear what justifies this long retention window.
- *Data Sharing is Not Explicitly Limited by Policy or Statute.* The sharing of ALPR data with other agencies is of great concern, and SPD states a variety of situations in which such data may be shared (see SIR Section 6.1). But the policies cited do not make clear the criteria for such sharing, nor any inter-agency agreement that governs such sharing, nor why the data must be shared in the first place (see perfunctory answer to SIR Section 6.2). This issue of data sharing was raised in the enactment of the Surveillance Ordinance itself, and has only become more urgent under the current federal administration.
- *Inadequate Auditing.* The SIR appears to contradict itself on the subject of whether and how audits of inquiries to the system can be conducted (see SIR Sections 4.10 and 8.2, for example). As with any invasive surveillance system, a clear and regular audit trail to protect against abuse is important.

b. Outstanding Questions

I'm listing questions here that I hope will be answered in an updated SIR:

- To what degree are patrol and parking enforcement ALPR systems separated, and do SPD policies on ALPR apply fully to the Parking Enforcement Systems? It appears the systems are merged at least to some extent, and in that case, the same strong protections against abuse should be applied to all systems.
- ALPR policy says there has to be a specific criminal investigation in order for ALPR data to be accessed. Does reasonable suspicion of a crime equate to a

specific criminal investigation? How is a specific criminal investigation documented?

- Under what agreements is data shared with outside agencies, and where “required by law,” what specific laws require this sharing? To which systems outside SPD is data uploaded?
- How many plate images collected by the system every day? What is the hit rate on those images? Is there systematic data reflecting how many crimes each year are actually solved using ALPR data?
- How often do misreads occur? Are they systematically tracked?

c. Recommendations

These recommendations should be considered preliminary, pending answers to the questions above. But we urge the Council to ensure binding enforceable protections in ordinance that ensure the following minimum protections:

- Dragnet use and long retention of ALPR data should be outlawed. SPD must have reasonable suspicion that a crime has occurred before examining collected license plate reader data; they must not examine license plate reader data in order to generate reasonable suspicion. SPD should retain no information at all when a passing vehicle does not match a hot list (particularly given that such data is subject to public disclosure, including to federal agencies).
- People should be able to find out if plate data of vehicles registered to them are contained in SPD’s ALPR database. They should also be able to access the data.
- There must be access controls on the ALPR databases, with only agents who have been trained in the policies governing such databases permitted access, and with every instance of access logged.
- SPD should not share any ALPR data with third parties without a written agreement ensuring that those third parties conform to the above retention and access rules, and should disclose to whom and under what circumstances the data are disclosed.
- Whenever a hit occurs, an officer, before taking any action, must confirm visually that a plate matches the number and state identified in the alert, confirm that the alert is still active by calling dispatch and, if the alert pertains to the registrant of the car and not the car itself, for example in a warrant situation, develop a reasonable belief that the vehicle’s occupant(s) match any individual(s) identified in the alert.

- ALPRs should not be used for non-criminal enforcement purposes, other than parking enforcement.
- SPD should produce detailed records of ALPR scans, hits, and crimes solved specifically attributable to those hits, as well as an accounting of how ALPR use varies by neighborhood and demographic.

2. Parking Enforcement Systems (Including ALPR)(SPD)

Particularly given the partly merged nature of the parking enforcement and patrol ALPRs, including use of the parking enforcement ALPRs to check vehicle plates against hot lists, the concerns stated above with respect to SPD Patrol ALPRs apply equally to parking enforcement systems, and Council should ensure that the same minimum rules apply to them via ordinance—the intended primary use for parking enforcement does not in itself mitigate the concerns raised. In addition, the following outstanding questions should be answered in an updated SIR:

- It is unclear from the SIR how the Parking Enforcement ALPR systems integrate with the Patrol ALPR systems—it appears that some integration occurs at least in the case of the Scofflaw enforcement vans, that store collected data in the BOSS system. An updated ALPR should clarify specifically what rules apply to that data, and how they differ from rules applied to data collected by Patrol ALPR.
- A number of software and hardware providers are mentioned in Section 2.3 of the SIR—an updated SIR should clarify whether all contract directly with SPD itself, or with each other or a third party entity, to provide ALPR and related services.
- As with Patrol ALPR, statistics on numbers of scans, hits, and revenue from the systems would be helpful.
- Section 4.1 suggests pictures of the vehicle are being taken in addition to the plate—are these pictures stored, and if so, for how long?
- Concerns set forth in the section above relating to patrol ALPR regarding data access, clear standards for data sharing with third party entities and the purpose of such sharing, as well as auditing, all apply to these systems as well—and an updated SIR should clarify those standards.

3. License Plate Readers (SDOT)

The concerns stated above with respect to patrol ALPR largely apply to this set of ALPRs as well, with the additional concern of explicit sharing with a state entity. It is heartening that the SIR suggests that no license plate data is retained, but it is not clear whether that no-retention practice is reflected in policy. It is also unclear whether an explicit agreement exists with WSDOT ensuring deletion of the data and use only for the

purpose of calculating travel times. With that in mind, the following outstanding questions should be answered in an updated SIR:

- What explicit, written policies govern what SDOT and WSDOT can do with this ALPR data? Is there a written agreement with WSDOT requiring no personal data collection and deletion of all data?
- Under what circumstances might this data be used for law enforcement purposes? Is it possible for third parties to subpoena any data retained?
- What additional third parties get access to the data?

The Council should ensure by ordinance that the data collected is used only for the purpose of calculating travel times, that no data is retained, that no third party other than SDOT and WSDOT access the data at any time, and that a written agreement holds WSDOT to these restrictions.

II. Camera Group

Overall, concerns around this group of technologies largely focus on the use of these systems and the data collected by them for purposes other than those intended, over-collection and over-retention of data, and sharing of that data with third parties (such as federal law enforcement agencies). While the stated purposes of the cameras may be relatively innocuous, it is important to remember that images taken by such cameras, for example at emergency scenes, can compromise the privacy of individuals at vulnerable moments, and can be misused for the same kinds of targeting and profiling of particular communities detailed in Section I above. In addition, with the widespread and cheap availability of facial recognition technology, which can be applied after the fact to any image showing a face, it is all the more important that protections limiting the use of these tools to their intended purpose be enacted.

For all of these systems, the Council should adopt, via ordinance, clear and enforceable rules that ensure, at a minimum, the following:

- The purpose of camera use should be clearly defined, and its operation and data collected should be explicitly restricted to that purpose only.
- Data retention should be limited to the time needed to effectuate the purpose defined.
- Data sharing with third parties should be limited to those held to the same restrictions.
- Clear policies should govern operation, and all operators of the cameras should be trained in those policies.

Specific comments follow:

1. Emergency Scene Cameras (ESCs)(SFD)

The SIR for this technology states that no explicit internal policy exists at SFD that governs the use of ESCs, so a good start would be to create such a policy and include it in an updated SIR. This process should begin with an explicit list of specific uses for the ESCs, which are currently only set forth in general terms, and with apparent contradictions between sections of the SIR (for example, Section 1.0 describes three uses for the cameras, but Section 2.1 adds several more). In addition, the updated SIR should set forth any other internal policies and Washington laws governing use, retention, and disclosure of the data; where the data is stored; and which third parties, if any, have access to it, and for what purpose. (The SIR indicates data sharing with SPD, but the purpose is not clear.)

In turn, the Council should ensure via ordinance that no use is made of the images beyond the specific emergency, investigative, or training uses set forth, and that the data is deleted immediately upon completion of those purposes. Data sharing with third parties should be prohibited unless for those specific uses, and those third parties should be held to the same use and retention standards.

2. Hazardous Materials (Hazmat) Cameras (SFD)

As with ESCs, the SIR for Hazmat cameras indicates that no policy governing the use of this technology currently exists, with one limited exception for mechanism-of-injury recordings (see SIR Section 3.3). So similarly to ESCs, with this technology, an explicit policy that lists specific uses for the cameras should be created and included in an updated SIR. In addition, answers to questions such as who stores the data and which third parties have access to it should be made explicit. In particular, the SIR describes data sharing with law enforcement, but purposes of that disclosure are not made explicit (see SIR Section 4.7). In instances where a legal standard such as reasonable suspicion is applied, it should be clear what the standard is, who applies it, and how that application is documented. Overall, use of this technology should be limited to emergency response purposes, and any law enforcement use of the data should be restricted by ordinance.

3. Closed Circuit Television “Traffic Cameras” (SDOT)

As with the other two camera technologies, the crux of concern around these traffic cameras relates to limiting their use to specific purposes, enshrining in statute protections against invasion of privacy and general data collection, and limiting data sharing. It would be helpful to see the SDOT camera control guidelines referenced in the SIR, as well as to make clear in a policy applicable specifically to these cameras, what data will be deleted when (Section 5 appears to contain several different retention policies). Additional questions that an updated SIR should answer are as follows:

- The current SIR does not reference specific camera vendors and models—these would be helpful to have.

- Are there currently explicit guidelines on when recording occurs, and what’s maintained? (See SIR Section 3.3 referencing recording for “compelling traffic operational needs”—the term is undefined.)
- Law enforcement use appears to be explicitly contemplated by the SIR, but the specific allowable uses are not defined—these should be made clear.

As with the other camera technologies, the Council should ensure clear purposes are defined in statute for these traffic cameras, that no use is made of the images for other purposes, that data is immediately deleted when the purpose is achieved, and that data sharing with third parties should be prohibited unless for those specific uses.

Thank you for your consideration, and we look forward to working with you on the process of ordinance implementation. Please feel free to contact me with questions or concerns.

Sincerely,

Shankar Narayan

cc: Seattle City Council and Executive



317 17TH AVENUE SOUTH, SEATTLE, WA 98144
TEL. 206.956.0779 FAX. 206.956.0780

October 29, 2018

My name is Marcos Martinez and I am the Executive Director at Casa Latina, a nonprofit organization based in Seattle that serves low income Latinx immigrant community through employment, education and community organizing.

The community that we serve at Casa Latina is particularly vulnerable to abuses by government agencies. Since the elections of 2016, our communities have been on edge due to the increased enforcement activities of agencies like ICE and Customs and Border Protection (CBP).

In addition, while government officials have pledged that the private information of individuals would be protected within agencies such as the State Department of Licensing, we have seen that those promises are not always borne out in reality. Breaches of community trust are very difficult to repair.

It is for these reasons that technologies such as the Automated License Plate Reader System cause concerns for our communities. The ACLU, in its comments on these technologies, has pointed out some major concerns regarding the policies that govern the use of the ALPR, including the lack of meaningful restrictions on the purposes for which ALPR data may be collected or used.

Limitations on data sharing are of particular concern, since this could affect immigrant community members who are subject to detention by immigration authorities but who are not the subject of any active criminal investigation by SPD. It's not clear that strong policies are in place to prohibit the sharing of data with ICE or CBP which would serve to aid those agencies in their efforts to detain immigrant community members.

Thank you for your consideration and I look forward to working with you to develop policies that protect the privacy of our most vulnerable communities.

Sincerely,

Marcos Martinez

www.casa-latina.org



November 5, 2018

Dear Seattle IT:

I am writing to offer Densho's comments on the recently released Group 1 Surveillance Impact Reports (SIRs) under the Seattle Surveillance Ordinance review process. Densho is a community-based 501(c)(3) organization. For more than twenty years, we have been documenting the World War II incarceration of Japanese Americans to promote equity and social justice both in Seattle and across the country. The experiences of Japanese Americans are a somber lesson about the fragility of civil society in the face of intolerance and fear.

We have reason to cast a critical eye on infrastructure and systems created to monitor our citizenry. Some two decades before the beginning of WWII, the Japanese American community was targeted for mass surveillance in a coordinated effort involving the Federal Bureau of Investigation (FBI), the Office of Naval Intelligence (ONI), and the War Department's Military Intelligence Division, assisted by local law enforcement agencies. In the immediate aftermath of Pearl Harbor, US Census data was improperly used to develop exclusion area maps and lists of Japanese American citizens for registration. In the current political environment, we remember this history and are concerned about how a new breed of technologies may affect the rights of our friends and neighbors who belong to ethnic, religious and other vulnerable minority communities

These comments will cover the SIRs for the six Group 1 technologies in two primary sections. The first will address the Automated License Plate Reader (ALPR) sub-group, including SPD Patrol, Parking Enforcement, and SDOT. The second offers comments on the camera technology SIRs for SFD Emergency Scene Cameras, SFD Hazmat Cameras, SDOT Closed Circuit "Traffic Cameras"

Section 1: Automated License Plate Reader technologies

A. General Concerns

ALPR is a powerful technology that creates almost unprecedented abilities to surveil and track the movement of individuals across our city and region. It is already being utilized in ways that impact religious, ethnic and other minority communities. In the wake of the September 11 attacks, ALPR was used to monitor Muslim communities in New York, and more recently, US Immigration and Customs Enforcement has employed ALPR data through large aggregators such as Vigilant Solutions to target Latinx populations.

While ALPR is valuable to SPD (and SDOT) in their work, and – as discussed in the SIRs – there are generally benign and beneficial uses, the creation of a large pool of highly sensitive data presents a risk for misuse.

B. SPD Patrol



1. Retention policy inconsistent with stated goals
In the SIR, the primary goal of the ALPR program is stated as, “Property Recovery” – locating stolen vehicles, while the report cites, use, “[o]n occasion,” of the stored data to assist criminal investigations, in particular, the location of Amber and Silver Alert subjects. If this is the case, this casts significant doubt on the need for a lengthy data retention period. The agency does not provide the analysis that led to the decision for the 90-day period anywhere in the SIR or, in response to questions during the public engagement meeting on October 30, 2018. This policy should be driven by careful consideration of the needs of the program, rather than
2. Third-party data sharing
As stated in the SIR, data is shared with third-parties, including law enforcement and researchers, under a number of policies and inter-agency agreements. However, the criteria for permissible sharing is vague; these policies should be articulated in a clear, consistent and explicit fashion.
3. Lack of transparency and reporting
Statistical data regarding the collection and use of the ALPR data should be made publicly available. The implementation of SPD’s new RMS should include functionality for tracking and recording when ALPR data has been used in investigations and enforcement.
4. Governing policies
Currently, the management and use of ALPR systems is guided principally by SPD Policy 16.170. SPD officials themselves admit that Policy 16.170 is inadequate and incomplete. ALPR is a novel, powerful technology that requires

C. Parking Enforcement (SPD)

1. Co-mingling of Parking Enforcement and Patrol data
The SIR describes the flow of data from the Scofflaw “boot vans” to the centralized Neology BOSS system, shared with Patrol. It is not clear whether this data is aggregated directly with the Patrol dataset. If so, this should be more explicitly stated, and the same policies and rules should apply.

D. SDOT

1. Sharing of data with WSDOT and other third parties
The SIR does not outline whether the data-sharing agreement with WSDOT includes provisions governing the sharing and use of SDOT-collected data.

Section 2: Camera technologies

The use of image and video technologies has obvious benefits in the efficiency and delivery of emergency services in crisis situations, as was articulated in the each of the SIRs covering this group. Densho’s primary concern is the possibility that the infrastructure and the data collected may be subject to uses beyond the scope of the stated purposes. While it is highly unlikely that



D E N S H Ō
The Japanese American Legacy Project

SFD and SDOT would utilize the systems in ways that directly impact privacy, unless the collection, retention and sharing of data is carefully regulated, there is potential for real harm to civil liberties in the hands of third parties. Coupled with facial recognition technology, camera data can be used in ways that SFD and SDOT may not have anticipated.

We appreciate the opportunity to share these concerns with you, and hope that this process may help to make our city a welcoming, safe and truly civil society.

Sincerely,

Geoff Froh
Deputy Director

APPENDIX G: EMAILS & LETTERS FROM THE PUBLIC

Letter submitted by individual constituent:

Surveillance.
I don't want it.
Any of it.
Just stop.

Letter submitted by individual constituent:

Kevin Orme
502 N 80th
Seattle, WA 98103
206-789-3891

November 4, 2018

Public Input Commentary – Seattle Surveillance Technology open Public Comment period – 10/22 through 11/5, 2018.

Opening Remarks:

1. Surveillance technology usage in the United States of America, regardless of use, purpose and policy, is completely and wholly within the basic tenets of the Bill of Rights, otherwise known as Amendments 1-10 to the US Constitution. There are no more fundamental laws in the United States than the Constitution and the amendments thereto.

As regards privacy, public surveillance/data capture technology and police oversight – these governing principles have to be considered in any and all policies and local procedures/laws created for our democratic society. Doing anything less is simply illegal and against our whole theory of government – it's that simple.

Specifically:

The First Amendment, including rights to freedom of speech, public assembly and the press.

The Fourth Amendment, including rights preventing unreasonable search, seizure and requiring warrants for same.

The Fifth Amendment, including rights against self-incrimination and deprivation of life, liberty and property without due process.

The Sixth Amendment, including the right to confront the accuser by the accused; defense counsel when accused of a crime and proper/complete informing of the accused concerning the nature and extent of criminal accusation if occurs.

And beyond the Bill of Rights, **the 14th Amendment, Section 1**, regarding rights of due process and federal laws also applying equally to the states (which means *cities* in those same states, of course)

2. The WA State Constitution:

In addition to the Bill of Rights and the US Constitution, the WA State Constitution is also instructive:

Article 1, Section 1 – all political power is inherent in the people, and governmentsare established to protect and maintain individual rights;

Article 1, Section 2 – the US Constitution is the supreme law of the land;

Article 1, Section 7 - Invasion of Private Affairs or Home Prohibited

Article 1, Section 32- “A frequent recurrence to fundamental principles is essential to the security of individual right and the perpetuity of free government.”

3. Context for Seattle: The above means essentially:

You cannot simply 'surveil everything' in the hopes of finding a criminal (or even worse, someone you simply “don't agree with”). That is called 'guilty until proven innocent' and has been overturned time and time again in our system of laws by courts and legislators at every level. The Bill of Rights has protected the 4th Amendment concept of 'Innocent until Proven Guilty' and 24-7 surveillance of **any** sort flies in the face and openly defies this most basic law.

You cannot 'surveil' public assemblies, protests, or similar gatherings, most especially with facial recognition, phone network/bluetooth data capture or public video recordings and/or microphones without again, violating the above basic constitutional principles – otherwise known as “laws” (US and WA).

You cannot store data simply according to 'policy', or come up with what you believe adequate controls may or may not be, and then implement them without complete transparency and public input, including that of the City Attorney's office, elected officials and arguably most important, THE PUBLIC. I believe this effort you have begun to solicit feedback is a good start, but there's a long way to go and this is only the very beginning, rest assured.

Finally, you cannot pay lip service to these previous paragraphs by not actively doing them yourself, and then simply turn around and receive/use/retain the data anyway through other means – that is, you cannot obtain the data from the NSA's Fusion Center already located in downtown Seattle, or the FBI, or TSA, DHS, or increasingly rogue agencies like ICE – all of these still break the law, plain and simple.

Specific technologies being discussed in this public outreach:

1) SDOT LPR's.

Positive – the data is stated as being deleted immediately after a transit time calculation;

Positive – the data is stated as only being available to SDOT personnel after relay from WSDOT, with individual identifying license plates not part of that incoming data;

Positive – stated purpose – facilitate effective and efficient traffic management within the Seattle city limits.

SDOT LPR's - COMMENT for Submission/consideration:

a) It is unclear how long WSDOT is retaining this data for handoff to SDOT and Seattle generally – even if SDOT deletes it nearly immediately after a calculation/use, can they go back and re-retrieve it later? The answer should be NO, and simply that WSDOT is doing the same thing at minimum – deleting the data almost immediately after said calculation too (I recognize this latter is beyond SDOT's control, however, certainly as the biggest city in the state, Seattle would have major influence on these policies and procedures were you to weigh in and state clear policy positions).

b) It is also unclear what the statement 'travel time calculation' precisely means for these purposes. Is it just me driving through downtown and getting spotted if I go by any of these cameras/devices? Assuming the answer is yes, when is the 'timeout' – 1 minute if not seen by another camera? 5 minutes? When and how quickly does the 'calculation' occur (so that I know purportedly the data is then “immediately deleted” as you say?)

c) It is also unclear if anyone else working for the City of Seattle has access to this WSDOT data (and if so, for how long, in what capacity, at what level of detail, etc.) – say, the SPD, City Attorney's office, or? So maybe SDOT isn't “surveilling” anyone within the normal meaning of the term given the safeguards noted in the policy PDF, but certainly the SPD have far different reasons for using this data, and most (if not all) of them are far removed from simple data calculations, and include direct data review to carry out those tasks?

Traffic Cameras (SDOT)

Positive – similar purposes to those above – namely efficient and effective traffic mgmt in real time, using systems and human operators (either in a data center or on the scene, e.g. tow truck, etc.) to make it happen.

SDOT Traffic Cams - COMMENT for Submission/consideration:

- a) What are the 'SDOT Camera Control Protocol Guidelines' and are they public? If not, can they be and where can we review them? Have they ever been amended due to public input, potential past problems or abuses? When were they written and by whom with what expertise?
- b) What are the 'specific cases' where footage is archived and for how long?
- c) Has this data ever been subpoena'd by City personnel, or outside entities (e.g. ICE, NSA or similar)?
- d) The 'protections' paragraph says archived footage isn't shared with any other City dept – but what about data that is 'in transit' between realtime capture and potential archiving later (whether only for 10 days or not)? How/when and in what circumstances might footage be temporarily retained or shared outside normal policy, and potentially 'evade' the otherwise typical 10-day delete policy as a result?

SPD – ALPR's

Positive – as stated by SPD with any such whiz-bang tech – 'preventing crime'

SPD ALPR's: COMMENT for Submission/consideration:

- a) Why 90 days? Why not something much more reasonable, like 15? Certainly if the tech is sophisticated enough to create a 'hot list' as described here, **15 days – two working weeks in other words – is surely more than enough time for the data's intended purpose.**
- b) Can we see examples of these 'auditable records' supposedly created by SPD when logging into ALPR/contacting dispatch? If you are making them 'auditable' for the purposes of ensuring restricted and limited use of the technology generally, then surely you don't mind if we see how that works at minimum so WE can know this (and believe you) too?

c) When does something become an 'active investigation' – and how long is the data retained, where stored and accessible by who then? What if the investigation is called off or invalidated by a court or city officer/city attorney – is the data immediately deleted, and an 'auditable record' of that activity created to prove it?

d) You say nothing about sharing the data with other entities (e.g. ICE, DHS, etc.) - do you? Are you planning to? Have you done so in the past? If so on any of these, under what circumstances and did they provide any sort of a warrant of any kind?

e) You stated there are eight SPD cars equipped with ALPR systems now, and that statement implies that this is the 'only' such ALPR system deployed 1) for these purposes, 2) with this specific technology citywide. Is this true? Are there stationary systems mounted elsewhere in the city that are networked (now or can be in the future) and if so, how many are there? Are there plans (either already in motion or for say, the next few years) to implement either more cars, add in stationary systems, or both? Certainly at minimum, just like with red light cameras, we deserve and demand publicly posted notice of any such stationary systems if they exist or are being deployed.

f) I have read the online 16.170-POL governing ALPR use <http://www.seattle.gov/police-manual/title-16---patrol-operations/16170--automatic-license-plate-readers> – and it's pretty sparse with only 4 short bullet points.
– more questions:

f1) what is ACCESS certification and how can we know more that it does what it's intended to do? Where is the training, who does it, is it a private entity creating coursework, etc.?

f2) how often are these standards updated (e.g. the policy is already 6 years old, dating from 2012 – certainly the technology is not falling behind in the same way);

f3) Who is in charge of TESU and what are their qualifications? Are they elected officials or behind the scenes?

f4) does the terminology 'part of an active investigation' = 'we got a hit on a license plate of X' – and X is a known criminal, there's a warrant out, or? Need way more information here, this is far too vague and un-specific when regards data management and control. I could be the most qualified TESU guy in the department and yet it doesn't mean I should be entitled to look at *any* data – especially without a legal warrant to do so? Where are the other controlling provisions?

Emergency Scene Cameras

Positive – improve and continue to enhance emergency preparedness and response effectiveness.

Emergency Cams: COMMENT for Submission/consideration:

a) where are the 'internal policies' and 'WA laws' governing storage of said photos and materials? The PDF is pretty vague.

b) Is live footage/drone image, sound and data capture being considered or already being used? As to data captured (audio, video, photo), storage management, retention and access policies – the Details, Please.

c) what about the same (live footage/audio/video) from vehicles or bodycams/etc.? Again, Details please.

Hazmat Cameras

Positive – largely identical to that of Emergency Incident Response, save the potential for nefarious/negligent actors to be involved

Hazmat Cams: COMMENT for Submission/consideration:

- a) similar to with Emergency Cameras – essentially how long is the data stored, especially if no criminal activity is determined or the investigation concludes
- b) anything beyond tablets used or planned to be used? This mentions tablets as the primary tech, but that doesn't foreclose plans for more (or by aggressive tech vendors already talking to you)?
- c) what sort of data management training is provided to either HazMat or Emergency Responders, for that matter?

Parking Enforcement (SPD)

Positive – enforce parking and related laws, determine 'booting' situations ***SPD Parking Enforcement: COMMENT for Submission/consideration:***

- a) there is nothing seen here about general data storage or retention parameters – Details, Please.
- b) there is nothing here about whether this ALPR data is 'pooled' with ALPR data collected from the eight so-equipped SPD cars mentioned earlier – and if so, whether governed by those parameters and restrictions too/not? Details, Please.
- c) are these technologies governed by TESU as the others are? Barring possibly those controlled directly by the Seattle Municipal Court itself, separate from the SPD? Details, Please.
- d) there is also no mention of the (likely older) Red Light Traffic Cam technology that has been in use in city locations for some years now, possibly over a decade. These aren't for SDOT use, these are for people running red lights, of course. All the relevant details (Data capture, retention, storage, access, certification, etc.) - all these apply here too – Details, Please.

Submitted 11/4/2018 by

Kevin Orme
502 N 80th
Seattle, WA 98103
206-789-3891

APPENDIX H: PUBLIC COMMENT ANALYSIS METHODOLOGY

OVERVIEW

The approach to comment analysis includes combination of qualitative and quantitative methods. A basic qualitative text analysis of the comments received, and a subsequent comparative analysis of results, were validated against quantitative results. Each comment was analyzed in the following ways, to observe trends and confirm conclusions:

1. Analyzed collectively, as a whole, with all other comments received
2. Analyzed by technology
3. Analyzed by technology and question

A summary of findings are included in Appendix B: Public Comment Demographics and Analysis. All comments received are included in Appendix E: All Individual Comments Received.

BACKGROUND ON METHODOLOGICAL FRAMEWORK

A modified Framework Methodology was used for qualitative analysis of the comments received, which *“...approaches [that] identify commonalities and differences in qualitative data, before focusing on relationships between different parts of the data, thereby seeking to draw descriptive and/or explanatory conclusions clustered around themes” (Gale, N.K., et.al, 2013)*. Framework Methodology is a coding process which includes both inductive and deductive approaches to qualitative analysis.

The goal is to classify the subject data so that it can be meaningfully compared with other elements of the data and help inform decision-making. Framework Methodology is “not designed to be representative of a wider population, but purposive to capture diversity around a phenomenon” (Gale, N.K., et.al, 2013).

METHODOLOGY

STEP ONE: PREPARE DATA

1. Compile data received.
 - a. Daily collection and maintenance of 2 primary datasets.
 - i. Master dataset: a record of all raw comments received, questions generated at public meetings, and demographic information collected from all methods of submission.
 - ii. Comment analysis dataset: the dataset used for comment analysis that contains coded data and the qualitative codebook. The codebook contains the qualitative codes used for analysis and their definitions.
2. Clean the compiled data.
 - a. Ensure data is as consistent and complete as possible. Remove special characters for machine readability and analysis.
 - b. Comments submitted through SurveyMonkey for “General Surveillance” remained in the “General Surveillance” category for the analysis, regardless of content of the

comment. Comments on surveillance generally, generated at public meetings, were categorized as such.

- c. Filter data by technology for inclusion in individual SIRs.

STEP TWO: CONDUCT QUALITATIVE ANALYSIS USING FRAMEWORK METHODOLOGY

1. Become familiar with the structure and content of the data. This occurred daily compilation and cleaning of the data in step one.
2. Individually and collaboratively code the comments received, and identify emergent themes.
 - I. Begin with deductive coding by developing pre-defined codes derived from the prescribed survey and small group facilitator questions and responses.
 - II. Use clean data, as outlined in Data Cleaning section above, to inductively code comments.
 - A. Each coder individually reviews the comments and independently codes them.
 - B. Coders compare and discuss codes, subcodes, and broad themes that emerge.
 - C. Qualitative codes are added as a new field (or series of fields) into the Comments dataset to derive greater insight into themes, and provide increased opportunity for visualizing findings.
 - III. Develop the analytical framework.
 - A. Coders discuss codes, sub-codes, and broad themes that emerge, until codes are agreed upon by all parties.
 - B. Codes are grouped into larger categories or themes.
 - C. The codes are documented and defined in the codebook.
 - IV. Apply the framework to code the remainder of the comments received.
 - V. Interpret the data by identifying differences and map relationships between codes and themes, using R and Tableau.

STEP THREE: CONDUCT QUANTITATIVE ANALYSIS

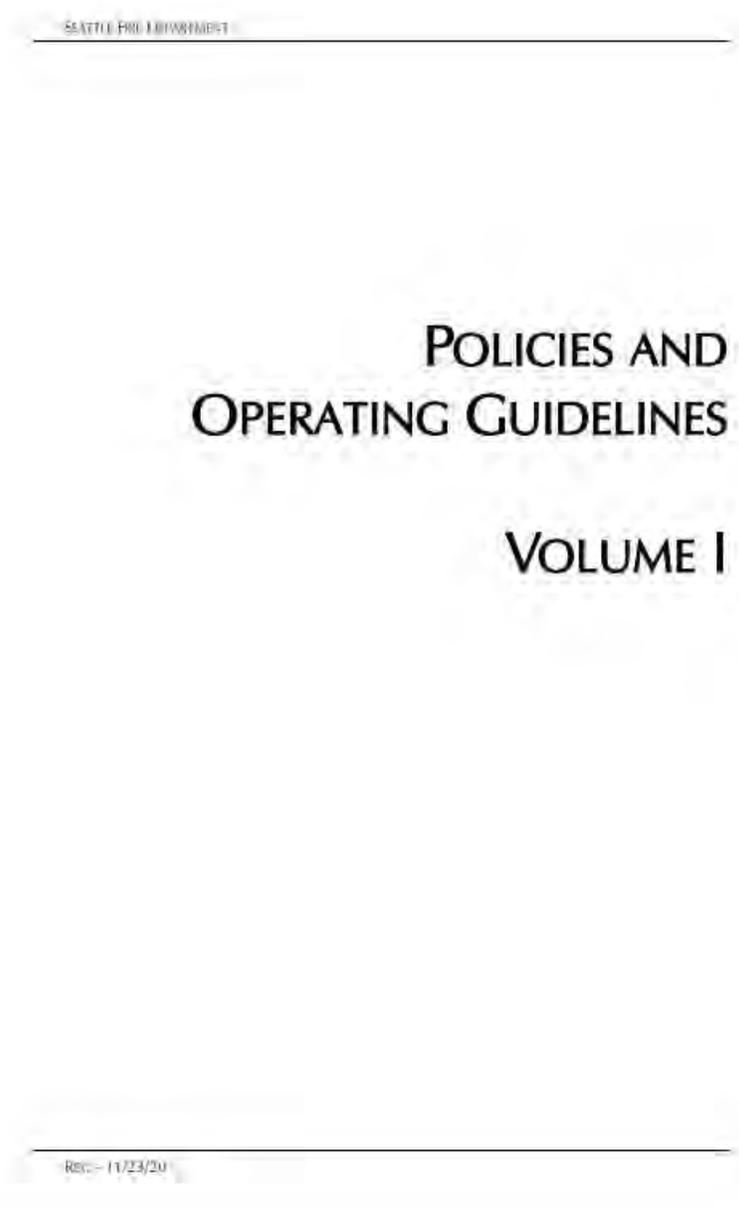
1. Identify frequency of qualitative codes for each technology overall, by questions, or by themes:
 - I. Analyze results for single word codes.
 - II. Analyze results for word pair codes (for context).
2. Identify the most commonly used words and word pairs (most common and least common) for all comments received.
 - I. Compare results with qualitative code frequencies and use to validate codes.
 - II. Create network graph to identify relationships and frequencies between words used in comments submitted. Use this graph to validate analysis and themes.
3. Extract CSVs of single word codes, word pair codes, and word pairs in text of the comments, as well as the corresponding frequencies for generating visualizations in Tableau.

STEP FOUR: SUMMARIZATION

1. Visualize themes and codes in Tableau. Use call out quotes to provide context and tone.
2. Included summary information and analysis in the appendices of each SIR.

APPENDIX I: POLICIES AND OPERATING GUIDELINES (POG)

The relevant Seattle Fire Department policies can be found in the Policies & Operating Guidelines document (POG). The most recent version of the POG that is currently in effect was last updated in November 2020. The complete Seattle Fire Department's Policies & Operating Guidelines (POG) is available upon request to evan.ward@seattle.gov or by Public Disclosure Request: <https://www.seattle.gov/public-records/public-records-request-center>.



Relevant sections of the POG includes Operating Guidelines 3004 and 5001:

IMAGE RECORDING DEVICES

PERSONAL IMAGE RECORDING DEVICES The use of personal devices to take still or digital photographs, or video or audio recordings, by Operations personnel at emergency scenes for personal use or Department training purposes is not authorized.

PAGE 3004-6

REV. 11/23/20

OPERATING GUIDELINE – 3004

SEATTLE FIRE DEPARTMENT

DEPARTMENT AUTHORIZED DIGITAL CAMERAS

Members responding to an incident may not use helmet mounted cameras, video cameras, personal cell phones, cameras, or any other recording device while on an emergency response.

In accordance with OG 5001.2 *Aid and Medic Responses, Digital Cameras*, on-duty firefighter/paramedics may use digital cameras provided by the Department to record the mechanism of injury to trauma patients. After showing the photographs to appropriate hospital emergency department staff the photos will be deleted.

ETHICS

OPERATING GUIDELINE – 5001

SEATTLE FIRE DEPARTMENT

DEPARTMENT AUTHORIZED DIGITAL CAMERAS

All Medic Units and Medic 44 carry a smart phone in the controlled drug safe. These phone cameras may be utilized by M44 and Medics to record the mechanism of injury for trauma patients.

These photographs will only be shown to appropriate hospital emergency department staff to clearly explain the severity of injury and then shall be promptly deleted from the camera's internal memory.

The utilization of the phone cameras will not infringe on the quality of patient care provided on an emergency response.

OTHER IMAGE RECORDING DEVICES

In accordance with OG 3004.7 *Image Recording Devices* section, members responding to an incident may not use helmet mounted cameras, video cameras, personal cell phones, personal cameras, or any other recording device while on an emergency response.

The use of personal devices to take still or digital photographs, video or audio recordings by Operations personnel at emergency scenes for personal use or Department training purposes is not authorized.

AID AND MEDIC RESPONSES

APPENDIX J: CTO NOTICE OF SURVEILLANCE TECHNOLOGY

Thank you for your department's efforts to comply with the new Surveillance Ordinance, including a review of your existing technologies to determine which may be subject to the Ordinance. I recognize this was a significant investment of time by your staff; their efforts are helping to build Council and public trust in how the City collects and uses data.

As required by the Ordinance (SMC 14.18.020.D), this is formal notice that the technologies listed below will require review and approval by City Council to remain in use. This list was determined through a process outlined in the Ordinance and was submitted at the end of last year for review to the Mayor's Office and City Council.

The first technology on the list below must be submitted for review by March 31, 2018, with one additional technology submitted for review at the end of each month after that. The City's Privacy Team has been tasked with assisting you and your staff with the completion of this process and has already begun working with your designated department team members to provide direction about the Surveillance Impact Report completion process.

Please let me know if you have any questions.

Thank you,
Michael Mattmiller
Chief Technology Officer

Technology	Description	Proposed Review Order
Emergency Scene Cameras	Photos at incidents (not retained after transmission per department policy) are collected as part of the investigation and documentation of emergency responses and may include photographs of identifiable individuals and property.	1
Hazmat Camera	This wireless system transmits pictures related to hazardous materials sites to document and identify clean up and management requirements.	2
Computer-Aided Dispatch	Computer-aided dispatch (CAD) is used to initiate public safety calls for service, dispatch, and to maintain the status of responding resources in the field. It is used by 911 dispatchers as well as by officers using mobile data terminals (MDTs) in the field. Use is opt-in, but individuals may enter personally-identifying information about third-parties without providing notice to those individuals.	3

POWERFUL TECHNOLOGY SOLUTIONS
FOR THE CITY AND PUBLIC WE SERVE

2018 Surveillance Impact Report

HAZARDOUS MATERIALS (HAZMAT) CAMERA

SEATTLE FIRE DEPARTMENT



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SURVEILLANCE IMPACT REPORT OVERVIEW

The Seattle City Council passed Ordinance [125376](#), also referred to as the “Surveillance Ordinance”, on September 1, 2017. This Ordinance has implications for the acquisition of new technologies by the City, and technologies that are already in use that may fall under the new, broader definition of surveillance.

SMC 14.18.020.B.1 charges the City’s Executive with developing a process to identify surveillance technologies subject to the Ordinance. Seattle IT, on behalf of the Executive, developed and implemented a process through which a privacy and surveillance review is completed prior to the acquisition of new technologies. This requirement, and the criteria used in the review process, are documented in [Seattle IT Policy PR-02](#), the “Surveillance Policy”.

HOW THIS DOCUMENT IS COMPLETED

As Seattle IT and department staff complete the document, they should keep the following in mind.

- Responses to questions should be in the text or check boxes only; all other information (questions, descriptions, etc.) should **NOT** be edited by the department staff completing this document.
- All content in this report will be available externally to the public. With this in mind, avoid using acronyms, slang, or other terms which may not be well-known to external audiences. Additionally, responses should be written using principally non-technical language to ensure they are accessible to audiences unfamiliar with the topic.

PRIVACY IMPACT ASSESSMENT

PURPOSE

A Privacy Impact Assessment (“PIA”) is a method for collecting and documenting detailed information collected in order to conduct an in-depth privacy review of a program or project. A PIA asks questions about the collection, use, sharing, security and access controls for data that is gathered using a technology or program. It also requests information about policies, training and documentation that govern use of the technology. The PIA responses are used to determine privacy risks associated with a project and mitigations that may reduce some or all of those risks. In the interests of transparency about data collection and management, the City of Seattle has committed to publishing all PIAs on an outward facing website for public access.

WHEN IS A PRIVACY IMPACT ASSESSMENT REQUIRED?

A PIA may be required in two circumstances.

- 1) When a project, technology, or other review has been flagged as having a high privacy risk.
- 2) When a technology is required to complete the Surveillance Impact Report process. This is one deliverable that comprises the report.

1.0 ABSTRACT

1.1 Please provide a brief description (one paragraph) of the purpose and proposed use of the project/technology.

The Seattle Fire Department’s Hazardous Materials (HazMat) specialty team, known as Unit 77, utilizes a camera system to explore incident scenes for potentially hazardous materials, spills, or contamination. First responders use Apple’s Facetime, a video conferencing application, in conjunction with Apple TV to livestream video via an iPad and MiFi connection to a television monitor located on the HazMat Unit. The Facetime application also allows for screenshots to be taken for later review or dissemination to law enforcement as necessary.

Hazmat camera video is recorded for post-incident review and may be submitted to the appropriate law enforcement entity at an incident commander’s discretion that there is reasonable suspicion of criminal activity. The Department does not have a specific retention policy for images obtained during HazMat responses, though they do fall under the authority of the HazMat Unit Records Retention more generally ([Disposition Authority GS50-19-03](#)).

1.2 Explain the reason the project/technology is being created or updated and why the PIA is required.

According to the Surveillance Ordinance, a technology has surveillance capability if it can be used “to collect, capture, transmit, or record data that could be used to surveil, regardless of whether the data is obscured, de-identified, or anonymized before or after collection and regardless of whether technology might be used to obscure or prevent the capturing of certain views or types of information.”

First responders are often required to enter incident scenes at private residences or businesses, gaining access to potentially sensitive locations or encountering victims requiring emergency medical services (“EMS”). People in those residences or business may not be aware that first responders have been called or have entered the location. The camera system used during emergency responses involving the release of hazardous materials or contaminants could potentially capture images of identifiable individuals.

2.0 PROJECT / TECHNOLOGY OVERVIEW

Provide an overview of the project or technology. The overview gives the context and background necessary to understand the purpose, mission and justification for the project / technology proposed

2.1 Describe the benefits of the project/technology.

The technology allows first responders to detect and identify potentially hazardous materials or contaminants, all while maintaining a safe distance from potential exposure. Additionally, it provides an incident commander (“IC”) with the real-time information required to make quick decisions.

Other incident personnel from the HAZMAT rig may also view the live video and assist with hazard and risk assessment during an emergency scenario. Once the contaminant has been properly identified, Unit 77, the team responsible for HAZMAT response, can then take the appropriate decontamination steps to mitigate the potential exposure and terminate the incident.

2.2 Provide any data or research demonstrating anticipated benefits.

The National Fire Protection Association’s [Standard 472](#) provides guidelines on Hazardous Materials/Weapons of Mass Destruction responses, including best practices and operating procedures for entering incident scenes. Each of these responses directly references the need to “analyze” a scene and safely determine the contaminant.

2.3 Describe the technology involved.

Hazmat cameras are operated on iPad. First responders use Apple’s Facetime, a video conferencing application, in conjunction with Apple TV to livestream video via an iPad and MiFi connection to a television monitor located on the HazMat Unit.

2.4 Describe how the project or use of technology relates to the department's mission.

The mission of the Seattle Fire Department is to save lives and protect property through emergency medical service, fire and rescue response and fire prevention. Unit 77's specific mission is the stabilization of all hazardous materials incidents that threaten public safety, except those incidents that are normally resolved by the Seattle Police Department's Explosives Disposal Unit. The Hazardous Materials Response Unit shall respond to any incident or ancillary function involving a hazardous materials spill, leak, explosion, or injury with immediate threat or potential threat to life, the environment or property.

The technology's use for HazMat operations allows for quicker conveyance of information at an emergency scene and additional review by subject matter experts at the scene, thereby limiting potential exposure of first responders by allowing the information to be shared outside an exposure zone.

2.5 Who will be involved with the deployment and use of the project / technology?

The Seattle Fire Department HazMat Team, Unit 77 is responsible for deployment and use of the technology.

3.0 USE GOVERNANCE

Provide an outline of any rules that will govern the use of the project / technology. Please note: non-City entities are bound by restrictions specified in the Surveillance Ordinance and Privacy Principles and must provide written procedures for how the entity will comply with any restrictions identified.

3.1 Describe the processes that are required prior to each use, or access to/ of the project / technology, such as a notification, or check-in, check-out of equipment.

The two iPads and monitor are contained in a secure compartment located on the HazMat apparatus. Only Unit 77 members can access the compartment. The iPads and Mifi also require passwords known only to Unit 77 members. No check-out is required prior to use, only a login to the iPad and MiFi.

Apparatus inventories are regularly conducted by SFD personnel at Station 10.

3.2 List the legal standards or conditions, if any, that must be met before the project / technology is used.

For example, the purposes of a criminal investigation are supported by reasonable suspicion.

According to [SMC 3.16.200](#) the Seattle Fire Department is designated as the Hazardous Materials Incident Command Agency for all hazardous materials incidents within the corporate limits of The City of Seattle. The Incident Commander has broad authority to use the technology during an incident response.

3.3 Describe the policies and training required of all personnel operating the project / technology, and who has access to ensure compliance with use and management policies.

In general, commanding officers, such as the acting Lieutenant and/or Captain, are responsible for ensuring compliance of uniformed personnel in their unit.

While the Department has strict policies around the use of personal devices, such as cameras and cell phones there are no policies specifically regarding the use of department-issued digital cameras, retention or transmission of photographs taken during HazMat responses. However, they are included under the authority of the HazMat Unit Records Retention more generally ([Disposition Authority GS50-19-03](#)).

The one exception is section 3004-7 of the Policies and Operating Guideline (POG) addressing the use of cameras for recording the mechanism of injury during EMS responses: “in accordance with OG 5001.2 Aid and Medic Responses, Digital Cameras, on-duty firefighter/paramedics may use digital cameras provided by the Department to record the mechanism of injury to trauma patients. After showing the photographs to appropriate hospital emergency department staff the photos will be deleted.” This policy applies to photos taken of potential victims seen during HazMat responses.

4.0 DATA COLLECTION AND USE

Provide information about the policies and practices around the collection and use of the data collected.

4.1 Provide details about what information is being collected from sources other than an individual, including other IT systems, systems of record, commercial data aggregators, publicly available data and/or other city departments.

No information from other sources is collected by this technology.

4.2 What measures are in place to minimize inadvertent or improper collection of data?

The Department is working to develop a policy for the HazMat unit regarding the acceptable use of this technology during emergency responses, as well as the subsequent storage of photos and sharing with law enforcement agencies. However, there are strict policies regarding the use and deletion of photos if they include victims requiring emergency medical service (POG section 3004-7).

The iPads and monitor are in a locked compartment that only Unit 77 personnel can access. The iPads and Mifi are password-protected, which are only known to the HazMat unit.

4.3 How and when will the project / technology be deployed or used? By whom? Who will determine when the project / technology is deployed and used?

The technology is currently in use by SFD personnel on the HazMat team. The Unit 77 commanding officer or the IC will determine if the technology use is necessary during an incident response.

4.4 How often will the technology be in operation?

During HazMat responses as directed by the Unit 77 officer or IC. The technology was originally acquired in 2014. From 2014-2017, HAZ1 responded to an average of 50 incidents each year, although the technology is only used during a handful of these responses.

4.5 What is the permanence of the installation? Is it installed permanently, or temporarily?

Only the monitor has been permanently installed on the HazMat unit. The iPads are contained in a locked compartment on the unit, but can be removed for use during an incident.

4.6 Is a physical object collecting data or images visible to the public? What are the markings to indicate that it is in use? What signage is used to determine department ownership and contact information?

The TV monitor installed on the HazMat unit vehicle and may potentially be viewed by onlookers or the public. An awning was installed on the apparatus to provide some cover and block the view of non-SFD personnel. The iPads are clearly marked as SFD property and require a password to access.

4.7 How will data that is collected be accessed and by whom?

Data is collected on scene by Unit 77 personnel and accessible by that team only. In the case of disclosure to law enforcement for litigation or in accordance with UHCIA, Unit 77 personnel will securely transmit the appropriate data and information after direction by either the Department's Public Disclosure Officer or the IC.

4.8 If operated or used by another entity on behalf of the City, provide details about access, and applicable protocols. Please link memorandums of agreement, contracts, etc. that are applicable.

The Department is working to develop a policy for the HazMat unit regarding the acceptable use of this technology during emergency responses, as well as the subsequent storage of photos and sharing with law enforcement agencies. However, there are strict policies regarding the use and deletion of photos if they include victims requiring emergency medical service (POG section 3004-7).

4.9 What are acceptable reasons for access to the equipment and/or data collected?

The following are considered acceptable reasons to access the equipment and/or the data collected.

- Hazardous Materials response, at the IC's discretion
- Public Records (some exemptions may apply)
- Discovery for litigation purposes
- Research by Unit 77 personnel
- Sharing of information with law enforcement in accordance with UHCIA

4.10 What safeguards are in place, for protecting data from unauthorized access (encryption, access control mechanisms, etc.) and to provide an audit trail (viewer logging, modification logging, etc.)?

Photos from HazMat responses are retained on a secured "O" drive, only accessible to members of Unit 77. A new policy will be developed to track and log all disclosures of Unit 77 records to law enforcement agencies.

Regarding FaceTime technology: Apple creates a unique ID for each FaceTime user, ensuring FaceTime calls are routed and connected properly. No other user information is stored for FaceTime and Apple cannot retrieve the data for any other purpose (it is stored in a hash format). No location information is ever used or stored during FaceTime registration or a FaceTime conversation. Additionally, the entire FaceTime conversation stream itself is encrypted. Source: <http://www.zdnet.com/article/rumor-apple-capturing-information-on-facetime-calls-updated-with-apple-response/>

Regarding use of iPad technology: iPad supports WPA2 Enterprise to provide authenticated access to your enterprise wireless network. WPA2 Enterprise uses 128-bit AES encryption, giving users the highest level of assurance that their data will remain protected when they send and receive communications over a Wi-Fi network connection. In addition to your existing infrastructure each FaceTime session is encrypted end to end with unique session keys. Apple creates a unique ID for each FaceTime user, ensuring FaceTime calls are routed and connected properly. Source: <http://www.zdnet.com/article/facetime-calls-are-encrypted-and-hipaa-compliant-when-using-proper-encryption/>

5.0 DATA STORAGE, RETENTION AND DELETION

5.1 How will data be securely stored?

Data is stored on the equipment itself and the Department's "O" drive, which is accessible only to Unit 77 personnel. It is deleted in accordance with the policies regarding the use and deletion of photos if they include victims requiring emergency medical service (POG section 3004-7).

The Department is also adopting Multi Factor Authentication in the fall of 2021, which will further increase the security of any images stored on City drives.

5.2 How will the owner allow for departmental and other entities, to audit for compliance with legal deletion requirements?

The Department is working to develop an additional policy for the HazMat unit regarding the acceptable use of this technology during emergency responses, as well as the subsequent storage of photos and sharing with law enforcement agencies.

At this time, the Unit 77 (HAZMAT) Captain at Seattle Fire Station 10 manages the data at a device level.

5.3 What measures will be used to destroy improperly collected data?

The Department is working to develop an additional policy for the HazMat unit regarding the acceptable use of this technology during emergency responses, as well as the subsequent storage of photos and sharing with law enforcement agencies.

Deletion of videos or pictures occurs in accordance with the Department's retention schedule occurs at a device level.

5.4 Which specific departmental unit or individual is responsible for ensuring compliance with data retention requirements?

The Department's Privacy Champion and Public Disclosure Officer is responsible for ensuring compliance with data retention requirements.

6.0 DATA SHARING AND ACCURACY

6.1 Which entity or entities inside and external to the City will be data sharing partners?

In the event that an IC determines the resulting video should be shared with law enforcement for investigation and potential litigation, Unit 77 may share data with SPD's Arson & Bomb Squad (ABS) and Narcotics Unit and the Seattle branch of the Federal Bureau of Investigation (FBI). The Department is working to develop a policy update that addresses how the data from this technology is shared.

6.2 Why is data sharing necessary?

SFD personnel may encounter information at incident scenes that is evidence of unlawful activity. For example, a "meth lab" response where Unit 77 would enter the incident scene first to ensure the safety of the scene. Photos and video would then be shared with law enforcement partners as evidence of potential criminal activity.

6.3 Are there any restrictions on non-City data use?

Yes No

6.3.1 If you answered Yes, provide a copy of the department's procedures and policies for ensuring compliance with these restrictions.

N/A

6.4 How does the project/technology review and approve information sharing agreements, memorandums of understanding, new uses of the information, new access to the system by organizations within City of Seattle and outside agencies?

Please describe the process for reviewing and updating data sharing agreements.

The Department is working to develop a policy that addresses the use of this technology, photo retention, and sharing of records with law enforcement. However, those policy changes will have to be included in the next round of collective bargaining before they are officially adopted as Department policy.

6.5 Explain how the project/technology checks the accuracy of the information collected. If accuracy is not checked, please explain why.

No specific measures are taken by SFD personnel to ensure the accuracy of the information collected. The Department is working to develop a policy that addresses how the data from this technology is retained.

6.6 Describe any procedures that allow individuals to access their information and correct inaccurate or erroneous information.

This may be completed through the public disclosure process as defined in [RCW 42.56.240\(1\)](#).

7.0 LEGAL OBLIGATIONS, RISKS AND COMPLIANCE

7.1 What specific legal authorities and/or agreements permit and define the collection of information by the project/technology?

[SMC 3.16.200](#) The Seattle Fire Department is designated as the Hazardous Materials Incident Command Agency for all hazardous materials incidents within the corporate limits of The City of Seattle. The Incident Commander has broad authority to use the technology during an incident response.

7.2 Describe what privacy training is provided to users either generally or specifically relevant to the project/technology.

The only privacy training provided is the City-wide privacy and security training. No privacy training specifically regarding the use of this technology has been provided to Unit 77 personnel. Unit 77 guidelines describes the best practice use of this technology during an incident response:

“Turn on the iPads. Connect the entry team iPads to the entry team MiFi [a personal device that facilitates, and is used by SFD to, ensure secure wireless access] by clicking the ‘Settings’ icon on the iPad, then selecting ‘Wi-Fi’ from the icons on the left side of the screen. This will display a list of the available networks. Select the network that corresponds to the label on the lower left front of the entry team MiFi.

Once this is done the iPads are connected to the internet through the Wi-Fi device and it is possible to access websites, send email, and initiate Facetime conversations. Facetime allows the near real time sharing of video and audio with another device.

Due to the limited dexterity of the entry team, we should set up a Facetime conversation between one of the entry team iPads and the team leader iPad. Once the Facetime conversation is initiated, the iPad will transmit whatever the entry team sees and hears to the team leader iPad. The team leader can mirror his display on the big screen by “mirroring” the iPad display through the Apple TV. The team leader iPad can also capture screenshots of the video feed for later review as well as reach back.”

The Department is working to develop a policy that addresses the use of this technology and retention of images.

7.3 Given the specific data elements collected, describe the privacy risks identified and for each risk, explain how it was mitigated. Specific risks may be inherent in the sources or methods of collection, or the quality or quantity of information included.

Risk: Private occupancies or sensitive areas may be accessed by SFD personnel during an emergency response. Other records of the response, such as Computer-Aided Dispatch reports, could be then used in conjunction with this technology to identify individuals at an incident scene.

Mitigation: This risk is mitigated by way of data access controls. More specifically, the only people with access to the data Unit 77 personnel and the IC. Similarly, data stored on the “O Drive” can only be accessed by Unit 77 personnel.

7.4 Is there any aspect of the project/technology that might cause concern by giving the appearance to the public of privacy intrusion or misuse of personal information?

Sharing of incident records with law enforcement is likely cause of concern. SFD is working to develop a policy that addresses the sharing of records with law enforcement, to mitigate this concern.

Another concern would be protection of records associated with emergency medical services. SFD protects such records in accordance with [RCW 70.02](#), which governs access and disclosure of healthcare information. Additionally, the Department is working to develop a specific policy that addresses sharing of records and photo retention.

8.0 MONITORING AND ENFORCEMENT

8.1 Describe how the project/technology maintains a record of any disclosures outside of the department.

The Department is working to develop a 2018 policy that addresses documentation and recording of sharing of records with law enforcement. Pictures of incident scenes are shared with the Seattle Police Department and the FBI's Seattle office via email. Direct communication between Unit 77 and law enforcement is not tracked or retained beyond regular email retention policy.

Disclosures to any other entities, including the public, are only authorized if processed and approved by the Department's Public Disclosure Officer. All disclosures are tracked in a log, which is regularly updated and retained on a secure server accessible only to select employees, as well as the Public Records Request Center (AKA GovQA).

8.2 What auditing measures are in place to safeguard the information, and policies that pertain to them, as well as who has access to the audit data? Explain whether the project/technology conducts self-audits, third party audits or reviews.

At this time, there are no specific auditing measures in place for this technology. The Department will develop a policy on disclosure, tracking and retention of Unit 77 records and incorporate it into the Seattle Fire Departments Policies and Operating Guidelines (POG) following negotiations with labor partners.

FINANCIAL INFORMATION

PURPOSE

This section provides a description of the fiscal impact of the surveillance technology, as required by the Surveillance Ordinance.

1.0 FISCAL IMPACT

Provide a description of the fiscal impact of the project/technology by answering the questions below.

1.1 Current or potential sources of funding: initial acquisition costs

Current Potential

Date of Initial Acquisition	Date of Go Live	Direct Initial Acquisition Cost	Professional Services for Acquisition	Other Acquisition Costs	Initial Acquisition Funding Source
June 10, 2013	June 2013	\$2,296.92 for two iPads and two MiFi secure access devices	N/A	N/A	Federal Port Security Grant 2010 (FPSG10)

Notes:

The iPads were purchased directly from Apple.

1.2 Current or potential sources of funding: on-going operating costs, including maintenance, licensing, personnel, legal/compliance use auditing, data retention and security costs.

Current Potential

Annual Maintenance and Licensing	Legal/compliance, audit, data retention and other security costs	Department Overhead	IT Overhead	Annual Funding Source
\$0.00	\$0.00	\$0.00	\$0.00	N/A

Notes:

Grant-funded equipment purchase.

1.3 Cost savings potential through use of the technology

In an emergency setting, good communication is always critical. Pictures allow first responders to convey large amounts of information to hospital staff in a quick, efficient and accurate manner.

Early and accurate detection of hazardous materials can prevent the loss of property and life, including department personnel and the public.

1.4 Current or potential sources of funding including subsidies or free products offered by vendors or governmental entities

Funding for this technology comes from the Federal Port Security Grant (FPSG) Program administered by the Federal Emergency Management Agency (FEMA) and Department of Homeland Security (DHS): <https://www.fema.gov/port-security-grant-program>.

EXPERTISE AND REFERENCES

PURPOSE

The following information is provided to ensure that Council has a group of experts to reference while reviewing the completed Surveillance Impact Report (“SIR”). Any individuals or agencies referenced must be made aware ahead of publication that their information has been included. All materials must be available for Council to access or review, without requiring additional purchase or contract.

1.0 OTHER GOVERNMENT REFERENCES

Please list any other government bodies that have implemented this technology and can speak to the implementation of this technology.

Agency, Municipality, etc.	Primary Contact	Description of Current Use
Bellevue Fire Department	(425) 452-6892	Uses a similar system for HazMat responses.
South King Fire & Rescue	(253) 839-6234	Uses a similar system for HazMat responses.

2.0 ACADEMICS, CONSULTANTS, AND OTHER EXPERTS

Please list any experts in the technology under consideration, or in the technical completion of the service or function the technology is responsible for.

Agency, Municipality, etc.	Primary Contact	Description of Current Use
National Fire Protection Association (NFPA)	Secretary, Standards Council. 1 Batterymarch Park P.O. Box 9101 Quincy, MA 02269-9101; email: stds_admin@nfpa.org	NFPA 472 – Hazardous Materials / Weapons of Mass Destruction Response Handbook

3.0 WHITE PAPERS OR OTHER DOCUMENTS

Please list any authoritative publication, report or guide that is relevant to the use of this technology or this type of technology.

Title	Publication	Link
N/A		

RACIAL EQUITY TOOLKIT AND ENGAGEMENT FOR PUBLIC COMMENT WORKSHEET

PURPOSE

Departments submitting a SIR are required to complete an adapted version of the Racial Equity Toolkit (“RET”).

1. To provide a framework for the mindful completion of the Surveillance Impact Reports in a way that is sensitive to the historic exclusion of vulnerable and historically underrepresented communities. Particularly, to inform the public engagement efforts Departments will complete as part of the Surveillance Impact Report.
2. To highlight and mitigate any impacts on racial equity from the adoption and the use of the technology.
3. To highlight and mitigate any disparate impacts on individuals or vulnerable communities.
4. To fulfill the public engagement requirements of the Surveillance Impact Report.

ADAPTION OF THE RET FOR SURVEILLANCE IMPACT REPORTS

The RET was adapted for the specific use by the Seattle Information Technology Departments’ (“Seattle IT”) Privacy Team, the Office of Civil Rights (“OCR”), and Change Team members from Seattle IT, Seattle City Light, Seattle Fire Department, Seattle Police Department, and Seattle Department of Transportation.

RACIAL EQUITY TOOLKIT OVERVIEW

RACIAL EQUITY TOOLKIT: TO ASSESS POLICIES, INITIATIVES, PROGRAMS, AND BUDGET ISSUES

The vision of the Seattle Race and Social Justice Initiative is to eliminate racial inequity in the community. To do this requires ending individual racism, institutional racism and structural racism. The Racial Equity Toolkit lays out a process and a set of questions to guide the development, implementation and evaluation of policies, initiatives, programs, and budget issues to address the impacts on racial equity.

WHEN DO I USE THIS TOOLKIT?

Early. Apply the toolkit early for alignment with departmental racial equity goals and desired outcomes.

HOW DO I USE THIS TOOLKIT?

With inclusion. The analysis should be completed by people with different racial perspectives.

Step by step. The Racial Equity Analysis is made up of six steps from beginning to completion:

Please refer to the following resources available on the Office of Civil Rights’ website [here](#): Creating effective community outcomes; Identifying stakeholders & listening to communities of color; Data resources

1.0 SET OUTCOMES

1.1. Seattle City council has defined the following inclusion criteria in the surveillance ordinance, and they serve as important touchstones for the risks departments are being asked to resolve and/or mitigate. Which of the following inclusion criteria apply to this technology?

- The technology disparately impacts disadvantaged groups.
- There is a high likelihood that personally identifiable information will be shared with non-City entities that will use the data for a purpose other than providing the City with a contractually agreed-upon service.
- The technology collects data that is personally identifiable even if obscured, de-identified, or anonymized after collection.
- The technology raises reasonable concerns about impacts to civil liberty, freedom of speech or association, racial equity, or social justice.

1.2 What are the potential impacts on civil liberties through the implementation of this technology?

Some personally identifiable information (PII) gathered during emergency responses could be used to identify individuals, such as their name, home address or contact information. Medical privacy is particularly relevant in the case of pictures taken during medical emergencies. Victims of criminal activity may also be identified during incident responses, whose identities should be protected in accordance with [RCW 42.56.240](#) and [RCW 70.02](#).

1.3 What does your department define as the most important racially equitable community outcomes related to the implementation of this technology?

The Seattle Fire Department is committed to equitable service delivery regardless of race, sexual orientation, income, immigration or refugee status. All individuals, including non-residents and visitors to the City will be treated with compassion, professionalism and respect by SFD personnel.

1.4 What racial equity opportunity area(s) will be affected by the application of the technology?

- | | |
|---|--|
| <input type="checkbox"/> Education | <input checked="" type="checkbox"/> Criminal Justice |
| <input type="checkbox"/> Community Development | <input type="checkbox"/> Jobs |
| <input checked="" type="checkbox"/> Health | <input checked="" type="checkbox"/> Housing |
| <input checked="" type="checkbox"/> Environment | <input type="checkbox"/> Other |

1.5 Are there impacts on:

- | | |
|--|---|
| <input type="checkbox"/> Contracting Equity | <input type="checkbox"/> Inclusive Outreach and Public Engagement |
| <input type="checkbox"/> Workforce Equity | <input type="checkbox"/> Other |
| <input checked="" type="checkbox"/> Immigrant and Refugee Access to Services | |

If Other, please describe

N/A

2.0 INVOLVE STAKEHOLDERS, ANALYZE DATA

2.1 Departmental conclusions about potential neighborhood impacts of the technology. Are the impacts on geographic areas?

Yes No

Check all neighborhoods that apply (see map of neighborhood boundaries in Appendix A: Glossary, under “Seattle Neighborhoods”):

All Seattle neighborhoods

Ballard

Southeast

North

Delridge

Northeast

Greater Duwamish

Central

East District

Lake Union

King County (outside Seattle)

Southwest

Outside King County. Please describe:

N/A

2.2 What are the racial demographics of those living in the area or impacted by the issue?

(see Stakeholder and Data Resources [here.](#))

City of Seattle demographics: White - 69.5%; Black or African American - 7.9%; Amer. Indian & Alaska Native - 0.8%; Asian - 13.8%; Native Hawaiian & Pacific Islander - 0.4; Other race - 2.4%; Two or more races - 5.1%; Hispanic or Latino ethnicity (of any race): 6.6%; Persons of color: 33.7%.

King County demographics: White – 70.1%; Black or African American – 6.7%; American Indian & Alaskan Native – 1.1%; Asian, Native Hawaiian, Pacific Islander – 17.2%; Hispanic or Latino (of any race) – 9.4%

STOP: Department should complete RET questions 2.3 – 6 and Appendices B-I AFTER completing their public comment and engagement requirements.

2.3 Have you completed the following steps to engage the public?

If you have not completed these steps, pause here until public outreach and engagement has been completed. (See OCR's RET worksheet [here](#) for more information about engaging the public at this point in the process to ensure their concerns and expertise are part of analysis.)

Create a public outreach plan. Residents, community leaders, and the public were informed of the public meeting and feedback options via:

- Email
- Mailings
- Fliers
- Phone calls
- Social media
- Other

The following community leaders were identified and invited to the public meeting(s):

- American Civil Liberties Union (ACLU)
- CARE
- Northwest Immigrant Rights
- OneAmerica
- JACL
- For Seattle Police Department only, Community Police Commissions
- Other:

[Please describe]

Engagement for Public Comment #1

Date of meeting:

Location of meeting:

Summary of discussion:

Small group discussion regarding the importance of cameras in emergency settings. See Appendix B for an overview of comments received, and demographics on attendees. See Appendix E for the transcript of all comments received for this technology.

Engagement for Public Comment #2

Date of meeting:

Location of meeting:

Summary of discussion:

Concerns regarding the ability to control and track access to the camera. See Appendix B for an overview of comments received, and demographics on attendees. See Appendix E for the transcript of all comments received for this technology.

Engagement for Public Comment #3 (if applicable)

Date of meeting:

Location of meeting:

Summary of discussion:

Collect public feedback via mail and email

Number of feedback submissions received:

Summary of feedback:

Open comment period:

Community Technology Advisory Board (CTAB) Presentation

Date of presentation:

Summary of comments:

2.4 What does data and conversations with stakeholders tell you about existing racial inequities that influence people’s lives and should be taken into consideration when applying/implementing/using the technology?

(See OCR’s RET worksheet [here](#) for more information; King County Opportunity Maps are a good resource for information based on geography, race, and income.)

There is a concern regarding the sharing of pictures and video with law enforcement. These cameras are used across the City, including underprivileged communities that may have greater worry about being unfairly targeted. For example, if vulnerable populations such as refugees do not trust first responders, they are less likely to call 911.

2.5 What are the root causes or factors creating these racial inequities?

Mitigation strategies will be addressed in 4.1 and 5.3. *Examples: bias in process; lack of access or barriers; lack of racially inclusive engagement.*

A key factor is mistrust of government, particularly calling 911. Communities that are more vulnerable to fires, such as immigrants and refugees, may be less willing to contact first responders in an emergency.

3.0 DETERMINE BENEFIT AND/OR BURDEN

Provide a description of any potential disparate impact of surveillance on civil rights and liberties on communities of color and other marginalized communities. Given what you have learned from data and from stakeholder involvement...

3.1 How will the technology, or use of the technology increase or decrease racial equity?

What are potential unintended consequences? What benefits may result? Are the impacts aligned with your department's community outcomes that were defined in 1.0?

The Hazardous Materials camera is used sparingly, and only in specific HAZMAT responses by a specialty team of the Seattle Fire Department. It is possible that an individual could be seen by the camera during an incident response. However, since the video is not retained, it cannot be used to target specific individuals or populations. As such, there is no discernable effect on racial equity with regard to the HazMat camera.

3.2 What benefits to the impacted community/demographic may result?

The greatest benefit of the technology is allowing firefighters to better coordinate during a HazMat emergency, increasing their safety and subsequently their ability to protect any life or property that might be in danger.

3.3 What are potential unintended consequences (both negative and positive potential impact)?

A potential negative consequence is exposing individuals or their homes to strangers during very difficult times. While the images are not shared with law enforcement or the public, it can still be embarrassing to have first responders entering a residence during an emergency. From the opposite perspective, allowing firefighters to increase their safety while responding to HazMat incidents allows them to reach possible victims and resolve the problem faster.

3.4 Are the impacts aligned with your department's community outcomes that were defined in step 1.0?

The mission of the Seattle Fire Department is ultimately to protect lives and property. This technology helps with that mission by assisting first responders with better communication and coordination during very dangerous moments. While there is a valid concern that the cameras could be used to identify individuals, they are not used for that purpose or shared with law enforcement in any case.

4.0 ADVANCE OPPORTUNITY OR MINIMIZE HARM

Provide a mitigation plan for the impacts described in step 3.

4.1 How will you address the impacts (including unintended consequences) on racial equity?

What strategies address immediate impacts? What strategies address root causes of inequity listed in 2.5? How will you partner with stakeholders for long-term positive change? If impacts are not aligned with desired community outcomes for surveillance technology (see 1a), how will you re-align your work?

Program/Partnership Strategies:

The Community Fire Safety Advocates (CFSA Program) are a great resource for communicating with communities across the City, including those who speak languages other than English. These advocates can be used to translate fire prevention messages and educate SFD personnel on appropriate ways to interact with their communities.

Policy Strategies:

While the Department already has some policies in place, new and stricter policies regarding the use of digital cameras are currently being considered for adoption. These rules will clarify when, where and how digital cameras are to be used. The policy has been drafted and is currently waiting approval for adoption in the POG following the next round of collective bargaining with labor partners.

5.0 EVALUATE, RAISE RACIAL AWARENESS, BE ACCOUNTABLE

The following information must be provided to the CTO, via the Privacy Office, on an annual basis for the purposes of an annual report to the City Council on the equitable use of surveillance technology. For Seattle Police Department, the equity impact assessments may be prepared by the Inspector General for Public Safety.

The following information does not need to be completed in the SIR submitted to Council, unless this is a retroactive review.

5.1 Which neighborhoods were impacted/targeted by the technology over the past year and how many people in each neighborhood were impacted?

- All Seattle neighborhoods
- Ballard
- North
- NE
- Central
- Lake Union
- Southwest
- Southeast
- Greater Duwamish

- East District
- King County (outside Seattle)
- Outside King County. Please describe:

[Respond here, if applicable.]

5.2 Demographic information of people impacted/targeted by the technology over the past year.

To the best of the department’s ability, provide demographic information of the persons surveilled by this technology. If any of the neighborhoods above were included, compare the surveilled demographics to the neighborhood averages and City averages.

City of Seattle demographics: White - 69.5%; Black or African American - 7.9%; Amer. Indian & Alaska Native - 0.8%; Asian - 13.8%; Native Hawaiian & Other Pac. Islander - 0.4; Other race - 2.4%; Two or more races - 5.1%; Hispanic or Latino ethnicity (of any race): 6.6%; Persons of color: 33.7%.

King County demographics: White – 70.1%; Black or African American – 6.7%; American Indian & Alaskan Native – 1.1%; Asian, Native Hawaiian, Other Pacific Islander – 17.2%; Hispanic or Latino (of any race) – 9.4%

5.3 Which of the mitigation strategies that you identified in step 4 were implemented in the past year?

Specifically, what adjustments to laws and policies should be made to remedy any disproportionate impacts so as to achieve a more equitable outcome in the future.

Type of Strategy (program, policy, partnership)	Description of Strategy	Percent complete of implementation	Describe successes and challenges with strategy implementation
Policy	Implementation of a more strict policy regarding the use of cameras by SFD personnel. Will be incorporated in the Department’s Policies and Operating Guidelines (POG).	90%	There are many stakeholders that have to review and approve the policy, including Department leadership and multiple unions. The policies can only be put in the POG twice a year (June and December).
Program/Partnership	The Community Fire Safety Advocate (CFSA) program was developed to	100%	Over 24,000 immigrant/refugee community members have received safety

	effectively meet the specific fire safety needs of Seattle’s immigrant and refugee communities. Initiated after a tragic fire in 2010, this program has expanded to provide fire prevention services to multiple language and cultural groups. SFD practices are also communicated to vulnerable populations via these advocates.		messages, including carbon monoxide poisoning, home fire evacuation planning and cooking, and heating fire safety since the program began.
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5.4 How have you involved stakeholders since the implementation/application of the technology began?

- Public Meeting(s)
- CTAB Presentation
- Postings to Privacy webpage seattle.gov/privacy
- Other external communications
- Stakeholders have not been involved since the implementation/application

5.5 What is unresolved? What resources/partnerships do you still need to make changes?

None

6.0 REPORT BACK

Responses to Step 5 will be compiled and analyzed as part of the CTO’s Annual Report on Equitable Use of Surveillance Technology.

Departments will be responsible for sharing their own evaluations with department leadership, Change Team Leads, and community leaders identified in the public outreach plan (Step 2c).

PRIVACY AND CIVIL LIBERTIES ASSESSMENT

PURPOSE

This section shall be completed after public engagement has concluded and the department has completed the Racial Equity Toolkit section above. The Privacy and Civil Liberties Assessment is completed by the Community Surveillance Working Group (“Working Group”), per the Surveillance Ordinance which states that the Working Group shall:

“[p]rovide to the Executive and the City Council a privacy and civil liberties impact assessment for each SIR that must be included with any departmental request for surveillance technology acquisition or in-use approval. The impact assessment shall include a description of the potential impact of the surveillance technology on civil rights and liberties and potential disparate impacts on communities of color and other marginalized communities. The CTO shall share with the Working Group a copy of the SIR that shall also be posted during the period of public engagement. At the conclusion of the public engagement period, the CTO shall share the final proposed SIR with the Working Group at least six weeks prior to submittal of the SIR to Council for approval. The Working Group shall provide its impact assessment in writing to the Executive and the City Council for inclusion in the SIR within six weeks of receiving the final proposed SIR. If the Working Group does not provide the impact assessment before such time, the Working Group must ask for a two-week extension of time to City Council in writing. If the Working Group fails to submit an impact statement within eight weeks of receiving the SIR, the department and City Council may proceed with ordinance approval without the impact statement.”

WORKING GROUP PRIVACY AND CIVIL LIBERTIES ASSESSMENT

From: Seattle Community Surveillance Working Group (CSWG)

To: Seattle City Council

Date: April 23, 2019

Re: Privacy and Civil Liberties Impact Assessment for Emergency Scene Cameras, Hazardous Materials Cameras, CCTVs

EXECUTIVE SUMMARY AND BACKGROUND

On February 27th, CSWG received the Surveillance Impact Reports, or SIRs, for the above-mentioned technologies included in Group 1 of the Seattle Surveillance Ordinance technology review process. This document is CSWG’s Privacy and Civil Liberties Impact Assessment for those technologies as set forth in SMC 14.18.080(B)(1), which we provide for inclusion in the final SIRs submitted to the City Councils.

Our assessment of these surveillance technologies focuses on three key issues:

- (1) The use of these systems and the data collected by them for purposes other than those intended;
- (2) Over-collection and over-retention of data;
- (3) Sharing of that data with third parties (such as federal law enforcement agencies).

While the stated purposes of the cameras may be relatively innocuous, it is important to remember that images taken by such cameras, for example at emergency scenes, can compromise the privacy of individuals at vulnerable moments, and can be misused to target and profile communities based on their religious, ethnic, or associational makeup. In addition, with the widespread and inexpensive availability of facial recognition (or face surveillance) technology, which can be applied after the fact to any image showing a face, it is even more important that protections limiting the use of these tools to their intended purpose be enacted.

For all of these systems, the Council should adopt, via ordinance, clear and enforceable rules that ensure, at a minimum, the following:

1. The purposes of camera use should be clearly defined, and its operation and data collected should be explicitly restricted to those purposes only.
2. Data retention should be limited to the time needed to effectuate the purpose defined.
3. Data sharing with third parties should be limited to those held to the same restrictions.
4. Clear policies should govern operation, and all operators of the cameras should be trained in those policies.

We recommend creating these rules in a single, blanket ordinance that will govern not only these, but other, similar camera technologies operated by or at the behest of the City, and would be happy to work with the City to create such an ordinance.

EMERGENCY SCENE CAMERAS (ESCS) (SEATTLE FIRE DEPARTMENT)

The initial (October 2018) Surveillance Impact Report (SIR) for this technology stated that no explicit internal policy exists at SFD that governs the use of ESCs (with one limited exception for mechanism-of-injury recordings). The updated January 2019 SIR added a letter (dated February 28, 2018) from Fire Chief Harold D. Scoggins in Appendix I, stating that SFD would update its policy with specified language regarding the use of Department-issued digital cameras. However, the CSWG was notified on April 5, 2019 that the specified policy language in the February 2018 letter was never actually adopted by

SFD. (See Appendix 1 for that communication.) It is unclear why the February 2018 letter was added to the January 2019 SIR if there was no intent to adopt any of the specified policy language. This also renders language currently in the updated SIR inaccurate.¹

Existing general policies provided with the April 5 email leave a number of outstanding concerns. For

Emergency Scene Cameras, the Council's approval of this technology should ensure use is limited to the specific emergency, investigative, or training purposes set forth, that the data is deleted immediately upon completion of those purposes, that data sharing with third parties is prohibited unless explicitly specified for those same uses, and only instances where the third party is held to the same use and retention standards. More specific recommendations for the Council's approval of this technology are below.

Specifically, the existing policy:

- Does not clearly define the term "Department-issued digital camera," making it unclear if the intended scope is to cover both ESCs and Hazmat Cameras.
 - *Recommendation: SFD should adopt a policy that explicitly states that it applies to both ESCs and Hazmat Cameras.*
- Does not include use rules for the cameras.
 - *Recommendation: SFD's adopted policy should include clear statements of what can and cannot be photographed depending on the situation, including specific protections for the privacy of individuals and homes.*
- Does not create clear guidelines on what data is retained, and how it is stored and for how long (with the exception of photos that include photos of victims requiring emergency medical services).
 - *Recommendation: SFD's adopted policy should include clear data retention policies, including where and how the data is stored, with all photos immediately deleted once their intended purpose is fulfilled. The policy should explicitly define under what specific*

¹ The SIR states the following in Section 4.0:

"While the Department already has some policies in place, new and stricter policies regarding the use of digital cameras are currently being considered for adoption. These rules will clarify when, where and how digital cameras are to be used. The policy has been drafted and is currently waiting approval by Department leadership and relevant stakeholders for adoption during the next POG update anticipated in December 2018."

And further in Section 4.2:

“The Department is working to develop a policy for the all staff regarding the acceptable use of this technology during emergency responses, as well as the subsequent storage of photos and sharing with law enforcement agencies. However, there are strict policies regarding the use and deletion of photos if they include victims requiring emergency medical service (POG section 3004-7).”

circumstances photos are permitted to be transferred off the cameras (e.g., via a SD card, USB cable, or WiFi).

- Does not make clear whether any legal standard is being applied in use or retention.
 - *Recommendation: In instances where a legal standard such as reasonable suspicion is applied, it should be clear what the standard is, who applies it, and how that application is documented.*
- Does not restrict data sharing with third parties, including law enforcement agencies.
 - *Recommendation: The policy should explicitly ban sharing of camera data with third parties except for specified instances necessary to fulfill the purpose of the cameras, and only in instances where the third party is held to the same use and retention standards.*
- Does not ensure all operators of the cameras are trained in the foregoing policies.
 - *Recommendation: This requirement should be part of any new policy.*

HAZARDOUS MATERIALS (HAZMAT) CAMERAS (SFD)

The initial October 2018 SIR for Hazmat cameras indicated that no policy governing the use of this technology currently exists, with one limited exception for mechanism-of-injury recordings (see SIR Section 3.3). The updated January 2019 SIR included the same letter from Fire Chief Harold D. Scoggins, and again, the specified policy language was never actually adopted by SFD. This once again renders the language of the January 2019 SIR inaccurate.²

Given the lack of adequate existing policy, we recommend that SFD adopt a policy for Hazmat Cameras that includes all the elements set forth above for ESCs, and that the Council’s approval of this technology incorporate that policy. The use policy would limit use of these cameras to hazardous materials documentation and enforcement.

In addition, Section 6.4 of the January 2019 Hazmat SIR states:

“The Department is working to develop a 2018 policy that addresses the use of this technology, photo retention, and sharing of records with law enforcement. With this policy the Department will develop Memorandum of Agreements with the Seattle branch of the FBI and Seattle Police Department.”

² As with the ESC SIR, because the January 2019 Hazmat SIR states intent to update current policies, the language in the letter and the SIR is misleading. For example, Sections 4.2 and 4.8 of the Hazmat SIR both state:

“The Department is working to develop a policy for the Hazmat unit regarding the acceptable use of this technology during emergency responses, as well as the subsequent storage of photos and sharing with law enforcement agencies. However, there are strict policies regarding the use and deletion of photos if they include victims requiring emergency medical service (POG section 3004-7).”

It is unclear whether these MoAs have been developed and what they cover. But both the MoAs and SFD’s policy should limit such data sharing to the purpose of criminal hazmat enforcement, and only where the third party is held to the same use and retention standards as SFD. The Council’s approval of this technology should incorporate this requirement.

CLOSED CIRCUIT TELEVISION “TRAFFIC CAMERAS” (CCTVS)(SDOT)

As with ESCs and Hazmat Cameras, concern around these traffic cameras relates to limiting their use to specific purposes, ensuring protections against invasion of privacy and general data collection, and limiting data sharing with third parties. It is important for these limits to be set forth in clear, enforceable policies. The updated January 2019 SIR states that SDOT “has developed” policies on use of the cameras, but it is not clear where all of these policies are set forth and whether they are currently in effect (see Section 3.3). We have reviewed the Camera Control Protocol document that sets forth existing policies.

For CCTVs, the Council’s approval of this technology should ensure use is limited to traffic operations, that no data is collected except for clearly specified exceptions (and that data must be deleted immediately upon completion of those purposes), and that data sharing with third parties is prohibited. More specific recommendations for the Council’s approval of this technology are below.

The existing policy:

- Does not set forth clear use, collection, and retention rules.
 - *Recommendation: SDOT’s adopted policy should make clear that no data may be recorded or retained except for specifically defined purposes. Currently, the SDOT Camera Control Protocol states that recording is allowed for “compelling SDOT traffic operations and traffic planning needs”—but that term is undefined. The retention of data for “engineering studies” must also be clearly defined. No personally-identifiable information should ever be recorded. For any data recording that is allowed, it must be deleted within 10 days (which is stated in the SIR and protocol) and not shared with third parties. The policy should also make clear that traffic camera data (beyond what is made available to the general public) may not be used for law enforcement purposes, and that no associated surveillance technologies such as facial recognition or license plate readers may be incorporated into the cameras.*
- Does not ensure all operators of the cameras are trained in the foregoing policies.
 - *Recommendation: This requirement should be part of any new policy.*
- Does not state include technical controls.
 - *Recommendation: Technical controls ensure logging how cameras are moved from their preset locations, when camera streams to the public are stopped or restarted, and whether there are access controls determining who, when, where, and why users can access the camera management software. Without these technical controls, it would be difficult to detect if users are abusing their access to cameras (e.g., by cutting camera feeds to the public, moving a camera to zoom and view into the window of a home). These technical controls (logging when cameras are moved, stopped, or restarted; and mandating access controls for cameras) should be included in SDOT’s adopted policy.*

APPENDIX 1: APRIL 5, 2019 EMAIL FROM MEGAN ERB, SEATTLE IT (INCLUDING ATTACHMENTS)

From: Erb, Megan <Megan.Erb@seattle.gov>
Sent: Friday, April 05, 2019 3:45 PM
To: Shankar Narayan <snarayan@aclu-wa.org>; Negin Dahya <ndahya@uw.edu>; mmmerriweather@urbanleague.org; mfouladi@cair.com; asha@youthclub.org; joseph.r.woolley@gmail.com; Stolz, Rich <rich@weareoneamerica.org>
Cc: Day, Seferiana <Seferiana.Day2@seattle.gov>; Loter, Jim <Jim.Loter@seattle.gov>; Armbruster, Ginger <Ginger.Armbruster@seattle.gov>; Stringer, Omari <Omari.Stringer@seattle.gov>
Subject: Surveillance Advisory Working Group updates re: recent SIR questions and requests

Hello Working Group members,

We wanted to provide you with several updates regarding your recent SIR questions and requests for information:

1. The linked and/or embedded documents in the SDOT LPR and CCTV SIRs have been updated and are available on the Working Group SharePoint page and the publicly accessible Seattle.gov website

- a. <http://www.seattle.gov/Documents/Departments/Tech/2018-12-10%20DRAFT%20SIR%20-%20CCTV%20Traffic%20Cameras%20-%20For%20Working%20Group%20Review.pdf>
 - b. <http://www.seattle.gov/Documents/Departments/Tech/2018-12-10%20DRAFT%20SIR%20%20License%20Plate%20Readers%20-%20For%20Working%20Group%20Review.pdf>
2. Regarding policies from SFD on Emergency Scene Cameras and HazMat Cameras, please see the attached documentation related to their implemented policies in response to your questions posed. Additionally:
- a. The Seattle Fire Department policies on image recording devices in general (Section 3004-6) and digital cameras specifically (5001-13) are attached. These policies are currently in our Policies and Operating Guidelines (POG) and are being enforced.
 - b. As for the 2/28/18 letter from Chief Scoggins, that was actually just a draft dispatch that I wrote on his behalf. The specifics of that dispatch were never actually adopted into the POG. We felt that the broad language contained in sections 3004-6 and 5001-13 already addressed the issue with regard to all image recording devices and that the additional specifics were not necessary.
3. Regarding policies from SDOT and their CCTV cameras, some are located in the Camera Control Protocol that was embedded in the SIR (that has been updated to be accessible).

Additionally, we would like to remind you that Seattle IT has created an externally accessible SharePoint Online page where you can access the Surveillance Impact Reports and related materials that are currently ready for your review. **Please let me know which email address is used for your Microsoft account, so that we can set up appropriate site permissions relative to that email address.**

Thank you and have a great weekend,

Megan

Megan Erb

Communications Manager

SEATTLE INFORMATION TECHNOLOGY

megan.erb@seattle.gov o: (206)233-

8736 m:(206)375-3895

TECHNOLOGY SOLUTIONS FOR THE CITY AND PUBLIC WE SERVE

For one year after leaving City employment, a former member of the Seattle Fire Department may not communicate, on behalf of any person on a matter involving the City, with an employee of the agency of the City with which he or she was previously employed (see SMC 4.16.075.C).

Examples of violations of this instruction include:

- Communicating on behalf of any person or entity with the Fire Department about a Code compliance matter.
- Communicating on behalf of any person or entity in an attempt to sell goods or services to the Fire Department.

The prohibitions of the preceding two instructions do not apply to former employees acting as employees or agents of a governmental agency unless that governmental agency's interest in the matter is adverse to the interest of the City (see SMC 4.16.075.F).

For one year after leaving City employment, a former member of the Seattle Fire Department may not participate as a competitor in any competitive selection process for a City contract in which he or she assisted the City in determining the project or work to be done or the process to be used in selecting a contractor (see SMC 4.16.075.D).

OFF-DUTY EMPLOYMENT

Officers and employees of the Seattle Fire Department may engage in off-duty employment so long as it does not interfere with their ability to carry out their duties for the City, and provided it does not result in a conflict of interest or otherwise violate these instructions.

Officers and employees of the Seattle Fire Department are specifically prohibited from conducting or engaging in the following types of off-duty employment:

- Selling and/or installing fire protection equipment or systems within the City of Seattle.
- Process serving, repossessing, bill collecting, or other employment in which your position with the City might tend to be used to collect money, merchandise, etc., for a private purpose of a civil nature.
- Employment that might require you to have access to Fire Department files, records, or services as a condition of the off-duty employment.

IMAGE RECORDING DEVICES

PERSONAL IMAGE RECORDING DEVICES

The use of personal devices to take still or digital photographs, or video or audio recordings, by Operations personnel at emergency scenes for personal use or Department training purposes is not authorized.

**DEPARTMENT
AUTHORIZED DIGI-
TAL CAMERAS**

Members responding to an incident may not use helmet mounted cameras, video cameras, personal cell phones, cameras, or any other recording device while on an emergency response.

In accordance with OC 5001.2 *Aid and Medic Responses, Digital Cameras*, on-duty firefighter/paramedics may use digital cameras provided by the Department to record the mechanism of injury to trauma patients. After showing the photographs to appropriate hospital emergency department staff the photos will be deleted.

EQUIPMENT

All Aid and Medic Units should be inventoried at the beginning of every shift. If units leave equipment with a patient transported by a Medic Unit, the Medic Unit will be contacted promptly to ensure the equipment is returned or replaced as soon as possible. However, Aid Unit personnel should be aware that the Medic One Office does not replace items left on a Medic Unit. Equipment that is not immediately returned should be noted in the Watch Desk Journal and the Form 9. The notation should include the items missing, the incident number, and the Medic Unit involved.

Each Company, Aid, and Medic Unit has been issued backboards assigned as part of their inventory. Replacement boards will come from the on-scene Aid or Medic Unit, if possible. If none are available, replacement boards can be obtained from hospital emergency rooms, or requisitioned from Medic One.

DOUBLE-WIDE BACKBOARDS

A double-wide backboard is located in each fire station housing a ladder company. The backboards are 32" X 72" and resemble the wood backboards currently in service throughout the Department. Company Captains are responsible for the proper storage of the backboard within their respective stations. When the need for a double-wide backboard arises, on-scene personnel must prompt FAC to dispatch an Operations company with one of the backboards. Each board has an approximate weight limit of 700 pounds. The eleven backboards comprise the Department's current inventory, and arrangements must be made to recover them, as soon as possible, after each use.

DEPARTMENT AUTHORIZED DIGITAL CAMERAS

All Medic Units and Medic 44 carry a digital camera in the controlled drug safe. These cameras may be utilized by Department personnel to record the mechanism of injury for trauma patients.

These photographs will only be shown to appropriate hospital emergency department staff to clearly explain the severity of injury and then will be promptly deleted from the camera's internal memory.

The utilization of the digital camera will not infringe on the quality of patient care provided on an emergency response.

OTHER IMAGE RECORDING DEVICES

In accordance with OC 3004.7 *Image Recording Devices* section, members responding to an incident may not use helmet mounted cameras, video cameras, personal cell phones, personal cameras, or any other recording device while on an emergency response.

The use of personal devices to take still or digital photographs, video or audio recordings by Operations personnel at emergency scenes for personal use or Department training purposes is not authorized.

LP 500 DOWNLOAD INSTRUCTIONS

Instructions for downloading patient summaries from the LifePac 500 are posted near the station computer. The instruction sheet is entitled "Instructions for Downloading LP500 Resuscitations". In the event that the sheet is lost, the information is also available on the "O" drive at O:\Dept\LP500.

Additional assistance can be obtained by contacting the EMS Coordinator or the on-duty MSO.

SUBMITTING DEPARTMENT RESPONSE



Memo

Date: 11/27/2018

To: City Council

From: Seattle Fire Department

Subject: Surveillance Impact Report Cover Memo – Hazardous Materials (HazMat) Camera

Description

During a hazardous materials emergency response, the Seattle Fire Department may use tablet cameras with the FaceTime application to livestream video from a hazardous waste site to a monitor located on the Hazardous Materials apparatus. This allows incident command staff to view the same scene as other first responders during an emergency response and make response and scene management decisions from a safer distance. This camera technology is only used during specific HazMat responses and at the discretion of command staff.

Purpose

The purpose of the live-streaming tablet HazMat cameras is to allow first responders, specifically the HazMat team, to coordinate efforts during an emergency. Sharing information in real-time is critical to maintaining to safety of firefighters and subsequently the people and property at risk during a HazMat incident.

Benefits to the Public

The HazMat team is an invaluable resource for the Fire Department and the City of Seattle. It allows us to keeping first-responder firefighters safe, while allowing for the instantaneous sharing of on-scene information to mitigate the potential loss of life or property during an emergency response.

Privacy and Civil Liberties Considerations

As with any use of camera technology, there may be concerns about inadvertent or incidental image capture or disparate community impact. To mitigate against the risk of inappropriate access or use of images collected at incident scenes, the tablets are password-protected and by policy may only be used by members of the HazMat team for command staff management and investigation purposes. An encrypted and secure localized Wi-Fi connection (called Mi-Fi) allows video to be livestreamed from the tablet to the apparatus-mounted monitor. Images captured by the camera are stored on a secure drive accessible only to authorized SFD staff and deleted when the investigation is completed, according to City Data Retention requirements. More details about the collection and management of these images and policies governing their use are contained in the attached SIR documentation.

Summary

The Seattle Fire Department's Hazardous Materials use of this a tablet camera technology to stream video in real-time to a monitor mounted on the HazMat unit allows command staff to evaluate conditions on the scene during a response from a safe distance. This enables command staff to evaluate on site conditions without having to enter areas containing potentially hazardous substances. Resource and response decisions may then be made with the most recent and reliable information and personnel exposure may be limited to reduce risks to firefighters.

200 First Avenue, Suite 2100 | PO Box 94700 | Seattle, WA 98124-9700 | (206) 331-3100 | seattle.gov/IT/Department

Frequently Asked Questions (FAQs)

Q: Do firefighters physically carry the camera in to a scene, or is it a robot/probe?

A: A firefighter carries the iPad by hand. The Seattle Fire Department does not use robots/probes/drones for HazMat responses.

Q: Are logs maintained for who has access to data stored on the drive where records are maintained?

A: Yes, access to Department drives are strictly controlled by IT and can be audited to identify individuals accessing any files.

Q: Has Apple's FaceTime gone through a separate privacy review?

A: Not at this time, and it is generally considered as a tool for everyday office use, such as Skype or GoToMeeting.

Q: How long is the data stored?

A: The camera is used for live-streaming purposes only, so the data is not stored following use.

Q: Are emergency responders provided data management training?

A: All City of Seattle employees, including all Seattle Fire Department personnel, undergo a yearly privacy and security training. The Department's Policies and Operating Guidelines (POG) are also taught during recruit school and regularly reinforced throughout day-to-day operations.

APPENDIX A: GLOSSARY

Accountable: (Taken from the Racial Equity Toolkit.) Responsive to the needs and concerns of those most impacted by the issues you are working on, particularly to communities of color and those historically underrepresented in the civic process.

Community Outcomes: (Taken from the Racial Equity Toolkit.) The specific result you are seeking to achieve that advances racial equity.

Contracting Equity: (Taken from the Racial Equity Toolkit.) Efforts to achieve equitable racial outcomes in the way the City spends resources, including goods and services, consultants and contracting.

DON: “Department of Neighborhoods.”

IC: “Incident Commander”

Immigrant and Refugee Access to Services: (Taken from the Racial Equity Toolkit.) Government services and resources are easily available and understandable to all Seattle residents, including non-native English speakers. Full and active participation of immigrant and refugee communities exists in Seattle’s civic, economic and cultural life.

Inclusive Outreach and Public Engagement: (Taken from the Racial Equity Toolkit.) Processes inclusive of people of diverse races, cultures, gender identities, sexual orientations and socio-economic status. Access to information, resources and civic processes so community members can effectively engage in the design and delivery of public services.

Individual Racism: (Taken from the Racial Equity Toolkit.) Pre-judgment, bias, stereotypes about an individual or group based on race. The impacts of racism on individuals including white people internalizing privilege, and people of color internalizing oppression.

Institutional Racism: (Taken from the Racial Equity Toolkit.) Organizational programs, policies or procedures that work to the benefit of white people and to the detriment of people of color, usually unintentionally or inadvertently.

OCR: “Office of Arts and Culture.”

Opportunity Areas: (Taken from the Racial Equity Toolkit.) One of seven issue areas the City of Seattle is working on in partnership with the community to eliminate racial disparities and create racial equity. They include: Education, Health, Community Development, Criminal Justice, Jobs, Housing, and the Environment.

Racial Equity: (Taken from the Racial Equity Toolkit.) When social, economic and political opportunities are not predicted based upon a person’s race.

Racial Inequity: (Taken from the Racial Equity Toolkit.) When a person’s race can predict their social, economic, and political opportunities and outcomes.

RET: “Racial Equity Toolkit”

Seattle Neighborhoods: (Taken from the Racial Equity Toolkit Neighborhood.) Boundaries defined for the purpose of understanding geographic areas in Seattle.

SFD: “Seattle Fire Department”

SIR: “Surveillance Impact Report”, a document which captures the fulfillment of the Council-defined Surveillance technology review process, as required by Ordinance [125376](#).

Stakeholders: (Taken from the Racial Equity Toolkit.) Those impacted by proposed policy, program, or budget issue who have potential concerns or issue expertise. Examples might include: specific racial/ethnic groups, other institutions like Seattle Housing Authority, schools, community-based organizations, Change Teams, City employees, unions, etc.

Structural Racism: (Taken from the Racial Equity Toolkit.) The interplay of policies, practices and programs of multiple institutions which leads to adverse outcomes and conditions for communities of color compared to white communities that occurs within the context of racialized historical and cultural conditions.

Surveillance Ordinance: Seattle City Council passed Ordinance [125376](#), also referred to as the “Surveillance Ordinance.”

Unit 77: the Seattle Fire Department team responsible for HAZMAT response.

Workforce Equity: (Taken from the Racial Equity Toolkit.) Ensure the City's workforce diversity reflects the diversity of Seattle.



APPENDIX B: PUBLIC COMMENT DEMOGRAPHICS AND ANALYSIS

OVERVIEW OF PUBLIC COMMENT ANALYSIS

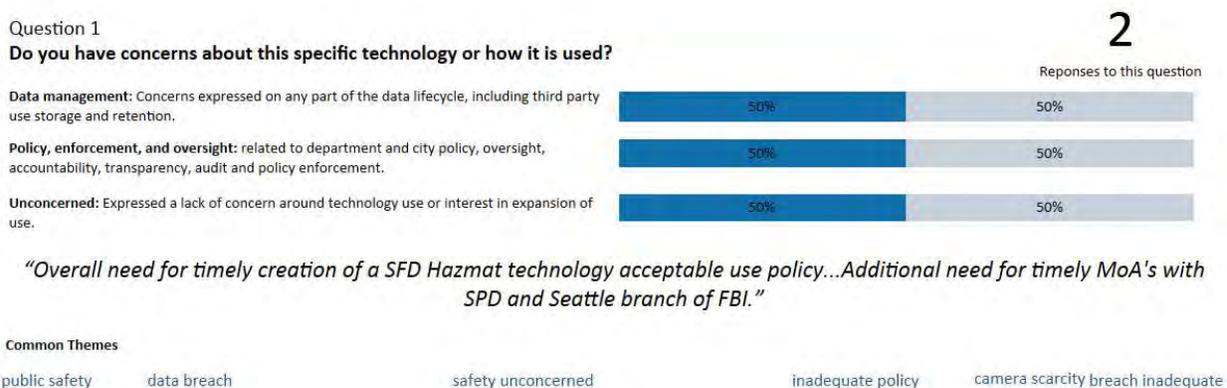
Analysis of public comments was completed using a combination of thematic analysis and qualitative coding. Comments were gathered from many sources, from public engagement meetings, an online survey form, letters, emails, and focus group discussions. All comments may be reviewed in the Surveillance Impact Report, Appendix E.

After assigning a theme and code for the content, City staff conducted an analysis using R. A high-level summary of the results of this analysis are shown below. A detailed description of the methodology is available in the Surveillance Impact Report, Appendix H.

Below is a summary of the responses by question, prepared by Privacy Office staff. This data includes comments from all submission methods (e.g. letter, email, public meeting, etc.). The total number of responses to this question is in the top right. The percentage of responses to that question, following the identified theme is shown in dark blue. The dark gray shows the percent of comments for this technology that did not answer that specific question. The light gray shows the percent of responses to that question that fall into other themes, (General, Data Management, Policy, Enforcement, and Oversight, etc.).

A word cloud of each qualitative sub-code identified appears at the bottom of each question to provide more context of the question response themes. If an appropriate quote could be identified to capture the overall tone of the majority of comments it was included.

COMMENTS SPECIFICALLY ADDRESSING HAZARDOUS MATERIALS CAMERA



Question 3

What worries you about how this is used?

1

Worry Did not respond to question

Responses to this question

Government Overreach and Civil Liberties: Government unnecessarily or over surveilling in a way that could impact individual rights and civil liberties.



Question 4

What recommendations would you give policy makers at the City about this technology?

2

Yes No

Responses to this question

Increase policy, enforcement, and oversight: recommendations related to department and city policy, oversight, accountability, transparency, audit and policy enforcement.



Improve data management: Recommendation to improve approach to data lifecycle management, including third party use storage and retention.



"An ETA/deadline needs to be supplied for getting the SFD POG updated, overall."

Question 5

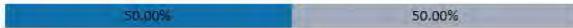
Can you imagine another way to solve the problem this technology solves?

1

Alternative solution Did not respond to question

Responses to this question

None: The respondent has no alternative solutions to recommend.



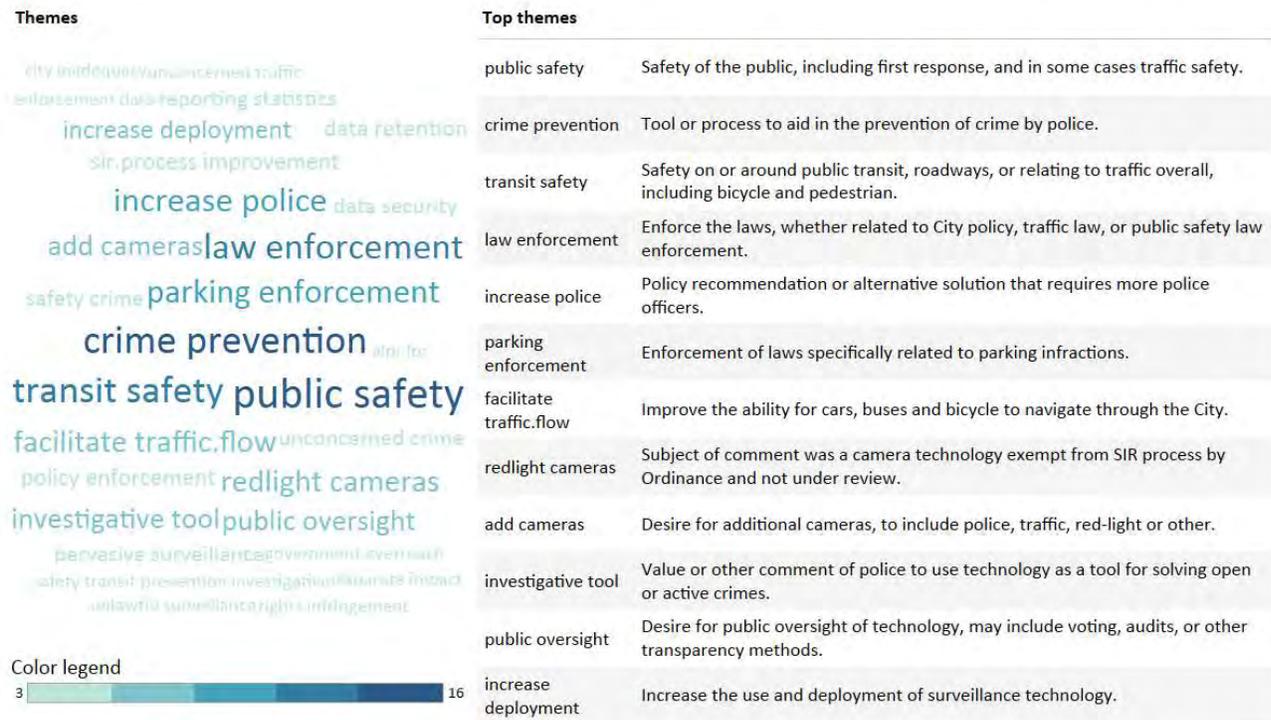
Question 6

Do you have any other comments?

No responses to this question

GENERAL SURVEILLANCE COMMENT THEMES

Many comments were submitted as part of the public comment period that were not specific to a technology, but to either the concept of surveillance in general, or to technologies which are not on the Master List.

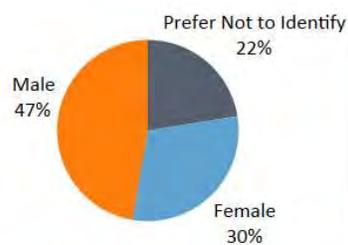


DEMOGRAPHICS FOR GROUP ONE COMMENTS

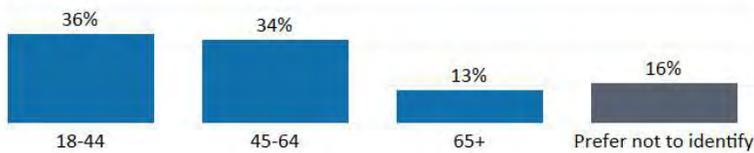
The number of reported demographics does not correspond to the number of comments received for the following reasons.

1. The demographic information includes all responses, regardless of which technology was commented on to protect the privacy of those who provided a response.
2. Some individuals offered more than one comment.
3. Some individuals did not provide any demographic information.

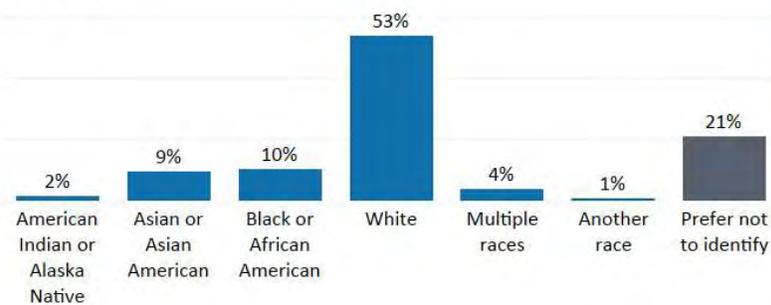
Method Submitted By	Gender
Focus Group 1	9
Focus Group 2	5
Meeting 1	15
Meeting 2	7
Meeting 3	10
Meeting 4	14
Meeting 5	5
Survey Monkey	64
Grand Total	129



Age



Ethnicity



Neighborhoods



King County (outside Seattle)	8
Outside of King County	1
Prefer not to identify	10

APPENDIX C: PUBLIC MEETING NOTICE(S)

Notice of Public Meetings Surveillance Technology Public Comment

This is the first round of public comment on previously acquired surveillance technologies. For more information on these technologies or Surveillance Ordinance visit seattle.gov/privacy.

	Meeting 1	Meeting 2	Meeting 3	Meeting 4	Meeting 5
Depts. Presenting	Police Dept.	Transportation, Fire Dept.	Police Dept.	Police Dept.	Transportation, Fire Dept.
Date & Time	October 22, 2018 5-6:30 p.m.	October 25, 2018 5-6:30 p.m.	October 29, 2018 5-6:30 p.m.	October 30, 2018 5-6:30 p.m.	November 5, 2018 4:30-5:30 p.m.
Location	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

Technologies discussed at the meetings include:

Transportation (Meetings 2 & 5)	Fire Dept. (Meetings 2 & 5)	Police Dept. (Meetings 1, 3, & 4)
Traffic Cameras & License Plate Readers	Emergency Scene Cameras & Hazmat Cameras	Parking Enforcement Systems & Automated License Plate Readers

Here's how you can provide comments:

The open comment period for these technologies is **October 8 - November 5, 2018**. There are three ways to comment:

1. Attend the meeting. See the table above for locations and times.
2. Submit comment online at seattle.gov/privacy.
3. Send mail to Attn: Surveillance & Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.

Comments submitted will be included in the final Surveillance Impact Report submitted to City Council and available to the public. To comment after this period has closed, contact City Council staff at seattle.gov/Council.

Please note, this meeting will:

Be video recorded.

Ask for a sign-in record of attendees.

Collect public comments.

For meeting accommodations: Please let us know **two weeks in advance of the meeting date** if language translation, or other services are needed by emailing Surveillance@seattle.gov.



Aviso de audiencias públicas

Comentarios del público sobre tecnologías de vigilancia

Esta es la primera ronda de audiencias públicas sobre tecnologías de vigilancia adquiridas previamente. Para obtener más información sobre estas tecnologías o sobre la [Surveillance Ordinance](#) (Ordenanza sobre Vigilancia), visite seattle.gov/privacy.

	Audiencia 1	Audiencia 2	Audiencia 3	Audiencia 4	Audiencia 5
Departamentos a cargo	Depto. de Policía	Depto. de Transporte y de Bomberos	Depto. de Policía	Depto. de Policía	Depto. de Transporte y de Bomberos
Fecha y hora	22 de octubre de 2018 5:00 a 6:30 p. m.	25 de octubre de 2018 5:00 a 6:30 p. m.	29 de octubre de 2018 5:00 a 6:30 p. m.	30 de octubre de 2018 5:00 a 6:30 p. m.	5 de noviembre de 2018 4:30 a 5:30 p. m.
Lugar	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

En las audiencias se hablará de las siguientes tecnologías:

Transporte (audiencias 2 y 5)	Depto. de Bomberos (audiencias 2 y 5)	Depto. de Policía (audiencias 1, 3 y 4)
Cámaras de tránsito y lectores de placas de automóviles	Cámaras para escenas de emergencia y cámaras para Hazmat (hazardous materials, materiales peligrosos)	Sistemas de control de áreas de estacionamiento y lectores automáticos de placas de automóviles

Cómo puede enviar sus comentarios:

El período abierto para recibir comentarios sobre estas tecnologías es desde el **8 de octubre hasta el 5 de noviembre de 2018**. Existen tres formas de aportar comentarios:

1. Asista a la audiencia. Consulte la tabla anterior para conocer los horarios y los lugares.
2. Deje sus comentarios en línea en seattle.gov/privacy.
3. Envíe comentarios por correo postal a la siguiente dirección: [Surveillance & Privacy Program](#), Seattle IT, PO Box 94709, Seattle, WA 98124.

Los comentarios enviados se incluirán en la versión final del [Surveillance Impact Report](#) (Informe del efecto de la vigilancia) que se presentará ante el Consejo de la Ciudad y estará disponible al público en general. Para aportar comentarios luego de este período, comuníquese con el personal del Consejo de la Ciudad desde la página web seattle.gov/Council.

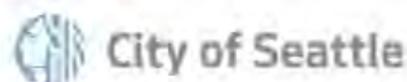
Tenga en cuenta que esta audiencia tendrá las siguientes características:

Se grabará en video.

Se llevará un registro de asistencia.

Se recolectarán comentarios del público.

Adaptaciones para las audiencias: Si necesita servicios de traducción u otros servicios, envíenos un correo electrónico a Surveillance@seattle.gov dos semanas antes de la audiencia.



Ogaysiiska Kulanada Dadwaynaha
Fikradaha Dadwaynaha ee ku aadan Qalabka
Muraaqabaynta Casriga ah

Kani waa wareegi koowaad ee lagu aruurinaayo fikradaha dadwaynuhu kaqabaan qalabka muraaqabaynta casriga ah noociisii hore. Wixii macluumaad dheeraad ah oo kusaabsan qalabkaan ama Surveillance Ordinance (Qaabka Muraaqabaynta) booqo seattle.gov/privacy.

	Kulanka 1	Kulanka 2	Kulanka 3	Kulanka 4	Kulanka 5
Waaxaha. Soojeedinta	Waaxda Booliiska.	Gaadiidka, Waaxda Dab Damiska.	Waaxda Booliiska.	Waaxda Booliiska.	Gaadiidka, Waaxda Dab Damiska.
Tariikhda iyo waqtiga	Oktoobar 22, 2018 5-6:30 p.m.	Oktoobar 25, 2018 5-6:30 p.m.	Oktoobar 29, 2018 5-6:30 p.m.	Oktoobar 30, 2018 5-6:30 p.m.	Nofeembar 5, 2018 4:30-5:30 p.m.
Goobta	Laanta Maktabada ee Magaalada Columbia 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Laanta Maktabada Green Lake 7364 East Green Lake Dr. N, Seattle, WA 98115	Laanta Maktabada Green Lake 7364 East Green Lake Dr. N, Seattle, WA 98115

Tignoolojiyadaha looga dooday kulanada waxaa kamid ah:

Gaadiidka (kulanada 2 iyo 5)	Waaxda Dab damiska. (Kulanada 2 iyo 5)	Waaxda Booliiska. (Kulanada 1, 3, iyo 4)
Kaamirooyinka taraafikada iyo Qalabka Akhriya Aqoonsiga Shatiyada	Kaamirooyinka Dhacdooyinka Degdega ah iyo kaamirooyinka Hamzat	Nidaamyada Xakamaynta Baakinka iyo Qalabka Akhriya Aqoonsiga Shatiyada

Halkaan kabaro sida aad fikrado kudhiiban karto:

Mudada ay furantahay fikrad kadhiibashada qalabkaan casriga ah waa Oktoobar 8 - Nofeembar 5, 2018. Waxaa jira saddex qaab oo fikir lagu dhiiban karo:

1. Inaad kulanka kaqaybgasho. Fiiri shaxda kore oo ay kuqoran yihiin goobaha iyo xiliyada laqabanaayo kulanada.
2. Fikirkaaga kudir si oonleen ah seattle.gov/privacy.
3. Boosto udir: Surveillance & Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.

Fikrado kasta oo lasoo gudbiyo waxaa lagu darayaa War bixinta ugu danbaysa Surveillance Impact Report (Saamaraynta Qalabka Muraaqabada) ee loogudbiyo Dawlada hoose dadwaynuhuna ay akhri sankaraan. Si aad fikirkaaga udhiibato kadib marka mudadaan dhammaato, laxiriir Shaqaalaha Dawlada Hoose oo ciwaankoodu yahay seattle.gov/Council.

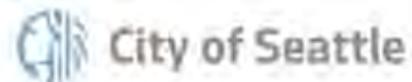
Fadlan ogsoonow, kulankaan waa:

Laduubayaa si muqaal ahaan ah.

Dalbo Diirwanka Galitaanka dadka Kaqaybgalaaya ay saxiixayaan.

Aruuri Fikradaha Dadwaynaha.

Wixii laxiriira adeegyada kulanada intay socdaan labixinaayo: Fadlan noosoosheeg labo asbuuc kahor taariikhda kulanku dhacayo haddii adeegyada turjumida luuqada, ama adeegyo kale loobaahdo adoo email noogusoo diraaaya Surveillance@seattle.gov.



公開會議通知

監視技術公開意見徵集會

這是第一輪會議，徵集公眾對之前取得的監控技術的建議。要獲取有關這些技術或 Surveillance Ordinance (監控條例) 的更多資訊，請瀏覽 seattle.gov/privacy。

	會議 1	會議 2	會議 3	會議 4	會議 5
出席部門	警察署	交通、消防署	警察署	警察署	交通、消防署
日期及時間	2018 年 10 月 22 日 下午 5-6:30	2018 年 10 月 25 日 下午 5-6:30	2018 年 10 月 29 日 下午 5-6:30	2018 年 10 月 30 日 下午 5-6:30	2018 年 11 月 5 日 下午 4:30-5:30
地點	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

會上討論的技術包括：

交通署 (會議 2 和會議 5) 交通攝像頭和車輛牌照識別器	消防署 (會議 2 和會議 5) 緊急現場攝像頭與危險品攝像頭	警察署 (會議 1、3 和 4) 停車執行系統與車輛牌照自動識別器
--	---	---

您提交意見的方式：

針對這些技術的公眾意見徵集時間是 **2018 年 10 月 8 日至 11 月 5 日**。有三種方式可提交意見：

1. 出席會議。
和時間見上表。

2. 透過 seattle.gov/privacy
網上提交意見。

3. 寄郵件至：Surveillance & Privacy Program, Seattle II, PO Box 94709, Seattle, WA 98124。

提交的所有意見都將收錄於最終的 Surveillance Impact Report (監控影響報告)，遞交至市議會並向大眾開放。如果要在這期間結束後提交意見，請瀏覽 seattle.gov/Council，聯繫市議會的工作人員。

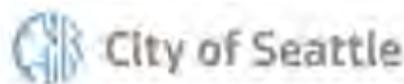
請注意，此會議將：

進行錄影。

要求參會者簽到。

收集公眾意見。

會議輔助服務：如果需要語言翻譯或其他服務，請參照會議日期提前兩週發送電子郵件至 Surveillance@seattle.gov 告知我們。



公开会议通知

坎地比士公共空间征询会

这是第一轮会议，征集公众对之前取得的监控技术的意见。要获得有关这些技术或 Surveillance Ordinance (监控条例) 的更多信息，请访问 seattle.gov/privacy。

	第 1 次会议	第 2 次会议	第 3 次会议	第 4 次会议	第 5 次会议
出席部门	警察局	交通、消防局	警察局	警察局	交通、消防局
日期与时间	2018 年 10 月 22 日 下午 5-6:30	2018 年 10 月 25 日 下午 5-6:30	2018 年 10 月 29 日 下午 5-6:30	2018 年 10 月 30 日 下午 5-6:30	2018 年 11 月 5 日 下午 4:30-5:30
地点	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

会上讨论的技术包括：

交通局 (第 2 和第 5 次会议)	消防局 (第 2 和第 5 次会议)	警察局 (第 1、3、4 次会议)
交通摄像头和车辆牌照识别器	紧急现场摄像头与危险品摄像头	停车执行系统与车辆牌照自动识别器

您提交意见的方式：

针对这些技术的公众意见征集时间是 **2018 年 10 月 8 日至 11 月 5 日**。提交意见的三种途径：

1. 出席会议。
地点和时间见上表。
2. 通过网站
seattle.gov/privacy
在线提交意见。
3. 寄送邮件至：Surveillance & Privacy Program, Seattle II, PO Box 94709, Seattle, WA 98124。

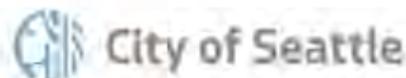
提交的所有意见都将收录于最终的 Surveillance Impact Report (监控影响报告)，递交至市议会并向大众开放。如果要在此期间结束后提交意见，请浏览 seattle.gov/Council，联系市议会的工作人员。

请注意，此会议将：

- 进行录像。
- 要求参会者签到。
- 收集公众意见。

会议辅助服务：如果需要语言翻译或其他服务，请参照会议

日期提前两周发送电子邮件至 Surveillance@seattle.gov



Thông Báo Về Các Cuộc Họp Công Chúng Ý Kiến Của Công Chúng Về Công Nghệ Giám Sát

Đây là vòng thu thập ý kiến của công chúng đầu tiên về các công nghệ giám sát đã được ứng dụng trước đây. Để có thêm thông tin về các công nghệ này hoặc Surveillance Ordinance (Sắc Lệnh Giám Sát), hãy truy cập seattle.gov/privacy.

	Cuộc họp 1	Cuộc họp 2	Cuộc họp 3	Cuộc họp 4	Cuộc họp 5
Các Sở Tổ Chức Cuộc Họp	Sở Cảnh Sát	Sở Giao Thông Vận Tải, Sở Cứu Hòa	Sở Cảnh Sát	Sở Cảnh Sát	Sở Giao Thông Vận Tải, Sở Cứu Hòa
Ngày & Giờ	Ngày 22 tháng 10 năm 2018 5 giờ - 6 giờ 30 phút chiều	Ngày 25 tháng 10 năm 2018 5 giờ - 6 giờ 30 phút chiều	Ngày 29 tháng 10 năm 2018 5 giờ - 6 giờ 30 phút chiều	Ngày 30 tháng 10 năm 2018 5 giờ - 6 giờ 30 phút chiều	Ngày 5 tháng 11 năm 2018 4 giờ 30 - 5 giờ 30 phút chiều
Địa điểm	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave., Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

Các công nghệ được thảo luận tại các cuộc họp bao gồm:

Giao thông vận tải (Cuộc họp 2 & 5)	Sở Cứu Hỏa (Cuộc họp 2 & 5)	Sở Cảnh Sát (Cuộc họp 1, 3 & 4)
Các Máy Quay Giao Thông & Các Thiết Bị Đọc Biển Số Xe	Máy Quay Trường Hợp Khẩn Cấp & Máy Quay Hazmat	Hệ Thống Thực Thi Việc Đậu Xe & Các Thiết Bị Đọc Biển Số Xe Tự Động

Đây là cách quý vị có thể đưa ra ý kiến của mình:

Thời gian lấy ý kiến cho các công nghệ trên là **Ngày 8 tháng 10 – Ngày 5 tháng 11 năm 2018**. Có ba cách đưa ra ý kiến:

1. Tham dự cuộc họp. Xem bảng bên trên để biết thời gian và địa điểm.
2. Nộp ý kiến trực tuyến tại seattle.gov/privacy.
3. Gửi thư đến Attn: Surveillance & Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.

Các ý kiến được nộp sẽ được đưa vào bản Surveillance Impact Report (Báo Cáo Tác Động Giám Sát) cuối cùng nộp cho Hội Đồng Thành Phố và có sẵn dành cho công chúng. Để đưa ra ý kiến sau khi giai đoạn thu thập ý kiến đã kết thúc, hãy liên hệ với nhân viên của Hội Đồng Thành Phố tại seattle.gov/Council.

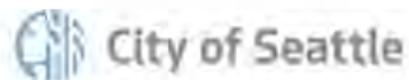
Vui lòng lưu ý, cuộc họp này sẽ:

Được ghi hình.

Yêu cầu lưu tên trong danh sách đăng ký tham dự.

Thu thập các ý kiến của công chúng.

Để đáp ứng các yêu cầu điều chỉnh: Vui lòng thông báo cho chúng tôi biết **hai tuần trước ngày diễn ra cuộc họp** nếu quý vị cần dịch vụ thông dịch ngôn ngữ hoặc các dịch vụ khác, bằng cách gửi email đến Surveillance@seattle.gov.



Paunawa sa Mga Pampublikong Pagpupulong Komento ng Publiko sa Teknolohiya sa Pagmamanman

Ito ang unang round para sa pagkomento ng publiko tungkol sa mga dating nakuhang teknolohiya sa pagmamanman. Para sa higit pang impormasyon tungkol sa mga teknolohiyang ito o sa Surveillance Ordinance (Ordinansa sa Pagmamanman), bumisita sa seattle.gov/privacy.

	Pagpupulong 1	Pagpupulong 2	Pagpupulong 3	Pagpupulong 4	Pagpupulong 5
Mga departamentong Naglalahad	Departamento ng Pulisya	Departamento ng Transportasyon, Bumbero	Departamento ng Pulisya	Departamento ng Pulisya	Departamento ng Transportasyon, Bumbero
Petsa at Oras	Oktubre 22, 2018 5-6:30 p.m.	Oktubre 25, 2018 5-6:30 p.m.	Oktubre 29, 2018 5-6:30 p.m.	Oktubre 30, 2018 5-6:30 p.m.	Nobembre 5, 2018 4:30-5:30 p.m.
Lokasyon	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1 st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

Kabilang sa mga teknolohiyang tatalakayin sa mga pagpupulong ang:

Transportasyon (Pagpupulong 2 at 5)	Departamento ng Bumbero (Pagpupulong 2 at 5)	Departamento ng Pulisya (Pagpupulong 1, 3, at 4)
Mga Camera sa Trapiko at License Plate Readers (Mga Tagabasa ng Lisensyadong Plaka)	Mga Camera sa Pinangyarihan ng Emergency at Mga Camera ng Hazmat	Mga Sistema sa Pagpapatupad ng Tamang Pagpaparada at Mga Automated License Plate Reader (Mga Awtomatikong Tagabasa ng Lisensyadong Plaka)

Narito ang mga paraan kung paano ka makapagbibigay ng mga komento:

Ang panahon ng bukas na pagkomento para sa mga teknolohiyang ito ay mula **Oktubre 8 - Nobyembre 5, 2018**. May tatlong paraan upang makapagkomento:

1. Dumalo sa pulong. Tingnan ang talahanayan sa itaas para sa mga lokasyon at oras.
2. Magsumite ng komento online sa seattle.gov/privacy.
3. Magpadala ng liham sa Attn: Surveillance & Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.

Isasama ang anumang isinuniteng komento sa huling Surveillance Impact Report (Ulat sa Epekto ng Pagmamanman) na isusumite sa Konseho ng Lungsod at isasapubliko. Upang makapagbigay ng komento pagkalipas ng panahong ito, makipag-ugnayan sa mga kawani ng Konseho ng Lungsod sa seattle.gov/Council.

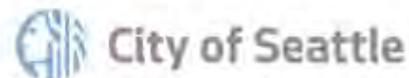
Mangyaring tandaan, ang pulong na ito ay:

Ire-record sa video.

Hihingi ng tala ng pag-sign in ng mga dadalo.

Mangongolekta ng mga komento ng publiko:

Para sa mga pangangailangan sa pagpupulong: Mangyaring ipaalam sa amin kung kailangan mo ng mga serbisyo sa pagsasalitang wika o iba pang serbisyo dalawang linggo bago ang petsa ng pagpupulong sa pamamagitan ng pagpapadala ng email sa Surveillance@seattle.gov.



공개 회의 통지 감시 기술 여론 수렴

본 회의는 과거 획득된 감시 기술에 대한 제1차 여론 수렴 회의입니다. 본 기술 또는 Surveillance Ordinance(감시 조례 관련) 자세한 정보는 seattle.gov/privacy를 참조해 주시기 바랍니다.

	회의1	회의2	회의3	회의4	회의5
발표 부처	경찰국	교통국, 소방국	경찰국	경찰국	교통국, 소방국
날짜 및 시간	2018년 10월 22일 5-6:30 p.m.	2018년 10월 25일 5-6:30 p.m.	2018년 10월 29일 5-6:30 p.m.	2018년 10월 30일 5-6:30 p.m.	2018년 11월 5일 4:30-5:30 p.m.
장소	Columbia City Branch Library 4721 Rainier Ave S, Seattle, WA 98118	American Legion Hall: West Seattle 3618 SW Alaska St. Seattle, WA 98126	Bertha Knight Landes Room 1st Floor City Hall - 600 4th Ave, Seattle, WA 98104 (5th Ave door)	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115	Green Lake Branch Library 7364 East Green Lake Dr. N, Seattle, WA 98115

회의에서 논의되는 기술 항목:

교통국(회의 2 & 5)	소방국(회의 2 & 5)	경찰국(회의 1, 3, & 4)
교통 카메라 및 번호판 판독기	응급 현장 카메라 및 Hazmat 카메라	주차 단속 시스템 및 자동 번호판 판독기

의견 전달 방법:

상기 기술에 대한 공개 의견 기간은 **2018년 10월 8일~11월 5일**입니다. 의견 전달 방법은 다음 세 가지입니다.

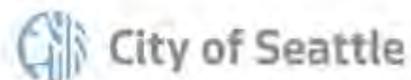
1. 회의에 참석합니다. 장소 및 시간은 상기 표를 참조해 주십시오.
2. 의견은 온라인 seattle.gov/privacy로 제출해 주십시오.
3. 우편 발송지: Surveillance & Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.

제출된 의견은 시의회에 전달되는 최종 Surveillance Impact Report(감시 영향 보고서)에 수록되며 일반에게도 공개됩니다. 본 의견 수렴 기간 종료 후 의견을 제출하시려면, 시의회 담당 직원에게 seattle.gov/Council로 문의해 주시기 바랍니다.

회의 시 참고 사항은 다음과 같습니다.

비디오가 녹화됩니다. 참가 기록을 요청합니다. 대중 의견을 수집합니다.

회의 편의 제공: 언어 번역 또는 기타 서비스가 필요한 경우 회의 개최일 2주 전에 Surveillance@seattle.gov로 이메일을 보내 당국에 알려 주시기 바랍니다.



APPENDIX D: MEETING SIGN-IN SHEET(S)

Neighborhood		Race/Ethnicity	Age	Gender
<input type="checkbox"/> Ballard	<input type="checkbox"/> Lake Union	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Under 18	<input checked="" type="checkbox"/> Female
<input type="checkbox"/> Central	<input type="checkbox"/> North	<input type="checkbox"/> Black or African American	<input type="checkbox"/> 18-44	<input type="checkbox"/> Male
<input type="checkbox"/> Delridge	<input type="checkbox"/> Northeast	<input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> 45-64	<input type="checkbox"/> Transgender
<input type="checkbox"/> East District	<input type="checkbox"/> Southeast	<input type="checkbox"/> Asian	<input checked="" type="checkbox"/> 65 +	<input type="checkbox"/> Prefer not to identify
<input type="checkbox"/> Greater Duwamish	<input type="checkbox"/> Southwest	<input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Prefer not to identify	
<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input checked="" type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		



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<input type="checkbox"/> King County (outside Seattle)		<input type="checkbox"/> Hispanic or Latino		
<input type="checkbox"/> Prefer not to identify		<input type="checkbox"/> Prefer not to identify		



APPENDIX E: INDIVIDUAL COMMENTS RECEIVED

ALL COMMENTS RECEIVED ON HAZMAT CAMERAS

ID: 54

Submitted Through: Meeting 5

Date: 11/5/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SFD: Hazardous Materials (HazMat) Cameras

Do you have concerns about this specific technology or how it is used?

No

What value do you think this technology brings to our city?

Safety

What worries you about how this is used?

privacy, abuse of technology

What recommendations would you give policy makers at the City about this technology?

None.

Can you imagine another way to solve the problem this technology solves?

no

Do you have any other comments?

ID: 10333723016

Submitted Through: Survey Monkey

Date: 11/7/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

SFD: Hazardous Materials (HazMat) Cameras

Do you have concerns about this specific technology or how it is used?

1) Unknown (to me) if there's a data retention policy for the data on the devices. (Forgot to ask this as the community meeting.) 2) No additional internal review regarding the use of FaceTime for this purpose. (Does Seattle IT have a centralized Security team? If so, then it would make sense for this to be security reviewed by them. Same goes for a person from Seattle Legal (Is that a thing?) confirming that using FaceTime for this purpose doesn't put the City or possible Hazmat victims at undue risk.) 3) Overall need for timely creation of a SFD Hazmat technology acceptable use policy (encompassing the prior 2 comments and as noted by SFD itself in multiple places in the draft SIR). 4) Additional need for timely MoA's with SPD and Seattle branch of FBI.

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

1) Is there a Seattle IT Security team? If so, they may want to review SFD's usage of FaceTime. 2) Is there a Seattle IT Legal team/person? If so, they too may want to review SFD's usage of FaceTime. 3) An ETA/deadline(s) needs to be supplied for: a) creation of SFD HazMat technology acceptable use policy and b) MoA's with SPD and Seattle branch of FBI.

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ALL COMMENTS RECEIVED ON GENERAL SURVEILLANCE

ID: 66

Submitted Through: Focus Group 1

Date: 11/8/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

no. Glad some surveillance is being used.

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 65

Submitted Through: Focus Group 1

Date: 11/8/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Technologies discussed are less dangerous than some other technologies in our personal lives

ID: 63

Submitted Through: Focus Group 1

Date: 11/8/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

not a lot of privacy anymore: google earth, maps, streetview

What value do you think this technology brings to our city?

What worries you about how this is used?

Google home is always listening. There is always someone listening to your conversations.

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Some of the images you can find online appear to be voyeurism

ID: 61

Submitted Through: Focus Group 1

Date: 11/8/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Street sweepers coming in the middle of the night are ineffective, cars are parked and blocking areas

ID: 60

Submitted Through: Focus Group 1

Date: 11/8/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Sometimes too much surveillance

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Curious about how much construction has to pay when blocking off half a block for parking.

ID: 56

Submitted Through: Mail

Date: 10/23/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Surveillance. I don't want it. Any of it. Just stop.

ID: 28

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Can you please do a better job telling the public about these meetings? Targeted Ads? KUOW - helped, Blogs, Newspaper - Poor turnout

ID: 27

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Most too technical and need to communicate better with public

ID: 26

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Concerned about aggregation of technology and data collected

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

More transparent; less defnesive is how you gain trust

ID: 25

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

KC Parcel viewer information is too much. State listings of addresses of voters is a problem. Too much info has impact on DV victims - keeping them from voting

ID: 24

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Work and Human Rights Activist- Process too complicated. Can be benign but SPD doesn't make dark usage more clear. Info is too complex/data need better education for public on technologies.

ID: 23

Submitted Through: Meeting 2

Date: 10/25/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No concerns as a professor. Traffic is getting worse - how do we make improvements. How do we use data in other ways to improve our lives?

What value do you think this technology brings to our city?

Impressed by how City handles data - Check it and Chuck it

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Spent time on dark web and stunned by what they can do

ID: 53

Submitted Through: Meeting 4

Date: 10/30/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

People lose track of "public service" being performed. Misuse of data

ID: 52

Submitted Through: Meeting 4

Date: 10/30/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Hate to go "China route" tied to credit

ID: 51

Submitted Through: Meeting 4

Date: 10/30/2018

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

Restricted use: will it generate income? Mission creep. Report back to community

ID: 10334071978

Submitted Through: Survey Monkey

Date: 11/7/2018 9:41:13 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Yes

What value do you think this technology brings to our city?

Minimal

What worries you about how this is used?

Very concerned about how red light enforcement cameras are racially unjust and frequently cause tickets to be issued to people of color.

What recommendations would you give policy makers at the City about this technology?

Remove red light cameras, if a particular intersection requires policing then assign officers to be posted there to create a presence that can be seen.

Can you imagine another way to solve the problem this technology solves?

Use officers in cars.

Do you have any other comments?

Red light cameras create an unjust, racially imbalanced burden on blacks, latinos and other marginalized groups. They should be eliminated from the city.

ID: 10328244312

Submitted Through: Survey Monkey

Date: 11/5/2018 8:41:00 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

We, the Critical Platform Studies Group, are a collective of researchers at the University of Washington Information School conducting a third-party ethnographic research study of the Seattle Surveillance Ordinance. In our ongoing research, we are conducting interviews with stakeholders on the processes leading to the revised Seattle Surveillance Ordinance. We have also compared the law to similar U.S. initiatives, and analyzed the functionality of each technology covered by Seattle's ordinance. Despite the salience of algorithmic processes in surveillance technologies, we are finding that the ordinance does not describe or address machine learning, artificial intelligence (AI), or algorithmic bias. We conclude that there is a pressing need for attention to algorithmic bias within disclosed surveillance technologies, for which we suggest additional elements be added to Seattle Surveillance Impact Reports, or by expanded stakeholder engagement in the RFP stage of the procurement process. Our preliminary findings that lead to these recommendations are as follows:

- *Expanded use of technologies triggers new surveillance review*:** The Seattle ordinance models a strong process for submitting a given technology to further review in the event its functionality or uses are expanded.
- *Law motivated by concern for marginalized groups*:** The motivation for the Seattle Surveillance Ordinance was to protect groups that have historically been targeted by surveillance programs. Given that the implicit biases that have been demonstrated to exist in algorithmic systems invariably affect marginalized groups, it is critical to consider the algorithmic aspects and potential algorithmic biases in disclosed surveillance technologies.
- *Gap between perception and reality of current machine learning use*:** Three municipal employees familiar with the Surveillance program stated that machine learning technologies are not used in technologies on the Master List. Contrary to these statements we found that at least two technologies on the Master List rely on machine algorithms---Automated License Plate Recognition (ALPR) and Booking Photo Comparison Software (BPCS). We found that at least two other technologies on the Master List rely on AI technology that could also be used long term in a way that implicates protected groups---i2 iBase and Maltego. The reliance on machine learning technologies likely introduces algorithmic bias, such as through "false positive" identifications.
- *Absence of algorithmic considerations in other surveillance ordinances*:** None of the six municipal surveillance ordinances we surveyed included language for wrestling with algorithmic bias.
- *Opportunity to strengthen existing processes*:** The Seattle Surveillance Impact Reports could include questions or prompts that would target and stimulate investigation into machine learning / AI facets or into algorithmic bias in disclosed surveillance technologies.

ID: 10326819811

Submitted Through: Survey Monkey

Date: 11/5/2018 9:14:43 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Adaptive signal technology does not seem ready for a multimodal city where bikes/pedestrians need priority.

What value do you think this technology brings to our city?

It can potentially improve mobility and that has certainly been demonstrated for cars at least.

What worries you about how this is used?

It doesn't account for bikes or pedestrians or requires some sort of additional effort (like installing an app) to work for those groups.

What recommendations would you give policy makers at the City about this technology?

Are these technologies helping or hurting the vision zero goals?

Can you imagine another way to solve the problem this technology solves?

I would question whether cars being in gridlock is a problem that can be solved or simply a consequence of the culture that we are encouraging in a dense city.

Do you have any other comments?

ID: 10326707921

Submitted Through: Survey Monkey

Date: 11/5/2018 8:38:49 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No

What value do you think this technology brings to our city?

As our population grows this is the only way to enforce laws as we don't have enough police to do it

What worries you about how this is used?

None. If you're abiding by the law you have nothing to fear

What recommendations would you give policy makers at the City about this technology?

Allow police to use it to their advantage to do their job to keep us all safe, but don't use it against them!

Can you imagine another way to solve the problem this technology solves?

Create an environment that would make police want to stay in Seattle and do the job they were hired to do.

Do you have any other comments?

See above

ID: 10324587536

Submitted Through: Survey Monkey

Date: 11/4/2018 3:55:12 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

License plate cameras in general, I'm supportive of, if they can be used at greater frequency to crack down on illegal parking and driving.

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Full steam ahead! Bus lane camera on every bus, so that operators can push a button to send video of an illegal bus lane violator or other moving/parking violations when they see one, to get folks to drive better.

Can you imagine another way to solve the problem this technology solves?

Literally no.

Do you have any other comments?

I have no worries about these technologies. Get bus cameras online ASAP.

ID: 10322210731

Submitted Through: Survey Monkey

Date: 11/2/2018 9:47:34 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

This is government overreach and Big Brother at it's finest. Surveillance technologies do not belong in a free society and are solely implemented to farm money from taxpayers for minor infractions, at "best".

What value do you think this technology brings to our city?

None; outside of the ticket-issuing racket.

What worries you about how this is used?

Law Enforcement will abuse this technology. As a prior victim of stalking at the hands of a Law Enforcement Officer, we don't need to give Police more surveillance tools which make it easier to harass citizens.

What recommendations would you give policy makers at the City about this technology?

Do not turn Seattle into Singapore, China, or the United Kingdom. America is The Land of the Free. We don't want to be under the Watchful Eye of Big Brother.

Can you imagine another way to solve the problem this technology solves?

Use your eyes and have officers enforce the law as needed.

Do you have any other comments?

Robots are not Sworn Officers of the Law. SPD should be writing tickets, not computers. This technology will likely be abused, it will violate privacy laws, and I don't trust the Government to keep secure such a Mass Surveillance system. The costs of securing and maintaining such a system will require massive

amounts of artificial "ticketing". At best, this is a Perpetual Revenue Generator for City Hall; at worst, it's a Gross Violation of Our Civil Rights.

ID: 10315099454

Submitted Through: Survey Monkey

Date: 10/30/2018 7:57:58 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No

What value do you think this technology brings to our city?

Hi it brings proof. It impacts crime before it occurs.

What worries you about how this is used?

Mone

What recommendations would you give policy makers at the City about this technology?

Where you see lots of camera you see less crime.

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10314183202

Submitted Through: Survey Monkey

Date: 10/30/2018 12:34:32 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

The location of the cameras/where the police vans circulate can be racially discriminatory. The city should make sure that these are distributed equitably.

What recommendations would you give policy makers at the City about this technology?

If the city is already going to be placing these cameras, they should also use these cameras to enforce speeding violations. Cars are always driving dangerously fast in this city, and these cameras should also make people follow the law.

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10312185174

Submitted Through: Survey Monkey

Date: 10/29/2018 7:45:04 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Yes

What value do you think this technology brings to our city?

What worries you about how this is used?

Over-policing. Waste of tax money. City government probably isn't sufficiently organized or skilled to process and analyze the data collected. It will ultimately lead to more overly bureaucratic, under-skilled, departments hopelessly trying to learn how to use the equipment and manage a massive records collection. The City should think twice before tying their shoes together on this one. It won't turn out well. I suggest you save yourselves the headache and bad PR by abandoning any surveillance plans now.

What recommendations would you give policy makers at the City about this technology?

Fire whoever is responsible for trying to waste tax money on invasive surveillance equipment. Also, whoever wrote question #6 should take a course on writing unbiased survey questions because the question assumes that the proposed surveillance equipment in fact solves a problem but that is not an established truth.

Can you imagine another way to solve the problem this technology solves?

This is a loaded question. It does not solve a problem. It creates an IT nightmare, costs way too much to store the data, invasive surveillance, and bad PR. Eventually, someone involved will likely lose a future election as a result.

Do you have any other comments?

ID: 10312163737

Submitted Through: Survey Monkey

Date: 10/29/2018 7:35:08 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Yes, I don't agree on public surveillance. This is America not China!

What value do you think this technology brings to our city?

I think it strips me from my right as a citizen and make me feel like the whole country is big huge jail

What worries you about how this is used?

How it's interpret and what people of color will have to go through to not been punished for small and trivial crimes.

What recommendations would you give policy makers at the City about this technology?

We're not ready, this is not London. Don't do it!

Can you imagine another way to solve the problem this technology solves?

I don't think it's solving a problem as much as it's creating one.

Do you have any other comments?

Don't do it!

ID: 10310577035

Submitted Through: Survey Monkey

Date: 10/29/2018 8:13:55 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Yes, the police are not honest about how and when they use this technology which means they are violating the 4th amendment rights which is a federal offense. Are they held accountable? No, almost never.

What value do you think this technology brings to our city?

The percentage of crimes solved with these technologies is a very small amount. And violating 4th amendment rights is a normal act by police in many of those instances.

What worries you about how this is used?

I support the pursuit of justice to make our city safer but but lawful citizens and criminals all have rights which the police disregard because there is no price to pay. If you could cheat and got caught doing so but there was no consequences, why wouldn't you? Its examples like this in our leaders, public officials and public servants that have eroded society and the trust people in each other.

What recommendations would you give policy makers at the City about this technology?

Until we have good honest leaders at the top who oversee the ones who use these technologies and who have no bias about who is held accountable for violations of ANY kind, they should be sidelined.

Can you imagine another way to solve the problem this technology solves?

Good morals and the respect for your fellow humans. It starts with the people on top to set good examples. We as a society have gotten more numb to violence, dishonesty and corruption at the highest levels ,it has now sown itself into our way of life. If we see this kind of behavior from the people that are "roll models" or "leaders" then we adopt them as our own values.

Do you have any other comments?

Unfortunately, corruption is widespread in government agencies and public enterprises. Our political system promotes nepotism and wasting money. This has undermined our legal system and confidence in the functioning of the state. Communism is the corruption of a dream of justice.

ID: 10307049643

Submitted Through: Survey Monkey

Date: 10/26/2018 7:08:32 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I need the red light cameras NOT to have flash equipment on them. These lights are too bright, and they flash without warning, blinding people on the sidewalks at intersections.

What value do you think this technology brings to our city?

Damn all. It may be that drivers get citations--but this does not compensate for the blinding of pedestrians, bicyclists, etc.

What worries you about how this is used?

I have several times been so bedazzled and startled that I might easily have stumbled into traffic, if I'd chanced to be closer to the curb.

What recommendations would you give policy makers at the City about this technology?

Get cameras that don't need so much light, if you INSIST on having such cameras.

Can you imagine another way to solve the problem this technology solves?

Since I don't think it solves anything, no.

Do you have any other comments?

Other cameras are intrusive and invasive--but they're not so immediately dangerous, generally.

ID: 10307028243

Submitted Through: Survey Monkey

Date: 10/26/2018 6:42:15 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

None of these technologies are novel, particularly compared to other parts of the world (Europe, Asia). However, the use of the automated parking enforcement technology specifically for the purpose of booting cars is of highly questionable value.

What value do you think this technology brings to our city?

Hopefully some efficiencies in reducing human effort required to perform basic data-gathering and enforcement. If the parking enforcement buggies can cover many more blocks in a day, or a police officer yanks someone out of a car that's actually stolen, great!

What worries you about how this is used?

Abuse of data access, lax enforcement of retention and removal-of-access policies, above SECURITY BREACH OF DATA that may be useful in some level of identification (car with plate X was seen at location Y at time Z). Be wary of social justice impacts, particularly of the auto-boot technology. Those who are the most vulnerable may be in more frequently trouble with the law (and absolutely unable to rectify fines) and would thus unable to reach services. It would be absolutely unacceptable if a vulnerable member of the population who may be living in a vehicle is booted and unable to access basic human services, or worse.

What recommendations would you give policy makers at the City about this technology?

Data security is of paramount importance -- if data cannot be handled safely by the right people at the right time with prompt removal processes for data and access, then none of this matters and the public trust is gone. If there are any questions about this whatsoever, do not proceed with adoption. After that is transparency. Be specific about what is gathered, down to individual data elements: publicly post the data schemas (but obviously not the data). E.g., when your license plate is recorded, it also gathers: date, time, location, and so on. Finally, policies about use must be clearly understood by the public and the civil servants the tech is entrusted too. "SPD may use tech [when] for [reason] in order to perform duty [elaborate]." "SDOT uses these cameras to perform analysis of [condition]". People care about access and retention policies in this day and age -- post them and perform routine audits no less than quarterly but ideally more often than that (again, posting results publicly).

Can you imagine another way to solve the problem this technology solves?

Drone-mounted cameras can be used to gather movement data for travel time analysis; this doesn't require the use or exposure of any identifying marks whatsoever. They may also be helpful for SFD response scenes to perform rapid large area surveys.

Do you have any other comments?

Addressing these topics with serious care and thoughtfulness raises chances of success. Be intentional about uses of these technologies and do not allow for hidden uses.

ID: 10307002973

Submitted Through: Survey Monkey

Date: 10/26/2018 6:13:10 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Not particularly

What value do you think this technology brings to our city?

CCTV makes this city safer, particularly since we are so short of police officers.

What worries you about how this is used?

Nothing

What recommendations would you give policy makers at the City about this technology?

Beat policemen are better.

Can you imagine another way to solve the problem this technology solves?

Policemen/women who walk or ride bikes in the same neighborhood on a daily basis. We've all read English novels. Doesn't the bobby on his beat seem like the best way to protect a neighborhood, and make a neighborhood feel safe?

Do you have any other comments?

I've lived in Ballard for 35 years. In the last five years I've put grates on my windows, bought a wrought-iron screen door, locked the gate to the backyard. This is after the theft of my bicycle from my shed, shoes from my porch, etc. Opioids. The government is cracking down on doctors who overprescribe. How about cracking down on street drug dealers as well? If a bath tub is overflowing from two spigots going full blast, turning off only one of those spigots doesn't work. Gotta turn off both.

ID: 10306958976

Submitted Through: Survey Monkey

Date: 10/26/2018 5:25:35 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I do have concerns. However, if there is public oversight of the surveillance technology used, both by elected officials and through releases of content recorded to the general public, then these concerns will be sufficiently addressed.

What value do you think this technology brings to our city?

I think this has the ability to automate many of the services currently done by the city. Further, it can provide hard evidence of events that occurred which human testimony cannot do.

What worries you about how this is used?

I am worried that these systems could be used by its operators to spy on people they know or to blackmail individuals both known and unknown to the operators. The accountability to elected officials and through releases to the public would prevent these things from happening.

What recommendations would you give policy makers at the City about this technology?

Make sure there is actual transparency and accountability to the general public and the press, and make sure this technology is about automation and providing evidence, not to keep tabs on people.

Can you imagine another way to solve the problem this technology solves?

no

Do you have any other comments?

ID: 10303980026

Submitted Through: Survey Monkey

Date: 10/25/2018 12:46:20 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I have concerns about the validity of Seattle's privacy program after listening to Seattle's Chief Privacy Officer on KUOW today. Per Ordinance 125376, greykey (the ability for the Seattle Govt to unlock iphones without having the password) should have been reviewed by the Privacy Officer Armbruster, but it wasn't and she provided no explanation why. She offered no apology. This lacks transparency and accountability.

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10300614662

Submitted Through: Survey Monkey

Date: 10/24/2018 9:04:59 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

yes

What value do you think this technology brings to our city?

On a world level, at the federal government level, and at the city level we move closer towards fascism and other forms of authoritarianism, expanded surveillance will give expanded power to authoritarian regimes such as ours.

What worries you about how this is used?

The list of technologies for surveillance should include all other 'law' enforcement agencies at work in our city such as ICE.

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

As I sat down on the Seattle Trolley on Jackson Street a drone flew up and held stationary and then tilted slightly up. The blue lens of a camera flashed and the drone banked off. I'd like to know what other technologies are at use in our city, by ICE for instance as well as other 'law' agencies.

ID: 10299219171

Submitted Through: Survey Monkey

Date: 10/23/2018 7:14:36 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

in general I'm concerned about the collection, retention, aggregation, sharing, and mining of information collected thru surveillance technologies, particularly with regard to the risk for abuse by agencies like ICE or other yet-to-be created Federal agencies that do not represent the views of the Seattle area population.

What value do you think this technology brings to our city?

Emergency Scene cameras give medical professional an opportunity to prepare for treating emergencies and protect first responders from frivolous lawsuits. Hazmat cams gather information while allowing humans to remain at a safe distance. The rest of them essentially allow the city to more effectively collect revenue, except for ALPR, which scans licenses in search of stolen cars or vehicles sought for other reasons.

What worries you about how this is used?

ALPR is essentially a surveillance dragnet. Data is retained for 90 days even on vehicles that have nothing to do with anything.

What recommendations would you give policy makers at the City about this technology?

Do not retain any ALPR data except that which pertains to tagged vehicles. In general, always err on the side of not collecting data, not storing it, and not sharing it. Please. I work for Google.

Can you imagine another way to solve the problem this technology solves?

Fund transportation infrastructure so we don't have so many cars on the road running traffic lights and hitting pedestrians and cyclists and being driven by drunks.

Do you have any other comments?

Thank you for the opportunity to comment.

ID: 10298281561

Submitted Through: Survey Monkey

Date: 10/23/2018 11:18:38 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

It seems like all of these technologies are primarily focused on the movement of vehicles through Seattle instead of pedestrians and their own needs

What value do you think this technology brings to our city?

Giving the illusion of gathering useful, but inactionable, data.

What worries you about how this is used?

general privacy concerns about collecting so much data. There's no such thing as perfect security, to say the least.

What recommendations would you give policy makers at the City about this technology?

Use it to benefit the most vulnerable road users: pedestrians, including cyclists and other small transport methods/vehicles.

Can you imagine another way to solve the problem this technology solves?

Does it solve things? It's a bit early to say that.

Do you have any other comments?

Stop focusing on car throughput, and instead focus on people.

ID: 10298170617

Submitted Through: Survey Monkey

Date: 10/23/2018 10:37:29 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Can you quantify the # of crime investigations, stolen cars recovered and \$ amount of traffic violations recovered by using the ALPR/LPR technology.

What value do you think this technology brings to our city?

I am concerned that we are trading our privacy for a "sense" of security. How have surveillance technologies incrementally affected our security in Seattle.

What worries you about how this is used?

slippery slope -- see "The Last Enemy" film

What recommendations would you give policy makers at the City about this technology?

I'd like to see more police body cams; less surveillance;

Can you imagine another way to solve the problem this technology solves?

I have not been convinced except in the case of the Fire Department technology that we are actually better off -- I need to see numbers.

Do you have any other comments?

I would like to see year over year numbers comparing "before technology - after technology"

ID: 10296707285

Submitted Through: Survey Monkey

Date: 10/22/2018 9:13:04 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

The public ought to be made aware of all surveillance technologies being used. In the case of permanent fixed surveillance devices such as cameras, the public should be readily able to find information about where all such devices are installed.

What value do you think this technology brings to our city?

The provided examples of traffic monitoring seem useful. However, a full-blown security system similar to the widespread CCTV coverage in London seems overly pervasive.

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Minimize the number of surveillance devices implemented, and make their locations available for online viewing by the public at any time. No surveillance devices should be installed without informing the public.

Can you imagine another way to solve the problem this technology solves?

Security cameras should be limited to guarding private property or specific locations of concern, and not used to generally monitor all public areas at all times.

Do you have any other comments?

ID: 10296428154

Submitted Through: Survey Monkey

Date: 10/22/2018 5:35:21 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10295649414

Submitted Through: Survey Monkey

Date: 10/22/2018 11:24:46 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

What value do you think this technology brings to our city?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

What worries you about how this is used?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

What recommendations would you give policy makers at the City about this technology?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

Can you imagine another way to solve the problem this technology solves?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

Do you have any other comments?

I don't want any surveillance. Any of it. Let us live privately and in peace. Just stop.

ID: 10295424650

Submitted Through: Survey Monkey

Date: 10/22/2018 10:02:24 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

SPD has proved over decades that it should BE constantly monitored, rather than be further enabled to abuse - the inseparable seduction of its under-controlled power.

What value do you think this technology brings to our city?

Surveillance tech further dehumanizes and commoditizes residents. A better SPD investment would be in outside beat walking and mingling with citizens.

What worries you about how this is used?

SPD is under Federal oversight due to its documented abuses. Its modus operandi are Trumpist (i.e. thrive only in the dark). We have witness where that tends.

What recommendations would you give policy makers at the City about this technology?

No Councilperson can adequately oversee or hold accountable her portfolio, let alone the Mishmash and Safe Communities octopus. Until proven effective governance by elected officials obtains, no greater powers should be distributed to SPD.

Can you imagine another way to solve the problem this technology solves?

The morality police in Iran and Saudi Arabia and the like in China demonstrate that everyday citizens are readily induced to spy and report on their neighbors. Although beyond the pale, a progressive version of neighborly support and assistance should be the direction Seattle pioneers to deal with the pressing problems of Mass Humanity.

Do you have any other comments?

One cannot "tech" to a humanitarian city, least of all through an insidiously equipped praetorian armed force. SPD elevates the interests of its minuscule membership above those of a citizenry whose dwarf it in all regards. City Council year-in/year-out approves the contracts cementing this folly. Seattle needs a formal goal of reducing its separate-but-armed constituency into the service element it should be, not the formidable power-center it is.

ID: 10295330166

Submitted Through: Survey Monkey

Date: 10/22/2018 9:29:06 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

Yes. We have crimes and shootings that occur in public areas where there is no reasonable expectation of privacy but we lack the info to respond effectively.

What value do you think this technology brings to our city?

By placing cameras in certain areas with frequent criminal activity we could both deter and aid in the arrest and prosecution of those responsible. The city is undergoing an epidemic of property crime and

dumping of garbage in many areas. Cameras could help deter, aid in the arrest/fines and prosecution of those responsible.

What worries you about how this is used?

Very little. If used in public spaces there is no reasonable expectation of privacy. If there is concern about privacy or tracking, the data could be encrypted by default and then made available to police after an incident with a court order or approval of some oversight body.

What recommendations would you give policy makers at the City about this technology?

Hurry up and put cameras in place where it makes sense. If there are privacy concerns, implement some kind of a check on access but get moving.

Can you imagine another way to solve the problem this technology solves?

Not cost effectively.

Do you have any other comments?

ID: 10295152382

Submitted Through: Survey Monkey

Date: 10/22/2018 8:30:01 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

A person could be set up, I suppose. I just read that the journalist who was murdered in the embassy....well his ambushers had a double for him. Now whether this is true or not it could happen. Of course facial recognition might put a stop to imposters posing as someone else.

What value do you think this technology brings to our city?

Safety in public spaces is increased...although, it is sadly 'after the fact' that it is usually the most effective. I think that just the knowledge that you might be watched could deter criminal behavior or, for that matter, abuse by law enforcement. It works both ways. Also, if you had more speed detectors you could generate a lot of revenue with speeding tickets. I can't tell you the number of times I've had cars speed by me in neighborhoods where speed limits are 25 mph. I know police can't be everywhere...but cameras can be. People are much less respectful nowadays. I drive to neighborhoods all over Seattle 5 days a week as a caregiver and have people honking at me because I'm driving too slow

for them. I wish I could take the Mayor along with me on some of my trips so she could see first hand how rude people can be.

What worries you about how this is used?

It will alleviate my worries about road rage....maybe make people feel safer walking about outside...especially those most vulnerable who stay cooped up in their homes too afraid to go outside.

What recommendations would you give policy makers at the City about this technology?

Please...more sir. I would love to see children outside playing...who aren't afraid of being outside playing...in quiet neighborhoods or parks. We need these cameras etc. if only to act as a babysitter in some respects.

Can you imagine another way to solve the problem this technology solves?

Change human nature....which is nearly impossible.

Do you have any other comments?

I'm sure there would be people who could try to use surveillance to watch women etc.....when I was younger I've had police pull me over I'm sure just to check me out...stupid weirdos....BUT there is a lot of good to be had with watching over the public for the public good

ID: 10291758143

Submitted Through: Survey Monkey

Date: 10/19/2018 2:19:06 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No, I support surveillance cameras, even as I understand this is a tradeoff to privacy. But, CC TVs are widely accepted and extraordinarily helpful for law enforcement in other countries such as the UK.

What value do you think this technology brings to our city?

The ability to safeguard spaces and revisit victimizations.

What worries you about how this is used?

How long the data is kept. We should have a period of time that the data is kept after which it is destroyed.

What recommendations would you give policy makers at the City about this technology?

Adopt this widely.

Can you imagine another way to solve the problem this technology solves?

NO.

Do you have any other comments?

As a UW professor who studies law, I fully support better surveillance of our population--this includes police, citizens, and so on.

ID: 10287347565

Submitted Through: Survey Monkey

Date: 10/17/2018 9:55:10 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No. Technology is ubiquitous; surveillance is everywhere. Technology plays a pivotal role in keeping our communities safe. The paranoia of some should be easily address by strong policies and auditing of use.

What value do you think this technology brings to our city?

Technology is critical to solving crime, deterring crime, and bringing criminals to justice, and providing closure to victims.

What worries you about how this is used?

I worry that it is not used enough. I live in the South End, yes, in a black community (I am black) and we have been pleading with the city (you, Councilmember Harrell) for cameras for years. The ACLU, and supposed "community activists", do not speak for the average among us who go to work, take our kids to school, and just want to live in a safe community.

What recommendations would you give policy makers at the City about this technology?

Lead. Do what you're paid to do. Protect the communities you serve, and allow - perhaps even enable - the police to keep our communities safe.

Can you imagine another way to solve the problem this technology solves?

A ridiculous question. If the city's not going to invest in a technological solution, why would the city invest in a lesser solution?

Do you have any other comments?

Please, do not hamstring our first responders anymore. Property crime is rampant. Auto theft is rampant. Our kids are being robbed on the street. And you want to TAKE AWAY tools to solve crime?? We want cameras - like we were promised, Councilmember Harrell. We want crimes solved, and deterred. Do not let absurdity rule the day.

ID: 10281389699

Submitted Through: Survey Monkey

Date: 10/15/2018 4:13:31 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No

What value do you think this technology brings to our city?

Possible reduction in open street crimes

What worries you about how this is used?

May be considered not useful to detect crimes in low income communities.

What recommendations would you give policy makers at the City about this technology?

Use the technologies to cut down the kidnappers/rapist-- violent sex predators working and living in southend housing.

Can you imagine another way to solve the problem this technology solves?

Police patrols more often and seizure--not just showing up and leaving the scene.

Do you have any other comments?

The city seems to be over-run by kidnappers raping, I am getting sick to my stomach. Violent Sex Predators seem to be running the city via what I know.

ID: 10281279313

Submitted Through: Survey Monkey

Date: 10/15/2018 3:10:22 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10273624842

Submitted Through: Survey Monkey

Date: 10/11/2018 1:35:22 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

What value do you think this technology brings to our city?

What worries you about how this is used?

What recommendations would you give policy makers at the City about this technology?

Can you imagine another way to solve the problem this technology solves?

Do you have any other comments?

ID: 10271359916

Submitted Through: Survey Monkey

Date: 10/10/2018 6:19:02 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I think we need more. Especially at every bus stop.

What value do you think this technology brings to our city?

Hopefully catching criminals

What worries you about how this is used?

Nothing

What recommendations would you give policy makers at the City about this technology?

More cameras.

Can you imagine another way to solve the problem this technology solves?

No

Do you have any other comments?

ID: 10270768915

Submitted Through: Survey Monkey

Date: 10/10/2018 1:10:42 PM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

No

What value do you think this technology brings to our city?

I think it has great value in areas of high use, especially in areas where crime is historically reported. Both deterrent to crime and tool that helps law enforcement in the event crime has occurred.

What worries you about how this is used?

totally ok with it, as long as it's targeted in areas of heavy use, congested areas, high volume of people, areas with historically issues with crime, etc.

What recommendations would you give policy makers at the City about this technology?

Make sure law enforcement has real time access. Limit access to law enforcement type groups, don't get sidetracked as to possible other uses of the data.

Can you imagine another way to solve the problem this technology solves?

more police officers

Do you have any other comments?

Believe this is a cost effective way to help keep people safe.

ID: 10270556248

Submitted Through: Survey Monkey

Date: 10/10/2018 11:50:08 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

I do not want increased surveillance. License Plate Readers,

What value do you think this technology brings to our city?

None.

What worries you about how this is used?

Privacy and tracking concerns are rampant in an age where social media [LinkedIn] is almost required for a profession, a cell phone is required for jobs, and cars are required for jobs. StingRay [cell phone interceptor] has already been shown to be used unlawfully. I can only imagine a database version would be subject to equal lack of scrutiny.

What recommendations would you give policy makers at the City about this technology?

Vote no.

Can you imagine another way to solve the problem this technology solves?

Mountains out of molehills. Patrol HOV lanes.

Do you have any other comments?

Enforce HOV restrictions.

ID: 10270098107

Submitted Through: Survey Monkey

Date: 10/10/2018 9:10:36 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

ALPR/LPR: how is this technology used; if the data is being passively collected - how can the general public audit the back-end systems for sake of privacy (in the age of data breaches, this is a risk of *when* there is a breach and not *if*)

What value do you think this technology brings to our city?

Studies have shown that increased surveillance does not actually lead to reduced crime. More studies have also shown that community watch organisations do more to reduce crime than passive/active remote surveillance.

What worries you about how this is used?

Unclear duration of data usage, sharing and retention, and public request process to remove targeted data.

What recommendations would you give policy makers at the City about this technology?

Carefully evaluate vendors and their products to make sure the systems are hardened against breaches; evaluate whether the systems allow for public access to the data so that people can limit invasive surveillance.

Can you imagine another way to solve the problem this technology solves?

Better community education and watch programs. Try to find root causes of crimes and solve those causes. Surveillance is a short term gain with long term consequences and it doesn't address the problem of why crimes happen. Getting to the root cause may prove to be more productive (and in some cases, cost less public money)

Do you have any other comments?

ID: 10269149042

Submitted Through: Survey Monkey

Date: 10/10/2018 1:58:48 AM

Which surveillance technology that is currently open for public comment, do you wish to comment on?

General Surveillance comment

Do you have concerns about this specific technology or how it is used?

With all of these technologies, my main concern is unnecessary storage and retention. For example, what if you're storing some kind of information on people's cars, which then is acquired by ICE to prosecute undocumented individuals in spite of our city's sanctuary status?

What value do you think this technology brings to our city?

I believe there is value in the diagnostic capabilities, for example finding out what kind of traffic levels there are on a street or sidewalk, finding out how many bus lane cheaters there are, or maybe finding a pattern of frequent dangerous behavior on a street. In the same vein, I'm extremely supportive of having cameras on buses that bus operators can use to report bus lane violations because I think the level of bus lane violations we have is a serious impediment to our transportation system. I also appreciate that tech like this removes any prejudices that a police officer may have. Either you broke the law, or you didn't. I love that this tech will be used in parking enforcement. We need to enforce our traffic laws or nobody will care.

What worries you about how this is used?

Though it removes prejudice on the part of officers, I do also think this may be sub-optimal in some circumstances. Perhaps someone as speeding by only 1 mile per hour, which reasonably, we should let slide, but with cameras, we probably won't.

What recommendations would you give policy makers at the City about this technology?

Bus and bike lane camera enforcement, yes! You have no idea how many times some bus lane violators slow down a 60-person bus, or someone blocks the bike lane forcing me to make an unsafe movement. I'd also love to see box blocking or crosswalk blocking detection technology to prevent those things from



happening because it seriously reduces the livability and safety of pedestrians and transit users. Don't have any facial recognition software though.

Can you imagine another way to solve the problem this technology solves?

I don't know how actionable this is, but maybe we could work with the judicial system to give the law a little bit of discretion on the prosecution of crimes, so for example if you're speeding by 1 mph, you don't get the same fine as someone speeding by 10 mph or 30 mph.

Do you have any other comments?

Please implement bus/bike lane enforcement cameras yesterday. I get there are challenges WRT privacy and whatnot, but if we're sensitive to these issues, we can make our city safer.

APPENDIX F: LETTERS FROM ORGANIZATIONS

Shankar Narayan
TECHNOLOGY AND LIBERTY
PROJECT DIRECTOR



October 24th, 2018

RE: ACLU-WA Comments Regarding Group 1 Surveillance Technologies

Dear Seattle IT:

On behalf of the ACLU of Washington, I write to offer the ACLU-WA's comments on the surveillance technologies included in Group 1 of the Seattle Surveillance Ordinance process. We are submitting these comments by mail because they do not conform to the specific format of the online comment form provided on the CTO's website, and because the technologies form groups in which some comments apply to multiple technologies.

These comments should be considered preliminary, given that the Surveillance Impact Reports for each technology leave a number of significant questions unanswered. Specific unanswered questions for each technology are noted in the comments relating to that technology, and it is our hope that those questions will be answered in the updated SIR provided to the City Council prior to its review of that technology.

The technologies in Group 1 are covered in the following order:

- I. Automated License Plate Recognition (ALPR) Group
 1. Automated License Plate Recognition (ALPR)(Patrol)(SPD)
 2. Parking Enforcement Systems (Including ALPR)(SPD)
 3. License Plate Readers (SDOT)
- II. Camera Group
 1. Emergency Scene Cameras (SFD)
 2. Hazardous Materials (Hazmat) Camera (SFD)
 3. Closed Circuit Television "Traffic Cameras" (SDOT)

I. ALPR Group

Automated License Plate Reader Systems (ALPRs) are powerful surveillance technologies that have the potential to significantly chill constitutionally protected activities by allowing the government to create a detailed picture of the movements—and therefore the lives—of a massive number of community members doing nothing more than going about their daily business. Indeed, at the first public meeting seeking comment on the SPD Patrol ALPRs, it was revealed that the ALPR system collected

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37,000 license plates in a 24 hour period—which equates to over 13.5 million scans over a full year. The overwhelming majority of these drivers are not suspected of any crime.

With this massive database of information, agencies can comprehensively track and plot the movements of individual cars over time, even when the driver has not broken any law. This enables agencies, including law enforcement, to undertake widespread, systematic surveillance on a level that was never possible before. Aggregate data stored for long periods of time becomes more invasive and revealing. Existing law in Seattle places no specific limits on the use of ALPR technology or data, meaning an agency can choose whether and how they want to retain data and track vehicle movements.

ALPR technology can be used to target drivers who visit sensitive places such as centers of religious worship, protests, union halls, immigration clinics, or health centers. Whole communities can be targeted based on their religious, ethnic, or associational makeup, and indeed, exactly that has happened elsewhere. In New York City, police officers drove unmarked vehicles equipped with license plate readers around local mosques in order to record each attendee as part of a massive program of suspicionless surveillance of the Muslim community. In the U.K., law enforcement agents installed over 200 cameras and license plate readers to target a predominantly Muslim community suburbs of Birmingham. ALPR data obtained from the Oakland Police Department showed that police there disproportionately deployed ALPR-mounted vehicles in low-income communities and communities of color. And the federal Immigration and Customs Enforcement agency has sought access to ALPR data in order to target immigrants for deportation. All of these concerns are magnified in light of a long history of the use of invasive surveillance technologies to target vulnerable communities (see, for example, Simone Browne’s excellent, multidisciplinary book on the subject, *Dark Matters: On the Surveillance of Blackness*).

The foregoing concerns suggest the Council should ensure strong protections against the misuse of this technology, regardless of which agency is deploying it and for what purpose. Specific comments follow.

1. Automated License Plate Recognition (ALPR)(Patrol)(SPD)

The SIR relating to Patrol ALPRs raises a number of specific concerns around current policy and practice, and leaves open a number of significant questions. I attempt to capture these in sections below on concerns, questions, and recommendations.

a. Major Concerns

- *Inadequate Policies.* Policies cited in the SIR are vague, contradictory, and appear to impose no meaningful restrictions on the purposes for which ALPR data may be collected or used. Policy 16.170—the only apparent policy specific to ALPRs—for example, is very short, contains undefined terms, and focuses on training rather than use. Subsection 3 of the policy says that “ALPR Operation Shall be for Official Department Purposes” and that ALPR may be used “during routine patrol or any criminal investigation.” This does not meaningfully restrict

the purposes for which ALPR may be used. And another part of the policy states that ALPR data may be accessed only when it relates to a specific criminal investigation—yet it is unclear how this relates to the enforcement of civil violations mentioned in both SPD SIRs. More generally, much of the practice described in the SIR does not appear to be reflected in any written policy at all (for example, the practice of manually verifying a hit visually is not reflected in policy).

- *Dragnet Use with No Justification.* While the SIR contains contradictory information on this point, it appears that ALPR cameras are always running, offering a vast dragnet of data collection. No legal standard is stated to justify this general, dragnet use. The Seattle Intelligence Ordinance is cited, but SPD seems to assume that dragnet surveillance is consistent with this Ordinance, without any specific policy (for example, are ALPR-equipped vehicles kept away from protests?).
- *Lengthy Retention Window with No Justification.* SPD retains ALPR data for 90 days, but examples given in the SIR of crimes solved using ALPRs largely appear to involve immediate matches against a hotlist. It is unclear what justifies this long retention window.
- *Data Sharing is Not Explicitly Limited by Policy or Statute.* The sharing of ALPR data with other agencies is of great concern, and SPD states a variety of situations in which such data may be shared (see SIR Section 6.1). But the policies cited do not make clear the criteria for such sharing, nor any inter-agency agreement that governs such sharing, nor why the data must be shared in the first place (see perfunctory answer to SIR Section 6.2). This issue of data sharing was raised in the enactment of the Surveillance Ordinance itself, and has only become more urgent under the current federal administration.
- *Inadequate Auditing.* The SIR appears to contradict itself on the subject of whether and how audits of inquiries to the system can be conducted (see SIR Sections 4.10 and 8.2, for example). As with any invasive surveillance system, a clear and regular audit trail to protect against abuse is important.

b. Outstanding Questions

I'm listing questions here that I hope will be answered in an updated SIR:

- To what degree are patrol and parking enforcement ALPR systems separated, and do SPD policies on ALPR apply fully to the Parking Enforcement Systems? It appears the systems are merged at least to some extent, and in that case, the same strong protections against abuse should be applied to all systems.
- ALPR policy says there has to be a specific criminal investigation in order for ALPR data to be accessed. Does reasonable suspicion of a crime equate to a

specific criminal investigation? How is a specific criminal investigation documented?

- Under what agreements is data shared with outside agencies, and where “required by law,” what specific laws require this sharing? To which systems outside SPD is data uploaded?
- How many plate images collected by the system every day? What is the hit rate on those images? Is there systematic data reflecting how many crimes each year are actually solved using ALPR data?
- How often do misreads occur? Are they systematically tracked?

c. Recommendations

These recommendations should be considered preliminary, pending answers to the questions above. But we urge the Council to ensure binding enforceable protections in ordinance that ensure the following minimum protections:

- Dragnet use and long retention of ALPR data should be outlawed. SPD must have reasonable suspicion that a crime has occurred before examining collected license plate reader data; they must not examine license plate reader data in order to generate reasonable suspicion. SPD should retain no information at all when a passing vehicle does not match a hot list (particularly given that such data is subject to public disclosure, including to federal agencies).
- People should be able to find out if plate data of vehicles registered to them are contained in SPD’s ALPR database. They should also be able to access the data.
- There must be access controls on the ALPR databases, with only agents who have been trained in the policies governing such databases permitted access, and with every instance of access logged.
- SPD should not share any ALPR data with third parties without a written agreement ensuring that those third parties conform to the above retention and access rules, and should disclose to whom and under what circumstances the data are disclosed.
- Whenever a hit occurs, an officer, before taking any action, must confirm visually that a plate matches the number and state identified in the alert, confirm that the alert is still active by calling dispatch and, if the alert pertains to the registrant of the car and not the car itself, for example in a warrant situation, develop a reasonable belief that the vehicle’s occupant(s) match any individual(s) identified in the alert.

- ALPRs should not be used for non-criminal enforcement purposes, other than parking enforcement.
- SPD should produce detailed records of ALPR scans, hits, and crimes solved specifically attributable to those hits, as well as an accounting of how ALPR use varies by neighborhood and demographic.

2. Parking Enforcement Systems (Including ALPR)(SPD)

Particularly given the partly merged nature of the parking enforcement and patrol ALPRs, including use of the parking enforcement ALPRs to check vehicle plates against hot lists, the concerns stated above with respect to SPD Patrol ALPRs apply equally to parking enforcement systems, and Council should ensure that the same minimum rules apply to them via ordinance—the intended primary use for parking enforcement does not in itself mitigate the concerns raised. In addition, the following outstanding questions should be answered in an updated SIR:

- It is unclear from the SIR how the Parking Enforcement ALPR systems integrate with the Patrol ALPR systems—it appears that some integration occurs at least in the case of the Scofflaw enforcement vans, that store collected data in the BOSS system. An updated ALPR should clarify specifically what rules apply to that data, and how they differ from rules applied to data collected by Patrol ALPR.
- A number of software and hardware providers are mentioned in Section 2.3 of the SIR—an updated SIR should clarify whether all contract directly with SPD itself, or with each other or a third party entity, to provide ALPR and related services.
- As with Patrol ALPR, statistics on numbers of scans, hits, and revenue from the systems would be helpful.
- Section 4.1 suggests pictures of the vehicle are being taken in addition to the plate—are these pictures stored, and if so, for how long?
- Concerns set forth in the section above relating to patrol ALPR regarding data access, clear standards for data sharing with third party entities and the purpose of such sharing, as well as auditing, all apply to these systems as well—and an updated SIR should clarify those standards.

3. License Plate Readers (SDOT)

The concerns stated above with respect to patrol ALPR largely apply to this set of ALPRs as well, with the additional concern of explicit sharing with a state entity. It is heartening that the SIR suggests that no license plate data is retained, but it is not clear whether that no-retention practice is reflected in policy. It is also unclear whether an explicit agreement exists with WSDOT ensuring deletion of the data and use only for the

purpose of calculating travel times. With that in mind, the following outstanding questions should be answered in an updated SIR:

- What explicit, written policies govern what SDOT and WSDOT can do with this ALPR data? Is there a written agreement with WSDOT requiring no personal data collection and deletion of all data?
- Under what circumstances might this data be used for law enforcement purposes? Is it possible for third parties to subpoena any data retained?
- What additional third parties get access to the data?

The Council should ensure by ordinance that the data collected is used only for the purpose of calculating travel times, that no data is retained, that no third party other than SDOT and WSDOT access the data at any time, and that a written agreement holds WSDOT to these restrictions.

II. Camera Group

Overall, concerns around this group of technologies largely focus on the use of these systems and the data collected by them for purposes other than those intended, over-collection and over-retention of data, and sharing of that data with third parties (such as federal law enforcement agencies). While the stated purposes of the cameras may be relatively innocuous, it is important to remember that images taken by such cameras, for example at emergency scenes, can compromise the privacy of individuals at vulnerable moments, and can be misused for the same kinds of targeting and profiling of particular communities detailed in Section I above. In addition, with the widespread and cheap availability of facial recognition technology, which can be applied after the fact to any image showing a face, it is all the more important that protections limiting the use of these tools to their intended purpose be enacted.

For all of these systems, the Council should adopt, via ordinance, clear and enforceable rules that ensure, at a minimum, the following:

- The purpose of camera use should be clearly defined, and its operation and data collected should be explicitly restricted to that purpose only.
- Data retention should be limited to the time needed to effectuate the purpose defined.
- Data sharing with third parties should be limited to those held to the same restrictions.
- Clear policies should govern operation, and all operators of the cameras should be trained in those policies.

Specific comments follow:

1. Emergency Scene Cameras (ESCs)(SFD)

The SIR for this technology states that no explicit internal policy exists at SFD that governs the use of ESCs, so a good start would be to create such a policy and include it in an updated SIR. This process should begin with an explicit list of specific uses for the ESCs, which are currently only set forth in general terms, and with apparent contradictions between sections of the SIR (for example, Section 1.0 describes three uses for the cameras, but Section 2.1 adds several more). In addition, the updated SIR should set forth any other internal policies and Washington laws governing use, retention, and disclosure of the data; where the data is stored; and which third parties, if any, have access to it, and for what purpose. (The SIR indicates data sharing with SPD, but the purpose is not clear.)

In turn, the Council should ensure via ordinance that no use is made of the images beyond the specific emergency, investigative, or training uses set forth, and that the data is deleted immediately upon completion of those purposes. Data sharing with third parties should be prohibited unless for those specific uses, and those third parties should be held to the same use and retention standards.

2. Hazardous Materials (Hazmat) Cameras (SFD)

As with ESCs, the SIR for Hazmat cameras indicates that no policy governing the use of this technology currently exists, with one limited exception for mechanism-of-injury recordings (see SIR Section 3.3). So similarly to ESCs, with this technology, an explicit policy that lists specific uses for the cameras should be created and included in an updated SIR. In addition, answers to questions such as who stores the data and which third parties have access to it should be made explicit. In particular, the SIR describes data sharing with law enforcement, but purposes of that disclosure are not made explicit (see SIR Section 4.7). In instances where a legal standard such as reasonable suspicion is applied, it should be clear what the standard is, who applies it, and how that application is documented. Overall, use of this technology should be limited to emergency response purposes, and any law enforcement use of the data should be restricted by ordinance.

3. Closed Circuit Television “Traffic Cameras” (SDOT)

As with the other two camera technologies, the crux of concern around these traffic cameras relates to limiting their use to specific purposes, enshrining in statute protections against invasion of privacy and general data collection, and limiting data sharing. It would be helpful to see the SDOT camera control guidelines referenced in the SIR, as well as to make clear in a policy applicable specifically to these cameras, what data will be deleted when (Section 5 appears to contain several different retention policies). Additional questions that an updated SIR should answer are as follows:

- The current SIR does not reference specific camera vendors and models—these would be helpful to have.

- Are there currently explicit guidelines on when recording occurs, and what’s maintained? (See SIR Section 3.3 referencing recording for “compelling traffic operational needs”—the term is undefined.)
- Law enforcement use appears to be explicitly contemplated by the SIR, but the specific allowable uses are not defined—these should be made clear.

As with the other camera technologies, the Council should ensure clear purposes are defined in statute for these traffic cameras, that no use is made of the images for other purposes, that data is immediately deleted when the purpose is achieved, and that data sharing with third parties should be prohibited unless for those specific uses.

Thank you for your consideration, and we look forward to working with you on the process of ordinance implementation. Please feel free to contact me with questions or concerns.

Sincerely,

Shankar Narayan

cc: Seattle City Council and Executive



317 17TH AVENUE SOUTH, SEATTLE, WA 98144
TEL. 206.956.0779 FAX. 206.956.0780

October 29, 2018

My name is Marcos Martinez and I am the Executive Director at Casa Latina, a nonprofit organization based in Seattle that serves low income Latinx immigrant community through employment, education and community organizing.

The community that we serve at Casa Latina is particularly vulnerable to abuses by government agencies. Since the elections of 2016, our communities have been on edge due to the increased enforcement activities of agencies like ICE and Customs and Border Protection (CBP).

In addition, while government officials have pledged that the private information of individuals would be protected within agencies such as the State Department of Licensing, we have seen that those promises are not always borne out in reality. Breaches of community trust are very difficult to repair.

It is for these reasons that technologies such as the Automated License Plate Reader System cause concerns for our communities. The ACLU, in its comments on these technologies, has pointed out some major concerns regarding the policies that govern the use of the ALPR, including the lack of meaningful restrictions on the purposes for which ALPR data may be collected or used.

Limitations on data sharing are of particular concern, since this could affect immigrant community members who are subject to detention by immigration authorities but who are not the subject of any active criminal investigation by SPD. It's not clear that strong policies are in place to prohibit the sharing of data with ICE or CBP which would serve to aid those agencies in their efforts to detain immigrant community members.

Thank you for your consideration and I look forward to working with you to develop policies that protect the privacy of our most vulnerable communities.

Sincerely,

Marcos Martinez

www.casa-latina.org



November 5, 2018

Dear Seattle IT:

I am writing to offer Densho's comments on the recently released Group 1 Surveillance Impact Reports (SIRs) under the Seattle Surveillance Ordinance review process. Densho is a community-based 501(c)(3) organization. For more than twenty years, we have been documenting the World War II incarceration of Japanese Americans to promote equity and social justice both in Seattle and across the country. The experiences of Japanese Americans are a somber lesson about the fragility of civil society in the face of intolerance and fear.

We have reason to cast a critical eye on infrastructure and systems created to monitor our citizenry. Some two decades before the beginning of WWII, the Japanese American community was targeted for mass surveillance in a coordinated effort involving the Federal Bureau of Investigation (FBI), the Office of Naval Intelligence (ONI), and the War Department's Military Intelligence Division, assisted by local law enforcement agencies. In the immediate aftermath of Pearl Harbor, US Census data was improperly used to develop exclusion area maps and lists of Japanese American citizens for registration. In the current political environment, we remember this history and are concerned about how a new breed of technologies may affect the rights of our friends and neighbors who belong to ethnic, religious and other vulnerable minority communities

These comments will cover the SIRs for the six Group 1 technologies in two primary sections. The first will address the Automated License Plate Reader (ALPR) sub-group, including SPD Patrol, Parking Enforcement, and SDOT. The second offers comments on the camera technology SIRs for SFD Emergency Scene Cameras, SFD Hazmat Cameras, SDOT Closed Circuit "Traffic Cameras"

Section 1: Automated License Plate Reader technologies

A. General Concerns

ALPR is a powerful technology that creates almost unprecedented abilities to surveil and track the movement of individuals across our city and region. It is already being utilized in ways that impact religious, ethnic and other minority communities. In the wake of the September 11 attacks, ALPR was used to monitor Muslim communities in New York, and more recently, US Immigration and Customs Enforcement has employed ALPR data through large aggregators such as Vigilant Solutions to target Latinx populations.

While ALPR is valuable to SPD (and SDOT) in their work, and – as discussed in the SIRs – there are generally benign and beneficial uses, the creation of a large pool of highly sensitive data presents a risk for misuse.

B. SPD Patrol



1. Retention policy inconsistent with stated goals
In the SIR, the primary goal of the ALPR program is stated as, “Property Recovery” – locating stolen vehicles, while the report cites, use, “[o]n occasion,” of the stored data to assist criminal investigations, in particular, the location of Amber and Silver Alert subjects. If this is the case, this casts significant doubt on the need for a lengthy data retention period. The agency does not provide the analysis that led to the decision for the 90-day period anywhere in the SIR or, in response to questions during the public engagement meeting on October 30, 2018. This policy should be driven by careful consideration of the needs of the program, rather than
2. Third-party data sharing
As stated in the SIR, data is shared with third-parties, including law enforcement and researchers, under a number of policies and inter-agency agreements. However, the criteria for permissible sharing is vague; these policies should be articulated in a clear, consistent and explicit fashion.
3. Lack of transparency and reporting
Statistical data regarding the collection and use of the ALPR data should be made publicly available. The implementation of SPD’s new RMS should include functionality for tracking and recording when ALPR data has been used in investigations and enforcement.
4. Governing policies
Currently, the management and use of ALPR systems is guided principally by SPD Policy 16.170. SPD officials themselves admit that Policy 16.170 is inadequate and incomplete. ALPR is a novel, powerful technology that requires

C. Parking Enforcement (SPD)

1. Co-mingling of Parking Enforcement and Patrol data
The SIR describes the flow of data from the Scofflaw “boot vans” to the centralized Neology BOSS system, shared with Patrol. It is not clear whether this data is aggregated directly with the Patrol dataset. If so, this should be more explicitly stated, and the same policies and rules should apply.

D. SDOT

1. Sharing of data with WSDOT and other third parties
The SIR does not outline whether the data-sharing agreement with WSDOT includes provisions governing the sharing and use of SDOT-collected data.

Section 2: Camera technologies

The use of image and video technologies has obvious benefits in the efficiency and delivery of emergency services in crisis situations, as was articulated in the each of the SIRs covering this group. Densho’s primary concern is the possibility that the infrastructure and the data collected may be subject to uses beyond the scope of the stated purposes. While it is highly unlikely that



D E N S H Ō
The Japanese American Legacy Project

SFD and SDOT would utilize the systems in ways that directly impact privacy, unless the collection, retention and sharing of data is carefully regulated, there is potential for real harm to civil liberties in the hands of third parties. Coupled with facial recognition technology, camera data can be used in ways that SFD and SDOT may not have anticipated.

We appreciate the opportunity to share these concerns with you, and hope that this process may help to make our city a welcoming, safe and truly civil society.

Sincerely,

Geoff Froh
Deputy Director

APPENDIX G: EMAILS & LETTERS FROM THE PUBLIC

Letter submitted by individual constituent:

Surveillance.
I don't want it.
Any of it.
Just stop.

Letter submitted by individual constituent:

Kevin Orme
502 N 80th
Seattle, WA 98103
206-789-3891

November 4, 2018

Public Input Commentary – Seattle Surveillance Technology open Public Comment period – 10/22 through 11/5, 2018.

Opening Remarks:

1. Surveillance technology usage in the United States of America, regardless of use, purpose and policy, is completely and wholly within the basic tenets of the Bill of Rights, otherwise known as Amendments 1-10 to the US Constitution. There are no more fundamental laws in the United States than the Constitution and the amendments thereto.

As regards privacy, public surveillance/data capture technology and police oversight – these governing principles have to be considered in any and all policies and local procedures/laws created for our democratic society. Doing anything less is simply illegal and against our whole theory of government – it's that simple.

Specifically:

The First Amendment, including rights to freedom of speech, public assembly and the press.

The Fourth Amendment, including rights preventing unreasonable search, seizure and requiring warrants for same.

The Fifth Amendment, including rights against self-incrimination and deprivation of life, liberty and property without due process.

The Sixth Amendment, including the right to confront the accuser by the accused; defense counsel when accused of a crime and proper/complete informing of the accused concerning the nature and extent of criminal accusation if occurs.

And beyond the Bill of Rights, **the 14th Amendment, Section 1**, regarding rights of due process and federal laws also applying equally to the states (which means *cities* in those same states, of course)

2. The WA State Constitution:

In addition to the Bill of Rights and the US Constitution, the WA State Constitution is also instructive:

Article 1, Section 1 – all political power is inherent in the people, and governmentsare established to protect and maintain individual rights;

Article 1, Section 2 – the US Constitution is the supreme law of the land;

Article 1, Section 7 - Invasion of Private Affairs or Home Prohibited

Article 1, Section 32- “A frequent recurrence to fundamental principles is essential to the security of individual right and the perpetuity of free government.”

3. Context for Seattle: The above means essentially:

You cannot simply 'surveil everything' in the hopes of finding a criminal (or even worse, someone you simply “don't agree with”). That is called 'guilty until proven innocent' and has been overturned time and time again in our system of laws by courts and legislators at every level. The Bill of Rights has protected the 4th Amendment concept of 'Innocent until Proven Guilty' and 24-7 surveillance of **any** sort flies in the face and openly defies this most basic law.

You cannot 'surveil' public assemblies, protests, or similar gatherings, most especially with facial recognition, phone network/bluetooth data capture or public video recordings and/or microphones without again, violating the above basic constitutional principles – otherwise known as “laws” (US and WA).

You cannot store data simply according to 'policy', or come up with what you believe adequate controls may or may not be, and then implement them without complete transparency and public input, including that of the City Attorney's office, elected officials and arguably most important, THE PUBLIC. I believe this effort you have begun to solicit feedback is a good start, but there's a long way to go and this is only the very beginning, rest assured.

Finally, you cannot pay lip service to these previous paragraphs by not actively doing them yourself, and then simply turn around and receive/use/retain the data anyway through other means – that is, you cannot obtain the data from the NSA's Fusion Center already located in downtown Seattle, or the FBI, or TSA, DHS, or increasingly rogue agencies like ICE – all of these still break the law, plain and simple.

Specific technologies being discussed in this public outreach:

1) SDOT LPR's.

Positive – the data is stated as being deleted immediately after a transit time calculation;

Positive – the data is stated as only being available to SDOT personnel after relay from WSDOT, with individual identifying license plates not part of that incoming data;

Positive – stated purpose – facilitate effective and efficient traffic management within the Seattle city limits.

SDOT LPR's - COMMENT for Submission/consideration:

a) It is unclear how long WSDOT is retaining this data for handoff to SDOT and Seattle generally – even if SDOT deletes it nearly immediately after a calculation/use, can they go back and re-retrieve it later? The answer should be NO, and simply that WSDOT is doing the same thing at minimum – deleting the data almost immediately after said calculation too (I recognize this latter is beyond SDOT's control, however, certainly as the biggest city in the state, Seattle would have major influence on these policies and procedures were you to weigh in and state clear policy positions).

b) It is also unclear what the statement 'travel time calculation' precisely means for these purposes. Is it just me driving through downtown and getting spotted if I go by any of these cameras/devices? Assuming the answer is yes, when is the 'timeout' – 1 minute if not seen by another camera? 5 minutes? When and how quickly does the 'calculation' occur (so that I know purportedly the data is then "immediately deleted" as you say?

c) It is also unclear if anyone else working for the City of Seattle has access to this WSDOT data (and if so, for how long, in what capacity, at what level of detail, etc.) – say, the SPD, City Attorney's office, or? So maybe SDOT isn't "surveilling" anyone within the normal meaning of the term given the safeguards noted in the policy PDF, but certainly the SPD have far different reasons for using this data, and most (if not all) of them are far removed from simple data calculations, and include direct data review to carry out those tasks?

Traffic Cameras (SDOT)

Positive – similar purposes to those above – namely efficient and effective traffic mgmt in real time, using systems and human operators (either in a data center or on the scene, e.g. tow truck, etc.) to make it happen.

SDOT Traffic Cams - COMMENT for Submission/consideration:

- a) What are the 'SDOT Camera Control Protocol Guidelines' and are they public? If not, can they be and where can we review them? Have they ever been amended due to public input, potential past problems or abuses? When were they written and by whom with what expertise?
- b) What are the 'specific cases' where footage is archived and for how long?
- c) Has this data ever been subpoena'd by City personnel, or outside entities (e.g. ICE, NSA or similar)?
- d) The 'protections' paragraph says archived footage isn't shared with any other City dept – but what about data that is 'in transit' between realtime capture and potential archiving later (whether only for 10 days or not)? How/when and in what circumstances might footage be temporarily retained or shared outside normal policy, and potentially 'evade' the otherwise typical 10-day delete policy as a result?

SPD – ALPR's

Positive – as stated by SPD with any such whiz-bang tech – 'preventing crime'

SPD ALPR's: COMMENT for Submission/consideration:

- a) Why 90 days? Why not something much more reasonable, like 15? Certainly if the tech is sophisticated enough to create a 'hot list' as described here, **15 days – two working weeks in other words – is surely more than enough time for the data's intended purpose.**
- b) Can we see examples of these 'auditable records' supposedly created by SPD when logging into ALPR/contacting dispatch? If you are making them 'auditable' for the purposes of ensuring restricted and limited use of the technology generally, then surely you don't mind if we see how that works at minimum so WE can know this (and believe you) too?

c) When does something become an 'active investigation' – and how long is the data retained, where stored and accessible by who then? What if the investigation is called off or invalidated by a court or city officer/city attorney – is the data immediately deleted, and an 'auditable record' of that activity created to prove it?

d) You say nothing about sharing the data with other entities (e.g. ICE, DHS, etc.) - do you? Are you planning to? Have you done so in the past? If so on any of these, under what circumstances and did they provide any sort of a warrant of any kind?

e) You stated there are eight SPD cars equipped with ALPR systems now, and that statement implies that this is the 'only' such ALPR system deployed 1) for these purposes, 2) with this specific technology citywide. Is this true? Are there stationary systems mounted elsewhere in the city that are networked (now or can be in the future) and if so, how many are there? Are there plans (either already in motion or for say, the next few years) to implement either more cars, add in stationary systems, or both? Certainly at minimum, just like with red light cameras, we deserve and demand publicly posted notice of any such stationary systems if they exist or are being deployed.

f) I have read the online 16.170-POL governing ALPR use <http://www.seattle.gov/police-manual/title-16---patrol-operations/16170--automatic-license-plate-readers> – and it's pretty sparse with only 4 short bullet points.
– more questions:

f1) what is ACCESS certification and how can we know more that it does what it's intended to do? Where is the training, who does it, is it a private entity creating coursework, etc.?

f2) how often are these standards updated (e.g. the policy is already 6 years old, dating from 2012 – certainly the technology is not falling behind in the same way);

f3) Who is in charge of TESU and what are their qualifications? Are they elected officials or behind the scenes?

f4) does the terminology 'part of an active investigation' = 'we got a hit on a license plate of X' – and X is a known criminal, there's a warrant out, or? Need way more information here, this is far too vague and un-specific when regards data management and control. I could be the most qualified TESU guy in the department and yet it doesn't mean I should be entitled to look at *any* data – especially without a legal warrant to do so? Where are the other controlling provisions?

Emergency Scene Cameras

Positive – improve and continue to enhance emergency preparedness and response effectiveness.

Emergency Cams: COMMENT for Submission/consideration:

a) where are the 'internal policies' and 'WA laws' governing storage of said photos and materials? The PDF is pretty vague.

b) Is live footage/drone image, sound and data capture being considered or already being used? As to data captured (audio, video, photo), storage management, retention and access policies – the Details, Please.

c) what about the same (live footage/audio/video) from vehicles or bodycams/etc.? Again, Details please.

Hazmat Cameras

Positive – largely identical to that of Emergency Incident Response, save the potential for nefarious/negligent actors to be involved

Hazmat Cams: COMMENT for Submission/consideration:

- a) similar to with Emergency Cameras – essentially how long is the data stored, especially if no criminal activity is determined or the investigation concludes
- b) anything beyond tablets used or planned to be used? This mentions tablets as the primary tech, but that doesn't foreclose plans for more (or by aggressive tech vendors already talking to you)?
- c) what sort of data management training is provided to either HazMat or Emergency Responders, for that matter?

Parking Enforcement (SPD)

Positive – enforce parking and related laws, determine 'booting' situations ***SPD Parking Enforcement: COMMENT for Submission/consideration:***

- a) there is nothing seen here about general data storage or retention parameters – Details, Please.
- b) there is nothing here about whether this ALPR data is 'pooled' with ALPR data collected from the eight so-equipped SPD cars mentioned earlier – and if so, whether governed by those parameters and restrictions too/not? Details, Please.
- c) are these technologies governed by TESU as the others are? Barring possibly those controlled directly by the Seattle Municipal Court itself, separate from the SPD? Details, Please.
- d) there is also no mention of the (likely older) Red Light Traffic Cam technology that has been in use in city locations for some years now, possibly over a decade. These aren't for SDOT use, these are for people running red lights, of course. All the relevant details (Data capture, retention, storage, access, certification, etc.) - all these apply here too – Details, Please.

Submitted 11/4/2018 by

Kevin Orme
502 N 80th
Seattle, WA 98103
206-789-3891

APPENDIX H: PUBLIC COMMENT ANALYSIS METHODOLOGY

OVERVIEW

The approach to comment analysis includes combination of qualitative and quantitative methods. A basic qualitative text analysis of the comments received, and a subsequent comparative analysis of results, were validated against quantitative results. Each comment was analyzed in the following ways, to observe trends and confirm conclusions:

1. Analyzed collectively, as a whole, with all other comments received
2. Analyzed by technology
3. Analyzed by technology and question

A summary of findings are included in Appendix B: Public Comment Demographics and Analysis. All comments received are included in Appendix E: All Individual Comments Received.

BACKGROUND ON METHODOLOGICAL FRAMEWORK

A modified Framework Methodology was used for qualitative analysis of the comments received, which *“...approaches [that] identify commonalities and differences in qualitative data, before focusing on relationships between different parts of the data, thereby seeking to draw descriptive and/or explanatory conclusions clustered around themes”* (Gale, N.K., et.al, 2013). Framework Methodology is a coding process which includes both inductive and deductive approaches to qualitative analysis.

The goal is to classify the subject data so that it can be meaningfully compared with other elements of the data and help inform decision-making. Framework Methodology is “not designed to be representative of a wider population, but purposive to capture diversity around a phenomenon” (Gale, N.K., et.al, 2013).

METHODOLOGY

STEP ONE: PREPARE DATA

1. Compile data received.
 - a. Daily collection and maintenance of 2 primary datasets.
 - i. Master dataset: a record of all raw comments received, questions generated at public meetings, and demographic information collected from all methods of submission.
 - ii. Comment analysis dataset: the dataset used for comment analysis that contains coded data and the qualitative codebook. The codebook contains the qualitative codes used for analysis and their definitions.
2. Clean the compiled data.
 - a. Ensure data is as consistent and complete as possible. Remove special characters for machine readability and analysis.
 - b. Comments submitted through SurveyMonkey for “General Surveillance” remained in the “General Surveillance” category for the analysis, regardless of content of the

comment. Comments on surveillance generally, generated at public meetings, were categorized as such.

- c. Filter data by technology for inclusion in individual SIRs.

STEP TWO: CONDUCT QUALITATIVE ANALYSIS USING FRAMEWORK METHODOLOGY

1. Become familiar with the structure and content of the data. This occurred daily compilation and cleaning of the data in step one.
2. Individually and collaboratively code the comments received, and identify emergent themes.
 - I. Begin with deductive coding by developing pre-defined codes derived from the prescribed survey and small group facilitator questions and responses.
 - II. Use clean data, as outlined in Data Cleaning section above, to inductively code comments.
 - A. Each coder individually reviews the comments and independently codes them.
 - B. Coders compare and discuss codes, subcodes, and broad themes that emerge.
 - C. Qualitative codes are added as a new field (or series of fields) into the Comments dataset to derive greater insight into themes, and provide increased opportunity for visualizing findings.
 - III. Develop the analytical framework.
 - A. Coders discuss codes, sub-codes, and broad themes that emerge, until codes are agreed upon by all parties.
 - B. Codes are grouped into larger categories or themes.
 - C. The codes are documented and defined in the codebook.
 - IV. Apply the framework to code the remainder of the comments received.
 - V. Interpret the data by identifying differences and map relationships between codes and themes, using R and Tableau.

STEP THREE: CONDUCT QUANTITATIVE ANALYSIS

1. Identify frequency of qualitative codes for each technology overall, by questions, or by themes:
 - I. Analyze results for single word codes.
 - II. Analyze results for word pair codes (for context).
2. Identify the most commonly used words and word pairs (most common and least common) for all comments received.
 - I. Compare results with qualitative code frequencies and use to validate codes.
 - II. Create network graph to identify relationships and frequencies between words used in comments submitted. Use this graph to validate analysis and themes.
3. Extract CSVs of single word codes, word pair codes, and word pairs in text of the comments, as well as the corresponding frequencies for generating visualizations in Tableau.

STEP FOUR: SUMMARIZATION

1. Visualize themes and codes in Tableau. Use call out quotes to provide context and tone.
2. Included summary information and analysis in the appendices of each SIR.



APPENDIX I: POLICIES AND OPERATING GUIDELINES (POG)

The relevant Seattle Fire Department policies can be found in the Policies & Operating Guidelines document (POG). The most recent version of the POG that is currently in effect was last updated in November 2020. The complete Seattle Fire Department's Policies & Operating Guidelines (POG) is available upon request to evan.ward@seattle.gov or by Public Disclosure Request: <https://www.seattle.gov/public-records/public-records-request-center>.

SEATTLE FIRE DEPARTMENT

POLICIES AND OPERATING GUIDELINES

VOLUME I

Rev. - 11/23/20

Relevant sections of the POG includes Operating Guidelines 3004 and 5001:

IMAGE RECORDING DEVICES

PERSONAL IMAGE RECORDING DEVICES The use of personal devices to take still or digital photographs, or video or audio recordings, by Operations personnel at emergency scenes for personal use or Department training purposes is not authorized.

PAGE 3004-6

REV. 11/23/20

OPERATING GUIDELINE – 3004

SEATTLE FIRE DEPARTMENT

DEPARTMENT AUTHORIZED DIGITAL CAMERAS

Members responding to an incident may not use helmet mounted cameras, video cameras, personal cell phones, cameras, or any other recording device while on an emergency response.

In accordance with OG 5001.2 *Aid and Medic Responses, Digital Cameras*, on-duty firefighter/paramedics may use digital cameras provided by the Department to record the mechanism of injury to trauma patients. After showing the photographs to appropriate hospital emergency department staff the photos will be deleted.

ETHICS

OPERATING GUIDELINE – 5001

SEATTLE FIRE DEPARTMENT

DEPARTMENT AUTHORIZED DIGITAL CAMERAS

All Medic Units and Medic 44 carry a smart phone in the controlled drug safe. These phone cameras may be utilized by M44 and Medics to record the mechanism of injury for trauma patients.

These photographs will only be shown to appropriate hospital emergency department staff to clearly explain the severity of injury and then shall be promptly deleted from the camera's internal memory.

The utilization of the phone cameras will not infringe on the quality of patient care provided on an emergency response.

OTHER IMAGE RECORDING DEVICES

In accordance with OG 3004.7 *Image Recording Devices* section, members responding to an incident may not use helmet mounted cameras, video cameras, personal cell phones, personal cameras, or any other recording device while on an emergency response.

The use of personal devices to take still or digital photographs, video or audio recordings by Operations personnel at emergency scenes for personal use or Department training purposes is not authorized.

AID AND MEDIC RESPONSES

APPENDIX J: CTO NOTICE OF SURVEILLANCE TECHNOLOGY

Thank you for your department’s efforts to comply with the new Surveillance Ordinance, including a review of your existing technologies to determine which may be subject to the Ordinance. I recognize this was a significant investment of time by your staff; their efforts are helping to build Council and public trust in how the City collects and uses data.

As required by the Ordinance (SMC 14.18.020.D), this is formal notice that the technologies listed below will require review and approval by City Council to remain in use. This list was determined through a process outlined in the Ordinance and was submitted at the end of last year for review to the Mayor's Office and City Council.

The first technology on the list below must be submitted for review by March 31, 2018, with one additional technology submitted for review at the end of each month after that. The City's Privacy Team has been tasked with assisting you and your staff with the completion of this process and has already begun working with your designated department team members to provide direction about the Surveillance Impact Report completion process.

Please let me know if you have any questions.

Thank you,

Michael Mattmiller

Chief Technology Officer

Technology	Description	Proposed Review Order
Emergency Scene Cameras	Photos at incidents (not retained after transmission per department policy) are collected as part of the investigation and documentation of emergency responses and may include photographs of identifiable individuals and property.	1
Hazmat Camera	This wireless system transmits pictures related to hazardous materials sites to document and identify clean up and management requirements.	2
Computer-Aided Dispatch	Computer-aided dispatch (CAD) is used to initiate public safety calls for service, dispatch, and to maintain the status of responding resources in the field. It is used by 911 dispatchers as well as by officers using mobile data terminals (MDTs) in the field. Use is opt-in, but individuals may enter personally-identifying information about third-parties without providing notice to those individuals.	3

2021 Surveillance Impact Report Executive Overview

Emergency Scene Cameras

Seattle Fire Department

Overview

The Operational Policy statements in this document represent the only allowable uses of the equipment and data collected by this technology.

This Executive Overview documents information about the collection, use, sharing, security and access controls for data that is gathered through Seattle Fire Department's Emergency Scene Cameras. All information provided here is contained in the body of the full Surveillance Impact Review (SIR) document but is provided in a condensed format for easier access and consideration.

1.0 Technology Description

Certain Seattle Fire Department (SFD) response vehicles maintain a digital camera for use during emergency operations. The make and model of emergency scene cameras differ slightly according to the unit or response vehicle. In all cases though, the cameras are used to take photographs via a basic "point and click" method.

Chiefs and Medic Units use the [Nikon Coolpix L24](#) or the [Panasonic Lumex TS30](#). The Fire Investigation Unit's [Nikon D7200](#) has more functionality, including the ability to take high quality videos. It is only used to take pictures for fire investigations.

2.0 Purpose

Operational Policy: Emergency scene cameras may be utilized by Department personnel for several reasons:

- **Providing emergency medical doctors with pictures of the mechanism of injury for trauma patients.**
- **Pictures of fire scenes for Fire Investigation Unit (FIU) investigations.**
- **Safety investigations following collisions involving Department response vehicles.**

In emergency settings, time is of the essence. A camera is a useful tool for first responders for information sharing purposes because images convey a significant amount of information in a short amount of time.

3.0 Data Collection and Use

Operational Policy: The cameras are used to take photographs via a basic "point and click" method. There are strict policies regarding the use and deletion of photos if they include victims requiring emergency medical service (POG section 3004-7). Additionally, [The Uniform Health Care Information Act \(RCW 70.02\)](#) governs the use, retention and disclosure of confidential medical information, which includes photos of traumatic injuries sustained by patients.

Digital cameras are currently in use by three divisions of the Seattle Fire Department:

- Medic One (Battalion 3) paramedic units
- Battalion Chiefs in Safety 1 and Safety 2 units
- Fire Investigation Unit (FIU) investigators and the FIU Captain

For medic units, cameras are only to be used during emergency medical responses where showing the mechanism of injury to hospital staff is required to maintain high-level continuity of care. The FIU camera may only be used for fire investigations. The Safety Office cameras can only be used by chiefs during safety investigations, such as vehicle collisions.

Chiefs may use the cameras to take photos of incident scenes for research or for use in training. Pictures are also taken during safety investigations involving Fire Department personnel, such as vehicle collisions.

4.0 Data Minimization & Retention

Operational Policy: [The Uniform Health Care Information Act \(RCW 70.02\)](#) governs the use, retention and disclosure of confidential medical information, which includes photos of traumatic injuries sustained by patients. For FIU records, investigation photos are retained in a database that is compliant with current Criminal Justice Information Services (CJIS) standards.

Additionally, The Seattle Fire Department's internal Policies and Operating Guidelines ("POG") establishes rules around the retention of digital photographs during emergency medical responses:

- Section 5001-13: "All Medic Units and Medic 44 carry a digital camera in the controlled drug safe. These cameras may be utilized by Department personnel to record the mechanism of injury for trauma patients. These photographs will only be shown to appropriate hospital emergency department staff to clearly explain the severity of injury and then will be promptly deleted from the camera's internal memory."
- Section 5001-2.6: "Digital photographs of mechanism of injury for trauma patients taken with the digital camera carried in Medic Unit(s) and/or M44 shall be deleted after being shown to appropriate hospital emergency department staff."
- Section 3004-7: "in accordance with OG 5001.2 Aid and Medic Responses, Digital Cameras, on-duty firefighter/paramedics may use digital cameras provided by the Department to record the mechanism of injury to trauma patients. After showing the photographs to appropriate hospital emergency department staff the photos will be deleted."

5.0 Access & Security

Operational Policy: The Medic Unit cameras can only be accessed by Battalion 3 paramedics. Per Department policy, the data is not retained following transfer of patient care.

Fire Investigation Unit (FIU) photos are accessible only to fire investigators, the FIU Captain and one civilian administrative specialist. Fire Investigation Unit photos are stored on a CJIS-client database.

Safety chiefs take pictures for collision investigations, and those are accessible only to the safety office (a total of four battalion-level chiefs).

Access

CAD may be used to identify personnel associated with a specific unit or incident, as all on-shift SFD members are required to sign-in to CAD. Daily inventory and equipment use can be traced to the personnel on duty.

Security

Fire Investigation photos are maintained in a CJIS-compliant database known as Digital Evidence Management Software (DEMS). Policies set forth by CJIS include:

- A limit of 5 unsuccessful login attempts by a user accessing CJIS
- Event logging various login activities, including password changes
- Weekly audit reviews
- Active account management moderation
- Session lock after 30 minutes of inactivity
- Access restriction based on physical location, job assignment, time of day, and network address

Safety office photos are stored on a secured city server within the Department's "O" drive.

6.0 Data Sharing and Accuracy

Operational Policy: Photos of trauma patients are only shared in person with emergency room staff for the purposes of providing patient care.

Photos taken by Safety Chiefs for vehicle collision investigations may be shared with the Risk Management Division of Finance and Administrative Services (FAS) for the purposes of processing claims for damages against the City.

FIU photos are shared with the Seattle Police Department using a shared CJIS-compliant database known as Digital Evidence Management Software (DEMS).

The mechanism of injury (MOI) for trauma patients can be shared much more quickly and accurately with emergency medical staff with a picture than by written or verbal communication. Time and accuracy are critical in these scenarios, so sharing photos is an invaluable tool for first responders during medical emergencies.

The Seattle Fire Department's Fire Investigation Unit works closely with the Seattle Police Department's Arson and Bomb Squad (ABS). The sharing of information and records is necessary for adequate law enforcement. The sharing of FIU photos with the SPD ABS only occurs within a CJIS-compliant framework, as the two offices share a secure database.

7.0 Equity Concerns

Operational Policy: The Seattle Fire Department is committed to equitable service delivery regardless of race, sexual orientation, income, immigration or refugee status. All individuals, including non-residents and visitors to the City will be treated with compassion, professionalism and respect by SFD personnel.

Medical privacy is particularly relevant in the case of pictures taken during medical emergencies. Victims of criminal activity may also be identified during incident responses, whose identities should be protected in accordance with [RCW 42.56.240](#) and [RCW 70.02](#).

2021 Surveillance Impact Report Executive Overview

Hazmat Cameras

Seattle Fire Department

Overview

The Operational Policy statements in this document represent the only allowable uses of the equipment and data collected by this technology.

This Executive Overview documents information about the collection, use, sharing, security and access controls for data that is gathered through Seattle Fire Department's Hazmat Cameras. All information provided here is contained in the body of the full Surveillance Impact Review (SIR) document but is provided in a condensed format for easier access and consideration.

1.0 Technology Description

The Seattle Fire Department's Hazardous Materials (HazMat) specialty team, known as Unit 77, utilizes a camera system to explore incident scenes for potentially hazardous materials, spills, or contamination. First responders use Apple's Facetime, a video conferencing application, in conjunction with Apple TV to livestream video via an iPad and MiFi connection to a television monitor located on the HazMat Unit.

2.0 Purpose

Operational Policy: Hazmat cameras allow first responders to detect and identify potentially hazardous materials or contaminants, all while maintaining a safe distance from potential exposure. Additionally, it provides an incident commander ("IC") with the real-time information required to make quick decisions.

Other incident personnel from the HAZMAT rig may also view the live video and assist with hazard and risk assessment during an emergency scenario. Once the contaminant has been properly identified, Unit 77, the team responsible for HAZMAT response, can then take the appropriate decontamination steps to mitigate the potential exposure and terminate the incident.

3.0 Data Collection and Use

Operational Policy: According to [SMC 3.16.200](#) the Seattle Fire Department is designated as the Hazardous Materials Incident Command Agency for all hazardous materials incidents within the corporate limits of The City of Seattle. The Incident Commander has broad authority to use the technology during an incident response.

The technology is used by SFD personnel on the HazMat team (Unit 77). The Unit 77 commanding officer or the IC will determine if the technology use is necessary during an incident response.

The technology's use for HazMat operations allows for quicker conveyance of information at an emergency scene and additional review by subject matter experts at the scene, thereby limiting potential exposure of first responders by allowing the information to be shared outside an exposure zone.

4.0 Data Minimization & Retention

Operational Policy: Deletion of videos or pictures occurs in accordance with the Department's retention schedule occurs at a device level.

The Department's Privacy Champion and Public Disclosure Officer is responsible for ensuring compliance with data retention requirements.

5.0 Access & Security

Operational Policy: Data is collected on scene by Unit 77 personnel and accessible by that team only. In the case of disclosure to law enforcement for litigation or in accordance with UHCIA, Unit 77 personnel will securely transmit the appropriate data and information after direction by either the Department's Public Disclosure Officer or the IC.

Access

The following are considered acceptable reasons to access the equipment and/or the data collected.

- Hazardous Materials response, at the IC's discretion
- Public Records (some exemptions may apply)
- Discovery for litigation purposes
- Research by Unit 77 personnel
- Sharing of information with law enforcement in accordance with UHCIA

Security

Apparatus inventories are regularly conducted by SFD personnel at Station 10.

Photos from HazMat responses are retained on a secured “O” drive, only accessible to members of Unit 77. A new policy will be developed to track and log all disclosures of Unit 77 records to law enforcement agencies.

Regarding FaceTime technology: Apple creates a unique ID for each FaceTime user, ensuring FaceTime calls are routed and connected properly. No other user information is stored for FaceTime and Apple cannot retrieve the data for any other purpose (it is stored in a hash format). No location information is ever used or stored during FaceTime registration or a FaceTime conversation. Additionally, the entire FaceTime conversation stream itself is encrypted.

Regarding use of iPad technology: iPad supports WPA2 Enterprise to provide authenticated access to your enterprise wireless network. WPA2 Enterprise uses 128-bit AES encryption, giving users the highest level of assurance that their data will remain protected when they send and receive communications over a Wi-Fi network connection. In addition to your existing infrastructure each FaceTime session is encrypted end to end with unique session keys. Apple creates a unique ID for each FaceTime user, ensuring FaceTime calls are routed and connected properly.

The two iPads and monitor are contained in a secure compartment located on the HazMat apparatus. Only Unit 77 members can access the compartment. The iPads and Mifi also require passwords known only to Unit 77 members. No check-out is required prior to use, only a login to the iPad and MiFi.

6.0 Data Sharing and Accuracy

Operational Policy: In the event that an IC determines the resulting video should be shared with law enforcement for investigation and potential litigation, Unit 77 may share data with SPD’s Arson & Bomb Squad (ABS) and Narcotics Unit and the Seattle branch of the Federal Bureau of Investigation (FBI).

SFD personnel may encounter information at incident scenes that is evidence of unlawful activity. For example, a “meth lab” response where Unit 77 would enter the incident scene first to ensure the safety of the scene. Photos and video would then be shared with law enforcement partners as evidence of potential criminal activity.

7.0 Equity Concerns

Operational Policy: The Hazardous Materials camera is used sparingly, and only in specific HAZMAT responses by a specialty team of the Seattle Fire Department. It is possible that an individual could be seen by the camera during an incident response. However, since the

video is not retained, it cannot be used to target specific individuals or populations. As such, there is no discernable effect on racial equity with regard to the HazMat camera.

The Community Fire Safety Advocates (CFSA Program) are a great resource for communicating with communities across the City, including those who speak languages other than English. These advocates can be used to translate fire prevention messages and educate SFD personnel on appropriate ways to interact with their communities.

Type of Strategy (program, policy, partnership)	Description of Strategy	Percent complete of implementation	Describe successes and challenges with strategy implementation
Program/Partnership	The Community Fire Safety Advocate (CFSA) program was developed to effectively meet the specific fire safety needs of Seattle’s immigrant and refugee communities. Initiated after a tragic fire in 2010, this program has expanded to provide fire prevention services to multiple language and cultural groups. SFD practices are also communicated to vulnerable populations via these advocates.	100%	Over 24,000 immigrant/refugee community members have received safety messages, including carbon monoxide poisoning, home fire evacuation planning and cooking, and heating fire safety since the program began.

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
SFD / ITD	Evan Ward Vinh Tang/206-684-7640	Neal Capapas/206-684-5292

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to surveillance technology implementation; authorizing approval of uses and accepting surveillance impact reports for the Seattle Fire Department's use of Emergency Scene Cameras and Hazardous Materials Cameras.

Summary and background of the Legislation: Per SMC Chapter 14.18 (also known as the Surveillance Ordinance), authorizing the approval of the surveillance impact reports for Seattle Fire Department's use of existing technologies: Emergency Scene Cameras and Hazmat Cameras

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? Yes No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? Yes No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

This technology is currently in use by the Seattle Fire Department and no additional costs, either direct or indirect, will be incurred based on the continued use of the technology. However, should it be determined that SFD should cease use of the technology, there would be costs associated with decommissioning the technologies. Additionally, there may be potential financial penalty related to breach of contract with the technology vendors.

Is there financial cost or other impacts of *not* implementing the legislation?

Per the Surveillance Ordinance, the City department may continue use of the technology until legislation is implemented. As such, there are no financial costs or other impacts that would result from not implementing the legislation.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

This legislation does not affect other departments. The technology under review is used exclusively by the Seattle Fire Department.

b. Is a public hearing required for this legislation?

A public hearing is not required for this legislation.

c. Is publication of notice with The Daily Journal of Commerce and/or The Seattle Times required for this legislation?

No publication of notice is required for this legislation.

d. Does this legislation affect a piece of property?

This legislation does not affect a piece of property.

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

The Surveillance Ordinance in general is designed to address civil liberties and disparate community impacts of surveillance technologies. Each Surveillance Impact Review included in the attachments, as required by the Surveillance Ordinance, include a Racial Equity Toolkit review adapted for this purpose.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

No.

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

No.

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?

There is no new initiative or programmatic expansion associated with this legislation. It approves the continuation of use for the specific technologies under review.

List attachments/exhibits below:



Legislation Text

File #: CB 120156, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the Multifamily Housing Property Tax Exemption Program; amending Sections 5.73.010, 5.73.020, 5.73.040, 5.73.090, 5.73.100, 5.73.105, and 5.73.110 of the Seattle Municipal Code to allow extended property tax exemptions under certain conditions; to allow exemptions for up to 20 years for permanently affordable homeownership; to add reporting requirements for permanently affordable homeownership; and to make technical changes, consistent with chapter 84.14 of the Revised Code of Washington as amended.

WHEREAS, the state Legislature intends to achieve multiple goals by authorizing exemptions for the value of new multifamily housing from ad valorem property taxes, including increasing both affordable housing and market-rate workforce housing, creating permanently affordable homeownership opportunities, encouraging urban development and density, promoting economic investment and recovery, and creating family-wage jobs; and

WHEREAS, chapter 84.14 of the Revised Code of Washington (RCW) establishes minimum requirements for multifamily property tax exemptions and authorizes local jurisdictions to adopt or implement more stringent requirements, including a greater number of affordable units as a share of total residential units and deeper affordability for lower-income households; and

WHEREAS, in 2021, the state Legislature adopted Senate Bill (SB) 5287, amending chapter 84.14 RCW, which authorizes multifamily property tax exemptions under certain conditions; and

WHEREAS, chapter 84.14 RCW, as amended, authorizes local jurisdictions to extend multifamily property tax exemptions for an additional 12 years if, at a minimum, the owner agrees to meet the locally adopted requirements for new projects receiving a property tax exemption, as applicable at the time of

application for an extension; and

WHEREAS, chapter 84.14 RCW states that requirements for a multifamily property tax exemption should be relative to the size of the project and value of the property owner's tax benefit; and

WHEREAS, Chapter 5.73 of the Seattle Municipal Code, 2004 Multifamily Housing Property Tax Exemption Program, was adopted by Ordinance 121415 and amended by Ordinances 121700, 121915, 122730, 123550, 123727, 124877, 124919, and 125932; and

WHEREAS, Chapter 5.73 increases affordable housing opportunities in new multifamily housing by providing for special valuations of eligible improvements in areas zoned for multifamily development; and

WHEREAS, the City seeks to promote housing affordable to lower-income households in locations that help increase access to education, employment, and social opportunities, while supporting a more inclusive city and reducing displacement from Seattle neighborhoods or from the city as a whole; and

WHEREAS, the City seeks to increase permanently affordable homeownership opportunities; NOW,
THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 5.73.010 of the Seattle Municipal Code, last amended by Ordinance 125932, is amended as follows:

5.73.010 Purpose

The purpose of this Chapter 5.73 is to increase and maintain affordable housing opportunities in new and existing multifamily housing, including through rehabilitation of vacant buildings, within the city of Seattle. To achieve these purposes, this Chapter 5.73 provides for special valuations of eligible improvements in areas zoned for multifamily developments. In addition to increasing affordable housing, Chapter 5.73 seeks to affirmatively further fair housing as Seattle grows. Chapter 5.73 is intended to and should be interpreted and construed to comply with chapter 84.14 RCW.

Section 2. Section 5.73.020 of the Seattle Municipal Code, last amended by Ordinance 126278, is

amended as follows:

5.73.020 Definitions

“Affordable rent” means monthly rent plus tenant-paid utilities and any mandatory recurring fees required as a condition of tenancy for ~~((a dwelling unit, SEDU, or congregate residence sleeping room))~~ an MFTE unit that does not exceed 30 percent of the monthly percentage of median income ((as designated by this Chapter 5.73)) required by subsection 5.73.040.B or subsection 5.73.090.D.2, as applicable.

“Affordable sale price” means a sale price for an MFTE unit that is affordable to an eligible household according to subsection 5.73.040.C.1.a or subsection 5.73.040.C.1.b, as applicable, as calculated by the Office of Housing according to a methodology consistent with subsection 5.73.040.C.

“Assessor” means the King County Assessor.

“Bedroom” means a ~~((habitable room))~~ sleeping area in a dwelling unit that meets the following criteria: (1) ~~((gross floor area equals at least 70 square feet))~~ requirements for a habitable space, as defined by Chapter 2 of the Seattle Building Code; (2) ~~((wall dimensions equal at least 7 feet))~~ minimum room widths and ceiling heights according to section 1207.1 and section 1207.2 of the Seattle Building Code; (3) natural ~~((lighting is provided through an exterior opening in accordance with Section 1204.2.2 of the Seattle Building Code, or through an opening to an adjoining room in accordance with Section 1204.2.1))~~ light requirements according to section 1204.2 of the Seattle Building Code; (4) natural ventilation ~~((is provided through an exterior opening in accordance with Section 1202.5.1 of the Seattle Building Code, or through an opening to an adjoining room in accordance with Section 1202.5.1.1 of the Seattle Building Code, or through an opening below grade in accordance with Section 1202.5.1.2))~~ requirements according to section 1202.5 of the Seattle Building Code; and (5) ~~((the habitable room is completely separated))~~ complete separation of the habitable space from other portions of the dwelling unit by walls and one or more exit access doorways, consistent with Chapter 2 of the Seattle Building Code.

“Compact unit” means a residential unit that is a SEDU, a congregate residence sleeping room, or a unit

with net unit area of 400 square feet or less, regardless of the number of bedrooms.

“Compliance period” means the period beginning ~~((with))~~ on the date of the Final Certificate and ending on December 31 of the ~~((twelfth))~~ final year of tax exemption according to Section 5.73.090.

“Congregate residence” is defined according to Section 23.84A.006.

“Conditional Certificate” means a Conditional Certificate of Tax Exemption.

“Contract” means the standard form agreement, prepared by the Office of Housing, between the owner ~~((of the multifamily housing))~~ or, for permanently affordable homeownership, a qualified non-profit organization and the City that contains the terms and conditions, including ~~((designation of and requirements))~~ for each MFTE ((units)) unit as designated according to the Final Certificate, for the duration of the compliance period as a condition of eligibility of the Multifamily Housing for a property tax exemption according to this Chapter 5.73.

“Director” means the Director of the ~~((City’s))~~ Seattle Office of Housing or any other City office, department, or agency that shall succeed to its functions with respect to this Chapter 5.73, or the Director’s authorized designee.

“Dwelling unit” is defined according to Section 23.84A.008.

“Eligible household” means:

1. ~~((A renter))~~ For renter-occupied multifamily housing, a household with total annual income, certified as a condition to initial occupancy of an MFTE unit, no greater than the applicable percentage of median income for the MFTE unit according to subsection 5.73.040.B or subsection 5.73.090.D.2, as applicable ; or

2. ~~((An owner))~~ For owner-occupied housing, a household with total annual income, certified as a condition to purchase of an MFTE unit, no greater than the applicable percentage of median income for the MFTE unit according to subsection 5.73.040.C.1; or

3. ~~((A renter))~~ For renter-occupied housing, a household with total annual income verified upon

recertification according to Section 5.73.105 (~~((not to equal or exceed 1.5))~~) less than one and one-half times the maximum annual income for the MFTE unit according to the percentage of median income ((as designated)) according to subsection 5.73.040.B or subsection 5.73.090.D.2, as applicable.

“Final Certificate” means a Final Certificate of Tax Exemption.

“Median income” means the annual median family income for the Seattle area, as published from time to time by the United States Department of Housing and Urban Development (HUD), with adjustments according to household size, which adjustments shall generally be based upon a method used by HUD to adjust income limits for subsidized housing, (~~(and)~~) which (~~((adjustments))~~) for purposes of determining affordability of rents or sale prices shall be based on the average size of household (~~((considered to correspond))~~) that corresponds to the size and type of the housing unit, all in a manner determined by the Director. In addition, further adjustments shall be made so that median income will not decrease from the prior year nor increase more than four and one-half percent from the prior year. The median income most recently published by the Director shall be used to calculate income limits and correlating rent or sale price limits. The Director may establish by rule the method for determining median income.

“MFTE unit” means a dwelling unit, SEDU, or congregate residence sleeping room in multifamily housing that is (~~((rented))~~) leased at an affordable rent to an eligible household according to subsection 5.73.040.B or subsection 5.73.090.D.2, as applicable, or sold at an affordable sale price to an eligible household according to subsection 5.73.040.C.1.

“Multifamily housing” means the residential uses in (~~((one or more residential or mixed-use structures, each of which includes at least four net new dwelling units, SEDUs, or congregate residence sleeping rooms designed for permanent residential occupancy for which))~~) a project that may be eligible for a property tax exemption ((under)) according to this Chapter 5.73. ((may be eligible.))

“Owner” means the (~~((project))~~) owner or owners of record of the property that includes the multifamily housing. “Owner” shall not mean eligible household.

“Permanently affordable homeownership” means a dwelling unit that is:

1. Affordable housing as defined according to RCW 43.185A.010; and
2. Built by or sold to a qualified non-profit organization; and
3. Affirmatively marketed and sold to eligible households that receive homebuyer education and

counseling from a qualified non-profit organization; and

4. Subject to a 99-year ground lease or deed restriction, to be executed at initial sale and each

successive sale, that provides:

- a. Resale restrictions designed to provide affordability for eligible households with

annual incomes no higher than 80 percent of median income;

- b. A right of first refusal for a qualified non-profit organization to purchase the MFTE

unit at resale;

- c. Refinancing and home equity line of credit approval requirements; and

- d. Ongoing enforcement by a qualified non-profit organization.

“Permanent residential occupancy” means ~~((dwelling units, SEDUs, or congregate residence sleeping rooms))~~ residential units that provide permanent residences for ~~((renter or owner))~~ households. This excludes ~~((hotels, motels, short-term rentals,))~~ hotel, motel, and short-term rental units and other residences that predominately offer rental or vacation accommodations on a monthly, weekly, or daily basis.

“Project” means the project, as identified by ~~((a))~~ the current SDCI ~~((record))~~ building permit number with a CN or PH suffix, that includes the multifamily housing.

“Qualified non-profit organization” means a non-profit organization and any subsidiary or affiliate of such organization.

“Rehabilitation improvements” means the creation of at least four net new ~~((dwelling units, SEDUs, or congregate residence sleeping rooms))~~ residential units through either: (1) substantial improvements to a building that fails to comply with one or more applicable Seattle Building Code standards according to Title 22,

the residential portion of which has been vacant for at least 24 months prior to issuance of the first building permit; or (2) substantial improvements to a building that contains occupied residential units, provided the project causes no “displacement” as defined in subsection 22.210.030.E.

“Residential targeted area” means an area or areas designated by the City Council pursuant to this Chapter 5.73.

“SDCI” means the Seattle Department of Construction and Inspections.

“SEDU” means a “Dwelling unit - small efficiency” as defined according to Section 23.84A.008.

“Substantial compliance” means compliance with Title 22 building and construction codes applicable to rehabilitation improvements.

“Substantial improvement” (~~means any repair, reconstruction, rehabilitation, alteration, addition, or other improvement of a building or structure, the cost of which, in any five year period, equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. If the structure has sustained damage whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred, any repairs are considered substantial improvement regardless of the actual repair work performed~~) is defined according to the Seattle Existing Building Code, Chapter 2.

Section 3. Section 5.73.040 of the Seattle Municipal Code, last amended by Ordinance 125932, is amended as follows:

5.73.040 Eligibility

* * *

B. Additional requirements for renter-occupied multifamily housing:

1. ~~((H))~~ For an exemption according to subsection 5.73.090.A, if at least eight percent of the total ~~((dwelling))~~ residential units ~~((and SEDUs))~~ in the multifamily housing are configured with two or more bedrooms and the multifamily housing does not include a congregate residence, a minimum of 20 percent of the

total ~~((dwelling)) residential~~ units ~~((and SEDUs in the multifamily housing))~~ shall be MFTE units promptly leased at affordable rents to eligible households with annual incomes at or below 40 percent of median income for SEDUs, ~~((within a building with a mix of unit types,))~~ at or below 60 percent of median income for studio units, at or below 70 percent of median income for one-bedroom units, at or below 85 percent of median income for two-bedroom units, and at or below 90 percent of median income for three-bedroom and larger units. ~~((This subsection 5.73.040.B.1 shall not apply to projects that include congregate residences.))~~

2. ~~((H))~~ For an exemption according to subsection 5.73.090.A, if fewer than eight percent of the total ~~((dwelling)) residential~~ units ~~((, SEDUs, and congregate residence sleeping rooms))~~ in the multifamily housing are configured with two or more bedrooms or the multifamily housing includes a congregate residence, a minimum of 25 percent of total ~~((dwelling)) residential~~ units ~~((, SEDUs, and congregate residence sleeping rooms in the multifamily housing))~~ shall be MFTE units promptly leased at affordable rents to eligible households with annual incomes at or below 40 percent of median income for congregate residence sleeping rooms, at or below 40 percent of median income for SEDUs ~~((within))~~ in a ~~((building with a mix of unit types))~~ project that also includes studio units, one-bedroom units, two-bedroom units, or three-bedroom units, at or below 50 percent of median income for SEDUs in ~~((buildings))~~ a project where 100 percent of the units are SEDUs, at or below 60 percent of median income for studio units, at or below 70 percent of median income for one-bedroom units, at or below 85 percent of median income for two-bedroom units, and at or below 90 percent of median income for two-bedroom and larger units. ~~((This subsection 5.73.040.B.2 shall apply to projects that include congregate residences.))~~

3. Each structure that comprises the multifamily housing, whether residential or mixed-use, shall include at least four net new residential units providing for permanent residential occupancy.

~~((3))~~ 4. If the total number of MFTE units calculated according to this subsection 5.73.040.B contains a fraction, then the number of MFTE units shall be rounded up to the next whole number.

~~((4))~~ 5. MFTE units ~~((, including when the MFTE units are in multifamily housing in more than~~

~~one building,)) shall ((generally meet)) satisfy the following requirements:~~

a. Distribution. Except as provided in subsection ~~((5.73.040.B.4.c, dwelling units, SEDUs, and congregate residence sleeping rooms in each building that comprises the multifamily housing))~~ 5.73.040.B.5.c, MFTE units shall be generally distributed throughout each structure ~~((in the development containing units))~~ that comprises the multifamily housing.

b. Comparability. ~~((Dwelling units, SEDUs, and congregate residence sleeping rooms in each building that comprises the multifamily housing))~~ MFTE units shall be generally comparable to the other units ~~((to be developed))~~ in each structure that comprises the multifamily housing in terms of the following:

- 1) Status as a dwelling unit, SEDU, or congregate residence sleeping room;
- 2) Number and size of bedrooms and bathrooms;
- 3) Net unit area measured by square feet;
- 4) Access to amenity areas;
- 5) Functionality; and
- 6) Term of the lease.

c. The Office of Housing shall develop, by rule, different distribution requirements for MFTE units within buildings greater than 95 feet in height as defined by the Land Use Code. The Office of Housing shall report to the Chair of the Housing, Health, Energy, and Workers' Rights Committee, or its successor committee, on proposed criteria at least 30 days prior to adoption of a rule.

C. Additional requirements for owner-occupied multifamily housing:

1. A minimum of either:

a. For an exemption according to subsection 5.73.090.B, 20 percent of the total dwelling units ((and SEDUs)) in ((the)) multifamily housing, which shall total at least four net new units, shall be MFTE units sold at affordable sales prices ~~((, in accordance with subsection 5.73.040.C.2,))~~ to eligible households with annual incomes at or below 100 percent of median income for studio units and one-bedroom units, and at

or below ~~((120))~~ 115 percent of median income for two-bedroom ~~((or))~~ and larger units, or

b. For an exemption according to subsection 5.73.090.C, 25 percent of the total dwelling units in multifamily housing, which shall total at least four net new units, shall provide permanently affordable homeownership for eligible households with annual incomes at or below 80 percent of median income.

2. Resale of ~~((an))~~ each MFTE unit shall not occur without prior notice to the Director.

a. ~~((Upon))~~ If the share and affordability of MFTE units is according to subsection 5.73.040.C.1.a, upon receipt of such notice, the ~~((tax exemption under this Chapter 5.73 shall be either (a) immediately cancelled in accordance with chapter 84.14 RCW, or (b) extended based upon a determination that the terms of the resale are consistent with this Chapter 5.73, including this subsection 5.73.040.C))~~ Director shall determine the status of the tax exemption according to subsection 5.73.110.E. ~~((The Director shall establish by rule the method for calculating an affordable sale price.))~~

b. If the share and affordability of MFTE units is according to subsection 5.73.040.C.1.b, the resale of an MFTE unit shall provide permanently affordable homeownership for eligible households with incomes no higher than 80 percent of median income.

3. Each MFTE unit shall be owned and occupied by an eligible household as its ~~((principle))~~ principal residence ~~((for the duration of its ownership))~~ and the eligible household shall not lease the unit ~~((,))~~ unless the Director ~~((approves))~~ provides prior approval of a limited short-term exception.

~~((4. The owner shall be responsible for any costs related to initial sales of MFTE units, including but not limited to marketing to eligible households, income verification, buyer education, and verification of buyer financing.~~

~~5))~~ 4. If the total number of MFTE units calculated according to subsection 5.73.040.C.1 contains a fraction, then the number of MFTE units shall be rounded up to the next whole number.

~~((6))~~ 5. ~~((Multifamily))~~ MFTE units in multifamily housing that is owned by a cooperative and occupied by the shareholders of a cooperative ~~((may qualify as))~~ shall be considered owner-occupied units for

purposes of this Chapter 5.73.

* * *

Section 4. Section 5.73.090 of the Seattle Municipal Code, last amended by Ordinance 125932, is amended as follows:

5.73.090 Exemption-Duration-Limits

A. The value of ~~((Multifamily Housing))~~ renter-occupied multifamily housing qualifying under this Chapter 5.73 ~~((will))~~ shall be exempt from ad valorem property taxation as provided in RCW 84.14.020(1) ~~(a)(i)(B) ((as follows:~~

~~1. For eligible renter-occupied multifamily housing as provided in this Chapter 5.73,))~~ for up to 12 successive years beginning January 1 of the year immediately following the calendar year of the date of the Final Certificate, ~~((; or~~

2) B. ~~((For))~~ Except for permanently affordable homeownership, the value of each eligible owner-occupied MFTE ((Units in multifamily housing as provided in)) unit according to this Chapter 5.73 ((;)) shall be exempt from ad valorem property taxation as provided in RCW 84.14.020(1)(a)(ii)(B) until resale to a non-eligible household or for up to 12 successive years beginning January 1 of the year immediately following the calendar year of the date of the Final Certificate, whichever is earlier.

C. The value of each eligible owner-occupied MFTE unit that provides for permanently affordable homeownership according to this Chapter 5.73 shall be exempt from ad valorem property taxation as provided in chapter 84.14 RCW for up to 20 successive years beginning January 1 of the year immediately following the calendar year of the date of the Final Certificate.

D. Extended property tax exemption

1. As authorized by RCW 84.14.020(6), the Director may approve an extended exemption of the value of renter-occupied multifamily housing qualifying under this Chapter 5.73 from ad valorem property taxation for up to a total of 12 successive years beginning January 1 of the year immediately following the

calendar year that the original 12-year exemption expires according to subsection 5.73.090.A if:

a. The exemption from property taxes for the multifamily housing according to subsection 5.73.090.A expires on December 31, 2021, or December 31, 2022;

b. A written request for an extended exemption is received by the Office of Housing:

1) For properties with exemptions scheduled to expire on December 31, 2021, no later than 30 days from the effective date of the ordinance introduced as Council Bill 120153, and

2) For properties with exemptions scheduled to expire on December 31, 2022, between September 30, 2021, and March 31, 2022; and

c. The written request includes:

1) A brief written description of the project and a plan set that includes gross floor area by use, site plan, and standard floor plans for units in the multifamily housing;

2) For each residential unit in the multifamily housing, the unit number, floor plan, net unit area measured in square feet, location by floor level, location by building if the multifamily housing consists of multiple structures, and status as either a market-rate unit or MFTE unit;

3) Current rent roll for the multifamily housing;

4) For each residential unit in the multifamily housing, start date and end date of each lease and, for vacant units, the date the unit was vacated;

5) A copy of the most recent property tax statement for the multifamily housing;

6) A statement from the owner acknowledging the potential tax liability of the multifamily housing;

7) A recent title report documenting the legal description and ownership of the property that includes the multifamily housing, documentation satisfactory to the Director of the type and organizational structure of the owner, a sample signature block for the owner, and evidence satisfactory to the Director of authority of the owner representative that signed the MFTE extension request; and

8) A non-refundable check payable to The City of Seattle in the amount of \$10,000 if fewer than 75 percent of the total residential units in the multifamily housing are rent- and income-restricted, or \$4,500 if at least 75 percent of the total residential units in the multifamily housing are rent- and income-restricted.

2. A new contract shall be executed on the title of the property that includes the multifamily housing committing the owner to requirements according to this Chapter 5.73, except that:

a. MFTE units shall be promptly leased at affordable rents to eligible households with annual incomes at or below 30 percent of median income for compact units in multifamily housing that also includes units larger than compact units, at or below 40 percent of median income for compact units in multifamily housing with no units larger than compact units, at or below 50 percent of median income for studio units, at or below 60 percent of median income for one-bedroom units, at or below 75 percent of median income for two-bedroom units, and at or below 80 percent of median income for three-bedroom and larger units.

b. The contract shall allow multifamily housing to transition to compliance with subsection 5.73.090.D.2.a, consistent with subsection 5.73.090.D.6.

3. The owner shall provide to the Office of Housing verification of the annual income of the tenant household for each MFTE unit according to Section 5.73.105:

a. For properties with 12-year exemptions scheduled to expire on December 31, 2021, within 30 days from the effective date of the ordinance introduced as Council Bill 120153; or

b. For properties with 12-year exemptions scheduled to expire on December 31, 2022, by September 30, 2022;

4. The minimum number of MFTE units as a share of total residential units in the multifamily housing shall be twenty percent.

5. Upon approval of an extended tax exemption according to this Chapter 5.73, the Director shall

file a Final Certificate with the Assessor. The applicant shall provide the Office of Housing a check payable to the Assessor to cover the Assessor's fee for administrative costs.

6. To allow ongoing occupancy of MFTE units by existing tenants who, while they qualify as eligible households under pre-extension contracts, do not qualify as eligible households according to subsection 5.73.090.D.2.a, and to steadily transition multifamily housing to full compliance with extended exemption requirements, the following provisions apply:

a. For each MFTE unit that is occupied on December 31 of the calendar year the exemption would expire according to subsection 5.73.090.A, the affordable rent according to the current tenant's lease agreement as of January 1 of the subsequent calendar year and thereafter shall be:

1) No greater than according to subsection 5.73.090.D.2.a if the annual income of the tenant household, as verified according to Section 5.73.105, is less than one and one-half times the limit for the MFTE unit according to subsection 5.73.090.D.2.a; or

2) For compact units, studio units, and one-bedroom units, no greater than 80 percent of median income and, for two-bedroom and larger units, no greater than 90 percent of median income, provided the annual income of the tenant household, as verified according to Section 5.73.105, is less than one and one-half times 80 percent of median income or 90 percent of median income, as applicable, and at least one and one-half times the limit for the MFTE unit according to subsection 5.73.090.D.2.a;

3) According to subsection 5.73.105.B if the annual income of the tenant household, as verified according to Section 5.73.105, equals or exceeds one and one-half times 80 percent of median income for compact units, studio units, and one-bedroom units or equals or exceeds one and one-half times 90 percent of median income for two-bedroom and larger units.

b. Each vacant MFTE unit, including each MFTE unit that is vacant on December 31 of the calendar year the exemption would expire according to subsection 5.73.090.A, shall be promptly leased at an affordable rent to an eligible household according to subsection 5.73.090.D.2.a.

c. If the number of required MFTE units increases from 20 percent to 25 percent of total residential units according to subsection 5.73.090.D.4, the next available residential unit, consistent with subsection 5.73.040.B.5, shall be designated as an MFTE unit, as approved by the Office of Housing consistent with requirements of this Chapter 5.73, until 25 percent of the total residential units in the multifamily housing are MFTE units leased to eligible households.

d. From the date an MFTE unit first satisfies requirements for an extended exemption under subsection 5.73.090.D.2.a until the end of the compliance period, requirements according to 5.73.090.D.2.a shall apply.

~~(B)~~ E. The property tax exemption for multifamily housing does not apply to:

1. ~~((the))~~ The value of land or to the value of non-residential improvements or to the value of other improvements not qualifying under this Chapter 5.73; ~~((;))~~

2. ~~((nor does the exemption apply to increases))~~ Increases in assessed valuation of land and non-qualifying improvements; ~~((;))~~

3. ~~((or to increases))~~ Increases, made by lawful order of the King County Board of Equalization, the Washington State Department of Revenue, State Board of Tax Appeals, or King County, to a class of property throughout the county or a specific area of the county to achieve uniformity of assessment or appraisal as required by law,

4. For rehabilitation improvements, the value of any improvements constructed on the property prior to the date the Office of Housing receives the application for the project according to Section 5.73.050.

F. For the purposes of chapter 84.55 RCW and chapter 36.21 RCW, the value of the multifamily housing shall be considered new construction on the date the exemption ends according to Section 5.73.090, as if the property were not exempt under this Chapter 5.73.

Section 5. Section 5.73.100 of the Seattle Municipal Code, last amended by Ordinance 125932, is amended as follows:

5.73.100 Annual ((Project)) MFTE certification

A. At such times as may be required by the Director, but no less than annually for the duration of the compliance period, the owner or a qualified non-profit organization, as applicable, shall file ~~((a project))~~ an MFTE certification with the ((Director)) Office of Housing, verified upon oath or affirmation, which shall contain such information as the Director may deem ((necessary or useful, including but not limited to)) needed to determine compliance with contract and Chapter 5.73 requirements and to assess costs and benefits to the public of this Chapter 5.73. At a minimum, the Office of Housing shall require:

1. For renter-occupied multifamily housing:

~~((1))~~ a. For each ((dwelling)) residential unit ((, SEDU, or congregate residence sleeping unit located)) in the multifamily housing qualifying for a property tax exemption under this Chapter 5.73, ((including each MFTE unit,)) a statement of the ((average vacancy rate and average)) contract rent, net of utility, sewer capacity charge, renter's insurance, and any other fees that are a condition of the lease, ((for)) during the previous calendar year;

b. Lease start and end dates for each residential unit in the multifamily housing and, for vacant units, the date the unit was vacated;

~~((2))~~ c. A certification that the ((amount of)) multifamily housing's gross floor area in permanent residential occupancy ((at the multifamily housing is the same as)) equal to or greater than the amount as verified at the date of the Final Certificate; ((, and is in compliance with the contract and the requirements of this Chapter 5.73;))

~~((3))~~ d. A description of improvements or modifications to the multifamily housing, if any, made after the date of the Final Certificate or ((last)) most recent annual ((project)) MFTE certification, as applicable;

~~((4. Documentation of compliance with the requirements of Section 5.73.040, as applicable;~~

5) e. ~~((For renter-occupied MFTE units,))~~ The verified annual income and household size of each eligible household, consistent with Section 5.73.105; ((at the time of initial lease-up or the most recent income recertification, and for owner-occupied MFTE units, the verified annual income of each eligible household at the time of initial purchase; and

6) f. ~~((Property))~~ A copy of the most recent tax assessment for ((the previous calendar year)) the property that includes the multifamily housing.

2. For permanently affordable homeownership, a qualified non-profit organization shall annually document compliance of each MFTE unit and eligible household with the requirements according to subsection 5.73.040.C.

* * *

D. ~~((The))~~ For renter-occupied multifamily housing, the owner shall also file a certification with the Director, verified upon oath or affirmation, containing the ((average vacancy rate and average)) lease start and end dates and contract rent, net of utility, sewer capacity, renter's insurance, and any other fees that are a condition of the lease, for each ((dwelling unit, SEDU, or congregate residence sleeping room)) residential unit in the multifamily housing ((, for)) during the final calendar year of the compliance period and ((for)) during the calendar year immediately following the compliance period. The first post-exemption certification according to this subsection 5.73.100.D shall be filed with the Office of Housing by March 31 following the expiration of the compliance period and the second post-exemption certification according to this subsection 5.73.100.D shall be filed by March 31 of the subsequent year.

Section 6. Section 5.73.105 of the Seattle Municipal Code, last amended by Ordinance 125932, is amended as follows:

5.73.105 Annual income ~~((certification))~~ verification

A. Annual MFTE certifications according to Section 5.73.100 shall include verification of income for each household occupying an MFTE unit. Income ~~((certifications))~~ verifications shall be in accordance with

standardized procedures and policies established by the Office of Housing for administration of this Chapter 5.73. ~~((and other programs that incentivize the inclusion of rent and income restricted units in predominantly market-rate residential buildings.~~

~~B. For renter-occupied MFTE units, the owner shall charge eligible households no more than the affordable rent until the annual income of the eligible household is determined upon recertification to equal or exceed 1.5 times the maximum annual income for the MFTE unit according to the percentage of median income as designated according to subsection 5.73.040.B.~~

~~C.) B. If ~~((, upon recertification of income,))~~ the annual income of a tenant of an MFTE unit, as verified according to this Section 5.73.105, equals or exceeds ~~((1.5))~~ one and one-half times the maximum ~~((annual income for the MFTE unit according to the percentage of median income as designated))~~ allowed according to subsection 5.73.040.B or subsection 5.73.090.D.2, as applicable, the tenant shall no longer be an eligible household and the next available ~~((dwelling unit, SEDU, or congregate residence sleeping room))~~ residential unit of the same unit type in the multifamily housing, ~~((that is comparable to the MFTE unit occupied by such tenant))~~ as approved by the Office of Housing consistent with this Chapter 5.73, shall be newly designated as an MFTE unit and promptly leased to an eligible household. Upon lease-up of the ~~((comparable))~~ newly designated MFTE unit satisfying requirements of this Chapter 5.73, rent for the unit occupied by the tenant no longer qualifying as an eligible household may be leased at market-rate rent after expiration of the lease.~~

C. A tenant that refuses to provide income verification according to this Section 5.73.105 shall no longer be an eligible household and the next available residential unit of the same unit type in the multifamily housing, as approved by the Office of Housing consistent with this Chapter 5.73, shall be newly designated as an MFTE unit and promptly leased to an eligible household. Upon lease-up of the newly designated MFTE unit satisfying requirements of this Chapter 5.73, rent for the unit occupied by the tenant no longer qualifying as an eligible household may be leased at market-rate rent after expiration of the lease.

Section 7. Section 5.73.110 of the Seattle Municipal Code, last amended by Ordinance 125932, is

amended as follows:

5.73.110 Cancellation of tax exemption-Appeal

~~((A. If at any time the Director determines that the multifamily housing no longer complies with the terms of the contract or with the requirements of this Chapter 5.73, or for any reason no longer qualifies for the tax exemption, the tax exemption shall be canceled and additional taxes, interest, and penalty imposed pursuant to State law.))~~

A. If an owner, owner representative, or qualified non-profit organization fails to promptly correct a finding of non-compliance with this Chapter 5.73, the Director shall notify the Assessor with instruction to cancel the tax exemption and assess additional taxes, interest, and penalty according to RCW 84.14.110. Upon receipt of Director's notice of intent to cancel the tax exemption, owner shall satisfy tenant relocation assistance requirements according to subsection 5.73.110.D.2.

B. An owner, owner representative, or qualified non-profit organization that has failed to promptly correct non-compliance with the contract or this Chapter 5.73 shall not be eligible for an extended property tax exemption according to subsection 5.73.090.D.

~~((B))~~ C. If the owner intends to convert any portion of the multifamily housing to ~~((another use))~~ non-residential uses or ~~((;))~~ if ~~((applicable,))~~ the owner intends to ~~((not comply with any condition to the tax exemption under this Chapter 5.73 or to))~~ opt out of the tax exemption and terminate the contract, the owner shall notify both the Director and the Assessor ~~((within))~~ at least 60 days prior to the date of the change in use ~~((; noncompliance, or termination))~~ or opt-out. Prior to the date of the change in use or opt-out, owner shall document satisfaction of tenant notification and relocation assistance requirements according to subsection 5.73.110.D, as applicable. Upon receipt of ~~((such))~~ notice from the owner, the Director shall notify the Assessor with instruction to cancel the tax exemption ~~((shall be canceled))~~ and assess additional taxes, interest, and penalty ~~((imposed pursuant to State law))~~ according to RCW 84.14.110.

D. Tenant notification and relocation assistance requirements

1. For multifamily housing approved for an exemption or an extended exemption according to this Chapter 5.73, by September 30 of each of the final two years of rent restrictions, due to expiration of the exemption or otherwise, the owner shall notify each household occupying a rent-restricted unit of relocation assistance requirements according to subsection 5.73.110.D.2.

2. For multifamily housing approved for an exemption or extended exemption according to this Chapter 5.73, within 90 days of the date rent restrictions end for a renter-occupied unit, due to expiration of the exemption or otherwise, owner shall provide relocation assistance to each household residing in a rent- and income-restricted unit, provided that the tenant household has an annual income no higher than 80 percent of median income, which shall be verified according to Section 5.73.105. The amount of the tenant assistance shall either be equal to the monthly rent according to the current lease agreement for the unit or an amount as required by federal, state, or local law, whichever is greater.

E. For owner-occupied MFTE units according to subsection 5.73.040.C.1.a, the tax exemption shall be canceled either (1) upon receipt of notice of resale according to subsection 5.73.040.C.2 or on (2) on December 31 of the twelfth successive year beginning January 1 of the year immediately following the calendar year of the date of the Final Certificate, provided the resale is consistent with subsection 5.73.040.C, as applicable.

F. For owner-occupied MFTE units according to subsection 5.73.040.C.1.b, the tax exemption shall be canceled on December 31 of the twentieth successive year beginning January 1 of the year immediately following the calendar year of the date of the Final Certificate, provided the resale is consistent with subsection 5.73.040.C, as applicable.

((C)) G. Upon determining that a tax exemption shall be canceled, the Director shall notify the owner or qualified non-profit organization, if applicable, by certified mail, return receipt requested.

H. The owner or qualified non-profit organization, if applicable, may appeal ((the determination)) cancellation of an exemption provided a notice of appeal specifying the factual and legal basis on which the determination of cancellation is alleged to be erroneous is filed with the Hearing Examiner within 30 days of

receipt of notice of cancellation. The Hearing Examiner will conduct a hearing pursuant to Section 3.02.090 at which all affected parties may be heard and all competent evidence received. The Hearing Examiner shall affirm, modify, or reverse the decision to cancel the exemption based on the evidence received. The Hearing Examiner shall give substantial weight to the Director's decision and the burden of overcoming that weight shall be upon the appellant. An aggrieved party may appeal the Hearing Examiner's decision to the King County Superior Court as provided in RCW 34.05.510 through 34.05.598.

Section 8. 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 _____ day of _____, 2021, and signed by me in open session in authentication of its passage this ____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Office of Housing	Jennifer LaBrecque/206-684-0354	Miguel Jimenez

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title:

AN ORDINANCE relating to the Multifamily Housing Property Tax Exemption Program; amending Sections 5.73.010, 5.73.020, 5.73.040, 5.73.090, 5.73.100, 5.73.105, and 5.73.110 of the Seattle Municipal Code to allow extended property tax exemptions under certain conditions; to allow exemptions for up to 20 years for permanently affordable homeownership; to add reporting requirements for permanently affordable homeownership; and to make technical changes, consistent with chapter 84.14 of the Revised Code of Washington as amended.

Summary and background of the Legislation:

The MFTE Program exempts the residential portion of a building from property taxes for owners who income and rent restrict 20% or 25% of the units in newly constructed buildings. Currently, the tax exemption and unit restrictions expire after 12 years. State law establishes minimum program requirements and gives local municipalities discretion to adopt additional conditions. Seattle’s program has been in place since 1998 and has been renewed six times; income and rent levels for set-aside MFTE units have generally become lower over time; the current iteration of the MFTE program expires on December 31, 2023; renewal will be considered in 2023. .

The legislation addresses required and time sensitive changes either authorized or required by chapter 84.14 RCW, as amended by SB 5287, which the state legislature passed in the 2021 legislative session. Specifically, the legislation:

- Provides a 12-year extension option to MFTE properties expiring in 2021 and 2022
- Provides a 20-year exemption option for permanently affordable homeownership projects.
- Adds the minimum tenant protection requirements under the RCW into the SMC.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes X No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes X No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

There are two ways to evaluate the MFTE program’s tax impacts and cost. The first and simplest approach quantifies the amount of exempted property tax burden – that is, the amount of property tax that MFTE property owners collectively avoid in a given year by providing income and rent-restricted set-aside units. Other taxpayers (non-exempt) absorb this tax burden. The second way of evaluating MFTE’s tax impacts and cost considers the amount of net new property tax revenue that MFTE properties’ new construction value would have generated absent MFTE. As intended under State law, the majority of that potential revenue is forgone when MFTE properties’ new construction value is excluded from the tax base for the duration of the exemption period. The remainder of the net new revenue is collected, with the associated net new tax burden shifted to other taxpayers.

Is there financial cost or other impacts of *not* implementing the legislation?

If the legislation is not adopted, owners of properties with expiring MFTE will begin paying the taxes on the residential improvements in those properties. County tax revenues will increase as expected and there will be no impacts to the City’s General Fund.

3.a. Appropriations

 This legislation adds, changes, or deletes appropriations.

3.b. Revenues/Reimbursements

 X This legislation adds, changes, or deletes revenues or reimbursements.

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Dept	Revenue Source	2021 Revenue	2022 Estimated Revenue
16600 / Office of Housing Operating Fund	OH	Application fees for an additional 12-year property tax exemption; the fee would be same as required for applications for owners of newly constructed properties; revenues are used for MFTE program administration, including compliance monitoring over the 12-year exemption period	\$49,000	\$50,000
TOTAL			\$49,000	\$50,000

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. Do the revenue sources have match requirements? If so, what are they?

Is this change one-time or ongoing?

Anticipated revenue is one-time.

Revenue/Reimbursement Notes:

Revenue estimates assume that in owners of all 11 multifamily properties with MFTE expiring in 2021 and 2022 will apply to extend their property tax exemptions for an additional 12 years. Two of the 11 properties are affordable housing and qualify for lower fees.

3.c. Positions

___ This legislation adds, changes, or deletes positions.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

County tax revenues will be impacted if property tax exemptions are extended for another 12 years for multifamily properties. Expenses paid from the City of Seattle's General Fund are supported primarily by taxes and the most significant revenue source is the property tax.

b. Is a public hearing required for this legislation?

No

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No

d. Does this legislation affect a piece of property?

The legislation allows owners of 11 multifamily properties totaling 2,267 units to extend their exemptions from ad valorem property taxation for an additional 12 years. The properties are in the following residential submarkets: 23rd & Union-Jackson, Ballard, Bitter Lake, Capitol Hill, Chinatown/ID, Eastlake, Northgate, and West Seattle Junction.

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

MFTE tenants (typically 65-90% AMI) appear to be disproportionately white as compared to lower income populations. In 2020, OH began requiring MFTE property owners to ask tenants for demographic information, which will help OH evaluate the degree to which MFTE achieves racially equitable outcomes.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

No

- 2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**

No

- g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?**

N/A

List attachments/exhibits below:



Legislation Text

File #: Res 32017, **Version:** 2

CITY OF SEATTLE

RESOLUTION _____

A RESOLUTION calling for research, engagement and presentation of information to the Mayor and City Council on the Multifamily Tax Exemption (MFTE) program prior to considering renewal of the program in 2023.

WHEREAS, the Multifamily Tax Exemption (MFTE) program currently provides participating owners of new multifamily properties a full tax exemption on residential improvements for up to 12 years when a certain share of the units are income- and rent-restricted, generally for households with incomes between 60 percent to 90 percent of median income; and

WHEREAS the MFTE program is one of the City's primary tools for creating income- and rent-restricted units; and

WHEREAS, the 2021 legislative session included adoption of Senate Bill (SB) 5287, amending chapter 84.14 of the Revised Code of Washington (RCW) to authorize jurisdictions to provide owners of properties with expiring multifamily property tax exemptions the option to extend the exemption for a 12-year period, include labor equity standards as a condition of providing a tax exemption, approve 20-year tax exemptions for permanently affordable homeownership, and allow additional time for projects impacted by Coronavirus Disease 2019 (COVID-19) to receive a certificate of occupancy; and

WHEREAS, the COVID-19 pandemic impacted the real-estate market, making it difficult to assess how modifications to affordable housing incentive programs would address market gaps; and

WHEREAS, two council bills will be considered in 2021 that amend Seattle Municipal Code (SMC) Chapter 5.73 to implement new requirements and time-sensitive authorizations per chapter 84.14 RCW, including an extension option for properties with tax exemptions expiring in 2021 and 2022; and

WHEREAS, SB 5287 requires that, at a minimum, extended tax exemptions be conditioned on satisfaction of local MFTE requirements, which are in effect through December 31, 2023, per Section 5.73.120; and

WHEREAS, in 2023, the Mayor and Council are slated to consider renewal of Seattle's MFTE program, which sunsets on December 31, 2023, per Section 5.73.120; and

WHEREAS, the City intends for program and policies to explicitly address and advance racial and social equity goals and to maximize public benefits, including development of low-income housing, and labor equity outcomes; and

WHEREAS, submittal of information related to achieving these goals will assist the Mayor and the City Council when considering renewal of the MFTE program in 2023; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE MAYOR CONCURRING, THAT:

Section 1. The Multifamily Tax Exemption (MFTE) program will be designed to achieve affordable housing and other benefits. As part of MFTE renewal consideration, the Office of Housing shall provide information on and analysis of the following:

- A. Program participation rates, property tax savings, and differential between market-rate rents and restricted rents by unit type;
- B. Rent levels needed to house low-income working households more affordably and to address market gaps experienced by those households;
- C. Race and ethnicity, size, and income of households residing in MFTE units;
- D. Emerging market trends, including project types and configuration of units;
- E. Displacement impact, including demolition of existing buildings on sites where MFTE buildings are developed;
- F. Perspectives and input gained through engagement with a variety of stakeholders, including tenants, developers, and affordable housing advocates.

G. The total cost to buy down rents for MFTE units to proposed affordability levels and the total amount of the property tax exemption that is forgone, as well as shifted, broken down by city and other taxing jurisdictions for MFTE projects.

Section 2. The MFTE program will advance labor equity outcomes. As part of MFTE renewal consideration, the Office of Housing shall provide information on and analysis of the following:

A. Tax exemptions for new projects conditioned on payment of at least the prevailing rate of hourly wage established under chapter 39.12 RCW for journey level and apprentice residential and commercial construction workers;

B. Payroll record requirements consistent with RCW 39.12.120;

C. Tax exemptions for new projects conditioned on apprenticeship utilization requirements consistent with RCW 39.04.310;

D. A contracting inclusion plan developed in consultation with the Office of Minority and Women's Business Enterprises; and

E. Perspectives and input gained through engagement with a variety of stakeholders, including the Seattle Building and Construction Trades Council, other labor organizations, and developers.

Section 3. All extensions of expiring MFTE projects occurring after 2023 will be structured to achieve affordable housing and other benefits. As part of MFTE renewal consideration, the Office of Housing shall provide information on and analysis of the following:

A. General trends in rents for units in older and newer buildings;

B. For properties nearing year 12 of the tax exemption, MFTE unit rents and the annual incomes of tenant households residing in MFTE units;

C. For projects expiring in 2021 and 2022, the number of properties that chose to renew, the number and location of projects that chose not to renew, and income and demographics of tenants residing in MFTE units at time of extension or expiration of exemption. OH shall provide this information to the City Council on a

quarterly basis beginning January 2022; and

D. Perspectives and input gained through engagement with a variety of stakeholders, including tenants, developers, and affordable housing advocates.

Section 4. The Office of Housing will provide the information and analysis described in Sections 1 through 3 of this resolution to the Mayor and City Council no later than June 30, 2023.

Adopted by the City Council the _____ day of _____, 2021, and signed by me in open session in authentication of its adoption this _____ day of _____, 2021.

President _____ of the City Council

The Mayor concurred the _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Office of Housing	Jennifer LaBrecque/206-684-0354	Miguel Jimenez

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title:

A RESOLUTION calling for research, engagement and presentation of information to the Mayor and City Council on the Multifamily Tax Exemption (MFTE) program prior to considering renewal of the program in 2023.

Summary and background of the Legislation:

The MFTE Program exempts the residential portion of a building from property taxes for owners who income and rent restrict 20% or 25% of the units in newly constructed buildings. Currently, the tax exemption and unit restrictions expire after 12 years. State law establishes minimum program requirements and gives local municipalities discretion to adopt additional conditions. Seattle's program has been in place since 1998 and has been renewed six times; income and rent levels for set-aside MFTE units have generally become lower over time; the current iteration of the MFTE program expires on December 31, 2023; renewal will be considered in 2023. .

The resolution outlines information and analysis of the following issues, which will be used to help inform MFTE discussions when renewal is considered in 2023:

- Affordable housing and other benefits;
- Racial equity and displacement impacts; and
- Labor equity.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes X No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes X No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

The resolution outlines data and analysis to help inform consideration of MFTE renewal in 2023. This legislation has no financial impacts, although the MFTE program itself does.

Is there financial cost or other impacts of *not* implementing the legislation?

No

4. OTHER IMPLICATIONS

- a. Does this legislation affect any departments besides the originating department?
No
- b. Is a public hearing required for this legislation?
No
- c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?
No
- d. Does this legislation affect a piece of property?
No
- e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

The legislation directs the Office of Housing to provide information and analysis, including labor equity and demographics of households served, inform consideration of MFTE renewal in 2023 and to ensure that if the program is renewed that it advances racial and social equity goals.

- f. **Climate Change Implications**
1. **Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?**
No
 2. **Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**
No
- g. **If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?**

N/A

List attachments/exhibits below:



Legislation Text

File #: CB 120163, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to City of Seattle right-of-way along the Central Waterfront; designating portions of Alaskan Way, Elliot Way, Railroad Way, and Union Street as park boulevards; repealing Ordinance 102696; authorizing the transfer of jurisdiction over portions of those right-of-way from the Seattle Department of Transportation to the Seattle Department of Parks and Recreation; and amending Appendices I and to II to Ordinance 117569 and Title 15 of the Seattle Municipal Code, and Section 11.16.125 of the Seattle Municipal Code.

WHEREAS, The City of Seattle has been planning for changes to the Central Waterfront resulting from the

Alaskan Way Viaduct Replacement Project and the Elliot Bay Seawall Replacement Project for nearly two decades; and

WHEREAS, in January 2011, Council adopted Resolution 31264, creating the Central Waterfront Committee

(CWC) to oversee development of the waterfront conceptual design and framework plan, ensuring robust and innovative public engagement, identifying public and private funding sources, and establishing the foundation for a lasting civic partnership; and

WHEREAS, in that same resolution, the Council directed the implementation of the Central Waterfront

Initiative according to the Central Waterfront Guiding Principles; and

WHEREAS, in that same resolution, the Council directed the implementation of the Central Waterfront

Improvements to, among other things, engage the entire city, remain focused on public uses and activities that attract people from all walks of life, and provide a “waterfront for all,” as articulated in the Central Waterfront Guiding Principles; and

WHEREAS, two of the key features of the new Central Waterfront include a pedestrian promenade traveling

adjacent to the piers and Elliot Bay (the “Waterfront Promenade”) and a pedestrian connection between the Pike Place Market and the Seattle Aquarium (the “Overlook Walk”); and

WHEREAS, through Resolution 31399, the Council recognized that other cities had successfully established relationships with non-profit organizations to provide consistent management of complex public spaces, and the Strategic Plan recommended developing such relationships; and

WHEREAS, through Resolution 31399, the Council supported the creation of the non-profit Friends of Waterfront Seattle (Friends) to advocate for implementing the Central Waterfront Framework Plan and Concept Design, and to be the City’s non-profit partner in helping to operate the new parks and public spaces; and

WHEREAS, in August 2014, Seattle voters approved the creation of the Seattle Park District (Park District), and funds collected by the Park District pay for operations and maintenance of Seattle parks, including an annual \$3.5 million budget with cost inflation dedicated to operations and maintenance of the Central Waterfront parks and public spaces; and

WHEREAS, in January 2019, Council adopted Ordinance 125761, authorizing a two-year pilot with the Friends of the Waterfront and anticipating that a long-term management agreement would be developed and approved at the end of the two-year period, covering the entire completed Central Waterfront with the goal of creating a “waterfront for all”; and

WHEREAS, the City recognizes the unprecedented public and private partnership on the design, planning, and construction of the Central Waterfront and recognizes the need to identify and fund a robust operations and maintenance program that protects and enhances this investment and ensures new public spaces will be safe, well-maintained, and inviting to the public both in the short and long term; and

WHEREAS, designating right-of-way along the Central Waterfront as park boulevard will facilitate the high level of maintenance and operation that has been anticipated throughout years of planning and will allow consistent maintenance, operation, and enforcement in all the areas under the Seattle Department

of Parks and Recreation’s jurisdiction; and

WHEREAS, the designation of right-of-way along the Central Waterfront as park boulevards will also further facilitate continued partnership with the Friends of the Waterfront, including Friends’ ability to program and activate the Waterfront Promenade and adjacent piers; and

WHEREAS, the Director of Transportation recommends, and the City Council finds, that the park boulevard being designated are not currently needed entirely for motorized transportation and that transfer of jurisdiction to the Department of Parks and Recreation for parks use is a desirable public use, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The portion of Alaskan Way, Elliott Way, Railroad Way South, and Union Street, described as follows (the “Designated Portion”) and illustrated on Exhibit 1 to this ordinance, are designated as park boulevard:

Waterfront Park Boulevards

That portion of Alaskan Way South from the southern extent of South King Street to Yesler Way; and

Including that portion of Alaskan Way from Yesler Way to approximately three hundred forty feet north of the northern margin of Pine Street; and

Including that portion of Elliott Way from the northern margin of Pike Street approximately six hundred seventy feet north; and

Including that portion of Union Street between Alaskan Way and Western Avenue; and

Including that portion of South Washington Street from the western margin of Alaskan Way South approximately 30 feet west; and

Including that portion of Railroad Way South between South King Street and South Charles Street; and

Including that portion of South Charles Street between Occidental Avenue South and First Avenue South.

Section 2. Ordinance 102696, which designated a portion of Alaskan Way as park boulevard, is repealed.

Section 3. The section of Appendix I to Ordinance 117569 and Title 15 of the Seattle Municipal Code (Description and Maps of Park Drives and Boulevards) entitled “ALASKAN WAY,” last amended by Ordinance 121721, is amended as follows:

ALASKAN WAY - ~~((The westerly 20 feet of Alaskan Way from the northerly margin of University Street to a point approximately 136 feet south of Vacated Virginia Street; and all))~~ All of that portion of Alaskan Way from the northerly margin of Broad Street to the northerly margin of Bay Street, except for the railroad franchise rights-of-way granted and described in ~~((section))~~ Section 4 of Ordinance 117481.

Section 4. Appendix I to Ordinance 117569 and Title 15 of the Seattle Municipal Code (Description of Park Drives and Boulevards) is amended by the addition of the description of the designated portion described in Section 1 of this ordinance, and the Code Reviser is directed to add it to Appendix I of Title 15 under the title “Waterfront Park Boulevards.”

Section 5. Appendix II to Ordinance 117569 and Title 15 of the Seattle Municipal Code (Corresponding Maps of Park Drives and Boulevards) is amended by the removal of the map titled “Alaskan Way” and by the addition of the map attached to this ordinance as Exhibit 1, depicting the designated portion of the Waterfront Park Boulevards described in Section 1 of this ordinance. In the event of conflict between the map in Exhibit 1 and the description in Section 1 of this ordinance, the description in Section 1 shall control.

Section 6. Section 11.16.125 of the Seattle Municipal Code, last amended by Ordinance 121389, is amended as follows:

11.16.125 Director of Transportation-Authority-Street and alley closures((-))

The Director of Transportation is authorized:

* * *

E. To close or authorize the closure of the Waterfront Promenade, the Overlook Walk, and other areas

under the jurisdiction of the Department of Parks and Recreation in the park boulevard designated by this ordinance, or portions of those areas, for entry, travel, or use by the general public during designated hours. Unless otherwise ordered, the area shall remain open to allow access by owners and occupants of the abutting properties and their guests, government employees or emergency personnel in performance of their duties; and permittees under a street use permit issued pursuant to Title 15. The Director shall cause the area proposed to be closed to be posted with a sign or signs stating that the designated area is closed from dusk to dawn, or such other hours as the Director deems appropriate.

Section 7. The Seattle Department of Transportation (SDOT) is authorized to transfer jurisdiction of portions of the designated park boulevards described in Section 1 of this ordinance to the Seattle Department of Parks and Recreation (SPR), as generally illustrated on Exhibit 2 to this ordinance.

Section 8. Because portions of the area being designated as park boulevards are currently under construction or planned to be constructed, SDOT is authorized to transfer jurisdiction of portions of the park boulevard in phases, as portions of the project are completed. SDOT will transfer jurisdiction to SPR, in writing, directed to the Superintendent, consistent with the authorization herein, and with notice to the City Council and the City Clerk's Office, for inclusion in the associated Clerk File to this ordinance.

Section 9. SDOT and SPR are directed to enter into a memorandum of agreement setting out the specific terms of the transfer of jurisdiction, including, but not limited to:

A. Roles and responsibilities generally shall be assigned to SDOT and SPR in the areas illustrated on Exhibit 2 to this ordinance.

B. SPR shall have no responsibility for subsurface or overhead utilities, all of which continue to be the responsibility of the public or private owner.

C. SPR shall have no responsibility for the operation, maintenance or permitting for the portion of the park boulevards that functions as roadway for motorized vehicles, as well as the adjacent cycle track and western sidewalk, which shall remain under the jurisdiction of SDOT, as illustrated on Exhibit 2 to this

ordinance.

D. The typical transportation function of the right-of-way will be maintained at all times on sidewalks (not including the Waterfront Promenade), cycle tracks and roadways under the jurisdiction of SDOT, as illustrated on Exhibit 2 to this ordinance.

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 _____ day of _____, 2021, and signed by me in open session in authentication of its passage this _____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Exhibit 1 - Waterfront Park Boulevards Boundaries Map

Exhibit 2 - Illustration of Authorization to Transfer Jurisdiction for Waterfront Park Boulevard



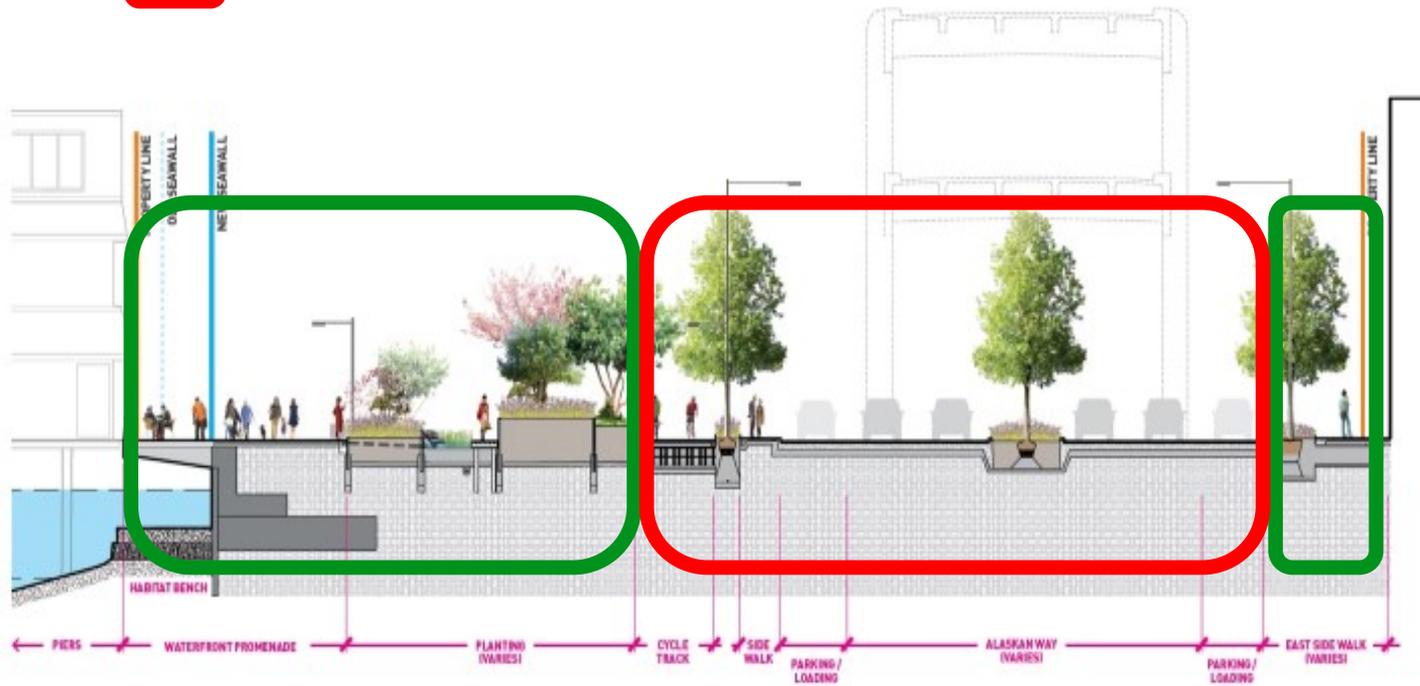
 WATERFRONT PARKS BOULEVARDS BOUNDARIES

Illustration of Authorization to Transfer Jurisdiction



 Seattle Parks and Recreation Jurisdiction

 Seattle Department of Transportation Jurisdiction



** Typical cross-section*

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
SDOT/OWCP	Dorinda Costa/206-615-0765	Caleb Wagenaar/206-733-9228

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to City of Seattle right-of-way along the Central Waterfront; designating portions of Alaskan Way, Elliot Way, Railroad Way, and Union Street as park boulevards; repealing Ordinance 102696; authorizing the transfer of jurisdiction over portions of those right-of-way from the Seattle Department of Transportation to the Seattle Department of Parks and Recreation; and amending Appendices I and to II to Ordinance 117569 and Title 15 of the Seattle Municipal Code, and Section 11.16.125 of the Seattle Municipal Code.

Summary and background of the Legislation: The City of Seattle has been planning for changes to the Central Waterfront resulting from the Alaskan Way Viaduct Replacement Project and the Elliot Bay Seawall Replacement Project for nearly two decades. Two of the key features of the new Central Waterfront include a pedestrian promenade traveling adjacent to the piers and Elliot Bay (the “Waterfront Promenade”) and a pedestrian connection between the Pike Place Market and the Seattle Aquarium (the “Overlook Walk”). In August 2014, Seattle voters approved the creation of the Seattle Park District (“Park District”), and funds collected by the Park District to pay for operations and maintenance of Seattle parks, including an annual \$3.5 million (adjusted for inflation) budget dedicated to operations and maintenance of the Central Waterfront parks and public spaces. The City recognizes the need to identify and fund a robust operations and maintenance program that protects and enhances this investment and ensures new public spaces will be safe, well-maintained, and inviting to the public both in the short and long term.

This legislation will designate right-of-way along the Central Waterfront as park boulevards to facilitate the high level of maintenance and operation that has been anticipated throughout years of planning and will transfer jurisdiction over portions of the park boulevards to the Seattle Department of Parks and Recreation (“SPR”) for consistent maintenance, operation, and enforcement. The designation of right-of-way along the Central Waterfront as park boulevards will also further facilitate continued partnership with the Friends of the Waterfront, including Friends’ ability to program and activate the Waterfront Promenade and adjacent piers. The legislation proposes that the transfer of jurisdiction be authorized to occur in phases, as portions of the reconstructed waterfront are completed and clarifies that the Director of the Seattle Department of Transportation (“SDOT”) may close portions, or delegate the authority to close portions, of the waterfront park boulevards.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes X No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes X No

Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

This legislation does not have direct financial impact, however, it has an indirect impact in that it helps to ensure Park District funds are used to maintain facilities that have been designated to be under the Superintendent's authority.

Is there financial cost or other impacts of *not* implementing the legislation?

If this legislation is not approved, there is a possibility that use of Park District funding to maintain the area planned to be Park Boulevard could be determined to be an inappropriate use of funds. This could require the City to find other funding to meet its commitments to provide a high level of care to the facilities under agreements tied to the Waterfront LID.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

This legislation affects the Seattle Department of Transportation and Seattle Parks and Recreation.

b. Is a public hearing required for this legislation?

No.

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No.

d. Does this legislation affect a piece of property?

Yes, this legislation affects right-of-way along the central waterfront. A map illustrating the property and its location are attached to this fiscal note as Attachment A.

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

A Race and Social Justice Initiative evaluation is attached to this fiscal note as Attachment B. This legislation is anticipated to benefit vulnerable or historically disadvantaged communities as well as the general public.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a

This legislation is not anticipated to affect carbon emissions in a material way.

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle’s resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

The designation of right-of-way as park boulevard and authorization to transfer jurisdiction to SPR would not directly increase or decrease Seattle’s resiliency, but in conjunction with the construction of the new pedestrian, bike, and transit facilities, this legislation may increase Seattle’s resiliency to climate change by moving some travel away from single-occupancy vehicles.

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program’s desired goal(s).

This legislation does not include a new initiative or a major expansion an existing program; it is consistent with long-term plans for the redevelopment of the Central Waterfront.

List attachments/exhibits below:

Summary Attachment A – Waterfront Park Boulevards Boundaries Map
Summary Attachment B – RSJI Racial Equity Toolkit Assessment Memorandum



— WATERFRONT PARKS BOULEVARDS BOUNDARIES

RSJI Racial Equity Toolkit Assessment Memorandum

Waterfront Seattle – Park Boulevard Designation Ordinance

The Office of the Waterfront and Civic Projects (OWCP) is proposing an ordinance to designate the reconfigured Alaskan Way, Waterfront Promenade, Overlook Walk, and other portions of right-of-way along the Central Waterfront as park boulevards, and to authorize the transfer of jurisdiction from the Seattle Department of Transportation (SDOT) to the Seattle Department of Parks and Recreation (SPR) over portions of the park boulevards for purposes of effective operation and maintenance. This proposed ordinance is intended to ensure continuous and effective management of the new waterfront under one consistent jurisdiction and provide clarity and flexibility for users.

Department: The Office of the Waterfront and Civic Projects (OWCP)/SDOT **Contact:** Tiffani Melake

Step 1: Outcomes

1a. What does OWCP define as the most important racially equitable community outcomes related to the issue?

The City's core goal with the new waterfront is to create a "Waterfront for All" - a public space that will be welcoming, safe and appealing to users from diverse backgrounds, ages and abilities. In order to do that, the new public spaces needs to be managed under one consistent model in terms of how maintenance and programming is made available, what code of conduct and rules are established, etc. The park boulevard designation allows for an operations and maintenance model that is applied equitably to all users. The park boulevard designation will also facilitate the partnership between SPR and Friends of Waterfront Seattle, which will provide a significant increase in diverse recreational and cultural programming, and higher level of maintenance. That partnership will make the park more safe, appealing, and accessible to the full range of communities in our city.

1b. Which racial equity opportunity area(s) will the issue primarily impact?

The City of Seattle, in partnership with the community, is working to eliminate racial disparities and create racial equity in seven areas, including: Education, Health, Community Development, Criminal Justice, Jobs, Housing, and the Environment. The park boulevard designation ordinance would primarily impact the environment and criminal justice.

1c. Impacts on contracting equity, workforce equity, immigrant and refugee access to services, or inclusive outreach and public engagement?

This proposal effects how park operations are done. Contracting equity and workforce equity are not directly related to the park boulevard designation ordinance, but the designation helps further our partnership with Friends of Waterfront Seattle. The City's partnership agreement with Friends includes workforce equity provisions and identifies Parks' union labor as the maintainers of the park boulevard and park facilities being constructed on the Waterfront. Strengthening our partnership will ensure these provisions can continue to be met. The proposal could also impact inclusive outreach and public engagement, since more people would be anticipated to visit the new waterfront and experience the diverse programing anticipated to be provided by Friends. Finally, the partnership with friends includes

provisions for outreach and enforcement to individuals experiencing crisis or homelessness. Strengthening the partnership helps ensure these services continue.

Step 2: Involve Stakeholders. Analyze Data.

2a. Are there impacts on geographic areas?

Yes. The primary impact will be to central Seattle, in the geographic area surrounding the streets proposed to be designated as park boulevards. Increased visitation and investment in that area may have ancillary impacts city-wide.

2b. What are the racial demographics of those living in the area or impacted by the issue?

Approximately 34% of the population within the census tract where the proposed park boulevards are proposed to be located are persons of color.

2c. How have you involved community members and stakeholders?

Planning for the new Central Waterfront has been ongoing for nearly 20 years and there has been extensive community and stakeholder involvement every step of the way, including dozens of public meetings and large-scale civic events that helped to shape the plan for improving the waterfront. The Office of the Waterfront and Civic Projects also engaged the community and stakeholders through a Central Waterfront Committee and the Central Waterfront Oversight Committee, both of which were established by the Mayor and City Council to advise the City in preparing the plans and operations for the Central Waterfront. All of this community involvement is based on a set of Guiding Principles that emphasize the importance of creating an open, inviting, democratic series of public places to serve the city and the region.

2d. What does data and your conversations with stakeholders tell you about existing racial inequities that influence people's lives and should be taken into consideration?

The proposed park boulevards are located in downtown Seattle, which is an area that is predominantly higher-income and less diverse than other parts of the City, but also has areas with a significant homeless population or other populations that are experiencing crisis. Based on conversations with stakeholders, accessing the Central Waterfront, including the proposed park boulevards, can be difficult for communities of color given the challenges of parking, etc. There is also a concern whether the programming and activities in the new park boulevards will appeal to move diverse communities.

In implementing rules/code of conduct for the newly designated park boulevards, the City can create one set of clear and consistent rules that everyone will be able to follow. The park boulevard allows for us to help persons experiencing crisis or homelessness, which can be seen at a higher rate for persons of color, with outreach services. Discussions involving the Central Waterfront Oversight Committee, Friends of Waterfront Seattle, and various other stakeholders have centered around diversity, inclusivity, and community engagement around programming. OWCP and Parks have incorporated, and will continue to incorporate and continually improve, provisions to address Public Benefit, Equity and Inclusion in all agreements related to future management of the Park Boulevard and the Waterfront overall.

2e. What are the root causes of factors creating these racial inequities?

Long-standing land use patterns – i.e. downtown population demographics and housing costs, lack of frequent reliable transit, perceptions of downtown being ‘for’ one population vis a vis another. The perception that the park boulevards will be primarily for the downtown population, which is predominately Caucasian with a higher median income.

Step 3: Determine Benefit and/or Burden

3. How will the policy, initiative, program, or budget issue increase or decrease racial equity? What are the unintended consequences? What benefits might result? Are the impacts aligned with your department’s community outcomes that were defined in Step 1?

The waterfront park boulevard ordinance is not anticipated to decrease racial equity and may increase racial equity by creating a new public space that is welcoming to all. In establishing the park boulevard, we are able to use our Parks/Friends model of operations and maintenance, which will support more diverse, inclusive programming to help attract communities of color to enjoy the new parks; it will also help us provide services and outreach to people and help eliminate the first response to enforcement, which can have biases towards persons of color.

Step 4: Advance Opportunity or Minimize Harm

4. How will you address the impacts (including consequences) on racial equity? What strategies address immediate impacts? What strategies address root causes of inequality? How will you partner with stakeholders for long term positive change? If impacts are not aligned with desired community outcomes, how will you re-align your work?

As stated earlier the pilot Operations and Management Agreement with Friends of Waterfront Seattle that was approved by Council includes Public Benefit, Equity and Inclusion provisions. In addition, OWCP is collaborating with Friends of Waterfront Seattle to create a park programming panel, which will help lead our work in community outreach and programming opportunities to all Seattle neighborhoods. Waterfront operations and maintenance staff will participate in RSJI led trainings to help reduce racial bias and unconscious racial profiling of park users.

Step 5: Evaluate. Raise Racial Awareness. Be Accountable.

5a. How will you evaluate and be accountable? How will you evaluate and report impacts on racial equity over time? What is your goal and timeline for eliminating racial inequity? How will you retain stakeholder participation and ensure internal and public accountability? How will you raise awareness about racial inequity related to this issue?

OWCP is developing a performance standard with the Central Waterfront Oversight Committee, which will include metrics on evaluating programming diversity, inclusivity, incidents, and surveys of park user experience. Friends of Waterfront Seattle will continue to work with the committee, as well as the city, on gathering data and annually report on that data. The data will help us consistently track our performance, not just on traditional maintenance metrics but also on who is being served by the new park, and how we are managing safety and security incidents and make needed changes over time.

5b. What is unresolved? What resources/partnerships do you need to make changes?

We will need to continue to assess any impacts using the Parks Code of Conduct and rules on equity for all users of the Waterfront Park Boulevard. Efforts are still needed to ensure we design new programming to appeal directly to the needs of diverse users – not our ideas of what those users would like. This requires an on-going commitment to repeated, in-depth working relationships with real people in community, in addition to organizations and individuals who claim to represent community.

[Step 6: Report Back](#)

OWCP, Friends and SPR will be reporting out on metrics gathered in relation to the park performance standard annually to the Mayor’s Office and City Council, as well as the general public and park users, including a report back on impacts on racial equity over time, retaining stakeholder participation, and what changes need to be made.



Legislation Text

File #: Appt 02024, **Version:** 1

Reappointment of N. Iris Friday as member, Seattle Indian Services Commission, for a term to October 31, 2022.

The Appointment Packet is provided as an attachment.

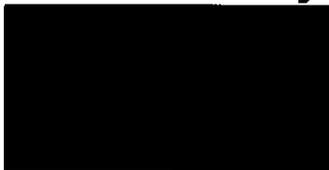


City of Seattle Boards & Commissions Notice of Appointment

Appointee Name: N. Iris Friday		
Board/Commission Name: Seattle Indian Services Commission		Position Title: Member
<input type="checkbox"/> Appointment OR <input checked="" type="checkbox"/> Reappointment		City Council Confirmation required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Appointing Authority: <input type="checkbox"/> City Council <input type="checkbox"/> Mayor <input checked="" type="checkbox"/> Other: SISC Governing Council		Term of Position: * 11/1/2020 to 10/31/2022 <input type="checkbox"/> Serving remaining term of a vacant position
Residential Neighborhood: Bremerton, WA	Zip Code: 98311	Contact Phone No/Email.:
Background: <p>N. Iris Friday (Tlingit) currently works for the federal Department of Housing & Urban Development's Northwest Office of Native American Programs (Public & Indian Housing) as a program specialist/analyst and Section 184 Coordinator.</p> <p>Ms. Friday's community activities are extensive – she is a founding member of the Native Action Network, a grassroots organization dedicated to political empowerment through increased civic participation, leadership development and building of a strong, healthy Native community.</p> <p>In addition, Ms. Friday's community activities included the former Nonprofit Assistance Center (Communities Rise) and the First Americans Education project.</p> <p>This reappointments represents Ms. Friday's sixth (6th) Term.</p>		
Authorizing Signature (original signature): Date Signed (appointed): 6/2/2021		Appointing Signatory: Claudia Kauffman Chair, SISC Governing Council

*Term begin and end date is fixed and tied to the position and not the appointment date.

N. Iris Friday



EDUCATION:

Associate of Arts Degree, June 1994

Seattle Central Community College, Seattle, WA

Bachelor of Arts Degree in Political Science, June 1996

University of Washington, Seattle, WA

John F. Kennedy School of Government Executive Program, August 1999

Harvard University, Boston, MA

WORK EXPERIENCE:

1/04-current **Native American Specialist/Loan Guarantee Coordinator**
Northwest Office of Native American Programs
U.S. Dept. of Housing & Urban Development
909 1st Ave. Suite 300
Seattle, WA 98104
(206) 220-5420

Serve as the Outreach & Marketing Coordinator for the Northwest Region's Title VI & Section 184 Indian Housing Loan Guarantee Program that has resulted in a 500% increase in 184 loan activity. Serve as a liaison between tribes, federal agencies, and our housing partners to ensure smooth delivery of the Section 184 Indian Housing Loan Guarantee program. Provide technical assistance to tribe's and tribally designated housing entities in Washington, Oregon, and Idaho on the development of homeownership, rental housing, and asset building programs to encourage wealth building. Assist tribes and Native non-profits in expanding their capacity to promote homeownership on and off reservation while working with the Bureau of Indian Affairs to facilitate timely delivery of title status reports, loan approvals, and final issuance of our loan guarantee certificates.

Actively involved in the Tribal Housing Assistance Team, the Northwest Native Asset Building Coalition, and facilitate the Oregon and Idaho Interagency Working Groups on Indian Affairs. Organized HUD's 1st ever Asset Building Conference.

Provide training on delivery of the Section 184 Indian Housing loan guarantee and Title VI loan guarantee program to lenders, tribes, and community organizations. Host 184 informational sessions throughout Washington, Oregon, and Idaho.

3/02-1/2004 **Grants Management Specialist/Program Analyst**
Northwest Office of Native American Programs
U.S. Dept. of Housing & Urban Development
909 1st Ave. Suite 300
Seattle, WA 98104

Provided grants management for 12 tribal housing programs throughout the Northwest region. Responsibilities included reviewing Indian Housing Plans, providing financial oversight of Indian Housing Block Grants, and responding to information requests. Provided technical assistance on

implementing the goals of the Native American Housing Assistance and Self-Determination Act, leveraging resources, and managing housing programs.

Reviewed Indian Community Development Block Grant applications, distributed funding agreements, and closed completed grants.

3/99-3/2002 **COMMUNITY BUILDER**
 U.S. Department of Housing and Urban Development
 909 1st Avenue, Suite 260, Seattle, WA 98104
 Martha Dilts, Acting Secretary's Representative, (206) 220-5101

Responsible for addressing the housing and community development needs of the Puget Sound urban Native population. Represent HUD at meetings with housing coalitions, community organizations, state-wide committees, federal agencies, county executives, tribal leadership, and non-profit organizations. Promoted HUD's Business Operating Plan national objectives while increasing HUD's visibility in under-served communities and populations. Built coalitions and teams to meet the housing needs of under-served populations.

Successfully partnered with urban Indian organizations to host three Housing Information Fairs targeting the American Indian and Alaska Native population. The Fair promoted home ownership, affordable housing, fair housing laws and brought together lending institutions, realtors, and housing organizations. FHA insured mortgages to Native families doubled as a result.

Organized homebuyer education classes for Native families; developed a financial planning course for Native families; organized train-the-trainer sessions. Successfully advocated for & organized HUD's 1st National Urban Indian Housing Conference in Seattle, WA.

Worked with the urban Indian community on a community planning process addressing affordable housing, homelessness, and community development. Two planning sessions addressed community needs and a community vision.

COMMUNICATIONS & DEVELOPMENT DIRECTOR
11/96-3/99 **National Congress of American Indians**
 1301 Connecticut Ave NW, Suite 200, Washington, DC
 JoAnn K. Chase, Supervisor, (202) 466-7767 (no longer there)

Successfully organized a bi-partisan awards banquet honoring members of the House and Senate in Washington, DC attended by over 350 tribal leaders. Worked with host tribes to develop planning committees for the organization's mid-year and annual conferences held throughout the nation. Conference attendance exceeded a previous record of 2,000 attendees resulting in increased revenues. Worked closely with convention and hotel staff to negotiate suitable contracts on behalf of the organization. Initiated meetings with Canada's Assembly of First Nations to organize an international conference that would capture the signing of a historic agreement for the two Native advocacy organizations to join forces in promoting tribal rights in the U.S. and Canada.

Developed an identity package and marketing campaign to increase contributions and membership that resulted in \$350,000 in contributions during the first year of the campaign. Edited and produced a national newsletter on legislative issues affecting tribal nations. Edited and produced "Indian Nations in the United States" used as an educational tool for local, state, and federal offices, including the U.S. Congress and White House officials.

HONORS & AWARDS

- Leadership Kitsap, Class of 2013 Graduate
- Recipient, 2012 HUD Employee of the Year, Northwest Indian Housing Association
- Recipient, *Flying Eagle Woman Award for Community Based Philanthropy*, 2011
Presented by Native Americans in Philanthropy, 2011
- U.S. Dept. of Housing & Urban Development Star Peer Recognition, 2010
- Recipient, Seattle Federal Executive Board Public Service Recognition, 2007 /2011
- Recipient, Bernie Whitebear Unity Award, 2003
Presented by the Minority Executive Director's Coalition
- Recipient, Elizabeth Peratovich Award for Outstanding Community Service, 2001
Presented by the Tlingit & Haida Central Council, Washington Chapter
- Certificate, John F. Kennedy School of Government
Executive Program, Harvard University, September 1999

Successfully selected from a nationwide pool of applicants:

- White House Intern, Office of First Lady Hillary Rodham Clinton, 1994
- American University's Washington Internships for Native Students, Class of 1994
- Americans for Indian Opportunity's Ambassador Leadership program, Class of 1998
- U.S. Dept. of Housing and Urban Development Community Builder Fellowship, Class of 1999j
- Finalist, Ian Axford Fellowship In New Zealand, 2009

ACCOMPLISHMENTS/VOLUNTEER WORK

- Co-founded Native Action Network in December 2000, a grassroots organization dedicated to leadership development, civic participation, and community development. Hosted 8 Annual Native Women's Leadership Development Forums highlighting the contributions of Native women in Washington state to building strong, healthy Native communities. Raised over \$175,000 for grassroots events and activities.
- Founded the Northwest Native Asset Building Coalition, November, 2005.
- Founded the Native Women's Political Caucus, 2008.
- Board Member, Center for Women and Democracy Board & Chair of Leadership Institute
- Delegate, Center for Women and Democracy Global Networking trips to Morocco and Rwanda.

TRAININGS

- Have provided numerous trainings for tribes on Section 184 Indian Housing Loan Guarantees, Title VI loan guarantees, homebuyer education, financial education, earned income tax credits, asset building, & utilizing government guarantees for economic development.
- Have presented at numerous regional and national conferences including National American Indian Housing Council, Affiliated Tribes of Northwest Indians, Center for Financial & Economic Development, National Community Tax Coalition, USDA Rural Development, Bureau of Indian Affairs, Buder Center, Washington University.
- Facilitated HUD's Government-to-Government Consultation sessions

SKILLS

Conference planner – up to 2,000 attendees
Event planner – parties, award banquets, honoring sessions, strategic planning sessions
Press Conference planner & press room organizer
Meeting Facilitation
Community Organizing

Seattle Indian Services Commission

Five (5) Members: Pursuant to Ordinance No. 103387, all members subject to City Council confirmation, 3-year terms:

- # City Council-appointed
- 1 Mayor-appointed
- 4 Other Appointing Authority-appointed (specify): Seattle Indian Services Commission's Governing Council

Roster:

*D	**G	RD	Position No.	Position Title	Name	Term Begin Date	Term End Date	Term #	Appointed By
4	F	N/A	1.	Chair	Claudia G. Kauffman	11/01/19	10/31/22	3	Mayor
4	F	N/A	2.	Member	N. Iris Friday	11/01/20	10/31/22	6	Gov. Council
4	F	5	3.	Member	Colleen Echohawk-Hayashi	01/01/21	12/31/24	2	Gov. Council
4	M	N/A	4.	Member	Michael L. Reichert	12/01/19	11/30/22	1	Gov. Council
4	F	N/A	5.	Member	Misha Y. Averill	07/01/20	06/30/23	1	Gov. Council

SELF-IDENTIFIED DIVERSITY CHART

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)				
	Male	Female	Transgender	NB/ O/ U	Asian	Black/ African American	Hispanic/ Latino	American Indian/ Alaska Native	Other	Caucasian/ Non-Hispanic	Pacific Islander	Middle Eastern	Multiracial
Mayor		1						1					
Council													
Other	1	3						4					
Total	1	4						5					

Key:

*D List the corresponding *Diversity Chart* number (1 through 9)

**G List *gender*, M= Male, F= Female, T= Transgender, NB= Non-Binary O= Other U= Unknown

RD Residential Council District number 1 through 7 or N/A

Diversity information is self-identified and is voluntary.



Legislation Text

File #: Appt 02025, **Version:** 1

Reappointment of Colleen Echohawk-Hayashi as member, Seattle Indian Services Commission, for a term to December 31, 2024.

The Appointment Packet is provided as an attachment.

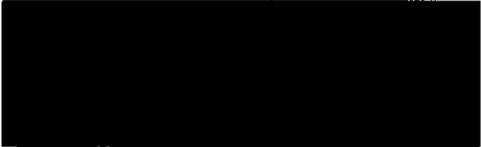


City of Seattle Boards & Commissions Notice of Appointment

Appointee Name: Colleen Echohawk-Hayashi		
Board/Commission Name: Seattle Indian Services Commission		Position Title: Member
<input type="checkbox"/> Appointment OR <input checked="" type="checkbox"/> Reappointment	City Council Confirmation required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Appointing Authority: <input type="checkbox"/> City Council <input type="checkbox"/> Mayor <input checked="" type="checkbox"/> Other: SISC Governing Council	Term of Position: * 1/1/2021 to 12/31/2024 <input type="checkbox"/> <i>Serving remaining term of a vacant position</i>	
Residential Neighborhood: Council District #5	Zip Code: 98133	Contact Phone No.: [REDACTED]
Background: Ms. Colleen Echohawk-Hayashi (enrolled member of the Pawnee Nation and adopted member of the Headwaters Peoples of Mentasta Lake Village, Alaska) is Executive Director of Chief Seattle Club (2014 – Present). Chief Seattle Club is a human services nonprofit that provides for the basic needs of its members, many who are experiencing homelessness. Prior to Chief Seattle Club, Ms. Echohawk-Hayashi founded Headwater People Consulting (2013 – Present) a consulting firm focusing on leadership development, organizational design and facilitation. Colleen's other positions included, Outreach Manager and Research Coordinator at Partnerships for Native Health (2011-2014); Community Outreach and Volunteer Coordinator, Ohana Project (2004-2014). Colleen's community involvement has included mayoral appointee to the Community Police Commission (Seattle); Board member to KUOW Radio Station & Metropolitan Improvement District (MID); and Chair to red Eagle Soaring Native Youth Theatre. Ms. Echohawk-Hayashi has lived in and around the Native community in Alaska, Seattle, and the South Pacific. She has a strong commitment to serve marginalized communities and to address structures that may restrict the participation of disenfranchised peoples in education, housing, health, industry and civic leadership. This reappointment represents Ms. Echohawk-Hayashi's second (2nd) term.		
Authorizing Signature (original signature): Date Signed (appointed): 6/2/2021		Appointing Signatory: Claudia Kauffman Chair, SISC Governing Council

*Term begin and end date is fixed and tied to the position and not the appointment date.

Colleen Echohawk-Hayashi



Profile - I am an enrolled member of the Pawnee Nation and adopted member of the Headwaters People of Mentasta Lake Village, Alaska and have lived in and around the Native community in Alaska, Seattle and the South Pacific for my entire life. My heritage and familial connections have informed my commitments to serving marginalized communities, regardless of race or ethnicity, and to address structures that my restrict the participation of disenfranchised peoples in education, housing, health, industry and civil leadership. Since 2014, I have been an active and vocal advocate for individuals who are experiencing homelessness with specific attention to Native people who experience homelessness. I am scrappy, innovative and hardworking, I believe in the goodness of humanity and will work tirelessly towards a vision of equity and justice on behalf of our most vulnerable relatives.

Experience

EXECUTIVE DIRECTOR, CHIEF SEATTLE CLUB, SEATTLE, WA 2014 – Present

The Chief Seattle Club exists to provide sacred space to nurture, affirm and renew the spirit of urban Native people. The Chief Seattle Club is a human service agency that provides for the basic needs of our members, many of whom are experiencing homelessness. Over 84,000 meals are served every year and members can access quality nursing care, mental health providers, chemical dependency professionals and traditional healing practices. Native people in urban areas face unique challenges and the Chief Seattle Club embraces the cultures, languages, and traditions of Alaska Natives and American Indians as the primary method for healing and transformation. As Executive Director my role is to offer executive leadership, fundraising and advocacy. In my tenure at the Club I have expanded our services including opening on weekends ensuring that members could access our services seven days a week, adding ten new staff including a robust case management team, adding another hot lunch opportunity and initiated a workforce development program. I have quadrupled our fundraising efforts raising over \$2 million in 2017, all through private donors and foundations, we do not receive government funds. In 2015 I founded the Coalition to End Urban Indigenous Homelessness and have joined several boards that play a major role in governing homelessness dollars in King County.

FOUNDER, HEADWATER PEOPLE CONSULTING, SEATTLE, WA 2013 – PRESENT

Headwater People is a consulting firm that is focused on leadership for the uncommon good. We offer organizational design, leadership development and facilitation with a focus on helping organizations become excellent practitioners while leading with an equity lens. My role is business development and oversight and I also selectively lead a few retreats and workshops throughout the year. I specialize in American Indian and Alaska Native cultural consultancy for non-Native organizations who would like to ensure that they are culturally competent.

OUTREACH MANAGER AND RESEARCH COORDINATOR, PARTNERSHIPS FOR NATIVE HEALTH, SEATTLE, WA 2011 – 2014

Partnerships for Native Health works with Tribal community members, leaders, researchers, clinicians, educators and outreach workers to address health disparities across Indian country; including cancer education, training research and planning. I provided health education, outreach, health promotion and cancer prevention activities, including - digital story telling workshops, tribal health fairs, Native youth conferences and tribal cancer awareness and prevention conferences. I coordinated the Native Comic Book Project; a research project directed towards Native youth. This project required facilitation of workshops with youth, teaching them health related topics such as healthy and traditional living practices, food and physical fitness, disease prevention, tobacco use, cancer risk and sun safety. I also managed and mentored staff and am committed to best practices in human resources and leadership.

COMMUNITY OUTREACH AND VOLUNTEER COORDINATOR, OHANA PROJECT, SEATTLE, WA 2004 –2014

The Ohana Project is a community based non-profit in Seattle. The Ohana Project exists to empower its members to volunteer their time and resources to serve other local organizations in the city. I led monthly projects and coordinated with other organizations to bring in large groups to help assist them in a project or other task that they need help with. My expertise is in helping organizations to understand and appreciate the other's differences and needs. I also do public speaking events and consult with other non-profits on how to mentor and inspire volunteers, sustainability and community building.

Education

Antioch University – Bachelors of Arts in Multi-Cultural Studies, 2008

Antioch University – Masters of Arts, Organizational Development and Leadership, In progress

Current Board of Director Positions

Community Police Commission, City of Seattle – Mayoral Appointment

KUOW, National Public Radio Station Affiliate

All Home Coordinating Board

Metropolitan Improvement District

Red Eagle Soaring Native Youth Theater, Past Board Chair

Co-Chair, MDAR Committee, City of Seattle – Mayoral Appointment

Awards

Neighborhood Builder Award – 2017

Organization of the Year, King County Municipal League – 2016

Courage Award, Crosscut Media – 2016

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