



Legislation Text

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CITY OF SEATTLE
ORDINANCE _____
COUNCIL BILL _____

An ORDINANCE related to the City's Emergency Management Program; adding Sections 10.02.045 and 10.02.047 to the Seattle Municipal Code (SMC) to refine the roles and responsibilities of the Office of Emergency Management; and amending Sections 10.02.050, 10.02.060, 10.02.070, 10.02.080, 10.02.090, 10.02.100, and 10.02.110 of the SMC to accommodate these refinements.

WHEREAS, Seattle's emergency management program has evolved in the last ten years from a primarily first responder-focused program to a full-fledged whole community program including roles, responsibilities, training, and practice for nearly all City Departments and dozens of community partners; and

WHEREAS, the Seattle Municipal Code (SMC) Chapter describing this program was enacted in the 1970s with only minor department name changes in the 2000s and no longer reflects the strength and breadth of the current program, which has grown to reflect the national standards for emergency management accreditation; and

WHEREAS, the Seattle emergency management program is seeking professional accreditation for its city-wide program; though there have been numerous improvements to the program over the last several years, there remains a need to amend the SMC to address specific areas necessary for compliance with emergency management accreditation standards; and

WHEREAS, Chapter 10.02 of the SMC addresses the establishment of the Disaster Management Committee but is silent as to the designation of an Office of Emergency Management or a designated individual responsible for that office and the City-wide program; and

WHEREAS, Emergency Management Accreditation Program Standard 3.2.1 states: “There shall be a designated emergency management agency, department or office established for the jurisdiction empowered with the authority to administer the emergency management program on behalf of the jurisdiction.” Currently, Chapter 10.02 identifies only a Disaster Management Committee that must meet at least quarterly; and

WHEREAS, Emergency Management Accreditation Program Standard 4.2.1 states: “The emergency management program’s authorities and responsibilities are established in and executed in accordance with statutes, regulations, directives or policies.” Currently, Chapter 10.02 does not include the identification of a program office (such as our Office of Emergency Management); and

WHEREAS, Emergency Management Accreditation Program Standard 4.7.1 states: “The Emergency Management Program shall formally adopt an incident management system. The system shall include but not be limited to the following concepts: modular organization, unified command, multi-agency coordination, span of control, common terminology, action planning process, comprehensive resource management, integrated communications and pre-designated facilities.” Though The City of Seattle adopted the National Incident Management System by Executive Order 02-05 in June 2005, it would be prudent to include this commitment in the SMC as well; and

WHEREAS, Emergency Management Accreditation Program Standard 4.7.2 states: “The emergency management program shall designate a single point of contact to serve as the coordinator for the incident management system implementation.” The Seattle Office of Emergency Management has been serving as the coordinator of City-wide implementation of the national incident management system as identified in Executive Order 02-05. It would be prudent to include this commitment in the Municipal Code as well; and

WHEREAS, WAC 118-30-050(5) states: “Each political subdivision must specify in the ordinance or resolution establishing the emergency management organization, that the agency shall be headed by a director of

emergency management who shall be appointed by and directly responsible to the executive head of the political subdivision.” Currently, Chapter 10.02 does not include the appointment of the Director of the Office of Emergency Management; and

WHEREAS, WAC 118-30-050(7) states: “Each political subdivision shall specify by ordinance or resolution that the local director of emergency management shall be directly responsible for the organization, administration, and operation of the emergency management organization.” Currently, Chapter 10.02 only references the Disaster Management Committee and omits any reference to the Director of Emergency Management or their responsibilities or authorities.

WHEREAS, there was formerly no assignment of the responsibilities to address policies associated with disasters as well as operations. Although the Disaster Management Committee has been quite adept at their operational roles in all phases of emergency management, it has been a relatively new evolution of the City’s overall emergency management program to specifically form a policy level group - the Mayor’s Emergency Executive Board. The Board has been meeting quarterly for about 8 years and it is time to identify this part of the program in the Code; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. A new Section 10.02.045 is added to the Seattle Municipal Code as follows:

10.02.045 Director of the Office of Emergency Management

There shall be a Director of the Office of Emergency Management who shall be appointed by the Mayor. The Director shall be responsible for the organization, administration and operation of the City’s emergency management organization and program.

Section 2. A new Section 10.02.047 is added to the Seattle Municipal Code as follows:

10.02.047 Office of Emergency Management

There shall be an Office of Emergency Management to oversee implementation of the City-wide emergency management program including, but not limited to, hazard identification and consequence analysis,

capability assessment, hazard mitigation, emergency planning, training, exercising, community preparedness, operational readiness, disaster response and recovery coordination, and partnership building. The Office of Emergency Management shall be the coordinating agency to ensure City-wide compliance with local, state, and federal laws, regulations, and guidelines relating to emergency preparedness including the adoption of the national incident management system.

Section 3. Section 10.02.050 of the Seattle Municipal Code, which section was enacted by Ordinance 102850, is amended as follows:

10.02.050 (~~(Disaster readiness and response plan.))~~Comprehensive Emergency Management Plan

Plans and programs for executing emergency powers including a (~~(disaster readiness and response))~~ Comprehensive Emergency Management (~~(p))~~ Plan shall be prepared and kept current under the direction of the Mayor who shall submit (~~(such))~~ plans and programs for executing emergency powers, and proposed amendments (~~((thereto))~~) to these plans and programs, to the City Council for review and approval by resolution. Upon (~~(such))~~ the City Council's approval the Mayor shall be authorized to exercise the powers provided by and in accordance with (~~(such))~~ plans and programs for executing emergency powers (~~((the powers provided therein))~~).

The Comprehensive Emergency Management Plan will assign roles and responsibilities to City Departments and establish the operational, planning, training, and exercise doctrine for the City's emergency management program to improve readiness for natural, technological, and human-caused disasters. The major components of the Comprehensive Emergency Management Plan will, at minimum, include a hazard and consequence analysis, an emergency operations plan, a mitigation plan, a disaster recovery framework, and any other plans or programs necessary to comply with state and federal laws and regulations.

Section 4. Section 10.02.060 of the Seattle Municipal Code, which section was last amended by Ordinance 124567, is amended as follows:

10.02.060 (~~(Disaster Management Committee.))~~Emergency Management organization

A. There shall be a Mayor's Emergency Executive Board consisting of Mayor's Office senior staff and the directors of City departments who have a key role or responsibility in emergency mitigation, prevention, protection, preparedness, response, or recovery as identified in the Comprehensive Emergency Management Plan.

1. The Mayor or Mayor's designee shall chair the Emergency Executive Board.

2. The Mayor's Emergency Executive Board shall meet quarterly to advise the Mayor on policy level issues related to emergency preparedness, mitigation, response, and recovery, and to train for their role in disasters.

3. The Office of Emergency Management will staff and facilitate the meetings of the Emergency Executive Board.

B. There shall be a Disaster Management Committee consisting of representatives of City Departments, including the Legislative Department, Public Health - Seattle King County, subject matter experts, and community stakeholders who have a key role or responsibility in emergency mitigation, prevention, protection, preparedness, response, or recovery.

~~((1. The department heads or their designees of the following departments and offices, or their successor agencies: City Light, the City Budget Office, the Office of Economic Development, the Department of Finance and Administrative Services, the Seattle Fire Department, the Office of Housing, the Human Services Department, the Department of Information Technology, the Office of Intergovernmental Relations, the Law Department, the Legislative Department, the Department of Parks and Recreation, the Seattle Department of Human Resources, the Seattle Police Department, Seattle Public Library, the Department of Neighborhoods, Seattle Center, the Office of Sustainability and the Environment, Seattle Public Utilities, and the Seattle Department of Transportation; and~~

~~2. The Director of Public Health - Seattle & King County or his or her designee; and~~

~~3. Representatives of other agencies or organizations, or other persons with expertise in disaster~~

~~management as shall be appointed by the Mayor.))~~

((B)) 1. The ~~((Mayor shall designate the))~~ Director of the Office of Emergency Management shall chair ~~((of))~~ the Disaster Management Committee.

~~((C. Members of the Committee described in subsection A3 shall serve without compensation, but may be reimbursed for reasonable and necessary expenses incurred in the performance of their duties.))~~

((D)) 2. The Committee shall meet ~~((at least quarterly))~~ monthly at the places and times as shall be prescribed by the ~~((Mayor))~~ Director of the Office of Emergency Management, and shall:

~~((1.))~~ a. Advise the Mayor and City Council on all matters pertaining to disaster readiness and response capabilities within the City;

((2)) b. Periodically review and make recommendations for the revision and/or maintenance of up-to-date disaster ~~((response))~~ plans for the City consistent with ~~((RCW))~~ Chapter 38.52 RCW and WAC 118-30 and including:

~~((a.))~~ 1) Preparations for and the carrying out of executive emergency powers;

~~((b.))~~ 2) The delegation and subdelegation of administrative authority by the Mayor;

~~((c.))~~ 3) The performance of emergency functions including firefighting, police, medical and health, welfare, rescue, engineering, transportation, communications and warning services, evacuation of persons from stricken areas, plant protection, restoration of utility services, and other functions relating to civilian protection together with all activities necessary or incidental to the preparation for and carrying out of such functions; and

~~((d.))~~ 4) Requirements for department operation including management succession, procedures for providing 24-hour capability, mobilization procedures, special disaster response procedures, plans for records protection, personnel procedures, finance plans, and training procedures for disaster response.

((3)) c. Provide cooperation and coordination with the disaster response plans of other local organizations and agencies;

((4)) d. Prepare and recommend to the Mayor plans for mutual aid operations ~~((with the state and political subdivisions thereof))~~;

e. Strategically plan and build capabilities for city-wide emergency preparedness;

((5)) f. Recommend expenditures for disaster preparations and training.

3. The Office of Emergency Management will convene subcommittees of the Disaster Management Committee as necessary to focus greater attention to any specific emergency management initiatives.

Section 5. Section 10.02.070 of the Seattle Municipal Code, which section was last amended by Ordinance 123361, is amended as follows:

10.02.070 Emergency purchases of supplies((:))

Upon the proclamation of a civil emergency by the Mayor, and during the existence ~~((thereof))~~of a civil emergency, emergency purchases of supplies, materials, and equipment are authorized to be made in accordance with the following procedure:

A. Preprinted emergency purchasing forms shall be provided by the Director of Finance and Administrative Services for use for all emergency purchases or contracting for supplies, materials or labor during the existence of such emergency, which forms shall provide for the filling in of appropriate information prescribed by the Director including: date and time of purchase; name and address of supplier; quantity, unit, description, unit price, and total price of item; name and appropriate identification number from the City employee identification card of the person making the purchase; date required and date delivered; description of use of item, including disaster work order number, description of disaster work and location of use; and name and appropriate identification number from the City employee identification card of the person receiving the item.

B. An employee identification card shall be used in all cases to verify that the purchaser is an employee

of the City.

C. A log of all purchases made during any emergency shall be maintained by each department and by the Director of Finance and Administrative Services.

D. The heads of departments using emergency purchase forms shall account for all costs incurred in making such purchases.

E. Upon termination of the emergency, the heads of departments shall review all emergency purchase orders issued by their respective departments, and shall verify and authenticate ~~((such))~~ all orders, and submit a summary ~~((thereof))~~ of emergency purchase orders through the Director of Finance and Administrative Services to the City Council for authorization of payment.

Section 6. Section 10.02.080 of the Seattle Municipal Code, which section was last amended by Ordinance 123361, is amended as follows:

10.02.080 City Budget Director to be informed of certain purchases and review mutual aid agreements(~~(-~~))

The City Budget Director, in cooperation with City departments making purchases or expenditures during the existence of an emergency, shall be informed of ~~((all such))~~ those purchases or expenditures for potential reimbursement under appropriate state or federal disaster assistance programs or other available state or federal grant funds. The City Budget Director shall also review all mutual aid agreements and services received ~~((thereunder))~~ under disaster assistance programs or grant funds by the City during any such ~~((civil))~~ emergency and shall certify to the Director of Finance and Administrative Services the services received and any payment due ~~((therefore))~~ as a result.

Section 7. Section 10.02.090 of the Seattle Municipal Code, which section was last amended by Ordinance 124567, is amended as follows:

10.02.090 Seattle Department of Human Resources

The Seattle Department of Human Resources with the cooperation of City departments shall be

responsible for the registration of City employees and volunteers as ~~((civil defense or))~~ emergency services workers pursuant to ~~((RCW))~~Chapter 38.52 RCW and shall formulate and recommend a plan and program for compensation and reimbursement of persons so registered.

Section 8. Section 10.02.100 of the Seattle Municipal Code, which section was last amended by Ordinance 120606, is amended as follows:

10.02.100 Notification of Governor, news media, and public~~(())~~

The Mayor shall cause each proclamation or order issued by ~~((him))~~the Mayor pursuant to the authority of this ~~(())~~Chapter 10.02 to be delivered to the Governor of the state and, to the extent practicable, to all news media within the City, and shall utilize as many other available means, including, but not limited to, posting on public facilities and public address systems, as may be practical to use, in order to give the widest dissemination of ~~((such))~~the proclamations and orders to the public.

Section 9. Section 10.02.110 of the Seattle Municipal Code, which section was enacted by Ordinance 120850, is amended as follows:

10.02.110 Violation-Penalty~~(())~~

It is unlawful for anyone to fail or refuse to obey an order proclaimed by the Mayor pursuant to the provisions of this ~~(())~~Chapter 10.02. Anyone convicted of a violation of this ~~(())~~Section 10.02.110 shall be punishable by a fine of not more than ~~((Five Hundred Dollars))~~\$500~~((.00))~~ or by imprisonment for not more than ~~((one hundred eighty))~~180~~(())~~days, or both such fine and imprisonment.

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 _____, 2015, and
signed by me in open session in authentication of its passage this
____ day of _____, 2015.

President _____ of the City Council

Approved by me this ____ day of _____, 2015.

Edward B. Murray, Mayor

Filed by me this ____ day of _____, 2015.

Monica Martinez Simmons, City Clerk

(Seal)