



# CITY OF SEATTLE

## City Council

### Agenda - Revised

Monday, May 24, 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](mailto:Lorena.González@seattle.gov)

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206-684-8888 (TTY Relay 7-1-1), email [CouncilAgenda@Seattle.gov](mailto:CouncilAgenda@Seattle.gov), or visit  
<http://seattle.gov/cityclerk/accommodations>.



# CITY OF SEATTLE

## City Council Agenda - Revised

**May 24, 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>

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*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State Governor's Proclamation 20-28.15, until the COVID-19 State of Emergency is terminated or Proclamation 20-28 is rescinded by the Governor or State legislature.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 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.

Submit written comments to all Councilmembers at

[Council@seattle.gov](mailto:Council@seattle.gov)

Sign-up to provide Public Comment 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 333](#) May 17, 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 304](#) May 24, 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. PAYMENT OF BILLS**

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

- [CB 120082](#) AN ORDINANCE appropriating money to pay certain audited claims for the week of May 10, 2021 through May 14, 2021 and ordering the payment thereof.

## I. COMMITTEE REPORTS

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

### **COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE:**

1. [CB 120000](#) AN ORDINANCE relating to the organization of the Office for Civil Rights; amending Section 3.14.910 of the Seattle Municipal Code to change the end of the Director's term and remove an outdated subsection requiring a racial equity toolkit.

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

**In Favor: 4 - Morales, Lewis, Pedersen, Herbold**

**Opposed: None**

**Supporting**

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

2. [CB 120071](#) AN ORDINANCE relating to commercial tenancies; amending Ordinance 126066.

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

**In Favor: 4 - Morales, Lewis, Pedersen, Herbold**

**Opposed: None**

**Supporting**

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

### **PUBLIC SAFETY AND HUMAN SERVICES COMMITTEE:**

3. [CB 120065](#) AN ORDINANCE relating to emergency communications; amending Ordinance 126237, which adopted the 2021 Budget; transferring positions from the Seattle Police Department to the Community Safety and Communications Center; and ratifying and confirming certain prior acts.

**The Committee recommends that City Council pass the Council Bill (CB) with a Divided Report.**

**In Favor: 2 - Herbold, Lewis**

**Opposed: 1 - González**

**Abstain: 2 - Morales, Sawant**

**Supporting Documents:**

[Summary and Fiscal Note](#)

[Proposed Amendment](#)

**TRANSPORTATION AND UTILITIES COMMITTEE:**

4. [Appt 01914](#) Reappointment of Marilyn K. Firman as member, Seattle School Traffic Safety Committee, for a term to March 31, 2024.

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

**In Favor: 4 - Pedersen, Strauss, Herbold, Morales**

**Opposed: None**

**Attachments:** [Appointment Packet](#)

5. [CB 120052](#) AN ORDINANCE relating to the City Light Department; authorizing the General Manager and Chief Executive Officer of City Light to execute an Interlocal Agreement with Skagit County for the transfer of real property from Skagit County to The City of Seattle, to execute conveyance documents and agreements deemed necessary for the transfer of the property on behalf of The City of Seattle, and to accept a Quit Claim Deed from Skagit County for such property; and placing the conveyed property under the jurisdiction of City Light as part of its Endangered Species Act Land Program.

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

**In Favor: 4 - Pedersen, Strauss, Herbold, Morales**

**Opposed: None**

**Attachments:** [Att 1 – Interlocal Agreement](#)  
[Att 2 – Quit Claim Deed](#)

**Supporting Documents:** [Summary and Fiscal Note](#)  
[Summary Att 1 – Map of Parcel Property](#)

6. [CB 120053](#) AN ORDINANCE relating to surveillance technology implementation; authorizing approval of uses and accepting the 2020 surveillance impact report and 2020 executive overview for the Seattle Police Department's use of Forward Looking Infrared Real-Time Video.

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

**In Favor: 4 - Pedersen, Strauss, Herbold, Morales**

**Opposed: None**

**Attachments:** [Att 1 – SIR: Forward Looking Infrared Real-Time Video \(FLIR\)](#)  
[Att 2 – Executive Overview: Forward Looking Infrared Real-Time Video](#)

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

7. [CB 120054](#) AN ORDINANCE relating to surveillance technology implementation; authorizing approval of uses and accepting the 2020 surveillance impact report and 2020 executive overview for the Seattle Police Department's use of Situational Awareness Cameras Without Recording.

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

**In Favor: 4 - Pedersen, Strauss, Herbold, Morales**

**Opposed: None**

**Attachments:** [Att 1 - SIR: Situational Awareness Cameras](#)  
[Att 2 - Executive Overview: Situational Awareness Cameras](#)

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

8. [CB 120055](#) AN ORDINANCE relating to surveillance technology implementation; authorizing approval of uses and accepting the 2020 surveillance impact report and 2020 executive overview for the Seattle Police Department's use of Video Recording Systems.

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

**In Favor: 4 - Pedersen, Strauss, Herbold, Morales**

**Opposed: None**

**Attachments:** [Att 1 – SIR: Video Recording Systems](#)  
[Att 2 – Executive Overview: Video Recording Systems](#)

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

9. [CB 120061](#) AN ORDINANCE granting permission to Northwest Kidney Center to continue to operate and maintain a pedestrian tunnel under and across Broadway, north of Cherry Street; repealing Section 8 of Ordinance 123367; and providing for acceptance of the permit and conditions.

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

**In Favor: 4 - Pedersen, Strauss, Herbold, Morales**

**Opposed: None**

**Supporting Documents:**

[Summary and Fiscal Note](#)

[Summary Att A - NW Kidney Center Tunnel Area Map](#)

[Summary Att B – NW Kidney Center Pedestrian Tunnel Fee Assessment](#)

10. [CB 120074](#) AN ORDINANCE granting Grange Insurance Association permission to continue maintaining and operating a pedestrian skybridge over and across the alley between 2nd Avenue and 3rd Avenue, north of Cedar Street; repealing Section 8 of Ordinance 123723; and providing for acceptance of the permit and conditions.

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

**In Favor: 4 - Pedersen, Strauss, Herbold, Morales**

**Opposed: None**

**Supporting Documents:**

[Summary and Fiscal Note](#)

[Summary Att A - Grange Insurance Association Skybridge Area Map](#)

[Summary Att B - Grange Insurance Association Skybridge Photo](#)

[Summary Att C - Annual Fee Assessment Summary](#)



11. [CB 120075](#) AN ORDINANCE granting BGO Plaza 600 JV LLC permission to continue maintaining and operating a vehicular and pedestrian tunnel under the alley between 6th Avenue and 7th Avenue, north of Stewart Street; repealing Section 7 of Ordinance 119508; and providing for acceptance of the permit and conditions.

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

**In Favor: 4 - Pedersen, Strauss, Herbold, Morales**

**Opposed: None**

**Supporting Documents:**

[Summary and Fiscal Note](#)

[Summary Att A - BGO Plaza 600 JV LLC Vehicular and Pedestrian Tunnel Area Map](#)

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

12. [CB 120076](#) AN ORDINANCE granting IC/RCDP Seattle Hotel, LLC permission to continue maintaining and operating a pedestrian tunnel under and across Seneca Street, between 4th Avenue and 5th Avenue; repealing Section 8 of Ordinance 123539; and providing for acceptance of the permit and conditions.

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

**In Favor: 4 - Pedersen, Strauss, Herbold, Morales**

**Opposed: None**

**Supporting Documents:**

[Summary and Fiscal Note](#)

[Summary Att A - Fairmont Hotel Tunnel Area Map](#)

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

**CITY COUNCIL:**

13. [CB 120078](#) AN ORDINANCE relating to emergency communications; amending Ordinance 126237, which adopted the 2021 Budget; modifying a proviso; and ratifying and confirming certain prior acts.

**Supporting Documents:**

[Summary and Fiscal Note](#)

14. [Res 32006](#) A RESOLUTION requesting the Federal Aviation Authority (FAA) to transfer excess property around the Air Route Surveillance Radar facility at Discovery Park to The City of Seattle for Seattle Parks and Recreation (SPR) purposes.

**Supporting**

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

15. [Appt 01909](#) Appointment of Adam Paul Amrhein as member, Seattle Design Commission, for a term to February 28, 2023.

**Supporting**

**Documents:** [Appointment Packet](#)

16. [Appt 01910](#) Appointment of Justin Clark as chair, Seattle Design Commission, for a term to February 28, 2022.

**Attachments:** [Appointment Packet](#)

17. [Appt 01911](#) Reappointment of Amalia Leighton Cody as member, Seattle Design Commission, for a term to February 28, 2023.

**Attachments:** [Appointment Packet](#)

18. [Appt 01912](#) Appointment of Jill Crary as member, Seattle Design Commission, for a term to February 28, 2023.

**Attachments:** [Appointment Packet](#)

19. [Appt 01913](#) Reappointment of Elaine Wine as member, Seattle Design Commission, for a term to February 28, 2023.

**Attachments:** [Appointment Packet](#)

**J. ADOPTION OF OTHER RESOLUTIONS**

**K. OTHER BUSINESS**

**L. ADJOURNMENT**



Legislation Text

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**File #:** Min 333, **Version:** 1

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May 17, 2021

# SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor  
Seattle, WA 98104



## Journal of the Proceedings of the Seattle City Council

Monday, May 17, 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](mailto: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 May 17, 2021, pursuant to the provisions of the City Charter. The meeting was called to order at 2:01 p.m., with Council President Pro Tem Herbold presiding.

#### **B. ROLL CALL**

**The following Councilmembers were present and participating electronically:**

**Present:** 7 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

**Excused:** 2 - González , Juarez

#### **C. PRESENTATIONS**

There were none.

#### **D. APPROVAL OF THE JOURNAL**

[Min 332](#)

**May 10, 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:** 7 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

**Opposed:** None

#### **E. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR**

[IRC 303](#)

**May 17, 2021**

**Motion was made, duly seconded and carried, to adopt the proposed Introduction and Referral Calendar (IRC) by the following vote:**

**In Favor:** 7 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

**Opposed:** None

**F. APPROVAL OF THE AGENDA**

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

**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:

Howard Gale  
Steve Hooper  
Xoe Amer  
Edward Mast  
Tejas Devanur  
Kathryn Dawson  
Shirley Henderson  
Nihal Fahim  
Traci Marx  
Amnah Ali  
Ingrid Campos  
Jordan Quinn  
Selena Carsiotis  
Logan Swan  
Safia Parveen  
Brian Dang  
Justin Simmons  
Jude Hanno  
Riley Walund  
James Fackler  
Sinsath Shameer  
Julie Rubenstein  
Emily McArthur  
Ayman Hashim  
Adel Youssef  
Kailyn Nicholson  
Aliaa Helal  
Larisa Sannikova Sebbane  
Guy Oron  
Azmath Khan  
Kanwal Quadir  
Chris Boylan  
Kathleen Myers  
Zeeshan Baqir  
Sarah Khan  
Lawrence Bushnell  
Iman Ayyeh  
Mahvish Pathan

Tariq Mohammad  
Jennifer Beetem  
Razak Kasim  
Aliesha Ruiz  
Lawrence Taicz  
Sonja Ponath  
Sara Syed  
Katelynn Mulrooney  
Kevin Vitz-Wong  
Gabriel Mahan  
Jerry Lutz

## H. PAYMENT OF BILLS

[CB 120070](#) **AN ORDINANCE appropriating money to pay certain audited claims for the week of May 3, 2021 through May 7, 2021 and ordering the payment thereof.**

Motion was made and duly seconded to pass Council Bill 120070.

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

**In Favor:** 7 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss

**Opposed:** None

## I. COMMITTEE REPORTS

### GOVERNANCE AND EDUCATION COMMITTEE:

1. [CB 120066](#) **AN ORDINANCE relating to City employment, commonly referred to as the First Quarter 2021 Employment Ordinance; returning positions to the civil service system; adjusting the pay zone structures for 2021 for titles in the City's discretionary pay programs; and amending Section 4.13.010 of the Seattle Municipal Code.**

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

**In Favor:** 4 - González , Juarez, Mosqueda, Strauss

**Opposed:** None

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

**In Favor:** 7 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss



**Opposed: None**

**LAND USE AND NEIGHBORHOODS COMMITTEE:**

- 2.     [CB 120067](#)   **AN ORDINANCE relating to the 2021 Budget; authorizing the Director of the Department of Neighborhoods to accept a grant and execute related agreements; amending Ordinance 126237, which adopted the 2021 Budget; changing appropriations to various departments; and ratifying and confirming certain prior acts.**

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

**In Favor: 5 - Strauss, Mosqueda, Juarez, Lewis, Pedersen**

**Opposed: None**

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

**In Favor: 7 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss**

**Opposed: None**

- 3.     [CB 120068](#)   **AN ORDINANCE relating to street and sidewalk use; amending Ordinance 125706 and the Street Use Permit Fee Schedule authorized by Section 15.04.074 of the Seattle Municipal Code.**

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

**In Favor: 5 - Strauss, Mosqueda, Juarez, Lewis, Pedersen**

**Opposed: None**

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

**In Favor: 7 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss**

**Opposed: None**

**TRANSPORTATION AND UTILITIES COMMITTEE:**

4. [CB 120044](#) **AN ORDINANCE relating to the Stormwater Code Update; amending Chapters 22.800, 22.801, 22.803, 22.805, and 22.807 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**

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

**In Favor: 7 - Herbold, Lewis, Morales, Mosqueda, Pedersen, Sawant, Strauss**

**Opposed: None**

#### **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 4:03 p.m.

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**Linda Barron, Deputy City Clerk**

**Signed by me in Open Session, upon approval of the Council, on  
May 24, 2021.**

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**Lisa Herbold, Council President Pro Tem of the City Council**

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**Monica Martinez Simmons, City Clerk**



Legislation Text

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**File #: IRC 304, Version: 1**

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May 24, 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
<b><u>By: Strauss</u></b>		
1. <a href="#">CB 120080</a>	AN ORDINANCE relating to land use and zoning; extending for six months a moratorium established by Ordinance 125764, and extended by Ordinances 126006, 126090, and 126241, on the filing, acceptance, processing, and/or approval of any application to establish a new principal or accessory use, or change a principal or accessory use, for any site currently used as a mobile home park, as defined in Section 23.84A.032 of the Seattle Municipal Code; and ratifying and confirming certain prior acts.	City Council
<b><u>By: Mosqueda</u></b>		
2. <a href="#">CB 120082</a>	AN ORDINANCE appropriating money to pay certain audited claims for the week of May 10, 2021 through May 14, 2021 and ordering the payment thereof.	City Council
<b><u>By: Morales</u></b>		
3. <a href="#">CB 120087</a>	AN ORDINANCE relating to appropriations for the Seattle Office for Civil Rights; amending Ordinance 126237, which adopted the 2021 Budget; changing appropriations to various departments and budget control levels, and from various funds in the Budget; lifting a proviso; imposing provisos; creating new positions; and ratifying and confirming certain prior acts.	City Council
<b><u>By: González</u></b>		
4. <a href="#">CB 120088</a>	AN ORDINANCE relating to parking enforcement; amending Ordinance 126237, which adopted the 2021 Budget; changing appropriations to various departments and budget control levels, and from various funds in the Budget; transferring positions from the Seattle Police Department to the Seattle Department of Transportation; amending Section 3.15.060 of the Seattle Municipal Code; and ratifying and confirming certain prior acts.	City Council
<b><u>By: Pedersen</u></b>		
5. <a href="#">CB 120089</a>	AN ORDINANCE relating to the City Light and Seattle Public Utilities Departments; temporarily removing the charge of interest on delinquent utility consumption and utilization accounts; superseding several sections under Title 21 that authorize and require the collection of interest	City Council

on delinquent utility consumption and utilization accounts; and ratifying and confirming certain prior acts.

**By: Strauss**

6. [Appt 01915](#) Reappointment of Martha Lucas as member, Community Involvement Commission, for a term to May 31, 2023. City Council

**By: Strauss**

7. [Appt 01916](#) Appointment of Jessica Hernandez as member, Urban Forestry Commission, for a term to March 31, 2024. City Council

**By: Strauss**

8. [Appt 01918](#) Reappointment of Vinita Sidhu as member, Seattle Design Commission, for a term to February 28, 2023. City Council

**By: Strauss, Juarez**

9. [CB 120079](#) AN ORDINANCE relating to land use and zoning; adding a new Chapter 23.70 to the Seattle Municipal Code (SMC); amending Chapter 23.32 of the SMC at page 14 of the Official Land Use Map to establish a Mobile Home Park Overlay District; amending Section 23.84A.032 of the SMC; and requesting that the Office of Housing add the census tract in which the Mobile Home Park Overlay District is located to those eligible for the affirmative marketing and community preference policy adopted in the Housing Funding Policies. Land Use and Neighborhoods Committee

**By: Strauss**

10. [CB 120081](#) AN ORDINANCE relating to affordable housing on properties owned or controlled by religious organizations; modifying existing development standards to facilitate creation of affordable housing; amending Section 23.45.504 of the Seattle Municipal Code, renumbering Section 23.44.009 of the Seattle Municipal Code as Section 23.44.007 and Section 23.44.019 as Section 23.44.009; and adding new Sections 23.42.055, 23.44.019, 23.45.550, 23.47A.040, 23.48.100, and 23.49.037 to the Seattle Municipal Code. Land Use and Neighborhoods Committee

**By: Strauss**

11. [CB 120083](#) AN ORDINANCE relating to Seattle's construction codes; amending Sections 713.13.7 and 1613.1.1 and Table 2902.1 of the 2018 Seattle Building Code, adopted by Ordinance 126278; amending Section R501.4 of the 2018 Seattle Energy Code, adopted by Ordinance 126279; amending Chapter 16 of the Seattle Existing Building Code, adopted by Ordinance 126278; and amending Sections 2.4, 4.5, 4.25, 4.26, and 5.9.1 of the Seattle Boiler and Pressure Vessel Code, adopted by Ordinance 126278. Land Use and Neighborhoods Committee

**By: Strauss**

12. [CB 120084](#) AN ORDINANCE relating to land disturbing activity; updating the Grading Code to align with updates to other codes; and amending Sections 22.170.020, 22.170.050, 22.170.060, 22.170.070, 22.170.080, 22.170.110, and 22.170.190 of the Seattle Municipal Code. Land Use and Neighborhoods Committee

**By: Strauss**

13. [CB 120085](#) AN ORDINANCE relating to boiler and steam engine operations; amending Chapter 6.420 of the Seattle Municipal Code. Land Use and Neighborhoods Committee

**By: Strauss**

14. [CB 120086](#) AN ORDINANCE relating to the transfer of City property located at 525 North 85th Street; authorizing the conveyance of the property to the Phinney Neighborhood Association, a Washington non-profit corporation, consistent with the intent of Resolution 31856 and to provide for the continued delivery of social services; making findings of fact about the consideration for the transfer; superseding Resolution 31837 for the purposes of this ordinance; and authorizing the Director of Finance and Administrative Services or designee to execute and deliver documents necessary to carry out the conveyance of such property on the terms and conditions of this ordinance. Land Use and Neighborhoods Committee

**By: Strauss**

15. [Appt 01917](#) Appointment of Nick Setten as member, Pike Place Market Preservation and Development Authority Governing Council, for a term to June 30, 2022. Land Use and Neighborhoods Committee



Legislation Text

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**File #:** CB 120082, **Version:** 1

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**CITY OF SEATTLE**

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

**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE appropriating money to pay certain audited claims for the week of May 10, 2021 through May 14, 2021 and ordering the payment thereof.

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

Section 1. Payment of the sum of \$15,877,171.43 on PeopleSoft 9.2 mechanical warrants numbered 4100459312 - 4100461202 plus manual or cancellation issues for claims, E-Payables of \$137,855.37 on PeopleSoft 9.2 9100009187 - 9100009241 and Electronic Financial Transactions (EFT) in the amount of \$53,768,775.16 are presented for ratification by the City Council per RCW 42.24.180.

Section 2. Payment of the sum of \$51,541,241.24 on City General Salary Fund mechanical warrants numbered 51346183- 51346846 plus manual warrants, agencies warrants, and direct deposits numbered 200001 - 202736 representing Gross Payrolls for payroll ending date May 11, 2021 as detailed in the Payroll Summary Report for claims against the City which were audited by the Auditing Committee and reported by said committee to the City Council May 20, 2021 consistent with appropriations heretofore made for such purpose from the appropriate Funds, is hereby approved.

Section 3. Any act consistent with the authority of this ordinance taken prior to its effective date is hereby ratified and confirmed.



Section 4. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 24<sup>th</sup> day of May 2021, and signed by me in open session in authentication of its passage this 24th day of May 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

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**File #:** CB 120000, **Version:** 1

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**CITY OF SEATTLE**

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

**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE relating to the organization of the Office for Civil Rights; amending Section 3.14.910 of the Seattle Municipal Code to change the end of the Director’s term and remove an outdated subsection requiring a racial equity toolkit.

WHEREAS, the mission of the Seattle Office for Civil Rights (SOCR) is to end structural racism through accountable community relationships and anti-racist organizing, policy development, and civil rights enforcement; and

WHEREAS, in 2004, The City of Seattle (“City”) launched a Race and Social Justice Initiative (RSJI), led by SOCR, to implement its longstanding commitments to social justice and ending racism; and

WHEREAS, the goal of RSJI is to end institutional racism within City government, working toward a vision where racial disparities will be eliminated and racial equity achieved; and

WHEREAS, concerns about the ability of SOCR to fulfill its mission while in the Executive branch resulted in Ordinance 125470, providing protections for the SOCR Director, including just cause for removal, and directing SOCR to conduct a Racial Equity Toolkit (RET) analysis on the permanent structure, leadership, duties, responsibilities, and functions of SOCR; and

WHEREAS, the team conducting the RET issued a report in October 2019, recommending a variety of actions to strengthen SOCR’s independence and ability to successfully fulfill its mission; and

WHEREAS, since the RET analysis began, the City Council and Executive have taken steps towards implementing the recommendations, including adding staff and resources for increased outreach, commission support, and RSJI efforts; and

WHEREAS, though these steps have strengthened SOCR, the recent civil rights reckoning and related events of 2020 have made the need to enhance SOCR's ability to advocate for anti-racism in Seattle's government even more urgent; and

WHEREAS, during the 2021 budget, the Council passed Statement of Legislative Intent (SLI) OCR-002-A-003 , directing the Executive to work with Council to implement the remaining recommendations in the RET report; and

WHEREAS, any introduction and potential passage of legislation resulting from the SLI is unlikely to take effect until late 2021 or early 2022, and any structural or functional transition implemented by the legislation will be made easier with the retention of a stable director position; and

WHEREAS, one of the indices of increased independence of any office is staggering the terms of office to alternate between when the appointing authority and the appointed director end their terms of office; and

WHEREAS, the Council believes that extending the term of the current SOCR Director will create the staggering necessary to enhance independence and ease any transition; NOW, THEREFORE,

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

Section 1. Section 3.14.910 of the Seattle Municipal Code, last amended by Ordinance 125470, is amended as follows:

**3.14.910 Director-Appointment, removal, and duties**

A. There shall be a Director of the Office for Civil Rights who shall be appointed by the Mayor. Such appointment shall be subject to confirmation by a majority vote of all members of the City Council. The Director of the Office for Civil Rights shall not be included in the classified civil service.

B. Directors of the Office for Civil Rights confirmed by Council after the effective date of the ordinance introduced as Council Bill 119120 shall be appointed with advice from Office for Civil Rights staff, the Seattle Women's Commission, the Seattle Human Rights Commission, the Seattle LGBTQ Commission, and the

Seattle Commission for People with Disabilities to a term that begins on the date of confirmation and ends on December 31, ((2021)) 2022. Subsequent terms shall be for four years. Any vacancy in an unexpired term shall be filled in the same manner as the original appointment. On the effective date of legislation implementing recommendations of a Racial Equity Toolkit (RET) conducted regarding permanent structure, leadership appointment or designation, and duties and responsibilities of the Office for Civil Rights, the term described in this subsection 3.14.910.B shall end, although the Director may hold over until such time a successor for the Director position has been appointed.

\* \* \*

D. The Director of the Office for Civil Rights shall be the head of and, under the direction of the Mayor, shall be responsible for the administration of the office and in connection with such administration shall have duties and responsibilities including but not limited to the following:

1. Undertake enforcement, policy, and education activities consistent with the mission of the Office for Civil Rights;
2. Administer and govern the Office for Civil Rights;
3. Appoint, remove, and supervise officers and employees in the Office for Civil Rights;
4. Provide staff support for the Seattle Women’s Commission, the Seattle Human Rights Commission, the Seattle LGBTQ (Lesbian, Gay, Bisexual, Transgender, Queer) Commission, and the Seattle Commission for People with Disabilities; consult with and report regularly to the Seattle Women’s Commission, the Seattle Human Rights Commission, the Seattle LGBTQ (Lesbian, Gay, Bisexual, Transgender, Queer) Commission, and the Seattle Commission for People with Disabilities on the workings of the Office for Civil Rights; and attend, either in person or by designated representative, all regular meetings of the Seattle Women’s Commission, the Seattle Human Rights Commission, the Seattle LGBTQ (Lesbian, Gay, Bisexual, Transgender, Queer) Commission, and the Seattle Commission for People with Disabilities;
5. Administer all ordinances pertaining to the Office for Civil Rights and take appropriate

remedial action where necessary;

6. Manage the preparation of the proposed annual budget of the Office for Civil Rights, and authorize necessary expenditures, and supervise the maintenance of adequate accounting systems;

7. After identifying priority issue areas, develop policies and programs, and seek additional funding sources in these areas, which seek to ameliorate the effects of disparate treatment and impact upon persons based on race, color, sex, marital status, parental status, sexual orientation, gender identity, political ideology, age, creed, honorably discharged veteran or military status, genetics information, religion, ancestry, national origin, the presence of any disability, participation in a Section 8 or other subsidy program, right of a mother to breastfeed her child, alternative source of income, or the use of a service animal by a disabled person;

8. Make periodic reports and recommendations to the Mayor and City Council concerning the operations of the Seattle Women’s Commission, the Seattle Human Rights Commission, the Seattle LGBTQ (Lesbian, Gay, Bisexual, Transgender, Queer) Commission, the Seattle Commission for People with Disabilities, and the Office for Civil Rights;

9. Receive, consider, and make recommendations concerning statements, reports, and complaints relative to problems of civil rights including such problems of civil rights as may arise in connection with the treatment, facilities, or services of any office or department of the City;

10. Exercise such other and further powers and duties as shall be prescribed by ordinance. ((;

~~11. Partner with a consultant to conduct an RET analysis and provide recommendations of the RET to the City Council to define and determine the permanent structure, leadership appointment or designation, and duties and responsibilities of the Office for Civil Rights. The City Council shall strongly consider legislation implementing the recommendations of the RET.))~~

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\***

<b>Department:</b>	<b>Dept. Contact/Phone:</b>	<b>CBO Contact/Phone:</b>
LEG	Venkataraman/4-5382	

\* 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 organization of the Office for Civil Rights; amending Section 3.14.910 of the Seattle Municipal Code to change the end of the Director’s term and remove an outdated subsection requiring a racial equity toolkit.

**Summary and background of the Legislation:** This legislation changes the end of the term for the Director of the Office for Civil Rights (OCR) from December 31, 2021 to December 31, 2022 and removes a fulfilled request to conduct a racial equity toolkit. During development of the 2021 budget, the Council passed Statement of Legislative Intent SLI-OCR-002-003, directing the Executive to work with Council to implement the recommendations from a report on a racial equity toolkit conducted on OCR’s structure and function. However, any introduction and potential passage of legislation resulting from the SLI is unlikely to take effect until late 2021 or early 2022. Extending the term of the current OCR Director will create the staggering necessary to enhance independence and ease any transition to be implemented after the SLI response is completed.

**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?**

If so, describe the nature of the impacts. This could include increased operating and maintenance costs, for example.

No

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

Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs or consequences.

No

**4. OTHER IMPLICATIONS**

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

If so, please list the affected department(s) and the nature of the impact (financial, operational, etc.).

It impacts the Office for Civil Rights, as it changes the term of the director position.

**b. Is a public hearing required for this legislation?**

If yes, what public hearing(s) have been held to date, and/or what public hearing(s) are planned/required in the future?

No

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

For example, legislation related to sale of surplus property, condemnation, or certain capital projects with private partners may require publication of notice. If you aren't sure, please check with your lawyer. If publication of notice is required, describe any steps taken to comply with that requirement.

No

**d. Does this legislation affect a piece of property?**

If yes, and if a map or other visual representation of the property is not already included as an exhibit or attachment to the legislation itself, then you must include a map and/or other visual representation of the property and its location as an attachment to the fiscal note. Place a note on the map attached to the fiscal note that indicates the map is intended for illustrative or informational purposes only and is not intended to modify anything in the legislation.

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?**

If yes, please explain how this legislation may impact vulnerable or historically disadvantaged communities. Using the racial equity toolkit is one way to help determine the legislation's impact on certain communities. If any aspect of the legislation involves communication or outreach to the public, please describe the plan for communicating with non-English speakers.

This legislation intends to provide the Office for Civil Rights more stability during a potential transition in structure and function resulting from a workgroup response to a Statement of Legislative Intent regarding how to implement recommendations from an RET. Providing this stability will allow OCR to continue to focus on its work to fulfill its mission, which is in support of anti-racism and thus in support of historically disadvantaged communities.

**f. Climate Change Implications**

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

Please provide a qualitative response, considering net impacts. Are there potential carbon emissions impacts of not implementing the proposed legislation. Discuss any potential intersections of carbon emissions impacts and race and social justice impacts, if not previously described in Section 4e.

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.**

Describe the potential climate resiliency impacts of implementing or not implementing the proposed legislation. Discuss any potential intersections of climate resiliency and race and social justice impacts, if not previously described in Section 4e.

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)?**

This answer should highlight measurable outputs and outcomes.

No



**List attachments/exhibits below:**



Legislation Text

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File #: CB 120071, Version: 1

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**CITY OF SEATTLE**

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

**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE relating to commercial tenancies; amending Ordinance 126066.

WHEREAS, The City of Seattle adopted Ordinance 126066 in April 2020 in recognition of the significant

hardships felt by small businesses and not-for-profit organizations due to the COVID-19 State of

Emergency; and

WHEREAS, Ordinance 126066 required property owners to negotiate payment plans with their commercial

and not-for-profit tenants who were not able to pay rent on time due to the COVID-19 State of

Emergency; and

WHEREAS, some business and not-for-profit tenants are being threatened with eviction either because their

landlords have not agreed to a payment plan or because late payment of rent is grounds for eviction

under a lease; and

WHEREAS, it is in the public interest to support existing small businesses and nonprofits who were forced to

close due to the state of emergency; and

WHEREAS, The City of Seattle has a heightened interest in preventing more small businesses from closing

permanently; NOW, THEREFORE,

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

Section 1. Section 4 of Ordinance 126066 is amended as follows:

Section 4.

A. A small business or nonprofit tenant that fails to pay rent when due during or within six

months after the termination of the civil emergency proclaimed by Mayor Durkan on March 3, 2020, may elect to pay its overdue rent in installments during that period on a payment schedule.

B. A written installment payment schedule shall be negotiated between the lessor and the small business or nonprofit for the payment of rent in arrears, provided that 1) the repayment schedule may not require the small business or nonprofit to pay, in addition to rent due for the month or period, more than 1/3 of late rent within any month or period following the month or period for which full rent was not paid unless agreed by the tenant, and 2) rent in arrears shall be paid in full to the lessor no later than one year after the termination of the civil emergency proclaimed by the Mayor on March 3, 2020.

C. No late fees, interest, or other charges due to late payment of rent shall accrue during or within one year after the termination of the civil emergency proclaimed by the Mayor on March 3, 2020.

D. Rent paid pursuant to a payment schedule shall not be considered overdue under the terms of the lease.

E. If the small business or nonprofit tenders a written offer to the lessor for an installment payment schedule consistent with the limitations imposed by subsection 4.B, and if the small business or nonprofit and lessor thereafter fail to agree on a payment schedule, the small business or nonprofit shall not be deemed to have failed to pay rent when due if the small business or nonprofit pays according to the schedule in the tendered offer.

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\***

<b>Department:</b>	<b>Dept. Contact/Phone:</b>	<b>CBO Contact/Phone:</b>
Legislative	Lish Whitson/425-390-2431	

*\* 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 commercial tenancies; amending Ordinance 126066.

**Summary and background of the Legislation:**

This bill would amend Ordinance 126066 to clarify protections for small businesses and not-for-profit organizations during the COVID-19 emergency. Ordinance 126066 placed a moratorium on rent increases for some small business and nonprofit tenants as described in the Moratorium on Rent Increases section, and required lessors to negotiate payment plans for overdue rent for small business and nonprofit tenants. This bill would clarify that rent paid pursuant to a payment plan may not be considered overdue under the terms of a lease. It also clarifies that if a tenant proposes a payment plan, but the landlord and their tenant fail to come to agreement on that payment plan, rent shall not be considered overdue if the tenant or not-for-profit pays late rent within a year of the end of the COVID-19 emergency.

**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?

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?**

According to research by J.P. Morgan Chase (<https://jpmorganchase.com/content/dam/jpmc/jpmorgan-chase-and-co/institute/pdf/institute-small-business-owner-race-report.pdf>), Black and Hispanic small business owners face additional financial pressures that may make it particularly difficult to pay rent during the COVID-19 civil emergency. In particular, Black and Hispanic-owned businesses are less likely to have external financing, which leads to lower revenues, profit margins and cash liquidity. The lack of cash reserves and external financing make it particularly difficult for Black and Hispanic-owned businesses to survive when forced to close due to the civil emergency. Allowing time for businesses to repay overdue rent can help these businesses to survive after the civil emergency.

According to research by the Small Business Administration, (<cdn.advocacy.sba.gov/wp-content/uploads/2021/03/02112318/COVID-19-Impact-On-Small-Business.pdf>) from April 2019 to April 2020, Asian, Black, and Hispanic people who were self-employed and working declined at a faster rate than the percentage of white people who were self-employed and working. Asians and Black businesses owners were more highly concentrated in industries with larger declines in employment from April 2019 to April 2020, including child care care services, restaurants and other food services, and taxi and limousine services. These businesses are most likely to need support and longer repayment periods.

**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).**

Not applicable.

**List attachments/exhibits below:**



Legislation Text

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**File #:** CB 120065, **Version:** 1

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**CITY OF SEATTLE**

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

**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE relating to emergency communications; amending Ordinance 126237, which adopted the 2021 Budget; transferring positions from the Seattle Police Department to the Community Safety and Communications Center; and ratifying and confirming certain prior acts.

WHEREAS, throughout the summer of 2020, Seattle residents took to the streets to protest the unjust murders of Black Americans, including George Floyd and Breonna Taylor and the shooting of Jacob Blake; all of these individuals experienced violent and lethal force at the hands of the police; and

WHEREAS, in response to this local and national civil rights reckoning, community members and civic leaders, including the Mayor and members of the City Council, have committed to a holistic review and community-led discussion around the effectiveness of the current way that community safety is provided in Seattle; and

WHEREAS, the shared vision for reimagining Seattle's system of community safety recognizes the importance of providing alternatives to armed police officer response, including civilian and community-based services and solutions; and

WHEREAS, based on community input, the Mayor and the City Council have pursued the transfer of certain functions out of the Seattle Police Department, including Emergency Management, 9-1-1 Dispatch, Crime Victim Advocates, and Parking Enforcement; and

WHEREAS, these transfers, taken in total, aim to reflect community expectations of the equitable delivery of City services, elevate emergency planning, improve the coordination of calls-for-service, increase civilian and community-based dispatch options, and bolster public trust and confidence in a reimagined



system of community safety; and

WHEREAS, the creation of the new Community Safety and Communications Center allows the City to explore consolidation and co-location of communications and dispatch functions, design and develop alternate emergency response models, as well as incorporate civilian and community-based dispatch alternatives that draw on the wealth of resources that currently exist in Seattle that could replace or complement armed officer response to better meet community needs; NOW, THEREFORE,

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

Section 1. The 2021 Adopted Budget is amended by amending a Budget Summary Level as follows:

Item	Fund	Department	Budget Summary Level	Budget Summary Level Purpose
2.1	General Fund (00100)	Community Safety and Communications Center	((Seattle Emergency Communications Center)) Community Safety and Communications Center (BO-CS-10000)	The purpose of the Community Safety and Communications Center Budget Summary Level is to: receive requests for public safety services for Seattle; provide dispatch, notification, and communication services; facilitate reporting of minor incidents; respond to community safety requests; and provide parking enforcement to assist in the administration of traffic laws.

Section 2. The following positions are transferred from the Seattle Police Department to the Community Safety and Communications Center:

Item	Department	Position Title	Position #	Position Status	Number
2.1	Seattle Police Department	Admin Spec II-BU	00005094	Full-Time	(1.0)
2.2	Seattle Police Department	Pol Comms Dispatcher I	00005137	Full-Time	(1.0)
2.3	Seattle Police Department	Pol Comms Dispatcher I	00005140	Full-Time	(1.0)
2.4	Seattle Police Department	Pol Comms Dispatcher I	00005141	Full-Time	(1.0)

2.5	Seattle Police Department	Pol Comms Dispatcher I	00005142	Full-Time	(1.0)
2.6	Seattle Police Department	Pol Comms Dispatcher I	00005143	Full-Time	(1.0)
2.7	Seattle Police Department	Manager2, CL&PS	00005144	Full-Time	(1.0)
2.8	Seattle Police Department	Pol Comms Dispatcher I	00005145	Full-Time	(1.0)
2.9	Seattle Police Department	Pol Comms Dispatcher I	00005146	Full-Time	(1.0)
2.10	Seattle Police Department	Pol Comms Dispatcher I	00005147	Full-Time	(1.0)
2.11	Seattle Police Department	Pol Comms Dispatcher I	00005148	Full-Time	(1.0)
2.12	Seattle Police Department	Pol Comms Dispatcher I	00005149	Full-Time	(1.0)
2.13	Seattle Police Department	Pol Comms Dispatcher I	00005150	Full-Time	(1.0)
2.14	Seattle Police Department	Pol Comms Dispatcher Supv	00005151	Full-Time	(1.0)
2.15	Seattle Police Department	Pol Comms Dispatcher I	00005152	Full-Time	(1.0)
2.16	Seattle Police Department	Pol Comms Dispatcher I	00005153	Full-Time	(1.0)
2.17	Seattle Police Department	Pol Comms Dispatcher I	00005154	Full-Time	(1.0)
2.18	Seattle Police Department	Pol Comms Dispatcher Supv	00005155	Full-Time	(1.0)
2.19	Seattle Police Department	Pol Comms Dispatcher I	00005156	Full-Time	(1.0)
2.20	Seattle Police Department	Pol Comms Dispatcher I	00005157	Full-Time	(1.0)
2.21	Seattle Police Department	Pol Comms Dispatcher I	00005158	Full-Time	(1.0)
2.22	Seattle Police Department	Pol Comms Dispatcher I	00005159	Full-Time	(1.0)
2.23	Seattle Police Department	Pol Comms Dispatcher I	00005160	Full-Time	(1.0)
2.24	Seattle Police Department	Manager2, CL&PS	00005161	Full-Time	(1.0)

2.25	Seattle Police Department	Pol Comms Dispatcher I	00005162	Full-Time	(1.0)
2.26	Seattle Police Department	Pol Comms Dispatcher I	00005163	Full-Time	(1.0)
2.27	Seattle Police Department	Pol Comms Dispatcher I	00005164	Full-Time	(1.0)
2.28	Seattle Police Department	Pol Comms Dispatcher II	00005165	Full-Time	(1.0)
2.29	Seattle Police Department	Pol Comms Dispatcher II	00005166	Full-Time	(1.0)
2.30	Seattle Police Department	Pol Comms Dispatcher II	00005167	Full-Time	(1.0)
2.31	Seattle Police Department	Pol Comms Dispatcher II	00005168	Full-Time	(1.0)
2.32	Seattle Police Department	Pol Comms Dispatcher II	00005169	Full-Time	(1.0)
2.33	Seattle Police Department	Pol Comms Dispatcher II	00005170	Full-Time	(1.0)
2.34	Seattle Police Department	Pol Comms Dispatcher II	00005171	Full-Time	(1.0)
2.35	Seattle Police Department	Pol Comms Dispatcher II	00005172	Full-Time	(1.0)
2.36	Seattle Police Department	Pol Comms Dispatcher II	00005173	Full-Time	(1.0)
2.37	Seattle Police Department	Pol Comms Anlyst	00005175	Full-Time	(1.0)
2.38	Seattle Police Department	Pol Comms Dispatcher II	00005176	Full-Time	(1.0)
2.39	Seattle Police Department	Pol Comms Dispatcher II	00005178	Full-Time	(1.0)
2.40	Seattle Police Department	Pol Comms Dispatcher II	00005179	Full-Time	(1.0)
2.41	Seattle Police Department	Pol Comms Dispatcher II	00005180	Full-Time	(1.0)
2.42	Seattle Police Department	Pol Comms Anlyst	00005181	Full-Time	(1.0)
2.43	Seattle Police Department	Pol Comms Dispatcher II	00005182	Full-Time	(1.0)
2.44	Seattle Police Department	Pol Comms Dispatcher II	00005183	Full-Time	(1.0)

2.45	Seattle Police Department	Pol Comms Dispatcher II	00005184	Full-Time	(1.0)
2.46	Seattle Police Department	Pol Comms Dispatcher II	00005186	Full-Time	(1.0)
2.47	Seattle Police Department	Pol Comms Dispatcher II	00005187	Full-Time	(1.0)
2.48	Seattle Police Department	Pol Comms Dispatcher II	00005188	Full-Time	(1.0)
2.49	Seattle Police Department	Pol Comms Dispatcher II	00005189	Full-Time	(1.0)
2.50	Seattle Police Department	Pol Comms Dispatcher II	00005190	Full-Time	(1.0)
2.51	Seattle Police Department	Pol Comms Dispatcher II	00005191	Full-Time	(1.0)
2.52	Seattle Police Department	Pol Comms Dispatcher II	00005192	Full-Time	(1.0)
2.53	Seattle Police Department	Pol Comms Dispatcher II	00005193	Full-Time	(1.0)
2.54	Seattle Police Department	Pol Comms Dispatcher II	00005194	Full-Time	(1.0)
2.55	Seattle Police Department	Pol Comms Dispatcher II	00005195	Full-Time	(1.0)
2.56	Seattle Police Department	Pol Comms Dispatcher II	00005196	Full-Time	(1.0)
2.57	Seattle Police Department	Pol Comms Dispatcher II	00005197	Full-Time	(1.0)
2.58	Seattle Police Department	Pol Comms Dispatcher II	00005198	Full-Time	(1.0)
2.59	Seattle Police Department	Pol Comms Dispatcher II	00005201	Full-Time	(1.0)
2.60	Seattle Police Department	Pol Comms Dispatcher II	00005202	Full-Time	(1.0)
2.61	Seattle Police Department	Pol Comms Dispatcher II	00005203	Full-Time	(1.0)
2.62	Seattle Police Department	Pol Comms Anlyst	00019187	Full-Time	(1.0)
2.63	Seattle Police Department	Pol Comms Dispatcher Supv	00019188	Full-Time	(1.0)
2.64	Seattle Police Department	Pol Comms Dispatcher I	00019189	Full-Time	(1.0)

2.65	Seattle Police Department	Pol Comms Dispatcher I	00019190	Full-Time	(1.0)
2.66	Seattle Police Department	Pol Comms Dispatcher I	00019198	Full-Time	(1.0)
2.67	Seattle Police Department	Pol Comms Dispatcher I	00019199	Full-Time	(1.0)
2.68	Seattle Police Department	Pol Comms Dispatcher I	00021022	Full-Time	(1.0)
2.69	Seattle Police Department	Pol Comms Dispatcher I	00021023	Full-Time	(1.0)
2.70	Seattle Police Department	Pol Comms Anlyst	00021024	Full-Time	(1.0)
2.71	Seattle Police Department	Pol Comms Dispatcher II	00021025	Full-Time	(1.0)
2.72	Seattle Police Department	Pol Comms Dispatcher II	00021026	Full-Time	(1.0)
2.73	Seattle Police Department	Pol Comms Dispatcher II	00021027	Full-Time	(1.0)
2.74	Seattle Police Department	Pol Comms Dispatcher I	00022466	Full-Time	(1.0)
2.75	Seattle Police Department	Pol Comms Dispatcher I	00022467	Full-Time	(1.0)
2.76	Seattle Police Department	Pol Comms Dispatcher II	00022468	Full-Time	(1.0)
2.77	Seattle Police Department	Pol Comms Dispatcher II	00022469	Full-Time	(1.0)
2.78	Seattle Police Department	Pol Comms Anlyst	00022471	Full-Time	(1.0)
2.79	Seattle Police Department	Pol Comms Anlyst	00022472	Full-Time	(1.0)
2.80	Seattle Police Department	Pol Comms Dispatcher III	00023425	Full-Time	(1.0)
2.81	Seattle Police Department	Pol Comms Dispatcher III	00023426	Full-Time	(1.0)
2.82	Seattle Police Department	Pol Comms Dispatcher III	00023427	Full-Time	(1.0)
2.83	Seattle Police Department	Pol Comms Dispatcher III	00023428	Full-Time	(1.0)
2.84	Seattle Police Department	Pol Comms Dispatcher III	00023429	Full-Time	(1.0)

2.85	Seattle Police Department	Pol Comms Dispatcher III	00023430	Full-Time	(1.0)
2.86	Seattle Police Department	Pol Comms Dispatcher III	00023431	Full-Time	(1.0)
2.87	Seattle Police Department	Pol Comms Dispatcher III	00023432	Full-Time	(1.0)
2.88	Seattle Police Department	Pol Comms Dispatcher III	00023433	Full-Time	(1.0)
2.89	Seattle Police Department	Pol Comms Anlyst	00023465	Full-Time	(1.0)
2.90	Seattle Police Department	Pol Comms Dispatcher I	00023583	Full-Time	(1.0)
2.91	Seattle Police Department	Pol Comms Dispatcher I	00023584	Full-Time	(1.0)
2.92	Seattle Police Department	Pol Comms Dispatcher I	00023585	Full-Time	(1.0)
2.93	Seattle Police Department	Pol Comms Dispatcher II	00023586	Full-Time	(1.0)
2.94	Seattle Police Department	Pol Comms Dispatcher Supv	00025241	Full-Time	(1.0)
2.95	Seattle Police Department	Pol Comms Dispatcher Supv	00025242	Full-Time	(1.0)
2.96	Seattle Police Department	Pol Comms Dispatcher Supv	00025243	Full-Time	(1.0)
2.97	Seattle Police Department	Pol Comms Dispatcher Supv	00025244	Full-Time	(1.0)
2.98	Seattle Police Department	Pol Comms Dispatcher Supv	00025245	Full-Time	(1.0)
2.99	Seattle Police Department	Pol Comms Dispatcher Supv	00025246	Full-Time	(1.0)
2.100	Seattle Police Department	Pol Comms Dispatcher I	00025291	Full-Time	(1.0)
2.101	Seattle Police Department	Pol Comms Dispatcher I	00025434	Full-Time	(1.0)
2.102	Seattle Police Department	Pol Comms Dispatcher I	00025435	Full-Time	(1.0)
2.103	Seattle Police Department	Pol Comms Dispatcher I	10001309	Full-Time	(1.0)
2.104	Seattle Police Department	Pol Comms Dispatcher II	10001310	Full-Time	(1.0)

2.105	Seattle Police Department	Manager2, CL&PS	10001313	Full-Time	(1.0)
2.106	Seattle Police Department	Pol Comms Dispatcher Supv	10004187	Full-Time	(1.0)
2.107	Seattle Police Department	Pol Comms Dispatcher I	10004188	Full-Time	(1.0)
2.108	Seattle Police Department	Pol Comms Dispatcher I	10004189	Full-Time	(1.0)
2.109	Seattle Police Department	Pol Comms Dispatcher I	10005758	Full-Time	(1.0)
2.110	Seattle Police Department	Pol Comms Dispatcher I	10005759	Full-Time	(1.0)
2.111	Seattle Police Department	Pol Comms Dispatcher I	10005760	Full-Time	(1.0)
2.112	Seattle Police Department	Pol Comms Dispatcher I	10005761	Full-Time	(1.0)
2.113	Seattle Police Department	Pol Comms Dispatcher I	10005762	Full-Time	(1.0)
2.114	Seattle Police Department	Pol Comms Dispatcher I	10005763	Full-Time	(1.0)
2.115	Seattle Police Department	Pol Comms Dispatcher I	10005764	Full-Time	(1.0)
2.116	Seattle Police Department	Pol Comms Dispatcher Supv	10005917	Full-Time	(1.0)
2.117	Seattle Police Department	Pol Comms Dispatcher Supv	10005918	Full-Time	(1.0)
2.118	Seattle Police Department	Pol Comms Dispatcher Supv	10005919	Full-Time	(1.0)
2.119	Seattle Police Department	Pol Comms Dispatcher I	10006147	Full-Time	(1.0)
2.120	Seattle Police Department	Pol Comms Dispatcher I	10006148	Full-Time	(1.0)
2.121	Seattle Police Department	Pol Comms Dispatcher I	10006149	Full-Time	(1.0)
2.122	Seattle Police Department	Pol Comms Dispatcher I	10006150	Full-Time	(1.0)
2.123	Seattle Police Department	Pol Comms Dispatcher I	10006151	Full-Time	(1.0)
2.124	Seattle Police Department	Pol Comms Dispatcher I	10006152	Full-Time	(1.0)

2.125	Seattle Police Department	Pol Comms Dispatcher I	10006153	Full-Time	(1.0)
2.126	Seattle Police Department	Pol Comms Dispatcher III	10006154	Full-Time	(1.0)
2.127	Seattle Police Department	Pol Comms Dispatcher III	10006155	Full-Time	(1.0)
2.128	Seattle Police Department	Pol Comms Dispatcher I	10006532	Full-Time	(1.0)
2.129	Seattle Police Department	Pol Comms Dispatcher I	10006533	Full-Time	(1.0)
2.130	Seattle Police Department	Pol Comms Dispatcher I	10006534	Full-Time	(1.0)
2.131	Seattle Police Department	Pol Comms Dispatcher I	10006535	Full-Time	(1.0)
2.132	Seattle Police Department	Pol Comms Dispatcher I	10006536	Full-Time	(1.0)
2.133	Seattle Police Department	Pol Comms Dispatcher I	10006537	Full-Time	(1.0)
2.134	Seattle Police Department	Pol Comms Dispatcher Supv	10006538	Full-Time	(1.0)
2.135	Seattle Police Department	Pol Comms Dispatcher Supv	10006539	Full-Time	(1.0)
2.136	Seattle Police Department	Pol Comms Dispatcher Supv	10006540	Full-Time	(1.0)
2.137	Seattle Police Department	Pol Comms Dispatcher Supv	10006541	Full-Time	(1.0)
2.138	Seattle Police Department	Pol Comms Dispatcher Supv	10006542	Full-Time	(1.0)
2.139	Seattle Police Department	Pol Comms Dispatcher Supv	10006543	Full-Time	(1.0)
2.140	Seattle Police Department	Pol Comms Dispatcher Supv	10006544	Full-Time	(1.0)
2.141	Community Safety and Communications Center	Admin Spec II-BU	00005094	Full-Time	1.0
2.142	Community Safety and Communications Center	Pol Comms Dispatcher I	00005137	Full-Time	1.0



2.143	Community Safety and Communications Center	Pol Comms Dispatcher I	00005140	Full-Time	1.0
2.144	Community Safety and Communications Center	Pol Comms Dispatcher I	00005141	Full-Time	1.0
2.145	Community Safety and Communications Center	Pol Comms Dispatcher I	00005142	Full-Time	1.0
2.146	Community Safety and Communications Center	Pol Comms Dispatcher I	00005143	Full-Time	1.0
2.147	Community Safety and Communications Center	Manager2, CL&PS	00005144	Full-Time	1.0
2.148	Community Safety and Communications Center	Pol Comms Dispatcher I	00005145	Full-Time	1.0
2.149	Community Safety and Communications Center	Pol Comms Dispatcher I	00005146	Full-Time	1.0
2.150	Community Safety and Communications Center	Pol Comms Dispatcher I	00005147	Full-Time	1.0
2.151	Community Safety and Communications Center	Pol Comms Dispatcher I	00005148	Full-Time	1.0
2.152	Community Safety and Communications Center	Pol Comms Dispatcher I	00005149	Full-Time	1.0

2.153	Community Safety and Communications Center	Pol Comms Dispatcher I	00005150	Full-Time	1.0
2.154	Community Safety and Communications Center	Pol Comms Dispatcher Supv	00005151	Full-Time	1.0
2.155	Community Safety and Communications Center	Pol Comms Dispatcher I	00005152	Full-Time	1.0
2.156	Community Safety and Communications Center	Pol Comms Dispatcher I	00005153	Full-Time	1.0
2.157	Community Safety and Communications Center	Pol Comms Dispatcher I	00005154	Full-Time	1.0
2.158	Community Safety and Communications Center	Pol Comms Dispatcher Supv	00005155	Full-Time	1.0
2.159	Community Safety and Communications Center	Pol Comms Dispatcher I	00005156	Full-Time	1.0
2.160	Community Safety and Communications Center	Pol Comms Dispatcher I	00005157	Full-Time	1.0
2.161	Community Safety and Communications Center	Pol Comms Dispatcher I	00005158	Full-Time	1.0
2.162	Community Safety and Communications Center	Pol Comms Dispatcher I	00005159	Full-Time	1.0

	Center				
2.163	Community Safety and Communications Center	Pol Comms Dispatcher I	00005160	Full-Time	1.0
2.164	Community Safety and Communications Center	Manager2, CL&PS	00005161	Full-Time	1.0
2.165	Community Safety and Communications Center	Pol Comms Dispatcher I	00005162	Full-Time	1.0
2.166	Community Safety and Communications Center	Pol Comms Dispatcher I	00005163	Full-Time	1.0
2.167	Community Safety and Communications Center	Pol Comms Dispatcher I	00005164	Full-Time	1.0
2.168	Community Safety and Communications Center	Pol Comms Dispatcher II	00005165	Full-Time	1.0
2.169	Community Safety and Communications Center	Pol Comms Dispatcher II	00005166	Full-Time	1.0
2.170	Community Safety and Communications Center	Pol Comms Dispatcher II	00005167	Full-Time	1.0
2.171	Community Safety and Communications Center	Pol Comms Dispatcher II	00005168	Full-Time	1.0
2.172	Community Safety and Communications Center	Pol Comms Dispatcher II	00005169	Full-Time	1.0

	Center				
2.173	Community Safety and Communications Center	Pol Comms Dispatcher II	00005170	Full-Time	1.0
2.174	Community Safety and Communications Center	Pol Comms Dispatcher II	00005171	Full-Time	1.0
2.175	Community Safety and Communications Center	Pol Comms Dispatcher II	00005172	Full-Time	1.0
2.176	Community Safety and Communications Center	Pol Comms Dispatcher II	00005173	Full-Time	1.0
2.177	Community Safety and Communications Center	Pol Comms Anlyst	00005175	Full-Time	1.0
2.178	Community Safety and Communications Center	Pol Comms Dispatcher II	00005176	Full-Time	1.0
2.179	Community Safety and Communications Center	Pol Comms Dispatcher II	00005178	Full-Time	1.0
2.180	Community Safety and Communications Center	Pol Comms Dispatcher II	00005179	Full-Time	1.0
2.181	Community Safety and Communications Center	Pol Comms Dispatcher II	00005180	Full-Time	1.0
2.182	Community Safety and Communications	Pol Comms Anlyst	00005181	Full-Time	1.0

	Center				
2.183	Community Safety and Communications Center	Pol Comms Dispatcher II	00005182	Full-Time	1.0
2.184	Community Safety and Communications Center	Pol Comms Dispatcher II	00005183	Full-Time	1.0
2.185	Community Safety and Communications Center	Pol Comms Dispatcher II	00005184	Full-Time	1.0
2.186	Community Safety and Communications Center	Pol Comms Dispatcher II	00005186	Full-Time	1.0
2.187	Community Safety and Communications Center	Pol Comms Dispatcher II	00005187	Full-Time	1.0
2.188	Community Safety and Communications Center	Pol Comms Dispatcher II	00005188	Full-Time	1.0
2.189	Community Safety and Communications Center	Pol Comms Dispatcher II	00005189	Full-Time	1.0
2.190	Community Safety and Communications Center	Pol Comms Dispatcher II	00005190	Full-Time	1.0
2.191	Community Safety and Communications Center	Pol Comms Dispatcher II	00005191	Full-Time	1.0
2.192	Community Safety and Communications	Pol Comms Dispatcher II	00005192	Full-Time	1.0

	Center				
2.193	Community Safety and Communications Center	Pol Comms Dispatcher II	00005193	Full-Time	1.0
2.194	Community Safety and Communications Center	Pol Comms Dispatcher II	00005194	Full-Time	1.0
2.195	Community Safety and Communications Center	Pol Comms Dispatcher II	00005195	Full-Time	1.0
2.196	Community Safety and Communications Center	Pol Comms Dispatcher II	00005196	Full-Time	1.0
2.197	Community Safety and Communications Center	Pol Comms Dispatcher II	00005197	Full-Time	1.0
2.198	Community Safety and Communications Center	Pol Comms Dispatcher II	00005198	Full-Time	1.0
2.199	Community Safety and Communications Center	Pol Comms Dispatcher II	00005201	Full-Time	1.0
2.200	Community Safety and Communications Center	Pol Comms Dispatcher II	00005202	Full-Time	1.0
2.201	Community Safety and Communications Center	Pol Comms Dispatcher II	00005203	Full-Time	1.0
2.202	Community Safety and Communications	Pol Comms Anlyst	00019187	Full-Time	1.0

	Center				
2.203	Community Safety and Communications Center	Pol Comms Dispatcher Supv	00019188	Full-Time	1.0
2.204	Community Safety and Communications Center	Pol Comms Dispatcher I	00019189	Full-Time	1.0
2.205	Community Safety and Communications Center	Pol Comms Dispatcher I	00019190	Full-Time	1.0
2.206	Community Safety and Communications Center	Pol Comms Dispatcher I	00019198	Full-Time	1.0
2.207	Community Safety and Communications Center	Pol Comms Dispatcher I	00019199	Full-Time	1.0
2.208	Community Safety and Communications Center	Pol Comms Dispatcher I	00021022	Full-Time	1.0
2.209	Community Safety and Communications Center	Pol Comms Dispatcher I	00021023	Full-Time	1.0
2.210	Community Safety and Communications Center	Pol Comms Anlyst	00021024	Full-Time	1.0
2.211	Community Safety and Communications Center	Pol Comms Dispatcher II	00021025	Full-Time	1.0
2.212	Community Safety and Communications	Pol Comms Dispatcher II	00021026	Full-Time	1.0

	Center				
2.213	Community Safety and Communications Center	Pol Comms Dispatcher II	00021027	Full-Time	1.0
2.214	Community Safety and Communications Center	Pol Comms Dispatcher I	00022466	Full-Time	1.0
2.215	Community Safety and Communications Center	Pol Comms Dispatcher I	00022467	Full-Time	1.0
2.216	Community Safety and Communications Center	Pol Comms Dispatcher II	00022468	Full-Time	1.0
2.217	Community Safety and Communications Center	Pol Comms Dispatcher II	00022469	Full-Time	1.0
2.218	Community Safety and Communications Center	Pol Comms Anlyst	00022471	Full-Time	1.0
2.219	Community Safety and Communications Center	Pol Comms Anlyst	00022472	Full-Time	1.0
2.220	Community Safety and Communications Center	Pol Comms Dispatcher III	00023425	Full-Time	1.0
2.221	Community Safety and Communications Center	Pol Comms Dispatcher III	00023426	Full-Time	1.0
2.222	Community Safety and Communications	Pol Comms Dispatcher III	00023427	Full-Time	1.0



	Center				
2.223	Community Safety and Communications Center	Pol Comms Dispatcher III	00023428	Full-Time	1.0
2.224	Community Safety and Communications Center	Pol Comms Dispatcher III	00023429	Full-Time	1.0
2.225	Community Safety and Communications Center	Pol Comms Dispatcher III	00023430	Full-Time	1.0
2.226	Community Safety and Communications Center	Pol Comms Dispatcher III	00023431	Full-Time	1.0
2.227	Community Safety and Communications Center	Pol Comms Dispatcher III	00023432	Full-Time	1.0
2.228	Community Safety and Communications Center	Pol Comms Dispatcher III	00023433	Full-Time	1.0
2.229	Community Safety and Communications Center	Pol Comms Anlyst	00023465	Full-Time	1.0
2.230	Community Safety and Communications Center	Pol Comms Dispatcher I	00023583	Full-Time	1.0
2.231	Community Safety and Communications Center	Pol Comms Dispatcher I	00023584	Full-Time	1.0
2.232	Community Safety and Communications	Pol Comms Dispatcher I	00023585	Full-Time	1.0

	Center				
2.233	Community Safety and Communications Center	Pol Comms Dispatcher II	00023586	Full-Time	1.0
2.234	Community Safety and Communications Center	Pol Comms Dispatcher Supv	00025241	Full-Time	1.0
2.235	Community Safety and Communications Center	Pol Comms Dispatcher Supv	00025242	Full-Time	1.0
2.236	Community Safety and Communications Center	Pol Comms Dispatcher Supv	00025243	Full-Time	1.0
2.237	Community Safety and Communications Center	Pol Comms Dispatcher Supv	00025244	Full-Time	1.0
2.238	Community Safety and Communications Center	Pol Comms Dispatcher Supv	00025245	Full-Time	1.0
2.239	Community Safety and Communications Center	Pol Comms Dispatcher Supv	00025246	Full-Time	1.0
2.240	Community Safety and Communications Center	Pol Comms Dispatcher I	00025291	Full-Time	1.0
2.241	Community Safety and Communications Center	Pol Comms Dispatcher I	00025434	Full-Time	1.0
2.242	Community Safety and Communications	Pol Comms Dispatcher I	00025435	Full-Time	1.0

	Center				
2.243	Community Safety and Communications Center	Pol Comms Dispatcher I	10001309	Full-Time	1.0
2.244	Community Safety and Communications Center	Pol Comms Dispatcher I	10001310	Full-Time	1.0
2.245	Community Safety and Communications Center	Manager2, CL&PS	10001313	Full-Time	1.0
2.246	Community Safety and Communications Center	Pol Comms Dispatcher Supv	10004187	Full-Time	1.0
2.247	Community Safety and Communications Center	Pol Comms Dispatcher I	10004188	Full-Time	1.0
2.248	Community Safety and Communications Center	Pol Comms Dispatcher I	10004189	Full-Time	1.0
2.249	Community Safety and Communications Center	Pol Comms Dispatcher I	10005758	Full-Time	1.0
2.250	Community Safety and Communications Center	Pol Comms Dispatcher I	10005759	Full-Time	1.0
2.251	Community Safety and Communications Center	Pol Comms Dispatcher I	10005760	Full-Time	1.0
2.252	Community Safety and Communications	Pol Comms Dispatcher I	10005761	Full-Time	1.0

	Center				
2.253	Community Safety and Communications Center	Pol Comms Dispatcher I	10005762	Full-Time	1.0
2.254	Community Safety and Communications Center	Pol Comms Dispatcher I	10005763	Full-Time	1.0
2.255	Community Safety and Communications Center	Pol Comms Dispatcher I	10005764	Full-Time	1.0
2.256	Community Safety and Communications Center	Pol Comms Dispatcher Supv	10005917	Full-Time	1.0
2.257	Community Safety and Communications Center	Pol Comms Dispatcher Supv	10005918	Full-Time	1.0
2.258	Community Safety and Communications Center	Pol Comms Dispatcher Supv	10005919	Full-Time	1.0
2.259	Community Safety and Communications Center	Pol Comms Dispatcher I	10006147	Full-Time	1.0
2.260	Community Safety and Communications Center	Pol Comms Dispatcher I	10006148	Full-Time	1.0
2.261	Community Safety and Communications Center	Pol Comms Dispatcher I	10006149	Full-Time	1.0
2.262	Community Safety and Communications	Pol Comms Dispatcher I	10006150	Full-Time	1.0

	Center				
2.263	Community Safety and Communications Center	Pol Comms Dispatcher I	10006151	Full-Time	1.0
2.264	Community Safety and Communications Center	Pol Comms Dispatcher I	10006152	Full-Time	1.0
2.265	Community Safety and Communications Center	Pol Comms Dispatcher I	10006153	Full-Time	1.0
2.266	Community Safety and Communications Center	Pol Comms Dispatcher III	10006154	Full-Time	1.0
2.267	Community Safety and Communications Center	Pol Comms Dispatcher III	10006155	Full-Time	1.0
2.268	Community Safety and Communications Center	Pol Comms Dispatcher I	10006532	Full-Time	1.0
2.269	Community Safety and Communications Center	Pol Comms Dispatcher I	10006533	Full-Time	1.0
2.270	Community Safety and Communications Center	Pol Comms Dispatcher I	10006534	Full-Time	1.0
2.271	Community Safety and Communications Center	Pol Comms Dispatcher I	10006535	Full-Time	1.0
2.272	Community Safety and Communications Center	Pol Comms Dispatcher I	10006536	Full-Time	1.0

	Center				
2.273	Community Safety and Communications Center	Pol Comms Dispatcher I	10006537	Full-Time	1.0
2.274	Community Safety and Communications Center	Pol Comms Dispatcher Supv	10006538	Full-Time	1.0
2.275	Community Safety and Communications Center	Pol Comms Dispatcher Supv	10006539	Full-Time	1.0
2.276	Community Safety and Communications Center	Pol Comms Dispatcher Supv	10006540	Full-Time	1.0
2.277	Community Safety and Communications Center	Pol Comms Dispatcher Supv	10006541	Full-Time	1.0
2.278	Community Safety and Communications Center	Pol Comms Dispatcher Supv	10006542	Full-Time	1.0
2.279	Community Safety and Communications Center	Pol Comms Dispatcher Supv	10006543	Full-Time	1.0
2.280	Community Safety and Communications Center	Pol Comms Dispatcher Supv	10006544	Full-Time	1.0
2.281	Seattle Police Department	Admin Spec II-BU	10004773	Full-Time	(1.0)
2.282	Seattle Police Department	Manager3,General Govt	00008588	Full-Time	(1.0)
2.283	Seattle Police Department	Parking Enf Ofcr	00005365	Full-Time	(1.0)
2.284	Seattle Police Department	Parking Enf Ofcr	00005366	Full-Time	(1.0)
2.285	Seattle Police	Parking Enf Ofcr	00005368	Full-Time	(1.0)

	Department				
2.286	Seattle Police Department	Parking Enf Ofcr	00005369	Full-Time	(1.0)
2.287	Seattle Police Department	Parking Enf Ofcr	00005370	Full-Time	(1.0)
2.288	Seattle Police Department	Parking Enf Ofcr	00005371	Full-Time	(1.0)
2.289	Seattle Police Department	Parking Enf Ofcr	00005372	Full-Time	(1.0)
2.290	Seattle Police Department	Parking Enf Ofcr	00005373	Full-Time	(1.0)
2.291	Seattle Police Department	Parking Enf Ofcr	00005374	Full-Time	(1.0)
2.292	Seattle Police Department	Parking Enf Ofcr	00005375	Full-Time	(1.0)
2.293	Seattle Police Department	Parking Enf Ofcr	00005376	Full-Time	(1.0)
2.294	Seattle Police Department	Parking Enf Ofcr	00005377	Full-Time	(1.0)
2.295	Seattle Police Department	Parking Enf Ofcr	00005378	Full-Time	(1.0)
2.296	Seattle Police Department	Parking Enf Ofcr	00005380	Full-Time	(1.0)
2.297	Seattle Police Department	Parking Enf Ofcr	00005382	Full-Time	(1.0)
2.298	Seattle Police Department	Parking Enf Ofcr	00005383	Full-Time	(1.0)
2.299	Seattle Police Department	Parking Enf Ofcr	00005384	Full-Time	(1.0)
2.300	Seattle Police Department	Parking Enf Ofcr	00005385	Full-Time	(1.0)
2.301	Seattle Police Department	Parking Enf Ofcr	00005387	Full-Time	(1.0)
2.302	Seattle Police Department	Parking Enf Ofcr	00005388	Full-Time	(1.0)
2.303	Seattle Police Department	Parking Enf Ofcr	00005389	Full-Time	(1.0)
2.304	Seattle Police Department	Parking Enf Ofcr	00005393	Full-Time	(1.0)
2.305	Seattle Police	Parking Enf Ofcr	00005395	Full-Time	(1.0)

	Department				
2.306	Seattle Police Department	Parking Enf Ofcr	00005396	Full-Time	(1.0)
2.307	Seattle Police Department	Parking Enf Ofcr	00005397	Full-Time	(1.0)
2.308	Seattle Police Department	Parking Enf Ofcr	00005398	Full-Time	(1.0)
2.309	Seattle Police Department	Parking Enf Ofcr	00015405	Full-Time	(1.0)
2.310	Seattle Police Department	Parking Enf Ofcr	00015406	Full-Time	(1.0)
2.311	Seattle Police Department	Parking Enf Ofcr	00015407	Full-Time	(1.0)
2.312	Seattle Police Department	Parking Enf Ofcr	00015409	Full-Time	(1.0)
2.313	Seattle Police Department	Parking Enf Ofcr	00015411	Full-Time	(1.0)
2.314	Seattle Police Department	Parking Enf Ofcr	00017311	Full-Time	(1.0)
2.315	Seattle Police Department	Parking Enf Ofcr	00017312	Full-Time	(1.0)
2.316	Seattle Police Department	Parking Enf Ofcr	00017313	Full-Time	(1.0)
2.317	Seattle Police Department	Parking Enf Ofcr	00017314	Full-Time	(1.0)
2.318	Seattle Police Department	Parking Enf Ofcr	00017315	Full-Time	(1.0)
2.319	Seattle Police Department	Parking Enf Ofcr	00017316	Full-Time	(1.0)
2.320	Seattle Police Department	Parking Enf Ofcr	00017317	Full-Time	(1.0)
2.321	Seattle Police Department	Parking Enf Ofcr	00017318	Full-Time	(1.0)
2.322	Seattle Police Department	Parking Enf Ofcr	00017319	Full-Time	(1.0)
2.323	Seattle Police Department	Parking Enf Ofcr	00021479	Full-Time	(1.0)
2.324	Seattle Police Department	Parking Enf Ofcr	00021480	Full-Time	(1.0)
2.325	Seattle Police Department	Parking Enf Ofcr	00021481	Full-Time	(1.0)



2.325	Seattle Police Department	Parking Enf Ofcr	00021481	Full-Time	(1.0)
2.326	Seattle Police Department	Parking Enf Ofcr	00021482	Full-Time	(1.0)
2.327	Seattle Police Department	Parking Enf Ofcr	00021483	Full-Time	(1.0)
2.328	Seattle Police Department	Parking Enf Ofcr	00021484	Full-Time	(1.0)
2.329	Seattle Police Department	Parking Enf Ofcr	00021485	Full-Time	(1.0)
2.330	Seattle Police Department	Parking Enf Ofcr	00021486	Full-Time	(1.0)
2.331	Seattle Police Department	Parking Enf Ofcr	00024280	Full-Time	(1.0)
2.332	Seattle Police Department	Parking Enf Ofcr	00024281	Full-Time	(1.0)
2.333	Seattle Police Department	Parking Enf Ofcr	00024282	Full-Time	(1.0)
2.334	Seattle Police Department	Parking Enf Ofcr	00024283	Full-Time	(1.0)
2.335	Seattle Police Department	Parking Enf Ofcr	10001299	Full-Time	(1.0)
2.336	Seattle Police Department	Parking Enf Ofcr	10001301	Full-Time	(1.0)
2.337	Seattle Police Department	Parking Enf Ofcr	10001302	Full-Time	(1.0)
2.338	Seattle Police Department	Parking Enf Ofcr	10001303	Full-Time	(1.0)
2.339	Seattle Police Department	Parking Enf Ofcr	10001304	Full-Time	(1.0)
2.340	Seattle Police Department	Parking Enf Ofcr	10001305	Full-Time	(1.0)
2.341	Seattle Police Department	Parking Enf Ofcr	10001306	Full-Time	(1.0)
2.342	Seattle Police Department	Parking Enf Ofcr	10001307	Full-Time	(1.0)
2.343	Seattle Police Department	Parking Enf Ofcr	10002693	Full-Time	(1.0)
2.344	Seattle Police Department	Parking Enf Ofcr	10003651	Full-Time	(1.0)
2.345	Seattle Police Department	Parking Enf Ofcr	10003652	Full-Time	(1.0)

2.345	Seattle Police Department	Parking Enf Ofcr	10003652	Full-Time	(1.0)
2.346	Seattle Police Department	Parking Enf Ofcr	10003653	Full-Time	(1.0)
2.347	Seattle Police Department	Parking Enf Ofcr	10003865	Full-Time	(1.0)
2.348	Seattle Police Department	Parking Enf Ofcr	10003866	Full-Time	(1.0)
2.349	Seattle Police Department	Parking Enf Ofcr	10003867	Full-Time	(1.0)
2.350	Seattle Police Department	Parking Enf Ofcr	10004184	Full-Time	(1.0)
2.351	Seattle Police Department	Parking Enf Ofcr	10004185	Full-Time	(1.0)
2.352	Seattle Police Department	Parking Enf Ofcr	10004406	Full-Time	(1.0)
2.353	Seattle Police Department	Parking Enf Ofcr	10004407	Full-Time	(1.0)
2.354	Seattle Police Department	Parking Enf Ofcr	10004408	Full-Time	(1.0)
2.355	Seattle Police Department	Parking Enf Ofcr	10004409	Full-Time	(1.0)
2.356	Seattle Police Department	Parking Enf Ofcr	10004410	Full-Time	(1.0)
2.357	Seattle Police Department	Parking Enf Ofcr	10004411	Full-Time	(1.0)
2.358	Seattle Police Department	Parking Enf Ofcr	10004412	Full-Time	(1.0)
2.359	Seattle Police Department	Parking Enf Ofcr	10004413	Full-Time	(1.0)
2.360	Seattle Police Department	Parking Enf Ofcr	10004671	Full-Time	(1.0)
2.361	Seattle Police Department	Parking Enf Ofcr	10004672	Full-Time	(1.0)
2.362	Seattle Police Department	Parking Enf Ofcr	10004673	Full-Time	(1.0)
2.363	Seattle Police Department	Parking Enf Ofcr	10004674	Full-Time	(1.0)
2.364	Seattle Police Department	Parking Enf Ofcr	10004675	Full-Time	(1.0)
2.365	Seattle Police Department	Parking Enf Ofcr	10004676	Full-Time	(1.0)

2.365	Seattle Police Department	Parking Enf Ofcr	10004676	Full-Time	(1.0)
2.366	Seattle Police Department	Parking Enf Ofcr	10004677	Full-Time	(1.0)
2.367	Seattle Police Department	Parking Enf Ofcr	10004736	Full-Time	(1.0)
2.368	Seattle Police Department	Parking Enf Ofcr	10004737	Full-Time	(1.0)
2.369	Seattle Police Department	Parking Enf Ofcr	10004771	Full-Time	(1.0)
2.370	Seattle Police Department	Parking Enf Ofcr	10004775	Full-Time	(1.0)
2.371	Seattle Police Department	Parking Enf Ofcr	10004776	Full-Time	(1.0)
2.372	Seattle Police Department	Parking Enf Ofcr	10004777	Full-Time	(1.0)
2.373	Seattle Police Department	Parking Enf Ofcr	10005013	Full-Time	(1.0)
2.374	Seattle Police Department	Parking Enf Ofcr	10005014	Full-Time	(1.0)
2.375	Seattle Police Department	Parking Enf Ofcr	10005015	Full-Time	(1.0)
2.376	Seattle Police Department	Parking Enf Ofcr	10005016	Full-Time	(1.0)
2.377	Seattle Police Department	Parking Enf Ofcr	10005017	Full-Time	(1.0)
2.378	Seattle Police Department	Parking Enf Ofcr	10005018	Full-Time	(1.0)
2.379	Seattle Police Department	Parking Enf Ofcr	10005019	Full-Time	(1.0)
2.380	Seattle Police Department	Parking Enf Ofcr	10005020	Full-Time	(1.0)
2.381	Seattle Police Department	Parking Enf Ofcr	10006160	Full-Time	(1.0)
2.382	Seattle Police Department	Parking Enf Ofcr	00005367	Full-Time	(1.0)
2.383	Seattle Police Department	Parking Enf Ofcr	00005379	Full-Time	(1.0)
2.384	Seattle Police Department	Parking Enf Ofcr	00005390	Full-Time	(1.0)

2.385	Seattle Police Department	Parking Enf Ofcr	00005391	Full-Time	(1.0)
2.386	Seattle Police Department	Parking Enf Ofcr	00005392	Full-Time	(1.0)
2.387	Seattle Police Department	Parking Enf Ofcr	00015404	Full-Time	(1.0)
2.388	Seattle Police Department	Parking Enf Ofcr	00015408	Full-Time	(1.0)
2.389	Seattle Police Department	Parking Enf Ofcr Supv	00005363	Full-Time	(1.0)
2.390	Seattle Police Department	Parking Enf Ofcr Supv	00005364	Full-Time	(1.0)
2.391	Seattle Police Department	Parking Enf Ofcr Supv	00015412	Full-Time	(1.0)
2.392	Seattle Police Department	Parking Enf Ofcr Supv	00021487	Full-Time	(1.0)
2.393	Seattle Police Department	Parking Enf Ofcr Supv	10001308	Full-Time	(1.0)
2.394	Seattle Police Department	Parking Enf Ofcr Supv	10004414	Full-Time	(1.0)
2.395	Seattle Police Department	Parking Enf Ofcr Supv	10004415	Full-Time	(1.0)
2.396	Seattle Police Department	Parking Enf Ofcr Supv	10004734	Full-Time	(1.0)
2.397	Seattle Police Department	Parking Enf Ofcr Supv	10004735	Full-Time	(1.0)
2.398	Seattle Police Department	Parking Enf Ofcr Supv	10004772	Full-Time	(1.0)
2.399	Seattle Police Department	Parking Enf Ofcr Supv	10005012	Full-Time	(1.0)
2.400	Seattle Police Department	Parking Enf Ofcr Supv	00017320	Full-Time	(1.0)
2.401	Community Safety and Communications Center	Admin Spec II-BU	10004773	Full-Time	1.0
2.402	Community Safety and	Manager3,General Govt	00008588	Full-Time	1.0

	Communications Center				
2.403	Community Safety and Communications Center	Parking Enf Ofcr	00005365	Full-Time	1.0
2.404	Community Safety and Communications Center	Parking Enf Ofcr	00005366	Full-Time	1.0
2.405	Community Safety and Communications Center	Parking Enf Ofcr	00005368	Full-Time	1.0
2.406	Community Safety and Communications Center	Parking Enf Ofcr	00005369	Full-Time	1.0
2.407	Community Safety and Communications Center	Parking Enf Ofcr	00005370	Full-Time	1.0
2.408	Community Safety and Communications Center	Parking Enf Ofcr	00005371	Full-Time	1.0
2.409	Community Safety and Communications Center	Parking Enf Ofcr	00005372	Full-Time	1.0
2.410	Community Safety and Communications Center	Parking Enf Ofcr	00005373	Full-Time	1.0
2.411	Community Safety and Communications Center	Parking Enf Ofcr	00005374	Full-Time	1.0
2.412	Community Safety and	Parking Enf Ofcr	00005375	Full-Time	1.0

	Communications Center				
2.413	Community Safety and Communications Center	Parking Enf Ofcr	00005376	Full-Time	1.0
2.414	Community Safety and Communications Center	Parking Enf Ofcr	00005377	Full-Time	1.0
2.415	Community Safety and Communications Center	Parking Enf Ofcr	00005378	Full-Time	1.0
2.416	Community Safety and Communications Center	Parking Enf Ofcr	00005380	Full-Time	1.0
2.417	Community Safety and Communications Center	Parking Enf Ofcr	00005382	Full-Time	1.0
2.418	Community Safety and Communications Center	Parking Enf Ofcr	00005383	Full-Time	1.0
2.419	Community Safety and Communications Center	Parking Enf Ofcr	00005384	Full-Time	1.0
2.420	Community Safety and Communications Center	Parking Enf Ofcr	00005385	Full-Time	1.0
2.421	Community Safety and Communications Center	Parking Enf Ofcr	00005387	Full-Time	1.0
2.422	Community Safety and	Parking Enf Ofcr	00005388	Full-Time	1.0

	Communications Center				
2.423	Community Safety and Communications Center	Parking Enf Ofcr	00005389	Full-Time	1.0
2.424	Community Safety and Communications Center	Parking Enf Ofcr	00005393	Full-Time	1.0
2.425	Community Safety and Communications Center	Parking Enf Ofcr	00005395	Full-Time	1.0
2.426	Community Safety and Communications Center	Parking Enf Ofcr	00005396	Full-Time	1.0
2.427	Community Safety and Communications Center	Parking Enf Ofcr	00005397	Full-Time	1.0
2.428	Community Safety and Communications Center	Parking Enf Ofcr	00005398	Full-Time	1.0
2.429	Community Safety and Communications Center	Parking Enf Ofcr	00015405	Full-Time	1.0
2.430	Community Safety and Communications Center	Parking Enf Ofcr	00015406	Full-Time	1.0
2.431	Community Safety and Communications Center	Parking Enf Ofcr	00015407	Full-Time	1.0
2.432	Community Safety and	Parking Enf Ofcr	00015409	Full-Time	1.0

	Communications Center				
2.433	Community Safety and Communications Center	Parking Enf Ofcr	00015411	Full-Time	1.0
2.434	Community Safety and Communications Center	Parking Enf Ofcr	00017311	Full-Time	1.0
2.435	Community Safety and Communications Center	Parking Enf Ofcr	00017312	Full-Time	1.0
2.436	Community Safety and Communications Center	Parking Enf Ofcr	00017313	Full-Time	1.0
2.437	Community Safety and Communications Center	Parking Enf Ofcr	00017314	Full-Time	1.0
2.438	Community Safety and Communications Center	Parking Enf Ofcr	00017315	Full-Time	1.0
2.439	Community Safety and Communications Center	Parking Enf Ofcr	00017316	Full-Time	1.0
2.440	Community Safety and Communications Center	Parking Enf Ofcr	00017317	Full-Time	1.0
2.441	Community Safety and Communications Center	Parking Enf Ofcr	00017318	Full-Time	1.0
2.442	Community Safety and	Parking Enf Ofcr	00017319	Full-Time	1.0



	Communications Center				
2.443	Community Safety and Communications Center	Parking Enf Ofcr	00021479	Full-Time	1.0
2.444	Community Safety and Communications Center	Parking Enf Ofcr	00021480	Full-Time	1.0
2.445	Community Safety and Communications Center	Parking Enf Ofcr	00021481	Full-Time	1.0
2.446	Community Safety and Communications Center	Parking Enf Ofcr	00021482	Full-Time	1.0
2.447	Community Safety and Communications Center	Parking Enf Ofcr	00021483	Full-Time	1.0
2.448	Community Safety and Communications Center	Parking Enf Ofcr	00021484	Full-Time	1.0
2.449	Community Safety and Communications Center	Parking Enf Ofcr	00021485	Full-Time	1.0
2.450	Community Safety and Communications Center	Parking Enf Ofcr	00021486	Full-Time	1.0
2.451	Community Safety and Communications Center	Parking Enf Ofcr	00024280	Full-Time	1.0
2.452	Community Safety and	Parking Enf Ofcr	00024281	Full-Time	1.0

	Communications Center				
2.453	Community Safety and Communications Center	Parking Enf Ofcr	00024282	Full-Time	1.0
2.454	Community Safety and Communications Center	Parking Enf Ofcr	00024283	Full-Time	1.0
2.455	Community Safety and Communications Center	Parking Enf Ofcr	10001299	Full-Time	1.0
2.456	Community Safety and Communications Center	Parking Enf Ofcr	10001301	Full-Time	1.0
2.457	Community Safety and Communications Center	Parking Enf Ofcr	10001302	Full-Time	1.0
2.458	Community Safety and Communications Center	Parking Enf Ofcr	10001303	Full-Time	1.0
2.459	Community Safety and Communications Center	Parking Enf Ofcr	10001304	Full-Time	1.0
2.460	Community Safety and Communications Center	Parking Enf Ofcr	10001305	Full-Time	1.0
2.461	Community Safety and Communications Center	Parking Enf Ofcr	10001306	Full-Time	1.0
2.462	Community Safety and	Parking Enf Ofcr	10001307	Full-Time	1.0

	Communications Center				
2.463	Community Safety and Communications Center	Parking Enf Ofcr	10002693	Full-Time	1.0
2.464	Community Safety and Communications Center	Parking Enf Ofcr	10003651	Full-Time	1.0
2.465	Community Safety and Communications Center	Parking Enf Ofcr	10003652	Full-Time	1.0
2.466	Community Safety and Communications Center	Parking Enf Ofcr	10003653	Full-Time	1.0
2.467	Community Safety and Communications Center	Parking Enf Ofcr	10003865	Full-Time	1.0
2.468	Community Safety and Communications Center	Parking Enf Ofcr	10003866	Full-Time	1.0
2.469	Community Safety and Communications Center	Parking Enf Ofcr	10003867	Full-Time	1.0
2.470	Community Safety and Communications Center	Parking Enf Ofcr	10004184	Full-Time	1.0
2.471	Community Safety and Communications Center	Parking Enf Ofcr	10004185	Full-Time	1.0
2.472	Community Safety and	Parking Enf Ofcr	10004406	Full-Time	1.0

	Communications Center				
2.473	Community Safety and Communications Center	Parking Enf Ofcr	10004407	Full-Time	1.0
2.474	Community Safety and Communications Center	Parking Enf Ofcr	10004408	Full-Time	1.0
2.475	Community Safety and Communications Center	Parking Enf Ofcr	10004409	Full-Time	1.0
2.476	Community Safety and Communications Center	Parking Enf Ofcr	10004410	Full-Time	1.0
2.477	Community Safety and Communications Center	Parking Enf Ofcr	10004411	Full-Time	1.0
2.478	Community Safety and Communications Center	Parking Enf Ofcr	10004412	Full-Time	1.0
2.479	Community Safety and Communications Center	Parking Enf Ofcr	10004413	Full-Time	1.0
2.480	Community Safety and Communications Center	Parking Enf Ofcr	10004671	Full-Time	1.0
2.481	Community Safety and Communications Center	Parking Enf Ofcr	10004672	Full-Time	1.0
2.482	Community Safety and	Parking Enf Ofcr	10004673	Full-Time	1.0

	Communications Center				
2.483	Community Safety and Communications Center	Parking Enf Ofcr	10004674	Full-Time	1.0
2.484	Community Safety and Communications Center	Parking Enf Ofcr	10004675	Full-Time	1.0
2.485	Community Safety and Communications Center	Parking Enf Ofcr	10004676	Full-Time	1.0
2.486	Community Safety and Communications Center	Parking Enf Ofcr	10004677	Full-Time	1.0
2.487	Community Safety and Communications Center	Parking Enf Ofcr	10004736	Full-Time	1.0
2.488	Community Safety and Communications Center	Parking Enf Ofcr	10004737	Full-Time	1.0
2.489	Community Safety and Communications Center	Parking Enf Ofcr	10004771	Full-Time	1.0
2.490	Community Safety and Communications Center	Parking Enf Ofcr	10004775	Full-Time	1.0
2.491	Community Safety and Communications Center	Parking Enf Ofcr	10004776	Full-Time	1.0
2.492	Community Safety and	Parking Enf Ofcr	10004777	Full-Time	1.0

	Communications Center				
2.493	Community Safety and Communications Center	Parking Enf Ofcr	10005013	Full-Time	1.0
2.494	Community Safety and Communications Center	Parking Enf Ofcr	10005014	Full-Time	1.0
2.495	Community Safety and Communications Center	Parking Enf Ofcr	10005015	Full-Time	1.0
2.496	Community Safety and Communications Center	Parking Enf Ofcr	10005016	Full-Time	1.0
2.497	Community Safety and Communications Center	Parking Enf Ofcr	10005017	Full-Time	1.0
2.498	Community Safety and Communications Center	Parking Enf Ofcr	10005018	Full-Time	1.0
2.499	Community Safety and Communications Center	Parking Enf Ofcr	10005019	Full-Time	1.0
2.500	Community Safety and Communications Center	Parking Enf Ofcr	10005020	Full-Time	1.0
2.501	Community Safety and Communications Center	Parking Enf Ofcr	10006160	Full-Time	1.0
2.502	Community Safety and	Parking Enf Ofcr	00005367	Full-Time	1.0

	Communications Center				
2.503	Community Safety and Communications Center	Parking Enf Ofcr	00005379	Full-Time	1.0
2.504	Community Safety and Communications Center	Parking Enf Ofcr	00005390	Full-Time	1.0
2.505	Community Safety and Communications Center	Parking Enf Ofcr	00005391	Full-Time	1.0
2.506	Community Safety and Communications Center	Parking Enf Ofcr	00005392	Full-Time	1.0
2.507	Community Safety and Communications Center	Parking Enf Ofcr	00015404	Full-Time	1.0
2.508	Community Safety and Communications Center	Parking Enf Ofcr	00015408	Full-Time	1.0
2.509	Community Safety and Communications Center	Parking Enf Ofcr Supv	00005363	Full-Time	1.0
2.510	Community Safety and Communications Center	Parking Enf Ofcr Supv	00005364	Full-Time	1.0
2.511	Community Safety and Communications Center	Parking Enf Ofcr Supv	00015412	Full-Time	1.0
2.512	Community Safety and	Parking Enf Ofcr Supv	00021487	Full-Time	1.0

	Communications Center				
2.513	Community Safety and Communications Center	Parking Enf Ofcr Supv	10001308	Full-Time	1.0
2.514	Community Safety and Communications Center	Parking Enf Ofcr Supv	10004414	Full-Time	1.0
2.515	Community Safety and Communications Center	Parking Enf Ofcr Supv	10004415	Full-Time	1.0
2.516	Community Safety and Communications Center	Parking Enf Ofcr Supv	10004734	Full-Time	1.0
2.517	Community Safety and Communications Center	Parking Enf Ofcr Supv	10004735	Full-Time	1.0
2.518	Community Safety and Communications Center	Parking Enf Ofcr Supv	10004772	Full-Time	1.0
2.519	Community Safety and Communications Center	Parking Enf Ofcr Supv	10005012	Full-Time	1.0
2.520	Community Safety and Communications Center	Parking Enf Ofcr Supv	00017320	Full-Time	1.0

Section 3. Any act consistent with the authority of this ordinance taken after its passage and prior to its effective date is ratified and confirmed.



Section 4. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

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\***

<b>Department:</b>	<b>Dept. Contact/Phone:</b>	<b>CBO Contact/Phone:</b>
LEG	Lise Kaye/206-256-6264	

*\* 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 emergency communications; amending Ordinance 126237, which adopted the 2021 Budget; transferring positions from the Seattle Police Department to the Community Safety and Communications Center; and ratifying and confirming certain prior acts.

**Summary and background of the Legislation:** This bill completes the transfer of City 9-1-1 Dispatch Operators and City Parking Enforcement Officers from the Seattle Police Department to the Community Safety and Communications Center that was anticipated when the Council passed the 2021 Adopted Budget.

- Section 1 adds a Budget Summary Level purpose statement for the Community Safety and Communications Center that was inadvertently omitted from the 2021 Adopted Budget.
- Section 2 transfers the 9-1-1 Dispatch Operator positions and the Parking Enforcement positions from the Seattle Police Department to the Community Safety and Communications Center.
- Section 3 ratifies and confirms any act consistent with the authority of this ordinance taken after its passage and prior to its effective date.

**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 Executive anticipates that additional “back of house” positions (e.g. finance, human resources) will be needed for the Community Safety and Communications Center and is planning to make a proposal for the 2022 budget.

**Is there financial cost or other impacts of *not* implementing the legislation?**  
If the legislation is not implemented, the transfer of the 9-1-1 Dispatch and Parking Enforcement functions from the Seattle Police Department to the Community Safety and Communications Center will not be completed.

### 3.a. Appropriations

This legislation adds, changes, or deletes appropriations.

### 3.b. Revenues/Reimbursements

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

### 3.c. Positions

This legislation adds, changes, or deletes positions.

**Position Notes:** The complete list of positions being transferred is found in the text of the legislation.

## 4. OTHER IMPLICATIONS

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

This legislation impacts the Seattle Police Department and the Community Safety and Communications Center.

**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 decision to create an independent, civilian-led emergency communications center followed a review and discussion around the current functions within the Seattle Police Department. This review recognized the importance of providing non-police led solutions to some incidents. Creating a civilian led Community Safety and Communications Center will allow the City to consolidate communications and diversify City services dispatched across the city, drawing on the full array of services available to city residents, and taking into account the continuum of urgency and appropriate responses to enhance the safety and lives of all members of the community.

**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:**

**Amendment 1**  
 to  
**CB 120065 – Transfer 911 Call Center to CSCC**  
**Sponsor: CM Herbold**

This amendment would delete provisions in the proposed bill related to the transfer of the Parking Enforcement Officers’ positions from the Seattle Police Department to the Community Safety and Communications Center.

Amend Section 1 as follows:

Section 1. The 2021 Adopted Budget is amended by amending a Budget Summary Level as follows:

Item	Fund	Department	Budget Summary Level	Budget Summary Level Purpose
2.1	General Fund (00100)	Community Safety and Communications Center	<del>((Seattle Emergency Communications Center))</del> <u>Community Safety and Communications Center (BO-CS-10000)</u>	The purpose of the Community Safety and Communications Center Budget Summary Level is to: receive requests for public safety services for Seattle; provide dispatch, notification, and communication services; facilitate reporting of minor incidents; <u>and respond to community safety requests</u> <del>((; and provide parking enforcement to assist in the administration of traffic laws))</del> .

Amend Section 2 as follows:

Item	Department	Position Title	Position #	Position Status	Number
2.1	Seattle Police Department	Admin Spec II-BU	00005094	Full-Time	(1.0)
2.2	Seattle Police Department	Pol Comms Dispatcher I	00005137	Full-Time	(1.0)
2.3	Seattle Police Department	Pol Comms Dispatcher I	00005140	Full-Time	(1.0)

Lise Kaye

Date: 5/24/2021

Version: 1a

Item	Department	Position Title	Position #	Position Status	Number
2.4	Seattle Police Department	Pol Comms Dispatcher I	00005141	Full-Time	(1.0)
2.5	Seattle Police Department	Pol Comms Dispatcher I	00005142	Full-Time	(1.0)
2.6	Seattle Police Department	Pol Comms Dispatcher I	00005143	Full-Time	(1.0)
2.7	Seattle Police Department	Manager2, CL&PS	00005144	Full-Time	(1.0)
2.8	Seattle Police Department	Pol Comms Dispatcher I	00005145	Full-Time	(1.0)
2.9	Seattle Police Department	Pol Comms Dispatcher I	00005146	Full-Time	(1.0)
2.10	Seattle Police Department	Pol Comms Dispatcher I	00005147	Full-Time	(1.0)
2.11	Seattle Police Department	Pol Comms Dispatcher I	00005148	Full-Time	(1.0)
2.12	Seattle Police Department	Pol Comms Dispatcher I	00005149	Full-Time	(1.0)
2.13	Seattle Police Department	Pol Comms Dispatcher I	00005150	Full-Time	(1.0)
2.14	Seattle Police Department	Pol Comms Dispatcher Supv	00005151	Full-Time	(1.0)
2.15	Seattle Police Department	Pol Comms Dispatcher I	00005152	Full-Time	(1.0)
2.16	Seattle Police Department	Pol Comms Dispatcher I	00005153	Full-Time	(1.0)
2.17	Seattle Police Department	Pol Comms Dispatcher I	00005154	Full-Time	(1.0)
2.18	Seattle Police Department	Pol Comms Dispatcher Supv	00005155	Full-Time	(1.0)
2.19	Seattle Police Department	Pol Comms Dispatcher I	00005156	Full-Time	(1.0)

Lise Kaye

Date: 5/24/2021

Version: 1a

<b>Item</b>	<b>Department</b>	<b>Position Title</b>	<b>Position #</b>	<b>Position Status</b>	<b>Number</b>
2.20	Seattle Police Department	Pol Comms Dispatcher I	00005157	Full-Time	(1.0)
2.21	Seattle Police Department	Pol Comms Dispatcher I	00005158	Full-Time	(1.0)
2.22	Seattle Police Department	Pol Comms Dispatcher I	00005159	Full-Time	(1.0)
2.23	Seattle Police Department	Pol Comms Dispatcher I	00005160	Full-Time	(1.0)
2.24	Seattle Police Department	Manager2, CL&PS	00005161	Full-Time	(1.0)
2.25	Seattle Police Department	Pol Comms Dispatcher I	00005162	Full-Time	(1.0)
2.26	Seattle Police Department	Pol Comms Dispatcher I	00005163	Full-Time	(1.0)
2.27	Seattle Police Department	Pol Comms Dispatcher I	00005164	Full-Time	(1.0)
2.28	Seattle Police Department	Pol Comms Dispatcher II	00005165	Full-Time	(1.0)
2.29	Seattle Police Department	Pol Comms Dispatcher II	00005166	Full-Time	(1.0)
2.30	Seattle Police Department	Pol Comms Dispatcher II	00005167	Full-Time	(1.0)
2.31	Seattle Police Department	Pol Comms Dispatcher II	00005168	Full-Time	(1.0)
2.32	Seattle Police Department	Pol Comms Dispatcher II	00005169	Full-Time	(1.0)
2.33	Seattle Police Department	Pol Comms Dispatcher II	00005170	Full-Time	(1.0)
2.34	Seattle Police Department	Pol Comms Dispatcher II	00005171	Full-Time	(1.0)
2.35	Seattle Police Department	Pol Comms Dispatcher II	00005172	Full-Time	(1.0)

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2.36	Seattle Police Department	Pol Comms Dispatcher II	00005173	Full-Time	(1.0)
2.37	Seattle Police Department	Pol Comms Anlyst	00005175	Full-Time	(1.0)
2.38	Seattle Police Department	Pol Comms Dispatcher II	00005176	Full-Time	(1.0)
2.39	Seattle Police Department	Pol Comms Dispatcher II	00005178	Full-Time	(1.0)
2.40	Seattle Police Department	Pol Comms Dispatcher II	00005179	Full-Time	(1.0)
2.41	Seattle Police Department	Pol Comms Dispatcher II	00005180	Full-Time	(1.0)
2.42	Seattle Police Department	Pol Comms Anlyst	00005181	Full-Time	(1.0)
2.43	Seattle Police Department	Pol Comms Dispatcher II	00005182	Full-Time	(1.0)
2.44	Seattle Police Department	Pol Comms Dispatcher II	00005183	Full-Time	(1.0)
2.45	Seattle Police Department	Pol Comms Dispatcher II	00005184	Full-Time	(1.0)
2.46	Seattle Police Department	Pol Comms Dispatcher II	00005186	Full-Time	(1.0)
2.47	Seattle Police Department	Pol Comms Dispatcher II	00005187	Full-Time	(1.0)
2.48	Seattle Police Department	Pol Comms Dispatcher II	00005188	Full-Time	(1.0)
2.49	Seattle Police Department	Pol Comms Dispatcher II	00005189	Full-Time	(1.0)
2.50	Seattle Police Department	Pol Comms Dispatcher II	00005190	Full-Time	(1.0)
2.51	Seattle Police Department	Pol Comms Dispatcher II	00005191	Full-Time	(1.0)



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2.52	Seattle Police Department	Pol Comms Dispatcher II	00005192	Full-Time	(1.0)
2.53	Seattle Police Department	Pol Comms Dispatcher II	00005193	Full-Time	(1.0)
2.54	Seattle Police Department	Pol Comms Dispatcher II	00005194	Full-Time	(1.0)
2.55	Seattle Police Department	Pol Comms Dispatcher II	00005195	Full-Time	(1.0)
2.56	Seattle Police Department	Pol Comms Dispatcher II	00005196	Full-Time	(1.0)
2.57	Seattle Police Department	Pol Comms Dispatcher II	00005197	Full-Time	(1.0)
2.58	Seattle Police Department	Pol Comms Dispatcher II	00005198	Full-Time	(1.0)
2.59	Seattle Police Department	Pol Comms Dispatcher II	00005201	Full-Time	(1.0)
2.60	Seattle Police Department	Pol Comms Dispatcher II	00005202	Full-Time	(1.0)
2.61	Seattle Police Department	Pol Comms Dispatcher II	00005203	Full-Time	(1.0)
2.62	Seattle Police Department	Pol Comms Anlyst	00019187	Full-Time	(1.0)
2.63	Seattle Police Department	Pol Comms Dispatcher Supv	00019188	Full-Time	(1.0)
2.64	Seattle Police Department	Pol Comms Dispatcher I	00019189	Full-Time	(1.0)
2.65	Seattle Police Department	Pol Comms Dispatcher I	00019190	Full-Time	(1.0)
2.66	Seattle Police Department	Pol Comms Dispatcher I	00019198	Full-Time	(1.0)
2.67	Seattle Police Department	Pol Comms Dispatcher I	00019199	Full-Time	(1.0)

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Item	Department	Position Title	Position #	Position Status	Number
2.68	Seattle Police Department	Pol Comms Dispatcher I	00021022	Full-Time	(1.0)
2.69	Seattle Police Department	Pol Comms Dispatcher I	00021023	Full-Time	(1.0)
2.70	Seattle Police Department	Pol Comms Anlyst	00021024	Full-Time	(1.0)
2.71	Seattle Police Department	Pol Comms Dispatcher II	00021025	Full-Time	(1.0)
2.72	Seattle Police Department	Pol Comms Dispatcher II	00021026	Full-Time	(1.0)
2.73	Seattle Police Department	Pol Comms Dispatcher II	00021027	Full-Time	(1.0)
2.74	Seattle Police Department	Pol Comms Dispatcher I	00022466	Full-Time	(1.0)
2.75	Seattle Police Department	Pol Comms Dispatcher I	00022467	Full-Time	(1.0)
2.76	Seattle Police Department	Pol Comms Dispatcher II	00022468	Full-Time	(1.0)
2.77	Seattle Police Department	Pol Comms Dispatcher II	00022469	Full-Time	(1.0)
2.78	Seattle Police Department	Pol Comms Anlyst	00022471	Full-Time	(1.0)
2.79	Seattle Police Department	Pol Comms Anlyst	00022472	Full-Time	(1.0)
2.80	Seattle Police Department	Pol Comms Dispatcher III	00023425	Full-Time	(1.0)
2.81	Seattle Police Department	Pol Comms Dispatcher III	00023426	Full-Time	(1.0)
2.82	Seattle Police Department	Pol Comms Dispatcher III	00023427	Full-Time	(1.0)
2.83	Seattle Police Department	Pol Comms Dispatcher III	00023428	Full-Time	(1.0)

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2.84	Seattle Police Department	Pol Comms Dispatcher III	00023429	Full-Time	(1.0)
2.85	Seattle Police Department	Pol Comms Dispatcher III	00023430	Full-Time	(1.0)
2.86	Seattle Police Department	Pol Comms Dispatcher III	00023431	Full-Time	(1.0)
2.87	Seattle Police Department	Pol Comms Dispatcher III	00023432	Full-Time	(1.0)
2.88	Seattle Police Department	Pol Comms Dispatcher III	00023433	Full-Time	(1.0)
2.89	Seattle Police Department	Pol Comms Anlyst	00023465	Full-Time	(1.0)
2.90	Seattle Police Department	Pol Comms Dispatcher I	00023583	Full-Time	(1.0)
2.91	Seattle Police Department	Pol Comms Dispatcher I	00023584	Full-Time	(1.0)
2.92	Seattle Police Department	Pol Comms Dispatcher I	00023585	Full-Time	(1.0)
2.93	Seattle Police Department	Pol Comms Dispatcher II	00023586	Full-Time	(1.0)
2.94	Seattle Police Department	Pol Comms Dispatcher Supv	00025241	Full-Time	(1.0)
2.95	Seattle Police Department	Pol Comms Dispatcher Supv	00025242	Full-Time	(1.0)
2.96	Seattle Police Department	Pol Comms Dispatcher Supv	00025243	Full-Time	(1.0)
2.97	Seattle Police Department	Pol Comms Dispatcher Supv	00025244	Full-Time	(1.0)
2.98	Seattle Police Department	Pol Comms Dispatcher Supv	00025245	Full-Time	(1.0)
2.99	Seattle Police Department	Pol Comms Dispatcher Supv	00025246	Full-Time	(1.0)

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Item	Department	Position Title	Position #	Position Status	Number
2.100	Seattle Police Department	Pol Comms Dispatcher I	00025291	Full-Time	(1.0)
2.101	Seattle Police Department	Pol Comms Dispatcher I	00025434	Full-Time	(1.0)
2.102	Seattle Police Department	Pol Comms Dispatcher I	00025435	Full-Time	(1.0)
2.103	Seattle Police Department	Pol Comms Dispatcher I	10001309	Full-Time	(1.0)
2.104	Seattle Police Department	Pol Comms Dispatcher I	10001310	Full-Time	(1.0)
2.105	Seattle Police Department	Manager2, CL&PS	10001313	Full-Time	(1.0)
2.106	Seattle Police Department	Pol Comms Dispatcher Supv	10004187	Full-Time	(1.0)
2.107	Seattle Police Department	Pol Comms Dispatcher I	10004188	Full-Time	(1.0)
2.108	Seattle Police Department	Pol Comms Dispatcher I	10004189	Full-Time	(1.0)
2.109	Seattle Police Department	Pol Comms Dispatcher I	10005758	Full-Time	(1.0)
2.110	Seattle Police Department	Pol Comms Dispatcher I	10005759	Full-Time	(1.0)
2.111	Seattle Police Department	Pol Comms Dispatcher I	10005760	Full-Time	(1.0)
2.112	Seattle Police Department	Pol Comms Dispatcher I	10005761	Full-Time	(1.0)
2.113	Seattle Police Department	Pol Comms Dispatcher I	10005762	Full-Time	(1.0)
2.114	Seattle Police Department	Pol Comms Dispatcher I	10005763	Full-Time	(1.0)
2.115	Seattle Police Department	Pol Comms Dispatcher I	10005764	Full-Time	(1.0)

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<b>Item</b>	<b>Department</b>	<b>Position Title</b>	<b>Position #</b>	<b>Position Status</b>	<b>Number</b>
2.116	Seattle Police Department	Pol Comms Dispatcher Supv	10005917	Full-Time	(1.0)
2.117	Seattle Police Department	Pol Comms Dispatcher Supv	10005918	Full-Time	(1.0)
2.118	Seattle Police Department	Pol Comms Dispatcher Supv	10005919	Full-Time	(1.0)
2.119	Seattle Police Department	Pol Comms Dispatcher I	10006147	Full-Time	(1.0)
2.120	Seattle Police Department	Pol Comms Dispatcher I	10006148	Full-Time	(1.0)
2.121	Seattle Police Department	Pol Comms Dispatcher I	10006149	Full-Time	(1.0)
2.122	Seattle Police Department	Pol Comms Dispatcher I	10006150	Full-Time	(1.0)
2.123	Seattle Police Department	Pol Comms Dispatcher I	10006151	Full-Time	(1.0)
2.124	Seattle Police Department	Pol Comms Dispatcher I	10006152	Full-Time	(1.0)
2.125	Seattle Police Department	Pol Comms Dispatcher I	10006153	Full-Time	(1.0)
2.126	Seattle Police Department	Pol Comms Dispatcher III	10006154	Full-Time	(1.0)
2.127	Seattle Police Department	Pol Comms Dispatcher III	10006155	Full-Time	(1.0)
2.128	Seattle Police Department	Pol Comms Dispatcher I	10006532	Full-Time	(1.0)
2.129	Seattle Police Department	Pol Comms Dispatcher I	10006533	Full-Time	(1.0)
2.130	Seattle Police Department	Pol Comms Dispatcher I	10006534	Full-Time	(1.0)
2.131	Seattle Police Department	Pol Comms Dispatcher I	10006535	Full-Time	(1.0)

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2.132	Seattle Police Department	Pol Comms Dispatcher I	10006536	Full-Time	(1.0)
2.133	Seattle Police Department	Pol Comms Dispatcher I	10006537	Full-Time	(1.0)
2.134	Seattle Police Department	Pol Comms Dispatcher Supv	10006538	Full-Time	(1.0)
2.135	Seattle Police Department	Pol Comms Dispatcher Supv	10006539	Full-Time	(1.0)
2.136	Seattle Police Department	Pol Comms Dispatcher Supv	10006540	Full-Time	(1.0)
2.137	Seattle Police Department	Pol Comms Dispatcher Supv	10006541	Full-Time	(1.0)
2.138	Seattle Police Department	Pol Comms Dispatcher Supv	10006542	Full-Time	(1.0)
2.139	Seattle Police Department	Pol Comms Dispatcher Supv	10006543	Full-Time	(1.0)
2.140	Seattle Police Department	Pol Comms Dispatcher Supv	10006544	Full-Time	(1.0)
2.141	Community Safety and Communications Center	Admin Spec II-BU	00005094	Full-Time	1.0
2.142	Community Safety and Communications Center	Pol Comms Dispatcher I	00005137	Full-Time	1.0
2.143	Community Safety and Communications Center	Pol Comms Dispatcher I	00005140	Full-Time	1.0
2.144	Community Safety and Communications Center	Pol Comms Dispatcher I	00005141	Full-Time	1.0

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2.145	Community Safety and Communications Center	Pol Comms Dispatcher I	00005142	Full-Time	1.0
2.146	Community Safety and Communications Center	Pol Comms Dispatcher I	00005143	Full-Time	1.0
2.147	Community Safety and Communications Center	Manager2, CL&PS	00005144	Full-Time	1.0
2.148	Community Safety and Communications Center	Pol Comms Dispatcher I	00005145	Full-Time	1.0
2.149	Community Safety and Communications Center	Pol Comms Dispatcher I	00005146	Full-Time	1.0
2.150	Community Safety and Communications Center	Pol Comms Dispatcher I	00005147	Full-Time	1.0
2.151	Community Safety and Communications Center	Pol Comms Dispatcher I	00005148	Full-Time	1.0
2.152	Community Safety and Communications Center	Pol Comms Dispatcher I	00005149	Full-Time	1.0
2.153	Community Safety and Communications Center	Pol Comms Dispatcher I	00005150	Full-Time	1.0

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2.154	Community Safety and Communications Center	Pol Comms Dispatcher Supv	00005151	Full-Time	1.0
2.155	Community Safety and Communications Center	Pol Comms Dispatcher I	00005152	Full-Time	1.0
2.156	Community Safety and Communications Center	Pol Comms Dispatcher I	00005153	Full-Time	1.0
2.157	Community Safety and Communications Center	Pol Comms Dispatcher I	00005154	Full-Time	1.0
2.158	Community Safety and Communications Center	Pol Comms Dispatcher Supv	00005155	Full-Time	1.0
2.159	Community Safety and Communications Center	Pol Comms Dispatcher I	00005156	Full-Time	1.0
2.160	Community Safety and Communications Center	Pol Comms Dispatcher I	00005157	Full-Time	1.0
2.161	Community Safety and Communications Center	Pol Comms Dispatcher I	00005158	Full-Time	1.0
2.162	Community Safety and Communications Center	Pol Comms Dispatcher I	00005159	Full-Time	1.0



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Item	Department	Position Title	Position #	Position Status	Number
2.163	Community Safety and Communications Center	Pol Comms Dispatcher I	00005160	Full-Time	1.0
2.164	Community Safety and Communications Center	Manager2, CL&PS	00005161	Full-Time	1.0
2.165	Community Safety and Communications Center	Pol Comms Dispatcher I	00005162	Full-Time	1.0
2.166	Community Safety and Communications Center	Pol Comms Dispatcher I	00005163	Full-Time	1.0
2.167	Community Safety and Communications Center	Pol Comms Dispatcher I	00005164	Full-Time	1.0
2.168	Community Safety and Communications Center	Pol Comms Dispatcher II	00005165	Full-Time	1.0
2.169	Community Safety and Communications Center	Pol Comms Dispatcher II	00005166	Full-Time	1.0
2.170	Community Safety and Communications Center	Pol Comms Dispatcher II	00005167	Full-Time	1.0
2.171	Community Safety and Communications Center	Pol Comms Dispatcher II	00005168	Full-Time	1.0

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<b>Item</b>	<b>Department</b>	<b>Position Title</b>	<b>Position #</b>	<b>Position Status</b>	<b>Number</b>
2.172	Community Safety and Communications Center	Pol Comms Dispatcher II	00005169	Full-Time	1.0
2.173	Community Safety and Communications Center	Pol Comms Dispatcher II	00005170	Full-Time	1.0
2.174	Community Safety and Communications Center	Pol Comms Dispatcher II	00005171	Full-Time	1.0
2.175	Community Safety and Communications Center	Pol Comms Dispatcher II	00005172	Full-Time	1.0
2.176	Community Safety and Communications Center	Pol Comms Dispatcher II	00005173	Full-Time	1.0
2.177	Community Safety and Communications Center	Pol Comms Anlyst	00005175	Full-Time	1.0
2.178	Community Safety and Communications Center	Pol Comms Dispatcher II	00005176	Full-Time	1.0
2.179	Community Safety and Communications Center	Pol Comms Dispatcher II	00005178	Full-Time	1.0
2.180	Community Safety and Communications Center	Pol Comms Dispatcher II	00005179	Full-Time	1.0

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2.181	Community Safety and Communications Center	Pol Comms Dispatcher II	00005180	Full-Time	1.0
2.182	Community Safety and Communications Center	Pol Comms Anlyst	00005181	Full-Time	1.0
2.183	Community Safety and Communications Center	Pol Comms Dispatcher II	00005182	Full-Time	1.0
2.184	Community Safety and Communications Center	Pol Comms Dispatcher II	00005183	Full-Time	1.0
2.185	Community Safety and Communications Center	Pol Comms Dispatcher II	00005184	Full-Time	1.0
2.186	Community Safety and Communications Center	Pol Comms Dispatcher II	00005186	Full-Time	1.0
2.187	Community Safety and Communications Center	Pol Comms Dispatcher II	00005187	Full-Time	1.0
2.188	Community Safety and Communications Center	Pol Comms Dispatcher II	00005188	Full-Time	1.0
2.189	Community Safety and Communications Center	Pol Comms Dispatcher II	00005189	Full-Time	1.0

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<b>Item</b>	<b>Department</b>	<b>Position Title</b>	<b>Position #</b>	<b>Position Status</b>	<b>Number</b>
2.190	Community Safety and Communications Center	Pol Comms Dispatcher II	00005190	Full-Time	1.0
2.191	Community Safety and Communications Center	Pol Comms Dispatcher II	00005191	Full-Time	1.0
2.192	Community Safety and Communications Center	Pol Comms Dispatcher II	00005192	Full-Time	1.0
2.193	Community Safety and Communications Center	Pol Comms Dispatcher II	00005193	Full-Time	1.0
2.194	Community Safety and Communications Center	Pol Comms Dispatcher II	00005194	Full-Time	1.0
2.195	Community Safety and Communications Center	Pol Comms Dispatcher II	00005195	Full-Time	1.0
2.196	Community Safety and Communications Center	Pol Comms Dispatcher II	00005196	Full-Time	1.0
2.197	Community Safety and Communications Center	Pol Comms Dispatcher II	00005197	Full-Time	1.0
2.198	Community Safety and Communications Center	Pol Comms Dispatcher II	00005198	Full-Time	1.0

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2.199	Community Safety and Communications Center	Pol Comms Dispatcher II	00005201	Full-Time	1.0
2.200	Community Safety and Communications Center	Pol Comms Dispatcher II	00005202	Full-Time	1.0
2.201	Community Safety and Communications Center	Pol Comms Dispatcher II	00005203	Full-Time	1.0
2.202	Community Safety and Communications Center	Pol Comms Anlyst	00019187	Full-Time	1.0
2.203	Community Safety and Communications Center	Pol Comms Dispatcher Supv	00019188	Full-Time	1.0
2.204	Community Safety and Communications Center	Pol Comms Dispatcher I	00019189	Full-Time	1.0
2.205	Community Safety and Communications Center	Pol Comms Dispatcher I	00019190	Full-Time	1.0
2.206	Community Safety and Communications Center	Pol Comms Dispatcher I	00019198	Full-Time	1.0
2.207	Community Safety and Communications Center	Pol Comms Dispatcher I	00019199	Full-Time	1.0

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<b>Item</b>	<b>Department</b>	<b>Position Title</b>	<b>Position #</b>	<b>Position Status</b>	<b>Number</b>
2.208	Community Safety and Communications Center	Pol Comms Dispatcher I	00021022	Full-Time	1.0
2.209	Community Safety and Communications Center	Pol Comms Dispatcher I	00021023	Full-Time	1.0
2.210	Community Safety and Communications Center	Pol Comms Anlyst	00021024	Full-Time	1.0
2.211	Community Safety and Communications Center	Pol Comms Dispatcher II	00021025	Full-Time	1.0
2.212	Community Safety and Communications Center	Pol Comms Dispatcher II	00021026	Full-Time	1.0
2.213	Community Safety and Communications Center	Pol Comms Dispatcher II	00021027	Full-Time	1.0
2.214	Community Safety and Communications Center	Pol Comms Dispatcher I	00022466	Full-Time	1.0
2.215	Community Safety and Communications Center	Pol Comms Dispatcher I	00022467	Full-Time	1.0
2.216	Community Safety and Communications Center	Pol Comms Dispatcher II	00022468	Full-Time	1.0

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Item	Department	Position Title	Position #	Position Status	Number
2.217	Community Safety and Communications Center	Pol Comms Dispatcher II	00022469	Full-Time	1.0
2.218	Community Safety and Communications Center	Pol Comms Anlyst	00022471	Full-Time	1.0
2.219	Community Safety and Communications Center	Pol Comms Anlyst	00022472	Full-Time	1.0
2.220	Community Safety and Communications Center	Pol Comms Dispatcher III	00023425	Full-Time	1.0
2.221	Community Safety and Communications Center	Pol Comms Dispatcher III	00023426	Full-Time	1.0
2.222	Community Safety and Communications Center	Pol Comms Dispatcher III	00023427	Full-Time	1.0
2.223	Community Safety and Communications Center	Pol Comms Dispatcher III	00023428	Full-Time	1.0
2.224	Community Safety and Communications Center	Pol Comms Dispatcher III	00023429	Full-Time	1.0
2.225	Community Safety and Communications Center	Pol Comms Dispatcher III	00023430	Full-Time	1.0

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Item	Department	Position Title	Position #	Position Status	Number
2.226	Community Safety and Communications Center	Pol Comms Dispatcher III	00023431	Full-Time	1.0
2.227	Community Safety and Communications Center	Pol Comms Dispatcher III	00023432	Full-Time	1.0
2.228	Community Safety and Communications Center	Pol Comms Dispatcher III	00023433	Full-Time	1.0
2.229	Community Safety and Communications Center	Pol Comms Anlyst	00023465	Full-Time	1.0
2.230	Community Safety and Communications Center	Pol Comms Dispatcher I	00023583	Full-Time	1.0
2.231	Community Safety and Communications Center	Pol Comms Dispatcher I	00023584	Full-Time	1.0
2.232	Community Safety and Communications Center	Pol Comms Dispatcher I	00023585	Full-Time	1.0
2.233	Community Safety and Communications Center	Pol Comms Dispatcher II	00023586	Full-Time	1.0
2.234	Community Safety and Communications Center	Pol Comms Dispatcher Supv	00025241	Full-Time	1.0



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2.235	Community Safety and Communications Center	Pol Comms Dispatcher Supv	00025242	Full-Time	1.0
2.236	Community Safety and Communications Center	Pol Comms Dispatcher Supv	00025243	Full-Time	1.0
2.237	Community Safety and Communications Center	Pol Comms Dispatcher Supv	00025244	Full-Time	1.0
2.238	Community Safety and Communications Center	Pol Comms Dispatcher Supv	00025245	Full-Time	1.0
2.239	Community Safety and Communications Center	Pol Comms Dispatcher Supv	00025246	Full-Time	1.0
2.240	Community Safety and Communications Center	Pol Comms Dispatcher I	00025291	Full-Time	1.0
2.241	Community Safety and Communications Center	Pol Comms Dispatcher I	00025434	Full-Time	1.0
2.242	Community Safety and Communications Center	Pol Comms Dispatcher I	00025435	Full-Time	1.0
2.243	Community Safety and Communications Center	Pol Comms Dispatcher I	10001309	Full-Time	1.0

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2.244	Community Safety and Communications Center	Pol Comms Dispatcher I	10001310	Full-Time	1.0
2.245	Community Safety and Communications Center	Manager2, CL&PS	10001313	Full-Time	1.0
2.246	Community Safety and Communications Center	Pol Comms Dispatcher Supv	10004187	Full-Time	1.0
2.247	Community Safety and Communications Center	Pol Comms Dispatcher I	10004188	Full-Time	1.0
2.248	Community Safety and Communications Center	Pol Comms Dispatcher I	10004189	Full-Time	1.0
2.249	Community Safety and Communications Center	Pol Comms Dispatcher I	10005758	Full-Time	1.0
2.250	Community Safety and Communications Center	Pol Comms Dispatcher I	10005759	Full-Time	1.0
2.251	Community Safety and Communications Center	Pol Comms Dispatcher I	10005760	Full-Time	1.0
2.252	Community Safety and Communications Center	Pol Comms Dispatcher I	10005761	Full-Time	1.0

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2.253	Community Safety and Communications Center	Pol Comms Dispatcher I	10005762	Full-Time	1.0
2.254	Community Safety and Communications Center	Pol Comms Dispatcher I	10005763	Full-Time	1.0
2.255	Community Safety and Communications Center	Pol Comms Dispatcher I	10005764	Full-Time	1.0
2.256	Community Safety and Communications Center	Pol Comms Dispatcher Supv	10005917	Full-Time	1.0
2.257	Community Safety and Communications Center	Pol Comms Dispatcher Supv	10005918	Full-Time	1.0
2.258	Community Safety and Communications Center	Pol Comms Dispatcher Supv	10005919	Full-Time	1.0
2.259	Community Safety and Communications Center	Pol Comms Dispatcher I	10006147	Full-Time	1.0
2.260	Community Safety and Communications Center	Pol Comms Dispatcher I	10006148	Full-Time	1.0
2.261	Community Safety and Communications Center	Pol Comms Dispatcher I	10006149	Full-Time	1.0

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Item	Department	Position Title	Position #	Position Status	Number
2.262	Community Safety and Communications Center	Pol Comms Dispatcher I	10006150	Full-Time	1.0
2.263	Community Safety and Communications Center	Pol Comms Dispatcher I	10006151	Full-Time	1.0
2.264	Community Safety and Communications Center	Pol Comms Dispatcher I	10006152	Full-Time	1.0
2.265	Community Safety and Communications Center	Pol Comms Dispatcher I	10006153	Full-Time	1.0
2.266	Community Safety and Communications Center	Pol Comms Dispatcher III	10006154	Full-Time	1.0
2.267	Community Safety and Communications Center	Pol Comms Dispatcher III	10006155	Full-Time	1.0
2.268	Community Safety and Communications Center	Pol Comms Dispatcher I	10006532	Full-Time	1.0
2.269	Community Safety and Communications Center	Pol Comms Dispatcher I	10006533	Full-Time	1.0
2.270	Community Safety and Communications Center	Pol Comms Dispatcher I	10006534	Full-Time	1.0

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Item	Department	Position Title	Position #	Position Status	Number
2.271	Community Safety and Communications Center	Pol Comms Dispatcher I	10006535	Full-Time	1.0
2.272	Community Safety and Communications Center	Pol Comms Dispatcher I	10006536	Full-Time	1.0
2.273	Community Safety and Communications Center	Pol Comms Dispatcher I	10006537	Full-Time	1.0
2.274	Community Safety and Communications Center	Pol Comms Dispatcher Supv	10006538	Full-Time	1.0
2.275	Community Safety and Communications Center	Pol Comms Dispatcher Supv	10006539	Full-Time	1.0
2.276	Community Safety and Communications Center	Pol Comms Dispatcher Supv	10006540	Full-Time	1.0
2.277	Community Safety and Communications Center	Pol Comms Dispatcher Supv	10006541	Full-Time	1.0
2.278	Community Safety and Communications Center	Pol Comms Dispatcher Supv	10006542	Full-Time	1.0
2.279	Community Safety and Communications Center	Pol Comms Dispatcher Supv	10006543	Full-Time	1.0

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2.280	Community Safety and Communications Center	Pol Comms Dispatcher Supv	10006544	Full-Time	1.0
2.281	Seattle Police Department	Admin Spec II-BU	10004773	Full-Time	(1.0)
2.282	Seattle Police Department	Manager3,General Govt	00008588	Full-Time	(1.0)
2.283	Seattle Police Department	Parking Enf Ofer	00005365	Full-Time	(1.0)
2.284	Seattle Police Department	Parking Enf Ofer	00005366	Full-Time	(1.0)
2.285	Seattle Police Department	Parking Enf Ofer	00005368	Full-Time	(1.0)
2.286	Seattle Police Department	Parking Enf Ofer	00005369	Full-Time	(1.0)
2.287	Seattle Police Department	Parking Enf Ofer	00005370	Full-Time	(1.0)
2.288	Seattle Police Department	Parking Enf Ofer	00005371	Full-Time	(1.0)
2.289	Seattle Police Department	Parking Enf Ofer	00005372	Full-Time	(1.0)
2.290	Seattle Police Department	Parking Enf Ofer	00005373	Full-Time	(1.0)
2.291	Seattle Police Department	Parking Enf Ofer	00005374	Full-Time	(1.0)
2.292	Seattle Police Department	Parking Enf Ofer	00005375	Full-Time	(1.0)
2.293	Seattle Police Department	Parking Enf Ofer	00005376	Full-Time	(1.0)
2.294	Seattle Police Department	Parking Enf Ofer	00005377	Full-Time	(1.0)

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Item	Department	Position Title	Position #	Position Status	Number
2.295	Seattle Police Department	Parking Enf Ofer	00005378	Full Time	(1.0)
2.296	Seattle Police Department	Parking Enf Ofer	00005380	Full Time	(1.0)
2.297	Seattle Police Department	Parking Enf Ofer	00005382	Full Time	(1.0)
2.298	Seattle Police Department	Parking Enf Ofer	00005383	Full Time	(1.0)
2.299	Seattle Police Department	Parking Enf Ofer	00005384	Full Time	(1.0)
2.300	Seattle Police Department	Parking Enf Ofer	00005385	Full Time	(1.0)
2.301	Seattle Police Department	Parking Enf Ofer	00005387	Full Time	(1.0)
2.302	Seattle Police Department	Parking Enf Ofer	00005388	Full Time	(1.0)
2.303	Seattle Police Department	Parking Enf Ofer	00005389	Full Time	(1.0)
2.304	Seattle Police Department	Parking Enf Ofer	00005393	Full Time	(1.0)
2.305	Seattle Police Department	Parking Enf Ofer	00005395	Full Time	(1.0)
2.306	Seattle Police Department	Parking Enf Ofer	00005396	Full Time	(1.0)
2.307	Seattle Police Department	Parking Enf Ofer	00005397	Full Time	(1.0)
2.308	Seattle Police Department	Parking Enf Ofer	00005398	Full Time	(1.0)
2.309	Seattle Police Department	Parking Enf Ofer	00015405	Full Time	(1.0)
2.310	Seattle Police Department	Parking Enf Ofer	00015406	Full Time	(1.0)

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Item	Department	Position Title	Position #	Position Status	Number
2.311	Seattle Police Department	Parking Enf Ofer	00015407	Full Time	(1.0)
2.312	Seattle Police Department	Parking Enf Ofer	00015409	Full Time	(1.0)
2.313	Seattle Police Department	Parking Enf Ofer	00015411	Full Time	(1.0)
2.314	Seattle Police Department	Parking Enf Ofer	00017311	Full Time	(1.0)
2.315	Seattle Police Department	Parking Enf Ofer	00017312	Full Time	(1.0)
2.316	Seattle Police Department	Parking Enf Ofer	00017313	Full Time	(1.0)
2.317	Seattle Police Department	Parking Enf Ofer	00017314	Full Time	(1.0)
2.318	Seattle Police Department	Parking Enf Ofer	00017315	Full Time	(1.0)
2.319	Seattle Police Department	Parking Enf Ofer	00017316	Full Time	(1.0)
2.320	Seattle Police Department	Parking Enf Ofer	00017317	Full Time	(1.0)
2.321	Seattle Police Department	Parking Enf Ofer	00017318	Full Time	(1.0)
2.322	Seattle Police Department	Parking Enf Ofer	00017319	Full Time	(1.0)
2.323	Seattle Police Department	Parking Enf Ofer	00021479	Full Time	(1.0)
2.324	Seattle Police Department	Parking Enf Ofer	00021480	Full Time	(1.0)
2.325	Seattle Police Department	Parking Enf Ofer	00021481	Full Time	(1.0)
2.326	Seattle Police Department	Parking Enf Ofer	00021482	Full Time	(1.0)



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Item	Department	Position Title	Position #	Position Status	Number
2.327	Seattle Police Department	Parking Enf Ofer	00021483	Full Time	(1.0)
2.328	Seattle Police Department	Parking Enf Ofer	00021484	Full Time	(1.0)
2.329	Seattle Police Department	Parking Enf Ofer	00021485	Full Time	(1.0)
2.330	Seattle Police Department	Parking Enf Ofer	00021486	Full Time	(1.0)
2.331	Seattle Police Department	Parking Enf Ofer	00024280	Full Time	(1.0)
2.332	Seattle Police Department	Parking Enf Ofer	00024281	Full Time	(1.0)
2.333	Seattle Police Department	Parking Enf Ofer	00024282	Full Time	(1.0)
2.334	Seattle Police Department	Parking Enf Ofer	00024283	Full Time	(1.0)
2.335	Seattle Police Department	Parking Enf Ofer	10001299	Full Time	(1.0)
2.336	Seattle Police Department	Parking Enf Ofer	10001301	Full Time	(1.0)
2.337	Seattle Police Department	Parking Enf Ofer	10001302	Full Time	(1.0)
2.338	Seattle Police Department	Parking Enf Ofer	10001303	Full Time	(1.0)
2.339	Seattle Police Department	Parking Enf Ofer	10001304	Full Time	(1.0)
2.340	Seattle Police Department	Parking Enf Ofer	10001305	Full Time	(1.0)
2.341	Seattle Police Department	Parking Enf Ofer	10001306	Full Time	(1.0)
2.342	Seattle Police Department	Parking Enf Ofer	10001307	Full Time	(1.0)

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Item	Department	Position Title	Position #	Position Status	Number
2.343	Seattle Police Department	Parking Enf Ofer	10002693	Full Time	(1.0)
2.344	Seattle Police Department	Parking Enf Ofer	10003651	Full Time	(1.0)
2.345	Seattle Police Department	Parking Enf Ofer	10003652	Full Time	(1.0)
2.346	Seattle Police Department	Parking Enf Ofer	10003653	Full Time	(1.0)
2.347	Seattle Police Department	Parking Enf Ofer	10003865	Full Time	(1.0)
2.348	Seattle Police Department	Parking Enf Ofer	10003866	Full Time	(1.0)
2.349	Seattle Police Department	Parking Enf Ofer	10003867	Full Time	(1.0)
2.350	Seattle Police Department	Parking Enf Ofer	10004184	Full Time	(1.0)
2.351	Seattle Police Department	Parking Enf Ofer	10004185	Full Time	(1.0)
2.352	Seattle Police Department	Parking Enf Ofer	10004406	Full Time	(1.0)
2.353	Seattle Police Department	Parking Enf Ofer	10004407	Full Time	(1.0)
2.354	Seattle Police Department	Parking Enf Ofer	10004408	Full Time	(1.0)
2.355	Seattle Police Department	Parking Enf Ofer	10004409	Full Time	(1.0)
2.356	Seattle Police Department	Parking Enf Ofer	10004410	Full Time	(1.0)
2.357	Seattle Police Department	Parking Enf Ofer	10004411	Full Time	(1.0)
2.358	Seattle Police Department	Parking Enf Ofer	10004412	Full Time	(1.0)

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Item	Department	Position Title	Position #	Position Status	Number
2.359	Seattle Police Department	Parking Enf Ofer	10004413	Full Time	(1.0)
2.360	Seattle Police Department	Parking Enf Ofer	10004671	Full Time	(1.0)
2.361	Seattle Police Department	Parking Enf Ofer	10004672	Full Time	(1.0)
2.362	Seattle Police Department	Parking Enf Ofer	10004673	Full Time	(1.0)
2.363	Seattle Police Department	Parking Enf Ofer	10004674	Full Time	(1.0)
2.364	Seattle Police Department	Parking Enf Ofer	10004675	Full Time	(1.0)
2.365	Seattle Police Department	Parking Enf Ofer	10004676	Full Time	(1.0)
2.366	Seattle Police Department	Parking Enf Ofer	10004677	Full Time	(1.0)
2.367	Seattle Police Department	Parking Enf Ofer	10004736	Full Time	(1.0)
2.368	Seattle Police Department	Parking Enf Ofer	10004737	Full Time	(1.0)
2.369	Seattle Police Department	Parking Enf Ofer	10004771	Full Time	(1.0)
2.370	Seattle Police Department	Parking Enf Ofer	10004775	Full Time	(1.0)
2.371	Seattle Police Department	Parking Enf Ofer	10004776	Full Time	(1.0)
2.372	Seattle Police Department	Parking Enf Ofer	10004777	Full Time	(1.0)
2.373	Seattle Police Department	Parking Enf Ofer	10005013	Full Time	(1.0)
2.374	Seattle Police Department	Parking Enf Ofer	10005014	Full Time	(1.0)

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Item	Department	Position Title	Position #	Position Status	Number
2.375	Seattle Police Department	Parking Enf Ofer	10005015	Full Time	(1.0)
2.376	Seattle Police Department	Parking Enf Ofer	10005016	Full Time	(1.0)
2.377	Seattle Police Department	Parking Enf Ofer	10005017	Full Time	(1.0)
2.378	Seattle Police Department	Parking Enf Ofer	10005018	Full Time	(1.0)
2.379	Seattle Police Department	Parking Enf Ofer	10005019	Full Time	(1.0)
2.380	Seattle Police Department	Parking Enf Ofer	10005020	Full Time	(1.0)
2.381	Seattle Police Department	Parking Enf Ofer	10006160	Full Time	(1.0)
2.382	Seattle Police Department	Parking Enf Ofer	00005367	Full Time	(1.0)
2.383	Seattle Police Department	Parking Enf Ofer	00005379	Full Time	(1.0)
2.384	Seattle Police Department	Parking Enf Ofer	00005390	Full Time	(1.0)
2.385	Seattle Police Department	Parking Enf Ofer	00005391	Full Time	(1.0)
2.386	Seattle Police Department	Parking Enf Ofer	00005392	Full Time	(1.0)
2.387	Seattle Police Department	Parking Enf Ofer	00015404	Full Time	(1.0)
2.388	Seattle Police Department	Parking Enf Ofer	00015408	Full Time	(1.0)
2.389	Seattle Police Department	Parking Enf Ofer Supv	00005363	Full Time	(1.0)
2.390	Seattle Police Department	Parking Enf Ofer Supv	00005364	Full Time	(1.0)

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Item	Department	Position Title	Position #	Position Status	Number
2.391	Seattle Police Department	Parking Enf Ofer Supv	00015412	Full Time	(1.0)
2.392	Seattle Police Department	Parking Enf Ofer Supv	00021487	Full Time	(1.0)
2.393	Seattle Police Department	Parking Enf Ofer Supv	10001308	Full Time	(1.0)
2.394	Seattle Police Department	Parking Enf Ofer Supv	10004414	Full Time	(1.0)
2.395	Seattle Police Department	Parking Enf Ofer Supv	10004415	Full Time	(1.0)
2.396	Seattle Police Department	Parking Enf Ofer Supv	10004734	Full Time	(1.0)
2.397	Seattle Police Department	Parking Enf Ofer Supv	10004735	Full Time	(1.0)
2.398	Seattle Police Department	Parking Enf Ofer Supv	10004772	Full Time	(1.0)
2.399	Seattle Police Department	Parking Enf Ofer Supv	10005012	Full Time	(1.0)
2.400	Seattle Police Department	Parking Enf Ofer Supv	00017320	Full Time	(1.0)
2.401	Community Safety and Communications Center	Admin Spec II BU	10004773	Full Time	1.0
2.402	Community Safety and Communications Center	Manager3,General Govt	00008588	Full Time	1.0
2.403	Community Safety and Communications Center	Parking Enf Ofer	00005365	Full Time	1.0
2.404	Community Safety and	Parking Enf Ofer	00005366	Full Time	1.0

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Item	Department	Position Title	Position #	Position Status	Number
	Communications Center				
2.405	Community Safety and Communications Center	Parking Enf Ofer	00005368	Full Time	1.0
2.406	Community Safety and Communications Center	Parking Enf Ofer	00005369	Full Time	1.0
2.407	Community Safety and Communications Center	Parking Enf Ofer	00005370	Full Time	1.0
2.408	Community Safety and Communications Center	Parking Enf Ofer	00005371	Full Time	1.0
2.409	Community Safety and Communications Center	Parking Enf Ofer	00005372	Full Time	1.0
2.410	Community Safety and Communications Center	Parking Enf Ofer	00005373	Full Time	1.0
2.411	Community Safety and Communications Center	Parking Enf Ofer	00005374	Full Time	1.0
2.412	Community Safety and Communications Center	Parking Enf Ofer	00005375	Full Time	1.0
2.413	Community Safety and	Parking Enf Ofer	00005376	Full Time	1.0

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Item	Department	Position Title	Position #	Position Status	Number
	Communications Center				
2.414	Community Safety and Communications Center	Parking Enf Ofer	00005377	Full Time	1.0
2.415	Community Safety and Communications Center	Parking Enf Ofer	00005378	Full Time	1.0
2.416	Community Safety and Communications Center	Parking Enf Ofer	00005380	Full Time	1.0
2.417	Community Safety and Communications Center	Parking Enf Ofer	00005382	Full Time	1.0
2.418	Community Safety and Communications Center	Parking Enf Ofer	00005383	Full Time	1.0
2.419	Community Safety and Communications Center	Parking Enf Ofer	00005384	Full Time	1.0
2.420	Community Safety and Communications Center	Parking Enf Ofer	00005385	Full Time	1.0
2.421	Community Safety and Communications Center	Parking Enf Ofer	00005387	Full Time	1.0
2.422	Community Safety and	Parking Enf Ofer	00005388	Full Time	1.0

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Item	Department	Position Title	Position #	Position Status	Number
	Communications Center				
2.423	Community Safety and Communications Center	Parking Enf Ofer	00005389	Full Time	1.0
2.424	Community Safety and Communications Center	Parking Enf Ofer	00005393	Full Time	1.0
2.425	Community Safety and Communications Center	Parking Enf Ofer	00005395	Full Time	1.0
2.426	Community Safety and Communications Center	Parking Enf Ofer	00005396	Full Time	1.0
2.427	Community Safety and Communications Center	Parking Enf Ofer	00005397	Full Time	1.0
2.428	Community Safety and Communications Center	Parking Enf Ofer	00005398	Full Time	1.0
2.429	Community Safety and Communications Center	Parking Enf Ofer	00015405	Full Time	1.0
2.430	Community Safety and Communications Center	Parking Enf Ofer	00015406	Full Time	1.0
2.431	Community Safety and	Parking Enf Ofer	00015407	Full Time	1.0



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Item	Department	Position Title	Position #	Position Status	Number
	Communications Center				
2.432	Community Safety and Communications Center	Parking Enf Ofer	00015409	Full Time	1.0
2.433	Community Safety and Communications Center	Parking Enf Ofer	00015411	Full Time	1.0
2.434	Community Safety and Communications Center	Parking Enf Ofer	00017311	Full Time	1.0
2.435	Community Safety and Communications Center	Parking Enf Ofer	00017312	Full Time	1.0
2.436	Community Safety and Communications Center	Parking Enf Ofer	00017313	Full Time	1.0
2.437	Community Safety and Communications Center	Parking Enf Ofer	00017314	Full Time	1.0
2.438	Community Safety and Communications Center	Parking Enf Ofer	00017315	Full Time	1.0
2.439	Community Safety and Communications Center	Parking Enf Ofer	00017316	Full Time	1.0
2.440	Community Safety and	Parking Enf Ofer	00017317	Full Time	1.0

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Item	Department	Position Title	Position #	Position Status	Number
	Communications Center				
2.441	Community Safety and Communications Center	Parking Enf Ofer	00017318	Full Time	1.0
2.442	Community Safety and Communications Center	Parking Enf Ofer	00017319	Full Time	1.0
2.443	Community Safety and Communications Center	Parking Enf Ofer	00021479	Full Time	1.0
2.444	Community Safety and Communications Center	Parking Enf Ofer	00021480	Full Time	1.0
2.445	Community Safety and Communications Center	Parking Enf Ofer	00021481	Full Time	1.0
2.446	Community Safety and Communications Center	Parking Enf Ofer	00021482	Full Time	1.0
2.447	Community Safety and Communications Center	Parking Enf Ofer	00021483	Full Time	1.0
2.448	Community Safety and Communications Center	Parking Enf Ofer	00021484	Full Time	1.0
2.449	Community Safety and	Parking Enf Ofer	00021485	Full Time	1.0

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Item	Department	Position Title	Position #	Position Status	Number
	Communications Center				
2.450	Community Safety and Communications Center	Parking Enf Ofer	00021486	Full Time	1.0
2.451	Community Safety and Communications Center	Parking Enf Ofer	00024280	Full Time	1.0
2.452	Community Safety and Communications Center	Parking Enf Ofer	00024281	Full Time	1.0
2.453	Community Safety and Communications Center	Parking Enf Ofer	00024282	Full Time	1.0
2.454	Community Safety and Communications Center	Parking Enf Ofer	00024283	Full Time	1.0
2.455	Community Safety and Communications Center	Parking Enf Ofer	10001299	Full Time	1.0
2.456	Community Safety and Communications Center	Parking Enf Ofer	10001301	Full Time	1.0
2.457	Community Safety and Communications Center	Parking Enf Ofer	10001302	Full Time	1.0
2.458	Community Safety and	Parking Enf Ofer	10001303	Full Time	1.0

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Item	Department	Position Title	Position #	Position Status	Number
	Communications Center				
2.459	Community Safety and Communications Center	Parking Enf Ofer	10001304	Full Time	1.0
2.460	Community Safety and Communications Center	Parking Enf Ofer	10001305	Full Time	1.0
2.461	Community Safety and Communications Center	Parking Enf Ofer	10001306	Full Time	1.0
2.462	Community Safety and Communications Center	Parking Enf Ofer	10001307	Full Time	1.0
2.463	Community Safety and Communications Center	Parking Enf Ofer	10002693	Full Time	1.0
2.464	Community Safety and Communications Center	Parking Enf Ofer	10003651	Full Time	1.0
2.465	Community Safety and Communications Center	Parking Enf Ofer	10003652	Full Time	1.0
2.466	Community Safety and Communications Center	Parking Enf Ofer	10003653	Full Time	1.0
2.467	Community Safety and	Parking Enf Ofer	10003865	Full Time	1.0

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	Communications Center				
2.468	Community Safety and Communications Center	Parking Enf Ofer	10003866	Full Time	1.0
2.469	Community Safety and Communications Center	Parking Enf Ofer	10003867	Full Time	1.0
2.470	Community Safety and Communications Center	Parking Enf Ofer	10004184	Full Time	1.0
2.471	Community Safety and Communications Center	Parking Enf Ofer	10004185	Full Time	1.0
2.472	Community Safety and Communications Center	Parking Enf Ofer	10004406	Full Time	1.0
2.473	Community Safety and Communications Center	Parking Enf Ofer	10004407	Full Time	1.0
2.474	Community Safety and Communications Center	Parking Enf Ofer	10004408	Full Time	1.0
2.475	Community Safety and Communications Center	Parking Enf Ofer	10004409	Full Time	1.0
2.476	Community Safety and	Parking Enf Ofer	10004410	Full Time	1.0

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	Communications Center				
2.477	Community Safety and Communications Center	Parking Enf Ofer	10004411	Full Time	1.0
2.478	Community Safety and Communications Center	Parking Enf Ofer	10004412	Full Time	1.0
2.479	Community Safety and Communications Center	Parking Enf Ofer	10004413	Full Time	1.0
2.480	Community Safety and Communications Center	Parking Enf Ofer	10004671	Full Time	1.0
2.481	Community Safety and Communications Center	Parking Enf Ofer	10004672	Full Time	1.0
2.482	Community Safety and Communications Center	Parking Enf Ofer	10004673	Full Time	1.0
2.483	Community Safety and Communications Center	Parking Enf Ofer	10004674	Full Time	1.0
2.484	Community Safety and Communications Center	Parking Enf Ofer	10004675	Full Time	1.0
2.485	Community Safety and	Parking Enf Ofer	10004676	Full Time	1.0

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	Communications Center				
2.486	Community Safety and Communications Center	Parking Enf Ofer	10004677	Full Time	1.0
2.487	Community Safety and Communications Center	Parking Enf Ofer	10004736	Full Time	1.0
2.488	Community Safety and Communications Center	Parking Enf Ofer	10004737	Full Time	1.0
2.489	Community Safety and Communications Center	Parking Enf Ofer	10004771	Full Time	1.0
2.490	Community Safety and Communications Center	Parking Enf Ofer	10004775	Full Time	1.0
2.491	Community Safety and Communications Center	Parking Enf Ofer	10004776	Full Time	1.0
2.492	Community Safety and Communications Center	Parking Enf Ofer	10004777	Full Time	1.0
2.493	Community Safety and Communications Center	Parking Enf Ofer	10005013	Full Time	1.0
2.494	Community Safety and	Parking Enf Ofer	10005014	Full Time	1.0

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	Communications Center				
2.495	Community Safety and Communications Center	Parking Enf Ofer	10005015	Full Time	1.0
2.496	Community Safety and Communications Center	Parking Enf Ofer	10005016	Full Time	1.0
2.497	Community Safety and Communications Center	Parking Enf Ofer	10005017	Full Time	1.0
2.498	Community Safety and Communications Center	Parking Enf Ofer	10005018	Full Time	1.0
2.499	Community Safety and Communications Center	Parking Enf Ofer	10005019	Full Time	1.0
2.500	Community Safety and Communications Center	Parking Enf Ofer	10005020	Full Time	1.0
2.501	Community Safety and Communications Center	Parking Enf Ofer	10006160	Full Time	1.0
2.502	Community Safety and Communications Center	Parking Enf Ofer	00005367	Full Time	1.0
2.503	Community Safety and	Parking Enf Ofer	00005379	Full Time	1.0



Lise Kaye

Date: 5/24/2021

Version: 1a

Item	Department	Position Title	Position #	Position Status	Number
	Communications Center				
2.504	Community Safety and Communications Center	Parking Enf Ofer	00005390	Full Time	1.0
2.505	Community Safety and Communications Center	Parking Enf Ofer	00005391	Full Time	1.0
2.506	Community Safety and Communications Center	Parking Enf Ofer	00005392	Full Time	1.0
2.507	Community Safety and Communications Center	Parking Enf Ofer	00015404	Full Time	1.0
2.508	Community Safety and Communications Center	Parking Enf Ofer	00015408	Full Time	1.0
2.509	Community Safety and Communications Center	Parking Enf Ofer Supv	00005363	Full Time	1.0
2.510	Community Safety and Communications Center	Parking Enf Ofer Supv	00005364	Full Time	1.0
2.511	Community Safety and Communications Center	Parking Enf Ofer Supv	00015412	Full Time	1.0
2.512	Community Safety and	Parking Enf Ofer Supv	00021487	Full Time	1.0

Lise Kaye

Date: 5/24/2021

Version: 1a

Item	Department	Position Title	Position #	Position Status	Number
	Communications Center				
2.513	Community Safety and Communications Center	Parking Enf Ofer Supv	10001308	Full Time	1.0
2.514	Community Safety and Communications Center	Parking Enf Ofer Supv	10004414	Full Time	1.0
2.515	Community Safety and Communications Center	Parking Enf Ofer Supv	10004415	Full Time	1.0
2.516	Community Safety and Communications Center	Parking Enf Ofer Supv	10004734	Full Time	1.0
2.517	Community Safety and Communications Center	Parking Enf Ofer Supv	10004735	Full Time	1.0
2.518	Community Safety and Communications Center	Parking Enf Ofer Supv	10004772	Full Time	1.0
2.519	Community Safety and Communications Center	Parking Enf Ofer Supv	10005012	Full Time	1.0
2.520	Community Safety and Communications Center	Parking Enf Ofer Supv	00017320	Full Time	1.0

**Effect:** This amendment would remove provisions in CB 120065 that would transfer the Parking Enforcement Officers' positions to the Community Safety and Communications Center and would amend the Budget Summary Level Purpose accordingly.



Legislation Text

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**File #:** Appt 01914, **Version:** 1

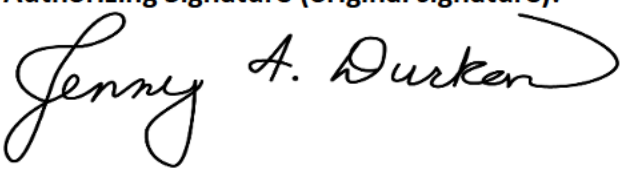
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Reappointment of Marilyn K. Firman as member, Seattle School Traffic Safety Committee, for a term to March 31, 2024.

The Appointment Packet is provided as an attachment.



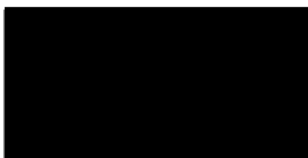
# City of Seattle Boards & Commissions Notice of Appointment

<b>Appointee Name:</b> Marilyn K. Firman		
<b>Board/Commission Name:</b> Seattle School Traffic Safety Committee		<b>Position Title:</b> Member At Large (seat 9)
<input type="checkbox"/> Appointment <b>OR</b> <input checked="" type="checkbox"/> Reappointment	<b>City Council Confirmation required?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Appointing Authority:</b> <input type="checkbox"/> City Council <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Other	<b>Term of Position: *</b> 4/1/2021 <b>to</b> 3/31/2024  <input type="checkbox"/> Serving remaining term of a vacant position	
<b>Residential Neighborhood:</b> Maple Leaf/Northgate	<b>Zip Code:</b> 98125	<b>Contact Phone No.:</b> [REDACTED]
<b>Background:</b> Marilyn Firman is a retired elementary school counselor and former small business owner. After retiring as a school counselor, Marilyn volunteered for years as a CASA Guardian Ad Litem in the foster care system. She volunteered in 2017 at Northgate Elementary after school program and is looking for further opportunities to stay involved in her community and advocate for children's safety.		
<b>Authorizing Signature (original signature):</b>   <b>Date Signed (appointed):</b> 4/22/2021		<b>Appointing Signatory:</b> Jenny A. Durkan Mayor of Seattle

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

# Marilyn K. Firman

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## Objective

To volunteer as a good citizen to serve my new community. I was challenged by my son-in-law to act, not just as myself but as an example to younger family members to encourage them to become active locally. Due to recent national events, this action has become essential.

## Education

### **M. ED. IN SCHOOL COUNSELING AND SCHOOL COUNSELING CERTIFICATION**

- Central Washington University, Ellensburg, WA
- Many, many credits in continuing education over many years.

### **B. A. IN POLITICAL SCIENCE**

- University of Washington, Seattle, WA

## Skills & Abilities

### **MANAGEMENT**

- Helped create, manage and finally sell a successful small agricultural business, Firmyield Pollen Service

### **COUNSELING/COMMUNICATIONS/CHILDREN'S ISSUES**

- After selling the small business worked 14 years as a school counselor. Continued for years after retirement to volunteer as a CASA Guardian Ad Litem in the foster care system. Volunteered in 2017 at Northgate Elementary after school program. Moved to Seattle in 2014 and nannied for my grandson for his first two years and still am active in support care for him.

### **LEADERSHIP**

- I was a Precinct Committeeman for 25 years in Yakima County and active in politics and campaigns until moderate Republicans were unwelcome. In Yakima I was active in the successful fluoridation campaign and campaigning for school levy's. I usually ended up in leadership in any social or church organization I join

### **ELEMENTARY SCHOOL COUNSELOR |EAST VALLEY SCHOOL DISTRICT #90 | 1991 TO 2004**

### **COFOUNDER AND CO-OWNER OF FIRMYELD POLLEN SERVICES | 1977 TO 1991**

My duties included office manager, inside processing and shipping manager, supervisor of non-English speaking employees, pollination consultant, and sales and trade show experience. I was involved in Chile in 1988 helping to train and help set up a Chilean production partnership.

# Seattle School Traffic Safety Committee

11 Members: Pursuant to Ordinance 124168, 6 members subject to City Council confirmation, 3-year terms:

- 6 Mayor- appointed
- 5 Other Appointing Authority: Seattle Police Department, Seattle Department of Transportation, Seattle Public Schools, King County Metro

## Roster:

*D	**G	RD	Position No.	Position Title	Name	Term Begin Date	Term End Date	Term #	Appointed By
			1.	Seattle Police Department Representative	Vacant	4/1/2019	3/31/2022	1	Chief of Police
6	F	3	2.	Seattle Transportation Representative	Jennifer Meulenberg	4/1/2019	3/31/2022	1	Director of Transportation
6	M	1	3.	Seattle Public School District No. 1 Representative	Richard Staudt	4/1/2019	3/31/2022	1	Superintendent of Seattle Public Schools
6	F	7	4.	Seattle Public School District No. 1 Representative	Yvonne Carpenter	4/1/2019	3/31/2022	1	Superintendent of Seattle Public Schools
6	F	6	5.	Representative of Parents	Mary Ellen Russell	4/1/2019	3/31/2022	2	Mayor
			6.	King County Metro Representative	Vacant	4/1/2021	3/31/2024		Metro Transit General Manager
		1	7.	Member At Large	Peaches Thomas	4/1/2020	3/31/2023	1	Mayor
6	M	3	8.	Member At Large	Charlie Simpson	4/1/2019	3/31/2022	1	Mayor
	F	5	9.	Member At Large	Marilyn K. Firman	4/1/2021	3/31/2024	2	Mayor
6	F	3	10.	Pedestrian Safety Representative	Margaret McCauley	4/1/2020	3/31/2023	2	Mayor
6	M	6	11.	Bicycle Safety Representative	Leland Bruch	4/1/2020	3/31/2023	2	Mayor

## 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	2	3								4								
Council																		
Other	1	2								3								
<b>Total</b>	<b>3</b>	<b>5</b>								<b>7</b>								

### 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

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File #: CB 120052, Version: 1

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**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 execute an Interlocal Agreement with Skagit County for the transfer of real property from Skagit County to The City of Seattle, to execute conveyance documents and agreements deemed necessary for the transfer of the property on behalf of The City of Seattle, and to accept a Quit Claim Deed from Skagit County for such property; and placing the conveyed property under the jurisdiction of City Light as part of its Endangered Species Act Land Program.

WHEREAS, Skagit County (“County”) owns a parcel of land known as Skagit County Assessor’s Parcel

P63501, which the County has determined to be surplus to the County’s needs, and the County desires to transfer ownership of this lot to The City of Seattle; and

WHEREAS, the City Light Department (“City Light”) owns an adjacent property to Parcel P63501, which is managed under City Light’s Endangered Species Act Land Program and its Wildlife Lands Program as habitat for the benefit of fish and wildlife species; and

WHEREAS, City Light acquisition and ownership of Parcel P63501 would create a larger contiguous parcel of fish and wildlife habitat land in the floodplain of the Skagit River; NOW, THEREFORE,

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

Section 1. The General Manager and Chief Executive Officer (“General Manager/CEO”) of the City Light Department (“City Light”), or the General Manager/CEO’s designee, is authorized to execute for and on behalf of The City of Seattle an Interlocal Agreement with Skagit County, attached hereto as Attachment 1.

Section 2. The General Manager/CEO of City Light, or the General Manager/CEO’s designee, is authorized to execute conveyance documents and enter into agreements deemed necessary or convenient to

transfer the property from Skagit County to The City of Seattle, consistent with the terms and conditions of the Interlocal Agreement.

Section 3. The General Manager/CEO of City Light, or the General Manager/CEO's designee, is authorized to accept the land conveyed to The City of Seattle at no cost by Skagit County through a quit claim deed substantially in the form as attached hereto as Attachment 2.

Section 4. Following full execution and recording of the Quit Claim Deed authorized in Section 3 of this ordinance with the Skagit County Auditor, the General Manager/CEO of City Light is authorized to accept the Quit Claim Deed, and the real property conveyed shall be placed under the jurisdiction of City Light.

Section 5. 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 - Interlocal Cooperative Agreement between Skagit County and The City of Seattle, Seattle City  
Light Department

Attachment 2 - Quit Claim Deed

INTERLOCAL COOPERATIVE AGREEMENT

BETWEEN

SKAGIT COUNTY

AND

THE CITY OF SEATTLE, SEATTLE CITY LIGHT DEPARTMENT

THIS AGREEMENT (herein "Agreement") is made and entered into by and between The City of Seattle, acting through its Seattle City Light Department, a Washington municipal corporation ("City") and Skagit County, a political subdivision of the State of Washington ("County") pursuant to the authority granted by Chapter 39.34 RCW, INTERLOCAL COOPERATION ACT. The City and the County may be individually referred to herein as a "Party," and may be collectively referred to herein as the "Parties." In consideration of the following terms and conditions, the parties mutually agree as follows:

1. PURPOSE: The County currently owns a parcel of real property commonly described as Skagit County Assessor Tax Parcel Number: P63501 (the "County Property"). The City owns a parcel of real property commonly identified as Skagit County Assessor Tax Parcel Number: P63500 (the "City Property"), which is adjacently located to the north of the County Property. As part of Seattle City Light's Fish and Wildlife Lands Program and Endangered Species Act Lands Program (Habitat Lands Program"), the City acquired the City Property and several other parcels of land in the vicinity. The City desires to acquire the County Property as part of its Habitat Lands Program for possible use in future City fish and wildlife habitat restoration projects, and the City has requested that the County transfer the County Property to the City for such purposes. The County has determined that the County currently has no practical use or need for the County Property, and that the County desires to transfer the County Property to the City for use by the City for its Habitat Lands Program, as provided by the terms of this Agreement.

1.1 The County has determined that the County has no use or need for the County Property, and the City desires to acquire the County Property from the County. The Parties acknowledge that the local Skagit County community may be benefited if the County Property were to be transferred to the City for use by the City as part of its Habitat Lands Program, and the County desires to convey the Property to the City pursuant to the terms of this Agreement. The Parties agree that the mutual benefits provided by the terms of this Agreement are adequate consideration for this Agreement.

2. RESPONSIBILITIES: The Parties to this Agreement mutually agree as follows:

2.1 The County shall perform the following duties and obligations pursuant to the terms of this Agreement (upon and subject to the following conditions):

- 2.1.1 Subsequent to the mutual execution of this Agreement, the County shall convey the County Property to the City via a quit claim deed within a reasonable period of time, but not later than six (6) months from the date of mutual execution of this Agreement. The substantial form of the quit claim deed for the County Property is attached hereto as Exhibit “1” and is hereby incorporated by reference. The quit claim deed shall become effective upon recording with the Skagit County Auditor. The Parties shall cooperate with one another to conduct such further acts as may be necessary for the formal execution and recording of the quit claim deed as soon as practicable. The City shall approve and accept the form of quit claim deed prior to being recorded. The terms of the quit claim deed are part of the consideration mutually provided by the Parties for this Agreement.
- 2.1.2 The Parties recognize and agree that but for and in reliance upon the terms of this Agreement, the County would not have conveyed the County Property to the City, and that such conveyance of the County Property by the County to the City shall be subject to the terms of this Agreement.
- 2.1.3 The County shall convey the County Property to the City “as is” without any representations or warranties of any kind (express or implied).
- 2.1.4 The City shall be solely and separately responsible and liable for the payment of any applicable costs and/or real estate excise taxes (and other applicable recording fees, or other fees, costs, and expenses) for said transfer of the County Property from the County to the City.
- 2.2 The City shall perform the following duties and obligations pursuant to the terms of this Agreement (upon and subject to the following conditions):
- 2.2.1 Upon recording of the quit claim deed, thereafter the City shall defend, indemnify, and hold harmless the County from any and all claims, demands, judgments and damages arising from and/or related to the ownership, use, and/or occupancy of the County Property by the City. The terms of this Section 2.2.1 shall survive the termination or expiration of this Agreement.
- 2.2.2 The City agrees that the City shall be solely and separately liable and responsible for any and all future costs, expenses, and liability associated with the County Property upon transfer to the City. The terms of this Section 2.2.2 shall survive the termination or expiration of this Agreement.
- 2.3 Neither the County nor the City is obligated to provide any funds, or perform or provide any other services, duties, or responsibilities except as is expressly provided pursuant to the terms of this Agreement.
3. TERM OF AGREEMENT: This Agreement shall commence upon mutual execution, and continue for a period of two (2) years, unless this Agreement is sooner terminated by the Parties pursuant to the terms of this Agreement.
4. MANNER OF FINANCING: The Parties agree that the terms of this Agreement are sufficient consideration for the transfer of the County Property from the County to the City, as provided herein. No funds shall be paid by the City to the County as compensation for the City’s

acquisition of the County Property, and the County shall not be responsible for any costs associated with the City's acquisition of the County Property, except as may be expressly provided herein.

4.1 Upon transfer of the County Property to the City, the City will assume any and all liability and responsibility for the County Property, and the City shall be solely and separately responsible and liable for any and all costs, charges, and expenses arising from and/or related to the County Property (once the County Property has been conveyed to the City). The terms of this Section 4.1 shall survive any termination or expiration of this Agreement.

5. ADMINISTRATION: The following individuals are designated as representatives of the respective Parties. The representatives shall be responsible for administration of this Agreement and for coordinating and monitoring performance under this Agreement. In the event such representatives are changed, the Party making the change shall notify the other Party.

5.1 The County's representative shall be the Skagit County Solid Waste Division Manager, or her/his designee.

5.2 City's representative shall be Seattle City Light's Environment, Land and Licensing Division, or his/her designee.

6. INDEMNIFICATION: Except as is otherwise set forth per the terms of this Agreement, each Party agrees to be responsible and assume liability for its own wrongful and/or negligent acts or omissions or those of their officials, officers, agents, or employees to the fullest extent required by law, and further agrees to save, indemnify, defend, and hold the other Party harmless from any such liability. It is further provided that no liability shall attach to the County or City by reason of entering into this contract except as expressly provided herein.

7. LIMITATION OF LIABILITY: Any third party having a claim against the City, however arising, shall have recourse only against the City, and shall have no recourse against the County, its appointed or elected officers, employees, volunteers or its/their assets or credits (subject to the provisions of Section 6., herein).

8. UTILITIES, TAXES, & LIENS: Upon recording of the quit claim deed for the Property, the City shall be separately responsible and liable for any utilities, taxes, assessment, liens, and/or other similar expenses (if any) for the Property.

9. TREATMENT OF ASSETS AND PROPERTY: No fixed assets or personal or real property will be jointly or cooperatively held or used pursuant to this Agreement. Upon recording of the quit claim deed, the County Property conveyed to the City pursuant to this Agreement shall be the sole and separate property of the City.

10. NEUTRAL AUTHORSHIP: Each of the terms and provisions of this Agreement have been reviewed and negotiated, and represents the combined work product of the Parties hereto. No presumption or other rules of construction which would interpret the provisions of this Agreement in favor of or against the Party preparing the same shall be applicable in connection with the construction or interpretation of any of the provisions of this Agreement. The Parties represent that they have had a full and fair opportunity to seek legal advice with respect to the terms of this Agreement and have either done so or have voluntarily chosen not to do so. The Parties represent and warrant that they have fully read this Agreement, that they understand its meaning and effect,

and that they enter into this Agreement with full knowledge of its terms. The Parties have entered into this Agreement without duress or undue influence.

11. **CHANGES, MODIFICATIONS, AMENDMENTS, & WAIVERS:** The Agreement may be changed, modified, amended or waived only by subsequent written agreement duly executed by the Parties hereto. Waiver or breach of any term or condition of this Agreement shall not be considered a waiver of any prior or subsequent breach.

12. **SEVERABILITY:** In the event any term or condition of this Agreement or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other terms, conditions or applications of this Agreement which can be given effect without the invalid term, condition, or application. To this end the terms and conditions of this Agreement are declared severable.

13. **VENUE AND CHOICE OF LAW:** In the event that any litigation should arise concerning the construction or interpretation of any of the terms of this Agreement, the venue of such action of litigation shall be in the Superior Court of the State of Washington in and for the County of Skagit. This Agreement shall be governed by the laws of the State of Washington.

14. **NO THIRD PARTY BENEFICIARIES:** This Agreement is not intended to nor does it create any third party beneficiary or other rights in any third person or party, including, but not limited to, property owners, tenants, and/or residents located at or in the vicinity of the Property, or any agent, contractor, subcontractor, consultant, employee, volunteer, or other representative of either Party to this Agreement.

15. **COMPLIANCE WITH LAWS:** The Parties to this Agreement shall comply with all applicable federal, state, and local laws, rules, and regulations in carrying out the terms and conditions of this Agreement. If necessary, the City (at the City's own expense and liability) shall obtain and comply with all necessary permits and approvals from all applicable jurisdictions prior to commencing any use and/or occupancy of the Property, or conducting any work on or at the Property, and the City shall be solely and separately responsible and liable for compliance with all terms and conditions of any such permit(s) obtained or procured by the City.

16. **TERMINATION:** Prior to the mutual execution or recording of the quit claim deed, either Party hereto may terminate this Agreement upon thirty (30) days' notice in writing either personally delivered or mailed postage-prepaid by certified mail, return receipt requested, to the Party's last known address for the purposes of giving notice under this paragraph. Either Party may terminate this Agreement for any reason, with or without cause, including convenience.

17. **USE OF DOCUMENTS AND MATERIALS PRODUCED:** Unless privileged or otherwise exempt from public disclosure, the Parties shall both have the right to use, disclose, and distribute any and all documents, writings, programs, data, public records or other materials prepared by either Party in connection with performance of this Agreement. The Parties recognize and agree that any documents and/or materials arising from and/or related to this Agreement may be subject to public disclosure pursuant to applicable law (including RCW 42.56).

19. **STATUS OF AGREEMENT:** This Agreement is in addition to, and is not intended to replace, substitute, modify, or otherwise amend any other agreements by and between the Parties. Any other agreements by and between the Parties shall continue in full force and effect.

INTERLOCAL AGREEMENT

Page 4

19. ENTIRE AGREEMENT: This Agreement contains all the terms and conditions agreed upon by the Parties. All items incorporated herein by reference are attached. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the Parties hereto.

**THE CITY OF SEATTLE:**

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2020

By: \_\_\_\_\_

Print name: \_\_\_\_\_

Its (Title): \_\_\_\_\_

STATE OF WASHINGTON }  
COUNTY OF KING } ss.

I certify that I know or have satisfactory evidence that \_\_\_\_\_ is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that she/he was duly authorized execute the instrument and acknowledged it as \_\_\_\_\_ of The City of Seattle, acting through its Seattle City Light Department, a Washington municipal corporation, to be the free and voluntary act of such party for the uses and purposes herein mentioned.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2020.

(SEAL)

\_\_\_\_\_

Notary Public  
print name: \_\_\_\_\_  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

**SKAGIT COUNTY:**

DATED this 16 day of November, 2020.

**BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

Ron Wesen

Ron Wesen, Chair

Kenneth A. Dahlstedt

Kenneth A. Dahlstedt, Commissioner

Lisa Janicki

Lisa Janicki, Commissioner

Attest:

Linda Hennema

Clerk of the Board

For contracts under \$5,000:  
Authorization per Resolution R20030146

\_\_\_\_\_  
County Administrator

Recommended:

[Signature]

\_\_\_\_\_  
Department Head

Approved as to form:

[Signature] 11/4/20

\_\_\_\_\_  
Civil Deputy Prosecuting Attorney

Approved as to indemnification:

[Signature]

\_\_\_\_\_  
Risk Manager

Approved as to budget:

Lisa Gagne

\_\_\_\_\_  
Budget & Finance Director

STATE OF WASHINGTON }  
COUNTY OF SKAGIT } ss.

I certify that I know or have satisfactory evidence that Lisa Janicki, Ron Wesen, and/or Kenneth A. Dahlstedt, is/are the person(s) who appeared before me, and said person(s) acknowledged that she/he/they signed this instrument, on oath stated that she/he/they was/were authorized execute the instrument and acknowledged it as Commissioner(s) of Skagit County, to be the free and voluntary act of such party for the uses and purposes herein mentioned.

DATED this 16 day of November, 2020.



Linda Hammons  
Notary Public  
print name: Linda Hammons  
Residing at Skagit County  
My commission expires 11-29-2023



**Exhibit "1"**

After Recording Return to:

Seattle City Light  
P.O. Box 34023  
Seattle, WA 98214

**DRAFT**

**DOCUMENT TITLE: Quit Claim Deed**

**GRANTOR(S): Skagit County, a political subdivision of the State of Washington**

**GRANTEE(S): City of Seattle, acting through its Seattle City Light Department, a Washington municipal corporation**

**ASSESSOR'S TAX / PARCEL NUMBER(S): P63501 (XrefID: 3870-000-020-0007)**

**ABBREVIATED LEGAL DESCRIPTION: LOT 20, CAREFREE ACRES, SUBDIVISION NO. 1, AS PER PLAT RECORDED IN VOLUME 8 OF PLATS, PAGE 62, RECORDS OF SKAGIT COUNTY, WASHINGTON. Situate in Skagit County, State of Washington.**

**Quit Claim Deed**

---

The Grantor, **Skagit County**, a political subdivision of the State of Washington, not for monetary consideration, but for other good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, conveys and quit claims to **The City of Seattle**, acting through its Seattle City Light Department, a Washington municipal corporation, the Grantee, the following described real property, including any after-acquired interest of Grantor:

See, **Exhibit "A"**, attached hereto and incorporated by reference.

Situate in Skagit County, State of Washington.

This conveyance is subject to public and private easements and/or private rights-of-way, if any, over, under, across, and through the above-described real property. This quit claim deed will become effective upon recording.

**GRANTOR:**  
DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

\_\_\_\_\_  
Ron Wesen, Chair

\_\_\_\_\_  
Kenneth A. Dahlstedt, Commissioner

\_\_\_\_\_  
Lisa Janicki, Commissioner

Attest:

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Authorization per Resolution R20160001:

\_\_\_\_\_  
Recommended:

\_\_\_\_\_  
County Administrator

\_\_\_\_\_  
Department Head

Approved as to form:

\_\_\_\_\_  
Civil Deputy Prosecuting Attorney

Approved as to indemnification:

\_\_\_\_\_  
Risk Manager

Approved as to budget:

\_\_\_\_\_  
Budget & Finance Director

STATE OF WASHINGTON }  
COUNTY OF SKAGIT } ss.

I certify that I know or have satisfactory evidence that Lisa Janicki, Ron Wesen, and/or Kenneth A. Dahlstedt, are the persons who appeared before me, and said persons acknowledged that he/she/they signed this instrument, on oath stated that he/she/they were authorized to execute the instrument and acknowledged it as Commissioners of Skagit County, to be the free and voluntary act of such party for the uses and purposes herein mentioned.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

(SEAL)

Notary Public  
Print name: \_\_\_\_\_  
Residing at: \_\_\_\_\_  
My appointment expires: \_\_\_\_\_

DRAFT

**GRANTEE:**

**The City of Seattle**, acting through its Seattle City Light Department, a Washington municipal corporation.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

By: \_\_\_\_\_  
Print name: \_\_\_\_\_  
Its (Title): \_\_\_\_\_

DRAFT

STATE OF WASHINGTON }  
COUNTY OF SKAGIT } ss.

I certify that I know or have satisfactory evidence that \_\_\_\_\_ is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that she/he was duly authorized execute the instrument and acknowledged it as \_\_\_\_\_ of **The City of Seattle**, acting through its Seattle City Light Department, a Washington municipal corporation, to be the free and voluntary act of such party for the uses and purposes herein mentioned.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

(SEAL)

\_\_\_\_\_

Notary Public  
print name: \_\_\_\_\_  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

DRAFT

## **EXHIBIT “A”**

### **LEGAL DESCRIPTION**

Lot 20, “CAREFREE ACRES, SUBDIVISION NO. 1”, as per plat recorded in Volume 8 of Plats, page 62, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

Att 2 – Quit Claim Deed  
V1

After Recording Return to:

Seattle City Light  
P.O. Box 34023  
Seattle, WA 98214

DOCUMENT TITLE:           **Quit Claim Deed**

GRANTOR(S):               **Skagit County**, a political subdivision of the State of Washington

GRANTEE(S):               **City of Seattle**, acting through its Seattle City Light Department, a Washington municipal corporation

ASSESSOR'S TAX / PARCEL NUMBER(S): P63501 (XrefID: 3870-000-020-0007)

ABBREVIATED LEGAL DESCRIPTION: LOT 20, CAREFREE ACRES, SUBDIVISION NO. 1, AS PER PLAT RECORDED IN VOLUME 8 OF PLATS, PAGE 62, RECORDS OF SKAGIT COUNTY, WASHINGTON. Situate in Skagit County, State of Washington.

**Quit Claim Deed**

---

The Grantor, **Skagit County**, a political subdivision of the State of Washington, not for monetary consideration, but for other good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, conveys and quit claims to **The City of Seattle**, acting through its Seattle City Light Department, a Washington municipal corporation, the Grantee, the following described real property, including any after-acquired interest of Grantor:

See, **Exhibit "A"**, attached hereto and incorporated by reference.

Situate in Skagit County, State of Washington.

This conveyance is subject to public and private easements and/or private rights-of-way, if any, over, under, across, and through the above-described real property. This quit claim deed will become effective upon recording.

**GRANTOR:**

DATED this 16 day of November, 2020.

**BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

Ron Wesen

Ron Wesen, Chair

Kenneth A. Dahlstedt

Kenneth A. Dahlstedt, Commissioner

Lisa Janicki

Lisa Janicki, Commissioner

Attest:

Linda Hammer

Clerk of the Board

Authorization per Resolution R20160001:

\_\_\_\_\_  
County Administrator

Recommended:

[Signature]  
Department Head

Approved as to form:

[Signature] 11/4/20  
Civil Deputy Prosecuting Attorney

Approved as to indemnification:

[Signature]  
Risk Manager

Approved as to budget:

[Signature]  
Budget & Finance Director

STATE OF WASHINGTON }  
COUNTY OF SKAGIT } ss.

I certify that I know or have satisfactory evidence that Lisa Janicki, Ron Wesen, and/or Kenneth A. Dahlstedt, are the persons who appeared before me, and said persons acknowledged that he/she/they signed this instrument, on oath stated that he/she/they were authorized to execute the instrument and acknowledged it as Commissioners of Skagit County, to be the free and voluntary act of such party for the uses and purposes herein mentioned.

DATED this 16 day of November, 2020.

(SEAL)



Linda Hammons  
Notary Public  
Print name: Linda Hammons  
Residing at: Skagit County  
My appointment expires: 11-29-2023



**GRANTEE:**

**The City of Seattle**, acting through its Seattle City Light Department, a Washington municipal corporation.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

By: \_\_\_\_\_  
Print name: \_\_\_\_\_  
Its (Title): \_\_\_\_\_

STATE OF WASHINGTON }  
COUNTY OF SKAGIT } ss.

I certify that I know or have satisfactory evidence that \_\_\_\_\_ is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that she/he was duly authorized execute the instrument and acknowledged it as \_\_\_\_\_ of **The City of Seattle**, acting through its Seattle City Light Department, a Washington municipal corporation, to be the free and voluntary act of such party for the uses and purposes herein mentioned.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

(SEAL)

\_\_\_\_\_  
Notary Public  
print name: \_\_\_\_\_  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

**EXHIBIT “A”**

**LEGAL DESCRIPTION**

Lot 20, “CAREFREE ACRES, SUBDIVISION NO. 1”, as per plat recorded in Volume 8 of Plats, page 62, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

**SUMMARY and FISCAL NOTE\***

<b>Department:</b>	<b>Dept. Contact/Phone:</b>	<b>CBO Contact/Phone:</b>
Seattle City Light	Tom DeBoer/684-4185	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 execute an Interlocal Agreement for the transfer of real property from Skagit County to The City of Seattle, to execute conveyance documents and agreements deemed necessary for the transfer of the property on behalf of The City of Seattle, and to accept the Quit Claim Deed from Skagit County for such property; and placing the conveyed property under the jurisdiction of City Light as part of its Endangered Species Act Land Program.

**Summary and background of the Legislation:** This legislation authorizes the General Manager and Chief Executive Officer of City Light to enter into an Interlocal Agreement with Skagit County for the acquisition of a parcel of land and acceptance of the Quit Claim Deed from Skagit County for the property. The property is being donated by Skagit County; no City funds were spent acquiring the property. The property will be placed under City Light’s Endangered Species Act (“ESA”) Early Action Program under the authority of Ordinance 121114. Both the Program and Ordinance stated criteria by which the City committed to assist in threatened species recovery and these properties meet the criteria by protecting salmonid habitat. This legislation places the acquired property under the jurisdiction of City Light.

**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?**

The property acquired under this legislation will require monitoring to protect current habitat conditions. This will be done in conjunction with the monitoring of existing adjacent City Light habitat properties. A land management plan was developed for the ESA Lands and sufficient funding has been set aside for both management and monitoring of these properties. Grant funds are pursued as needed to maintain or improve habitat conditions.

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

Yes, by accepting ownership of this donated property from Skagit County, it allows City Light to control uses and actions that will occur on the property. As this property is adjacent to other City Light fish and wildlife habitat protection lands, City Light can actively steward the property for better habitat conditions and prevent harm to the habitat on adjacent City Light lands. Example: if there are invasive weeds on the lot to be donated, if in City Light ownership, the invasive weeds can be removed before they spread to other City Light lands, decreasing overall stewardship costs and protecting habitat.

**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. However, pursuant to RCW 39.34, the executed Interlocal Agreement must either be filed with the King County or Skagit County Auditor or posted on City Light's external website or other electronically retrievable public source.

**d. Does this legislation affect a piece of property?**

Yes, see attachment listed below.

**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?**

Not applicable. As the current owner, Skagit County does not have anyone living on the property.

**f. Climate Change Implications**

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

No, the legislation would have no net impact to carbon emissions. While the property will be reforested, at less than one half acre in size, the ability of mature trees to capture carbon will not be large enough to be measurable.

**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, the acquisition of this property will not impact Seattle's resiliency for two reasons. First, the property is located in Skagit County. Second, as stated above, the small size of the property is unlikely to affect resiliency in a material way.

- 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)?**

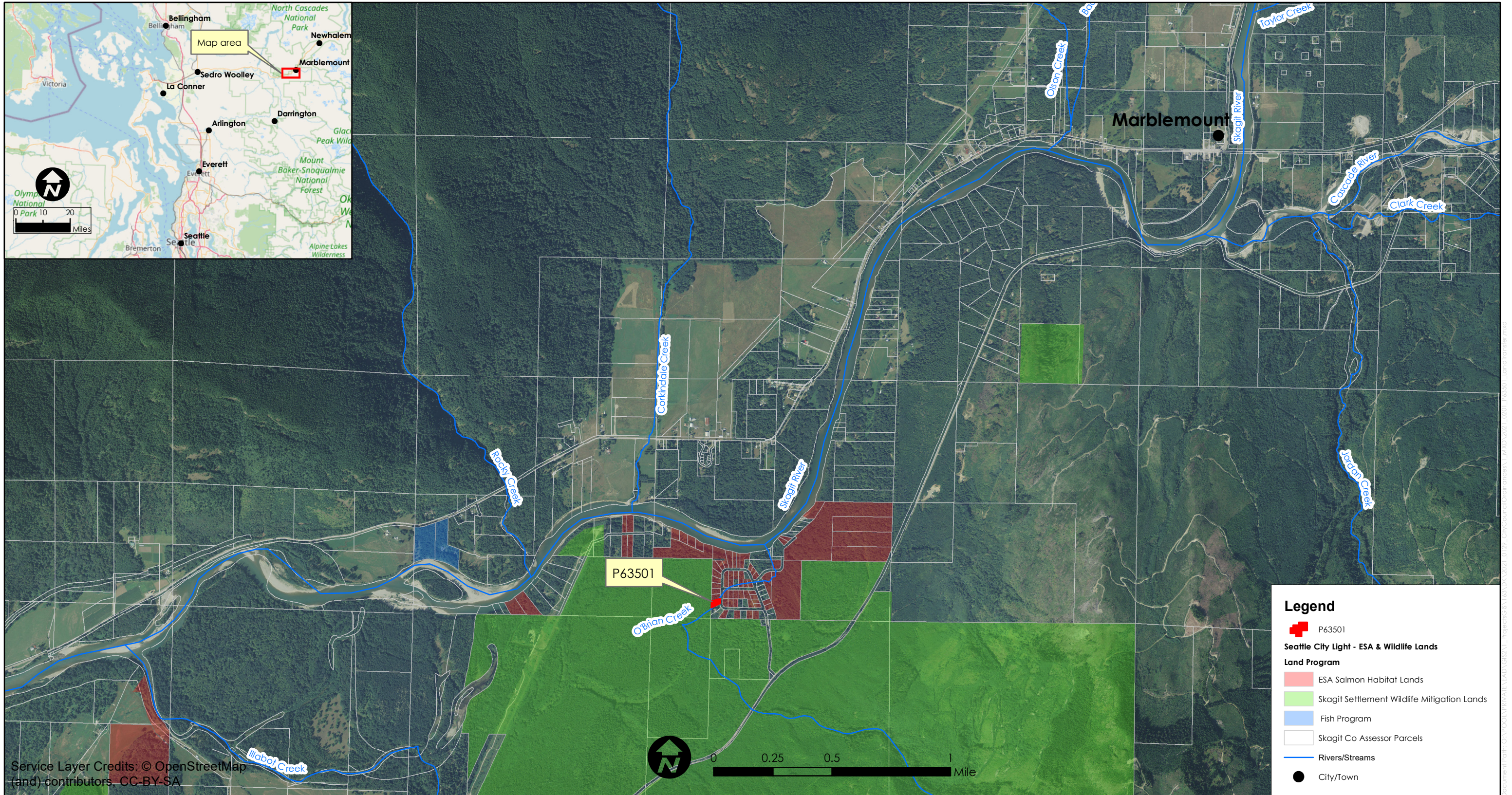
Not applicable.

**List attachments/exhibits below:**

Summary Att 1 – Map of Parcel Property

Map of Parcel Property

This map is intended for illustrative or informational purposes only and is not intended to modify anything in the legislation.



Service Layer Credits: © OpenStreetMap  
(and) contributors, CC-BY-SA



Legislation Text

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**File #:** CB 120053, **Version:** 2

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**CITY OF SEATTLE**

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

**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE relating to surveillance technology implementation; authorizing approval of uses and accepting the 2020 surveillance impact report and 2020 executive overview for the Seattle Police Department's use of Forward Looking Infrared Real-Time Video.

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 Forward Looking Infrared Real-Time Video (FLIR) in use through the Seattle Police Department's use of King County Sheriff's Office helicopters; and

WHEREAS, the Seattle Police Department conducted policy rule review and community review as part of the development of the SIR; and

WHEREAS, SMC 14.18.080, enacted by Ordinance 125679, provides for the Community Surveillance Working Group, composed of relevant stakeholders, to complete a privacy and civil liberties impact assessment for each SIR, and SMC 14.18.020 allows for a statement from the Chief Technology Officer in response to the Working Group's privacy and civil liberties impact assessment; and

WHEREAS, development of the SIR, review by the Working Group and the Chief Technology Officer's response 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 Police Department's use of Forward Looking Infrared Real-Time Video (FLIR) through the use of King County

Sheriff's Office helicopters and accepts the 2020 Surveillance Impact Report (SIR) for this technology, attached to this ordinance as Attachment 1, and the 2020 Executive Overview for the same technology, attached to this ordinance as Attachment 2.

Section 2. The Council requests the Seattle Police Department to report no later than the end of the fourth quarter of 2021 on the metrics provided to the Chief Technology Officer for use in the annual equity assessments of the Forward Looking Infrared Real Time Video technology.

Section 3. The Council requests the Seattle Police Department to develop a policy or policies no later than the end of the 4th quarter of 2021 defining the purpose and only allowable uses of Forward Looking Infrared Real-Time Video and data collected thereby through the Seattle Police Department's use of King County Sheriff's Office helicopters, including the circumstances in which the Seattle Police Department may request use of this technology from the King County Sheriff's Office Air Support Unit.

Section 4. The Council requests the Seattle Police Department to develop a policy or policies no later than the end of the 4th quarter of 2021 requiring redaction or deletion of information collected from Forward Looking Infrared Real-Time Video (FLIR) through the use of King County Sheriff's Office helicopters that may compromise the privacy of individuals not related to a specific investigation.

Section 5. The Council requests the Seattle Police Department to develop a policy or policies no later than the end of the 4th quarter of 2021 prohibiting the use of Forward Looking Infrared Real-Time Video through the Seattle Police Department's use of King County Sheriff's Office helicopters to disproportionately surveil communities of color and other historically over-policed communities.

Section 6. The Council requests the Seattle Police Department to produce, starting September 1, 2022, a publicly available annual report detailing its use of Forward Looking Infrared Real-Time Video (FLIR) through the use of King County Sheriff's Office (KCSO) helicopters, including but not limited to how SPD used the data collected, the amount and types of data collected, retention and storage of the data, and the neighborhoods over which KCSO helicopters and/or FLIR technology were deployed.



Section 7. 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 - 2020 Surveillance Impact Report: Forward Looking Infrared Real-Time Video (FLIR)

Attachment 2 - 2020 Surveillance Impact Report Executive Overview: Forward Looking Infrared Real-Time Video (FLIR)

2020 Surveillance Impact Report

# Forward Looking Infrared Real-Time Video (FLIR) (KCSO Helicopters)

Seattle Police Department

April 13<sup>th</sup>, 2021  
Version 1

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# Surveillance Impact Report (“SIR”) overview

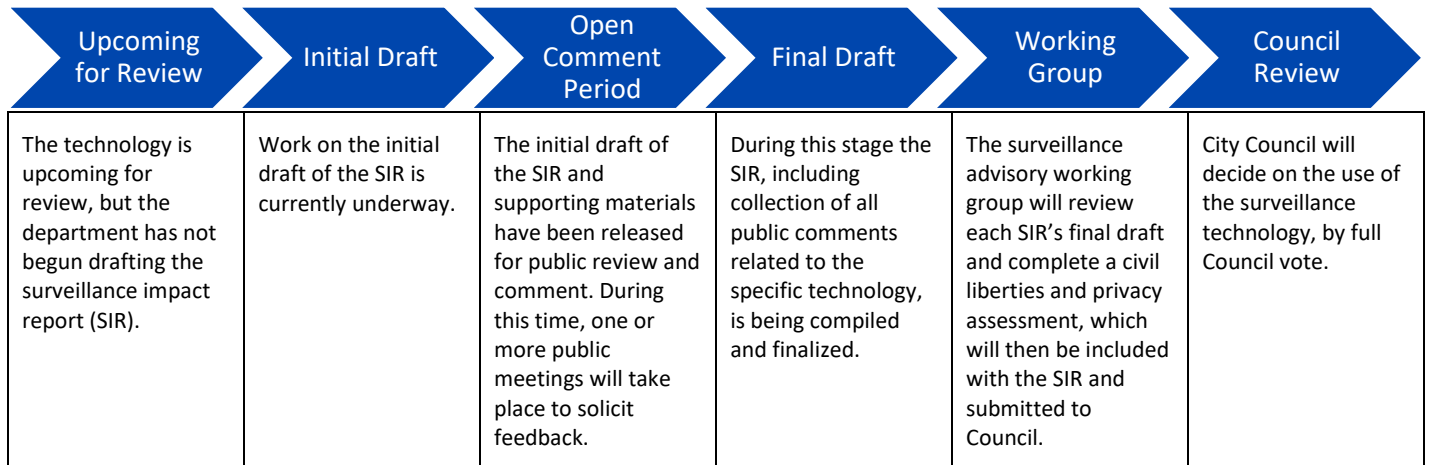
## About the Surveillance Ordinance

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”.

## Surveillance Ordinance Review Process

The following is a high-level outline of the complete SIR review process.



# 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 King County Sheriff’s Office (KCSO) Air Support Unit is the only full-time rotary-wing law enforcement aviation unit in Washington State. Three separate helicopters, one Bell 206B3 helicopter, one UH-1H “Huey,” and one Bell 407, operate as Guardian One and Guardian Two. The Air Support Unit operates throughout King County and is available to assist the Seattle Police Department at no charge through the Puget Sound Regional Aviation Project, a consortium made up of members from sheriff’s offices in King, Snohomish, Pierce and Kitsap counties as well as Seattle Police and Fire departments, Pierce County Fire Districts, Washington State Patrol, the Department of Emergency Management in Pierce County, the Washington State Department of Ecology, Coast Guard, Navy, and the National Park Service. Guardian One offers air support for patrol and specialized police missions. Guardian Two offers support predominately for search and rescue. These helicopters are equipped with color and forward looking infrared (FLIR) cameras and 30 million-candle power spotlights that enable the location of suspects or disaster victims in darkness or environmental cover.

The Air Support Unit (KCSO) monitors several SPD communication frequencies and if available to assist, advises SPD communications that Guardian One is available to support. In life safety or other serious crime incidents where air support would be beneficial SPD sergeants and or higher ranked personnel may request the assistance of the Air Support Unit. Guardian Two is available as a call-out resource in the event of a significant incident.

## 1.2 Explain the reason the project/technology is being created or updated and why the PIA is required.

The aerial vantage point created by the use of helicopters helps trained law enforcement personnel provide enhanced vision to locate and track the movement of crime suspects and disaster victims. The forward looking infrared (FLIR) camera technology housed within the Guardian One and Guardian Two helicopters provides a further enhanced picture of incident scenes by layering heat signatures of individuals and objects on top of the aerial video. The FLIR technology allows for subjects to be detected even when obscured by clouds, haze, or darkness.

Aerial video and infrared technology are tools that may be perceived as invasive to an individual's privacy, as they may be recorded without their knowledge or consent. SPD policy mitigates against the potential for inappropriate use. [SPD Policy 6.060 - Collection of Information for Law Enforcement Purposes](#) defines the way information will be gathered and recorded in a manner that does not unreasonably infringe upon: individual rights, liberties, and freedoms guaranteed by the Constitution of the United States and the State of Washington, including freedom of speech, press, association, and assembly; liberty of conscience; the exercise of religion.

## 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 Guardian One and Guardian Two helicopters provide critical assistance to SPD units on the ground during incidents. The benefits include rapid response to crime or disaster scenes and give law enforcement personnel an enhanced bird's eye view of the situation. "At normal patrol speeds and altitudes, a helicopter can keep an object in view on the ground ten times longer than a ground officer moving at normal street patrol speeds."<sup>1</sup> While conventional night vision technology does augment the user's ability to locate subjects by enhancing visible light, FLIR systems are more effective because they provide images using the heat emitted by subjects and objects.

### 2.2 Provide any data or research demonstrating anticipated benefits.

---

<sup>1</sup> <https://kingcounty.gov/depts/sheriff/about-us/enforcement/specialized/helicopter.aspx>

[https://www.fema.gov/media-library-data/1464299940004-16fc65457742f7d9a9fd62ae52ec9985/NorthWestRegionalAviation\\_FINAL\\_508.pdf](https://www.fema.gov/media-library-data/1464299940004-16fc65457742f7d9a9fd62ae52ec9985/NorthWestRegionalAviation_FINAL_508.pdf)

Provides information about Northwest Regional Avion consortium, the challenges faced in the geographical area, and the response to the 2014 SR530 mudslide near Oso, WA. This document also describes the ways in which the Seattle Urban Area Security Initiative, which includes Guardian One and Two operations, provide search and rescue operations, assists with criminal manhunts, and enhances port security, and is an important asset in the response to a variety of threats and hazards.

Alpert, G. and MacDonald, J. (1997). Helicopters and Their Use in Police Pursuit: A Final Report to the National Institute of Justice, Department of Justice.

<https://www.ncjrs.gov/pdffiles1/Digitization/171376NCJRS.pdf>

An analysis of the use of helicopters in police pursuit operations used data from observations and empirical analyses of the aviation units in the Baltimore and Metro-Dade (Fla.) Police Departments and a survey of citizen attitudes; the study concluded that helicopters provide a useful and important service to police and to the pursuit function. The best advantage a helicopter can provide to police is the information aerial vantage points can deliver. Additionally, the speed and relatively unobstructed mobility of helicopter support is a major benefit in pursuit of a fleeing suspect or during a search and rescue operation.

### **2.3 Describe the technology involved.**

The King County Sheriff's Air Support Unit is the only full-time rotary-wing law enforcement aviation unit in Washington State. Three separate helicopters, one Bell 206B3 helicopter, one UH-1H "Huey," and one Bell 407, operate as Guardian One and Guardian Two. The capabilities of these aircraft include: forward looking infrared cameras (FLIR), 30-million candlepower "Night Sun" searchlights, Pro Net and LoJack radio tracking receivers, still and video cameras, and communications equipment for communicating with local, state, and federal law and firefighting agencies on their frequencies.

Below are examples from the FLIR camera system mounted on Guardian One:

Example 1: This image shows 2 vehicles and 2 people crouching between 2 residential structures. The exact location has been redacted.



Example 2: A closer view of a residential structure illustrating Guardian One FLIR camera system capabilities.





**2.4 Describe how the project or use of technology relates to the department’s mission.**

The mission of the Seattle Police Department is to prevent crime, enforce the law, and support quality public safety by delivering respectful, professional, and dependable police services. King County Sheriff’s Air Support Unit supports this mission by providing air support for patrol, specialized police missions, and search and rescue operations when aerial operations would benefit the SPD resources on the ground.

**2.5 Who will be involved with the deployment and use of the project / technology?**

King County Sheriff’s Air Support Unit is operated by the King County Sheriff’s Office and is available to assist the Seattle Police Department at no charge through the Puget Sound Regional Aviation Project and the Seattle Urban Area Security Initiative (UASI). Per [SPD Policy 16.060 - King County Sheriff’s Office Air Support Unit](#), when Guardian One is operational, the unit monitors SPD radio and advises SPD Communications when they are available to assist during active calls for service.

SPD officers may also request air support assistance directly to Guardian One or through SPD Communications. Per [SPD Policy 16.060](#), “If Guardian One is off-duty, but their assistance is required for a police operation, a[n SPD] sergeant will screen the request and coordinate with Communications.”

**3.0 Use Governance**

Provide an outline of any rules that will govern the use of the project / technology. Please note: non-City entities contracting with the City 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.**

Per [SPD Policy 16.060 - King County Sheriff's Office Air Support Unit](#), when Guardian One is operational, the unit monitors SPD radio and advises SPD Communications when they are available to assist during active calls for service.

SPD officers may also request air support assistance directly to Guardian One or through SPD Communications. "If Guardian One is off-duty, but their assistance is required for a police operation, a sergeant will screen the request and coordinate with Communications." If they respond to an SPD call, Guardian One and Guardian Two are documented as responding resources in the CAD event by SPD Communications.

**3.2 List the legal standards or conditions, if any, that must be met before the project / technology is used.**

While no legal standards must be met prior to use of the technology, there are conditions and policy governing standard operating procedure for SPD.

The King County Sheriff's Office Air Support Unit monitors SPD radio frequencies and offers assistance to SPD based on availability and appropriateness of response. [SPD Policy 16.060 - King County Sheriff's Office Air Support Unit](#) states that patrol officers may request support from the Air Support Unit during an incident where it is determined air support would be beneficial, such as when there is a safety concern. When the Air Support Unit is off duty the request must be screened by sergeant or higher ranked personnel.

During 2018, Guardian One responded 45 times to SPD events. Guardian Two did not responded to any SPD calls during 2018.

**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 helicopter and FLIR technology are not directly operated by SPD personnel.

SPD Supervisors and commanding officers are responsible for ensuring compliance with all applicable policies.

All SPD employees must adhere to laws, City policy, and Department Policy ([SPD Policy 5.001](#)), and any employees suspected of being in violation of laws or policy or other misconduct are subject to discipline, as outlined in [SPD Policy 5.002](#).

## 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 additional information is collected or transmitted by SPD related to this technology.

### 4.2 What measures are in place to minimize inadvertent or improper collection of data?

The KCSO Helicopters and onboard FLIR technology respond only to SPD emergency events in which air support is beneficial. SPD only receives and accesses information from the KCSO helicopters that is relevant to the incidents to which Guardian One or Guardian Two have responded. The video is requested as evidence from King County and stored using existing video evidence storage policies including [SPD Policy 7.090 – Photographic Evidence](#).

### 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?

Per [SPD Policy 16.060 - King County Sheriff's Office Air Support Unit](#), when Guardian One is operational, the unit monitors SPD radio and advises SPD Communications when they are available to assist during active calls for service. SPD officers may also request air support assistance directly to Guardian One or through SPD Communications. The SPD policy states, "If Guardian One is off-duty, but their assistance is required for a police operation, a sergeant will screen the request and coordinate with Communications." If they respond to an SPD call, Guardian One and Guardian Two are documented as responding resources in the CAD event by SPD Communications.

The most common type of event in which Guardian One participated with SPD in 2018 was Robbery (8 events), followed by Automotive- including theft and recovery (7 events), Assault (6 events), and Burglary (6 events). Other event types include Domestic Violence, Kidnapping/Abduction, Prowler, Traffic Violations, Warrant Services, Weapons, Person-including missing, found, and runaway, Suspicious Person/Object, and Theft<sup>2</sup>.

### 4.4 How often will the technology be in operation?

The Air Support Unit operates six days per week and averages 1200 hours of flight time annually. In 2018, Guardian One responded to 45 SPD events. Guardian Two did not dispatch to any SPD calls for service.

### 4.5 What is the permanence of the installation? Is it installed permanently, or temporarily?

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<sup>2</sup> Call type is based on the Case Final Type led in SPD's CAD system for the 45 events in which Guardian One responded.

Established in 2001, the King County Sheriff's Air Unit has been a model for regionalized aviation support for law enforcement and emergency services.

**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 King County Sheriff's Air Unit helicopters are marked and easily identifiable as law enforcement aircraft to the untrained eye. The FLIR camera system is permanently affixed to the helicopter, however it is not identifiable to the public. The Guardian helicopters and FLIR cameras do not belong to SPD, but rather are county resources available to assist when available.

**4.7 How will data that is collected be accessed and by whom?**

The only information relayed to SPD during the Unit operation is radio transmission from the Air Support Unit. Though the KCSO helicopters have a real-time microwave video downlink capable of transmitting video of ongoing events to units on the ground, SPD does not utilize this function. Recordings made by Guardian helicopters associated with SPD calls for service are regularly requested as video evidence from the King County Sheriff's Office, including FLIR video is needed for evidentiary or investigative purposes. These recordings are provided by the KCSO on high quality evidence-grade DVD. [SPD Policy 7.010](#) governs the submission of evidence and requires that all collected evidence be documented in a GO Report. Per [SPD Policy 7.090 – Photographic Evidence](#), all video evidence not produced by SPD employees is submitted to the SPD Evidence Unit. The SPD Evidence Unit stores the video in the Digital Evidence Management System (DEMS). The King County Sheriff's Office Air Support Unit does record audio and video of their operations and occasionally does release these recordings to the public, including video posted on their [YouTube channel](#).

**4.8 If operated or used by another entity on behalf of the City, provide details about access, and applicable protocols.**

The Guardian One and Guardian Two helicopters and onboard FLIR cameras are operated by the King County Sheriff's Air Unit. When Guardian One is operational, the unit monitors SPD radio and advises SPD Communications when they are available to assist during active calls for service. SPD officers may also request air support assistance directly to Guardian One or through SPD Communications.

**4.9 What are acceptable reasons for access to the equipment and/or data collected?**

The use of helicopter air support and onboard FLIR cameras are an indispensable resource for law enforcement and search and rescue operations. Per [SPD Policy 16.060 - King County Sheriff's Office Air Support Unit](#) Per [SPD Policy 16.060 - King County Sheriff's Office Air Support Unit](#), "Guardian One offers air support for patrol and specialized missions. Per [SPD Policy 16.060 - King County Sheriff's Office Air Support Unit](#), "Guardian One offers air support for patrol and specialized missions. Guardian Two offers air support for special operations such as search and rescue (SAR) and tactical missions." SPD requests air support to assist with locating missing children and vulnerable adults as well as to support patrol operations such as locating a suspects in dark or obscured terrain. When necessary and pertinent to a specific investigation, SPD investigators may request video from KCSO's Air Unit. This is only done when the video will be entered as case evidence in the investigation of a crime or missing person.

#### **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.)?**

SPD are consumers of the information provided by the KCSO Air Unit and do not maintain the systems used to access this information.

## **5.0 Data storage, retention and deletion**

### **5.1 How will data be securely stored?**

Recordings made by Guardian helicopters associated with SPD calls for service are requested as video evidence from the King County Sheriff's Office, including FLIR video is needed for evidentiary or investigative purposes related to the investigation of a crime or missing person. These recordings are provided by the KCSO on high quality evidence-grade DVD. [SPD Policy 7.010](#) governs the submission of evidence and requires that all collected evidence be documented in a GO Report. Per [SPD Policy 7.090 – Photographic Evidence](#), all video evidence not produced by SPD employees is submitted to the SPD Evidence Unit. The SPD Evidence Unit stores the video in the Digital Evidence Management System (DEMS).

SPD policy contains multiple provisions to avoid improperly collecting data. [SPD Policy 7.010](#) governs the submission of evidence and requires that all collected evidence be documented in a GO Report. Per [SPD Policy 7.090 – Photographic Evidence](#), all video evidence not produced by SPD employees is submitted to the SPD Evidence Unit. The SPD Evidence Unit stores the video in the CJIS certified Digital Evidence Management System (DEMS).

### **5.2 How will the owner allow for departmental and other entities, to audit for compliance with legal deletion requirements?**

SPD's Audit, Policy and Research Section (APRS) can conduct an audit of any system, including DEMS, at any time. In addition, the Office of Inspector General and the federal monitor can access all data and audit for compliance at any time.

### 5.3 What measures will be used to destroy improperly collected data?

SPD policy contains multiple provisions to avoid improperly collecting data. [SPD Policy 7.010](#) governs the submission of evidence and requires that all collected evidence be documented in a GO Report. [SPD Policy 7.090](#) specifically governs the collection and submission of photographic evidence. Evidence is submitted to the Evidence Unit and associated with a specific GO Number and investigation.

Additionally, [SPD Policy 5.140](#) forbids bias-based policing and outlines processes for reporting and documenting any suspected bias-based behavior, as well as accountability measures.

All SPD employees must adhere to laws, City policy, and Department Policy ([SPD Policy 5.001](#)), and any employees suspected of being in violation of laws or policy or other misconduct are subject to discipline, as outlined in [SPD Policy 5.002](#).

Per the CJIS Security Policy:

“5.8.3 Digital Media Sanitization and Disposal The agency shall sanitize, that is, overwrite at least three times or degauss digital media prior to disposal or release for reuse by unauthorized individuals. Inoperable digital media shall be destroyed (cut up, shredded, etc.). The agency shall maintain written documentation of the steps taken to sanitize or destroy electronic media. Agencies shall ensure the sanitization or destruction is witnessed or carried out by authorized personnel.

5.8.4 Disposal of Physical Media Physical media shall be securely disposed of when no longer required, using formal procedures. Formal procedures for the secure disposal or destruction of physical media shall minimize the risk of sensitive information compromise by unauthorized individuals. Physical media shall be destroyed by shredding or incineration. Agencies shall ensure the disposal or destruction is witnessed or carried out by authorized personnel.”

### 5.4 Which specific departmental unit or individual is responsible for ensuring compliance with data retention requirements?

Unit supervisors are responsible for ensuring compliance with data retention requirements within SPD. Audit, Policy & Research Section personnel can also conduct audits of all data collection software and systems. Additionally, any appropriate auditor, including the Office of Inspector General and the federal monitor can audit for compliance at any time.

## 6.0 Data Sharing and Accuracy

### 6.1 Which entity or entities inside and external to the City will be data sharing partners?

No person, outside of SPD has direct access to the video information provided to SPD by the King County Air Unit once it has been received by SPD.

Video may be shared with outside entities in connection with criminal prosecutions:

- Seattle City Attorney's Office
- King County Prosecuting Attorney's Office
- King County Department of Public Defense
- Private Defense Attorneys
- Seattle Municipal Court
- King County Superior Court
- Similar entities where prosecution is in Federal or other State jurisdictions

Video may be made available to requesters pursuant to the Washington Public Records Act, [Chapter 42.56 RCW](#) ("PRA"). SPD will apply applicable exemptions to the data before disclosing to a requester. Individuals have the right to inspect criminal history record information maintained by the department ([RCW 10.97.030](#), [SPD Policy 12.050](#)). Individuals can access their own information by submitting a public disclosure request.

## 6.2 Why is data sharing necessary?

Sharing of video information may be necessary for prosecution or to comply with requests pursuant to public records requests.

## 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.

Law enforcement agencies receiving criminal history information are subject to the requirements of 28 CFR Part 20, regulating criminal justice information systems. In addition, Washington State law enforcement agencies are subject to the provisions of [WAC 446-20-260](#) (auditing and dissemination of criminal history record information systems), and [RCW Chapter 10.97](#) (Washington State Criminal Records Privacy Act).

Once disclosed in response to PRA request, there are no restrictions on non-City data use; however, applicable exemptions will be applied prior to disclosure to any requestor who is not authorized to receive exempt content.



**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?**

Research agreements must meet the standards reflected in [SPD Policy 12.055](#). Law enforcement agencies receiving criminal history information are subject to the requirements of [28 CFR Part 20](#) whose purpose it is “to assure that criminal history record information wherever it appears is collected, stored, and disseminated in a manner to ensure the accuracy, completeness, currency, integrity, and security of such information and to protect individual privacy”. In addition, Washington State law enforcement agencies are subject to the provisions of [WAC 446-20-260](#), and [RCW Chapter 10.97](#).

**6.5 Explain how the project/technology checks the accuracy of the information collected. If accuracy is not checked, please explain why.**

The video recorded by Guardian One and Guardian Two, including the video recorded by the FLIR camera system, is real-time video recorded during the helicopter’s response to a law enforcement or search and rescue event.

**6.6 describe any procedures that allow individuals to access their information and correct inaccurate or erroneous information.**

Individuals may request records pursuant to the PRA, and individuals have the right to inspect criminal history record information maintained by the department ([RCW 10.97.030](#), [SPD Policy 12.050](#)). Individuals can access their own information by submitting a public disclosure request.

## **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?**

[RCW 9.73.090](#) allows sound and video images to be recorded by cameras mounted in law enforcement vehicles.

**7.2 Describe what privacy training is provided to users either generally or specifically relevant to the project/technology.**

[SPD Policy 12.050](#) mandates that all employees receive Security Awareness Training (Level 2), and all employees also receive City Privacy Training. All SPD employees must adhere to laws, City policy, and Department Policy ([SPD Policy 5.001](#)), many of which contain specific privacy requirements. Any employees suspected of being in violation of laws or policy or other misconduct are subject to discipline, as outlined in [SPD Policy 5.002](#).

**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.**

The nature of the Department’s mission will inevitably lead it to collect and maintain information many may believe to be private and potentially embarrassing. Inherent in video obtained from an aerial platform such as Guardian One and Guardian Two with FLIR camera systems is the risk that private information may be obtained about members of the public. Minimizing privacy risks revolve around disclosure of personally identifiable information by such actives as redacting released video and information and by keeping detailed records of all information released. Images and video obtained by SPD from the KCSO’s Air Unit are considered evidence and the same precautions used to protect other case evidence applies.

[SMC 14.12](#) and [SPD Policy 6.060](#) direct all SPD personnel that “any documentation of information concerning a person’s sexual preferences or practices, or their political or religious activities must be for a relevant reason and serve a legitimate law enforcement purpose.” Additionally, officers must take care “when photographing demonstrations or other lawful political activities. If demonstrators are not acting unlawfully, police can’t photograph them.”

Further, [SPD Policy 5.140](#) forbids bias-based policing and outlines processes for reporting and documenting any suspected bias-based behavior, as well as accountability measures.

**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?**

Inherent in video obtained from an aerial platform such as Guardian One and Guardian Two with FLIR camera systems is the risk that private information may be obtained about members of the public. The FLIR camera system can pose additional concern to the public about potential for privacy intrusion based on the misconception that the camera can record people and objects inside homes and other structures. As seen in the provided screen captures of FLIR recordings above, heat from homes and other structures can be seen in the image but the FLIR camera on the Guardian helicopters can not see through obstructions like walls and roofs.

## **8.0 Monitoring and enforcement**

**8.1 Describe how the project/technology maintains a record of any disclosures outside of the department.**

Per [SPD Policy 12.080](#), the Crime Records Unit is responsible to receive and record all requests “for General Offense Reports from other City departments and from other law enforcement agencies, as well as from insurance companies.” Any subpoenas and requests for public disclosure are logged by SPD’s Legal Unit. Any action taken, and data released subsequently in response to subpoenas is then tracked through a log maintained by the Legal Unit. Public disclosure requests are tracked through the City’s GovQA Public Records Response System, and responses to Public Disclosure Requests, including responsive records provided to a requestor, are retained by SPD for two years after the request is completed

**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.**

SPD’s Audit, Policy and Research Section is authorized to conduct audits of all investigative data collection software and systems, including DEMS. In addition, the Office of Inspector General and the federal monitor can conduct audits of the software, and its use, at any time. Audit data is available to the public via Public Records Request.

## 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
NA					

Notes:

The Air Support Unit operates throughout King County and is available to assist the Seattle Police Department at no charge through the Puget Sound Regional Aviation Project, a consortium made up of members from sheriff’s offices in King, Snohomish, Pierce and Kitsap counties as well as Seattle Police and Fire departments, Pierce County Fire Districts, Washington State Patrol, the Pierce County Department of Emergency Management, state Department of Ecology, Coast Guard, Navy, and the National Park Service.

**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

Notes:

N/A

**1.3 Cost savings potential through use of the technology**

Helicopter air support units can potentially cost \$200,000 per year, per the Snohomish County Sheriff’s Office Air Support Unit Budget. SPD’s agreement allowing cost-free support from the King County Sheriff’s Office Air Support Unit negates the need for SPD to host its own air unit.

**1.4 Current or potential sources of funding including subsidies or free products offered by vendors or governmental entities**

SPD’s participation in the Puget Sound Regional Aviation Project consortium allows cost-free support from the King County Sheriff’s Office Air Support Unit.

**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**

**1.1 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
Auburn, WA Police Dept		
Bellevue, WA Police Dept		
Kent, WA Police Dept		

## 2.0 Academics, Consultants, and Other Experts

**2.1 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

## 3.0 White Papers or Other Documents

**3.1 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
"Today's Thermal Imaging Systems: Background and Applications for Civilian Law Enforcement and Military Force Protection."	<i>Proceedings IEEE 31st Annual 1997 International Carnahan Conference on Security Technology (1997)</i>	<a href="https://ieeexplore-ieee-org.offcampus.lib.washington.edu/document/626270">https://ieeexplore-ieee-org.offcampus.lib.washington.edu/document/626270</a>

# Racial Equity Toolkit (“RET”) and Engagement for Public Comment Worksheet

## Purpose

Departments submitting a SIR are required to complete an adapted version of the Racial Equity Toolkit (“RET”) in order to:

- Provide a framework for the mindful completion of the SIR 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.
- Highlight and mitigate any impacts on racial equity from the adoption and the use of the technology.
- Highlight and mitigate any disparate impacts on individuals or vulnerable communities.
- 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

**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.

### 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? How is the department mitigating these risks?

Inherent in video obtained from an aerial platform such as Guardian One and Guardian Two with FLIR camera systems is the risk that private information may be obtained about 3rd parties. While the FLIR camera system can detect and record heat sources inside some structures, it is not able to peer inside homes or other buildings. Though the high definition color cameras mounted on the KCSO helicopters is able to discern individual characteristics, the FLIR camera system video does not capture even the most generic of identifiable individual characteristics such as race, age, or gender. The below image is an example of how individuals are seen by the FLIR system and the color cameras.

This FLIR image shows 5 officers and one police K9 approaching a suspect who is crouched down under a tree. The light color of the officers does not show skin tone but rather the amount of heat they are giving off.



### 1.3 What are the risks for racial or ethnicity-based bias through each use or deployment of this technology? How is the department mitigating these risks?

The mission of the Seattle Police Department is to prevent crime, enforce the law, and support quality public safety by delivering respectful, professional and dependable police services. A potential civil liberties concern is that the SPD would over-surveil vulnerable or historically targeted communities, deploying Guardian One to diverse neighborhoods more often than to other areas of the City. [SPD Policy 5.140](#) forbids bias-based policing and outlines processes for reporting and documenting any suspected bias-based behavior, as well as accountability measures. Determining events in which aerial support would be beneficial is based on the particular event situation and the availability of the King County Air Support Unit.

#### 1.4 Where in the City is the technology used or deployed?

all Seattle neighborhoods

- |                                     |  |
|-------------------------------------|--|
| <input type="checkbox"/> Ballard    | <input type="checkbox"/> Southeast                     |
| <input type="checkbox"/> North      | <input type="checkbox"/> Delridge                      |
| <input type="checkbox"/> Northeast  | <input type="checkbox"/> Greater Duwamish              |
| <input type="checkbox"/> Central    | <input type="checkbox"/> East district                 |
| <input type="checkbox"/> Lake union | <input type="checkbox"/> King county (outside Seattle) |
| <input type="checkbox"/> Southwest  | <input type="checkbox"/> Outside King County.          |

If possible, please include any maps or visualizations of historical deployments / use.

N/A

##### 1.4.1 What are the racial demographics of those living in this area or impacted by these issues?

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%

##### 1.4.2 How are decisions made where the technology is used or deployed? How does the Department work to ensure diverse neighborhoods are not specifically targeted?



Determining events in which aerial support would be beneficial is based on the particular event situation and the availability of the King County Air Support Unit. [SPD Policy 16.060 - King County Sheriff's Office Air Support Unit](#) defines SPD's policy on the use of this technology.

**1.5 How do decisions around data sharing have the potential for disparate impact on historically targeted communities? What is the department doing to mitigate those risks?**

The Aspen Institute on Community Change defines structural racism as "...public policies, institutional practices, cultural representations and other norms [which] work in various, often reinforcing ways to perpetuate racial group inequity." Data sharing has the potential to be a contributing factor to structural racism and thus creating a disparate impact on historically targeted communities. In an effort to mitigate this possibility, SPD has established policies regarding the dissemination of data in connection with criminal prosecutions, Washington Public Records Act ([Chapter 42.56 RCW](#)), and other authorized researchers.

Further, [SPD Policy 5.140](#) forbids bias-based policing and outlines processes for reporting and documenting any suspected bias-based behavior, as well as accountability measures.

Information collected by Guardian One and Guardian Two cameras, including the FLIR camera system, is shared only with outside entities in connection with criminal prosecutions or in compliance with public records requests pursuant to the Washington Public Records Act, [Chapter 42.56 RCW](#) ("PRA"). SPD will apply applicable exemptions to the data before disclosing to a requester.

**1.6 How do decisions around data storage and retention have the potential for disparate impact on historically targeted communities? What is the department doing to mitigate those risks?**

Like decisions around data sharing, data storage and retention have similar potential for disparate impact on historically targeted communities. [SPD Policy 5.140](#) forbids bias-based policing and outlines processes for reporting and documenting any suspected bias-based behavior, as well as accountability measures.

**1.7 What are potential unintended consequences (both negative and positive potential impact)? What proactive steps can you can / have you taken to ensure these consequences do not occur.**

The most important unintended possible consequence related to the continued utilization of the King County Sheriff's Office Air Support Unit helicopters and FLIR camera system by SPD is the out of policy misuse of the technology to improperly surveil the public. SPD policies, including [SPD Policy 16.060 - King County Sheriff's Office Air Support Unit](#) outlines the way in which SPD may utilize air support for patrol and specialized missions. [SPD Policy 6.060 - Collection of Information for Law Enforcement Purposes](#) also defines the way information will be gathered by SPD and states, "information will be gathered and recorded in a manner that does not unreasonably infringe upon: individual rights, liberties, and freedoms guaranteed

by the Constitution of the United States and the State of Washington, including freedom of speech, press, association, and assembly; liberty of conscience; the exercise of religion...”

## 2.0 Public Outreach

### 2.1 Scheduled public meeting(s).

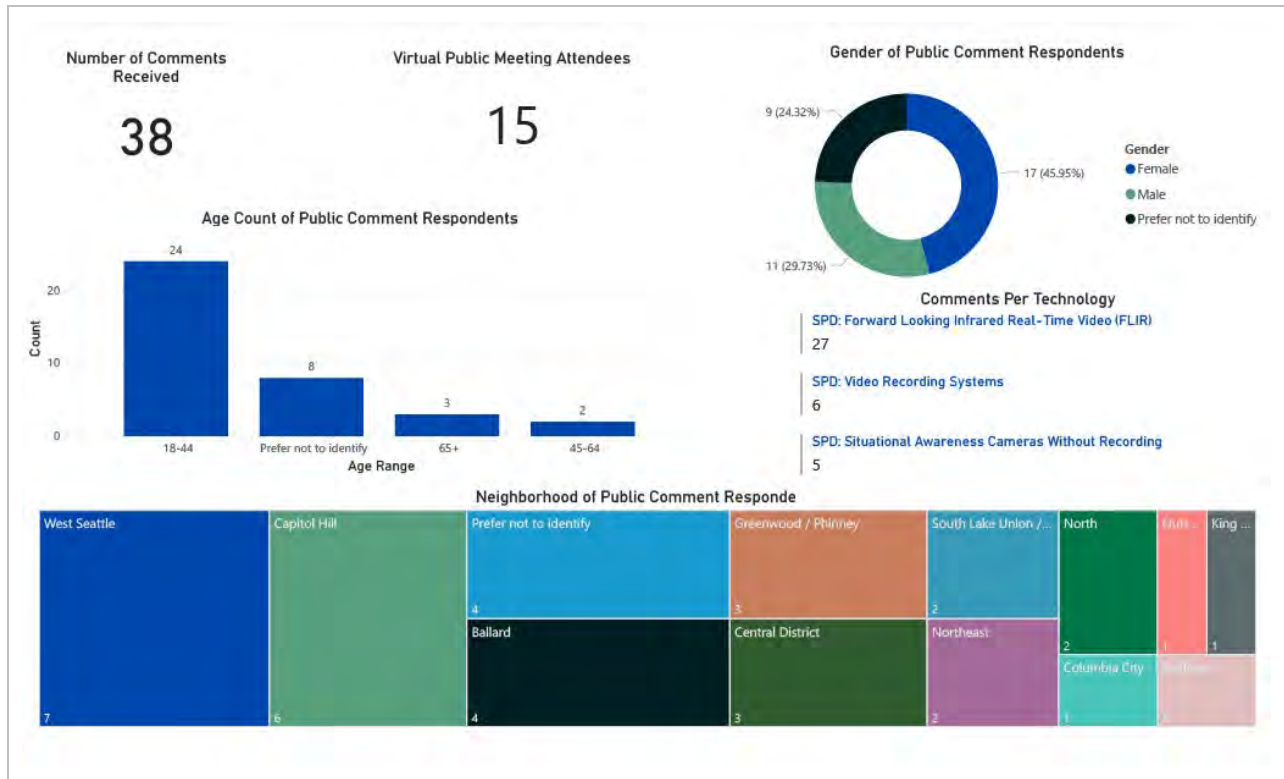
Meeting notes, sign-in sheets, all comments received, and questions from the public will be included in Appendix A-C. Comment analysis will be summarized in section 3.0 Public Comment Analysis.

#### Meeting 1

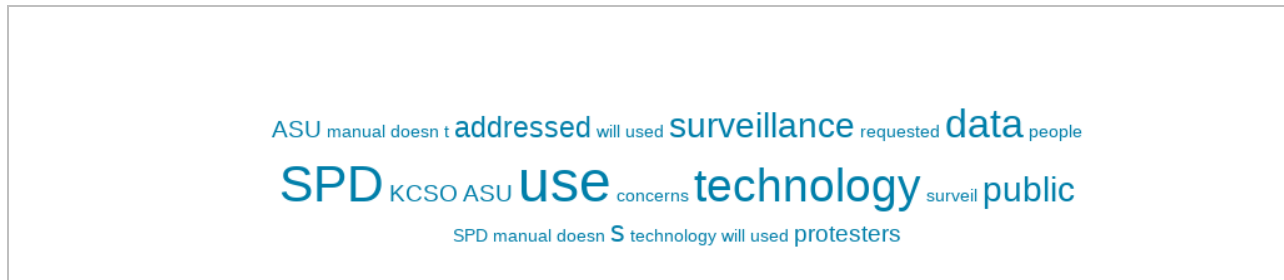
<b>Location</b>	Webex Online Event
<b>Date</b>	October 28 <sup>th</sup> , 2020
<b>Time</b>	12 pm – 1 pm

### 3.0 Public Comment Analysis

#### 3.1 Demographics of the public who submitted comments.



#### 3.2 What concerns, if any, do you have about the use of this technology?



#### 3.3 What value, if any, do you see in the use of this technology?



#### 3.4 What do you want City leadership to consider about the use of this technology?

use technology SPD manual doesn't S equipment Will surveillance  
 technology want SPD City leadership consider use  
 ASU data KCSO ASU public City leadership city manual doesn't police

### 3.5 Do you have any other comments?

Provide Subject Matter Expert meeting use technology days technologies use public t  
 technologies public engagement  
 public engagement meetings Hold  
 Group comment period closes time City public comment  
 provide answers questions least week public comment period SPD

## 4.0 Response to Public Comments

### 4.1 How will you address the concerns that have been identified by the public?

The OIG has audit responsibilities for determining legality of the system and deployment.

## 5.0 Equity Annual Reporting

**5.1 What metrics for this technology be reported to the CTO for the annual equity assessments? Departments will be responsible for sharing their own evaluations with department leadership, change team leads, and community leaders identified in the public outreach plan.**

Respond here.

# 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:

“Provide 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: Dec 15, 2020

Re: Privacy and Civil Liberties Impact Assessment for Forward Looking Infrared – King County Sheriff’s Office Helicopters

## Executive Summary

The CSWG has completed its review of the Surveillance Impact Reports (SIRs) for the three surveillance technologies included in Group 3 of the Seattle Surveillance Ordinance technology review process. These technologies are Forward Looking Infrared, Video Recording Systems, and Situational Awareness Cameras Without Recording. This document is the CSWG’s Privacy and Civil Liberties Impact Assessment for Forward Looking Infrared (FLIR) technology used with King County Sheriff’s Office (KCSO) helicopters as set forth in SMC 14.18.080(B)(1), which we provide for inclusion in the final SIRs submitted to the City Councils.

This document first provides our recommendations to Council, then provides background information, key concerns, and outstanding questions regarding FLIR technology as used with KCSO helicopters.

Our assessment of FLIR technology and KCSO Helicopters as used by Seattle Police Department (SPD) focuses on three major issues:

1. Additional policy language is necessary to define valid purposes of use.
2. There are inadequate policies regarding data collection and unclear policies regarding data storage and protection.
3. There are inadequate policies and processes to ensure that communities of color and other historically over-policed communities are not targeted.

## Recommendations

The Council should adopt clear and enforceable rules that ensure, at the minimum, the following:

1. The purpose and allowable uses of FLIR technology and KCSO's helicopters must be clearly defined, and any SPD use of KCSO's helicopters and FLIR technology and data collected with these technologies must be restricted to that specific purpose and those allowable uses.
2. SPD must be prohibited from using FLIR technology and KCSO's helicopters to disproportionately surveil communities of color and other historically over-policed communities, and must adopt policies and processes to ensure it is not targeting such communities.
3. SPD must be required to redact or delete information collected that may compromise the privacy of individuals not related to a specific investigation of search that is restricted by the purpose of use.
4. SPD must be required to produce a publicly available annual report detailing its use of FLIR technology and KCSO helicopters. This report must include at a minimum, details on how SPD used the data collected, the amount and types of data collected, for how long data were retained and in what form, where the data are stored, and the neighborhoods over which KCSO helicopters and/or FLIR technology were deployed.

## Key Concerns

1. **There are inadequate policies defining purpose of use.** The policies cited in the SIR do not impose meaningful restrictions on the purpose for which SPD may request that KCSO helicopters and FLIR technology be used. Policy 16.060 – King County Sheriff's Office Air Support Unit<sup>3</sup> simply states that "Guardian One offers air support for patrol and specialized missions" and that "Guardian Two offers air support for special operations such as search and rescue (SAR) and tactical missions." This policy only describes the process by which SPD may request support from KCSO's air support unit but does not state the specific purposes for which SPD may or may not do so. Section 4.9 of the SIR<sup>4</sup> states that SPD may request video from KCSO's Air Unit "[w]hen necessary and pertinent to a

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<sup>3</sup> <http://www.seattle.gov/police-manual/title-16---patrol-operations/16060---king-county-sheriffs-office-air-support-unit>

<sup>4</sup> [http://www.seattle.gov/Documents/Departments/Tech/Privacy/FLIR%20-%20KCSO%20Helicopters%20Public\\_Engagement%20SIR.pdf](http://www.seattle.gov/Documents/Departments/Tech/Privacy/FLIR%20-%20KCSO%20Helicopters%20Public_Engagement%20SIR.pdf) - page 12

specific investigation” but does not specify the types of investigations for which SPD may request data from KCSO or how it is determined if such data is necessary and pertinent.

2. **There are inadequate policies restricting data collection.** The policies cited in the SIR do not place any restrictions on the amount or types of data SPD may request from KCSO.
3. **It is unclear if and how SPD protects the privacy of individuals unrelated to an investigation.** The SIR does not include any policies regarding how it redacts or deletes information. At the October 28 public engagement meeting, SPD officers did not provide an answer to the question of whether and how it redacts or deletes information collected that may compromise the privacy of individuals unrelated to an investigation.
4. **It is unclear how data collected are stored and protected.** SPD stated at the October 28 public engagement meeting that it is unaware of how long KCSO retains still images and recordings obtained when assisting SPD. While SPD officers stated that SPD stores video requested from KCSO in its Digital Evidence Management System (DEMS)—not Evidence.com, this is not made clear within the SIR. Additionally, SPD officers did not answer whether SPD’s DEMS is on on-premise or Software-as-a-Service (SaaS) deployment.
5. **The SIR does not provide the dates and neighborhoods over which KCSO helicopters and FLIR technology have been deployed.** Though the SIR states that there have been 45 deployments of Guardian One to support SPD in 2018, the SIR does not include an analysis of the locations of those deployments.<sup>5</sup> Additionally, SPD declined to state the neighborhoods over which the helicopters had been deployed during the October 28 public engagement meeting. It is important that SPD include this information in the Racial Equity Toolkit section of the final SIR in order to address the following questions in Section 1.4.2: “How are decisions made where the technology is used or deployed? How does the Department work to ensure diverse neighborhoods are not specifically targeted?”<sup>6</sup>

### Outstanding Questions

- What are the registration and/or tail numbers for each helicopter?
- In 2019 and 2020, did the KCSO Air Support Unit have any additional helicopters aside from the three listed in the SIR?
- How long does KCSO retain still images and recordings attained when assisting SPD?
- Is SPD’s Digital Evidence Management System (DEMS) an on-premise deployment or is it Software-as-a-Service?
- Has SPD ever requested KCSO ASU services or obtained data from KCSO’s helicopters and/or FLIR technology to surveil protesters?
- What are the neighborhoods over which KCSO’s helicopters have been deployed?

The answers to these questions can further inform the content of any binding policy the Council chooses to include in an ordinance on this technology, as recommended above.

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<sup>5</sup> [http://www.seattle.gov/Documents/Departments/Tech/Privacy/FLIR%20-%20KCSO%20Helicopters%20Public\\_Engagement%20SIR.pdf](http://www.seattle.gov/Documents/Departments/Tech/Privacy/FLIR%20-%20KCSO%20Helicopters%20Public_Engagement%20SIR.pdf) - page 9

<sup>6</sup> [http://www.seattle.gov/Documents/Departments/Tech/Privacy/FLIR%20-%20KCSO%20Helicopters%20Public\\_Engagement%20SIR.pdf](http://www.seattle.gov/Documents/Departments/Tech/Privacy/FLIR%20-%20KCSO%20Helicopters%20Public_Engagement%20SIR.pdf) - page 23

# CTO Response

## Memo

**To:** Seattle City Council  
**From:** Saad Bashir  
**Subject:** CTO Response to the Surveillance Working Group Forward Looking Infrared Real-Time Video (FLIR) SIR Review

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### Purpose

As provided in the Surveillance Ordinance, [SMC 14.18.080](#), this memo outlines the Chief Technology Officer's (CTO's) response to the Surveillance Working Group assessment on the Surveillance Impact Report for Seattle Police Department's Forward Looking Infrared Real-Time Video (FLIR).

### Background

The Information Technology Department (ITD) is dedicated to the Privacy Principles and Surveillance Ordinance objectives to provide oversight and transparency about the use and acquisition of specialized technologies with potential privacy and civil liberties impacts. All City departments have a shared mission to protect lives and property while balancing technology use and data collection with negative impacts to individuals. This requires ensuring the appropriate use of privacy invasive technologies through technology limitations, policy, training and departmental oversight.

The CTO's role in the SIR process has been to ensure that all City departments are compliant with the Surveillance Ordinance requirements. As part of the review work for surveillance technologies, ITD's Privacy Office has facilitated the creation of the Surveillance Impact Report documentation, including collecting comments and suggestions from the Working Group and members of the public about these technologies. IT and City departments have also worked collaboratively with the Working Group to answer additional questions that came up during their review process. We believe that policy, training and technology limitations enacted by SPD and Council oversight through the surveillance technology review process provide adequate mitigation for the potential privacy and civil liberties concerns raised by the Working Group about the use of this important operational technology.

### Technology Purpose

The King County Sheriff's Office (KCSO) Air Support Unit is the only full-time rotary-wing law enforcement aviation unit in Washington State. Three separate helicopters, one Bell 206B3 helicopter, one UH-1H "Huey," and one Bell 407, operate as Guardian One and Guardian Two. The Air Support Unit operates throughout King County and is available to assist the Seattle Police Department at no charge through the Puget Sound Regional Aviation Project, a consortium made up of members from sheriff's offices in King, Snohomish, Pierce and Kitsap counties as well as Seattle Police and Fire departments, Pierce County Fire Districts, Washington State Patrol, the Department of Emergency Management in Pierce County, the Washington State Department of Ecology, Coast Guard, Navy, and the National Park Service. Guardian One offers air support for patrol and specialized police missions. Guardian Two offers support predominately for search and rescue. These helicopters are equipped with color and forward



looking infrared (FLIR) cameras and 30 million-candle power spotlights that enable the location of suspects or disaster victims in darkness or environmental cover.

## **Working Group Concerns**

In their review, the Working Group has raised concerns about these devices being used in a privacy impacting way. Their review focused on concerns about use specification and restriction, data collection, storage and protection, and potential privacy impacts.

## **Recommended Next Steps**

I look forward to working together with Council and City departments to ensure continued transparency about the use of these technologies and finding a mutually agreeable means to use technology to improve City services while protecting the privacy and civil rights of the residents we serve. Specific concerns in the Working Group comments about cameras are addressed in the attached document.

# Response to Specific Concerns: Forward Looking Infrared Real-Time Video (FLIR)

## Concern: Policies defining valid purpose of use

**CTO Assessment:** [SPD Policy 16.060 -King County Sheriff's Office Air Support Unit](#) governs and outlines the use cases and approval process for officers to request air support at the discretion of the King County Sheriff's Office. It is our assessment that while SPD cannot change the King County Sheriff's office use policies, SPD has outlined their own policies about use of the images and video obtained from the Air Support Unit operation of the aircraft. The associated SIR responses are clear and provide adequate transparency and policy guidance about technology use. Details are provided below:

### **SIR Response:**

Section 2.4 Describe how the project or use of technology relates to the department's mission.

The mission of the Seattle Police Department is to prevent crime, enforce the law, and support quality public safety by delivering respectful, professional, and dependable police services. King County Sheriff's Air Support Unit supports this mission by providing air support for patrol, specialized police missions, and search and rescue operations when aerial operations would benefit the SPD resources on the ground.

Section 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.

Per SPD Policy 16.060 -King County Sheriff's Office Air Support Unit, when Guardian One is operational, the unit monitors SPD radio and advises SPD Communications when they are available to assist during active calls for service. SPD officers may also request air support assistance directly to Guardian One or through SPD Communications. "If Guardian One is off-duty, but their assistance is required for a police operation, a sergeant will screen the request and coordinate with Communications." If they respond to an SPD call, Guardian One and Guardian Two are documented as responding resources in the CAD event by SPD Communications.

Section 3.2 List the legal standards or conditions, if any, that must be met before the project / technology is used.

While no legal standards must be met prior to use of the technology, there are conditions and policy governing standard operating procedure for SPD. The King County Sheriff's Office Air Support Unit monitors SPD radio frequencies and offers assistance to SPD based on availability and appropriateness of response. SPD Policy 16.060 -King County Sheriff's Office Air Support Unit states that patrol officers may request support from the Air Support Unit during an incident where it is determined air support would be beneficial, such as when there is a safety concern. When the Air Support Unit is off duty the request must be screened by sergeant or higher ranked personnel. During 2018, Guardian One responded 45 times to SPD events. Guardian Two did not responded to any SPD calls during 2018.

## **Concern: Inadequate policies restricting data collection**

**CTO Assessment:** Information or video provided by the KCSO Air Support Unit comes after a request from SPD regarding a specific event or timestamp that may be necessary for an investigation. Once any relevant footage is provided, the video is treated as evidence in an investigation and is subject to SPD's policy on video evidence storage, including SPD Policy 7.090 and Policy 7.010. It is our assessment that SPD has adequate controls and policies in place to limit use and collection of data to appropriate emergency situations and access by authorized individuals. Details regarding this are provided in the SIR responses referenced below:

### **SIR Response:**

#### Section 4.2 What measures are in place to minimize inadvertent or improper collection of data?

The KCSO Helicopters and onboard FLIR technology respond only to SPD emergency events in which air support is beneficial. SPD only receives and accesses information from the KCSO helicopters that is relevant to the incidents to which Guardian One or Guardian Two have responded. The video is requested as evidence from King County and stored using existing video evidence storage policies including SPD Policy 7.090 –Photographic Evidence.

#### Section 4.7 How will data that is collected be accessed and by whom?

The only information relayed to SPD during the Unit operation is radio transmission from the Air Support Unit. Though the KCSO helicopters have a real-time microwave video downlink capable of transmitting video of ongoing events to units on the ground, SPD does not utilize this function. Recordings made by Guardian helicopters associated with SPD calls for service are regularly requested as video evidence from the King County Sheriff's Office, including FLIR video is needed for evidentiary or investigative purposes. These recordings are provided by the KCSO on high quality evidence-grade DVD. SPD Policy 7.010 governs the submission of evidence and requires that all collected evidence be documented in a GO Report. Per SPD Policy 7.090 –Photographic Evidence, all video evidence not produced by SPD employees is submitted to the SPD Evidence Unit. The SPD Evidence Unit stores the video in the Digital Evidence Management System (DEMS). The King County Sheriff's Office Air Support Unit does record audio and video of their operations and occasionally does release these recordings to the public, including video posted on their YouTube channel.

## **Concern: Unclear how data collected is stored and protected**

**CTO Assessment:** Once the relevant data has been acquired from KCSO, the information is treated according to SPD Policy 7.010 on documenting and storing collected evidence in relation to an investigation. Additionally, SPD Policy 7.090 governs photographic evidence and its submission into the CJIS certified Digital Evidence Management System. It is our assessment that SPD has appropriate policy in place, follows appropriate data storage security measure, and have clearly stated data sharing partners and practices. Details are provided in the SIR responses listed below:

### **SIR Response:**

### Section 5.1 How will data be securely stored?

Recordings made by Guardian helicopters associated with SPD calls for service are requested as video evidence from the King County Sheriff's Office, including FLIR video is needed for evidentiary or investigative purposes related to the investigation of a crime or missing person. These recordings are provided by the KCSO on high quality evidence-grade DVD. SPD Policy 7.010 governs the submission of evidence and requires that all collected evidence be documented in a GO Report. Per SPD Policy 7.090 –Photographic Evidence, all video evidence not produced by SPD employees is submitted to the SPD Evidence Unit. The SPD Evidence Unit stores the video in the Digital Evidence Management System (DEMS). SPD policy contains multiple provisions to avoid improperly collecting data. SPD Policy 7.010 governs the submission of evidence and requires that all collected evidence be documented in a GO Report. Per SPD Policy 7.090 –Photographic Evidence, all video evidence not produced by SPD employees is submitted to the SPD Evidence Unit. The SPD Evidence Unit stores the video in the CJIS certified Digital Evidence Management System (DEMS).

### Section 6.1 Which entity or entities inside and external to the City will be data sharing partners?

No person, outside of SPD has direct access to the video information provided to SPD by the King County Air Unit once it has been received by SPD. Video may be shared with outside entities in connection with criminal prosecutions:

- Seattle City Attorney's Office
- King County Prosecuting Attorney's Office
- King County Department of Public Defense
- Private Defense Attorneys
- Seattle Municipal Court
- King County Superior Court
- Similar entities where prosecution is in Federal or other State jurisdictions

Video may be made available to requesters pursuant to the Washington Public Records Act, Chapter 42.56 RCW("PRA"). SPD will apply applicable exemptions to the data before disclosing to a requester. Individuals have the right to inspect criminal history record information maintained by the department (RCW 10.97.030, SPD Policy 12.050). Individuals can access their own information by submitting a public disclosure request.

### **Concern: Unclear how SPD protects privacy of individuals unrelated to an investigation**

**CTO Assessment:** SPD only retrieves video or evidence from the KCSO helicopters that is related to an ongoing investigation. Once the relevant data has been acquired from KCSO, the information is treated according to SPD Policy 7.010 on documenting and storing collected evidence in relation to an investigation. Additionally, SPD Policy 7.090 governs photographic evidence and its submission into the CJIS certified Digital Evidence Management System.

### **SIR Response:**

### Section 4.2 What measures are in place to minimize inadvertent or improper collection of data?

The KCSO Helicopters and onboard FLIR technology respond only to SPD emergency events in which air support is beneficial. SPD only receives and accesses information from the KCSO helicopters that is relevant to the incidents to which Guardian One or Guardian Two have responded. The video is requested as evidence from King County and stored using existing video evidence storage policies including SPD Policy 7.090 –Photographic Evidence.

#### Section 5.3 What measures will be used to destroy improperly collected data?

SPD policy contains multiple provisions to avoid improperly collecting data. SPD Policy 7.010 governs the submission of evidence and requires that all collected evidence be documented in a GO Report. SPD Policy 7.090 specifically governs the collection and submission of photographic evidence. Evidence is submitted to the Evidence Unit and associated with a specific GO Number and investigation.

Additionally, SPD Policy 5.140 forbids bias-based policing and outlines processes for reporting and documenting any suspected bias-based behavior, as well as accountability measures.

All SPD employees must adhere to laws, City policy, and Department Policy (SPD Policy 5.001), and any employees suspected of being in violation of laws or policy or other misconduct are subject to discipline, as outlined in SPD Policy 5.002.

Per the CJIS Security Policy:

“5.8.3 Digital Media Sanitization and Disposal The agency shall sanitize, that is, overwrite at least three times or degauss digital media prior to disposal or release for reuse by unauthorized individuals. Inoperable digital media shall be destroyed (cut up, shredded, etc.). The agency shall maintain written documentation of the steps taken to sanitize or destroy electronic media. Agencies shall ensure the sanitization or destruction is witnessed or carried out by authorized personnel.

5.8.4 Disposal of Physical Media Physical media shall be securely disposed of when no longer required, using formal procedures. Formal procedures for the secure disposal or destruction of physical media shall minimize the risk of sensitive information compromise by unauthorized individuals. Physical media shall be destroyed by shredding or incineration. Agencies shall ensure the disposal or destruction is witnessed or carried out by authorized personnel.”

**Concern: No dates or locations of deployments of technology**

**CTO Assessment:** The SIR identifies the number and most common deployment types of the KCSO helicopters and the table below outlines additional data available for Guardian One dispatches in 2018. [SPD Policy 16.060 -King County Sheriff's Office Air Support Unit](#) governs and outlines the use cases and approval process for officers to request air support at the discretion of the King County Sheriff's Office. It is our assessment that while SPD cannot change the King County Sheriff's office use policies, SPD has outlined their own policies about use of the images and video obtained from the Air Support Unit operation of the aircraft.

Guardian One Dispatches by Month and Precinct

	2018											
	January	February	March	April	June	July	August	Septem..	October	Novem..	Decemb..	
EAST		1									1	
NORTH	2	3		2		1					2	
SOUTH	3	3	2	4	1	4	1	2				
SOUTHWEST	1			1		1	1		1			3
WEST	1			1		1	1					
OUTSIDE SEATTLE				1								

**SIR Response:**

Section 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?

Per [SPD Policy 16.060 - King County Sheriff's Office Air Support Unit](#), when Guardian One is operational, the unit monitors SPD radio and advises SPD Communications when they are available to assist during active calls for service. SPD officers may also request air support assistance directly to Guardian One or through SPD Communications. The SPD policy states, "If Guardian One is off-duty, but their assistance is required for a police operation, a sergeant will screen the request and coordinate with Communications." If they respond to an SPD call, Guardian One and Guardian Two are documented as responding resources in the CAD event by SPD Communications.

The most common type of event in which Guardian One participated with SPD in 2018 was Robbery (8 events), followed by Automotive- including theft and recovery (7 events), Assault (6 events), and Burglary (6 events). Other event types include Domestic Violence, Kidnapping/Abduction, Prowler, Traffic Violations, Warrant Services, Weapons, Person-including missing, found, and runaway, Suspicious Person/Object, and Theft.

Section 4.4 How often will the technology be in operation?

The Air Support Unit operates six days per week and averages 1200 hours of flight time annually. In 2018, Guardian One responded to 45 SPD events. Guardian Two did not dispatch to any SPD calls for service.

## 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.

**OCR:** “Office of Civil Rights.”

**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.

**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, 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: Meeting Notice(s)



# City Surveillance Technology Event

October 28<sup>th</sup>, 2020  
12:00 p.m. – 1:00 p.m.  
[Webex Online Event](#)

**Join us for a public meeting to comment on a few  
of the City's surveillance technologies:**

**Seattle Police Department**

- Forward Looking Infrared Real-time Video (FLIR)
- Situational Awareness Cameras Without Recording
- Video Recording Systems

**[WebEx Online Event](#)**

Dial-in Info:  
+1-408-418-9388  
Access code: 146 533 4053

**Can't join us online?**

Visit <http://www.seattle.gov/surveillance> to leave an online comment or send your comment to **Surveillance and Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.**

The Open Comment period is from **October 7<sup>th</sup> – November 7<sup>th</sup>, 2020.**

**Please let us know at [Surveillance@seattle.gov](mailto:Surveillance@seattle.gov) if you need any accommodations. For more information, visit [Seattle.gov/privacy](http://Seattle.gov/privacy).**

Information provided to the City of Seattle is considered a public record and may be subject to public disclosure. For more information see the Public Records Act, RCW Chapter 42.56 or visit [Seattle.gov/privacy](http://Seattle.gov/privacy). All comments submitted will be included in the Surveillance Impact Report.

## Appendix C: All Comments Received from Members of the Public

ID: 12168954138

Submitted Through: Online Comment

Date: 11/13/2020 11:44:26 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Forward Looking Infrared Real-Time Video (FLIR)

**What concerns, if any, do you have about the use of this technology?**

The possible drift in usage in ambiguous situations, and how it might get triangulated with other technology like video recording. Apparent lack of clarity on data storage practices.

**What value, if any, do you see in the use of this technology?**

Finding people who are lost

**What do you want City leadership to consider about the use of this technology?**

Data governance. Setting clear, specific, easy to understand guidelines about use and storage of this information, and how that will get shared between SPD and KC Sheriff.

**Do you have any other comments?**

Please make sure that at public discussions where personnel are there to answer questions, that there's a subject matter expert present who can answer most general technical questions. That is more important than having an SPD officer present.

ID: 12167775924

Submitted Through: Online Comment

Date: 11/13/2020 11:05:58 AM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Forward Looking Infrared Real-Time Video (FLIR)

**What concerns, if any, do you have about the use of this technology?**

That this will be used to target Black people and protesters. It's expensive and that money is better used to feed, house, and clothe people in our city.

**What value, if any, do you see in the use of this technology?**

None at all.

**What do you want City leadership to consider about the use of this technology?**

Reject it.

**Do you have any other comments?**

Black Lives Matter.

**ID:** 12167464903

**Submitted Through:** Online Comment

**Date:** 11/13/2020 9:19:25 AM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Forward Looking Infrared Real-Time Video (FLIR)

**What concerns, if any, do you have about the use of this technology?**

Test

**What value, if any, do you see in the use of this technology?**

Test

**What do you want City leadership to consider about the use of this technology?**

Test

**Do you have any other comments?**

Test

**ID:** 12165148732

**Submitted Through:** Online Comment

**Date:** 11/12/2020 4:01:40 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Forward Looking Infrared Real-Time Video (FLIR)

**What concerns, if any, do you have about the use of this technology?**

I do not feel like SPD needs this technology nor do I think they will use it in a transparent way. There are considerable privacy concerns with the use of this technology.

**What value, if any, do you see in the use of this technology?**

I do not see any value in SPD having this technology.

**What do you want City leadership to consider about the use of this technology?**

I do not want this technology used in our city.

**Do you have any other comments?**

**ID:** 12164993335

**Submitted Through:** Online Comment

**Date:** 11/12/2020 3:03:42 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Forward Looking Infrared Real-Time Video (FLIR)

**What concerns, if any, do you have about the use of this technology?**

test

**What value, if any, do you see in the use of this technology?**

test

**What do you want City leadership to consider about the use of this technology?**

test

**Do you have any other comments?**

test

ID: 12164789404

**Submitted Through:** Online Comment

**Date:** 11/12/2020 1:56:19 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Forward Looking Infrared Real-Time Video (FLIR)

**What concerns, if any, do you have about the use of this technology?**

As of Nov. 12th, numerous questions from the public have not been answered by SPD and thus greatly hinder the ability for informed public comment. These questions include: (1) What are the registration/tail numbers for each helicopter? (2) In 2019 or 2020 did KCSO ASU have any additional helicopters? (3) Does only the Huey form Guardian Two and the other two Bell's form Guardian One? (4) How long does KCSO retain still images and recordings when assisting SPD? (5) Is SPD's Digital Evidence Management System (DEMS) a on-premise or Software-as-a-Service deployment? (6) Has SPD ever requested KCSO ASU services or obtained data from KCSO's helicopters and/or FLIR technology to surveil protesters? (7) What are the neighborhoods over which KCSO's helicopters have been deployed? (8) What other data gets combined by SPD with the ASU data (such as cellphone geolocations, social media monitoring/intel, other surveillance technologies on the City's Master List, etc.)? Additionally, SPD dodging some of these questions by directing the public to submit PRA requests (which have a 6-12 month turnaround time) and IT not stepping in point out that answers must be provided to the public before the public comment period closes, shows how little interest both SPD and IT truly have in an honest dialog with the public about surveillance technologies. Also, there are multiple gaps in the SPD manual that should be addressed either by modifications to SPD's manual and/or via ordinance. These gaps include: (1) SPD manual doesn't define a specific & restricted purpose of use of ASU (so largely the whim of an SPD officer and ASU availability). (2) SPD manual doesn't address ASU being used to surveil protesters and/or targeting historically over-policed communities/neighborhoods. (3) SPD manual doesn't address the privacy of unrelated members of the public, unsuspected of a crime, that may be surveilled with this technology or be in the recordings. (4) Lack of public oversight and accountability regarding SPD leveraging KCSO ASU. Not only should all of the above be addressed by also it's recommended that the City produce a publicly available annual report detailing use of KCSO ASU (how SPD used collected data, amount of data, data retention lengths & in what form, where it's stored, & neighborhoods deployed over). It should not take a PRA request for the public to have insight into SPD's use of surveillance tech/data.

### **What value, if any, do you see in the use of this technology?**

Because this technology lacks any guardrails on its use and SPD/IT are withholding information from the public, one can only safely assume predominantly negative circumstances under which this technology has been used (otherwise SPD should desire to make public how great and upstanding their work has been); therefore the cons outweigh the pros and this technology does not provide any noticeable value to the public.

### **What do you want City leadership to consider about the use of this technology?**

City leadership should be made aware of the information SPD/IT has withheld from the public. This information missing from the public includes: (1) What are the registration/tail numbers for each helicopter? (2) In 2019 or 2020 did KCSO ASU have any additional helicopters? (3) Does only the Huey form Guardian Two and the other two Bell's form Guardian One? (4) How long does KCSO retain still images and recordings when assisting SPD? (5) Is SPD's Digital Evidence Management System (DEMS) a on-premise or Software-as-aService deployment? (6) Has SPD ever requested KCSO ASU services or obtained data from KCSO's helicopters and/or FLIR technology to surveil protesters? (7) What are the neighborhoods over which KCSO's helicopters have been deployed? (8) What other data gets combined by SPD with the ASU data (such as cellphone geolocations, social media monitoring/intel, other surveillance technologies on the City's Master List, etc.)? City leadership should also be informed that SPD dodged some of these questions by directing the public to submit PRA requests (which have a 6-12 month turnaround time) and IT didn't step in to point out that answers must be provided to the public before the public comment period closes. City leadership should be encouraged to mandate (via SPD manual changes and/or ordinance) to address multiple gaps and add appropriate guardrails to the use of this technology. The current gaps include: (1) SPD manual doesn't define a specific & restricted purpose of use of ASU (so largely the whim of an SPD officer and ASU availability). (2) SPD manual doesn't address ASU being used to surveil protesters and/or targeting historically over-policed communities/neighborhoods. (3) SPD manual doesn't address the privacy of unrelated members of the public, unsuspected of a crime, that may be surveilled with this technology or be in the recordings. (4) Lack of public oversight and accountability regarding SPD leveraging KCSO ASU. City leadership should also be advised to mandate the City produce a publicly available annual report detailing use of KCSO ASU (how SPD used collected data, amount of data, data retention lengths & in what form, where it's stored, & neighborhoods deployed over). It should not take a PRA request for the public to have insight into SPD's use of surveillance tech/data. Without all of these guardrails being added, the technology should be permitted to be used. The risk to the public of over-surveillance is too great.

### **Do you have any other comments?**

There are many areas of improvement by IT/Privacy-dept. regarding their public engagement process on surveillance technologies. Some of the more recent issues include: (1) Public

comment via SurveyMonkey was configured by IT such that a single user (browser session) could only submit public comment on 1 technology. The only way to submit public comment on all the technologies would be use a different browser or clear you browser's cookies/session data, which many less technical people wouldn't know to do. This actively impedes public comment. It is ensuring there is the least public comment possible. (2) The Privacy dept. calendar event for the Group 3 public engagement meeting didn't include the access code for phone-only users to dial-in (one had to know of and go to the TechTalk blog to get the access code). (3) Directions at public engagement meeting for providing verbal public comment were to raise hand in webex which clearly is not possible for phone-only users. (4) Public engagement truncated. CTO told City Council it would be 45 days. Instead IT used 30 days with a 1 week extension agreed to be added (so 37 days). (5) The Group 3 public engagement meeting recording (as of Nov. 12th) has not been posted publicly, so people unable to attend don't have access to the discussion/Q&A before the public comment period closes. (6) SPD has not provided answers before the public comment period closes. (7) SPD further dodged valid questions from the public by requiring PRA requests, which have zero hope of being addressed within the public comment period. (8) IT has repeatedly requested & attained (and in 1 case, just self-granted) time extensions for the Surveillance Ordinance process. When the public needs time for SPD to provide answers so as to provide informed public comment, now suddenly IT is on a tight time schedule and can't extend the public comment period. Additionally, IT/Privacy-dept. has repeatedly lamented the lack of public engagement, but have also taken no additional steps to rectify this for Group 3; and did not heed prior feedback from the CSWG regarding the engagement process. There are numerous steps IT/Privacy-dept. should take to improve public engagement. The recommendations to the CTO & CPO for Group 4 include: (1) Breaking the group into smaller groups. Group 4 on deck with 13 technologies: 2 re-visits of SFD tech, 3 types of undercover technologies, & 8 other technologies. (2) Allocating more time for open public comment: minimum of 2 weeks per each in scope tech (so Group 3 would be 42 days, and Group 4 would be 154 - 182 days). (3) Hold more public engagement meetings per Group - specifically the number of public engagement meetings should at a minimum match the number of technologies being considered for public comment (otherwise the meeting will run out of time before all the questions from the public can even be asked, which did happen with Group 3). (4) Require at the public engagement meetings both a Subject Matter Expert on the use of the technology AND a Subject Matter Expert on the technical management of the technology. There should be no excuse for most of the public's questions being unanswered by the City at these meetings. (5) Hold public engagement meetings that are accessible to marginalized communities most likely to have this technology used against them (such as, holding meetings at various times of day & weekends, having translators, etc). (6) Post online the recordings of all online public engagement meetings at least 1 week before the public comment period closes. (7) Require departments to provide answers to the public's questions at least 1 week before the public comment period closes. (8) Post public announcements for focus groups held by the City (9) Public engagement meetings and focus groups should have at least 1 outside civil liberties representative to present. (10) Publish to

the Privacy website in a more timely manner the CSWG meeting announcements and minutes. (11) Work with more City departments (not just Dept. of Neighborhoods) to foster engagement. (12) Work with more City boards and committees to foster engagement. (13) Provide at least 2 week lead time between announcing a public engagement meeting and the timing of that meeting occurring. (14) Provide early versions of drafts SIRs to the CSWG (as they requested more than once).

**ID:** 12161313635

**Submitted Through:** Online Comment

**Date:** 11/13/2020 11:03:49 AM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Forward Looking Infrared Real-Time Video (FLIR)

**What concerns, if any, do you have about the use of this technology?**

1

**What value, if any, do you see in the use of this technology?**

2

**What do you want City leadership to consider about the use of this technology?**

3

**Do you have any other comments?**

4

**ID:** 12128589537

**Submitted Through:** Online Comment

**Date:** 11/1/2020 6:58:29 AM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Forward Looking Infrared Real-Time Video (FLIR)



**What concerns, if any, do you have about the use of this technology?**

It is military weapons platform equipment and technology. They don't share with HLS Fusion? If not today, there is tomorrow.

**What value, if any, do you see in the use of this technology?**

Only for the further advancement of "Big Brother and to continue supporting paramilitariesing SPD and KCSD.

**What do you want City leadership to consider about the use of this technology?**

It is used for advanced and long range targeting.

**Do you have any other comments?**

Read the Voyuer RCW. Naked eye.

**ID:** 12125455624

**Submitted Through:** Online Comment

**Date:** 10/30/2020 12:34:17 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Forward Looking Infrared Real-Time Video (FLIR)

**What concerns, if any, do you have about the use of this technology?**

In section 4.2 of the full report, "The video is requested as evidence from King County and stored using existing video evidence storage policies including SPDPolicy 7.090." The scope of the data collected is broader than that associated with a request fo

**What value, if any, do you see in the use of this technology?**

**What do you want City leadership to consider about the use of this technology?**

City leadership should consider under what conditions this technology is in use and whether a warrant is needed to approve this. The City leadership should consider whether or not this constitutes "evidence." City leadership should consider all of the

**Do you have any other comments?**

**ID:** 12118975621

**Submitted Through:** Online Comment

**Date:** 10/28/2020 5:09:38 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Forward Looking Infrared Real-Time Video (FLIR)

**What concerns, if any, do you have about the use of this technology?**

This is a creepy tool to put in the hands of people who have already proven they can't be trusted with the tools they use. This shouldn't be a surveillance state. Our police shouldn't be able to monitor us from the air with technology that can see us when

**What value, if any, do you see in the use of this technology?**

None that isn't outweighed by putting dangerous surveillance tech in the hands of SPD.

**What do you want City leadership to consider about the use of this technology?**

Not using it.

**Do you have any other comments?**

Seattle City Council isn't the Communist Party of China. Don't act like it.

**ID:** 12118928781

**Submitted Through:** Online Comment

**Date:** 10/28/2020 4:50:49 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Forward Looking Infrared Real-Time Video (FLIR)

**What concerns, if any, do you have about the use of this technology?**

I have no concerns regarding its use.

**What value, if any, do you see in the use of this technology?**

**What do you want City leadership to consider about the use of this technology?**

**Do you have any other comments?**

**ID:** 12117873188

**Submitted Through:** Online Comment

**Date:** 10/28/2020 10:58:58 AM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Forward Looking Infrared Real-Time Video (FLIR)

**What concerns, if any, do you have about the use of this technology?**

I am concerned innocent bystanders privacy is violated with use of this surveillance.

**What value, if any, do you see in the use of this technology?**

None. This is major privacy violation.

**What do you want City leadership to consider about the use of this technology?**

Refuse.

**Do you have any other comments?**

The links to comment on proposed surveillance methods are difficult to find and if I didn't know any better, I'd say they're "hidden" purposefully.

**ID:** 12111684041

**Submitted Through:** Online Comment

**Date:** 10/26/2020 6:20:22 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Forward Looking Infrared Real-Time Video (FLIR)

**What concerns, if any, do you have about the use of this technology?**

I am concerned that a) this technology is or will be used against protesters exercising their first amendment rights to freedom of speech and assembly, that it will have a chilling effect on those rights, and create safety issues for protesters if informa

**What value, if any, do you see in the use of this technology?**

**What do you want City leadership to consider about the use of this technology?**

**Do you have any other comments?**

**ID:** 12111484053

**Submitted Through:** Online Comment

**Date:** 10/26/2020 4:52:50 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Forward Looking Infrared Real-Time Video (FLIR)

**What concerns, if any, do you have about the use of this technology?**

Every time I turn around, I see another article about how technology is deepening inequities. Increased surveillance is not the answer to our social ills--it will only deepen them.

**What value, if any, do you see in the use of this technology?**

None. We do not need more surveillance. There is enough already!

**What do you want City leadership to consider about the use of this technology?**

The social costs are potentially very deep, and far outweigh any savings in terms of police time or private property.

**Do you have any other comments?**

**ID:** 12103746854

**Submitted Through:** Online Comment

**Date:** 10/23/2020 9:02:47 AM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Forward Looking Infrared Real-Time Video (FLIR)

**What concerns, if any, do you have about the use of this technology?**

None

**What value, if any, do you see in the use of this technology?**

Assist in locating/tracking for a variety of reasons more efficiently in most any environment or condition

**What do you want City leadership to consider about the use of this technology?**

There should be oversight, rules and regulations regarding the use of this tool and subsequent data with accountability

**Do you have any other comments?**

Not at this time

**ID:** 12102858883

**Submitted Through:** Online Comment

**Date:** 10/23/2020 4:31:30 AM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Forward Looking Infrared Real-Time Video (FLIR)

**What concerns, if any, do you have about the use of this technology?**

Thermal Imaging will be abused to surveil, track, direct, and disrupt legal protest movements.

**What value, if any, do you see in the use of this technology?**

Thermal Imaging enables easier searching of victims in Search and Rescue.

**What do you want City leadership to consider about the use of this technology?**

Limit usage to casualty events or search and rescue. That's where it's totally positive.

**Do you have any other comments?**

**ID:** 12102022133

**Submitted Through:** Online Comment

**Date:** 10/22/2020 8:19:02 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Forward Looking Infrared Real-Time Video (FLIR)

**What concerns, if any, do you have about the use of this technology?**

This technology will not be used to keep anyone safe. Rather it will be used to surveil members of the public, specifically protestors, in order to arrest, attack, and harm them. SPD has already used tools at their disposable to brutalize protestors and B

**What value, if any, do you see in the use of this technology?**

There is no value to this technology.

**What do you want City leadership to consider about the use of this technology?**

There is no reason that residents of Seattle should be surveilled in this manner. This will only cause more harm. Do not authorize the use of this technology.

**Do you have any other comments?**

Do not authorize the use of this technology. If you do, more members of the public will be attested, injured, or killed by the police.

**ID:** 12101809731

**Submitted Through:** Online Comment

**Date:** 10/22/2020 6:10:30 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Forward Looking Infrared Real-Time Video (FLIR)

**What concerns, if any, do you have about the use of this technology?**

I don't think we can trust SPD to use this responsibly. They've proven that they will track down, harass, and persecute those who disagree with their tactics. It's a department full of white supremacists. We don't need to put this kind of technology into

**What value, if any, do you see in the use of this technology?**

While I want to think it would be helpful, I see none at this point, given that the SPD will use the technology. It really renders even considering value useless. Its value is negative to Seattle Citizens.

**What do you want City leadership to consider about the use of this technology?**

If there is any technology that the SPD can use to track people down, they will use it for hunting down black, brown, indigenous, and transgender people, as well as any other minority and marginalized groups that they can. There are obvious cases, on came

**Do you have any other comments?**

DEFUND THE SPD

**ID:** 12101790683

**Submitted Through:** Online Comment

**Date:** 10/22/2020 5:59:10 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Forward Looking Infrared Real-Time Video (FLIR)

**What concerns, if any, do you have about the use of this technology?**

This comment applies to all listed technologies. SPD is a deeply untrustworthy agency that has not proven their use of technology responsible. This technology will be used to repress citizens by an organization that has repeatedly proven their disdain for

**What value, if any, do you see in the use of this technology?**

None. This will purely be used to harm citizens and further the reach of out of control agency.

**What do you want City leadership to consider about the use of this technology?**

I want city leadership to know that this technology will only further erode the trust of the people in their city. SPD will use this technology irresponsibly as they have with SDOTs traffic cameras.

**Do you have any other comments?**

**ID:** 12101680822

**Submitted Through:** Online Comment

**Date:** 10/22/2020 5:06:33 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Forward Looking Infrared Real-Time Video (FLIR)

**What concerns, if any, do you have about the use of this technology?**

Please apply my comments to all surveillance tech listed here. SPD needs to be dismantled to all but officers needed for violent crime and to purge it of a culture of white supremacy. Their poor handling/escalation of force with recent protests means they

**What value, if any, do you see in the use of this technology?**

None. This equipment has no place in our community, especially with a police force as untrustworthy with equipment and citizen's safety as ours.

**What do you want City leadership to consider about the use of this technology?**

It will only be abused. Until SPD is torn down and non-violent crime services moved elsewhere we cannot continue to arm them with ever more advanced equipment.

**Do you have any other comments?**

I don't consider myself an activist but can't ignore the heinous and brazen behavior of SPD in recent months and don't want to see investment made in technology they'll surely use to further abuse citizens.

**ID:** 12101591052

**Submitted Through:** Online Comment

**Date:** 10/22/2020 4:28:31 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**



SPD: Forward Looking Infrared Real-Time Video (FLIR)

**What concerns, if any, do you have about the use of this technology?**

Are flashlights not good enough for SPD? I don't see a use case for the police to use FLIR where a regular light would not serve the same purpose. Seattle is not a war zone.

**What value, if any, do you see in the use of this technology?**

It's a great way to waste our money.

**What do you want City leadership to consider about the use of this technology?**

I don't want to live in a city where the police can surveil you and identify you anywhere at any time. I should be able to attend a protest or political meeting and not worry about extrajudicial police harassment. SPD has recently and repeatedly shown its

**Do you have any other comments?**

All of these are an incredible waste of money, especially when the rest of the city is looking at austerity.

ID: 12101428379

Submitted Through: Online Comment

Date: 10/22/2020 3:18:06 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Forward Looking Infrared Real-Time Video (FLIR)

**What concerns, if any, do you have about the use of this technology?**

Law enforcement has demonstrated a lack of regard for the fourth amendment and I do not think that expanding their power to record residents without a warrant is wise in any form.

**What value, if any, do you see in the use of this technology?**

None

**What do you want City leadership to consider about the use of this technology?**

Don't use it

**Do you have any other comments?**

**ID:** 12101367556

**Submitted Through:** Online Comment

**Date:** 10/22/2020 2:54:00 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Forward Looking Infrared Real-Time Video (FLIR)

**What concerns, if any, do you have about the use of this technology?**

None.

**What value, if any, do you see in the use of this technology?**

This will save officers lives and the lives of the public

**What do you want City leadership to consider about the use of this technology?**

Aloe the use of this technology. It will save lives.

**Do you have any other comments?**

Aloe the use of this technology. It will save lives.

**ID:** 12101215876

**Submitted Through:** Online Comment

**Date:** 10/22/2020 1:55:56 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Forward Looking Infrared Real-Time Video (FLIR)

**What concerns, if any, do you have about the use of this technology?**

Isn't this technology going to be used for the further suppression of protests against police brutality?

**What value, if any, do you see in the use of this technology?**

The SPD budget is already bloated and over funded

**What do you want City leadership to consider about the use of this technology?**

The money that would be used on these surveillance technologies should be going to housing and social services. Our city is in a homelessness crisis.

**Do you have any other comments?**

I'm disgusted to see the SPD doing the opposite of what the protest movement has demanded of them. We dont need more gadgets to increase policing we need more social services- what studies have proven ACTUALLY decrease crime and mortality

**ID:** 12101204854

**Submitted Through:** Online Comment

**Date:** 10/22/2020 1:51:35 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Forward Looking Infrared Real-Time Video (FLIR)

**What concerns, if any, do you have about the use of this technology?**

Why does the Seattle Police Department feel the need to use military surveillance equipment on its domestic population?

**What value, if any, do you see in the use of this technology?**

None, disgusting

**What do you want City leadership to consider about the use of this technology?**

I would like City leadership to consider why they feel it is appropriate to arm our police force to the teeth like its own small paramilitary group

**Do you have any other comments?**

Abolish the Seattle Police Department, remove Jenny Durkan from office

**ID:** 12101046061

**Submitted Through:** Online Comment

**Date:** 10/22/2020 12:58:06 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Forward Looking Infrared Real-Time Video (FLIR)

**What concerns, if any, do you have about the use of this technology?**

No matter what you say in response to public comment, we know you're just using this to help oppress citizens and protesters. Come on.

**What value, if any, do you see in the use of this technology?**

None

**What do you want City leadership to consider about the use of this technology?**

Abandon it.

**Do you have any other comments?**

You are the villains you grew up hoping to never be.

**ID:** 12101028005

**Submitted Through:** Online Comment

**Date:** 10/22/2020 12:52:28 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Forward Looking Infrared Real-Time Video (FLIR)

**What concerns, if any, do you have about the use of this technology?**

Citizens under the 4th amendment have a right to privacy. You're surveiling citizens with a presumption that they are guilty and don't deserve that right. It's not okay.

**What value, if any, do you see in the use of this technology?**

None. Literally none.

**What do you want City leadership to consider about the use of this technology?**

I want them to not implement it and not allow our police to use any type of technology that infringes on our inalienable rights as Americans.

**Do you have any other comments?**

Defund SPD should also include their technologies used for spying on citizens.

## Appendix D: Letters from Organizations or Commissions

November 6, 2020

Seattle Information Technology  
700 5<sup>th</sup> Ave, Suite 2700  
Seattle, WA 98104

RE: ACLU of Washington Comments on Group 3 Surveillance Technologies

On behalf of the ACLU of Washington, I write to offer our comments on the surveillance technologies included in Group 3 of the Seattle Surveillance Ordinance implementation process.

The three Seattle Police Department (SPD) technologies in Group 3 are covered in the following order:

1. Forward Looking Infrared – King County Sheriff's Office Helicopters
2. Video Recording Systems
3. Situational Awareness Cameras Without Recording

These comments should be considered preliminary, given that the Surveillance Impact Reports (SIR) for each technology leave a number of important questions unanswered. Specific unanswered questions for each technology are noted in the comments relating to that technology. Answers to these questions should be included in the updated SIRs provided to the Community Surveillance Working Group and to the City Council prior to their review of the technologies.

### Forward Looking Infrared - KCSO Helicopters

#### *Background*

Forward Looking Infrared (FLIR) is a powerful thermal imaging surveillance technology that raises a number of privacy and civil liberties concerns because of its ability to enable dragnet surveillance of individuals in public as well as in private spaces.

FLIR cameras sense infrared radiation to create images assembled for real-time video output. This technology detects small differences in heat, or emitted thermal energy, and displays them as shades of gray or with different colors. Because all objects emit different amounts of thermal energy, FLIR cameras are able to detect temperature differences and translate them into images.<sup>1</sup>

Advanced thermal imaging systems like FLIR allow governments to increase their surveillance capabilities. Like any device used for surveillance, government agents may use it inappropriately to gather information on people based on their race, religion, or political views. While thermal imaging devices cannot “see” through

<sup>1</sup> ACLU of Washington, *Thermal Imaging Surveillance*, [THEYAREWATCHING.ORG](https://theyarewatching.org/technology/thermal-imaging-surveillance), <https://theyarewatching.org/technology/thermal-imaging-surveillance> (last visited Nov. 5, 2020).



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[aclu-wa.org](http://aclu-wa.org)

Tana Lin  
Board President

Michele Stormo  
Executive Director

walls, pointing a thermal camera at a building can still reveal sensitive information about what is happening inside. Drug detectives often use these devices to identify possible marijuana growers by looking for heat consistent with grow lights.<sup>2</sup> Furthermore, privacy and civil liberties concerns with FLIR are magnified when FLIR is used in conjunction with other powerful surveillance tools such as facial recognition and drones.

The Seattle Police Department (SPD) uses three King County Sheriff's Office helicopters that are equipped with FLIR technology as well as 30-million candlepower "Night Sun" searchlights, Pro Net and LoJack radio tracking receivers, still and video cameras, and communications equipment for communicating with local, state, and federal law and firefighting agencies on their frequencies. SPD can use FLIR technology and these helicopters to monitor human beings (whose body temperatures are fairly consistent) through clouds, haze, and darkness.

There are serious concerns with SPD's use of KCSO's helicopters as described in the SIR. The policies attached in the SIR do not include purpose limitations, adequate privacy and security protections, or restrictions on use. The SIR also does not specify how long KCSO retains still images and recordings attained when assisting SPD, or whether SPD's Digital Evidence Management System (DEMS) is an on-premise or a Software-as-a-Service (SaaS) deployment.

At the public engagement meeting held on October 28, 2020,<sup>3</sup> SPD officers were asked if SPD had ever used KCSO helicopters or FLIR technology for the purpose of surveilling protesters and if SPD had any policies prohibiting use of these technologies for protester surveillance. The officers were also asked over which neighborhoods the helicopters had been deployed, given that the SIR states that in 2018, Guardian One was deployed 45 times to SPD events. For both questions, SPD officers declined to answer and told the public to submit public records requests. However, because SPD's Public Records Act request portal states that the minimum response timeline is in excess of 6-12 months, members of the public would not be able to receive answers to these questions in time to submit public comments on these technologies.

Given the lack of adequate policies in the SIR and the number of unanswered questions that remain, we have concerns that SPD's use of KCSO's helicopters and FLIR technology may infringe upon people's civil rights and civil liberties. KCSO's FLIR-equipped helicopters may be used to disproportionately surveil historically targeted communities, individuals exercising their constitutionally protected right to protest, or people just going about their lives.

#### *Specific Concerns*

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<sup>2</sup> In the 2001 case *Kyllo v. United States*, the U.S. Supreme Court ruled that federal agents violated the Fourth Amendment when they used a thermal imaging device to detect marijuana plants growing inside a home.

<sup>3</sup> Seattle Police Department, *Surveillance Technology Public Comment Meeting*, CITY OF SEATTLE (Oct. 28, 2020), <https://www.seattle.gov/Documents/Departments/Tech/Privacy/Group%203%20Presentation.pdf>.

- **There are inadequate policies defining purpose of use.** The policies cited in the SIR do not impose meaningful restrictions on the purpose for which SPD may request that KCSO helicopters and FLIR technology be used. Policy 16.060 – King County Sheriff’s Office Air Support Unit<sup>4</sup> simply states that “Guardian One offers air support for patrol and specialized missions” and that “Guardian Two offers air support for special operations such as search and rescue (SAR) and tactical missions.” This policy only describes the process by which SPD may request support from KCSO’s air support unit but does not state the specific purposes for which SPD may or may not request support. Section 4.9 of the SIR<sup>5</sup> states that SPD may request video from KCSO’s Air Unit “[w]hen necessary and pertinent to a specific investigation” but does not specify the types of investigations for which SPD may request data from KCSO or how it is determined if such data is necessary and pertinent. Policy 6.060 – Collection of Information for Law Enforcement Purposes<sup>6</sup> states that “Information will be gathered and recorded in a manner that does not unreasonably infringe upon: individual rights, liberties, and freedoms guaranteed by the Constitution of the United States and the State of Washington” and Policy 5.140 – Bias-Free Policing states that “officers will not engage in bias-based policing.”<sup>7</sup> However, SPD’s answers at the October 28 public engagement meeting do not make clear whether and how SPD prohibits use of KCSO helicopters to engage in surveillance of protesters or biased policing. Section 1.4.2 of the Racial Equity Toolkit (RET) section of the SIR specifically asks: “How are decisions made where the technology is used or deployed? How does the Department work to ensure diverse neighborhoods are not specifically targeted?”<sup>8</sup> The response from SPD directs attention to SPD Policy 16.060, which does not provide adequate purpose limitations.
- **There are inadequate policies restricting data collection.** The policies cited in the SIR do not place any restrictions on the amount or types of data SPD may request from KCSO. At the October 28 public engagement meeting, SPD officers did not answer whether or how SPD places time or geographic limitations on the data it may request from KCSO.

<sup>4</sup> Seattle Police Department, *Seattle Police Department Manual: 16.060 - King County Sheriff’s Office Air Support Unit*, CITY OF SEATTLE (Mar. 1, 2016), <http://www.seattle.gov/police-manual/title-16---patrol-operations/16060---king-county-sheriffs-office-air-support-unit>.

<sup>5</sup> Seattle Police Department, *2020 Surveillance Impact Report: Forward Looking Infrared Real-Time Video (FLIR) (KCSO Helicopters)*, CITY OF SEATTLE, at 12, [http://www.seattle.gov/Documents/Departments/Tech/Privacy/FLIR%20-%20KCSO%20Helicopters%20Public\\_Engagement%20SIR.pdf](http://www.seattle.gov/Documents/Departments/Tech/Privacy/FLIR%20-%20KCSO%20Helicopters%20Public_Engagement%20SIR.pdf) (last visited Nov. 5, 2020).

<sup>6</sup> Seattle Police Department, *Seattle Police Department Manual: 6.060 - Collection of Information for Law Enforcement Purposes*, CITY OF SEATTLE (May 19, 2004), <http://www.seattle.gov/police-manual/title-6---arrests-search-and-seizure/6060---collection-of-information-for-law-enforcement-purposes>.

<sup>7</sup> Seattle Police Department, *Seattle Police Department Manual: 5.140 - Bias-Free Policing*, CITY OF SEATTLE (Aug. 1, 2019), <http://www.seattle.gov/police-manual/title-5---employee-conduct/5140---bias-free-policing>.

<sup>8</sup> *2020 Impact Report: Infrared Video*, supra note 5, at 23.



- **It is unclear if and how SPD protects the privacy of individuals unrelated to an investigation.** The SIR does not include any policies regarding how it redacts or deletes information. At the October 28 public engagement meeting, SPD officers did not provide an answer to the question of whether and how it redacts or deletes information collected that may compromise the privacy of individuals unrelated to an investigation.
- **It is unclear how data collected are stored and protected.** SPD stated at the October 28 public engagement meeting that it is unaware of how long KCSO retains still images and recordings obtained when assisting SPD. While SPD officers stated that SPD stores video requested from KCSO in its Digital Evidence Management System (DEMS)—not Evidence.com, this is not made clear within the SIR. Additionally, SPD officers did not answer whether SPD’s DEMS is on on-premise or Software-as-a-Service (SaaS) deployment.
- **The SIR does not provide the dates and neighborhoods over which KCSO helicopters and FLIR technology have been deployed.** Though the SIR states that there have been 45 deployments of Guardian One to support SPD in 2018, the SIR does not include an analysis of the locations of those deployments.<sup>9</sup> Additionally, during the October 28 public engagement meeting, SPD declined to state the neighborhoods over which the helicopters had been deployed. It is important that SPD include this information in the Racial Equity Toolkit section of the final SIR in order to address the following questions in Section 1.4.2: “How are decisions made where the technology is used or deployed? How does the Department work to ensure diverse neighborhoods are not specifically targeted?”<sup>10</sup>

#### *Outstanding Questions*

- What are the registration and/or tail numbers for each helicopter?
- In 2019 and 2020, did the KCSO Air Support Unit have any additional helicopters aside from the three listed in the SIR?
- How long does KCSO retain still images and recordings attained when assisting SPD?
- Is SPD’s Digital Evidence Management System (DEMS) an on-premise deployment or is it Software-as-a-Service?
- Has SPD ever requested KCSO ASU services or obtained data from KCSO’s helicopters and/or FLIR technology to surveil protesters?
- What are the neighborhoods over which KCSO’s helicopters have been deployed?

#### *Recommendations for Regulation*

At this stage, pending answers to the questions above, we can make only preliminary recommendations for the regulation of SPD’s use of KCSO’s helicopters and FLIR technology. We recommend that the Council adopt, via ordinance, at a minimum, clear and enforceable rules that ensure the following:

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<sup>9</sup> *Id.* at 9.

<sup>10</sup> *Id.* at 23.

- **SPD must abide by a specific and restricted purpose of use:** The ordinance should define a specific purpose of use for KCSO's helicopters and FLIR technology, and any SPD use of KCSO's helicopters and FLIR technology and data collected with these technologies must be restricted to that specific purpose.
- **SPD must adopt processes to ensure it is not targeting diverse neighborhoods.** The ordinance should prohibit SPD from using KCSO's helicopters and FLIR technology to disproportionately surveil communities of color and other historically over-policed communities.
- **SPD must protect the privacy of individuals unrelated to a specific search or investigation.** The ordinance should require SPD to redact or delete information collected that may compromise the privacy of individuals not related to a specific search or investigation, restricted by the purpose of use.
- **SPD must produce a publicly available annual report detailing its use of KCSO helicopters and FLIR technology.** The ordinance should require that SPD produce an annual report including details on how SPD used the data collected, the amount of data collected, for how long data were retained and in what form, where the data are stored, and the neighborhoods over which KCSO helicopters and/or FLIR technology were deployed.

### Video Recording Systems

#### *Background*

SPD uses two cameras systems to record and/or monitor members of the public within SPD interview rooms, Blood Alcohol Collection (BAC) rooms, and precinct holding cells: Genetec Video Management System and Milestone Systems XProtect Video Management Software and Products.

Genetec Video Management System is a permanently installed system primarily used to record in-person interactions and interviews with crime victims, witnesses, and suspects in seven designated interview rooms located at the SPD headquarters in the Seattle Justice Center. This system is used to create a video record of interviews for the purposes of use in criminal justice proceedings. Milestone Systems XProtect Video Management Software and Products is a permanently installed system in SPD's Blood Alcohol Collection (BAC) rooms and precinct holding cells. They record continuously all activity in those locations.<sup>11</sup>

SPD's use of these video recording systems can pose threats to people's privacy and civil liberties if used without adequate safeguards. The SIR does not provide adequate purpose limitations regarding SPD's use of these technologies, does not include full details of the capabilities of these systems, and does not adequately specify technical and procedural safeguards to prevent improper viewing,

<sup>11</sup> Seattle Police Department, *2020 Surveillance Impact Report: Video Recording Systems (Interview, Blood-Alcohol Collection Room, and Precinct Holding Cell Audio)*, CITY OF SEATTLE, at 4, [https://www.seattle.gov/Documents/Departments/Tech/Privacy/Video%20Recording%20Systems%20Public\\_Engagement%20SIR.pdf](https://www.seattle.gov/Documents/Departments/Tech/Privacy/Video%20Recording%20Systems%20Public_Engagement%20SIR.pdf) (last visited Nov. 5, 2020).

collection, or storage of the images or video footage.

#### *Specific Concerns*

- **There are inadequate policies defining purpose of use.** Section 4.9 of the SIR asks, “What are acceptable reasons for access to the equipment and/or data collected?”<sup>12</sup> The response does not specifically detail how and for what purpose the equipment and/or data collected from the equipment may be used.
- **The capabilities of the Genetec and Milestone systems are unclear.** SPD does not provide links or attachments providing specific details about either of the systems they use. Both Genetec<sup>13</sup> and Milestone<sup>14</sup> advertise facial recognition systems that may be integrated with its video management systems.
- **It is unclear how data are collected, stored, and protected.** The SIR does not make clear whether SPD stores the data they receive in the Digital Evidence Management System or Evidence.com, a cloud-based digital evidence platform owned by Axon. The SIR simply references SPD policy 7.110 – Recorded Statements, which states that data may be uploaded to the Digital Evidence Management System (DEMS) or Evidence.com.<sup>15</sup> Additionally, the SIR does not include information about the security practices SPD follows to protect the privacy of members of the public who are recorded by the Genetec and Milestone video management systems. Finally, the SIR does not specify who has permission to modify the pan, tilt, and/or zoom of the cameras.

#### *Outstanding Questions*

- Does SPD use a Genetec or Milestone partner add-on that enables facial recognition or other biometric data collection/identification?
- How are firmware/software updates applied to the Genetec systems?
- What security practices does SPD follow?
- Where does the SPD Evidence Section store the Genetec-generated recordings and Milestone recordings they receive?
- For both the Genetec and Milestone systems, who has permission to modify the pan, tilt, and/or zoom of the cameras?

<sup>12</sup> *Id.* at 12.

<sup>13</sup> *Security Center Omnicast IP video surveillance*, GENETEC, <https://resources.genetec.com/video-modules-and-add-ons/omnicast-ip-video-surveillance> (last visited Nov. 5, 2020).

<sup>14</sup> *Dahua Face Recognition Plugin for Milestone VMS*, MILESTONE, <https://www.milestonesys.com/marketplace/zhejiang-dahua-technology-co.-ltd/dahua-face-recognition-plugin-for-milestone-vms/> (last visited Nov. 5, 2020); *Id-Guard Face Recognition Plugin*, MILESTONE, <https://www.milestonesys.com/marketplace/ll-recfaces/id-guard-face-recognition-plugin/> (Nov. 5, 2020).

<sup>15</sup> Seattle Police Department, *Seattle Police Department Manual: 7.110 - Recorded Statements*, CITY OF SEATTLE (Oct. 1, 2020), <https://www.seattle.gov/police-manual/title-7---evidence-and-property/7110---recorded-statements>.

### *Recommendations for Regulation*

At this stage, pending answers to the questions above, we can make only preliminary recommendations for the regulation of SPD's use of video recording systems. We recommend that the Council adopt, via ordinance, at a minimum, clear and enforceable rules that ensure the following:

- **SPD must abide by a specific and restricted purpose of use:** The ordinance should define a specific purpose of use for any video recording systems used by SPD, and any use must be restricted to that specific purpose.
- **SPD must not use any video recording systems that have capabilities beyond what is strictly necessary to fulfill the purpose of use (e.g., recording custodial interrogations).** The ordinance should prohibit incorporating additional services such as facial recognition systems with the video recording systems.

### **Situational Awareness Cameras Without Recording**

#### *Background*

SPD uses four types of portable cameras to observe both public and private areas during tactical operations. The four types of cameras and their vendors are:

- Robot-mounted cameras – RoboteX
- Pole-mounted cameras – Tactical Electronics & Smith and Wesson
- Placeable cameras – Remington & Tactical Electronics
- Throwable cameras – Remington & Tactical Electronics<sup>16</sup>

SPD's use of these situational awareness cameras can pose threats to people's privacy and civil liberties if used without adequate safeguards. The SIR does not provide adequate purpose limitations regarding SPD's use of these technologies, does not include full details of the capabilities of the cameras, and does not adequately specify technical and procedural safeguards to prevent improper viewing, collection, or storage of the images or video footage.

#### *Specific Concerns*

- **There are inadequate policies defining purpose of use.** Section 4.9 of the SIR asks, "What are acceptable reasons for access to the equipment and/or data collected?" The response states: "The decision to use situational awareness cameras is made on a case-by-case basis. These devices allow officers to monitor a subject or watch situation from a position of safety and distance. Absent exigent circumstances, a signed warrant is obtained prior to the use of this technology in any protected area."<sup>17</sup> This response does not

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<sup>16</sup> Seattle Police Department, *2020 Surveillance Impact Report: Situational Awareness Cameras Without Recording*, CITY OF SEATTLE, at 5, [https://www.seattle.gov/Documents/Departments/Tech/Privacy/Situational%20Awareness%20Cameras%20Public\\_Engagement%20SIR.pdf](https://www.seattle.gov/Documents/Departments/Tech/Privacy/Situational%20Awareness%20Cameras%20Public_Engagement%20SIR.pdf) (last visited Nov. 5, 2020).

<sup>17</sup> *Id.* at 8.

provide a clear and limited purpose for which this technology may or may not be used. While SPD's response states that a warrant is obtained prior to use of the cameras in protected areas, such as inside a home, it does not state the specific purposes for which SPD may or may not use the cameras without a warrant.

- **The capabilities of the situational awareness cameras are unclear.** The SIR does not provide manuals or the complete model names and/or numbers of each of the camera technologies. During the October 28 public engagement meeting, SPD stated that their situational awareness cameras do not support recording. However, the vendor websites advertise situational awareness cameras that do support recording. For example, the Tactical Electronics Core Monitor,<sup>18</sup> Pole Camera,<sup>19</sup> and Under Door Camera<sup>20</sup> can either take photos, record video, and/or record audio.
- **It is unclear what technical and procedural safeguards are in place to prevent the improper viewing, collection, and storage of images.** During the October 28 public engagement meeting, SPD stated that there is no way that images, video, or audio footage could be collected and stored. In order to verify that information, SPD must provide detailed information about the technologies it uses as stated above. Additionally, even if the cameras themselves cannot record footage, it is unclear if there are policies and procedures in place to prevent live-streamed situational camera footage from being recorded via a different device.

#### *Outstanding Questions*

- What are the complete model names/numbers for each of the equipment in scope for the Situational Awareness Cameras?
- What technical safeguards are in place to prevent the storage/retention of images?
- 7.3 of Situational Awareness Cameras SIR states "[the SWAT Unit] have mitigated the risk of improper viewing of the protected areas." How specifically have they mitigated the risk?
- What (if any) sections of the SPD Manual specifically cover the use of these technologies by SWAT?

#### *Recommendations for Regulation*

At this stage, pending answers to the questions above, we can only make preliminary recommendations for the regulation of SPD's use of situational awareness cameras. We recommend that the Council adopt, via ordinance, at a minimum, clear and enforceable rules that ensure the following:

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<sup>18</sup> *Core Monitor*, TACTICAL ELEC., <https://www.tacticalelectronics.com/product/core-monitor/> (last visited Nov. 5, 2020).

<sup>19</sup> *Core Pole Camera*, TACTICAL ELEC., <https://www.tacticalelectronics.com/product/core-pole-camera/> (last visited Nov. 5, 2020).

<sup>20</sup> *Core Under Door Camera*, TACTICAL ELEC., <https://www.tacticalelectronics.com/product/core-under-door-camera/> (last visited Nov. 5, 2020).

- **SPD must abide by a specific and restricted purpose of use:** The ordinance should define a specific purpose of use for situational awareness cameras used by SPD, and any use must be restricted to that specific purpose.
- **SPD must not use any situational awareness cameras that have capabilities beyond what is strictly necessary to fulfill the purpose of use defined by the ordinance.** The ordinance should prohibit SPD from using cameras that have facial recognition or recording capabilities.
- **SPD must adopt technical and procedural safeguards to prevent misuse of the situational awareness cameras.** The ordinance should require SPD adopt safeguards that prevent use of the cameras or the footage streamed from the cameras for purposes beyond what is defined in the ordinance.

Thank you for your consideration of our comments and for facilitating this public review process.

Sincerely,

Jennifer Lee  
Technology and Liberty Project Manager

## Appendix E: CTO Notification 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
<b>Automated License Plate Recognition (ALPR)</b>	ALPRs are computer-controlled, high-speed camera systems mounted on parking enforcement or police vehicles that automatically capture an image of license plates that come into view and converts the image of the license plate into alphanumeric data that can be used to locate vehicles reported stolen or otherwise sought for public safety purposes and to enforce parking restrictions.	1
<b>Booking Photo Comparison Software (BPCS)</b>	BCPS is used in situations where a picture of a suspected criminal, such as a burglar or convenience store robber, is taken by a camera. The still screenshot is entered into BPCS, which runs an algorithm to compare it to King County Jail booking photos to identify the person in the picture to further investigate his or her involvement in the crime. Use of BPCS is governed by <a href="#">SPD Manual §12.045</a> .	2
<b>Forward Looking Infrared Real-time video (FLIR)</b>	Two King County Sheriff’s Office helicopters with Forward Looking Infrared (FLIR) send a real-time microwave video downlink of ongoing events to commanders and other decision-makers on the ground, facilitating specialized radio tracking equipment to locate bank robbery suspects and provides a platform for aerial photography and digital video of large outdoor locations (e.g., crime scenes and disaster damage, etc.).	3



Technology	Description	Proposed Review Order
<p><b>Undercover/ Technologies</b></p>	<p>The following groups of technologies are used to conduct sensitive investigations and should be reviewed together.</p> <ul style="list-style-type: none"> <li>• <b>Audio recording devices:</b> A hidden microphone to audio record individuals without their knowledge. The microphone is either not visible to the subject being recorded or is disguised as another object. Used with search warrant or signed Authorization to Intercept (<a href="#">RCW 9A.73.200</a>).</li> <li>• <b>Camera systems:</b> A hidden camera used to record people without their knowledge. The camera is either not visible to the subject being filmed or is disguised as another object. Used with consent, a search warrant (when the area captured by the camera is not in plain view of the public), or with specific and articulable facts that a person has or is about to be engaged in a criminal activity and the camera captures only areas in plain view of the public.</li> <li>• <b>Tracking devices:</b> A hidden tracking device carried by a moving vehicle or person that uses the Global Positioning System to determine and track the precise location. U.S. Supreme Court v. Jones mandated that these must have consent or a search warrant to be used.</li> </ul>	<p>4</p>
<p><b>Computer-Aided Dispatch (CAD)</b></p>	<p>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.</p>	<p>5</p>

Technology	Description	Proposed Review Order
<b>CopLogic</b>	System allowing individuals to submit police reports on-line for certain low-level crimes in non-emergency situations where there are no known suspects or information about the crime that can be followed up on. Use is opt-in, but individuals may enter personally-identifying information about third-parties without providing notice to those individuals.	6
<b>Hostage Negotiation Throw Phone</b>	A set of recording and tracking technologies contained in a phone that is used in hostage negotiation situations to facilitate communications.	7
<b>Remotely Operated Vehicles (ROVs)</b>	These are SPD non-recording ROVs/robots used by Arson/Bomb Unit to safely approach suspected explosives, by Harbor Unit to detect drowning victims, vehicles, or other submerged items, and by SWAT in tactical situations to assess dangerous situations from a safe, remote location.	8
<b>911 Logging Recorder</b>	System providing networked access to the logged telephony and radio voice recordings of the 911 center.	9
<b>Computer, cellphone and mobile device extraction tools</b>	Forensics tool used with consent of phone/device owner or pursuant to a warrant to acquire, decode, and analyze data from smartphones, tablets, portable GPS device, desktop and laptop computers.	10
<b>Video Recording Systems</b>	These systems are to record events that take place in a Blood Alcohol Concentration (BAC) Room, holding cells, interview, lineup, and polygraph rooms recording systems.	11
<b>Washington State Patrol (WSP) Aircraft</b>	Provides statewide aerial enforcement, rapid response, airborne assessments of incidents, and transportation services in support of the Patrol's public safety mission. WSP Aviation currently manages seven aircraft equipped with FLIR cameras. SPD requests support as needed from WSP aircraft.	12

Technology	Description	Proposed Review Order
<b>Washington State Patrol (WSP) Drones</b>	WSP has begun using drones for surveying traffic collision sites to expedite incident investigation and facilitate a return to normal traffic flow. SPD may then request assistance documenting crash sites from WSP.	13
<b>Callyo</b>	This software may be installed on an officer’s cell phone to allow them to record the audio from phone communications between law enforcement and suspects. Callyo may be used with consent or search warrant.	14
<b>I2 iBase</b>	The I2 iBase crime analysis tool allows for configuring, capturing, controlling, analyzing and displaying complex information and relationships in link and entity data. iBase is both a database application, as well as a modeling and analysis tool. It uses data pulled from SPD’s existing systems for modeling and analysis.	15
<b>Parking Enforcement Systems</b>	Several applications are linked together to comprise the enforcement system and used with ALPR for issuing parking citations. This is in support of enforcing the Scofflaw Ordinance <a href="#">SMC 11.35</a> .	16
<b>Situational Awareness Cameras Without Recording</b>	Non-recording cameras that allow officers to observe around corners or other areas during tactical operations where officers need to see the situation before entering a building, floor or room. These may be rolled, tossed, lowered or throw into an area, attached to a hand-held pole and extended around a corner or into an area. Smaller cameras may be rolled under a doorway. The cameras contain wireless transmitters that convey images to officers.	17
<b>Crash Data Retrieval</b>	Tool that allows a Collision Reconstructionist investigating vehicle crashes the opportunity to image data stored in the vehicle’s airbag control module. This is done for a vehicle that has been in a crash and is used with consent or search warrant.	18

Technology	Description	Proposed Review Order
<b>Maltego</b>	An interactive data mining tool that renders graphs for link analysis. The tool is used in online investigations for finding relationships between pieces of information from various sources located on the internet.	19

Please let me know if you have any questions.

Thank you,

Michael

# Forward Looking Infrared Real-Time Video (FLIR)

(KCSO Helicopters)

Seattle Police 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 Police Department's use of King County Sheriff's Office Helicopters featuring Forward Looking Infrared Real-Time Video (FLIR) technology. 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 King County Sheriff's Air Support Unit is the only full-time rotary-wing law enforcement aviation unit in Washington State. Three separate helicopters, one Bell 206B3 helicopter, one UH-1H "Huey," and one Bell 407, operate as Guardian One and Guardian Two. The capabilities of these aircraft include: forward looking infrared cameras (FLIR), 30-million candlepower "Night Sun" searchlights, Pro Net and LoJack radio tracking receivers, still and video cameras, and communications equipment for communicating with local, state, and federal law and firefighting agencies on their frequencies.

The aerial vantage point created by the use of helicopters helps trained law enforcement personnel provide enhanced vision to locate and track the movement of crime suspects and disaster victims. The forward looking infrared (FLIR) camera technology housed within the Guardian One and Guardian Two helicopters provides a further enhanced picture of incident scenes by layering heat signatures of individuals and objects on top of the aerial video. The FLIR technology allows for subjects to be detected even when obscured by clouds, haze, or darkness.

Aerial video and infrared technology are tools that may be perceived as invasive to an individual's privacy, as they may be recorded without their knowledge or consent. SPD policy mitigates against the potential for inappropriate use. [SPD Policy 6.060 - Collection of Information for Law Enforcement Purposes](#) defines the way information will be gathered and recorded in a manner that does not unreasonably infringe upon: individual rights, liberties, and freedoms guaranteed by the Constitution of the United States and the State of Washington, including freedom of speech, press, association, and assembly; liberty of conscience; the exercise of religion.

### 2.0 Purpose

**Operational Policy: The KCSO Helicopters and onboard FLIR technology respond only to SPD emergency events in which the KCSA Air Unit deems air support is beneficial. SPD only receives and accesses information from the KCSO helicopters that is relevant to the incidents to which Guardian One or Guardian Two have responded. The video is requested as evidence from King County and stored using existing video evidence storage policies including [SPD Policy 7.090 – Photographic Evidence](#).**

**[SPD Policy 16.060 - King County Sheriff's Office Air Support Unit](#) governs the procedures and protocols associated with assistance of the KCSO ASU**

The Guardian One and Guardian Two helicopters provide critical assistance to SPD units on the ground during incidents. The benefits include rapid response to crime or disaster scenes and give law enforcement personnel an enhanced bird's eye view of the situation. "At normal patrol speeds and altitudes, a helicopter can keep an object in view on the ground ten times longer than a ground officer moving at normal street patrol speeds."<sup>1</sup> While conventional night vision technology does augment the user's ability to locate subjects by enhancing visible light, FLIR systems are more effective because they provide images using the heat emitted by subjects and objects.

### **3.0 Data Collection and Use**

**Operational Policy: Recordings made by Guardian helicopters associated with SPD calls for service are regularly requested as video evidence from the King County Sheriff's Office, including FLIR video is needed for evidentiary or investigative purposes. These recordings are provided by the KCSO on high quality evidence-grade DVD. [SPD Policy 7.010](#) governs the submission of evidence and requires that all collected evidence be documented in a GO Report. Per [SPD Policy 7.090 – Photographic Evidence](#), all video evidence not produced by SPD employees is submitted to the SPD Evidence Unit.**

The only information relayed to SPD during the Unit operation is radio transmission from the Air Support Unit. Though the KCSO helicopters have a real-time microwave video downlink capable of transmitting video of ongoing events to units on the ground, SPD does not utilize this function. Recordings made by Guardian helicopters associated with SPD calls for service are regularly requested as video evidence from the King County Sheriff's Office, including FLIR video is needed for evidentiary or investigative purposes. These recordings are provided by the KCSO on high quality evidence-grade DVD. [SPD Policy 7.010](#) governs the submission of evidence and requires that all collected evidence be documented in a GO Report. Per [SPD Policy 7.090 – Photographic Evidence](#), all video evidence not produced by SPD employees is submitted to the SPD Evidence Unit. The SPD Evidence Unit stores the video in the Digital Evidence Management System (DEMS). The King County Sheriff's Office Air Support Unit does record audio and video of their operations and occasionally does release these recordings to the public, including video posted on their [YouTube channel](#).

### **4.0 Data Minimization & Retention**

**Operational Policy: SPD only receives and accesses information from the KCSO helicopters that is relevant to the incidents to which Guardian One or Guardian Two have responded. The video is requested as evidence from King County and stored using existing video evidence storage policies including [SPD Policy 7.090 – Photographic Evidence](#).**

The KCSO Helicopters and onboard FLIR technology respond only to SPD emergency events in which air support is beneficial. SPD only receives and accesses information from the KCSO helicopters that is relevant to the incidents to which Guardian One or Guardian Two have responded. The video is requested as evidence from King County and stored using existing video evidence storage policies including [SPD Policy 7.090 – Photographic Evidence](#).

## 5.0 Access & Security

**Operational Policy:** SPD are consumers of the information provided by the KCSO Air Unit and do not maintain the systems used to access this information.

The Guardian One and Guardian Two helicopters and onboard FLIR cameras are operated by the King County Sheriff's Air Unit. When Guardian One is operational, the unit monitors SPD radio and advises SPD Communications when they are available to assist during active calls for service. SPD officers may also request air support assistance directly to Guardian One or through SPD Communications.

Recordings are provided by the KCSO on high quality evidence-grade DVD. [SPD Policy 7.010](#) governs the submission of evidence and requires that all collected evidence be documented in a GO Report. Per [SPD Policy 7.090 – Photographic Evidence](#), all video evidence not produced by SPD employees is submitted to the SPD Evidence Unit. The SPD Evidence Unit stores the video in the Digital Evidence Management System (DEMS).

### Access

The helicopter and FLIR technology are not directly operated by SPD personnel.

SPD are consumers of the information provided by the KCSO Air Unit and do not maintain the systems used to access this information.

Per [SPD Policy 16.060 - King County Sheriff's Office Air Support Unit](#), when Guardian One is operational, the unit monitors SPD radio and advises SPD Communications when they are available to assist during active calls for service.

SPD officers may also request air support assistance directly to Guardian One or through SPD Communications. "If Guardian One is off-duty, but their assistance is required for a police operation, a sergeant will screen the request and coordinate with Communications." If they respond to an SPD call, Guardian One and Guardian Two are documented as responding resources in the CAD event by SPD Communications.



## Security

Recordings made by Guardian helicopters associated with SPD calls for service are requested as video evidence from the King County Sheriff's Office, including FLIR video is needed for evidentiary or investigative purposes related to the investigation of a crime or missing person. These recordings are provided by the KCSO on high quality evidence-grade DVD. [SPD Policy 7.010](#) governs the submission of evidence and requires that all collected evidence be documented in a GO Report. Per [SPD Policy 7.090 – Photographic Evidence](#), all video evidence not produced by SPD employees is submitted to the SPD Evidence Unit. The SPD Evidence Unit stores the video in the Digital Evidence Management System (DEMS).

SPD policy contains multiple provisions to avoid improperly collecting data. [SPD Policy 7.010](#) governs the submission of evidence and requires that all collected evidence be documented in a GO Report. Per [SPD Policy 7.090 – Photographic Evidence](#), all video evidence not produced by SPD employees is submitted to the SPD Evidence Unit. The SPD Evidence Unit stores the video in the CJIS certified Digital Evidence Management System (DEMS).

## 6.0 Data Sharing and Accuracy

**Operational Policy: No person, outside of SPD has direct access to the video information provided to SPD by the King County Air Unit once it has been received by SPD.**

Video may be shared with outside entities in connection with criminal prosecutions:

- Seattle City Attorney's Office
- King County Prosecuting Attorney's Office
- King County Department of Public Defense
- Private Defense Attorneys
- Seattle Municipal Court
- King County Superior Court
- Similar entities where prosecution is in Federal or other State jurisdictions

Video may be made available to requesters pursuant to the Washington Public Records Act, [Chapter 42.56 RCW](#) ("PRA"). SPD will apply applicable exemptions to the data before disclosing to a requester. Individuals have the right to inspect criminal history record information maintained by the department ([RCW 10.97.030](#), [SPD Policy 12.050](#)). Individuals can access their own information by submitting a public disclosure request.

Sharing of video information may be necessary for prosecution or to comply with requests pursuant to public records requests.

## 7.0 Equity Concerns

**Operational Policy:** [SPD Policy 5.140](#) forbids bias-based policing and outlines processes for reporting and documenting any suspected bias-based behavior, as well as accountability measures.

**Per [SPD Policy 16.060 - King County Sheriff's Office Air Support Unit](#), determining events in which aerial support would be beneficial is based on the particular event situation and the availability of the King County Air Support Unit.**

Inherent in video obtained from an aerial platform such as Guardian One and Guardian Two with FLIR camera systems is the risk that private information may be obtained about 3rd parties. While the FLIR camera system can detect and record heat sources inside some structures, it is not able to peer inside homes or other buildings. Though the high definition color cameras mounted on the KCSO helicopters is able to discern individual characteristics, the FLIR camera system video does not capture even the most generic of identifiable individual characteristics such as race, age, or gender.

The mission of the Seattle Police Department is to prevent crime, enforce the law, and support quality public safety by delivering respectful, professional and dependable police services. A potential civil liberties concern is that the SPD would over-surveil vulnerable or historically targeted communities, deploying Guardian One to diverse neighborhoods more often than to other areas of the City. [SPD Policy 5.140](#) forbids bias-based policing and outlines processes for reporting and documenting any suspected bias-based behavior, as well as accountability measures. Determining events in which aerial support would be beneficial is based on the particular event situation and the availability of the King County Air Support Unit.

The Aspen Institute on Community Change defines structural racism as “...public policies, institutional practices, cultural representations and other norms [which] work in various, often reinforcing ways to perpetuate racial group inequity.” Data sharing has the potential to be a contributing factor to structural racism and thus creating a disparate impact on historically targeted communities. In an effort to mitigate this possibility, SPD has established policies regarding the dissemination of data in connection with criminal prosecutions, Washington Public Records Act ([Chapter 42.56 RCW](#)), and other authorized researchers.

Further, [SPD Policy 5.140](#) forbids bias-based policing and outlines processes for reporting and documenting any suspected bias-based behavior, as well as accountability measures.

Information collected by Guardian One and Guardian Two cameras, including the FLIR camera system, is shared only with outside entities in connection with criminal prosecutions or in compliance with public records requests pursuant to the Washington Public Records Act, [Chapter 42.56 RCW](#) (“PRA”). SPD will apply applicable exemptions to the data before disclosing to a requester.

Like decisions around data sharing, data storage and retention have similar potential for disparate impact on historically targeted communities. [SPD Policy 5.140](#) forbids bias-based policing and outlines processes for reporting and documenting any suspected bias-based behavior, as well as accountability measures.

## SUMMARY and FISCAL NOTE\*

<b>Department:</b>	<b>Dept. Contact/Phone:</b>	<b>CBO Contact/Phone:</b>
SPD / ITD	Rebecca Boatwright / Vinh Tang	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 the 2020 surveillance impact report and 2020 executive overview for the Seattle Police Department’s use of Forward Looking Infrared Real-Time Video.

**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 Police Department’s continued use of Forward Looking Infrared Real-Time Video (FLIR) as deployed by King County Sheriff’s Office helicopters.

### 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 Police Department through King County Sheriff’s Office helicopters at no charge.

**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.

**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. The Surveillance Impact Review included in the attachments, as required by the Surveillance Ordinance, includes 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 technology under review.



Legislation Text

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**File #:** CB 120054, **Version:** 2

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**CITY OF SEATTLE**

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

**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE relating to surveillance technology implementation; authorizing approval of uses and accepting the 2020 surveillance impact report and 2020 executive overview for the Seattle Police Department's use of Situational Awareness Cameras Without Recording.

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 Situational Awareness Cameras Without Recording in use by the Seattle Police Department; and

WHEREAS, the Seattle Police Department conducted policy rule review and community review as part of the development of the SIR; and

WHEREAS, SMC 14.18.080, enacted by Ordinance 125679, provides for the Community Surveillance Working Group, composed of relevant stakeholders, to complete a privacy and civil liberties impact assessment for each SIR, and SMC 14.18.020 allows for a statement from the Chief Technology Officer in response to the Working Group's privacy and civil liberties impact assessment; and

WHEREAS, development of the SIR, review by the Working Group and the Chief Technology Officer's response 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 Police Department's Situational Awareness Cameras Without Recording and accepts the 2020 Surveillance

Impact Report (SIR) for this technology, attached to this ordinance as Attachment 1, and the 2020 Executive Overview for the same technology, attached to this ordinance as Attachment 2.

Section 2. The Council requests the Seattle Police Department to report no later than the end of the fourth quarter of 2021 on the metrics provided to the Chief Technology Officer for use in the annual equity assessments of the Situational Awareness Cameras technology.

Section 3. The Council requests the Seattle Police Department to develop a policy or policies no later than the end of the 4th quarter of 2021 defining the purpose and only allowable uses of Situational Awareness Cameras Without Recording, included but not limited to restrictions on downloading or streaming images from a Situational Awareness Camera.

Section 4. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

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.

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Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1 - 2020 Surveillance Impact Report: Situational Awareness Cameras without Recording

Attachment 2 - 2020 Surveillance Impact Report Executive Overview: Situational Awareness Cameras without Recording





2020 Surveillance Impact Report

# Situational Awareness Cameras Without Recording

Seattle Police Department

April 13<sup>th</sup>, 2021

Version 1

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# Surveillance Impact Report (“SIR”) Overview

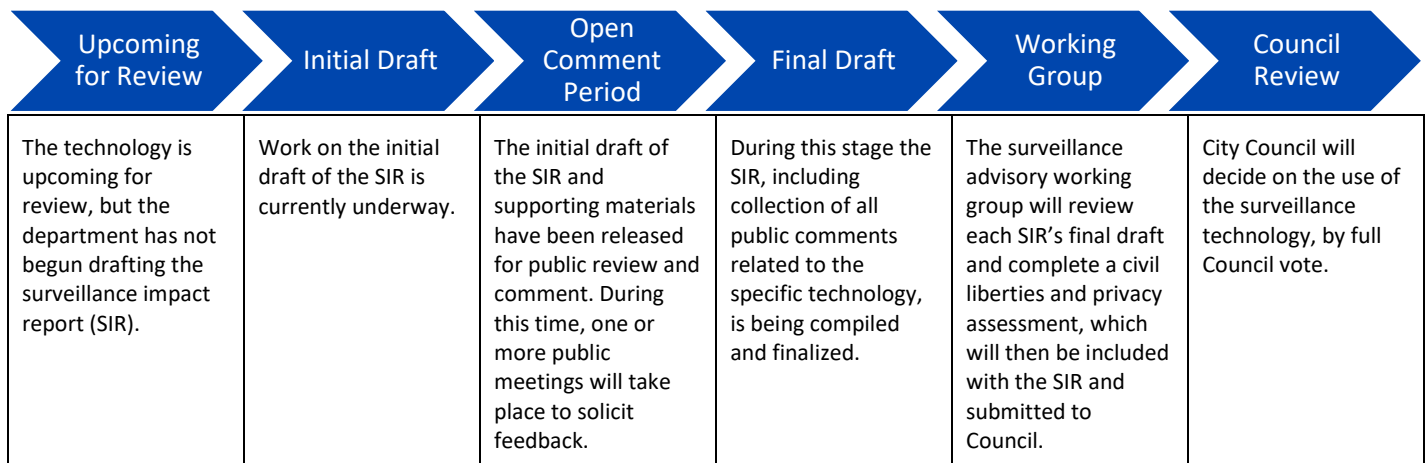
## About the Surveillance Ordinance

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”.

## Surveillance Ordinance Review Process

The following is a high-level outline of the complete SIR review process.



# 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 Police Department utilizes four types of situational awareness cameras to monitor an identified subject or watch an area of concern while positioned from a safe distance away. SPD operates these cameras in a variety of different ways to serve specific purposes depending on the situational need. The cameras fall broadly into four categories:

- mounted on remote controlled robots,
- mounted to poles or extenders,
- strategically placed, and
- cameras that are thrown.

The images transmitted from these cameras are secured and viewed on proprietary monitors. SPD does not record, store, or retain any of the images captured by these camera technologies.

### 1.2 Explain the reason the project/technology is being created or updated and why the PIA is required.

This technology is specifically used to covertly observe subjects, in real time, from a safe position. If used out of policy or improperly, this technology could potentially be used to inappropriately infringe on public privacy.

## 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.

SPD's tactical units use situational awareness cameras to assess potentially dangerous situations from a safe location. The use of these cameras allows SPD to view surroundings and gain additional information prior to entering a location, which provides additional safety and security to SPD personnel, the subjects of the observation, and other members of the community.

### 2.2 Provide any data or research demonstrating anticipated benefits.

The National Institute of Justice asserts that situational awareness in a potentially threatening situation is an essential key variable in determining when the use of force is necessary<sup>1</sup>. Situational awareness may also be to as "tactical awareness;" safety for both the officer and the subject is increased when the responding officers have visual information about the event and its surroundings.

### 2.3 Describe the technology involved.

There are 4 types of situational awareness cameras used by SPD's SWAT Unit:

**Robot Mounted Cameras** – The Avatar Robot by RoboteX incorporates a 360-degree optical camera and is remote controlled by officers from a safe position on scene. The remote range of the Avatar Robot is approximately 200 meters.

**Pole Cameras** – Pole camera models are made by Tactical Electronics and Smith and Wesson. These are small, portable cameras that can be extended in height (to approximately 20'). They are typically handheld during their use and send secure images to the user's handheld remote monitor.

**Placeable Cameras** – Camera models are made by Remington and Tactical Electronics. They are small portable cameras designed to be placed in specific strategic locations and situations. These models also send secure images to the user's handheld remote monitor.

**Throwable Cameras** – Camera models are made by Remington and Tactical Electronics. These small, rugged cameras are designed to be thrown into situations where access by SPD personnel is not possible. Like the pole and placeable cameras, the secure images are transmitted to the user's handheld remote monitor.

None of the images transmitted by these cameras are stored or recorded by the camera equipment or the handheld monitor.

## **2.4 Describe how the project or use of technology relates to the department's mission.**

The mission of the Seattle Police Department is to prevent crime, enforce the law, and support quality public safety by delivering respectful, professional, and dependable police services. SPD's SWAT unit utilizes this technology to assess potentially dangerous situations and obtain as much information about the situation as possible. By doing so, SPD personnel and the subjects involved are safer.

## **2.5 Who will be involved with the deployment and use of the project / technology?**

Only members of the SPD SWAT Unit are authorized to use this equipment.

## **3.0 Use Governance**

Provide an outline of any rules that will govern the use of the project / technology. Please note: non-City entities contracting with the City 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.**

All members of SWAT are given training in the use and appropriate application of these cameras. Any SWAT personnel may elect to use one of the cameras if the situation calls for its use.

### **3.2 List the legal standards or conditions, if any, that must be met before the project / technology is used.**

There is no legal standard or condition for the use of these cameras in non-protected public areas, such as a hotel hallway. However, if SPD plans to use the camera inside a protected area, such as in a person's home or property, SPD will obtain a signed search warrant from a judge, absent exigent circumstances.

### **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.**

Only members of SWAT are authorized to use this equipment and are specifically trained in their use. The SWAT commanders are responsible to ensure usage of the technology falls within appropriate usage.

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<sup>1</sup> <https://www.nij.gov/topics/law-enforcement/officer-safety/use-of-force/pages/welcome.aspx>

## 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 images or data are collected, stored, or retained by any situational awareness camera used by SPD.

### **4.2 What measures are in place to minimize inadvertent or improper collection of data?**

Risk of inadvertent or improper collection is low, as no images or data are collected, stored, or retained by any situational awareness camera used by SPD.

### **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?**

This technology is used only by the SPD SWAT Unit to assess potentially dangerous situations.

### **4.4 How often will the technology be in operation?**

The different types of cameras are used with varying frequency depending on the circumstances. Pole-mounted cameras are used frequently to assess situations around corners and above or below officer positions.

### **4.5 What is the permanence of the installation? Is it installed permanently, or temporarily?**

These cameras are portable and do not remain in fixed locations.

### **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?**

These cameras are covert by design. They are used to assess potentially dangerous situations from a safe distance.

### **4.7 How will data that is collected be accessed and by whom?**

No images or data are collected, stored, or retained by any situational awareness camera used by SPD.

### **4.8 If operated or used by another entity on behalf of the City, provide details about access, and applicable protocols.**

This technology is used only by the SPD SWAT Unit and no images or data are collected, stored, or retained by any situational awareness camera used by SPD.

#### **4.9 What are acceptable reasons for access to the equipment and/or data collected?**

These cameras are covert by design. They are used to assess potentially dangerous situations from a safe distance. No images or data are collected, stored, or retained by any situational awareness camera used by SPD.

The decision to use situational awareness cameras is made on a case-by-case basis. These devices allow officers to monitor a subject or watch situation from a position of safety and distance. Absent exigent circumstances, a signed warrant is obtained prior to the use of this technology in any protected area.

#### **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.)?**

This equipment is securely stored and accessible only to the SWAT Unit for use in their operations. No images or data are collected, stored, or retained by any situational awareness camera used by SPD.

## **5.0 Data Storage, Retention and Deletion**

### **5.1 How will data be securely stored?**

The following questions on data storage are not applicable to these technologies, as no images or data are collected, stored, or retained by any situational awareness camera used by SPD.

### **5.2 How will the owner allow for departmental and other entities, to audit for compliance with legal deletion requirements?**

n/a

### **5.3 What measures will be used to destroy improperly collected data?**

n/a

### **5.4 which specific departmental unit or individual is responsible for ensuring compliance with data retention requirements?**

n/a

## **6.0 Data Sharing and Accuracy**

### **6.1 Which entity or entities inside and external to the City will be data sharing partners?**



The following questions on data sharing are not applicable to these technologies, as no images or data are collected, stored, or retained by any situational awareness camera used by SPD.

## 6.2 Why is data sharing necessary?

n/a

## 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.

This technology is used only by the SPD SWAT Unit and no images or data are collected, stored, or retained by any situational awareness camera used by SPD.

## 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?

n/a

## 6.5 explain how the project/technology checks the accuracy of the information collected. If accuracy is not checked, please explain why.

n/a

## 6.6 describe any procedures that allow individuals to access their information and correct inaccurate or erroneous information.

n/a

## 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?

No images or data are collected, stored, or retained by any situational awareness camera used by SPD. When situational awareness camera equipment will be utilized in protected areas, such as inside a home, the SWAT Unit obtains a signed warrant.

### 7.2 Describe what privacy training is provided to users either generally or specifically relevant to the project/technology.

The SWAT Unit is trained on the appropriate usage of situational awareness cameras.

**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.**

Because the SWAT Unit requires a signed warrant before utilizing this technology in protected areas, they have mitigated the risk of improper viewing of the protected areas.

**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?**

The nature of this type of technology may cause concern by giving the appearance of privacy intrusion or misuse. These cameras are specifically designed to be covert and they allow officers to view viewing into sensitive areas. While these cameras have the capability to observe the public, they are not utilized by SPD in this manner. No information, images, or audio are recorded by any of these situational awareness cameras.

## 8.0 Monitoring and Enforcement

**8.1 describe how the project/technology maintains a record of any disclosures outside of the department.**

No images or data are collected, stored, or retained by any situational awareness camera used by SPD. When situational awareness camera equipment will be utilized in protected areas, such as inside a home, the SWAT Unit obtains a signed warrant.

**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.**

No images or data are collected, stored, or retained by any situational awareness camera used by SPD. When situational awareness camera equipment will be utilized in protected areas, such as inside a home, the SWAT Unit obtains a signed warrant.

## 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
	6/30/2016	\$67,704.86		Pole Camera w/Wrist Mounted Monitor	UASI Grant Funded
02/04/2013		\$5,000		Avatar 1 Base package, Pre-owned	Org Charged: P1941

Notes:

Respond here.

**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
10/07/2019  Order of replacement placeable cameras and telescoping poles for use with cameras.				SPD Budget: \$42,256.40
3/19/2020  Replacement: One replacement Pole Camera Purchased w/ Wrist mounted monitor.				This is a 100% grant funded purchase using SHSP FY18 fund: \$37,051.99

Notes:

**1.3 Cost savings potential through use of the technology**

Respond to question 1.3 here

**1.4 Current or potential sources of funding including subsidies or free products offered by vendors or governmental entities**

N/A

## 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

**1.1 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

## 2.0 Academics, Consultants, and Other Experts

**2.1 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

## 3.0 White Papers or Other Documents

**3.1 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
“Video for SWAT Operations”	Law and Order, The Magazine for Police Management	<a href="#">Article Detail   Hendon Media Group (hendonpub.com)</a>

# Racial Equity Toolkit (“RET”) and Engagement for Public Comment Worksheet

## Purpose

Departments submitting a SIR are required to complete an adapted version of the Racial Equity Toolkit (“RET”) in order to:

- Provide a framework for the mindful completion of the SIR 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.
- Highlight and mitigate any impacts on racial equity from the adoption and the use of the technology.
- Highlight and mitigate any disparate impacts on individuals or vulnerable communities.
- 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

**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.

### 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? How is the department mitigating these risks?**

The potential that innocent members of the community would fall under surveillance by covert use of situational awareness cameras by the SPD SWAT Unit is mitigated in two ways. First, the usage of this equipment is situational, and the cameras are used during events in which the SWAT Unit responds to calls for police service. Where the cameras are utilized in non-public areas a signed warrant is obtained prior to their use. Second, no images, data, or audio is recorded by the situational awareness cameras.

**1.3 What are the risks for racial or ethnicity-based bias through each use or deployment of this technology? How is the department mitigating these risks?**

The mission of the Seattle Police Department is to prevent crime, enforce the law, and support quality public safety by delivering respectful, professional and dependable police services. [SPD Policy 5.140](#) forbids bias-based policing and outlines processes for reporting and documenting any suspected bias-based behavior, as well as accountability measures. The use of this technology does not enhance the risks of racial or ethnicity-based bias.

**1.4 Where in the City is the technology used or deployed?**

all Seattle neighborhoods

- |                                     |  |
|-------------------------------------|--|
| <input type="checkbox"/> Ballard    | <input type="checkbox"/> Southeast                     |
| <input type="checkbox"/> North      | <input type="checkbox"/> Delridge                      |
| <input type="checkbox"/> Northeast  | <input type="checkbox"/> Greater Duwamish              |
| <input type="checkbox"/> Central    | <input type="checkbox"/> East district                 |
| <input type="checkbox"/> Lake union | <input type="checkbox"/> King county (outside Seattle) |
| <input type="checkbox"/> Southwest  | <input type="checkbox"/> Outside King County.          |

If possible, please include any maps or visualizations of historical deployments / use.

N/A

**1.4.1 What are the racial demographics of those living in this area or impacted by these issues?**

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%

#### **1.4.2 How are decisions made where the technology is used or deployed? How does the Department work to ensure diverse neighborhoods are not specifically targeted?**

The decision to use situational awareness cameras is made on a case-by-case basis. These devices allow officers to monitor a subject or watch situation from a position of safety and distance. Absent exigent circumstances, a signed warrant is obtained prior to the use of this technology in any protected area.

#### **1.5 How do decisions around data sharing have the potential for disparate impact on historically targeted communities? What is the department doing to mitigate those risks?**

The Aspen Institute on Community Change defines structural racism as “...public policies, institutional practices, cultural representations and other norms [which] work in various, often reinforcing ways to perpetuate racial group inequity.” Data sharing has the potential to be a contributing factor to structural racism and thus creating a disparate impact on historically targeted communities. In an effort to mitigate this possibility, SPD has established policies regarding the dissemination of data in connection with criminal prosecutions, Washington Public Records Act ([Chapter 42.56 RCW](#)), and other authorized researchers.

Further, [SPD Policy 5.140](#) forbids bias-based policing and outlines processes for reporting and documenting any suspected bias-based behavior, as well as accountability measures.

The situational awareness cameras utilized by the SPD SWAT Unit do not record any information and therefore no information from this technology is stores or shared.

#### **1.6 How do decisions around data storage and retention have the potential for disparate impact on historically targeted communities? What is the department doing to mitigate those risks?**

Like decisions around data sharing, data storage and retention have similar potential for disparate impact on historically targeted communities. [SPD Policy 5.140](#) forbids bias-based policing and outlines processes for reporting and documenting any suspected bias-based behavior, as well as accountability measures.



**1.7 What are potential unintended consequences (both negative and positive potential impact)? What proactive steps can you can / have you taken to ensure these consequences do not occur.**

The unintended consequences related to the continued utilization of situational awareness cameras by SPD is the out of policy misuse of the technology to improperly surveil the public. SPD policies, including [SPD Policy 6.060 - Collection of Information for Law Enforcement Purposes](#) also define the way information will be gathered by SPD in a manner that does not unreasonably infringe upon: individual rights, liberties, and freedoms guaranteed by the Constitution of the United States and the State of Washington, including freedom of speech, press, association, and assembly; liberty of conscience; the exercise of religion.

## 2.0 Public Outreach

### 2.1 Scheduled public meeting(s).

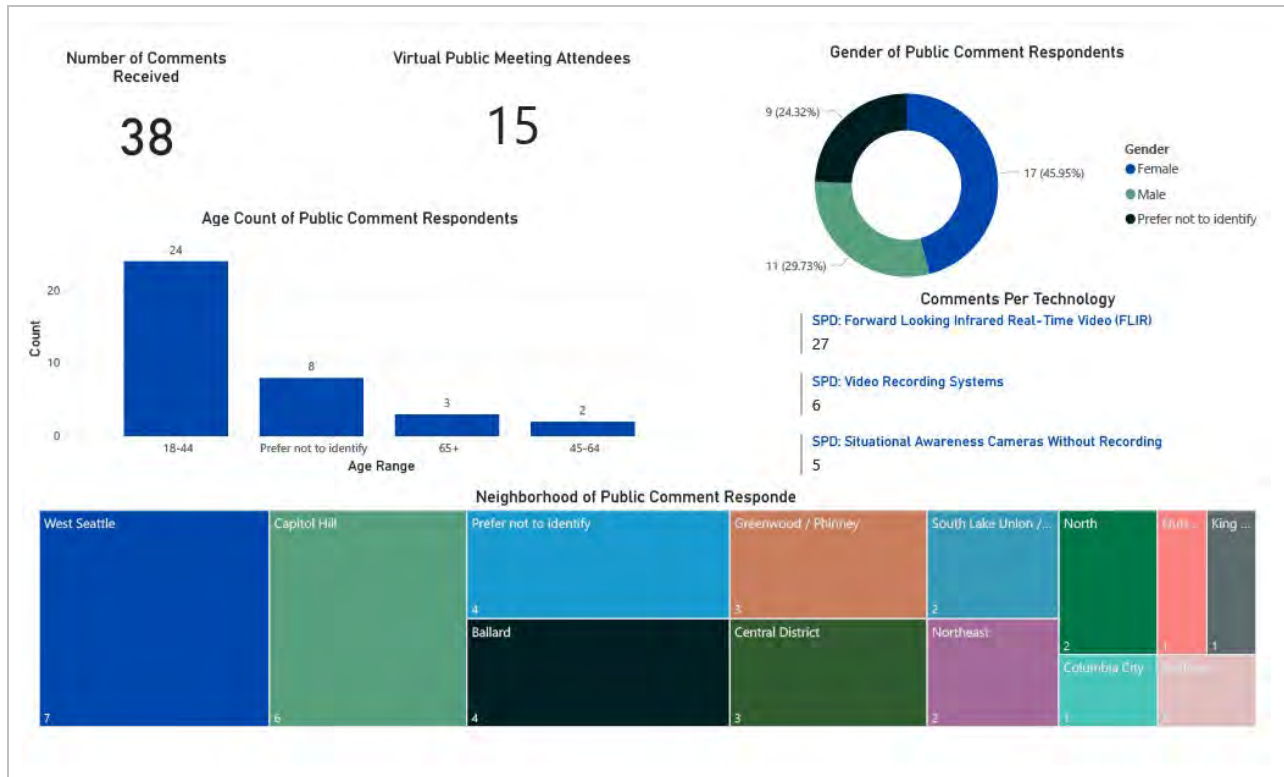
Meeting notes, sign-in sheets, all comments received, and questions from the public will be included in Appendix A-C. Comment analysis will be summarized in section 3.0 Public Comment Analysis.

#### Meeting 1

<b>Location</b>	Webex Online Event
<b>Date</b>	October 28 <sup>th</sup> , 2020
<b>Time</b>	12 pm – 1 pm

### 3.0 Public Comment Analysis

#### 3.1 Demographics of the public who submitted comments.



#### 3.2 What concerns, if any, do you have about the use of this technology?

micro SD card <sup>SIR</sup> seems <sup>robot</sup> supports recording likely  
 SPD audio video cameras SPD manual specifically use  
 ordinance recording <sup>pdf</sup> public <sup>Avatar</sup> Tactical Electronics Core

#### 3.3 What value, if any, do you see in the use of this technology?

N/A

#### 3.4 What do you want City leadership to consider about the use of this technology?

public followed VMS <sup>Milestone</sup> security use SPD <sup>hacked</sup>  
 Genetec security best practices recordings information

### 3.5 Do you have any other comments?

N/A

## 4.0 Response to Public Comments

### 4.1 How will you address the concerns that have been identified by the public?

The OIG has audit responsibilities for determining legality of the system and deployment. SPD follows case law and city ordinance and requires a legal foundation to deploy the cameras.

## 5.0 Equity Annual Reporting

**5.1 What metrics for this technology be reported to the CTO for the annual equity assessments? Departments will be responsible for sharing their own evaluations with department leadership, change team leads, and community leaders identified in the public outreach plan.**

Respond here.

# 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:

“Provide 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: Dec 15, 2020

Re: Privacy and Civil Liberties Impact Assessment for Video Recording Systems

### Executive Summary

The CSWG has completed its review of the Surveillance Impact Reports (SIRs) for the three surveillance technologies included in Group 3 of the Seattle Surveillance Ordinance technology review process. These technologies are Forward Looking Infrared, Video Recording Systems, and Situational Awareness Cameras Without Recording. This document is the CSWG’s Privacy and Civil Liberties Impact Assessment for Situational Awareness Cameras Without Recording as set forth in SMC 14.18.080(B)(1), which we provide for inclusion in the final SIRs submitted to the City Councils.

This document first provides our recommendations to Council, then provides background information, key concerns, and outstanding questions regarding Situational Awareness Cameras Without Recording.

Our assessment of Situational Awareness Cameras as used by Seattle Police Department (SPD) focuses on three major issues:

1. Additional policy language is necessary to define valid purposes of use.
2. The capabilities of the situational awareness cameras are unclear.
3. It is unclear what technical and procedural safeguards are in place to prevent the improper viewing, collection, and storage of images.

### **Recommendations:**

We recommend that the Council adopt, via ordinance, at a minimum, clear and enforceable rules that ensure the following:

1. **SPD must abide by a specific and restricted purpose of use:** The ordinance should define a specific purpose of use for situational awareness cameras used by SPD, and any use must be restricted to that specific purpose.
2. **SPD must not use any situational awareness cameras that have capabilities beyond what is strictly necessary to fulfill the purpose of use defined by the ordinance.** The ordinance should prohibit SPD from using cameras that have facial recognition or recording capabilities.
3. **SPD must adopt technical and procedural safeguards to prevent misuse of the situational awareness cameras.** The ordinance should require SPD adopt safeguards that prevent use of the cameras or the footage streamed from the cameras for purposes beyond what is defined in the ordinance.

### **Outstanding Questions**

1. What are the complete model names/numbers for each of the equipment in scope for the Situational Awareness Cameras?
2. What technical safeguards are in place to prevent the storage/retention of images?
3. 7.3 of Situational Awareness Cameras SIR states “[the SWAT Unit] have mitigated the risk of improper viewing of the protected areas.” How specifically have they mitigated the risk?
4. What (if any) sections of the SPD Manual specifically cover the use of these technologies by SWAT?

## CTO Response

# Memo

**To:** Seattle City Council  
**From:** Saad Bashir, Chief Technology Officer  
**Subject:** CTO Response to the Surveillance Working Group Situational Awareness Cameras Without Recording SIR Review

---

### Purpose

As provided in the Surveillance Ordinance, [SMC 14.18.080](#), this memo outlines the Chief Technology Officer's (CTO's) response to the Surveillance Working Group assessment on the Surveillance Impact Report for Seattle Police Department's Situational Awareness Cameras Without Recording.

### Background

The Information Technology Department (ITD) is dedicated to the Privacy Principles and Surveillance Ordinance objectives to provide oversight and transparency about the use and acquisition of specialized technologies with potential privacy and civil liberties impacts. All City departments have a shared mission to protect lives and property while balancing technology use and data collection with negative impacts to individuals. This requires ensuring the appropriate use of privacy invasive technologies through technology limitations, policy, training and departmental oversight.

The CTO's role in the SIR process has been to ensure that all City departments are compliant with the Surveillance Ordinance requirements. As part of the review work for surveillance technologies, ITD's Privacy Office has facilitated the creation of the Surveillance Impact Report documentation, including collecting comments and suggestions from the Working Group and members of the public about these technologies. IT and City departments have also worked collaboratively with the Working Group to answer additional questions that came up during their review process. We believe that policy, training and technology limitations enacted by SPD and Council oversight through the surveillance technology review process provide adequate mitigation for the potential privacy and civil liberties concerns raised by the Working Group about the use of this important operational technology.

### Technology Purpose

The Seattle Police Department utilizes four types of situational awareness cameras to monitor an identified subject or watch an area of concern while positioned from a safe distance away. SPD operates these cameras in a variety of different ways to serve specific purposes depending on the situational need. The cameras fall broadly into four categories:

- mounted on remote controlled robots,
- mounted to poles or extenders,
- strategically placed, and
- cameras that are thrown.

The images transmitted from these cameras are secured and viewed on proprietary monitors. SPD does not record, store, or retain any of the images captured by these camera technologies.

## **Working Group Concerns**

In their review, the Working Group has raised concerns about these devices being used in a privacy impacting way. They focused on wanting additional information confirming specified purpose of use, documenting capabilities of the cameras, and outlining and increasing technical or procedural safeguards around the use or collection of data. We believe that policy, training and technology limitations enacted by SPD provide adequate mitigation for the potential privacy and civil liberties concerns raised by the Working Group about the use of this important operational technology.

## **Recommended Next Steps**

I look forward to working together with Council and City departments to ensure continued transparency about the use of these technologies and finding a mutually agreeable means to use technology to improve City services while protecting the privacy and civil rights of the residents we serve. Specific concerns in the Working Group comments about cameras are addressed in the attached document.

## Response to Specific Concerns: Situational Awareness Cameras Without Recording

### Concern: Inadequate policies defining specific and restricted purpose of use

**CTO Assessment:** In addition to the policy and procedure outlined in the SIR and process established by SMC 14.18, the use of situational cameras and the restrictions on recording is also governed by the [Intelligence Ordinance, SMC 14.12](#). The requirements of the Intelligence Ordinance is also incorporated to the relevant [SPD Policy in Manual Section 6.060](#).

### SIR Response:

#### Section 2.4 Describe how the project or use of technology relates to the department's mission.

The mission of the Seattle Police Department is to prevent crime, enforce the law, and support quality public safety by delivering respectful, professional, and dependable police services. SPD's SWAT unit utilizes this technology to assess potentially dangerous situations and obtain as much information about the situation as possible. By doing so, SPD personnel and the subjects involved are safer.

#### Section 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.

All members of SWAT are given training in the use and appropriate application of these cameras. Any SWAT personnel may elect to use one of the cameras if the situation calls for its use.

#### Section 3.2 List the legal standards or conditions, if any, that must be met before the project / technology is used.

There is no legal standard or condition for the use of these cameras in non-protected public areas, such as a hotel hallway. However, if SPD plans to use the camera inside a protected area, such as in a person's home or property, SPD will obtain a signed search warrant from a judge, absent exigent circumstances.

#### Section 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?

This technology is used only by the SPD SWAT Unit to assess potentially dangerous situations.

#### Section 4.9 What are acceptable reasons for access to the equipment and/or data collected?

These cameras are covert by design. They are used to assess potentially dangerous situations from a safe distance. No images or data are collected, stored, or retained by any situational awareness camera used by SPD. The decision to use situational awareness cameras is made on a case-by-case basis. These devices allow officers to monitor a subject or watch situation from a position of safety and distance. Absent exigent circumstances, a signed warrant is obtained prior to the use of this technology in any protected area.



**Concern: Capabilities of the situational awareness cameras beyond specified purpose of use**

**CTO Assessment:** The SIR outlines the acceptable and specified use of the situational awareness cameras. No images or data are collected, stored, or retained by any situational awareness camera used by SPD.

**SIR Response:**

Section 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 images or data are collected, stored, or retained by any situational awareness camera used by SPD.

**Concern: Unclear what technical and procedural safeguards are in place to prevent the improper viewing, collection, and storage of images.**

**CTO Assessment:** No images or data are collected, stored, or retained by any situational awareness camera used by SPD. the use of situational cameras and the restrictions on recording is also governed by the Intelligence Ordinance, SMC 14.12. The requirements of the Intelligence Ordinance are also incorporated to the relevant SPD Policy in Manual Section 6.060.

**SIR Response:**

Section 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 images or data are collected, stored, or retained by any situational awareness camera used by SPD.

## 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.

**OCR:** “Office of Civil Rights.”

**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.

**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: Meeting Notice(s)



# City Surveillance Technology Event

October 28<sup>th</sup>, 2020  
12:00 p.m. – 1:00 p.m.  
[Webex Online Event](#)

**Join us for a public meeting to comment on a few  
of the City's surveillance technologies:**

**Seattle Police Department**

- Forward Looking Infrared Real-time Video (FLIR)
- Situational Awareness Cameras Without Recording
- Video Recording Systems

**[WebEx Online Event](#)**

Dial-in Info:  
+1-408-418-9388  
Access code: 146 533 4053

**Can't join us online?**

Visit <http://www.seattle.gov/surveillance> to leave an online comment or send your comment to **Surveillance and Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.**

The Open Comment period is from **October 7<sup>th</sup> – November 7<sup>th</sup>, 2020.**

**Please let us know at [Surveillance@seattle.gov](mailto:Surveillance@seattle.gov) if you need any accommodations. For more information, visit [Seattle.gov/privacy](http://Seattle.gov/privacy).**

Information provided to the City of Seattle is considered a public record and may be subject to public disclosure. For more information see the Public Records Act, RCW Chapter 42.56 or visit [Seattle.gov/privacy](http://Seattle.gov/privacy). All comments submitted will be included in the Surveillance Impact Report.

## **Appendix C: All Comments Received from Members of the Public**

**ID:** 12165161116

**Submitted Through:** Online Comment

**Date:** 11/12/2020 4:06:10 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Situational Awareness Cameras Without Recording

**What concerns, if any, do you have about the use of this technology?**

I am concerned about SPD using this technology in a transparent and fair way.

**What value, if any, do you see in the use of this technology?**

**What do you want City leadership to consider about the use of this technology?**

I do not want SPD to have access to this technology.

**Do you have any other comments?**

---

**ID:** 12165002568

**Submitted Through:** Online Comment

**Date:** 11/12/2020 3:06:58 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Situational Awareness Cameras Without Recording

**What concerns, if any, do you have about the use of this technology?**

test

**What value, if any, do you see in the use of this technology?**

test

**What do you want City leadership to consider about the use of this technology?**

test

**Do you have any other comments?**

test

---

**ID:** 12164756754

**Submitted Through:** Online Comment

**Date:** 11/12/2020 1:46:26 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Situational Awareness Cameras Without Recording

**What concerns, if any, do you have about the use of this technology?**

As of Nov. 12th, numerous questions from the public have not been answered by SPD and thus greatly hinder the ability for informed public comment. These questions include: (1) What are the complete model names/numbers for each of the equipment in scope for the Situational Awareness Cameras? (2) What technical safeguards are in place to prevent the storage/retention of images? (3) How specifically has SPD mitigated the risk of improper viewing of protected areas? (4) What (if any) sections of the SPD Manual specifically cover the use of these technologies by SWAT? SPD did not provide the manuals for this equipment in their SIR, so the public is left guessing. While it seems that SPD has an Avatar 1 Robot by RoboteX, the Avatar II robot does support audio/video recording from the remote controller and from the Audio/Video Receiver: <https://robotex.com/wp-content/uploads/2019/04/RoboteX-Avatar-II-User-Manual.pdf> & <https://robotex.com/wp-content/uploads/2019/04/Avatar-II-AV-Receiver-User-Manual.pdf>. I could not locate online the manual for the Avatar 1, but it seems likely that it would too would support recording, as it already is performing video livestreaming and recording would likely be consider valuable basic functionality for the robot to have (especially for Explosive Ordinance Disposal use cases). Additionally, the Tactical Electronics Core Monitor supports taking still images of live video ( [https://www.tacticalelectronics.com/wp-content/uploads/2019/03/CORE-Monitor\\_spec.pdf](https://www.tacticalelectronics.com/wp-content/uploads/2019/03/CORE-Monitor_spec.pdf) ). The Tactical Electronics Core Pole Camera supports recording audio and video onto a 32GB micro SD card ( <https://www.tacticalelectronics.com/product/core-pole-camera/> ). The Tactical Electronics Core Under Door Camera supports recording video onto a 32GB micro SD card ( [https://www.tacticalelectronics.com/wp-content/uploads/2019/03/CORE-Under-Door-Camera\\_spec.pdf](https://www.tacticalelectronics.com/wp-content/uploads/2019/03/CORE-Under-Door-Camera_spec.pdf) ). Remington filed bankruptcy and had their divisions sold off to different entities. I don't know who currently owns the rights to their cameras, nor could I locate their manuals/specsheets. Smith and Wesson seems no longer make any cameras. However, third-party stores with old listings for Smith and Wesson cameras list models likely to be used by law enforcement as coming with a 4GB Micro SD card: <https://www.amazon.com/Wesson-SWW-LC-PD99-Camera-4-Gigabyte-Memory/dp/B0047ERNZK> & <https://www.amazon.com/Smith-Wesson-SWW-LC-PD80-Enforcement-Camera/dp/B009KQYYBQ>. With this mind, the public needs stronger reassurances and supporting evidence from SPD that none of these devices in scope for the SIR actually supports recording. The evidence seems to point to most (if not all) of them actually supporting recording. Also, there are some gaps in the SPD manual that should be addressed either by modifications to SPD's manual and/or via ordinance. These gaps include: (1) No part of the SPD manual specifically governs the use of these SWAT cameras, such as for what purposes are they allowed to be deployed or requiring a warrant signed by a judge before use in a non-public area. (2) SPD should be restricted by ordinance from using any situational awareness cameras with capabilities beyond what is defined in the SIR. (3) Even if none of the hardware supports recording, nothing in the SPD manual specifically governs police using SPD-provided or personal cell phones to record the livestream on the displays.

**What value, if any, do you see in the use of this technology?**



As it currently stands, this technology lacks sufficient guardrails to prevent abuse/misuse of the system. Additionally, SPD hasn't provided the manuals for any of this equipment and the publicly available evidence points to this equipment likely supporting recording. SPD hasn't provide sufficient evidence to the contrary. Hence the public can only assume that this SIR is incomplete and inaccurate. SPD/IT are withholding information from the public, which further impedes the ability for an informed consent by the public in seeing sufficient value in this technology.

**What do you want City leadership to consider about the use of this technology?**

City leadership should be made aware of the information SPD/IT has withheld from the public. This information missing from the public includes: (1) What are the complete model names/numbers for each of the equipment in scope for the Situational Awareness Cameras? (2) What technical safeguards are in place to prevent the storage/retention of images? (3) How specifically has SPD mitigated the risk of improper viewing of protected areas? (4) What (if any) sections of the SPD Manual specifically cover the use of these technologies by SWAT? SPD did not provide the manuals for this equipment in their SIR, so the public is left guessing. While it seems that SPD has an Avatar 1 Robot by RoboteX, the Avatar II robot does support audio/video recording from the remote controller and from the Audio/Video Receiver: <https://robotex.com/wp-content/uploads/2019/04/RoboteX-Avatar-II-User-Manual.pdf> & <https://robotex.com/wp-content/uploads/2019/04/Avatar-II-AV-Receiver-User-Manual.pdf> . I could not locate online the manual for the Avatar 1, but it seems likely that it would too would support recording, as it already is performing video livestreaming and recording would likely be consider valuable basic functionality for the robot to have (especially for Explosive Ordinance Disposal use cases). Additionally, the Tactical Electronics Core Monitor supports taking still images of live video ( [https://www.tacticalelectronics.com/wp-content/uploads/2019/03/CORE-Monitor\\_spec.pdf](https://www.tacticalelectronics.com/wp-content/uploads/2019/03/CORE-Monitor_spec.pdf) ). The Tactical Electronics Core Pole Camera supports recording audio and video onto a 32GB micro SD card ( <https://www.tacticalelectronics.com/product/core-pole-camera/> ). The Tactical Electronics Core Under Door Camera supports recording video onto a 32GB micro SD card ( [https://www.tacticalelectronics.com/wp-content/uploads/2019/03/CORE-Under-Door-Camera\\_spec.pdf](https://www.tacticalelectronics.com/wp-content/uploads/2019/03/CORE-Under-Door-Camera_spec.pdf) ). Remington filed bankruptcy and had their divisions sold off to different entities. I don't know who currently owns the rights to their cameras, nor could I locate their manuals/specsheets. Smith and Wesson seems no longer make any cameras. However, third-party stores with old listings for Smith and Wesson cameras list models likely to be used by law enforcement as coming with a 4GB Micro SD card: <https://www.amazon.com/Wesson-SWW-LC-PD99-Camera-4-Gigabyte-Memory/dp/B0047ERNZK> & <https://www.amazon.com/Smith-Wesson-SWW-LC-PD80-Enforcement-Camera/dp/B009KQYYBQ> . With this mind, the public needs stronger reassurances and supporting evidence from SPD that none of these devices in scope for the SIR actually supports recording. The evidence seems to point to most (if not all) of them actually supporting recording. City leadership should be encouraged to mandate (via SPD manual changes and/or ordinance) to address some gaps and add appropriate guardrails to the use of this technology. The current gaps include: (1) No part of the SPD manual specifically governs the use of these SWAT cameras, such as for what purposes are they allowed to be deployed or requiring a warrant signed by a judge before use in a non-public area. (2) SPD should be restricted by ordinance from using any situational awareness cameras with capabilities beyond what is defined in the SIR. (3) Even if none of the hardware supports recording, nothing in the SPD manual specifically governs police using SPD-provided or personal cell phones to record the livestream on the displays.

**Do you have any other comments?**

There are many areas of improvement by IT/Privacy-dept. regarding their public engagement process on surveillance technologies. Some of the more recent issues include: (1) The Privacy dept. calendar event for the Group 3 public engagement meeting didn't include the access code for phone-only users to dial-in (one had to know of and go to the TechTalk blog to get the access code). (2) Directions at public engagement meeting for providing verbal public comment were to raise hand in webex which clearly is not possible for phone-only users. (3) Public engagement truncated. CTO told City Council it would be 45 days. Instead IT used 30 days with a 1 week extension agreed to be added (so 37 days). (4) The Group 3 public engagement meeting recording (as of Nov. 12th) has not been posted publicly, so people unable to attend don't have access to the discussion/Q&A before the public comment period closes. (5) SPD has not provided answers before the public comment period closes. (6) SPD further dodged valid questions from the public by requiring PRA requests, which have zero hope of being addressed within the public comment period. (7) IT has repeatedly requested & attained (and in 1 case, just self-granted) time extensions for the Surveillance Ordinance process. When the public needs time for SPD to provide answers so as to provide informed public comment, now suddenly IT is on a tight time schedule and can't extend the public comment period. Additionally, IT/Privacy-dept. has repeatedly lamented the lack of public engagement, but have also taken no additional steps to rectify this for Group 3; and did not heed prior feedback from the CSWG regarding the engagement process. There are numerous steps IT/Privacy-dept. should take to improve public engagement. The recommendations to the CTO & CPO for Group 4 include: (1) Breaking the group into smaller groups. Group 4 on deck with 13 technologies: 2 re-visits of SFD tech, 3 types of undercover technologies, & 8 other technologies. (2) Allocating more time for open public comment: minimum of 2 weeks per each in scope tech (so Group 3 would be 42 days, and Group 4 would be 154 - 182 days). (3) Hold more public engagement meetings per Group - specifically the number of public engagement meetings should at a minimum match the number of technologies being considered for public comment (otherwise the meeting will run out of time before all the questions from the public can even be asked, which did happen with Group 3). (4) Require at the public engagement meetings both a Subject Matter Expert on the use of the technology AND a Subject Matter Expert on the technical management of the technology. There should be no excuse for most of the public's questions being unanswered by the City at these meetings. (5) Hold public engagement meetings that are accessible to marginalized communities most likely to have this technology used against them (such as, holding meetings at various times of day & weekends, having translators, etc). (6) Post online the recordings of all online public engagement meetings at least 1 week before the public comment period closes. (7) Require departments to provide answers to the public's questions at least 1 week before the public comment period closes. (8) Post public announcements for focus groups held by the City (9) Public engagement meetings and focus groups should have at least 1 outside civil liberties representative to present. (10) Publish to the Privacy website in a more timely manner the CSWG meeting announcements and minutes. (11) Work with more City departments (not just Dept. of Neighborhoods) to foster engagement. (12) Work with more City boards and committees to foster engagement. (13) Provide at least 2 week lead time between announcing a public engagement meeting and the timing of that meeting occurring. (14) Provide early versions of drafts SIRs to the CSWG (as they requested more than once).

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**ID:** 12105115839

**Submitted Through:** Online Comment

**Date:** 10/23/2020 6:48:07 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Situational Awareness Cameras Without Recording

**What concerns, if any, do you have about the use of this technology?**

All video and sound feeds MUST be recorded for police accountability. Freedom of Information Act should be in place.

**What value, if any, do you see in the use of this technology?**

Could save lives and give SWAT a much needed new technology for public safety.

**What do you want City leadership to consider about the use of this technology?**

Record all video and sound files and archive properly. A transparent policy is a must.

**Do you have any other comments?**

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**ID:** 12101261360

**Submitted Through:** Online Comment

**Date:** 10/22/2020 2:12:59 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Situational Awareness Cameras Without Recording

**What concerns, if any, do you have about the use of this technology?**

Typically these cameras don't have a great resolution and aren't great at identifying someone. Relying on this tech to identify someone is where most of my concerns are

**What value, if any, do you see in the use of this technology?**

These cameras are great for seeing around corners and trying to spot folks that need pulled out of things and combined with FLIR can be real game changers when trying to locate someone in a room.

**What do you want City leadership to consider about the use of this technology?**

Consider using additional technology when identifying a person, but use this to help find folks.

**Do you have any other comments?**

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## Appendix D: Letters from Organizations or Commissions

November 6, 2020

Seattle Information Technology  
700 5<sup>th</sup> Ave, Suite 2700  
Seattle, WA 98104

RE: ACLU of Washington Comments on Group 3 Surveillance Technologies

On behalf of the ACLU of Washington, I write to offer our comments on the surveillance technologies included in Group 3 of the Seattle Surveillance Ordinance implementation process.

The three Seattle Police Department (SPD) technologies in Group 3 are covered in the following order:

1. Forward Looking Infrared – King County Sheriff's Office Helicopters
2. Video Recording Systems
3. Situational Awareness Cameras Without Recording

These comments should be considered preliminary, given that the Surveillance Impact Reports (SIR) for each technology leave a number of important questions unanswered. Specific unanswered questions for each technology are noted in the comments relating to that technology. Answers to these questions should be included in the updated SIRs provided to the Community Surveillance Working Group and to the City Council prior to their review of the technologies.

### Forward Looking Infrared - KCSO Helicopters

#### *Background*

Forward Looking Infrared (FLIR) is a powerful thermal imaging surveillance technology that raises a number of privacy and civil liberties concerns because of its ability to enable dragnet surveillance of individuals in public as well as in private spaces.

FLIR cameras sense infrared radiation to create images assembled for real-time video output. This technology detects small differences in heat, or emitted thermal energy, and displays them as shades of gray or with different colors. Because all objects emit different amounts of thermal energy, FLIR cameras are able to detect temperature differences and translate them into images.<sup>1</sup>

Advanced thermal imaging systems like FLIR allow governments to increase their surveillance capabilities. Like any device used for surveillance, government agents may use it inappropriately to gather information on people based on their race, religion, or political views. While thermal imaging devices cannot “see” through

<sup>1</sup> ACLU of Washington, *Thermal Imaging Surveillance*, [THEYAREWATCHING.ORG](https://theyarewatching.org), <https://theyarewatching.org/technology/thermal-imaging-surveillance> (last visited Nov. 5, 2020).



P. O. Box 2728  
Seattle, WA 98111-2728  
(206) 624-2184  
[aclu-wa.org](http://aclu-wa.org)

Tana Lin  
Board President

Michele Stormo  
Executive Director

walls, pointing a thermal camera at a building can still reveal sensitive information about what is happening inside. Drug detectives often use these devices to identify possible marijuana growers by looking for heat consistent with grow lights.<sup>2</sup> Furthermore, privacy and civil liberties concerns with FLIR are magnified when FLIR is used in conjunction with other powerful surveillance tools such as facial recognition and drones.

The Seattle Police Department (SPD) uses three King County Sheriff's Office helicopters that are equipped with FLIR technology as well as 30-million candlepower "Night Sun" searchlights, Pro Net and LoJack radio tracking receivers, still and video cameras, and communications equipment for communicating with local, state, and federal law and firefighting agencies on their frequencies. SPD can use FLIR technology and these helicopters to monitor human beings (whose body temperatures are fairly consistent) through clouds, haze, and darkness.

There are serious concerns with SPD's use of KCSO's helicopters as described in the SIR. The policies attached in the SIR do not include purpose limitations, adequate privacy and security protections, or restrictions on use. The SIR also does not specify how long KCSO retains still images and recordings attained when assisting SPD, or whether SPD's Digital Evidence Management System (DEMS) is an on-premise or a Software-as-a-Service (SaaS) deployment.

At the public engagement meeting held on October 28, 2020,<sup>3</sup> SPD officers were asked if SPD had ever used KCSO helicopters or FLIR technology for the purpose of surveilling protesters and if SPD had any policies prohibiting use of these technologies for protester surveillance. The officers were also asked over which neighborhoods the helicopters had been deployed, given that the SIR states that in 2018, Guardian One was deployed 45 times to SPD events. For both questions, SPD officers declined to answer and told the public to submit public records requests. However, because SPD's Public Records Act request portal states that the minimum response timeline is in excess of 6-12 months, members of the public would not be able to receive answers to these questions in time to submit public comments on these technologies.

Given the lack of adequate policies in the SIR and the number of unanswered questions that remain, we have concerns that SPD's use of KCSO's helicopters and FLIR technology may infringe upon people's civil rights and civil liberties. KCSO's FLIR-equipped helicopters may be used to disproportionately surveil historically targeted communities, individuals exercising their constitutionally protected right to protest, or people just going about their lives.

#### *Specific Concerns*

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<sup>2</sup> In the 2001 case *Kyllo v. United States*, the U.S. Supreme Court ruled that federal agents violated the Fourth Amendment when they used a thermal imaging device to detect marijuana plants growing inside a home.

<sup>3</sup> Seattle Police Department, *Surveillance Technology Public Comment Meeting*, CITY OF SEATTLE (Oct. 28, 2020), <https://www.seattle.gov/Documents/Departments/Tech/Privacy/Group%203%20Presentation.pdf>.



- **There are inadequate policies defining purpose of use.** The policies cited in the SIR do not impose meaningful restrictions on the purpose for which SPD may request that KCSO helicopters and FLIR technology be used. Policy 16.060 – King County Sheriff’s Office Air Support Unit<sup>4</sup> simply states that “Guardian One offers air support for patrol and specialized missions” and that “Guardian Two offers air support for special operations such as search and rescue (SAR) and tactical missions.” This policy only describes the process by which SPD may request support from KCSO’s air support unit but does not state the specific purposes for which SPD may or may not request support. Section 4.9 of the SIR<sup>5</sup> states that SPD may request video from KCSO’s Air Unit “[w]hen necessary and pertinent to a specific investigation” but does not specify the types of investigations for which SPD may request data from KCSO or how it is determined if such data is necessary and pertinent. Policy 6.060 – Collection of Information for Law Enforcement Purposes<sup>6</sup> states that “Information will be gathered and recorded in a manner that does not unreasonably infringe upon: individual rights, liberties, and freedoms guaranteed by the Constitution of the United States and the State of Washington” and Policy 5.140 – Bias-Free Policing states that “officers will not engage in bias-based policing.”<sup>7</sup> However, SPD’s answers at the October 28 public engagement meeting do not make clear whether and how SPD prohibits use of KCSO helicopters to engage in surveillance of protesters or biased policing. Section 1.4.2 of the Racial Equity Toolkit (RET) section of the SIR specifically asks: “How are decisions made where the technology is used or deployed? How does the Department work to ensure diverse neighborhoods are not specifically targeted?”<sup>8</sup> The response from SPD directs attention to SPD Policy 16.060, which does not provide adequate purpose limitations.
- **There are inadequate policies restricting data collection.** The policies cited in the SIR do not place any restrictions on the amount or types of data SPD may request from KCSO. At the October 28 public engagement meeting, SPD officers did not answer whether or how SPD places time or geographic limitations on the data it may request from KCSO.

<sup>4</sup> Seattle Police Department, *Seattle Police Department Manual: 16.060 - King County Sheriff’s Office Air Support Unit*, CITY OF SEATTLE (Mar. 1, 2016), <http://www.seattle.gov/police-manual/title-16---patrol-operations/16060---king-county-sheriffs-office-air-support-unit>.

<sup>5</sup> Seattle Police Department, *2020 Surveillance Impact Report: Forward Looking Infrared Real-Time Video (FLIR) (KCSO Helicopters)*, CITY OF SEATTLE, at 12, [http://www.seattle.gov/Documents/Departments/Tech/Privacy/FLIR%20-%20KCSO%20Helicopters%20Public\\_Engagement%20SIR.pdf](http://www.seattle.gov/Documents/Departments/Tech/Privacy/FLIR%20-%20KCSO%20Helicopters%20Public_Engagement%20SIR.pdf) (last visited Nov. 5, 2020).

<sup>6</sup> Seattle Police Department, *Seattle Police Department Manual: 6.060 - Collection of Information for Law Enforcement Purposes*, CITY OF SEATTLE (May 19, 2004), <http://www.seattle.gov/police-manual/title-6---arrests-search-and-seizure/6060---collection-of-information-for-law-enforcement-purposes>.

<sup>7</sup> Seattle Police Department, *Seattle Police Department Manual: 5.140 - Bias-Free Policing*, CITY OF SEATTLE (Aug. 1, 2019), <http://www.seattle.gov/police-manual/title-5---employee-conduct/5140---bias-free-policing>.

<sup>8</sup> *2020 Impact Report: Infrared Video*, supra note 5, at 23.

- **It is unclear if and how SPD protects the privacy of individuals unrelated to an investigation.** The SIR does not include any policies regarding how it redacts or deletes information. At the October 28 public engagement meeting, SPD officers did not provide an answer to the question of whether and how it redacts or deletes information collected that may compromise the privacy of individuals unrelated to an investigation.
- **It is unclear how data collected are stored and protected.** SPD stated at the October 28 public engagement meeting that it is unaware of how long KCSO retains still images and recordings obtained when assisting SPD. While SPD officers stated that SPD stores video requested from KCSO in its Digital Evidence Management System (DEMS)—not Evidence.com, this is not made clear within the SIR. Additionally, SPD officers did not answer whether SPD’s DEMS is on on-premise or Software-as-a-Service (SaaS) deployment.
- **The SIR does not provide the dates and neighborhoods over which KCSO helicopters and FLIR technology have been deployed.** Though the SIR states that there have been 45 deployments of Guardian One to support SPD in 2018, the SIR does not include an analysis of the locations of those deployments.<sup>9</sup> Additionally, during the October 28 public engagement meeting, SPD declined to state the neighborhoods over which the helicopters had been deployed. It is important that SPD include this information in the Racial Equity Toolkit section of the final SIR in order to address the following questions in Section 1.4.2: “How are decisions made where the technology is used or deployed? How does the Department work to ensure diverse neighborhoods are not specifically targeted?”<sup>10</sup>

#### *Outstanding Questions*

- What are the registration and/or tail numbers for each helicopter?
- In 2019 and 2020, did the KCSO Air Support Unit have any additional helicopters aside from the three listed in the SIR?
- How long does KCSO retain still images and recordings attained when assisting SPD?
- Is SPD’s Digital Evidence Management System (DEMS) an on-premise deployment or is it Software-as-a-Service?
- Has SPD ever requested KCSO ASU services or obtained data from KCSO’s helicopters and/or FLIR technology to surveil protesters?
- What are the neighborhoods over which KCSO’s helicopters have been deployed?

#### *Recommendations for Regulation*

At this stage, pending answers to the questions above, we can make only preliminary recommendations for the regulation of SPD’s use of KCSO’s helicopters and FLIR technology. We recommend that the Council adopt, via ordinance, at a minimum, clear and enforceable rules that ensure the following:

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<sup>9</sup> *Id.* at 9.

<sup>10</sup> *Id.* at 23.

- **SPD must abide by a specific and restricted purpose of use:** The ordinance should define a specific purpose of use for KCSO's helicopters and FLIR technology, and any SPD use of KCSO's helicopters and FLIR technology and data collected with these technologies must be restricted to that specific purpose.
- **SPD must adopt processes to ensure it is not targeting diverse neighborhoods.** The ordinance should prohibit SPD from using KCSO's helicopters and FLIR technology to disproportionately surveil communities of color and other historically over-policed communities.
- **SPD must protect the privacy of individuals unrelated to a specific search or investigation.** The ordinance should require SPD to redact or delete information collected that may compromise the privacy of individuals not related to a specific search or investigation, restricted by the purpose of use.
- **SPD must produce a publicly available annual report detailing its use of KCSO helicopters and FLIR technology.** The ordinance should require that SPD produce an annual report including details on how SPD used the data collected, the amount of data collected, for how long data were retained and in what form, where the data are stored, and the neighborhoods over which KCSO helicopters and/or FLIR technology were deployed.

### Video Recording Systems

#### *Background*

SPD uses two cameras systems to record and/or monitor members of the public within SPD interview rooms, Blood Alcohol Collection (BAC) rooms, and precinct holding cells: Genetec Video Management System and Milestone Systems XProtect Video Management Software and Products.

Genetec Video Management System is a permanently installed system primarily used to record in-person interactions and interviews with crime victims, witnesses, and suspects in seven designated interview rooms located at the SPD headquarters in the Seattle Justice Center. This system is used to create a video record of interviews for the purposes of use in criminal justice proceedings. Milestone Systems XProtect Video Management Software and Products is a permanently installed system in SPD's Blood Alcohol Collection (BAC) rooms and precinct holding cells. They record continuously all activity in those locations.<sup>11</sup>

SPD's use of these video recording systems can pose threats to people's privacy and civil liberties if used without adequate safeguards. The SIR does not provide adequate purpose limitations regarding SPD's use of these technologies, does not include full details of the capabilities of these systems, and does not adequately specify technical and procedural safeguards to prevent improper viewing.

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<sup>11</sup> Seattle Police Department, *2020 Surveillance Impact Report: Video Recording Systems (Interview, Blood-Alcohol Collection Room, and Precinct Holding Cell Audio)*, CITY OF SEATTLE, at 4, [https://www.seattle.gov/Documents/Departments/Tech/Privacy/Video%20Recording%20Systems%20Public\\_Engagement%20SIR.pdf](https://www.seattle.gov/Documents/Departments/Tech/Privacy/Video%20Recording%20Systems%20Public_Engagement%20SIR.pdf) (last visited Nov. 5, 2020).

collection, or storage of the images or video footage.

#### *Specific Concerns*

- **There are inadequate policies defining purpose of use.** Section 4.9 of the SIR asks, “What are acceptable reasons for access to the equipment and/or data collected?”<sup>12</sup> The response does not specifically detail how and for what purpose the equipment and/or data collected from the equipment may be used.
- **The capabilities of the Genetec and Milestone systems are unclear.** SPD does not provide links or attachments providing specific details about either of the systems they use. Both Genetec<sup>13</sup> and Milestone<sup>14</sup> advertise facial recognition systems that may be integrated with its video management systems.
- **It is unclear how data are collected, stored, and protected.** The SIR does not make clear whether SPD stores the data they receive in the Digital Evidence Management System or Evidence.com, a cloud-based digital evidence platform owned by Axon. The SIR simply references SPD policy 7.110 – Recorded Statements, which states that data may be uploaded to the Digital Evidence Management System (DEMS) or Evidence.com.<sup>15</sup> Additionally, the SIR does not include information about the security practices SPD follows to protect the privacy of members of the public who are recorded by the Genetec and Milestone video management systems. Finally, the SIR does not specify who has permission to modify the pan, tilt, and/or zoom of the cameras.

#### *Outstanding Questions*

- Does SPD use a Genetec or Milestone partner add-on that enables facial recognition or other biometric data collection/identification?
- How are firmware/software updates applied to the Genetec systems?
- What security practices does SPD follow?
- Where does the SPD Evidence Section store the Genetec-generated recordings and Milestone recordings they receive?
- For both the Genetec and Milestone systems, who has permission to modify the pan, tilt, and/or zoom of the cameras?

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<sup>12</sup> *Id.* at 12.

<sup>13</sup> *Security Center Omnicast IP video surveillance*, GENETEC, <https://resources.genetec.com/video-modules-and-add-ons/omnicast-ip-video-surveillance> (last visited Nov. 5, 2020).

<sup>14</sup> *Dahua Face Recognition Plugin for Milestone VMS*, MILESTONE, <https://www.milestonesys.com/marketplace/zhejiang-dahua-technology-co.-ltd/dahua-face-recognition-plugin-for-milestone-vms/> (last visited Nov. 5, 2020); *Id-Guard Face Recognition Plugin*, MILESTONE, <https://www.milestonesys.com/marketplace/ll-recfaces/id-guard-face-recognition-plugin/> (Nov. 5, 2020).

<sup>15</sup> Seattle Police Department, *Seattle Police Department Manual: 7.110 - Recorded Statements*, CITY OF SEATTLE (Oct. 1, 2020), <https://www.seattle.gov/police-manual/title-7---evidence-and-property/7110---recorded-statements>.

### *Recommendations for Regulation*

At this stage, pending answers to the questions above, we can make only preliminary recommendations for the regulation of SPD's use of video recording systems. We recommend that the Council adopt, via ordinance, at a minimum, clear and enforceable rules that ensure the following:

- **SPD must abide by a specific and restricted purpose of use:** The ordinance should define a specific purpose of use for any video recording systems used by SPD, and any use must be restricted to that specific purpose.
- **SPD must not use any video recording systems that have capabilities beyond what is strictly necessary to fulfill the purpose of use (e.g., recording custodial interrogations).** The ordinance should prohibit incorporating additional services such as facial recognition systems with the video recording systems.

### **Situational Awareness Cameras Without Recording**

#### *Background*

SPD uses four types of portable cameras to observe both public and private areas during tactical operations. The four types of cameras and their vendors are:

- Robot-mounted cameras – RoboteX
- Pole-mounted cameras – Tactical Electronics & Smith and Wesson
- Placeable cameras – Remington & Tactical Electronics
- Throwable cameras – Remington & Tactical Electronics<sup>16</sup>

SPD's use of these situational awareness cameras can pose threats to people's privacy and civil liberties if used without adequate safeguards. The SIR does not provide adequate purpose limitations regarding SPD's use of these technologies, does not include full details of the capabilities of the cameras, and does not adequately specify technical and procedural safeguards to prevent improper viewing, collection, or storage of the images or video footage.

#### *Specific Concerns*

- **There are inadequate policies defining purpose of use.** Section 4.9 of the SIR asks, "What are acceptable reasons for access to the equipment and/or data collected?" The response states: "The decision to use situational awareness cameras is made on a case-by-case basis. These devices allow officers to monitor a subject or watch situation from a position of safety and distance. Absent exigent circumstances, a signed warrant is obtained prior to the use of this technology in any protected area."<sup>17</sup> This response does not

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<sup>16</sup> Seattle Police Department, *2020 Surveillance Impact Report: Situational Awareness Cameras Without Recording*, CITY OF SEATTLE, at 5, [https://www.seattle.gov/Documents/Departments/Tech/Privacy/Situational%20Awareness%20Cameras%20Public\\_Engagement%20SIR.pdf](https://www.seattle.gov/Documents/Departments/Tech/Privacy/Situational%20Awareness%20Cameras%20Public_Engagement%20SIR.pdf) (last visited Nov. 5, 2020).

<sup>17</sup> *Id.* at 8.

provide a clear and limited purpose for which this technology may or may not be used. While SPD's response states that a warrant is obtained prior to use of the cameras in protected areas, such as inside a home, it does not state the specific purposes for which SPD may or may not use the cameras without a warrant.

- **The capabilities of the situational awareness cameras are unclear.** The SIR does not provide manuals or the complete model names and/or numbers of each of the camera technologies. During the October 28 public engagement meeting, SPD stated that their situational awareness cameras do not support recording. However, the vendor websites advertise situational awareness cameras that do support recording. For example, the Tactical Electronics Core Monitor,<sup>18</sup> Pole Camera,<sup>19</sup> and Under Door Camera<sup>20</sup> can either take photos, record video, and/or record audio.
- **It is unclear what technical and procedural safeguards are in place to prevent the improper viewing, collection, and storage of images.** During the October 28 public engagement meeting, SPD stated that there is no way that images, video, or audio footage could be collected and stored. In order to verify that information, SPD must provide detailed information about the technologies it uses as stated above. Additionally, even if the cameras themselves cannot record footage, it is unclear if there are policies and procedures in place to prevent live-streamed situational camera footage from being recorded via a different device.

#### *Outstanding Questions*

- What are the complete model names/numbers for each of the equipment in scope for the Situational Awareness Cameras?
- What technical safeguards are in place to prevent the storage/retention of images?
- 7.3 of Situational Awareness Cameras SIR states "[the SWAT Unit] have mitigated the risk of improper viewing of the protected areas." How specifically have they mitigated the risk?
- What (if any) sections of the SPD Manual specifically cover the use of these technologies by SWAT?

#### *Recommendations for Regulation*

At this stage, pending answers to the questions above, we can only make preliminary recommendations for the regulation of SPD's use of situational awareness cameras. We recommend that the Council adopt, via ordinance, at a minimum, clear and enforceable rules that ensure the following:

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<sup>18</sup> *Core Monitor*, TACTICAL ELEC., <https://www.tacticalectronics.com/product/core-monitor/> (last visited Nov. 5, 2020).

<sup>19</sup> *Core Pole Camera*, TACTICAL ELEC., <https://www.tacticalectronics.com/product/core-pole-camera/> (last visited Nov. 5, 2020).

<sup>20</sup> *Core Under Door Camera*, TACTICAL ELEC., <https://www.tacticalectronics.com/product/core-under-door-camera/> (last visited Nov. 5, 2020).

- **SPD must abide by a specific and restricted purpose of use:** The ordinance should define a specific purpose of use for situational awareness cameras used by SPD, and any use must be restricted to that specific purpose.
- **SPD must not use any situational awareness cameras that have capabilities beyond what is strictly necessary to fulfill the purpose of use defined by the ordinance.** The ordinance should prohibit SPD from using cameras that have facial recognition or recording capabilities.
- **SPD must adopt technical and procedural safeguards to prevent misuse of the situational awareness cameras.** The ordinance should require SPD adopt safeguards that prevent use of the cameras or the footage streamed from the cameras for purposes beyond what is defined in the ordinance.

Thank you for your consideration of our comments and for facilitating this public review process.

Sincerely,

Jennifer Lee  
Technology and Liberty Project Manager

## **Appendix E: CTO Notification 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
<b>Automated License Plate Recognition (ALPR)</b>	ALPRs are computer-controlled, high-speed camera systems mounted on parking enforcement or police vehicles that automatically capture an image of license plates that come into view and converts the image of the license plate into alphanumeric data that can be used to locate vehicles reported stolen or otherwise sought for public safety purposes and to enforce parking restrictions.	1
<b>Booking Photo Comparison Software (BPCS)</b>	BCPS is used in situations where a picture of a suspected criminal, such as a burglar or convenience store robber, is taken by a camera. The still screenshot is entered into BPCS, which runs an algorithm to compare it to King County Jail booking photos to identify the person in the picture to further investigate his or her involvement in the crime. Use of BPCS is governed by <a href="#">SPD Manual §12.045</a> .	2
<b>Forward Looking Infrared Real-time video (FLIR)</b>	Two King County Sheriff’s Office helicopters with Forward Looking Infrared (FLIR) send a real-time microwave video downlink of ongoing events to commanders and other decision-makers on the ground, facilitating specialized radio tracking equipment to locate bank robbery suspects and provides a platform for aerial photography and digital video of large outdoor locations (e.g., crime scenes and disaster damage, etc.).	3

Technology	Description	Proposed Review Order
<b>Undercover/ Technologies</b>	<p>The following groups of technologies are used to conduct sensitive investigations and should be reviewed together.</p> <ul style="list-style-type: none"> <li> <b>Audio recording devices:</b> A hidden microphone to audio record individuals without their knowledge. The microphone is either not visible to the subject being recorded or is disguised as another object. Used with search warrant or signed Authorization to Intercept (<a href="#">RCW 9A.73.200</a>).         </li> <li> <b>Camera systems:</b> A hidden camera used to record people without their knowledge. The camera is either not visible to the subject being filmed or is disguised as another object. Used with consent, a search warrant (when the area captured by the camera is not in plain view of the public), or with specific and articulable facts that a person has or is about to be engaged in a criminal activity and the camera captures only areas in plain view of the public.         </li> <li> <b>Tracking devices:</b> A hidden tracking device carried by a moving vehicle or person that uses the Global Positioning System to determine and track the precise location. U.S. Supreme Court v. Jones mandated that these must have consent or a search warrant to be used.         </li> </ul>	<p>4</p>
<b>Computer-Aided Dispatch (CAD)</b>	<p>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.</p>	<p>5</p>

Technology	Description	Proposed Review Order
<b>CopLogic</b>	System allowing individuals to submit police reports on-line for certain low-level crimes in non-emergency situations where there are no known suspects or information about the crime that can be followed up on. Use is opt-in, but individuals may enter personally-identifying information about third-parties without providing notice to those individuals.	6
<b>Hostage Negotiation Throw Phone</b>	A set of recording and tracking technologies contained in a phone that is used in hostage negotiation situations to facilitate communications.	7
<b>Remotely Operated Vehicles (ROVs)</b>	These are SPD non-recording ROVs/robots used by Arson/Bomb Unit to safely approach suspected explosives, by Harbor Unit to detect drowning victims, vehicles, or other submerged items, and by SWAT in tactical situations to assess dangerous situations from a safe, remote location.	8
<b>911 Logging Recorder</b>	System providing networked access to the logged telephony and radio voice recordings of the 911 center.	9
<b>Computer, cellphone and mobile device extraction tools</b>	Forensics tool used with consent of phone/device owner or pursuant to a warrant to acquire, decode, and analyze data from smartphones, tablets, portable GPS device, desktop and laptop computers.	10
<b>Video Recording Systems</b>	These systems are to record events that take place in a Blood Alcohol Concentration (BAC) Room, holding cells, interview, lineup, and polygraph rooms recording systems.	11
<b>Washington State Patrol (WSP) Aircraft</b>	Provides statewide aerial enforcement, rapid response, airborne assessments of incidents, and transportation services in support of the Patrol's public safety mission. WSP Aviation currently manages seven aircraft equipped with FLIR cameras. SPD requests support as needed from WSP aircraft.	12

Technology	Description	Proposed Review Order
<b>Washington State Patrol (WSP) Drones</b>	WSP has begun using drones for surveying traffic collision sites to expedite incident investigation and facilitate a return to normal traffic flow. SPD may then request assistance documenting crash sites from WSP.	13
<b>Callyo</b>	This software may be installed on an officer’s cell phone to allow them to record the audio from phone communications between law enforcement and suspects. Callyo may be used with consent or search warrant.	14
<b>I2 iBase</b>	The I2 iBase crime analysis tool allows for configuring, capturing, controlling, analyzing and displaying complex information and relationships in link and entity data. iBase is both a database application, as well as a modeling and analysis tool. It uses data pulled from SPD’s existing systems for modeling and analysis.	15
<b>Parking Enforcement Systems</b>	Several applications are linked together to comprise the enforcement system and used with ALPR for issuing parking citations. This is in support of enforcing the Scofflaw Ordinance <a href="#">SMC 11.35</a> .	16
<b>Situational Awareness Cameras Without Recording</b>	Non-recording cameras that allow officers to observe around corners or other areas during tactical operations where officers need to see the situation before entering a building, floor or room. These may be rolled, tossed, lowered or throw into an area, attached to a hand-held pole and extended around a corner or into an area. Smaller cameras may be rolled under a doorway. The cameras contain wireless transmitters that convey images to officers.	17
<b>Crash Data Retrieval</b>	Tool that allows a Collision Reconstructionist investigating vehicle crashes the opportunity to image data stored in the vehicle’s airbag control module. This is done for a vehicle that has been in a crash and is used with consent or search warrant.	18

Technology	Description	Proposed Review Order
<b>Maltego</b>	An interactive data mining tool that renders graphs for link analysis. The tool is used in online investigations for finding relationships between pieces of information from various sources located on the internet.	19

Please let me know if you have any questions.

Thank you,

Michael

2020 Surveillance Impact Report Executive Overview

# Situational Awareness Cameras Without Recording

Seattle Police Department

April 13<sup>th</sup>, 2021

Version 1

## 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 Police Department's use of Situational Awareness Cameras Without Recording. 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 Police Department utilizes four types of situational awareness cameras to monitor an identified subject or watch an area of concern while positioned from a safe distance away. SPD operates these cameras in a variety of different ways to serve specific purposes depending on the situational need. The cameras fall broadly into four categories:

- mounted on remote controlled robots,
- mounted to poles or extenders,
- strategically placed, and
- cameras that are thrown.

There are four types of situational awareness cameras used by SPD's SWAT Unit:

**Robot Mounted Cameras** – The Avatar Robot by RoboteX incorporates a 360-degree optical camera and is remote controlled by officers from a safe position on scene. The remote range of the Avatar Robot is approximately 200 meters.

**Pole Cameras** – Pole camera models are made by Tactical Electronics and Smith and Wesson. These are small, portable cameras that can be extended in height (to approximately 20'). They are typically handheld during their use and send secure images to the user's handheld remote monitor.

**Placeable Cameras** – Camera models are made by Remington and Tactical Electronics. They are small portable cameras designed to be placed in specific strategic locations and situations. These models also send secure images to the user's handheld remote monitor.

**Throwable Cameras** – Camera models are made by Remington and Tactical Electronics. These small, rugged cameras are designed to be thrown into situations where access by SPD personnel is not possible. Like the pole and placeable cameras, the secure images are transmitted to the user's handheld remote monitor.

The images transmitted from these cameras are secured and viewed on proprietary monitors. SPD does not record, store, or retain any of the images captured by these camera technologies.

April 13, 2021

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## 2.0 Purpose

**Operational Policy: Describe limits to the function of the technology according to the stated purpose.**

SPD's tactical units use situational awareness cameras to assess potentially dangerous situations from a safe location. The use of these cameras allows SPD to view surroundings and gain additional information prior to entering a location, which provides additional safety and security to SPD personnel, the subjects of the observation, and other members of the community.

## 3.0 Data Collection and Use

**Operational Policy: No images or data are collected, stored, or retained by any situational awareness camera used by SPD.**

No images or data are collected, stored, or retained by any situational awareness camera used by SPD. This equipment is securely stored and accessible only to the SWAT Unit for use in their operations.

## 4.0 Data Minimization & Retention

**Operational Policy: No images or data are collected, stored, or retained by any situational awareness camera used by SPD.**

This question is not applicable to these technologies, as no images or data are collected, stored, or retained by any situational awareness camera used by SPD.

## 5.0 Access & Security

**Operational Policy: All members of SWAT are given training in the use and appropriate application of these cameras. Any SWAT personnel may elect to use one of the cameras if the situation calls for its use.**

**This equipment is securely stored and accessible only to the SWAT Unit for use in their operations. No images or data are collected, stored, or retained by any situational awareness camera used by SPD.**

**When situational awareness camera equipment will be utilized in protected areas, such as inside a home, the SWAT Unit obtains a signed warrant.**

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## Access

No images or data are collected, stored, or retained by any situational awareness camera used by SPD. When situational awareness camera equipment will be utilized in protected areas, such as inside a home, the SWAT Unit obtains a signed warrant.

## Security

Only members of SWAT are authorized to use this equipment and are specifically trained in their use. The SWAT commanders are responsible to ensure usage of the technology falls within appropriate usage.

## 6.0 Data Sharing and Accuracy

**Operational Policy: No data is collected, stored, or retained by any situational awareness camera and cannot be shared.**

This question on data sharing is not applicable to these technologies, as no images or data are collected, stored, or retained by any situational awareness camera used by SPD.

## 7.0 Equity Concerns

**Operational Policy: Where the cameras are utilized in non-public areas a signed warrant is obtained prior to their use.**

**SPD Policy 5.140 forbids bias-based policing and outlines processes for reporting and documenting any suspected bias-based behavior, as well as accountability measures. The use of this technology does not enhance the risks of racial or ethnicity-based bias.**

The potential that innocent members of the community would fall under surveillance by covert use of situational awareness cameras by the SPD SWAT Unit is mitigated in two ways. First, the usage of this equipment is situational, and the cameras are used during events in which the SWAT Unit responds to calls for police service. Where the cameras are utilized in non-public areas a signed warrant is obtained prior to their use. Second, no images, data, or audio is recorded by the situational awareness cameras.

The mission of the Seattle Police Department is to prevent crime, enforce the law, and support quality public safety by delivering respectful, professional and dependable police services. [SPD Policy 5.140](#) forbids bias-based policing and outlines processes for reporting and documenting any suspected bias-based behavior, as well as accountability measures. The use of this technology does not enhance the risks of racial or ethnicity-based bias.

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## SUMMARY and FISCAL NOTE\*

<b>Department:</b>	<b>Dept. Contact/Phone:</b>	<b>CBO Contact/Phone:</b>
SPD / ITD	Rebecca Boatwright / Vinh Tang	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 the 2020 surveillance impact report and 2020 executive overview for the Seattle Police Department’s use of Situational Awareness Cameras Without Recording.

**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 Police Department’s continued use of Situational Awareness Cameras Without Recording.

### 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 technology is currently in use by the Seattle Police 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 SPD should cease use of the technology, there would be costs associated with decommissioning the technology. Additionally, there may be potential financial penalties related to breach of contract with the technology vendor(s).

**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.

**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. The Surveillance Impact Review included in the attachments, as required by the Surveillance Ordinance, includes 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 technology under review.



Legislation Text

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**File #:** CB 120055, **Version:** 2

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**CITY OF SEATTLE**

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

**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE relating to surveillance technology implementation; authorizing approval of uses and accepting the 2020 surveillance impact report and 2020 executive overview for the Seattle Police Department's use of Video Recording Systems.

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 Video Recording Systems in use by the Seattle Police Department; and

WHEREAS, the Seattle Police Department conducted policy rule review and community review as part of the development of the SIR; and

WHEREAS, SMC 14.18.080, enacted by Ordinance 125679, provides for the Community Surveillance Working Group, composed of relevant stakeholders, to complete a privacy and civil liberties impact assessment for each SIR, and SMC 14.18.020 allows for a statement from the Chief Technology Officer in response to the Working Group's privacy and civil liberties impact assessment; and

WHEREAS, development of the SIR, review by the Working Group and the Chief Technology Officer's response 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 Police Department's Video Recording Systems and accepts the 2020 Surveillance Impact Report (SIR) for this

technology, attached to this ordinance as Attachment 1, and the 2020 Executive Overview for the same technology, attached to this ordinance as Attachment 2.

Section 2. The Council requests the Seattle Police Department to report no later than the end of the fourth quarter of 2021 on the metrics provided to the Chief Technology Officer for use in the annual equity assessments of the Video Recording Systems technology.

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 - 2020 Surveillance Impact Report: Video Recording Systems

Attachment 2 - 2020 Surveillance Impact Report Executive Overview: Video Recording Systems



**2020 Surveillance Impact Report**

# **Video Recording Systems**

**(Interview, Blood-Alcohol Collection Room,  
and Precinct Holding Cell Audio)**

**Seattle Police Department**

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# Surveillance Impact Report (“SIR”) Overview

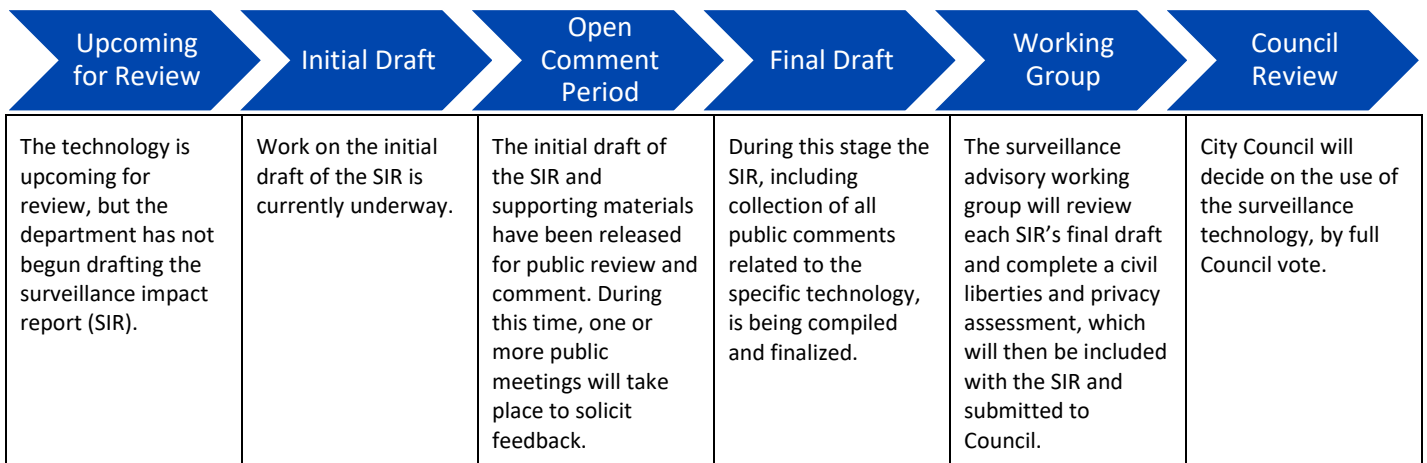
## About the Surveillance Ordinance

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”.

## Surveillance Ordinance Review Process

The following is a high-level outline of the complete SIR review process.



# 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.

SPD has two camera systems used to record and/or monitor members of the public within specific, secure locations in SPD facilities.

The first is the Genetec Video Management System. It is a permanently installed, non-mobile unconcealed audio and video recording system primarily used to record in-person interactions with and interviews of crime victims, witnesses, and suspects in 7 designated interview rooms located at the SPD headquarters in the Seattle Justice Center. The system also provides a live video-only view of these interview rooms. The video-only live view is used to monitor, short term, members of the community who are in the interview rooms when no SPD detective is present. This system is used to create a video record of interviews for the purposes of use in criminal justice proceedings.

The second is Milestone Systems XProtect Video Management Software and Products. These are permanently installed in SPD’s Blood Alcohol Collection (BAC) rooms and precinct holding cells. They record continuously all activity in those locations.

## **1.2 Explain the reason the project/technology is being created or updated and why the PIA is required.**

These technologies are used to record members of the public who are being interviewed or having their blood alcohol levels tested or are placed in precinct holding cells. If used out of policy, improperly, or without proper notification, this technology could potentially be used to make recordings that infringe on public privacy.

## **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.**

Though the state of Washington is not one of the 26 states that requires the recording of custodial interrogations, many law enforcement agencies and criminal justice system watchdogs, such as the Innocence Project, highly recommend the practice. Benefits include: preventing disputes about how an officer conducted the interview or treated a suspect or victim; creating a record of statements made by a suspect that may capture subtle details missed in real-time; reducing false confessions; and enhancing public confidence in the practices of SPD. Creating a visual record of activities that occur within the BAC rooms and precinct holding cells also provides a measure of accountability for both SPD and involved community members.

### **2.2 Provide any data or research demonstrating anticipated benefits.**

According to The Justice Project, “the virtue of electronic recording of custodial interrogations... lies not only in its ability to help guard against false confessions, but also in its ability to develop the strongest evidence possible to help convict the guilty.”  
[https://web.williams.edu/Psychology/Faculty/Kassin/files/Justice%20Project\(07\).pdf](https://web.williams.edu/Psychology/Faculty/Kassin/files/Justice%20Project(07).pdf)

### **2.3 Describe the technology involved.**

The Genetec Video Management System includes camera and microphone equipment that is permanently installed in the interview rooms on the 6<sup>th</sup> and 7<sup>th</sup> floors of SPD Headquarters, a physical server located at SPD HQ, two dedicated computer workstations located in the detectives’ work area at SPD HQ, and video-only monitors located throughout the detectives’ work area and detective supervisors’ offices at SPD HQ.

The Milestone Video Management Software and Products consist of cameras located in BAC rooms and precinct holding cells throughout SPD’s facilities. A dedicated server is located at each of these secure locations which stores the video and audio information from the Milestone cameras.

## **2.4 Describe how the project or use of technology relates to the department's mission.**

The mission of the Seattle Police Department is to prevent crime, enforce the law, and support quality public safety by delivering respectful, professional, and dependable police services. The video and audio recording of victim, witness, and suspect interviews aids investigations and prosecutions of crimes as well as enhances public confidence in the practices of SPD.

## **2.5 Who will be involved with the deployment and use of the project / technology?**

All SPD investigative units which include: Homicide, Robbery, Gang Unit, Intelligence, Special Assault Unit, Domestic Violence Unit, Arson-Bomb Squad, Major Crimes, Auto Theft, Vice & Human Trafficking. All SPD precinct employees tasked with the collection of blood alcohol levels and holding of subjects in precinct holding cells.

Additionally, SPD Video Unit staff, and certain backgrounded and qualified Seattle IT personnel are also involved in the support of the Video Management Systems.

## **3.0 Use Governance**

Provide an outline of any rules that will govern the use of the project / technology. Please note: non-City entities contracting with the City 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.**

**Genetec (Interview rooms):** The detective(s) conducting the interview activates the recording system for the appropriate room with a manual switch. The detective then advises the interview subject of the audio recording acquiring implied consent, or explicitly asks for permission to record per [SPD Policy 7.110 – Recorded Statements](#). At the conclusion of the interview or blood draw, or when the subject leaves the room, the recording is terminated by the detective or officer. The detective then exports the recording from the server on one of the two designated computer work stations and creates a copy of the recording for permanent storage on a special high-quality evidence grade DVD+R disc. This evidence grade disc is then submitted into the SPD Evidence Section as a standard item of evidence.

**Milestone (BAC rooms and precinct holding cells):** The Milestone systems is continuously recording in the BAC rooms and precinct holding cells. In the event that an investigator (including SPD internal investigations) needs to view the video, a request must be made to the SPD Video Unit who will locate the specific time and location video requested and provide the investigator with a DVD containing the file.

### **3.2 List the legal standards or conditions, if any, that must be met before the project / technology is used.**

Signage is clearly posted in all SPD precincts indicating that audio and video surveillance is in progress. These signs are posted both at the entrances to holding cells and inside holding cells and blood alcohol collection areas.





Consent is required before these technologies may be used. **RCW 9.73.030 Intercepting, recording or divulging private communication – Consent required – Exceptions.** Also known as “All party consent”. Standard procedure dictates that interview subjects are always advised of the presence of the recording or asked for their permission to record. Any recording made of an interview subject without consent would be inadmissible and could possibly subject the SPD personnel to an internal conduct assessment and possibly criminal charges.

Per [SPD Policy 7.110 – Recorded Statements](#):

When taking an audio recorded statement, the officer/detective:

1. **States** at the beginning of the recording:

Officer's name and includes, "of the Seattle Police Department"

Report Number

Date and time of the recording

The name of the interviewee

All persons present during the interview

2. **Asks** the person to respond to the question, "Are you aware you are being recorded?"

3. **If** the person is in custody, **gives** Miranda warning.

4. **Asks** the person to state their full name.

5. **Conducts** the interview.

6. After the interview, **if** the person is a victim, witness or complainant, **asks** the person:

Do you declare under penalty of perjury under the laws of Washington what you have stated in this statement is true and correct?

Do you wish to have your personal information Disclosed or Not Disclosed?

7. **Announces** the end of the recording with the date and time.

8. **Uploads** the audio statement to the Digital Evidence Management System (DEMS).

9. **Documents** the recorded statement in the appropriate report.

**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.**

Operators of both the Genetec and Milestone video systems are sworn SPD personnel. Training on the use of these systems is provided in-house to all SPD users of this technology. All SPD employees are required to abide by all SPD policies, including [SPD Policy 7.110 – Recorded Statements](#) which is directly related to the use of video recording equipment.



## 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.

These technologies record only the images and sounds that occur during an SPD interview of a witness, victim, or suspect, and activity in BAC rooms and precinct holding cells.

### 4.2 What measures are in place to minimize inadvertent or improper collection of data?

These technologies record only the images and sounds that occur during an SPD interview of a witness, victim, or suspect, and activity in BAC rooms and precinct holding cells. These technologies are permanently mounted and do not record any information outside of these parameters.

### 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?

**Genetec (Interview rooms):** The detective(s) conducting the interview activates the recording system for the appropriate room with a manual switch. The detective then advises the interview subject of the audio recording acquiring implied consent, or explicitly asks for permission to record per [SPD Policy 7.110 – Recorded Statements](#). At the conclusion of the interview or blood draw, or when the subject leaves the room, the recording is terminated by the detective or officer. The detective then exports the recording from the server on one of the two designated computer workstations and creates a copy of the recording for permanent storage on a special high-quality evidence grade DVD+R disc. This evidence grade disc is then submitted into the SPD Evidence Section as a standard item of evidence.

**Milestone (BAC rooms and precinct holding cells):** The Milestone systems is continuously recording in the BAC rooms and precinct holding cells. In the event that an investigation (including SPD internal investigations) needs to view the video, a request must be made to the SPD Video Unit who will locate the specific time and location video requested and provide the investigator with a DVD containing the file.

### 4.4 How often will the technology be in operation?

The Genetec (interview rooms) system is used on a daily basis in the course of law enforcement activities. The Milestone system (BAC rooms and precinct holding cells) records these locations continuously.

#### 4.5 What is the permanence of the installation? Is it installed permanently, or temporarily?

Both the Genetec and Milestone systems are permanently installed.

#### 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 cameras for both the Genetec and Milestone systems are overtly mounted in the interview rooms at SPD Headquarters and inside BAC rooms and precinct holding cells.

#### 4.7 How will data that is collected be accessed and by whom?

**Genetec (interview rooms):** After an interview is conducted, the detective accesses the recorded audio-video file that is stored on the Genetec server using proprietary Genetec software on one of two dedicated workstations located in the secured Detectives' Working Area and creates a copy of this file on a high-quality evidence grade DVD+R disc. This evidence-grade disc is then submitted into the SPD Evidence Section as a standard item of evidence. Standard evidence retention/disposition rules are then followed.

**Milestone (BAC rooms and precinct holding cells):** The recordings made by the Milestone system of BAC room use is not accessed routinely, but rather only when a specific request for that footage is needed for a criminal or internal investigation. Requests for that footage is requested by an authorized party (detective, Office of Police Accountability investigator, etc.) to the SPD Video Unit within the 90-day data retention period for those files. The Video Unit creates a copy of this file on a high-quality evidence grade DVD+R disc. This evidence grade disc is then submitted into the SPD Evidence Section as a standard item of evidence. Standard evidence retention/disposition rules are then followed.

#### 4.8 If operated or used by another entity on behalf of the City, provide details about access, and applicable protocols.

This technology is not operated or used by another entity on behalf of the City.

#### 4.9 What are acceptable reasons for access to the equipment and/or data collected?

The primary reason for access to the data collected by both the Genetec and Milestone systems is to investigate crimes, aid in the prosecution of criminals, and monitor subjects inside SPD facilities. Additionally, these systems are used to monitor internal SPD operations and document police activities.

**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.)?**

Only authorized SPD users can access the system, technology, or the data. Access to the application is limited to SPD personnel via password-protected login credentials. Logs of system activity are kept for both automatic system functions and user actions which provide an audit trail to safeguard against potential unauthorized access to stored information.

The entire system is located on the SPD network which is protected by industry standard firewalls. The Seattle IT Department performs routine monitoring of the SPD network.

All SPD employees are backgrounded and access is controlled by SPD Manual Title 12 provisions governing Department Information Systems including [SPD Policy 12.040 - Department-Owned Computers, Devices & Software](#), [SPD Policy 12.050 - Criminal Justice Information Systems](#), [SPD Policy 12.080 – Department Records Access, Inspection & Dissemination](#), [SPD Policy 12.110 – Use of Department E-mail & Internet Systems](#), and [SPD Policy 12.111 – Use of Cloud Storage Services](#).

SPD’s Audit, Policy and Research Section (APRS) can conduct an audit of the any and all systems at any time. The Office of Inspector General and the federal monitor can also access all data and audit for compliance at any time.

ITD client services interaction with SPD systems is governed according to the terms of the 2018 Management Control Agreement between ITD and SPD, which states that:

“Pursuant to Seattle Municipal Code (SMC) 3.23, ITD provides information technology systems, services and support to SPD and is therefore required to support, enable, enforce and comply with SPD policy requirements, including the FBI’s Criminal Justice Information Services, (CJIS) Security Policy.”

## 5.0 Data Storage, Retention and Deletion

### 5.1 How will data be securely stored?

**Genetec (interview rooms):** The original recordings are stored on a proprietary Genetec server that is located in a secure server room located in SPD HQ. The long-term storage copy produced by the detective is retained at the SPD Evidence Section following standard evidence retention rules.

**Milestone (BAC rooms and precinct holding cells):** Individual local servers are securely located all SPD precincts.

Per the [CJIS Security Policy](#), each agency is responsible for appropriate security measures as applicable to physical security of terminals and telecommunication lines; personnel security to include background screening requirements; technical security to protect against unauthorized use; data security to include III use, dissemination, and logging; and security of criminal history 08/16/2018 CJISD-ITS-DOC-08140-5.7 D-3 records. Additionally, each CSO (CJIS Systems Officer, or department command personnel) must ensure that all agencies establish an information security structure that provides for an ISO and complies with the CJIS Security Policy.

Both the Genetec and Milestone systems retain recordings for 90 days before they are automatically and systematically deleted from the server.

### 5.2 How will the owner allow for departmental and other entities, to audit for compliance with legal deletion requirements?

SPD's Audit, Policy and Research Section (APRS) can conduct an audit of the any and all systems at any time. In addition, the Office of Inspector General and the federal monitor can access all data and audit for compliance at any time.

### 5.3 What measures will be used to destroy improperly collected data?

Both the Genetec and Milestone systems retain recordings for 90 days before they are automatically and systematically deleted from the server.

SPD policy contains multiple provisions to avoid improperly collecting data. [SPD Policy 7.010](#) governs the submission of evidence and requires that all collected evidence be documented in an incident report. [SPD Policy 7.090](#) specifically governs the collection and submission of photographic evidence. Evidence is submitted to the Evidence Unit and associated with a specific GO Number and investigation. And, [SPD Policy 7.110](#) governs the collection and submission of audio recorded statements. It requires that officers state their name, the Department name, the General Offense number, date and time of recording, the name of the interviewee, and all persons present at the beginning of the recording. Additionally, [SPD Policy 5.140](#) forbids bias-based policing and outlines processes for reporting and documenting any suspected bias-based behavior, as well as accountability measures.

All SPD employees must adhere to laws, City policy, and Department Policy ([SPD Policy 5.001](#)), and any employees suspected of being in violation of laws or policy or other misconduct are subject to discipline, as outlined in [SPD Policy 5.002](#). [SPD Policy 5.001](#) also ensures that communication on the systems subject to collection on this system is official in nature.

Per the [CJIS Security Policy](#):

5.8.3 Digital Media Sanitization and Disposal The agency shall sanitize, that is, overwrite at least three times or degauss digital media prior to disposal or release for reuse by unauthorized individuals. Inoperable digital media shall be destroyed (cut up, shredded, etc.). The agency shall maintain written documentation of the steps taken to sanitize or destroy electronic media. Agencies shall ensure the sanitization or destruction is witnessed or carried out by authorized personnel.

5.8.4 Disposal of Physical Media Physical media shall be securely disposed of when no longer required, using formal procedures. Formal procedures for the secure disposal or destruction of physical media shall minimize the risk of sensitive information compromise by unauthorized individuals. Physical media shall be destroyed by shredding or incineration. Agencies shall ensure the disposal or destruction is witnessed or carried out by authorized personnel.

#### 5.4 which specific departmental unit or individual is responsible for ensuring compliance with data retention requirements?

Unit managers are responsible for ensuring compliance with data retention requirements within SPD. Audit, Policy & Research Section personnel can also conduct audits of all data collection software and systems. Additionally, any appropriate auditor, including the Office of Inspector General and the federal monitor can audit for compliance at any time.

## 6.0 Data Sharing and Accuracy

### 6.1 Which entity or entities inside and external to the City will be data sharing partners?

No person, outside of SPD and Seattle IT, has direct access to the application or the data.

Data obtained from the system may be shared outside SPD with the other agencies, entities, or individuals within legal guidelines or as required by law.

Data may be shared with outside entities in connection with criminal prosecutions:

- Seattle City Attorney’s Office
- King County Prosecuting Attorney’s Office
- King County Department of Public Defense
- Private Defense Attorneys
- Seattle Municipal Court
- King County Superior Court
- Similar entities where prosecution is in Federal or other State jurisdictions

Data may be made available to requesters pursuant to the [Washington Public Records Act, Chapter 42.56 RCW](#) (“PRA”). SPD will apply applicable exemptions to the data before disclosing to a requester. Individuals have the right to inspect criminal history record information maintained by the department ([RCW 10.97.030](#), [SPD Policy 12.050](#)). Individuals can access their own information by submitting a public disclosure request.

SPD shares data with authorized researchers pursuant to properly execute research and confidentiality agreements as provide by [SPD Policy 12.055](#). This sharing may include discrete pieces of data related to specific investigative files collected by the system.

### 6.2 Why is data sharing necessary?

The sharing of recorded audio-video of police interviews of victims, witnesses, and crime suspects is often needed to aid in the prosecution of cases. Recordings may be shared only within the context of the situations outlined in 6.1.

### 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.**

Law enforcement agencies receiving criminal history information are subject to the requirements of 28 CFR Part 20, regulating criminal justice information systems. In addition, Washington State law enforcement agencies are subject to the provisions of WAC 446-20-260 (auditing and dissemination of criminal history record information systems), and [RCW Chapter 10.97](#) (Washington State Criminal Records Privacy Act).

Once disclosed in response to PRA request, there are no restrictions on non-City data use; however, applicable exemptions will be applied prior to disclosure to any requestor who is not authorized to receive exempt content.

**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?**

Research agreements must meet the standards reflected in [SPD Policy 12.055](#). Law enforcement agencies receiving criminal history information are subject to the requirements of 28 CFR Part 20. In addition, Washington State law enforcement agencies are subject to the provisions of WAC 446-20-260, and [RCW Chapter 10.97](#).

**6.5 explain how the project/technology checks the accuracy of the information collected. If accuracy is not checked, please explain why.**

The audio and video captured by these systems are real-time recordings of the interviews and activities that take place in view of the cameras permanently mounted in the interview and BAC rooms and within precinct holding cells.

**6.6 describe any procedures that allow individuals to access their information and correct inaccurate or erroneous information.**

Individuals may request records pursuant to the PRA, and individuals have the right to inspect criminal history record information maintained by the department ([RCW 10.97.030](#), [SPD Policy 12.050](#)). Individuals can access their own information by submitting a public disclosure request.

## 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?

Though the state of Washington is not one of the 26 states that requires the recording of custodial interrogations, many law enforcement agencies and criminal justice system watchdogs, such as the Innocence Project, highly recommend the practice.

Consent is required before these technologies may be used. [RCW 9.73.030 Intercepting, recording or divulging private communication – Consent required – Exceptions](#). Also known as “All party consent”. Standard procedure dictates that interview subjects are always advised of the presence of the recording or asked for their permission to record.

Additionally, [RCW 9.73.090 Certain emergency response personnel exempted from RCW 9.73.030 through 9.73.080—Standards—Court authorizations—Admissibility](#) states:

(b) Video and/or sound recordings may be made of arrested persons by police officers responsible for making arrests or holding persons in custody before their first appearance in court. Such video and/or sound recordings shall conform strictly to the following:

(i) The arrested person shall be informed that such recording is being made and the statement so informing him or her shall be included in the recording;

(ii) The recording shall commence with an indication of the time of the beginning thereof and terminate with an indication of the time thereof;

(iii) At the commencement of the recording the arrested person shall be fully informed of his or her constitutional rights, and such statements informing him or her shall be included in the recording;

(iv) The recordings shall only be used for valid police or court activities;

### 7.2 Describe what privacy training is provided to users either generally or specifically relevant to the project/technology.

[SPD Policy 12.050](#) mandates that all employees receive Security Awareness Training (Level 2), and all employees also receive City Privacy Training. All SPD employees must adhere to laws, City policy, and Department Policy ([SPD Policy 5.001](#)), many of which contain specific privacy requirements. Any employees suspected of being in violation of laws or policy or other misconduct are subject to discipline, as outlined in [SPD Policy 5.002](#).

### 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.



The nature of the Department’s mission will inevitably lead it to collect and maintain information many may believe to be private and potentially embarrassing. Minimizing privacy risks revolve around disclosure of personally identifiable information.

[SMC 14.12](#) and [SPD Policy 6.060](#) direct all SPD personnel that “any documentation of information concerning a person’s sexual preferences or practices, or their political or religious activities must be for a relevant reason and serve a legitimate law enforcement purpose.”

Further, [SPD Policy 5.140](#) forbids bias-based policing and outlines processes for reporting and documenting any suspected bias-based behavior, as well as accountability measures.

**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?**

The privacy risks outlined in 7.3 above are mitigated by legal requirements and auditing processes (i.e., maintenance of all requests, copies of consent forms/statements and warrants) that allow for any auditor, including the Office of Inspector General and the federal monitor, to inspect the collection of recorded interactions between SPD and the public.

The greatest privacy risk is the unauthorized release of interview, BAC room, and holding cell video and audio recording that may contain information deemed private or offensive. To mitigate this risk, the technologies fall under the current SPD policies around dissemination of Department data and information reflected in 6.1.

## 8.0 Monitoring and Enforcement

**8.1 describe how the project/technology maintains a record of any disclosures outside of the department.**

Per [SPD Policy 12.080](#), the Crime Records Unit is responsible to receive and record all requests “for General Offense Reports from other City departments and from other law enforcement agencies, as well as from insurance companies.” Any subpoenas and requests for public disclosure are logged by SPD’s Legal Unit. Any action taken, and data released subsequently in response to subpoenas is then tracked through a log maintained by the Legal Unit. Public disclosure requests are tracked through the City’s GovQA Public Records Response System, and responses to Public Disclosure Requests, including responsive records provided to a requestor, are retained by SPD for two years after the request is completed.

**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.**

SPD’s Audit, Policy and Research Section is authorized to conduct audits of all investigative data collection software and systems, including DEMS. In addition, the Office of Inspector General and the federal monitor can conduct audits of the software, and its use, at any time. Audit data is available to the public via Public Records Request.

## 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
(Genetec)6/28/2016	Aug 2016	\$60,603.16			P7710
(Milestone) 6/14/2016	Aug 2016	\$19,520.79			P8830

Notes:

**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
(Genetec) \$660.06				P7715
(Milestone) \$3,698.91				P3348

Notes:

**1.3 Cost savings potential through use of the technology**

These are not quantified; however, potential cost savings may result from better evidence for crime prosecution and mitigating liability for complaints of misconduct of SPD personnel in BAC rooms and precinct holding cells.

**1.4 Current or potential sources of funding including subsidies or free products offered by vendors or governmental entities**

N/A

## 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

**1.1 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

### 2.0 Academics, Consultants, and Other Experts

**2.1 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

### 3.0 White Papers or Other Documents

**3.1 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
<p>“Preventing police torture and other forms of ill-treatment – reflections on good practices and emerging approaches”</p>	<p>28th General Report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), published in 2019</p>	<p><a href="https://rm.coe.int/1680942329">https://rm.coe.int/1680942329</a></p>
<p>“Electronic Recording of Custodial Interrogations”</p>	<p>TheJusticeProject.org</p>	<p><a href="https://web.williams.edu/Psychology/Faculty/Kassin/files/Justice%20Project(07).pdf">https://web.williams.edu/Psychology/Faculty/Kassin/files/Justice%20Project(07).pdf</a></p>

# Racial Equity Toolkit (“RET”) and Engagement for Public Comment Worksheet

## Purpose

Departments submitting a SIR are required to complete an adapted version of the Racial Equity Toolkit (“RET”) in order to:

- Provide a framework for the mindful completion of the SIR 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.
- Highlight and mitigate any impacts on racial equity from the adoption and the use of the technology.
- Highlight and mitigate any disparate impacts on individuals or vulnerable communities.
- 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

**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.

### 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? How is the department mitigating these risks?**

Inherent with any video or audio recording obtained and stored by SPD, personally identifiable and potentially sensitive personal information is collected about community members, including information about 3<sup>rd</sup> parties not present during the recordings.

**1.3 What are the risks for racial or ethnicity-based bias through each use or deployment of this technology? How is the department mitigating these risks?**

The mission of the Seattle Police Department is to prevent crime, enforce the law, and support quality public safety by delivering respectful, professional and dependable police services. A potential civil liberties concern is that the SPD would over-surveil vulnerable or historically targeted communities. [SPD Policy 5.140](#) forbids bias-based policing and outlines processes for reporting and documenting any suspected bias-based behavior, as well as accountability measures. The video systems described in this report are permanently installed inside SPD facilities and record individuals who are interacting with SPD personnel or are being held in precinct holding cells.

**1.4 Where in the City is the technology used or deployed?**

all Seattle neighborhoods

- |                                     |  |
|-------------------------------------|--|
| <input type="checkbox"/> Ballard    | <input type="checkbox"/> Southeast                     |
| <input type="checkbox"/> North      | <input type="checkbox"/> Delridge                      |
| <input type="checkbox"/> Northeast  | <input type="checkbox"/> Greater Duwamish              |
| <input type="checkbox"/> Central    | <input type="checkbox"/> East district                 |
| <input type="checkbox"/> Lake union | <input type="checkbox"/> King county (outside Seattle) |
| <input type="checkbox"/> Southwest  | <input type="checkbox"/> Outside King County.          |

If possible, please include any maps or visualizations of historical deployments / use.

**1.4.1 What are the racial demographics of those living in this area or impacted by these issues?**

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%

#### **1.4.2 How are decisions made where the technology is used or deployed? How does the Department work to ensure diverse neighborhoods are not specifically targeted?**

The Genetec system (Interview rooms) is located at SPD Headquarters. The Milestone system (BAC rooms and precinct holding cells) is located at all SPD precincts throughout the City of Seattle.

#### **1.5 How do decisions around data sharing have the potential for disparate impact on historically targeted communities? What is the department doing to mitigate those risks?**

The Aspen Institute on Community Change defines structural racism as “...public policies, institutional practices, cultural representations and other norms [which] work in various, often reinforcing ways to perpetuate racial group inequity.” Data sharing has the potential to be a contributing factor to structural racism and thus creating a disparate impact on historically targeted communities. In an effort to mitigate this possibility, SPD has established policies regarding the dissemination of data in connection with criminal prosecutions, Washington Public Records Act ([Chapter 42.56 RCW](#)), and other authorized researchers.

Further, [SPD Policy 5.140](#) forbids bias-based policing and outlines processes for reporting and documenting any suspected bias-based behavior, as well as accountability measures.

Video and audio collected by the Genetec and Milestone systems, is shared only with outside entities in connection with criminal prosecutions or in compliance with public records requests pursuant to the Washington Public Records Act, [Chapter 42.56 RCW](#) (“PRA”). SPD will apply applicable exemptions to the data before disclosing to a requester.

#### **1.6 How do decisions around data storage and retention have the potential for disparate impact on historically targeted communities? What is the department doing to mitigate those risks?**

Like decisions around data sharing, data storage and retention have similar potential for disparate impact on historically targeted communities. [SPD Policy 5.140](#) forbids bias-based policing and outlines processes for reporting and documenting any suspected bias-based behavior, as well as accountability measures.



**1.7 What are potential unintended consequences (both negative and positive potential impact)? What proactive steps can you can / have you taken to ensure these consequences do not occur.**

The most important unintended possible consequence related to the continued utilization of the Genetec and Milestone camera systems by SPD is the potential that members of the public will be recorded without their consent. [SPD Policy 7.110 – Recorded Statements](#) forbids SPD personnel from making such recordings without consent, except in specific exigent circumstances without proper warrant. Additionally, SPD policies, including [SPD Policy 6.060 - Collection of Information for Law Enforcement Purposes](#) also define the way information will be gathered by SPD in a manner that does not unreasonably infringe upon: individual rights, liberties, and freedoms guaranteed by the Constitution of the United States and the State of Washington, including freedom of speech, press, association, and assembly; liberty of conscience; the exercise of religion.

## 2.0 Public Outreach

### 2.1 Scheduled public meeting(s).

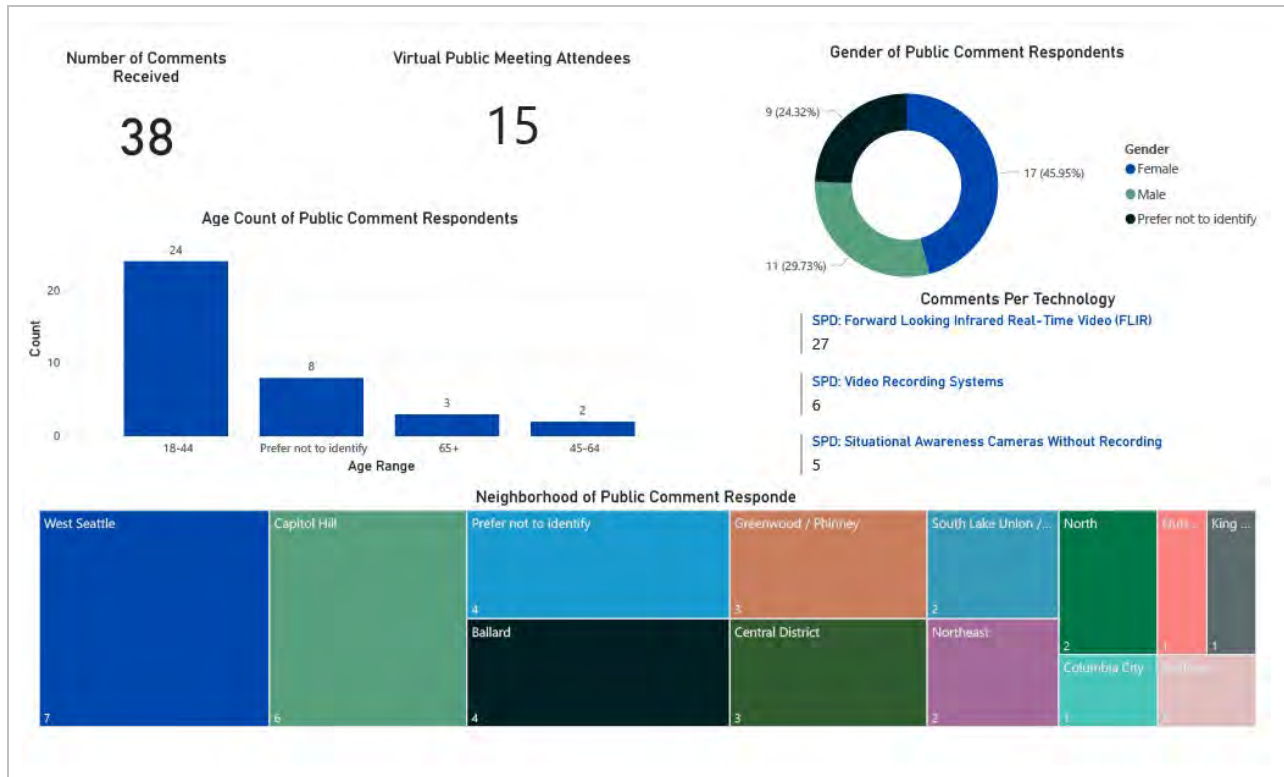
Meeting notes, sign-in sheets, all comments received, and questions from the public will be included in Appendix A-C. Comment analysis will be summarized in section 3.0 Public Comment Analysis.

#### Meeting 1

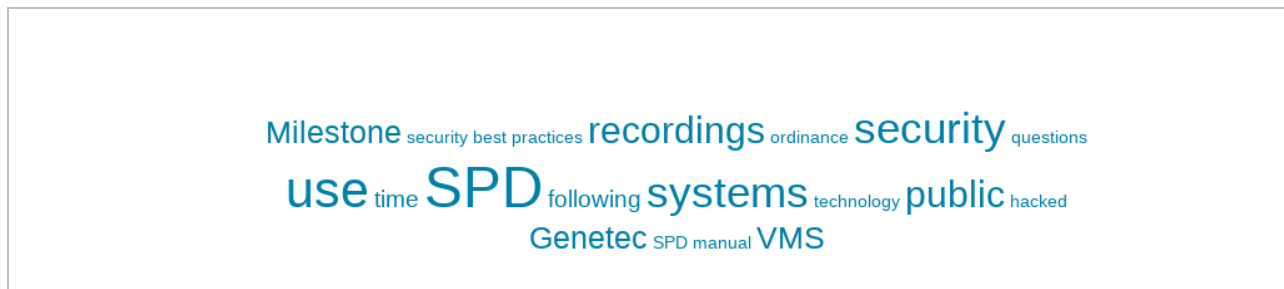
<b>Location</b>	Webex Online Event
<b>Date</b>	October 28 <sup>th</sup> , 2020
<b>Time</b>	12 pm – 1 pm

### 3.0 Public Comment Analysis

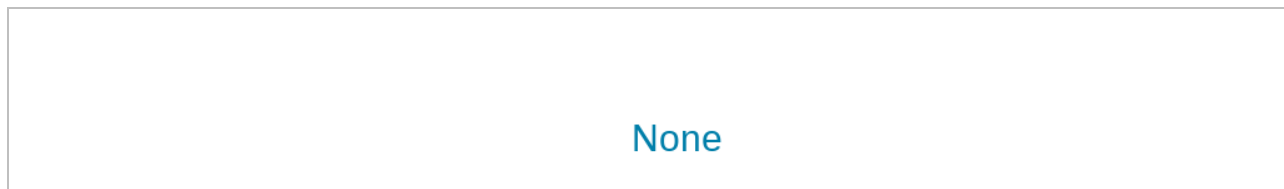
#### 3.1 Demographics of the public who submitted comments.



#### 3.2 What concerns, if any, do you have about the use of this technology?



#### 3.3 What value, if any, do you see in the use of this technology?



#### 3.4 What do you want City leadership to consider about the use of this technology?

Q4 What do you want City leadership to consider about the use of this technology?

public followed VMS Milestone security use SPD hacked  
Genetec security best practices recordings information

### 3.5 Do you have any other comments?

N/A

## 4.0 Response to Public Comments

### 4.1 How will you address the concerns that have been identified by the public?

The OIG has audit responsibilities for determining legality of the system and deployment. SPD follows case law and city ordinance and requires a legal foundation to deploy the cameras.

## 5.0 Equity Annual Reporting

**5.1 What metrics for this technology be reported to the CTO for the annual equity assessments? Departments will be responsible for sharing their own evaluations with department leadership, change team leads, and community leaders identified in the public outreach plan.**

Respond here.

# 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:

“Provide 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: Dec 15, 2020

Re: Privacy and Civil Liberties Impact Assessment for Video Recording Systems

## Executive Summary

The CSWG has completed its review of the Surveillance Impact Reports (SIRs) for the three surveillance technologies included in Group 3 of the Seattle Surveillance Ordinance technology review process. These technologies are Forward Looking Infrared, Video Recording Systems, and Situational Awareness Cameras Without Recording. This document is the CSWG’s Privacy and Civil Liberties Impact Assessment for Video Recording Systems as set forth in SMC 14.18.080(B)(1), which we provide for inclusion in the final SIRs submitted to the City Councils.

This document first provides our recommendations to Council, then provides background information, key concerns, and outstanding questions regarding Video Recording Systems.

Our assessment of Video Recording Systems as used by Seattle Police Department (SPD) focuses on three major issues:

1. The capabilities of the Genetec and Milestone systems are unclear.
2. It is unclear how data are collected, stored, and protected; additional policy language is necessary to define valid purposes of use

### **Recommendations:**

We recommend that the Council adopt, at a minimum, clear and enforceable rules that ensure the following:

1. **SPD must abide by a specific and restricted purpose of use:** The ordinance should define a specific purpose of use for any video recording systems used by SPD, and any use must be restricted to that specific purpose.
2. **SPD must not use any video recording systems that have capabilities beyond what is strictly necessary to fulfill the purpose of use (e.g., recording custodial interrogations).** The ordinance should prohibit incorporating additional services such as facial recognition systems with the video recording systems.

### **Outstanding Questions**

1. Does SPD use a Genetec or Milestone partner add-on that enables facial recognition or other biometric data collection/identification?
2. How are firmware/software updates applied to the Genetec systems?
3. What security practices does SPD follow?
4. Where does the SPD Evidence Section store the Genetec-generated recordings and Milestone recordings they receive?
5. For both the Genetec and Milestone systems, who has permission to modify the pan, tilt, and/or zoom of the cameras?

## CTO Response

# Memo

**To:** Seattle City Council  
**From:** Saad Bashir, Chief Technology Officer  
**Subject:** CTO Response to the Surveillance Working Group Video Recording Systems SIR Review

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### Purpose

As provided in the Surveillance Ordinance, [SMC 14.18.080](#), this memo outlines the Chief Technology Officer's (CTO's) response to the Surveillance Working Group assessment on the Surveillance Impact Report for Seattle Police Department's Video Recording Systems.

### Background

The Information Technology Department (ITD) is dedicated to the Privacy Principles and Surveillance Ordinance objectives to provide oversight and transparency about the use and acquisition of specialized technologies with potential privacy and civil liberties impacts. All City departments have a shared mission to protect lives and property while balancing technology use and data collection with negative impacts to individuals. This requires ensuring the appropriate use of privacy invasive technologies through technology limitations, policy, training and departmental oversight.

The CTO's role in the SIR process has been to ensure that all City departments are compliant with the Surveillance Ordinance requirements. As part of the review work for surveillance technologies, ITD's Privacy Office has facilitated the creation of the Surveillance Impact Report documentation, including collecting comments and suggestions from the Working Group and members of the public about these technologies. IT and City departments have also worked collaboratively with the Working Group to answer additional questions that came up during their review process. We believe that policy, training and technology limitations enacted by SPD and Council oversight through the surveillance technology review process provide adequate mitigation for the potential privacy and civil liberties concerns raised by the Working Group about the use of this important operational technology.

### Technology Purpose

SPD has two camera systems used to record and/or monitor members of the public within specific, secure locations in SPD facilities. The first is the Genetec Video Management System. It is a permanently installed, non-mobile unconcealed audio and video recording system primarily used to record in-person interactions with and interviews of crime victims, witnesses, and suspects in 7 designated interview rooms located at the SPD headquarters in the Seattle Justice Center. The system also provides a live video-only view of these interview rooms. The video-only live view is used to monitor, short term, members of the community who are in the interview rooms when no SPD detective is present. This system is used to create a video record of interviews for the purposes of use in criminal justice proceedings. The second is Milestone Systems XProtect Video Management Software and Products. These are permanently installed in SPD's Blood Alcohol Collection (BAC) rooms and precinct holding cells. They record continuously all activity in those locations.

## **Working Group Concerns**

In their review, the Working Group has raised concerns about these devices being used in a privacy impacting way. Their focus was on providing details about specification and restriction of use, and concerns about additional capabilities of the systems reviewed.

## **Recommended Next Steps**

I look forward to working together with Council and City departments to ensure continued transparency about the use of these technologies and finding a mutually agreeable means to use technology to improve City services while protecting the privacy and civil rights of the residents we serve. Specific concerns in the Working Group comments about cameras are addressed in the attached document.

## Response to Specific Concerns: Video Recording Systems

### Concern: Inadequate policies defining specific and restricted purpose of use

**CTO Assessment:** The specific and intended use of the technologies under review is governed by [SPD Policy 7.110 –Recorded Statements](#). The process for how the technology is used and the treatment of the collected video is also outlined in the SIR. While this SIR covers two technologies with similar purpose, the capabilities and clear purpose for each system is outlined and distinguished in the review process.

#### **SIR Response:**

##### Section 2.4 Describe how the project or use of technology relates to the department’s mission.

The mission of the Seattle Police Department is to prevent crime, enforce the law, and support quality public safety by delivering respectful, professional, and dependable police services. The video and audio recording of victim, witness, and suspect interviews aids investigations and prosecutions of crimes as well as enhances public confidence in the practices of SPD.

##### Section 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.

**Genetec (Interview rooms):** The detective(s) conducting the interview activates the recording system for the appropriate room with a manual switch. The detective then advises the interview subject of the audio recording acquiring implied consent, or explicitly asks for permission to record per [SPD Policy 7.110 –Recorded Statements](#). At the conclusion of the interview or blood draw, or when the subject leaves the room, the recording is terminated by the detective or officer. The detective then exports the recording from the server on one of the two designated computer workstations and creates a copy of the recording for permanent storage on a special high-quality evidence grade DVD+R disc. This evidence grade disc is then submitted into the SPD Evidence Section as a standard item of evidence.

**Milestone (BAC rooms and precinct holding cells):** The Milestone systems is continuously recording in the BAC rooms and precinct holding cells. In the event that an investigator (including SPD internal investigations) needs to view the video, a request must be made to the SPD Video Unit who will locate the specific time and location video requested and provide the investigator with a DVD containing the file.

##### Section 3.2 List the legal standards or conditions, if any, that must be met before the project / technology is used.

Signage is clearly posted in all SPD precincts indicating that audio and video surveillance is in progress. These signs are posted both at the entrances to holding cells and inside holding cells and blood alcohol collection areas.

Consent is required before these technologies may be used. RCW 9.73.030 Intercepting, recording or divulging private communication—Consent required—Exceptions. Also known as “All party consent”. Standard procedure dictates that interview subjects are always advised of the presence of the recording or asked for their permission to record. Any recording made of an interview subject without consent



would be inadmissible and could possibly subject the SPD personnel to an internal conduct assessment and possibly criminal charges. Per [SPD Policy 7.110 –Recorded Statements](#):

When taking an audio recorded statement, the officer/detective:

1. States at the beginning of the recording:
  - Officer’s name and includes, “of the Seattle Police Department”
  - Incident or Report Number
  - Date and time of the recording
  - The name of the interviewee
  - All persons present during the interview
2. Asks the person to respond to the question, “Are you aware you are being recorded?”
3. If the person is in custody, gives Miranda warning.
4. Asks the person to state their full name.
5. Conducts the interview.
6. After the interview, if the person is a victim, witness or complainant, asks the person:
  - Do you declare under penalty of perjury under the laws of Washington what you have stated in this statement is true and correct?
  - Do you wish to have your personal information Disclosed or Not Disclosed?
7. Announces the end of the recording with the date and time.
8. Uploads the audio statement to the Digital Evidence Management System (DEMS).
9. Documents the recorded statement in the appropriate report

Section 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?

**Genetec (Interview rooms):** The detective(s) conducting the interview activates the recording system for the appropriate room with a manual switch. The detective then advises the interview subject of the audio recording acquiring implied consent, or explicitly asks for permission to record per [SPD Policy 7.110 –Recorded Statements](#). At the conclusion of the interview or blood draw, or when the subject leaves the room, the recording is terminated by the detective or officer. The detective then exports the recording from the server on one of the two designated computer workstations and creates a copy of the recording for permanent storage on a special high-quality evidence grade DVD+R disc. This evidence grade disc is then submitted into the SPD Evidence Section as a standard item of evidence.

**Milestone (BAC rooms and precinct holding cells):** The Milestone systems is continuously recording in the BAC rooms and precinct holding cells. In the event that an investigator (including SPD internal investigations) needs to view the video, a request must be made to the SPD Video Unit who will locate the specific time and location video requested and provide the investigator with a DVD containing the file.

Section 4.9 What are acceptable reasons for access to the equipment and/or data collected?

The primary reason for access to the data collected by both the Genetec and Milestone systems is to investigate crimes, aid in the prosecution of criminals, and monitor subjects inside SPD facilities. Additionally, these systems are used to monitor internal SPD operations and document police activities.

**Concern: Capabilities of the Genetec and Milestone systems beyond specified purpose (facial recognition)**

**CTO Assessment:** The capabilities of both the Genetec and Milestone systems are outlined in the SIR as well as the circumstances under which they are used. There are concerns regarding additional functionality that could be added to these systems or other systems with similar advanced functionality but features such as facial recognition are not in use by any system in SPD. Any material change to the functionality of these technologies would be covered under the scope of the SIR review process. Additionally, going into effect July of 2021, Washington has passed the first state law that provides regulation and oversight over facial recognition technologies ([RCW 43.386](#)). This law regulates the development, procurement, and use of a facial recognition service, and provides a similar level of transparency and review to the Seattle Surveillance Ordinance.

**SIR Response:**

Section 2.3 Describe the technology involved.

The Genetec Video Management System includes camera and microphone equipment that is permanently installed in the interview rooms on the 6<sup>th</sup> and 7<sup>th</sup> floors of SPD Headquarters, a physical server located at SPD HQ, two dedicated computer workstations located in the detectives' work area at SPD HQ, and video-only monitors located throughout the detectives' work area and detective supervisors' offices at SPD HQ. The Milestone Video Management Software and Products consist of cameras located in BAC rooms and precinct holding cells throughout SPD's facilities. A dedicated server is located at each of these secure locations which stores the video and audio information from the Milestone cameras.

Section 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.

These technologies record only the images and sounds that occur during an SPD interview of a witness, victim, or suspect, and activity in BAC rooms and precinct holding cells.

## 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.

**OCR:** “Office of Civil Rights.”

**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.

**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: Meeting Notice(s)



# City Surveillance Technology Event

October 28<sup>th</sup>, 2020  
12:00 p.m. – 1:00 p.m.  
[Webex Online Event](#)

**Join us for a public meeting to comment on a few  
of the City’s surveillance technologies:**

**Seattle Police Department**

- Forward Looking Infrared Real-time Video (FLIR)
- Situational Awareness Cameras Without Recording
- Video Recording Systems

**[WebEx Online Event](#)**

Dial-in Info:  
+1-408-418-9388  
Access code: 146 533 4053

**Can’t join us online?**

Visit <http://www.seattle.gov/surveillance> to leave an online comment or send your comment to **Surveillance and Privacy Program, Seattle IT, PO Box 94709, Seattle, WA 98124.**

The Open Comment period is from **October 7<sup>th</sup> – November 7<sup>th</sup>, 2020.**

**Please let us know at [Surveillance@seattle.gov](mailto:Surveillance@seattle.gov) if you need any accommodations. For more information, visit [Seattle.gov/privacy](http://Seattle.gov/privacy).**

Information provided to the City of Seattle is considered a public record and may be subject to public disclosure. For more information see the Public Records Act, RCW Chapter 42.56 or visit [Seattle.gov/privacy](http://Seattle.gov/privacy). All comments submitted will be included in the Surveillance Impact Report.

## Appendix C: All Comments Received from Members of the Public

ID: 12165158184

**Submitted Through:** Online Comment

**Date:** 11/12/2020 4:05:03 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Video Recording Systems

**What concerns, if any, do you have about the use of this technology?**

I have concerns that SPD will not be transparent in the use of this technology. I worry in particular about its use in low income and minority neighborhoods.

**What value, if any, do you see in the use of this technology?**

I do not believe any value of this technology outweighs my major concerns.

**What do you want City leadership to consider about the use of this technology?**

I do not think the City should allow this technology.

**Do you have any other comments?**

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ID: 12164796504

**Submitted Through:** Online Comment

**Date:** 11/12/2020 1:58:34 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Video Recording Systems

**What concerns, if any, do you have about the use of this technology?**

As of Nov. 12th, numerous questions from the public have not been answered by SPD and thus greatly hinder the ability for informed public comment. These questions include: (1) Does SPD use a Genetec or Milestone partner add-on that enables facial recognition or other biometric data collection/identification? (2) How are firmware/software updates applied to the Genetec systems? (3) Genetec Omnicast was the VMS used by Washington D.C. MPD CCTVs that had nearly 70% of them hacked with ransomware in 2017. It is generally understood that not following the security best practices provided by Genetec is what led to them being hacked ( <https://ipvm.com/reports/genetec-mpd> ). Keep in mind that if SPD's Genetec VMS was hacked and had the recordings leaked, then that could jeopardize publicly-anonymous witnesses (though the security of the Milestone system is also important). At the public engagement meeting, SPD's stated their understanding of the security of their VMS was based on an assumption of the contracted installer. Security should never be based on assumption; and moreover, security best practices and available security features in VMS change over time, so relying on a (possible) one-time installation as the only time security has been done on these devices would not be considered sufficient and would not meet the current industry standards for security best practices. SPD should definitively validate what security measures have been applied their VMS and communicate that to the public. Specifically: (3a) Has SPD followed all the security configuration recommendations provided by Genetec in their Best Practices document ? (3b) Similarly, has SPD followed Milestone's XProtect Hardening Checklist? (4a) Where does the SPD Evidence Section store the Genetec-generated recordings they receive via DVD+R (in DEMS, and/or Evidence.com, or something else)? (4b) Same question for the Milestone recordings (where do they go after snippets are exported on DVD)? (5) For both the Genetec and Milestone systems, who has permission to modify the pan, tilt, and/or zoom of the cameras? Also, there are some gaps in the SPD manual that should be addressed either by modifications to SPD's manual and/or via ordinance. These gaps include: (1) The SPD manual doesn't limit the purpose of these recordings. (2) The ordinance that approves this tech should specifically prohibit installing/incorporating additional services that collect/assess/identify biometric information.

**What value, if any, do you see in the use of this technology?**

As it currently stands, this technology lacks sufficient guardrails to prevent abuse/misuse of the system. Moreover, the weak security posture puts witnesses and others at risk of having their interview leaked (and/or having the weak VMS security simply lead to the VMS being hacked as stepping stone to further attack other parts of SPD digital infrastructure). SPD/IT are withholding information from the public, which further impedes the ability for an informed consent by the public in seeing sufficient value in this technology.

### **What do you want City leadership to consider about the use of this technology?**

City leadership should be made aware of the information SPD/IT has withheld from the public. This information missing from the public includes: (1) Does SPD use a Genetec or Milestone partner add-on that enables facial recognition or other biometric data collection/identification? (2) How are firmware/software updates applied to the Genetec systems? (3) Genetec Omnicast was the VMS used by Washington D.C. MPD CCTVs that had nearly 70% of them hacked with ransomware in 2017. It is generally understood that not following the security best practices provided by Genetec is what led to them being hacked ( <https://ipvm.com/reports/genetec-mpd> ). Keep in mind that if SPD's Genetec VMS was hacked and had the recordings leaked, then that could jeopardize publicly-anonymous witnesses (though the security of the Milestone system is also important). At the public engagement meeting, SPD's stated their understanding of the security of their VMS was based on an assumption of the contracted installer. Security should never be based on assumption; and moreover, security best practices and available security features in VMS change over time, so relying on a (possible) one-time installation as the only time security has been done on these devices would not be considered sufficient and would not meet the current industry standards for security best practices. SPD should definitively validate what security measures have been applied their VMS and communicate that to the public. Specifically: (3a) Has SPD followed all the security configuration recommendations provided by Genetec in their Best Practices document ? (3b) Similarly, has SPD followed Milestone's XProtect Hardening Checklist? (4a) Where does the SPD Evidence Section store the Genetec-generated recordings they receive via DVD+R (in DEMS, and/or Evidence.com, or something else)? (4b) Same question for the Milestone recordings (where do they go after snippets are exported on DVD)? (5) For both the Genetec and Milestone systems, who has permission to modify the pan, tilt, and/or zoom of the cameras? City leadership should be encouraged to mandate (via SPD manual changes and/or ordinance) to address some gaps and add appropriate guardrails to the use of this technology. The current gaps include: (1) The SPD manual doesn't limit the purpose of these recordings. (2) The ordinance that approves this tech should specifically prohibit installing/incorporating additional services that collect/assess/identify biometric information.

### **Do you have any other comments?**



There are many areas of improvement by IT/Privacy-dept. regarding their public engagement process on surveillance technologies. Some of the more recent issues include: (1) Public comment via SurveyMonkey was configured by IT such that a single user (browser session) could only submit public comment on 1 technology. The only way to submit public comment on all the technologies would be use a different browser or clear you browser's cookies/session data, which many less technical people wouldn't know to do. This actively impedes public comment. It is ensuring there is the least public comment possible. (2) The Privacy dept. calendar event for the Group 3 public engagement meeting didn't include the access code for phone-only users to dial-in (one had to know of and go to the TechTalk blog to get the access code). (3) Directions at public engagement meeting for providing verbal public comment were to raise hand in webex which clearly is not possible for phone-only users. (4) Public engagement truncated. CTO told City Council it would be 45 days. Instead IT used 30 days with a 1 week extension agreed to be added (so 37 days). (5) The Group 3 public engagement meeting recording (as of Nov. 12th) has not been posted publicly, so people unable to attend don't have access to the discussion/Q&A before the public comment period closes. (6) SPD has not provided answers before the public comment period closes. (7) SPD further dodged valid questions from the public by requiring PRA requests, which have zero hope of being addressed within the public comment period. (8) IT has repeatedly requested & attained (and in 1 case, just self-granted) time extensions for the Surveillance Ordinance process. When the public needs time for SPD to provide answers so as to provide informed public comment, now suddenly IT is on a tight time schedule and can't extend the public comment period. Additionally, IT/Privacy-dept. has repeatedly lamented the lack of public engagement, but have also taken no additional steps to rectify this for Group 3; and did not heed prior feedback from the CSWG regarding the engagement process. There are numerous steps IT/Privacy-dept. should take to improve public engagement. The recommendations to the CTO & CPO for Group 4 include: (1) Breaking the group into smaller groups. Group 4 on deck with 13 technologies: 2 re-visits of SFD tech, 3 types of undercover technologies, & 8 other technologies. (2) Allocating more time for open public comment: minimum of 2 weeks per each in scope tech (so Group 3 would be 42 days, and Group 4 would be 154 - 182 days). (3) Hold more public engagement meetings per Group - specifically the number of public engagement meetings should at a minimum match the number of technologies being considered for public comment (otherwise the meeting will run out of time before all the questions from the public can even be asked, which did happen with Group 3). (4) Require at the public engagement meetings both a Subject Matter Expert on the use of the technology AND a Subject Matter Expert on the technical management of the technology. There should be no excuse for most of the public's questions being unanswered by the City at these meetings. (5) Hold public engagement meetings that are accessible to marginalized communities most likely to have this technology used against them (such as, holding meetings at various times of day & weekends, having translators, etc). (6) Post online the recordings of all online public engagement meetings at least 1 week before the public comment period closes. (7) Require departments to provide answers to the public's questions at least 1 week before the public comment period closes. (8) Post public announcements for focus groups held by the City (9) Public engagement meetings and focus groups should have at least 1 outside civil liberties representative to present. (10) Publish to the Privacy website in a more timely manner the CSWG meeting announcements and minutes.

(11) Work with more City departments (not just Dept. of Neighborhoods) to foster engagement. (12) Work with more City boards and committees to foster engagement. (13) Provide at least 2 week lead time between announcing a public engagement meeting and the timing of that meeting occurring. (14) Provide early versions of drafts SIRs to the CSWG (as they requested more than once).

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**ID:** 12111900892

**Submitted Through:** Online Comment

**Date:** 10/26/2020 8:27:30 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Video Recording Systems

**What concerns, if any, do you have about the use of this technology?**

Increased surveillance is the action of a police state, and should not be tolerated by a free society.

**What value, if any, do you see in the use of this technology?**

None.

**What do you want City leadership to consider about the use of this technology?**

It is antithetical to freedom.

**Do you have any other comments?**

This comment applies to all three systems under review.

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**ID:** 12101381803

**Submitted Through:** Online Comment

**Date:** 10/22/2020 2:59:30 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Video Recording Systems

**What concerns, if any, do you have about the use of this technology?**

SPD has already weaponized video recording systems to limit the first amendment rights of people who politically oppose them. SPD is incredibly reckless with their use of body worn video and has demonstrated that they are not capable of following a standa

**What value, if any, do you see in the use of this technology?**

None

**What do you want City leadership to consider about the use of this technology?**

SPD is reckless, SPD is irresponsible, SPD is unreformable. You must take any and all surveillance tools from their control and transfer to civilian oversight boards.

**Do you have any other comments?**

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**ID:** 12101189956

**Submitted Through:** Online Comment

**Date:** 10/22/2020 1:49:35 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Video Recording Systems

**What concerns, if any, do you have about the use of this technology?**

I do not trust the Seattle Police Department to handle this technology properly or within the framework of constitutional rights. The Seattle Police consistently abuse existing camera technology, such as SDOT cameras, despite existing city ordinances.

**What value, if any, do you see in the use of this technology?**

None. The police should not have it.

**What do you want City leadership to consider about the use of this technology?**

The astonishingly long record of human rights abuses the Seattle Police continue to mete out without the right to trial.

**Do you have any other comments?**

Defund SPD.

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**ID:** 12100938026

**Submitted Through:** Online Comment

**Date:** 10/22/2020 12:24:25 PM

**Which surveillance technology that is currently open for public comment, do you wish to comment on?**

SPD: Video Recording Systems

**What concerns, if any, do you have about the use of this technology?**

None

**What value, if any, do you see in the use of this technology?**

Catching illegal activity and being able to quickly assess and respond to crime is a benefit to society.

**What do you want City leadership to consider about the use of this technology?**

Increase usage in problematic areas.

**Do you have any other comments?**

None

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## Appendix D: Letters from Organizations or Commissions

November 6, 2020

Seattle Information Technology  
700 5<sup>th</sup> Ave, Suite 2700  
Seattle, WA 98104

RE: ACLU of Washington Comments on Group 3 Surveillance Technologies

On behalf of the ACLU of Washington, I write to offer our comments on the surveillance technologies included in Group 3 of the Seattle Surveillance Ordinance implementation process.

The three Seattle Police Department (SPD) technologies in Group 3 are covered in the following order:

1. Forward Looking Infrared – King County Sheriff's Office Helicopters
2. Video Recording Systems
3. Situational Awareness Cameras Without Recording

These comments should be considered preliminary, given that the Surveillance Impact Reports (SIR) for each technology leave a number of important questions unanswered. Specific unanswered questions for each technology are noted in the comments relating to that technology. Answers to these questions should be included in the updated SIRs provided to the Community Surveillance Working Group and to the City Council prior to their review of the technologies.

### Forward Looking Infrared - KCSO Helicopters

#### *Background*

Forward Looking Infrared (FLIR) is a powerful thermal imaging surveillance technology that raises a number of privacy and civil liberties concerns because of its ability to enable dragnet surveillance of individuals in public as well as in private spaces.

FLIR cameras sense infrared radiation to create images assembled for real-time video output. This technology detects small differences in heat, or emitted thermal energy, and displays them as shades of gray or with different colors. Because all objects emit different amounts of thermal energy, FLIR cameras are able to detect temperature differences and translate them into images.<sup>1</sup>

Advanced thermal imaging systems like FLIR allow governments to increase their surveillance capabilities. Like any device used for surveillance, government agents may use it inappropriately to gather information on people based on their race, religion, or political views. While thermal imaging devices cannot “see” through

<sup>1</sup> ACLU of Washington, *Thermal Imaging Surveillance*, [THEYAREWATCHING.ORG](https://theyarewatching.org/technology/thermal-imaging-surveillance), <https://theyarewatching.org/technology/thermal-imaging-surveillance> (last visited Nov. 5, 2020).



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Tana Lin  
Board President

Michele Stormo  
Executive Director

walls, pointing a thermal camera at a building can still reveal sensitive information about what is happening inside. Drug detectives often use these devices to identify possible marijuana growers by looking for heat consistent with grow lights.<sup>2</sup> Furthermore, privacy and civil liberties concerns with FLIR are magnified when FLIR is used in conjunction with other powerful surveillance tools such as facial recognition and drones.

The Seattle Police Department (SPD) uses three King County Sheriff's Office helicopters that are equipped with FLIR technology as well as 30-million candlepower "Night Sun" searchlights, Pro Net and LoJack radio tracking receivers, still and video cameras, and communications equipment for communicating with local, state, and federal law and firefighting agencies on their frequencies. SPD can use FLIR technology and these helicopters to monitor human beings (whose body temperatures are fairly consistent) through clouds, haze, and darkness.

There are serious concerns with SPD's use of KCSO's helicopters as described in the SIR. The policies attached in the SIR do not include purpose limitations, adequate privacy and security protections, or restrictions on use. The SIR also does not specify how long KCSO retains still images and recordings attained when assisting SPD, or whether SPD's Digital Evidence Management System (DEMS) is an on-premise or a Software-as-a-Service (SaaS) deployment.

At the public engagement meeting held on October 28, 2020,<sup>3</sup> SPD officers were asked if SPD had ever used KCSO helicopters or FLIR technology for the purpose of surveilling protesters and if SPD had any policies prohibiting use of these technologies for protester surveillance. The officers were also asked over which neighborhoods the helicopters had been deployed, given that the SIR states that in 2018, Guardian One was deployed 45 times to SPD events. For both questions, SPD officers declined to answer and told the public to submit public records requests. However, because SPD's Public Records Act request portal states that the minimum response timeline is in excess of 6-12 months, members of the public would not be able to receive answers to these questions in time to submit public comments on these technologies.

Given the lack of adequate policies in the SIR and the number of unanswered questions that remain, we have concerns that SPD's use of KCSO's helicopters and FLIR technology may infringe upon people's civil rights and civil liberties. KCSO's FLIR-equipped helicopters may be used to disproportionately surveil historically targeted communities, individuals exercising their constitutionally protected right to protest, or people just going about their lives.

#### *Specific Concerns*

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<sup>2</sup> In the 2001 case *Kyllo v. United States*, the U.S. Supreme Court ruled that federal agents violated the Fourth Amendment when they used a thermal imaging device to detect marijuana plants growing inside a home.

<sup>3</sup> Seattle Police Department, *Surveillance Technology Public Comment Meeting*, CITY OF SEATTLE (Oct. 28, 2020), <https://www.seattle.gov/Documents/Departments/Tech/Privacy/Group%2039%20Presentation.pdf>.



- **There are inadequate policies defining purpose of use.** The policies cited in the SIR do not impose meaningful restrictions on the purpose for which SPD may request that KCSO helicopters and FLIR technology be used. Policy 16.060 – King County Sheriff’s Office Air Support Unit<sup>4</sup> simply states that “Guardian One offers air support for patrol and specialized missions” and that “Guardian Two offers air support for special operations such as search and rescue (SAR) and tactical missions.” This policy only describes the process by which SPD may request support from KCSO’s air support unit but does not state the specific purposes for which SPD may or may not request support. Section 4.9 of the SIR<sup>5</sup> states that SPD may request video from KCSO’s Air Unit “[w]hen necessary and pertinent to a specific investigation” but does not specify the types of investigations for which SPD may request data from KCSO or how it is determined if such data is necessary and pertinent. Policy 6.060 – Collection of Information for Law Enforcement Purposes<sup>6</sup> states that “Information will be gathered and recorded in a manner that does not unreasonably infringe upon: individual rights, liberties, and freedoms guaranteed by the Constitution of the United States and the State of Washington” and Policy 5.140 – Bias-Free Policing states that “officers will not engage in bias-based policing.”<sup>7</sup> However, SPD’s answers at the October 28 public engagement meeting do not make clear whether and how SPD prohibits use of KCSO helicopters to engage in surveillance of protesters or biased policing. Section 1.4.2 of the Racial Equity Toolkit (RET) section of the SIR specifically asks: “How are decisions made where the technology is used or deployed? How does the Department work to ensure diverse neighborhoods are not specifically targeted?”<sup>8</sup> The response from SPD directs attention to SPD Policy 16.060, which does not provide adequate purpose limitations.
- **There are inadequate policies restricting data collection.** The policies cited in the SIR do not place any restrictions on the amount or types of data SPD may request from KCSO. At the October 28 public engagement meeting, SPD officers did not answer whether or how SPD places time or geographic limitations on the data it may request from KCSO.

<sup>4</sup> Seattle Police Department, *Seattle Police Department Manual: 16.060 - King County Sheriff’s Office Air Support Unit*, CITY OF SEATTLE (Mar. 1, 2016), <http://www.seattle.gov/police-manual/title-16---patrol-operations/16060---king-county-sheriffs-office-air-support-unit>.

<sup>5</sup> Seattle Police Department, *2020 Surveillance Impact Report: Forward Looking Infrared Real-Time Video (FLIR) (KCSO Helicopters)*, CITY OF SEATTLE, at 12, [http://www.seattle.gov/Documents/Departments/Tech/Privacy/FLIR%20-%20KCSO%20Helicopters%20Public\\_Engagement%20SIR.pdf](http://www.seattle.gov/Documents/Departments/Tech/Privacy/FLIR%20-%20KCSO%20Helicopters%20Public_Engagement%20SIR.pdf) (last visited Nov. 5, 2020).

<sup>6</sup> Seattle Police Department, *Seattle Police Department Manual: 6.060 - Collection of Information for Law Enforcement Purposes*, CITY OF SEATTLE (May 19, 2004), <http://www.seattle.gov/police-manual/title-6---arrests-search-and-seizure/6060---collection-of-information-for-law-enforcement-purposes>.

<sup>7</sup> Seattle Police Department, *Seattle Police Department Manual: 5.140 - Bias-Free Policing*, CITY OF SEATTLE (Aug. 1, 2019), <http://www.seattle.gov/police-manual/title-5---employee-conduct/5140---bias-free-policing>.

<sup>8</sup> *2020 Impact Report: Infrared Video*, supra note 5, at 23.

- **It is unclear if and how SPD protects the privacy of individuals unrelated to an investigation.** The SIR does not include any policies regarding how it redacts or deletes information. At the October 28 public engagement meeting, SPD officers did not provide an answer to the question of whether and how it redacts or deletes information collected that may compromise the privacy of individuals unrelated to an investigation.
- **It is unclear how data collected are stored and protected.** SPD stated at the October 28 public engagement meeting that it is unaware of how long KCSO retains still images and recordings obtained when assisting SPD. While SPD officers stated that SPD stores video requested from KCSO in its Digital Evidence Management System (DEMS)—not Evidence.com, this is not made clear within the SIR. Additionally, SPD officers did not answer whether SPD’s DEMS is on on-premise or Software-as-a-Service (SaaS) deployment.
- **The SIR does not provide the dates and neighborhoods over which KCSO helicopters and FLIR technology have been deployed.** Though the SIR states that there have been 45 deployments of Guardian One to support SPD in 2018, the SIR does not include an analysis of the locations of those deployments.<sup>9</sup> Additionally, during the October 28 public engagement meeting, SPD declined to state the neighborhoods over which the helicopters had been deployed. It is important that SPD include this information in the Racial Equity Toolkit section of the final SIR in order to address the following questions in Section 1.4.2: “How are decisions made where the technology is used or deployed? How does the Department work to ensure diverse neighborhoods are not specifically targeted?”<sup>10</sup>

#### *Outstanding Questions*

- What are the registration and/or tail numbers for each helicopter?
- In 2019 and 2020, did the KCSO Air Support Unit have any additional helicopters aside from the three listed in the SIR?
- How long does KCSO retain still images and recordings attained when assisting SPD?
- Is SPD’s Digital Evidence Management System (DEMS) an on-premise deployment or is it Software-as-a-Service?
- Has SPD ever requested KCSO ASU services or obtained data from KCSO’s helicopters and/or FLIR technology to surveil protesters?
- What are the neighborhoods over which KCSO’s helicopters have been deployed?

#### *Recommendations for Regulation*

At this stage, pending answers to the questions above, we can make only preliminary recommendations for the regulation of SPD’s use of KCSO’s helicopters and FLIR technology. We recommend that the Council adopt, via ordinance, at a minimum, clear and enforceable rules that ensure the following:

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<sup>9</sup> *Id.* at 9.

<sup>10</sup> *Id.* at 23.

- **SPD must abide by a specific and restricted purpose of use:** The ordinance should define a specific purpose of use for KCSO's helicopters and FLIR technology, and any SPD use of KCSO's helicopters and FLIR technology and data collected with these technologies must be restricted to that specific purpose.
- **SPD must adopt processes to ensure it is not targeting diverse neighborhoods.** The ordinance should prohibit SPD from using KCSO's helicopters and FLIR technology to disproportionately surveil communities of color and other historically over-policed communities.
- **SPD must protect the privacy of individuals unrelated to a specific search or investigation.** The ordinance should require SPD to redact or delete information collected that may compromise the privacy of individuals not related to a specific search or investigation, restricted by the purpose of use.
- **SPD must produce a publicly available annual report detailing its use of KCSO helicopters and FLIR technology.** The ordinance should require that SPD produce an annual report including details on how SPD used the data collected, the amount of data collected, for how long data were retained and in what form, where the data are stored, and the neighborhoods over which KCSO helicopters and/or FLIR technology were deployed.

### Video Recording Systems

#### *Background*

SPD uses two cameras systems to record and/or monitor members of the public within SPD interview rooms, Blood Alcohol Collection (BAC) rooms, and precinct holding cells: Genetec Video Management System and Milestone Systems XProtect Video Management Software and Products.

Genetec Video Management System is a permanently installed system primarily used to record in-person interactions and interviews with crime victims, witnesses, and suspects in seven designated interview rooms located at the SPD headquarters in the Seattle Justice Center. This system is used to create a video record of interviews for the purposes of use in criminal justice proceedings. Milestone Systems XProtect Video Management Software and Products is a permanently installed system in SPD's Blood Alcohol Collection (BAC) rooms and precinct holding cells. They record continuously all activity in those locations.<sup>11</sup>

SPD's use of these video recording systems can pose threats to people's privacy and civil liberties if used without adequate safeguards. The SIR does not provide adequate purpose limitations regarding SPD's use of these technologies, does not include full details of the capabilities of these systems, and does not adequately specify technical and procedural safeguards to prevent improper viewing.

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<sup>11</sup> Seattle Police Department, *2020 Surveillance Impact Report: Video Recording Systems (Interview, Blood-Alcohol Collection Room, and Precinct Holding Cell Audio)*, CITY OF SEATTLE, at 4, [https://www.seattle.gov/Documents/Departments/Tech/Privacy/Video%20Recording%20Systems%20Public\\_Engagement%20SIR.pdf](https://www.seattle.gov/Documents/Departments/Tech/Privacy/Video%20Recording%20Systems%20Public_Engagement%20SIR.pdf) (last visited Nov. 5, 2020).

collection, or storage of the images or video footage.

#### *Specific Concerns*

- **There are inadequate policies defining purpose of use.** Section 4.9 of the SIR asks, “What are acceptable reasons for access to the equipment and/or data collected?”<sup>12</sup> The response does not specifically detail how and for what purpose the equipment and/or data collected from the equipment may be used.
- **The capabilities of the Genetec and Milestone systems are unclear.** SPD does not provide links or attachments providing specific details about either of the systems they use. Both Genetec<sup>13</sup> and Milestone<sup>14</sup> advertise facial recognition systems that may be integrated with its video management systems.
- **It is unclear how data are collected, stored, and protected.** The SIR does not make clear whether SPD stores the data they receive in the Digital Evidence Management System or Evidence.com, a cloud-based digital evidence platform owned by Axon. The SIR simply references SPD policy 7.110 – Recorded Statements, which states that data may be uploaded to the Digital Evidence Management System (DEMS) or Evidence.com.<sup>15</sup> Additionally, the SIR does not include information about the security practices SPD follows to protect the privacy of members of the public who are recorded by the Genetec and Milestone video management systems. Finally, the SIR does not specify who has permission to modify the pan, tilt, and/or zoom of the cameras.

#### *Outstanding Questions*

- Does SPD use a Genetec or Milestone partner add-on that enables facial recognition or other biometric data collection/identification?
- How are firmware/software updates applied to the Genetec systems?
- What security practices does SPD follow?
- Where does the SPD Evidence Section store the Genetec-generated recordings and Milestone recordings they receive?
- For both the Genetec and Milestone systems, who has permission to modify the pan, tilt, and/or zoom of the cameras?

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<sup>12</sup> *Id.* at 12.

<sup>13</sup> *Security Center Omnicast IP video surveillance*, GENETEC, <https://resources.genetec.com/video-modules-and-add-ons/omnicast-ip-video-surveillance> (last visited Nov. 5, 2020).

<sup>14</sup> *Dahua Face Recognition Plugin for Milestone VMS*, MILESTONE, <https://www.milestonesys.com/marketplace/zhejiang-dahua-technology-co.-ltd/dahua-face-recognition-plugin-for-milestone-vms/> (last visited Nov. 5, 2020); *Id-Guard Face Recognition Plugin*, MILESTONE, <https://www.milestonesys.com/marketplace/ll-recfaces/id-guard-face-recognition-plugin/> (Nov. 5, 2020).

<sup>15</sup> Seattle Police Department, *Seattle Police Department Manual: 7.110 - Recorded Statements*, CITY OF SEATTLE (Oct. 1, 2020), <https://www.seattle.gov/police-manual/title-7---evidence-and-property/7110---recorded-statements>.

### *Recommendations for Regulation*

At this stage, pending answers to the questions above, we can make only preliminary recommendations for the regulation of SPD's use of video recording systems. We recommend that the Council adopt, via ordinance, at a minimum, clear and enforceable rules that ensure the following:

- **SPD must abide by a specific and restricted purpose of use:** The ordinance should define a specific purpose of use for any video recording systems used by SPD, and any use must be restricted to that specific purpose.
- **SPD must not use any video recording systems that have capabilities beyond what is strictly necessary to fulfill the purpose of use (e.g., recording custodial interrogations).** The ordinance should prohibit incorporating additional services such as facial recognition systems with the video recording systems.

### **Situational Awareness Cameras Without Recording**

#### *Background*

SPD uses four types of portable cameras to observe both public and private areas during tactical operations. The four types of cameras and their vendors are:

- Robot-mounted cameras – RoboteX
- Pole-mounted cameras – Tactical Electronics & Smith and Wesson
- Placeable cameras – Remington & Tactical Electronics
- Throwable cameras – Remington & Tactical Electronics<sup>16</sup>

SPD's use of these situational awareness cameras can pose threats to people's privacy and civil liberties if used without adequate safeguards. The SIR does not provide adequate purpose limitations regarding SPD's use of these technologies, does not include full details of the capabilities of the cameras, and does not adequately specify technical and procedural safeguards to prevent improper viewing, collection, or storage of the images or video footage.

#### *Specific Concerns*

- **There are inadequate policies defining purpose of use.** Section 4.9 of the SIR asks, "What are acceptable reasons for access to the equipment and/or data collected?" The response states: "The decision to use situational awareness cameras is made on a case-by-case basis. These devices allow officers to monitor a subject or watch situation from a position of safety and distance. Absent exigent circumstances, a signed warrant is obtained prior to the use of this technology in any protected area."<sup>17</sup> This response does not

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<sup>16</sup> Seattle Police Department, *2020 Surveillance Impact Report: Situational Awareness Cameras Without Recording*, CITY OF SEATTLE, at 5, [https://www.seattle.gov/Documents/Departments/Tech/Privacy/Situational%20Awareness%20Cameras%20Public\\_Engagement%20SIR.pdf](https://www.seattle.gov/Documents/Departments/Tech/Privacy/Situational%20Awareness%20Cameras%20Public_Engagement%20SIR.pdf) (last visited Nov. 5, 2020).

<sup>17</sup> *Id.* at 8.

provide a clear and limited purpose for which this technology may or may not be used. While SPD's response states that a warrant is obtained prior to use of the cameras in protected areas, such as inside a home, it does not state the specific purposes for which SPD may or may not use the cameras without a warrant.

- **The capabilities of the situational awareness cameras are unclear.** The SIR does not provide manuals or the complete model names and/or numbers of each of the camera technologies. During the October 28 public engagement meeting, SPD stated that their situational awareness cameras do not support recording. However, the vendor websites advertise situational awareness cameras that do support recording. For example, the Tactical Electronics Core Monitor,<sup>18</sup> Pole Camera,<sup>19</sup> and Under Door Camera<sup>20</sup> can either take photos, record video, and/or record audio.
- **It is unclear what technical and procedural safeguards are in place to prevent the improper viewing, collection, and storage of images.** During the October 28 public engagement meeting, SPD stated that there is no way that images, video, or audio footage could be collected and stored. In order to verify that information, SPD must provide detailed information about the technologies it uses as stated above. Additionally, even if the cameras themselves cannot record footage, it is unclear if there are policies and procedures in place to prevent live-streamed situational camera footage from being recorded via a different device.

#### *Outstanding Questions*

- What are the complete model names/numbers for each of the equipment in scope for the Situational Awareness Cameras?
- What technical safeguards are in place to prevent the storage/retention of images?
- 7.3 of Situational Awareness Cameras SIR states "[the SWAT Unit] have mitigated the risk of improper viewing of the protected areas." How specifically have they mitigated the risk?
- What (if any) sections of the SPD Manual specifically cover the use of these technologies by SWAT?

#### *Recommendations for Regulation*

At this stage, pending answers to the questions above, we can only make preliminary recommendations for the regulation of SPD's use of situational awareness cameras. We recommend that the Council adopt, via ordinance, at a minimum, clear and enforceable rules that ensure the following:

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<sup>18</sup> *Core Monitor*, TACTICAL ELEC., <https://www.tacticalectronics.com/product/core-monitor/> (last visited Nov. 5, 2020).

<sup>19</sup> *Core Pole Camera*, TACTICAL ELEC., <https://www.tacticalectronics.com/product/core-pole-camera/> (last visited Nov. 5, 2020).

<sup>20</sup> *Core Under Door Camera*, TACTICAL ELEC., <https://www.tacticalectronics.com/product/core-under-door-camera/> (last visited Nov. 5, 2020).

- **SPD must abide by a specific and restricted purpose of use:** The ordinance should define a specific purpose of use for situational awareness cameras used by SPD, and any use must be restricted to that specific purpose.
- **SPD must not use any situational awareness cameras that have capabilities beyond what is strictly necessary to fulfill the purpose of use defined by the ordinance.** The ordinance should prohibit SPD from using cameras that have facial recognition or recording capabilities.
- **SPD must adopt technical and procedural safeguards to prevent misuse of the situational awareness cameras.** The ordinance should require SPD adopt safeguards that prevent use of the cameras or the footage streamed from the cameras for purposes beyond what is defined in the ordinance.

Thank you for your consideration of our comments and for facilitating this public review process.

Sincerely,

Jennifer Lee  
Technology and Liberty Project Manager

## **Appendix E: CTO Notification 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
<b>Automated License Plate Recognition (ALPR)</b>	ALPRs are computer-controlled, high-speed camera systems mounted on parking enforcement or police vehicles that automatically capture an image of license plates that come into view and converts the image of the license plate into alphanumeric data that can be used to locate vehicles reported stolen or otherwise sought for public safety purposes and to enforce parking restrictions.	1
<b>Booking Photo Comparison Software (BPCS)</b>	BCPS is used in situations where a picture of a suspected criminal, such as a burglar or convenience store robber, is taken by a camera. The still screenshot is entered into BPCS, which runs an algorithm to compare it to King County Jail booking photos to identify the person in the picture to further investigate his or her involvement in the crime. Use of BPCS is governed by <a href="#">SPD Manual §12.045</a> .	2
<b>Forward Looking Infrared Real-time video (FLIR)</b>	Two King County Sheriff’s Office helicopters with Forward Looking Infrared (FLIR) send a real-time microwave video downlink of ongoing events to commanders and other decision-makers on the ground, facilitating specialized radio tracking equipment to locate bank robbery suspects and provides a platform for aerial photography and digital video of large outdoor locations (e.g., crime scenes and disaster damage, etc.).	3

Technology	Description	Proposed Review Order
<b>Undercover/ Technologies</b>	<p>The following groups of technologies are used to conduct sensitive investigations and should be reviewed together.</p> <ul style="list-style-type: none"> <li>• <b>Audio recording devices:</b> A hidden microphone to audio record individuals without their knowledge. The microphone is either not visible to the subject being recorded or is disguised as another object. Used with search warrant or signed Authorization to Intercept (<a href="#">RCW 9A.73.200</a>).</li> <li>• <b>Camera systems:</b> A hidden camera used to record people without their knowledge. The camera is either not visible to the subject being filmed or is disguised as another object. Used with consent, a search warrant (when the area captured by the camera is not in plain view of the public), or with specific and articulable facts that a person has or is about to be engaged in a criminal activity and the camera captures only areas in plain view of the public.</li> <li>• <b>Tracking devices:</b> A hidden tracking device carried by a moving vehicle or person that uses the Global Positioning System to determine and track the precise location. U.S. Supreme Court v. Jones mandated that these must have consent or a search warrant to be used.</li> </ul>	<p>4</p>
<b>Computer-Aided Dispatch (CAD)</b>	<p>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.</p>	<p>5</p>

Technology	Description	Proposed Review Order
<b>CopLogic</b>	System allowing individuals to submit police reports on-line for certain low-level crimes in non-emergency situations where there are no known suspects or information about the crime that can be followed up on. Use is opt-in, but individuals may enter personally-identifying information about third-parties without providing notice to those individuals.	6
<b>Hostage Negotiation Throw Phone</b>	A set of recording and tracking technologies contained in a phone that is used in hostage negotiation situations to facilitate communications.	7
<b>Remotely Operated Vehicles (ROVs)</b>	These are SPD non-recording ROVs/robots used by Arson/Bomb Unit to safely approach suspected explosives, by Harbor Unit to detect drowning victims, vehicles, or other submerged items, and by SWAT in tactical situations to assess dangerous situations from a safe, remote location.	8
<b>911 Logging Recorder</b>	System providing networked access to the logged telephony and radio voice recordings of the 911 center.	9
<b>Computer, cellphone and mobile device extraction tools</b>	Forensics tool used with consent of phone/device owner or pursuant to a warrant to acquire, decode, and analyze data from smartphones, tablets, portable GPS device, desktop and laptop computers.	10
<b>Video Recording Systems</b>	These systems are to record events that take place in a Blood Alcohol Concentration (BAC) Room, holding cells, interview, lineup, and polygraph rooms recording systems.	11
<b>Washington State Patrol (WSP) Aircraft</b>	Provides statewide aerial enforcement, rapid response, airborne assessments of incidents, and transportation services in support of the Patrol's public safety mission. WSP Aviation currently manages seven aircraft equipped with FLIR cameras. SPD requests support as needed from WSP aircraft.	12

Technology	Description	Proposed Review Order
<b>Washington State Patrol (WSP) Drones</b>	WSP has begun using drones for surveying traffic collision sites to expedite incident investigation and facilitate a return to normal traffic flow. SPD may then request assistance documenting crash sites from WSP.	13
<b>Callyo</b>	This software may be installed on an officer's cell phone to allow them to record the audio from phone communications between law enforcement and suspects. Callyo may be used with consent or search warrant.	14
<b>I2 iBase</b>	The I2 iBase crime analysis tool allows for configuring, capturing, controlling, analyzing and displaying complex information and relationships in link and entity data. iBase is both a database application, as well as a modeling and analysis tool. It uses data pulled from SPD's existing systems for modeling and analysis.	15
<b>Parking Enforcement Systems</b>	Several applications are linked together to comprise the enforcement system and used with ALPR for issuing parking citations. This is in support of enforcing the Scofflaw Ordinance <a href="#">SMC 11.35</a> .	16
<b>Situational Awareness Cameras Without Recording</b>	Non-recording cameras that allow officers to observe around corners or other areas during tactical operations where officers need to see the situation before entering a building, floor or room. These may be rolled, tossed, lowered or throw into an area, attached to a hand-held pole and extended around a corner or into an area. Smaller cameras may be rolled under a doorway. The cameras contain wireless transmitters that convey images to officers.	17
<b>Crash Data Retrieval</b>	Tool that allows a Collision Reconstructionist investigating vehicle crashes the opportunity to image data stored in the vehicle's airbag control module. This is done for a vehicle that has been in a crash and is used with consent or search warrant.	18

Technology	Description	Proposed Review Order
<b>Maltego</b>	An interactive data mining tool that renders graphs for link analysis. The tool is used in online investigations for finding relationships between pieces of information from various sources located on the internet.	19

Please let me know if you have any questions.

Thank you,

Michael

2020 Surveillance Impact Report Executive Overview

# Video Recording Systems

Seattle Police Department

April 13<sup>th</sup>, 2021

Version 1

## 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 Police Department's use of Video Recording Systems (including Interview, Blood-Alcohol Collection Room, and Precinct Holding Cell Audio). 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

SPD has two camera systems used to record and/or monitor members of the public within specific, secure locations in SPD facilities.

The first is the Genetec Video Management System. It is a permanently installed, non-mobile unconcealed audio and video recording system primarily used to record in-person interactions with and interviews of crime victims, witnesses, and suspects in seven designated interview rooms located at the SPD headquarters in the Seattle Justice Center. The system also provides a live video-only view of these interview rooms. The video-only live view is used to monitor, short term, members of the community who are in the interview rooms when no SPD detective is present. This system is used to create a video record of interviews for the purposes of use in criminal justice proceedings.

The second is Milestone Systems XProtect Video Management Software and Products. These are permanently installed in SPD's Blood Alcohol Collection (BAC) rooms and precinct holding cells. They record continuously all activity in those locations.

### 2.0 Purpose

**Operational Policy: This technology is used in adherence with [SPD Policy 7.110](#) which governs recorded statements.**

**The Genetec Video Management System is used to create a video record of interviews for the purposes of use in criminal justice proceedings. The live video-only view of interview rooms is used to monitor, short term, members of the community who are in the interview rooms when no SPD detective is present.**

**The Milestone Systems XProtect Video Management System is permanently installed in SPD's Blood Alcohol Collection (BAC) rooms and precinct holding cells. They record continuously all activity in those locations.**

These technologies are used to record members of the public who are being interviewed or having their blood alcohol levels tested or are placed in precinct holding cells. If used out of policy, improperly, or without proper notification, this technology could potentially be used to make recordings that infringe on public privacy.

Though the State of Washington is not one of the 26 states that requires the recording of custodial interrogations, many law enforcement agencies and criminal justice system watchdogs, such as the Innocence Project, highly recommend the practice. Benefits include: preventing disputes about how an officer conducted the interview or treated a suspect or victim; creating a record of statements made by a suspect that may capture subtle details missed in real-time; reducing false confessions; and enhancing public confidence in the practices of SPD. Creating a visual record of activities that occur within the BAC rooms and precinct holding cells also provides a measure of accountability for both SPD and involved community members.

### 3.0 Data Collection and Use

**Operational Policy:** This technology is used in adherence with [SPD Policy 7.110](#) which governs recorded statements.

**These technologies record only the images and sounds that occur during an SPD interview of a witness, victim, or suspect, and activity in BAC rooms and precinct holding cells.**

**When used as evidence, the file is stored on a high-quality evidence grade DVD+R disc. This evidence grade disc is then submitted into the SPD Evidence Section as a standard item of evidence. Standard evidence retention/disposition rules are then followed.**

These technologies record only the images and sounds that occur during an SPD interview of a witness, victim, or suspect, and activity in BAC rooms and precinct holding cells.

**Genetec (Interview rooms):** The detective(s) conducting the interview activates the recording system for the appropriate room with a manual switch. The detective then advises the interview subject of the audio recording acquiring implied consent, or explicitly asks for permission to record per [SPD Policy 7.110 – Recorded Statements](#). At the conclusion of the interview or blood draw, or when the subject leaves the room, the recording is terminated by the detective or officer. The detective then exports the recording from the server on one of the two designated computer workstations and creates a copy of the recording for permanent storage on a special high-quality evidence grade DVD+R disc. This evidence grade disc is then submitted into the SPD Evidence Section as a standard item of evidence.

**Milestone (BAC rooms and precinct holding cells):** The Milestone systems is continuously recording in the BAC rooms and precinct holding cells. In the event that an investigation (including SPD internal investigations) needs to view the video, a request must be made to the SPD Video Unit who will locate the specific time and location video requested and provide the investigator with a DVD containing the file.

Signage is clearly posted in all SPD precincts indicating that audio and video surveillance is in progress. These signs are posted both at the entrances to holding cells and inside holding cells and blood alcohol collection areas.



Consent is required before these technologies may be used. [RCW 9.73.030](#) Intercepting, recording or divulging private communication – Consent required – Exceptions. Also known as “All party consent”. Standard procedure dictates that interview subjects are always advised of the presence of the recording or asked for their permission to record. Any recording made of an interview subject without consent would be inadmissible and could possibly subject the SPD personnel to an internal conduct assessment and possibly criminal charges.

## 4.0 Data Minimization & Retention

**Operational Policy:** These technologies record only the images and sounds that occur during an SPD interview of a witness, victim, or suspect, and activity in BAC rooms and precinct holding cells. These technologies are permanently mounted and do not record any information outside of these parameters.

**Both the Genetec and Milestone systems retain recordings for 90 days before they are automatically and systematically deleted from the server.**

**Genetec (interview rooms):** The original recordings are stored on a proprietary Genetec server that is located in a secure server room located in SPD HQ. The long-term storage copy produced by the detective is retained at the SPD Evidence Section following standard evidence retention rules.

**Milestone (BAC rooms and precinct holding cells):** Individual local servers are securely located all SPD precincts.

## 5.0 Access & Security

**Operational Policy:** Only authorized SPD users can access the system, technology, or the data. Access to the application is limited to SPD personnel via password-protected login credentials.

SPD complies with [CJIS Security Policy](#) guidelines for the secure storage of the data.

### Access

The primary reason for access to the data collected by both the Genetec and Milestone systems is to investigate crimes, aid in the prosecution of criminals, and monitor subjects inside SPD facilities. Additionally, these systems are used to monitor internal SPD operations and document police activities.

Only authorized SPD users can access the system, technology, or the data. Access to the application is limited to SPD personnel via password-protected login credentials. Logs of system activity are kept for both automatic system functions and user actions which provide an audit trail to safeguard against potential unauthorized access to stored information.

The entire system is located on the SPD network which is protected by industry standard firewalls. The Seattle IT Department performs routine monitoring of the SPD network.

All SPD employees are backgrounded and access is controlled by SPD Manual Title 12 provisions governing Department Information Systems including:

- [SPD Policy 12.040 - Department-Owned Computers, Devices & Software](#)
- [SPD Policy 12.050 - Criminal Justice Information Systems](#)
- [SPD Policy 12.080 – Department Records Access, Inspection & Dissemination](#)
- [SPD Policy 12.110 – Use of Department E-mail & Internet Systems](#)
- [SPD Policy 12.111 – Use of Cloud Storage Services.](#)

## Security

SPD’s Audit, Policy and Research Section (APRS) can conduct an audit of the any and all systems at any time. The Office of Inspector General and the federal monitor can also access all data and audit for compliance at any time.

ITD client services interaction with SPD systems is governed according to the terms of the 2018 Management Control Agreement between ITD and SPD, which states that:

“Pursuant to Seattle Municipal Code (SMC) 3.23, ITD provides information technology systems, services and support to SPD and is therefore required to support, enable, enforce and comply with SPD policy requirements, including the FBI’s Criminal Justice Information Services, (CJIS) Security Policy.”

Per the [CJIS Security Policy](#):

5.8.3 Digital Media Sanitization and Disposal The agency shall sanitize, that is, overwrite at least three times or degauss digital media prior to disposal or release for reuse by unauthorized individuals. Inoperable digital media shall be destroyed (cut up, shredded, etc.). The agency shall maintain written documentation of the steps taken to sanitize or destroy electronic media. Agencies shall ensure the sanitization or destruction is witnessed or carried out by authorized personnel.

5.8.4 Disposal of Physical Media Physical media shall be securely disposed of when no longer required, using formal procedures. Formal procedures for the secure disposal or destruction of physical media shall minimize the risk of sensitive information compromise by unauthorized individuals. Physical media shall be destroyed by shredding or incineration. Agencies shall ensure the disposal or destruction is witnessed or carried out by authorized personnel.

## 6.0 Data Sharing and Accuracy

**Operational Policy: No person, outside of SPD and Seattle IT, has direct access to the application or the data.**

**Data obtained from the system may be shared outside SPD with the other agencies, entities, or individuals within legal guidelines or as required by law.**

Data may be shared with outside entities in connection with criminal prosecutions:

- Seattle City Attorney's Office
- King County Prosecuting Attorney's Office
- King County Department of Public Defense
- Private Defense Attorneys
- Seattle Municipal Court
- King County Superior Court
- Similar entities where prosecution is in Federal or other State jurisdictions

Data may be made available to requesters pursuant to the [Washington Public Records Act, Chapter 42.56 RCW](#) ("PRA"). SPD will apply applicable exemptions to the data before disclosing to a requester. Individuals have the right to inspect criminal history record information maintained by the department ([RCW 10.97.030](#), [SPD Policy 12.050](#)). Individuals can access their own information by submitting a public disclosure request.

SPD shares data with authorized researchers pursuant to properly execute research and confidentiality agreements as provide by [SPD Policy 12.055](#). This sharing may include discrete pieces of data related to specific investigative files collected by the system.

## 7.0 Equity Concerns

**Operational Policy: [SPD Policy 7.110 – Recorded Statements](#) forbids SPD personnel from making such recordings without consent, except in specific exigent circumstances without proper warrant. Additionally, SPD policies, including [SPD Policy 6.060 - Collection of Information for Law Enforcement Purposes](#) also defines the way information will be gathered and recorded in a manner that does not unreasonably infringe upon: individual rights, liberties, and freedoms guaranteed by the Constitution of the United States and the State of Washington, including freedom of speech, press, association, and assembly; liberty of conscience; the exercise of religion.**

The Genetec system (Interview rooms) is located at SPD Headquarters. The Milestone system (BAC rooms and precinct holding cells) is located at all SPD precincts throughout the City of Seattle.

The mission of the Seattle Police Department is to prevent crime, enforce the law, and support quality public safety by delivering respectful, professional and dependable police services. A potential civil liberties concern is that the SPD would over-surveil vulnerable or historically targeted communities. [SPD Policy 5.140](#) forbids bias-based policing and outlines processes for reporting and documenting any suspected bias-based behavior, as well as accountability measures. The video systems described in this report are permanently installed inside SPD facilities and record individuals who are interacting with SPD personnel or are being held in precinct holding cells.

The most important unintended possible consequence related to the continued utilization of the Genetec and Milestone camera systems by SPD is the potential that members of the public will be recorded without their consent. [SPD Policy 7.110 – Recorded Statements](#) forbids SPD personnel from making such recordings without consent, except in specific exigent circumstances without proper warrant. Additionally, SPD policies, including [SPD Policy 6.060 - Collection of Information for Law Enforcement Purposes](#) also defines the way information will be gathered and recorded in a manner that does not unreasonably infringe upon: individual rights, liberties, and freedoms guaranteed by the Constitution of the United States and the State of Washington, including freedom of speech, press, association, and assembly; liberty of conscience; the exercise of religion.

## SUMMARY and FISCAL NOTE\*

<b>Department:</b>	<b>Dept. Contact/Phone:</b>	<b>CBO Contact/Phone:</b>
SPD / ITD	Rebecca Boatwright / Vinh Tang	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 the 2020 surveillance impact report and 2020 executive overview for the Seattle Police Department’s use of Video Recording Systems.

**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 Police Department’s continued use of Video Recording Systems.

### **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 technology is currently in use by the Seattle Police 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 SPD should cease use of the technology, there would be costs associated with decommissioning the technology. Additionally, there may be potential financial penalties related to breach of contract with the technology vendor(s).

**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.

**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. The Surveillance Impact Review included in the attachments, as required by the Surveillance Ordinance, includes 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 technology under review.



Legislation Text

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**File #:** CB 120061, **Version:** 1

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**CITY OF SEATTLE**

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

**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE granting permission to Northwest Kidney Center to continue to operate and maintain a pedestrian tunnel under and across Broadway, north of Cherry Street; repealing Section 8 of Ordinance 123367; and providing for acceptance of the permit and conditions.

WHEREAS, by Ordinance 123367, The City of Seattle granted Northwest Kidney Center permission to construct, maintain, and operate a pedestrian tunnel under and across Broadway, north of Cherry Street, for a ten-year term, renewable for two successive ten-year terms; and

WHEREAS, the permission authorized by Ordinance 123367, was due for renewal on December 1, 2018; and

WHEREAS, although the permission expired on December 1, 2018, Northwest Kidney Center has complied with all the conditions and obligations of Ordinance 123367; and

WHEREAS, Northwest Kidney Center submitted an application to the Director of Transportation to renew the permission granted by Ordinance 123367 for a new 15-year term; and

WHEREAS, the continuing obligations in Section 8 of Ordinance 123367 remain in effect after the ordinance term expires until the encroachment is removed, or Northwest Kidney Center 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, Northwest Kidney Center 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 Northwest Kidney Center, and its successors and assigns as approved by the Director of the Seattle Department of Transportation (“Director”) according to Section 14 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 pedestrian tunnel under and across Broadway, north of Cherry Street. The pedestrian tunnel is adjacent in whole or in part to the properties legally described as:

LOTS 8, 9 AND 12, IN BLOCK 144 PF A.A. DENNY’S BROADWAY ADDITION TO THE CITY OF SEATTLE, AS PER PLAT RECORDED IN VOLUME 6 OF PLATS, PAGE 40, RECORDS OF KING COUNTY, WASHINGTON. TOGETHER WITH THAT PORTION OF VACATED ALLEY ADJOINING, WHICH, UPON VACATION, ATTACHED TO SAID PROPERTY BY OPERATION OF LAW.

THE WEST 50 FEET OF LOTS, 7, 10 AND 11, IN BLOCK 144 OF A.A. DENNY’S BROADWAY ADDITION TO THE CITY OF SEATTLE, AS PER PLAT RECORDED IN VOLUME 6 OF PLATS, PAGE 40, RECORDS OF KING COUNTY, WASHINGTON. EXCEPTING THEREFROM THAT PORTION COVEYED TO THE CITY OF SEATTLE FOR STREET PURPOSES BY DEED RECORDED JULY 12, 1985 AS RECORDING NO. 8507120765.

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 pedestrian 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 pedestrian tunnel, or any part thereof or installation on the public place, at the Permittee’s sole cost and expense in the event that:

- A. The City Council determines by ordinance that the space occupied by the pedestrian tunnel is necessary for any public use or benefit or that the pedestrian tunnel interferes with any public use or benefit; or
- B. The Director determines that use of the pedestrian 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 pedestrian 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 pedestrian tunnel, the Permittee shall, at its own expense, remove the pedestrian 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 pedestrian tunnel in as good condition for public use as existed prior to construction of the pedestrian 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 pedestrian 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 pedestrian 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 pedestrian tunnel shall remain the exclusive responsibility of the Permittee and the Permittee shall maintain the pedestrian tunnel in good and safe condition for the protection of the public. The Permittee shall not reconstruct or repair the pedestrian tunnel except in strict accordance with plans and specifications approved by the Director. The Director may, in the Director's judgment, order the pedestrian tunnel reconstructed or repaired at the Permittee's cost and expense because of: the deterioration of the pedestrian 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 pedestrian tunnel be removed at the Permittee's expense if the Director deems that the pedestrian 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 pedestrian 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 15 and Section 17 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 pedestrian 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 pedestrian 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 pedestrian 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 pedestrian tunnel, as well as restoration of any disturbed areas of the public place in connection with removal of the pedestrian 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 14 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. **Performance bond.** Within 60 days after the effective date of this ordinance, the Permittee shall deliver to the Director for filing with the City Clerk a sufficient bond executed by a surety company authorized and qualified to do business in the State of Washington that is: in the amount of \$75,000, and conditioned with a requirement that the Permittee shall comply with every provision of this ordinance and with every order the Director issues under this ordinance. The Permittee shall ensure that the bond remains in effect until the Director has issued a certification that the Permittee has fulfilled its removal and restoration obligations under Section 5 of this ordinance. An irrevocable letter of credit approved by the Director in consultation with the City Attorney’s Office may be substituted for the bond. In the event that the Permittee assigns or transfers the permission granted by this ordinance, the Permittee shall maintain in effect the bond or letter of credit required under this section until the Director has approved the assignment or transfer pursuant to Section 14 of this ordinance.

Section 13. **Adjustment of insurance and bond requirements.** The Director may adjust minimum liability insurance levels and 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 14. **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 20 of this ordinance. Continued occupation of the right-of-way constitutes the Permittee's acceptance of the terms of this ordinance, and the new owner 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 provided, at the time of the assignment or transfer, the bond and certification of insurance coverage required under this ordinance; and has paid any fees due under Section 15 and Section 17 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 pedestrian tunnel.

Section 15. **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 pedestrian tunnel during construction, reconstruction, repair, annual safety inspections, and at other times deemed necessary by the City. An inspection or approval of the pedestrian 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 pedestrian 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 16. **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 pedestrian 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 pedestrian 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 pedestrian 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 17. **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 \$8,720, 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 18. **Compliance with other laws.** Permittee shall construct, maintain, and operate the pedestrian tunnel in compliance with all applicable federal, state, County, and City laws and regulations. Without limitation, in all matters pertaining to the pedestrian 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 19. **Acceptance of terms and conditions. Acceptance of terms and conditions.** The Permittee shall provide evidence of insurance coverage required by Section 10 of this ordinance, the bond as required by Section 12 of this ordinance, and the covenant agreement required by Section 20 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 20. **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 pedestrian 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 21. **Repealing Section 8 of Ordinance 123367.** Section 8 of Ordinance 123367 is repealed:

~~((Section 8. Continuing obligation to remove and restore. 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 pedestrian tunnel and all its equipment and property are removed from the street 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, conditionally or absolutely excuse the Permittee 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 22. **Section titles.** Section titles are for convenient reference only and do not modify or limit the text of a section.

Section 23. 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\***

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

**1. BILL SUMMARY**

**Legislation Title:** AN ORDINANCE granting permission to Northwest Kidney Center to continue to operate and maintain a pedestrian tunnel under and across Broadway, north of Cherry Street; repealing Section 8 of Ordinance 123367; and providing for acceptance of the permit and conditions.

**Summary and background of the Legislation:**

This legislation would allow Northwest Kidney Center to continue maintaining and operating a pedestrian tunnel under and across Broadway, north of Cherry Street. The pedestrian tunnel permit would be 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 the continuing obligations in Section 8 of Ordinance 123367.

**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
Estimated revenue change (\$):	Revenue to General Fund		Revenue to Other Funds	
	2021	2022	2021	2022
			Annual Fee: \$8720	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 \$8720.

**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	\$8720	TBD
<b>TOTAL</b>			<b>\$8720</b>	

**Is this change one-time or ongoing?**

Ongoing

**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 Northwest Kidney Center 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.

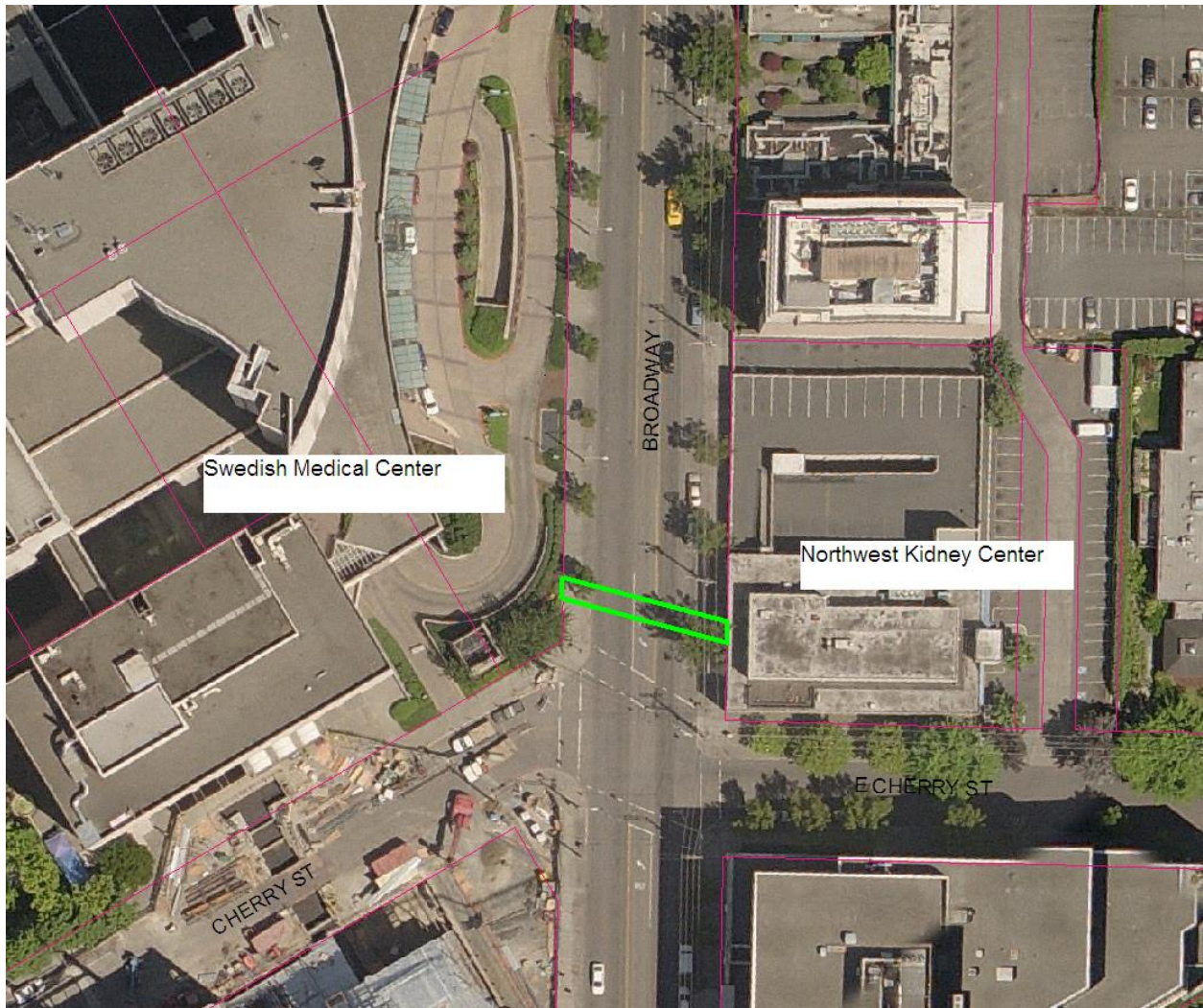
- g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s).**

N/A

**List attachments/exhibits below:**

Summary Attachment A – Northwest Kidney Center Tunnel Area Map  
Summary Attachment B – Street Use Annual Fee Assessment

### Attachment A – NW Kidney Center 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: 12/10/2020

<p>Summary: <b>Land Value:</b> \$545/SF <b>2021 Permit Fee:</b> <b>\$8,720</b></p>
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**I. Property Description:**

Existing pedestrian tunnel under and across Broadway, north of Cherry St. The tunnel provides a below-grade pedestrian connection between Northwest Kidney Center and Swedish Medical Center. The tunnel area is **800 square feet**.

**Applicant:**

Northwest Kidney Center

**Abutting Parcels, Property Size, Assessed Value:**

**2021**

Parcel 1978201435; Lot size: 25,788 square feet  
Tax year 2021 Appraised Land Value \$13,280,800 (\$515/square foot)

Parcel 1978201096; Lot size: 31,953 square feet  
Tax year 2021 Appraised Land Value \$18,372,900 (\$575/square foot)

Average 2021 Tax Assessed Land Value: \$545/SF

**II. Annual Fee Assessment:**

The 2021 permit fee is calculated as follows:

Tunnel:

$(\$545/\text{SF}) \times (800 \text{ SF}) \times (25\%) \times (8\%) = \boxed{\$8720}$  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

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**File #:** CB 120074, **Version:** 1

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**CITY OF SEATTLE**

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

**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE granting Grange Insurance Association permission to continue maintaining and operating a pedestrian skybridge over and across the alley between 2<sup>nd</sup> Avenue and 3<sup>rd</sup> Avenue, north of Cedar Street; repealing Section 8 of Ordinance 123723; and providing for acceptance of the permit and conditions.

WHEREAS, by Ordinance 123723, The City of Seattle granted Grange Insurance Association permission to maintain and operate a pedestrian skybridge over and across the alley between 2nd Avenue and 3rd Avenue, north of Cedar Street, for a ten-year term, renewable for two successive ten-year terms; and

WHEREAS, the permission authorized by Ordinance 123723 was due for renewal on December 1, 2020; and

WHEREAS, although the permission expired on November 30, 2020, Grange Insurance Association has complied with all the conditions and obligations of Ordinance 123723; and

WHEREAS, Grange Insurance Association submitted an application to the Director of Transportation to renew the permission granted by Ordinance 123723 for a 15-year term; and

WHEREAS, the obligations of Ordinance 123723 remain in effect after the ordinance term expires until the encroachment is removed, or Grange Insurance Association 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, Grange Insurance Association continues to be obligated by the public benefit mitigation elements stated in Ordinance 123723 for the duration the pedestrian skybridge remains in the right-of-way; and

WHEREAS, Grange Insurance Association 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 Grange Insurance Association, and its successors and assigns as approved by the Director of the Seattle Department of Transportation (“Director”) according to Section 14 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 pedestrian skybridge over and across the alley between 2nd Avenue and 3rd Avenue, north of Cedar Street.. The pedestrian skybridge is adjacent in whole or in part to the properties legally described as:

Block 18, Lots 1-6, Second Addition to that part of the City of Seattle, as laid off by A. A. Denny and W. N. Bell (commonly known as Bell and Denny’s 2<sup>nd</sup> Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of plats, page 77, records of King County, Washington; except the easterly 12 feet of said Lots 5 and 6 condemned in King County Superior Court cause number 52280, for the widening of 3<sup>rd</sup> Avenue, as provided by Ordinance No. 13776 of the City of Seattle; and except the southwesterly 12 feet of said Lots 1-4 condemned in District Court Cause No. 7087, for the widening of 2<sup>nd</sup> Avenue, as provided by Ordinance No. 1107 of the City of Seattle.

Section 2. **Term.** The permission granted to the Permittee is for a second and final 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 fifteen-year term, subject to the right of the City to require the removal of the pedestrian skybridge 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 pedestrian skybridge 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 pedestrian skybridge, 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 pedestrian skybridge is necessary for any public use or benefit or that the pedestrian skybridge interferes with any public use or benefit; or

B. The Director determines that use of the pedestrian skybridge 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 pedestrian skybridge 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 pedestrian

skybridge, the Permittee shall, at its own expense, remove the pedestrian skybridge 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 pedestrian skybridge in as good condition for public use as existed prior to construction of the pedestrian skybridge 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 pedestrian skybridge 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 pedestrian skybridge 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 pedestrian skybridge shall remain the exclusive responsibility of the Permittee and the Permittee shall maintain the pedestrian skybridge in good and safe condition for the protection of the public. The Permittee shall not reconstruct or repair the pedestrian skybridge except in strict accordance with plans and specifications approved by the Director. The Director may, in the Director's judgment, order the pedestrian skybridge reconstructed or repaired at the Permittee's cost and expense: because of the deterioration of the pedestrian skybridge; because of 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 pedestrian skybridge be removed at the Permittee's expense if the Director deems that the pedestrian skybridge 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 pedestrian skybridge, 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 15 and Section 17 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 pedestrian skybridge 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 pedestrian skybridge, or any portion thereof, or the use, occupation, or restoration of the public place or any portion thereof by the Permittee or any other person or entity;

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 pedestrian skybridge 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

pedestrian skybridge, or any portion thereof, as well as restoration of any disturbed areas of the public place in connection with removal of the pedestrian skybridge;

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 14 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. **Performance bond.** Within 60 days after the effective date of this ordinance, the Permittee shall deliver to the Director for filing with the City Clerk a sufficient bond executed by a surety company authorized and qualified to do business in the State of Washington, in the amount of \$20,000 and conditioned with a requirement that the Permittee shall comply with every provision of this ordinance and with every order the Director issues under this ordinance. The Permittee shall ensure that the bond remains in effect until the Director has issued a certification that the Permittee has fulfilled its removal and restoration obligations under Section 5 of this ordinance. An irrevocable letter of credit approved by the Director in consultation with the City Attorney's Office may be substituted for the bond. In the event that the Permittee assigns or transfers the



permission granted by this ordinance, the Permittee shall maintain in effect the bond or letter of credit required under this section until the Director has approved the assignment or transfer pursuant to Section 14 of this ordinance.

Section 13. **Adjustment of insurance and bond requirements.** The Director may adjust minimum liability insurance levels and 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 14. **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 20 of this ordinance. Continued occupation of the right-of-way constitutes the Permittee's acceptance of the terms of this ordinance, and the new owner shall be conferred with the rights and obligations of the Permittee by this ordinance. Other than a transfer to a new owner of the Property, the 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 provided, at the time of the assignment or transfer, the bond and certification of insurance coverage required under this ordinance; and has paid any fees due under Section 15 and Section 17 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 pedestrian skybridge.

Section 15. **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 pedestrian skybridge during construction,

reconstruction, repair, annual safety inspections, and at other times deemed necessary by the City. An inspection or approval of the pedestrian skybridge 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 pedestrian skybridge. 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 16. **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 pedestrian skybridge;
- 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 this 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 pedestrian skybridge, 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 pedestrian skybridge. 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 17. **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 \$12,512, 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 18. Compliance with other laws.** The Permittee shall construct, maintain, and operate the pedestrian skybridge in compliance with all applicable federal, state, County, and City laws and regulations. Without limitation, in all matters pertaining to the pedestrian skybridge, 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 19. Acceptance of terms and conditions.** The Permittee shall provide evidence of insurance coverage required by Section 10 of this ordinance, the bond as required by Section 12 of this ordinance, and the covenant agreement required by Section 20 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 20. 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 pedestrian skybridge 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, the 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 21. **Public benefit mitigation.** The Permittee shall continue to maintain and operate the public benefits stated in Section 21 of Ordinance 123723, including:

- A. Public-use plaza, including landscaping, seating, paving, and lighting elements, occupying approximately 7,575 square feet in the southwest quadrant of the block located between 2nd and 3rd Avenues and Cedar and Clay Streets;
- B. Pedestrian lighting in alley and on roof of building;
- C. Security cameras in alley, plaza, and parking area; and
- D. Paving details around perimeter of building and tree pits.

Any changes to this list must be approved by the Director.

Section 22. **Repeal of Section 8 of Ordinance 123723.** Section 8 of Ordinance 123723 is repealed.

Section 23. **Section titles.** Section titles are for convenient reference only and do not modify or limit the text of a section.

Section 24. 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\***

<b>Department:</b>	<b>Dept. Contact/Phone:</b>	<b>CBO Contact/Phone:</b>
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 Grange Insurance Association permission to continue maintaining and operating a pedestrian skybridge over and across the alley between 2nd Avenue and 3rd Avenue, north of Cedar Street; repealing Section 8 of Ordinance 123723; and providing for acceptance of the permit and conditions.

**Summary and background of the Legislation:**

This legislation allows Grange Insurance Association to continue maintaining and operating a pedestrian skybridge over and across the alley between 2nd Avenue and 3rd Avenue, north of Cedar Street. The pedestrian skybridge 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.

**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

<b>Appropriation change (\$):</b>	<b>General Fund \$</b>		<b>Other \$</b>	
	<b>2021</b>	<b>2022</b>	<b>2021</b>	<b>2022</b>
	\$0	\$0	\$0	\$0
<b>Estimated revenue change (\$):</b>	<b>Revenue to General Fund</b>		<b>Revenue to Other Funds</b>	
	<b>2021</b>	<b>2022</b>	<b>2021</b>	<b>2022</b>
	\$0	\$0	Annual Fee: \$12,512	TBD
<b>Positions affected:</b>	<b>No. of Positions</b>		<b>Total FTE Change</b>	
	<b>2021</b>	<b>2022</b>	<b>2021</b>	<b>2022</b>

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 \$12,512 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	\$12,512	TBD
<b>TOTAL</b>			<b>\$12,512</b>	

**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 Grange Insurance Association 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 – Grange Insurance Association Skybridge Area Map

Summary Attachment B – Grange Insurance Association Skybridge Photo

Summary Attachment C – Annual Fee Assessment Summary



## Grange Insurance Association Skybridge Area Map



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

Grange Insurance Association Skybridge Photo



## Annual Fee Assessment Summary

### STREET USE ANNUAL FEE ASSESSMENT

Date: 2/24/2021

<p><u>Summary:</u> <b>Land Value:</b> \$575/SF <b>2021 Permit Fee:</b> <b>\$12,512</b></p>
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**I. Property Description:**

Existing pedestrian skybridge under and across the alley between 2<sup>nd</sup> Avenue and 3<sup>rd</sup> Avenue, north of Cedar St. The skybridge provides an above-grade pedestrian connection between the two Grange Insurance Association buildings. The skybridge area is **136 square feet**.

**Applicant:**

Grange Insurance Association

**Abutting Parcel, Property Size, Assessed Value:**

**2021**

Parcel 0656000045; Lot size: 38,880 square feet  
Tax year 2021 Appraised Land Value \$22,356,000 (\$575/square foot)

Average 2021 Tax Assessed Land Value: \$575/SF

**II. Annual Fee Assessment:**

The 2021 permit fee is calculated as follows:

Tunnel:

$(\$575/\text{SF}) \times (136 \text{ SF}) \times (200\%) \times (8\%) = \boxed{\$12,512}$  where 200% is the degree of alienation for a private skybridge and 8% is the annual rate of return.

Fee methodology authorized under Ordinance 123485, as amended by Ordinances 123585, 123907, and 126159.



Legislation Text

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**File #:** CB 120075, **Version:** 1

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**CITY OF SEATTLE**

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

**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE granting BGO Plaza 600 JV LLC permission to continue maintaining and operating a vehicular and pedestrian tunnel under the alley between 6th Avenue and 7th Avenue, north of Stewart Street; repealing Section 7 of Ordinance 119508; and providing for acceptance of the permit and conditions.

WHEREAS, by Ordinance 97096, The City of Seattle granted The Vance Corporation permission to construct, maintain, and operate a vehicular and pedestrian tunnel in the alley between 6th Avenue and 7th Avenue, north of Stewart Street; and

WHEREAS, the permission for the vehicular and pedestrian tunnel was transferred to Plaza 600 Building L.L.C; and Plaza 600 Building L.L.C. transferred that ownership to Plaza 600 LLC; and Plaza 600 LLC subsequently transferred that ownership to BGO Plaza 600 JV LLC; and

WHEREAS, Ordinance 97096 expired, and Ordinance 119508 extended the permission for ten years, with two renewable ten-year terms; and

WHEREAS, Ordinance 119508 was amended by Ordinance 123510 and renewed for one ten-year term; and

WHEREAS, the permission authorized by Ordinance 119508 and Ordinance 123510 was due for renewal on November 1, 2018; and

WHEREAS, BGO Plaza 600 JV LLC submitted an application to the Director of Transportation to renew the permission granted by Ordinance 119508 and Ordinance 123510 for a 15-year term; and

WHEREAS, the obligations of Ordinance 119508 and Ordinance 123510 remain in effect after the ordinance term expires until the encroachment is removed, or BGO Plaza 600 JV LLC 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, BGO Plaza 600 JV LLC 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 BGO Plaza 600 JV LLC, and its successors and assigns as approved by the Director of the Seattle Department of Transportation (“Director”) according to Section 14 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 vehicular and pedestrian tunnel in the alley between 6th Avenue and 7th Avenue, north of Stewart Street. The vehicular and pedestrian tunnel is adjacent in whole or in part to the properties legally described as:

ALL OF LOT 1 AND THOSE PORTIONS OF LOTS 2,3,4 AND 5, BLOCK 11, ADDITION TO THE CITY OF SEATTLE, AS LAID OFF BY THE HEIRS OF SARAH A. BELL, DECEASED (COMMONLY KNOWN AS THE HEIRS OF SARAH A. BELL’S ADDITION TO THE CITY OF SEATTLE), ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1 OF PLATS, PAGE 103, RECORDS OF KING COUNTY, WASHINGTON, LYING EAST OF WESTLAKE AVENUE, AS SAID AVENUE WAS ESTABLISHED BY CONDEMNATION UNDER KING COUNTY SUPERIOR COURT CAUSE NO. 36118;

EXCEPT THE SOUTHEASTERLY 7 FEET OF LOT 1, HERETOFORE CONDEMNED BY THE CITY OF SEATTLE FOR WIDENING STEWART STREET IN KING COUNTY SUPERIOR COURT CAUSE NO. 58338

SITUATE IN THE CITY OF SEATTLE, COUNTY OF KING, STATE OF WASHINGTON.

Section 2. **Term.** The permission granted to the Permittee is for a second and final 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 fifteen-year term, subject to the right of the City to require the removal of the vehicular and 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 vehicular and pedestrian 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 vehicular and pedestrian 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 vehicular and pedestrian tunnel is necessary for any public use or benefit or that the vehicular and pedestrian tunnel interferes with any public use or benefit; or

B. The Director determines that use of the vehicular and pedestrian 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 vehicular and pedestrian 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 vehicular and pedestrian tunnel, the Permittee shall, at its own expense, remove the vehicular and pedestrian 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 vehicular and pedestrian tunnel in as good condition for public use as existed prior to construction of the vehicular and pedestrian 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 vehicular and pedestrian 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 vehicular and pedestrian 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 vehicular and pedestrian tunnel shall remain the exclusive responsibility of the Permittee and the Permittee shall maintain the vehicular and pedestrian tunnel in good and safe condition for the protection of the public. The Permittee shall not reconstruct or repair the vehicular and pedestrian tunnel except in strict accordance with plans and specifications approved by the Director. The Director may, in the Director's judgment, order the vehicular and pedestrian tunnel reconstructed or repaired at the Permittee's cost and expense: because of the deterioration of the vehicular and pedestrian tunnel vehicular and pedestrian tunnel; because of 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 vehicular and pedestrian tunnel be removed at the Permittee's expense if the Director deems that the vehicular and pedestrian 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 vehicular and pedestrian 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 15 and Section 17 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 vehicular and pedestrian 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 vehicular and pedestrian tunnel, or any portion thereof, or the use, occupation, or restoration of the public place or any portion thereof by the Permittee or any other person or entity;

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 vehicular and pedestrian 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 vehicular and pedestrian tunnel, or any portion thereof, as well as restoration of any disturbed areas of the public place in connection with removal of the vehicular and pedestrian 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 14 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. **Performance bond.** Within 60 days after the effective date of this ordinance, the Permittee shall deliver to the Director for filing with the City Clerk a sufficient bond executed by a surety company authorized and qualified to do business in the State of Washington, in the amount of \$155,000 and conditioned with a requirement that the Permittee shall comply with every provision of this ordinance and with every order the Director issues under this ordinance. The Permittee shall ensure that the bond remains in effect until the Director has issued a certification that the Permittee has fulfilled its removal and restoration obligations under Section 5 of this ordinance. An irrevocable letter of credit approved by the Director in consultation with the City Attorney's Office may be substituted for the bond. In the event that the Permittee assigns or transfers the permission granted by this ordinance, the Permittee shall maintain in effect the bond or letter of credit required under this section until the Director has approved the assignment or transfer pursuant to Section 14 of this ordinance.

Section 13. **Adjustment of insurance and bond requirements.** The Director may adjust minimum liability insurance levels and 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 14. **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 20 of this ordinance. Continued occupation of the right-of-way constitutes the Permittee's acceptance of the terms of this ordinance, and the new owner shall be conferred with the rights and obligations of the Permittee by this ordinance. Other than a transfer to a new owner of the Property, the 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 provided, at the time of the assignment

or transfer, the bond and certification of insurance coverage required under this ordinance; and has paid any fees due under Section 15 and Section 17 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 vehicular and pedestrian tunnel.

Section 15. **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 vehicular and pedestrian tunnel during construction, reconstruction, repair, annual safety inspections, and at other times deemed necessary by the City. An inspection or approval of the vehicular and pedestrian 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 vehicular and pedestrian 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 16. **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 vehicular and pedestrian 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 this 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 vehicular and pedestrian 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 vehicular and pedestrian 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 17. **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 \$8,816, 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 18. **Compliance with other laws.** The Permittee shall construct, maintain, and operate the vehicular and pedestrian tunnel in compliance with all applicable federal, state, County, and City laws and regulations. Without limitation, in all matters pertaining to the vehicular and pedestrian 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 19. **Acceptance of terms and conditions.** The Permittee shall provide evidence of insurance coverage required by Section 10 of this ordinance, the bond as required by Section 12 of this ordinance, and the

covenant agreement required by Section 20 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 20. **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 vehicular and pedestrian 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, the 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 21. **Repeal of Section 7 of Ordinance 119508.** Section 7 of Ordinance 119508 is repealed.

Section 22. **Section titles.** Section titles are for convenient reference only and do not modify or limit the text of a section.

Section 23. 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\***

<b>Department:</b>	<b>Dept. Contact/Phone:</b>	<b>CBO Contact/Phone:</b>
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 BGO Plaza 600 JV LLC permission to continue maintaining and operating a vehicular and pedestrian tunnel under the alley between 6<sup>th</sup> Avenue and 7<sup>th</sup> Avenue, north of Stewart Street; repealing Section 7 of Ordinance 119508; and providing for acceptance of the permit and conditions.

**Summary and background of the Legislation:**

This legislation allows BGO Plaza 600 JV LLC to continue maintaining and operating a vehicular and pedestrian tunnel under the alley between 6<sup>th</sup> Avenue and 7<sup>th</sup> Avenue, north of Stewart Street. The vehicular and pedestrian tunnel permit is for a period of fifteen 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.

**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: \$8,816	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 \$8,816 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	\$8,816	TBD
<b>TOTAL</b>			<b>\$8,816</b>	<b>TBD</b>

**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 BGO Plaza 600 JV LLC 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).**

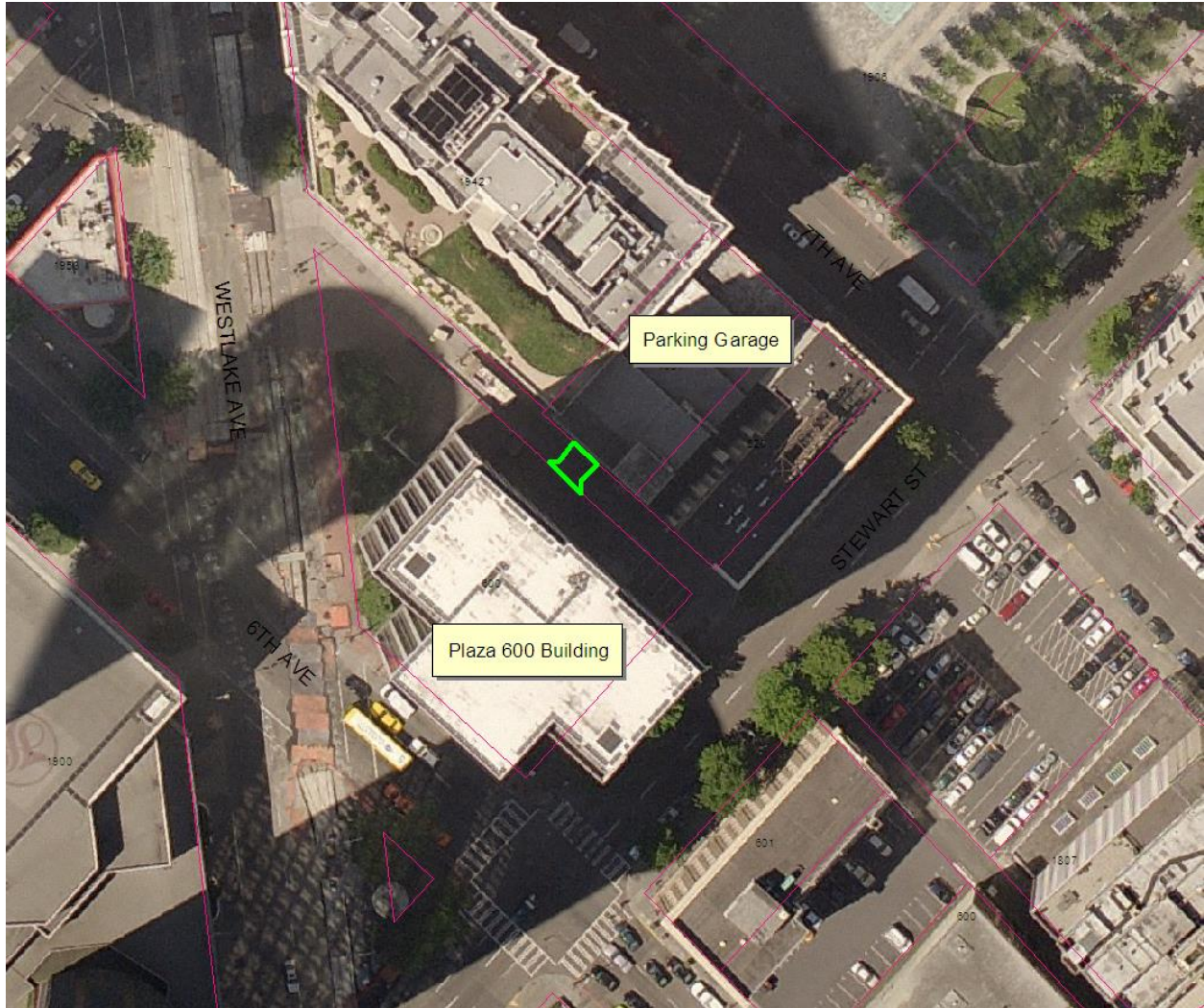
N/A

**List attachments/exhibits below:**

Summary Attachment A – BGO Plaza 600 JV LLC Vehicular and Pedestrian Tunnel Area Map

Summary Attachment B – Annual Fee Assessment Summary

### BGO Plaza 600 JV LLC Building LLC Tunnel Area Map



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

## Annual Fee Assessment Summary

### STREET USE ANNUAL FEE ASSESSMENT

Date: 12/8/2020

<p><u>Summary:</u> <b>Land Value:</b> \$1,450/SF <b>2021 Permit Fee:</b> <b>\$8,816</b></p>
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I. **Property Description:**

Existing vehicular and pedestrian tunnel under the alley between 6<sup>th</sup> Ave and 7<sup>th</sup> Ave, north of Stewart St. The tunnel provides a below-grade vehicular and pedestrian connection between 600 Stewart St and its parking garage. The tunnel area is **304 square feet**.

**Applicant:**

BGO Plaza 600 JV LLC

**Abutting Parcels, Property Size, Assessed Value:**

**2021**

Parcel 0659000555; Lot size: 21,351 square feet  
Tax year 2021 Appraised Land Value \$30,958,900 (\$1,450/square foot)

Parcel 0659000625; Lot size: 7,272 square feet  
Tax year 2021 Appraised Land Value \$10,544,400 (\$1,450/square foot)

Average 2021 Tax Assessed Land Value: \$1,450/SF

II. **Annual Fee Assessment:**

The 2021 permit fee is calculated as follows:

Tunnel:

$(\$1,450/\text{SF}) \times (304 \text{ SF}) \times (25\%) \times (8\%) = \$8,816$  where 25% is the degree of alienation for 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

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File #: CB 120076, Version: 1

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**CITY OF SEATTLE**

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

**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE granting IC/RCDP Seattle Hotel, LLC permission to continue maintaining and operating a pedestrian tunnel under and across Seneca Street, between 4th Avenue and 5th Avenue; repealing Section 8 of Ordinance 123539; and providing for acceptance of the permit and conditions.

WHEREAS, by Ordinance 123539, The City of Seattle granted LHCS Hotel Holdings (2002) L.L.C.

permission to construct, maintain, and operate a pedestrian tunnel under and across Seneca Street, between 4th Avenue and 5th Avenue, for a ten-year term, renewable for two successive ten-year terms; and

WHEREAS, the permission authorized by Ordinance 123539 was due for renewal on November 1, 2020; and

WHEREAS, LHCS Hotel Holdings (2002) L.L.C. transferred ownership of the pedestrian tunnel to IC/RCDP Seattle Hotel, LLC on June 1, 2015; and

WHEREAS, IC/RCDP Seattle Hotel, LLC submitted an application to the Director of Transportation to renew the permission granted by Ordinance 123539 for a 15-year term; and

WHEREAS, the pedestrian tunnel provides a below-grade connection for service use from the loading facilities and garbage collection in the garage to the hotel, and is not used by the general public; and

WHEREAS, the obligations of Ordinance 123539 remain in effect after the ordinance term expires until the encroachment is removed, or IC/RCDP Seattle Hotel, LLC 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, IC/RCDP Seattle Hotel, LLC 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 IC/RCDP Seattle Hotel, LLC, and its successors and assigns as approved by the Director of the Seattle Department of Transportation (“Director”) according to Section 14 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 pedestrian tunnel under and across Seneca Street, between 4th Avenue and 5th Avenue. The pedestrian tunnel is adjacent in whole or in part to the properties legally described as:

Lots 1, 4, and the North 45 feet of Lot 5, Block 16, C.D. Boren’s Addition, according to the plat thereof recorded in Volume 1 of Plats, page 25, in King County, Washington;

EXCEPT the Westerly 9 feet thereof condemned in King County Superior Court Cause No. 50320 for 4<sup>th</sup> Avenue as provided under Ordinance No. 13074 of the City of Seattle.

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.

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 pedestrian 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 pedestrian 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 pedestrian tunnel is necessary for any public use or benefit or that the pedestrian tunnel interferes with any public use or benefit; or
- B. The Director determines that use of the pedestrian 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 pedestrian 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 pedestrian tunnel, the Permittee shall, at its own expense, remove the pedestrian 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 pedestrian tunnel in as good condition for public use as existed prior to construction of the pedestrian 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 pedestrian 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 pedestrian 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 pedestrian tunnel shall remain the exclusive responsibility of the Permittee and the Permittee shall maintain the pedestrian tunnel in good and safe condition for the protection of the public. The Permittee shall not reconstruct or repair the pedestrian tunnel except in strict accordance with plans and specifications approved by the Director. The Director may, in the Director's judgment, order the pedestrian tunnel reconstructed or repaired at the Permittee's cost and expense: because of the deterioration of the pedestrian tunnel; because of 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 pedestrian tunnel be removed at the Permittee's expense if the Director deems that the pedestrian 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 pedestrian 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 15 and Section 17 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 pedestrian 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 pedestrian tunnel, or any portion thereof, or the use, occupation, or restoration of the public place or any portion thereof by the Permittee or any other person or entity;

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 pedestrian 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 pedestrian tunnel, or any portion thereof, as well as restoration of any disturbed areas of the public place in connection with removal of the pedestrian 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 14 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. **Performance bond.** Within 60 days after the effective date of this ordinance, the Permittee shall deliver to the Director for filing with the City Clerk a sufficient bond executed by a surety company authorized and qualified to do business in the State of Washington, in the amount of \$40,000 and conditioned with a requirement that the Permittee shall comply with every provision of this ordinance and with every order the Director issues under this ordinance. The Permittee shall ensure that the bond remains in effect until the Director has issued a certification that the Permittee has fulfilled its removal and restoration obligations under Section 5 of this ordinance. An irrevocable letter of credit approved by the Director in consultation with the City Attorney's Office may be substituted for the bond. In the event that the Permittee assigns or transfers the permission granted by this ordinance, the Permittee shall maintain in effect the bond or letter of credit required under this section until the Director has approved the assignment or transfer pursuant to Section 14 of this ordinance.

Section 13. **Adjustment of insurance and bond requirements.** The Director may adjust minimum

liability insurance levels and 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 14. 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 20 of this ordinance. Continued occupation of the right-of-way constitutes the Permittee's acceptance of the terms of this ordinance, and the new owner shall be conferred with the rights and obligations of the Permittee by this ordinance. Other than a transfer to a new owner of the Property, the 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 provided, at the time of the assignment or transfer, the bond and certification of insurance coverage required under this ordinance; and has paid any fees due under Section 15 and Section 17 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 pedestrian tunnel.

**Section 15. 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 pedestrian tunnel during construction, reconstruction, repair, annual safety inspections, and at other times deemed necessary by the City. An inspection or approval of the pedestrian 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 Pedestrian 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 16. **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 pedestrian 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 this 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 pedestrian 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 pedestrian 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 17. **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 \$16,367.97, 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 18. Compliance with other laws.** The Permittee shall construct, maintain, and operate the pedestrian tunnel in compliance with all applicable federal, state, County, and City laws and regulations. Without limitation, in all matters pertaining to the pedestrian 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 19. Acceptance of terms and conditions.** The Permittee shall provide evidence of insurance coverage required by Section 10 of this ordinance, the bond as required by Section 12 of this ordinance, and the covenant agreement required by Section 20 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 20. 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 pedestrian 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, the 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 21. **Repeal of Section 8 of Ordinance 123539.** Section 8 of Ordinance 123539 is repealed.

Section 22. **Section titles.** Section titles are for convenient reference only and do not modify or limit the text of a section.

Section 23. 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\***

<b>Department:</b>	<b>Dept. Contact/Phone:</b>	<b>CBO Contact/Phone:</b>
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 IC/RCDP Seattle Hotel, LLC permission to continue maintaining and operating a pedestrian tunnel under and across Seneca Street, between 4th Avenue and 5th Avenue; repealing Section 8 of Ordinance 123539; and providing for acceptance of the permit and conditions.

**Summary and background of the Legislation:**

This legislation allows IC/RCDP Seattle Hotel, LLC to continue maintaining and operating a pedestrian tunnel under and across Seneca Street, between 4th Avenue and 5th Avenue. The pedestrian tunnel permit is for a period of fifteen 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 123539.

**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

<b>Appropriation change (\$):</b>	<b>General Fund \$</b>		<b>Other \$</b>	
	<b>2021</b>	<b>2022</b>	<b>2021</b>	<b>2022</b>
	\$0	\$0	\$0	\$0
<b>Estimated revenue change (\$):</b>	<b>Revenue to General Fund</b>		<b>Revenue to Other Funds</b>	
	<b>2021</b>	<b>2022</b>	<b>2021</b>	<b>2022</b>
	\$0	\$0	Annual Fee: \$16,367.97	TBD
<b>Positions affected:</b>	<b>No. of Positions</b>		<b>Total FTE Change</b>	
	<b>2021</b>	<b>2022</b>	<b>2021</b>	<b>2022</b>

**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 \$16,367.97 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	SDOT	Annual Fee	\$16,367.97	TBD
<b>TOTAL</b>			<b>\$16,367.97</b>	<b>TBD</b>

**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 IC/RCDP Seattle Hotel, LLC 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).**

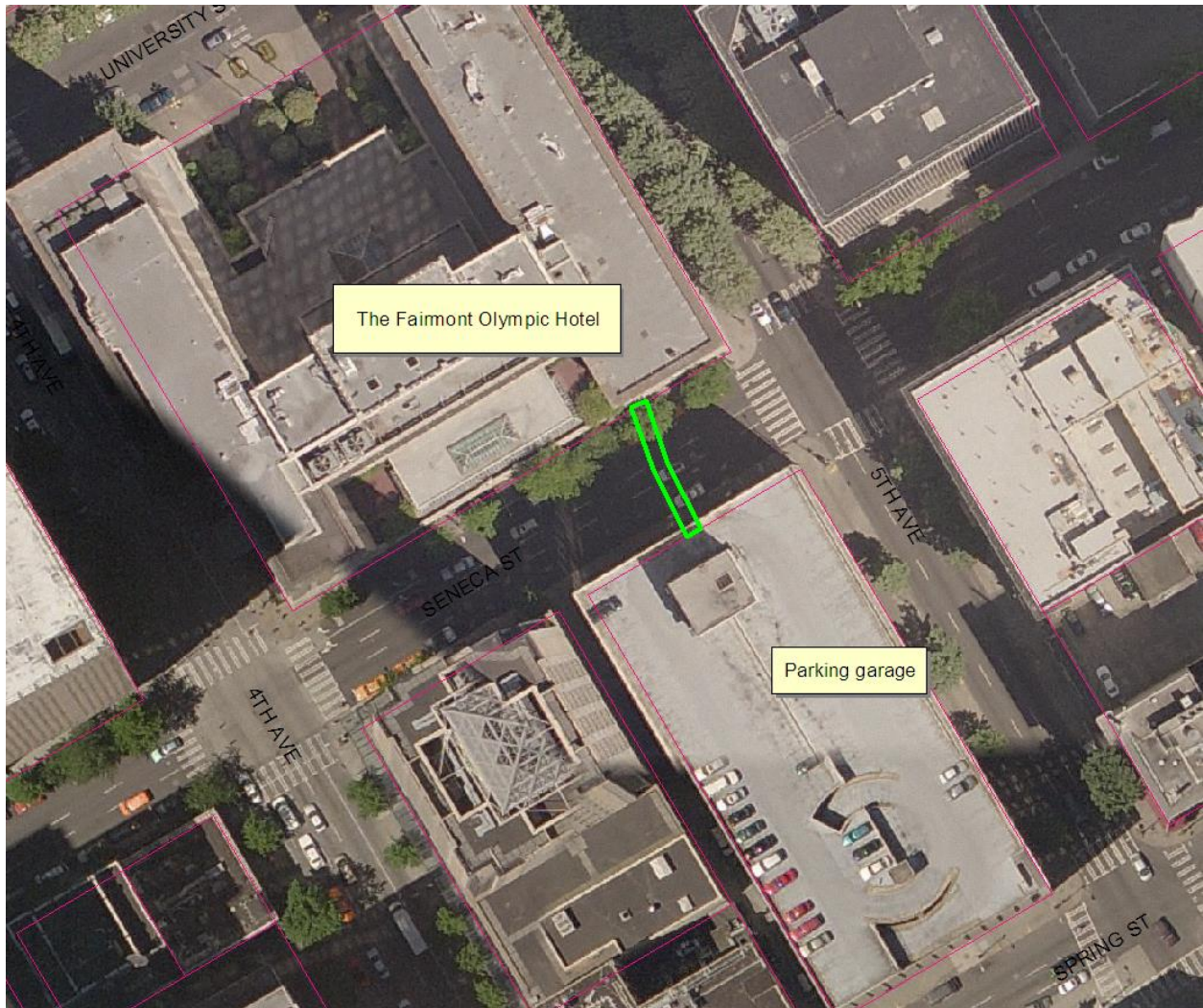
N/A

**List attachments/exhibits below:**

Summary Attachment A – Fairmont Hotel Tunnel Area Map

Summary Attachment B – Annual Fee Assessment Summary

## Fairmont Olympic Hotel Tunnel Area Map



Map is for informational purposes only and is not intended to modify or supplement the description of the concourse location in the Ordinance.

Attachment B - Annual Fee Assessment Summary

STREET USE ANNUAL FEE ASSESSMENT

Date: 12/21/2020

<p>Summary: <b>Land Value: \$1,550/SF</b> <b>2021 Permit Fee:</b> <b>\$16,367.97</b></p>
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**I. Property Description:**

Existing pedestrian tunnel under and across Seneca St, between 4<sup>th</sup> Ave and 5<sup>th</sup> Ave. The tunnel provides a below-grade pedestrian connection between the Fairmont Hotel and the parking garage. The tunnel area is **528 square feet**.

**Applicant:**

IC/RCDP Seattle Hotel, LLC

**Abutting Parcels, Property Size, Assessed Value:**

**2021**

Parcel 0942000165<sup>1</sup>; Lot size: 18,315 square feet  
Tax year 2021 Appraised Land Value \$28,388,200 (\$1,550/square foot)

**II. Annual Fee Assessment:**

The 2021 permit fee is calculated as follows:

Tunnel:

$(\$1,550/\text{SF}) \times (528 \text{ SF}) \times (25\%) \times (8\%) = \$16,367.97$  where 25% is the degree of alienation for tunnel and 8% is the annual rate of return.

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

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<sup>1</sup> Closest parcel with same zone DC1 U/450/U



Legislation Text

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**File #:** CB 120078, **Version:** 1

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**CITY OF SEATTLE**

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

**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE relating to emergency communications; amending Ordinance 126237, which adopted the 2021 Budget; modifying a proviso; and ratifying and confirming certain prior acts.

WHEREAS, the shared vision for reimagining Seattle’s system of community safety recognizes the importance of providing alternatives to armed police officer response, including civilian and community-based services and solutions; and

WHEREAS, based on community input, the Mayor and the City Council have pursued the transfer of certain functions out of the Seattle Police Department, including Emergency Management, 9-1-1 Dispatch, Crime Victim Advocates, and Parking Enforcement; and

WHEREAS, these transfers, taken in total, aim to reflect community expectations of the equitable delivery of City services, elevate emergency planning, improve the coordination of calls-for-service, increase civilian and community-based dispatch options, and bolster public trust and confidence in a reimagined system of community safety; and

WHEREAS, the creation of the new Community Safety and Communications Center allows the City to explore consolidation and co-location of communications and dispatch functions, design and develop alternate emergency response models, as well as incorporate civilian and community-based dispatch alternatives that draw on the wealth of resources that currently exist in Seattle that could replace or complement armed officer response to better meet community needs; and

WHEREAS, the City Council included a proviso in the 2021 Adopted Budget, allowing the Executive to charge



parking enforcement and 9-1-1 expenses against the SPD budget until the earlier of June 1, 2021 or an ordinance becomes effective that revises the 2021 Budget Adoption Ordinance, with respect to the transfer of appropriations and/or position authority from the Seattle Police Department to a new Community Safety and Communications Center; and

WHEREAS, the City Council wishes to extend the budget proviso to ensure the availability of resources to start up the new Community Safety and Communications Center; NOW, THEREFORE,

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

Section 1. The proviso enacted by Council Budget Action SPD-500-B-003 of Clerk File 314464 is amended as follows:

Until the earlier of

A. (~~June 1, 2021~~) September 1, 2021, or

B. An ordinance becomes effective that revises CB 119938, the 2021 Budget Adoption Ordinance, with respect to the transfer of appropriations and/or position authority from the Seattle Police Department to a new Community Safety and Communications Center; appropriations for the Community Safety and Communications Center (CSCC) are instead appropriations to the Budget Summary Levels listed below. Any such appropriation includes the purpose statement of the CSCC Budget Summary Level for the Budget Summary Level in which the appropriation is initially held.

If an ordinance fulfilling the condition in subsection B transfers position authority only for: 1) 9-1-1 dispatch employees; or 2) parking enforcement employees instead of transferring position authority for both groups, half of the unexpended appropriations listed in this Council Budget Action for each Budget Summary Level listed below will remain with the Seattle Police Department, subject to this proviso, until an ordinance becomes effective transferring position authority of the group not transferred.

Section 2. Any act consistent with the authority of this ordinance taken after its passage and prior to its effective date is 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 \_\_\_\_\_ 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\***

<b>Department:</b>	<b>Dept. Contact/Phone:</b>	<b>CBO Contact/Phone:</b>
LEG	Lise Kaye/206-256-6264	

*\* 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 emergency communications; amending Ordinance 126237, which adopted the 2021 Budget; modifying a proviso; and ratifying and confirming certain prior acts.

**Summary and background of the Legislation:** This bill would extend a proviso on the 2021 Budget by three months. The City Council included a proviso in the 2021 Adopted Budget allowing the Executive to charge parking enforcement and 9-1-1 call center expenses against the SPD budget until June 1, 2021, after which the expenses would be charged against the Community Safety and Communications Center budget. This bill would allow the Executive to charge either parking enforcement or 9-1-1 call center expenses against the Seattle Police Department (SPD) budget until September 1, 2021, in the event that Council passes legislation transferring only one of the work groups out of SPD by June 1, 2021.

**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

This legislation amends the proviso enacted by Council Budget Action SPD-500-B-003 of Clerk File 314464.

**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 Council passes legislation transferring either the SPD's 911 call center positions or SPD's parking enforcement officer positions out of SPD (but not both), and this legislation is not enacted, then the Executive and/or Council would need to take some future action to meet the payroll for the positions that would remain in SPD.

#### 4. OTHER IMPLICATIONS

- a. Does this legislation affect any departments besides the originating department?**  
This legislation impacts the Seattle Police Department, Community Safety and Communications Center, and Seattle Department of Transportation.
- 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 legislation would support a decision to create an independent, civilian-led emergency communications center and provide non-police led solutions to some incidents.
- 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

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**File #:** Res 32006, **Version:** 1

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**CITY OF SEATTLE**

**RESOLUTION \_\_\_\_\_**

A RESOLUTION requesting the Federal Aviation Authority (FAA) to transfer excess property around the Air Route Surveillance Radar facility at Discovery Park to The City of Seattle for Seattle Parks and Recreation (SPR) purposes.

WHEREAS, the Federal Aviation Authority (FAA) built a radar tower in Discovery Park, known as the Fort Lawton Air Route Surveillance Radar (ARSR) facility, in 1958 and has been continuously operating it there since; and

WHEREAS, the Fort Lawton ARSR facility is a vital link in the FAA's mission to monitor our skies and keep our airspace safe; and

WHEREAS, this facility is located in Discovery Park, a regional park used and enjoyed by thousands of residents; and

WHEREAS, the Friends of Discovery Park submitted a proposal for improvements to the FAA's facility recommending that the surrounding fence lines of the Fort Lawton ARSR facility site be modified to provide additional park and open space without compromising the operational security of the FAA's facility; and

WHEREAS, if the FAA agrees to reduce the footprint of the existing fence lines and transfer the available property to the City, Seattle Parks and Recreation (SPR) will commit to maintaining the additional space, outside of the fencing, in the same manner as it maintains the contiguous park property; NOW, THEREFORE,

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

**CONCURRING, THAT:**

Section 1. The City of Seattle requests the Federal Aviation Administration to approve the request of the Friends of Discovery Park to reduce the footprint of the fence lines around the Fort Lawton Air Route Surveillance Radar (ARSR) facility at Discovery Park and to transfer the unneeded property to The City of Seattle for parks and recreation purposes. If the FAA agrees to transfer the property, The City of Seattle through Seattle Parks and Recreation commits to maintaining the property to ensure proper security around the FAA property, for public purposes consistent with the City's parks and recreation needs and continuing activation and development of Discovery Park.

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\*

<b>Department:</b>	<b>Dept. Contact/Phone:</b>	<b>CBO Contact/Phone:</b>
Legislative	Traci Ratzliff/684-8153	Anna Hurst/733-9317

\* 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 requesting the Federal Aviation Authority (FAA) to transfer excess property around the Air Route Surveillance Radar facility at Discovery Park to The City of Seattle for Seattle Parks and Recreation (SPR) purposes.

**Summary and background of the Legislation:** This legislation requests the Federal Aviation Authority to transfer excess property around the Air Route Surveillance Radar Facility at Discovery Park to the City of Seattle for parks and recreation purposes. A proposal by the Friends of Discovery Park indicates there is the ability for a fence surrounding the ARSRF facility to be moved closer to that facility freeing up property that can be used for parks uses. The proposal indicates the costs related to the movement of the fence would be covered by the Friends of Discovery Park. If the FAA agrees to transfer the property, the City of Seattle through the Seattle Parks and Recreation commits to maintaining the property to ensure proper security around the FAA property, for public purposes consistent with the City's parks and recreation needs and continuing activation and development of Discovery Park.

### 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?**

If so, describe the nature of the impacts. This could include increased operating and maintenance costs, for example.

No

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

Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs or consequences.

No

If there are no changes to appropriations, revenues, or positions, please delete sections 3.a., 3.b., and 3.c. and answer the questions in Section 4.

**3.a. Appropriations**

**This legislation adds, changes, or deletes appropriations.**

If this box is checked, please complete this section. If this box is not checked, please proceed to Revenues/Reimbursements.

Fund Name and number	Dept	Budget Control Level Name/##*	2021 Appropriation Change	2022 Estimated Appropriation Change
<b>TOTAL</b>				

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

This table should reflect appropriations that are a direct result of this legislation. In the event that the project/programs associated with this ordinance had, or will have, appropriations in other legislation please provide details in the Appropriation Notes section below. If the appropriation is not completely supported by revenue/reimbursements listed below, please identify the funding source (e.g. available fund balance) to cover this appropriation in the notes section. Also indicate if the legislation changes appropriations one-time, ongoing, or both.

**Is this change one-time or ongoing?**

Please explain any complicated scenarios – e.g. three-year funding agreement but not permanent ongoing.

**Appropriations Notes:**

**3.b. Revenues/Reimbursements**

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

If this box is checked, please complete this section. If this box is not checked, please proceed to Positions.

**Anticipated Revenue/Reimbursement Resulting from this Legislation:**

Fund Name and Number	Dept	Revenue Source	2021 Revenue	2022 Estimated Revenue
<b>TOTAL</b>				

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?**

Please explain any complicated scenarios – e.g. three-year funding agreement but not permanent ongoing.

**Revenue/Reimbursement Notes:**

**3.c. Positions**

**This legislation adds, changes, or deletes positions.**

If this box is checked, please complete this section. If this box is not checked, please proceed to Other Implications.



**Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact:**

Position # for Existing Positions	Position Title & Department*	Fund Name & #	Program & BCL	PT/FT	2021 Positions	2021 FTE	Does it sunset? (If yes, explain below in Position Notes)
<b>TOTAL</b>							

\* List each position separately

This table should only reflect the actual number of positions created by this legislation. In the event that positions have been, or will be, created as a result of previous or future legislation or budget actions, please provide details in the Notes section below.

**Position Notes:**

**4. OTHER IMPLICATIONS**

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

If so, please list the affected department(s) and the nature of the impact (financial, operational, etc.).

No

**b. Is a public hearing required for this legislation?**

If yes, what public hearing(s) have been held to date, and/or what public hearing(s) are planned/required in the future?

No

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

For example, legislation related to sale of surplus property, condemnation, or certain capital projects with private partners may require publication of notice. If you aren't sure, please check with your lawyer. If publication of notice is required, describe any steps taken to comply with that requirement.

No

**d. Does this legislation affect a piece of property?**

Yes

**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?**

If yes, please explain how this legislation may impact vulnerable or historically disadvantaged communities. Using the racial equity toolkit is one way to help determine the legislation's impact on certain communities. If any aspect of the legislation involves communication or outreach to the public, please describe the plan for communicating with non-English speakers.

N/A

**f. Climate Change Implications**

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

Please provide a qualitative response, considering net impacts. Are there potential carbon emissions impacts of not implementing the proposed legislation. Discuss any potential intersections of carbon emissions impacts and race and social justice impacts, if not previously described in Section 4e.

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.**

Describe the potential climate resiliency impacts of implementing or not implementing the proposed legislation. Discuss any potential intersections of climate resiliency and race and social justice impacts, if not previously described in Section 4e.

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)?**

This answer should highlight measurable outputs and outcomes.

N/A

**List attachments/exhibits below:**



Legislation Text

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**File #:** Appt 01909, **Version:** 1

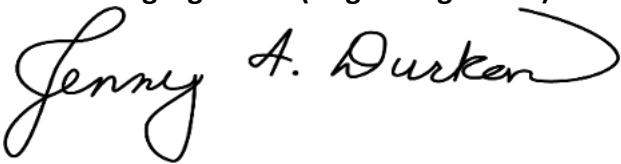
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Appointment of Adam Paul Amrhein as member, Seattle Design Commission, for a term to February 28, 2023.

The Appointment Packet is provided as an attachment.



# City of Seattle Boards & Commissions Notice of Appointment

<b>Appointee Name:</b> Adam Paul Amrhein		
<b>Board/Commission Name:</b> Seattle Design Commission		<b>Position Title:</b> Urban Planner
<input checked="" type="checkbox"/> Appointment OR <input type="checkbox"/> Reappointment		<b>Council Confirmation required?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Appointing Authority:</b> <input type="checkbox"/> Council <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Other: <i>Fill in appointing authority</i>	<b>Date Appointed:</b> <i>mm/dd/yy.</i>	<b>Term of Position: *</b> 3/1/2021 <b>to</b> 2/28/2023  <input type="checkbox"/> <i>Serving remaining term of a vacant position</i>
<b>Residential Neighborhood:</b> Capitol Hill	<b>Zip Code:</b> 98102	<b>Contact Phone No.:</b> [REDACTED]
<p>Adam Amrhein is an urban planner and urban designer with LMN Architects in Seattle. Adam heads the firms' Urban Design Group for a range of public and private sector clients needs including district master planning, infrastructure planning and design, urban(re)development, and institutional master planning. In addition to overseeing urban design work for SR 520 Seattle Lids and Bridges program, Adam has also led projects including Carkeek Park Bridge Replacement Study, Meydenbauer Convention Center Streetscape Plan, Shoreline 185th Street Corridor Multimodal Strategy Plan, Shoreline Single-family Attached Development Standards and Stanford Town Center Master Plan. Adam holds a Masters Degree in City and Regional Planning from University of Pennsylvania and a Bachelors of Arts in History of Art and Architecture from University of Pittsburgh.</p>		
<b>Authorizing Signature (original signature):</b> 		<b>Appointing Signatory:</b> Jenny A Durkan Mayor of Seattle

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

# ADAM PAUL AMRHEIN, AICP

## PROFESSIONAL HISTORY

### LMN ARCHITECTS, DEC 2015-PRESENT

TITLE: Head of Urban Design Program  
DESCRIPTION: Lead a small team of designers in urban design projects and pursuits for public and private sector clients ranging from district master planning, infrastructure planning and design, urban (re)development, and institutional master planning.  
SELECTED PROJECTS: SR 520 Seattle Lids and Bridges, Carkeek Park Bridge Replacement Study, Meydenbauer Convention Center Streetscape Plan, Shoreline 185<sup>th</sup> Street Corridor Multimodal Strategy Plan, Shoreline Single-family Attached Development Standards, Stanford Town Center Master Plan

### INTERNATIONAL LIVING FUTURE INSTITUTE, JUL 2014-DEC 2015

TITLE: Program Manager, Living Community Challenge  
DESCRIPTION: Develop and launch a district scale sustainability program and educational materials, lead sustainability consulting efforts, and perform research on best practices.  
SELECTED PROJECTS: Sustainability Strategies for San Francisco Department of Planning and DC Department of the Environment, First Hill Living Community Vision Plan, Living Community Challenge Program Education Development

### URBAN DESIGN ASSOCIATES, MAR 2012-JUN 2014

TITLE: Urban Designer  
DESCRIPTION: Urban design production and analysis, design coordination with team, clients, and sub-consultants.  
SELECTED PROJECTS: Currie Barracks Development Master Plan and Design Guidelines (Calgary, AB), Calgary TOD Implementation Strategy, Anderson Station Development Plan (Calgary, AB), Urban Design Master Plan (Pittsburgh, PA), SoBro Arts District Master Plan (Nashville, TN)

### GROUP MELVIN DESIGN, SEP 2011-MAY 2012

TITLE: Planning Analyst

### PHILADELPHIA MAYOR'S OFFICE OF TRANSPORTATION AND UTILITIES, OCT 2010-MAY 2011

TITLE: Bicycle Facilities Intern

### PITTSBURGH DEPARTMENT OF CITY PLANNING, MAY 2010-AUG 2010

TITLE: Design Review Intern

## EDUCATION

### UNIVERSITY OF PENNSYLVANIA, 2009-2011

DEGREE: Master of City and Regional Planning, Urban Design  
CITATION: Award for Excellence in Student Publications

### UNIVERSITY OF PITTSBURGH, 2005-2007

DEGREE: Bachelor of Arts, History of Art and Architecture  
CITATION: John F. Haskins Award for Excellence in Art History

### UNIVERSITY OF OXFORD (England), 2005

PROGRAM: Architectural History and Criticism

### LCC INTERNATIONAL UNIVERSITY (Lithuania), 2005

PROGRAM: Democracy in the EU

### GENEVA COLLEGE, 2002-2004

PROGRAM: Sociology  
CITATION: Honors Program

## ADDITIONAL

PUBLICATION: Net Zero Communities, *The Power of Zero*, EcoTone, 2015  
Contributor, *The Urban Design Handbook*, WW Norton and Co, 2013

VOLUNTEER: Guest studio reviewer, UW BE, 2015-Present  
Mentor, APA, 2018-2019  
APA Sustaining Places Plan Reviewer, 2016-2017

# Seattle Design Commission

[Insert number of members] Members: Pursuant to [insert Ordinance/ Resolution number], [insert # of members subject to Council confirmation or type "all"] members subject to City Council confirmation, [insert number of years for each term]-year terms:

- # City Council-appointed
- # Mayor-appointed
- # Other Appointing Authority-appointed (specify):

## Roster:

*D	**G	RD	Position No.	Position Title	Name	Term Begin Date	Term End Date	Term #	Appointed By
6	M	3	1.	Urban Planner	Adam Paul Amrhein	3/1/21	2/28/23	1	Mayor
		3	2.	Get Engaged	Kim Baker	9/1/20	8/31/22	1	Mayor
2	M	2	3.	Engineer (Civil/Transportation) CHAIR 3/1/2021- 2/28/22	Justin Clark	3/1/20	2/28/22	2	Mayor
6	M	4	4.	At Large	Jill Crary	3/1/21	2/28/23	1	Mayor
6	M	1	5.	Architect	Mark Johnson	3/1/20	2/28/22	2	Mayor
5	F	5	6.	Landscape Architect	Vinita Sidhu	3/1/21	2/28/23	2	Mayor
6	F	6	7.	Architect	Elaine Wine	3/1/21	2/28/23	2	Mayor
2	F	7	8.	Urban Designer	Azzurra Cox	3/1/20	2/28/22	1	Mayor
6	F	6	9.	Planner (Civil/Transportation)	Amalia Leighton Cody	3/1/21	2/28/23	2	Mayor
6	F	NA	10.	Fine Artist	Elizabeth Conner	3/1/20	2/28/22	1	Mayor

## 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
<b>Mayor</b>	3	7				2			1	7			
<b>Council</b>													
<b>Other</b>													
<b>Total</b>													

## 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

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**File #:** Appt 01910, **Version:** 1

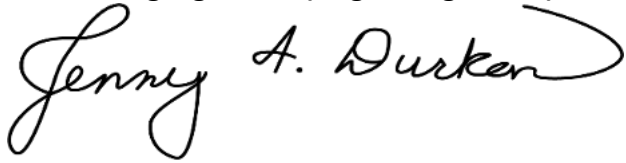
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Appointment of Justin Clark as chair, Seattle Design Commission, for a term to February 28, 2022.

The Appointment Packet is provided as an attachment.



# City of Seattle Boards & Commissions Notice of Appointment

<b>Appointee Name:</b> Justin Clark		
<b>Board/Commission Name:</b> Seattle Design Commission		<b>Position Title:</b> Chair
<input checked="" type="checkbox"/> <b>Appointment</b> OR <input type="checkbox"/> <b>Reappointment</b>		<b>Council Confirmation required?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Appointing Authority:</b> <input type="checkbox"/> Council <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Other: Fill in appointing authority	<b>Date Appointed:</b> 3/1/2020	<b>Term of Position: *</b> 3/1/2021 to 2/28/2022
<b>Residential Neighborhood:</b> Columbia City	<b>Zip Code:</b> 98144	<b>Contact Phone No.:</b> [REDACTED]
<p><b>Background:</b></p> <p><i>Justin Clark currently serves as the Licensed Engineer on the Commission. Justin was unanimously selected as nominee for Chair by his fellow commissioners. His second term ends on February 28, 2022. This one year appointment as Chair ends concurrently with his second term on the Commission.</i></p> <p><i>Justin is a senior structural professional engineer with WSP, an international transportation engineering and planning firm. Justin has over 10 years of experience in the design, construction, and inspection of transportation structures, including bridges, piers, transit station buildings, retaining walls, track slabs, and underground utility structures. He has contributed to several high-profile projects for state and regional transportation, transit, and rail clients.</i></p> <p><i>Justin is also actively involved in his community. He was a member of the 2014-2014 Leadership Tomorrow cohort. Since 2015 he has been involved in Year Up Seattle!, using his skills as a mentor and work coach. He also mentors emerging professionals in the American Society of Civil Engineers and the Conference of Minority Transportation Officials.</i></p> <p><i>Justin holds a Masters Degree in Structural Engineering from University of Washington.</i></p>		
<b>Authorizing Signature (original signature):</b> 		<b>Appointing Signatory:</b> Jenny A. Durkan Mayor of Seattle

\*Term begin and end date is fixed and tied to the position and not appointment date or appointee.  
August 30, 2016

Last revised



# JUSTIN CLARK, PE, PMP

SENIOR LEAD BRIDGE ENGINEER & PROJECT MANAGER, WSP USA



## CAREER SUMMARY

Over the past decade, Justin Clark has demonstrated his leadership within the transportation industry, both at the project level and in external leadership capacities. As a structural professional engineer and project manager with WSP, Justin has experience with design, construction, and inspection of transportation structures, including bridges, piers, transit station buildings, retaining walls, track slabs, and underground utility structures. Justin excels in leading and collaborating with multidisciplinary teams during the planning, design, construction and inspection phases of high-profile transportation and rail projects for department of transportation, transit, and rail agencies. Justin's unique experience outside of project delivery through his professional affiliations and civic engagements provides him with a keen understanding of how the infrastructure projects he works to deliver must fit into the context of the needs of cities and communities.

**YEARS WITH THE FIRM**  
11

**YEARS TOTAL**  
11

## PROFESSIONAL QUALIFICATIONS

Professional Engineer:  
California, 2011 (78767)  
Washington (2013, 50316)

Project Management  
Professional (PMP), Project  
Management Institute  
(PMI), 2019

## EDUCATION

BS, Civil Engineering, North Carolina State University, Raleigh, NC	2007
MS, Structural Engineering, University of Washington, Seattle, WA	2009

## ADDITIONAL TRAINING

Leadership Tomorrow Seattle	2013-2014
National Science Foundation Undergraduate Researcher, University of Delaware Center for Innovative Bridge Engineering, Newark, DE	2006

## PROFESSIONAL AFFILIATIONS

Seattle Design Commission (SDC) ☞ Commissioner, current Vice-Chair	2018-present
American Public Works Association (APWA) ☞ Asset Management Committee, Washington Chapter	2015-2019
Conference of Minority Transportation Officials (COMTO) ☞ Education, Scholarship, and Mentorship Committee, Washington Chapter	2017-present

## CIVIC ENGAGEMENT

Year Up! Seattle   Mentorship Program & Mock-Interviewer	2015-present
STEM/Engineering Educational Outreach   Educational outreach and mentoring, predominately targeted at students of color interested in the field of engineering, through groups including My Brother's Keeper, the AKA Sorority Youth Summit, TAF Academy, Bellevue School District's Breaking Out of the Margins (BOOM) Program, and College Access Now (CAN).	2010-present



# JUSTIN CLARK, PE

## WSP INTERNAL AFFILIATIONS

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Puget Sound Region Equity Cabinet   WSP Puget Sound's internal guides and stewards Diversity, Equity & Inclusion (DE&I) efforts for the WSP Puget Sound organization, identifies needs and areas of opportunity, elevates them with leadership and management of the organization, or channels them to the right body/group to effect change. Justin is a founding member of DE&I Task Force in the Seattle office in 2018 to promote inclusive practices within the organization.	2018-2020
Professional Growth Network (PGN)   WSP's internal national program focusing on the personal and business development of its emerging professionals.	2010-2014
⊕ Seattle Office Co-Chair	2010-2012
⊕ National Mentoring Chair	2011-2014
Bridge Engineering & Design Practice Area Network (PAN)   WSP's internal network of over 700 bridge engineering professionals, dedicated to sharing knowledge and experience with respect to bridge design, construction, inspection, and long-term maintenance.	2011-2019
⊕ Bridge PAN Co-Coordinator	2014-2019
⊕ SPAN Newsletter Contributor	2011-2019
⊕ SPAN Newsletter Editor	2012-2014

## PROFESSIONAL EXPERIENCE - RELEVANT PROJECTS

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### Sound Transit Projects

- Downtown Seattle Transit Tunnel (DSTT) State of Good Repair Program, Seattle, WA (2019-present): Project Manager leading the development and management of the five-year program to deliver a portfolio of projects to upgrade the 30-year-old transit facility that is the backbone of the region's light rail system.
- Northgate Link Light Rail Extension, Seattle, WA (2011-2019): Structural designer of the elevated guideway and elevated Northgate station during the 100% design and served as structural task lead for the design services during construction (DSDC) phase of the project. Scheduled to open in 2021, this project will extend the light rail system north of the University of Washington, connecting these neighborhoods to downtown Seattle.
- Eastlink Link Light Rail Extension, Seattle, WA (2013-2016): Structural task lead for the International District Station (IDS) in the Downtown Seattle Transit Tunnel (DSTT) connection to the future Eastlink extension. Designer performing seismic evaluation of multiple existing highway bridges along the rail alignment to be retrofitted to sustain the proposed light rail loading. This project will extend the light rail system from the DSTT across the I-90 floating bridge to Mercer Island and Bellevue by 2023.

### Other Agencies

- City of Seattle Lid I-5 Feasibility Study, Office of Planning and Community Development (OPCD, Seattle, WA (2019-2020): As a technical team lead for this study, Justin is coordinating the efforts of the technical team to determine the technical feasibility of building a lid structure and the ancillary technical features to support the structure over I-5 in downtown Seattle. This team includes assessments from the structural, geotechnical, utilities and fire-life-safety disciplines. The results of these disciplines provide input to the others, and Justin is working to manage this iterative loop between disciplines to ensure a technically sound result that is on schedule and on budget. The team is also coordinating with the additional teams focusing on urban design, mobility, and economics, creating an additional layer of integration and collaboration.
- City of Redmond, Light Rail Planning and Engineering Assistance On-Call Project, Redmond, WA (2015-2016): subject matter expert consulting the City of Redmond on proposed structures to be constructed in Redmond as part of the Sound Transit E360 Design-Build project. Included within these structures are two pedestrian bridges to be built over SR 520 in Redmond, which will be constructed by Sound Transit but will be owned and maintained by the City of Redmond upon completion of construction in 2023.

# Seattle Design Commission

The Seattle Design Commission is comprised of 10 members, all of which are appointed by the Mayor and confirmed by City Council. Commissioners serve a two-year term and are eligible for one reappointment. Commissioners include 2 licensed architects, a fine artist, an at large member, and at least one (but not more than two) members from the following professions:

- Urban planner
- Environmental or Urban Designer
- Landscape Architect
- Licensed Engineer

The commission also participates in the YMCA's Get Engaged program.

## Roster:

*D	**G	RD	Position No.	Position Title	Name	Term Begin Date	Term End Date	Term #	Appointed By
6	M	3	1.	Urban Planner	Adam Paul Amrhein	3/1/21	2/28/23	1	Mayor
		3	2.	Get Engaged	Kim Baker	9/1/20	8/31/22	1	Mayor
2	M	2	3.	Engineer (Civil/Transportation) CHAIR 3/1/2021- 2/28/22	Justin Clark	3/1/20	2/28/22	2	Mayor
6	M	4	4.	At Large	Jill Crary	3/1/21	2/28/23	1	Mayor
6	M	1	5.	Architect	Mark Johnson	3/1/20	2/28/22	2	Mayor
5	F	5	6.	Landscape Architect	Vinita Sidhu	3/1/21	2/28/23	2	Mayor
6	F	6	7.	Architect	Elaine Wine	3/1/21	2/28/23	2	Mayor
2	F	7	8.	Urban Designer	Azzurra Cox	3/1/20	2/28/22	1	Mayor
6	F	6	9.	Planner (Civil/Transportation)	Amalia Leighton Cody	3/1/21	2/28/23	2	Mayor
6	F	NA	10.	Fine Artist	Elizabeth Conner	3/1/20	2/28/22	1	Mayor

## 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	3	7				2			1	7								
Council																		
Other																		
Total																		

## 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

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**File #:** Appt 01911, **Version:** 1

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Reappointment of Amalia Leighton Cody as member, Seattle Design Commission, for a term to February 28, 2023.

The Appointment Packet is provided as an attachment.



# City of Seattle Boards & Commissions Notice of Appointment

<b>Appointee Name:</b> Amalia Leighton Cody		
<b>Board/Commission Name:</b> Seattle Design Commission		<b>Position Title:</b> Transportation Planner
<input type="checkbox"/> Appointment <b>OR</b> <input checked="" type="checkbox"/> Reappointment		<b>Council Confirmation required?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Appointing Authority:</b> <input type="checkbox"/> Council <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Other: <i>Fill in appointing authority</i>	<b>Date Appointed:</b> mm/dd/yy.	<b>Term of Position: *</b> 3/1/2021 to 2/28/2023  <input type="checkbox"/> Serving remaining term of a vacant position
<b>Residential Neighborhood:</b> Wallingford	<b>Zip Code:</b> 98103	<b>Contact Phone No.:</b> [REDACTED]
<b>Background:</b>  <p><i>Ms. Leighton Cody is the Director of the Seattle office of Toole Design, a national architecture, engineering, planning, and design firm based in Silver Springs, Maryland. As lead for the Seattle office, Ms. Leighton Cody uses her experience as both a Transportation Planner and a licensed Civil Engineer on a variety of transportation, mobility, and public realm projects. Ms. Leighton Cody has extensive experience with Seattle transportation policy and practice, having been a consultant on the City's Pedestrian Master Plan, Transit Master Plan, and Bicycle Master Plan.</i></p> <p><i>Ms. Leighton Cody has a wide range of participation in public and professional service including her roles as a boardmember with Futurewise, and as a former member and past Chair of the Seattle Planning Commission.</i></p> <p><i>Ms. Leighton Cody has a Bachelor's Degree in Civil Engineering from University of Washington, licensed in both Washington and California. She is also a member of the American Institute of City Planners.</i></p>		
<b>Authorizing Signature (original signature):</b> 		<b>Appointing Signatory:</b> Jenny A Durkan Mayor of Seattle

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

# AMALIA LEIGHTON CODY, PE, AICP



## WORK EXPERIENCE

**Toole Design** Seattle, WA  
Seattle Office Director, Senior Civil Engineer and Planner 2017-Present

**MIG|SvR** Seattle, WA  
Senior Civil Engineer and Planner 2015-2017

**SvR Design Company** Seattle, WA  
Director, Civil Engineer, Planner 2002-2015

## VOLUNTEER AND CIVIC EXPERIENCE

**Futurewise Seattle, WA**  
Board Member 2018-Present

**Seattle Planning Commission** Seattle, WA  
Get Engaged Member 2006, Housing & Neighborhood Co-Chair, Chair 2006-2016

**Capitol Hill Eco-District Steering Committee** Seattle, WA  
Transportation Committee 2012-2014

**Seattle Works – The Bridge Board Training** Seattle, WA  
Presenter for Public Boards and Commissions 2008-2014

## PROFESSIONAL LICENSURE/ CERTIFICATION

Professional Civil Engineer 2006  
State of Washington #43050 and State of California #71129  
American Institute of Certified Planners 2012

## EDUCATION AND PROFESSIONAL DEVELOPMENT

University of Washington College of Engineering 2002  
Bachelor of Civil Engineering

PSMJ Project Management Course 2009  
University of Washington, Environmental Law and Regulation Certificate 2007  
Urban Land Institute Center for Sustainable Leadership 2012-2013  
Urban Land Institute Health Leaders Network Cohort 2 2018-2019

## PROFESSIONAL ASSOCIATIONS

American Planning Association  
Urban Land Institute  
Women’s Transportation Seminar

## REFERENCES –AVAILABLE UPON REQUEST

# Seattle Design Commission

[Insert number of members] Members: Pursuant to [insert Ordinance/ Resolution number], [insert # of members subject to Council confirmation or type "all"] members subject to City Council confirmation, [insert number of years for each term]-year terms:

- # City Council-appointed
- # Mayor-appointed
- # Other Appointing Authority-appointed (specify):

## Roster:

*D	**G	RD	Position No.	Position Title	Name	Term Begin Date	Term End Date	Term #	Appointed By
6	M	3	1.	Urban Planner	Adam Paul Amrhein	3/1/21	2/28/23	1	Mayor
		3	2.	Get Engaged	Kim Baker	9/1/20	8/31/22	1	Mayor
2	M	2	3.	Engineer (Civil/Transportation) CHAIR 3/1/2021- 2/28/22	Justin Clark	3/1/20	2/28/22	2	Mayor
6	M	4	4.	At Large	Jill Crary	3/1/21	2/28/23	1	Mayor
6	M	1	5.	Architect	Mark Johnson	3/1/20	2/28/22	2	Mayor
5	F	5	6.	Landscape Architect	Vinita Sidhu	3/1/21	2/28/23	2	Mayor
6	F	6	7.	Architect	Elaine Wine	3/1/21	2/28/23	2	Mayor
2	F	7	8.	Urban Designer	Azzurra Cox	3/1/20	2/28/22	1	Mayor
6	F	6	9.	Planner (Civil/Transportation)	Amalia Leighton Cody	3/1/21	2/28/23	2	Mayor
6	F	NA	10.	Fine Artist	Elizabeth Conner	3/1/20	2/28/22	1	Mayor

## SELF-IDENTIFIED DIVERSITY CHART (1) (2) (3) (4) (5) (6) (7) (8) (9)

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

## 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

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**File #:** Appt 01912, **Version:** 1

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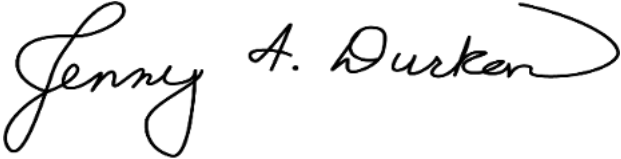
Appointment of Jill Crary as member, Seattle Design Commission, for a term to February 28, 2023.

The Appointment Packet is provided as an attachment.





# City of Seattle Boards & Commissions Notice of Appointment

<b>Appointee Name:</b> Jill Crary		
<b>Board/Commission Name:</b> Seattle Design Commission		<b>Position Title:</b> At-large member
<input checked="" type="checkbox"/> Appointment OR <input type="checkbox"/> Reappointment		<b>Council Confirmation required?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Appointing Authority:</b> <input type="checkbox"/> Council <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Other: <i>Fill in appointing authority</i>	<b>Date Appointed:</b> mm/dd/yy.	<b>Term of Position: *</b> 3/1/2021 to 2/28/2023  <input type="checkbox"/> Serving remaining term of a vacant position
<b>Residential Neighborhood:</b> Phinney	<b>Zip Code:</b> 98117	<b>Contact Phone No.:</b> [REDACTED]
<i>Jill Crary recently retired after a distinguished 30-year career with Seattle Center, the last 12 of which was as Redevelopment Director. During Jill's tenure she oversaw a variety of Capital projects and public-private partnerships for Seattle Center, culminating in the redevelopment of Seattle Center Arena, now Climate Pledge Arena. Jill's in-depth knowledge of how City funded capital facilities are imagined, funded, designed, and implemented will provide the Seattle Design Commission with invaluable expertise in their role as stewards of the public realm. Jill holds an MA in Theater from University of Missouri - Kansas City and a BA in Theater from Purdue University.</i>		
<b>Authorizing Signature (original signature):</b> 		<b>Appointing Signatory:</b> Jenny A Durkan Mayor of Seattle

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

# Jill Crary

## Career Highlights

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- Lead, City-wide Design and Constructability team during the Request for Proposals and pre-construction planning for Oak View Group's Climate Pledge Arena at Seattle Center
- Major Redevelopment Projects include Seattle Opera Center, KEXP-FM, Chihuly Garden and Glass, 5<sup>th</sup> Ave N Garage with Bill and Melinda Gates foundation
- Innovative Open Space projects include Artists at Play, UpGarden, with DON, Theatre Commons and Donnelly Garden
- Liaison with Seattle's Landmarks Preservation Board on Landmark designation of KeyArena and Northwest Rooms, Certificate of Approvals for redevelopment of KeyArena, KEXP/Northwest Rooms and Center House/Armory
- Rebranding and Redevelopment of Center House and Food Court as "Armory" as part of 50<sup>th</sup> Anniversary of 1962 World's Fair
- Lead, Seattle Center Century 21 Master Plan – Seattle Design Commission Design Excellence Award
- Broadened project outreach to emphasize accessibility and Seattle's RSJI toolkit
- Seattle Monorail recovery and restoration team, 2004-2006
- Project Management team, Marion Oliver McCaw Hall, opened 2003
- Project Manager for public art/unique installations including "An Equal and Opposite Reaction" - Sarah Sze, Artist, (McCaw Hall), "Grass Blades" - John Fleming, Artist, (AIA & SDC Design Excellence Awards), Seattle's first permanent skatepark in 2000.
- Managed 8 seasons of Sonics NBA games in Coliseum and KeyArena, including NBA Finals, 1996
- Member of Seattle Repertory Theatre staff involved in planning and commissioning of Bagley Wright Theatre in 1983.

## Professional Experience

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### Seattle Center – City of Seattle

1990 – 2020

#### *Redevelopment Director, 2007-2020*

- Responsible for Project Management and Planning staff, oversight of Capital Budget and member of Seattle Center Director's Executive Team

#### *Capital Projects Coordinator, 1998-2006 (Senior Level, 2001-2006)*

- Oversight of planning, design and construction of Seattle Center public works projects and coordination with private projects on Seattle Center campus

#### *Event Service Representative, 1990–1998 (Senior Level, 1993-1998)*

- Manage event day needs for NBA and Sonics events, large concerts and festivals

### Seattle Repertory Theatre, Seattle, WA

1978-1990

#### *Technical Staff*

## Education

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### University of Missouri - Kansas City, Kansas City Missouri

MA, Theater (Graduate Teaching Assistant in Technical Theater)

### Purdue University, West Lafayette, Indiana

BA, Theater (Undergraduate Assistant in Technical Theater)



# Seattle Design Commission

The Seattle Design Commission is comprised of 10 members, all of which are appointed by the Mayor and confirmed by City Council. Commissioners serve a two-year term and are eligible for one reappointment. Commissioners include 2 licensed architects, a fine artist, an at large member, and at least one (but not more than two) members from the following professions:

- Urban planner
- Environmental or Urban Designer
- Landscape Architect
- Licensed Engineer

The commission also participates in the YMCA's Get Engaged program.

## Roster:

*D	**G	RD	Position No.	Position Title	Name	Term Begin Date	Term End Date	Term #	Appointed By
6	M	3	1.	Urban Planner	Adam Paul Amrhein	3/1/21	2/28/23	1	Mayor
		3	2.	Get Engaged	Kim Baker	9/1/20	8/31/22	1	Mayor
2	M	2	3.	Engineer (Civil/Transportation) CHAIR 3/1/2021- 2/28/22	Justin Clark	3/1/20	2/28/22	2	Mayor
6	M	4	4.	At Large	Jill Crary	3/1/21	2/28/23	1	Mayor
6	M	1	5.	Architect	Mark Johnson	3/1/20	2/28/22	2	Mayor
5	F	5	6.	Landscape Architect	Vinita Sidhu	3/1/21	2/28/23	2	Mayor
6	F	6	7.	Architect	Elaine Wine	3/1/21	2/28/23	2	Mayor
2	F	7	8.	Urban Designer	Azzurra Cox	3/1/20	2/28/22	1	Mayor
6	F	6	9.	Planner (Civil/Transportation)	Amalia Leighton Cody	3/1/21	2/28/23	2	Mayor
6	F	NA	10.	Fine Artist	Elizabeth Conner	3/1/20	2/28/22	1	Mayor

## 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	3	7				2			1	7								
Council																		
Other																		
Total																		

## Key:

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

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

*Diversity information is self-identified and is voluntary.*



Legislation Text

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**File #:** Appt 01913, **Version:** 1

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Reappointment of Elaine Wine as member, Seattle Design Commission, for a term to February 28, 2023.

The Appointment Packet is provided as an attachment.



# City of Seattle Boards & Commissions Notice of Appointment

<b>Appointee Name:</b> <i>Elaine Wine</i>		
<b>Board/Commission Name:</b> <i>Seattle Design Commission</i>		<b>Position Title:</b> <i>Architect</i>
<input type="checkbox"/> Appointment <b>OR</b> <input checked="" type="checkbox"/> Reappointment		<b>Council Confirmation required?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Appointing Authority:</b> <input type="checkbox"/> Council <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Other: <i>Fill in appointing authority</i>	<b>Date Appointed:</b> <i>mm/dd/yy.</i>	<b>Term of Position: *</b> <i>3/1/2021</i> <b>to</b> <i>2/28/2023</i> <input type="checkbox"/> Serving remaining term of a vacant position
<b>Residential Neighborhood:</b> <i>Ballard</i>	<b>Zip Code:</b> <i>98107</i>	<b>Contact Phone No.:</b> 
<p><i>Elaine Wine is the Development Manager at Seneca Group, a development management services company. Elaine has managed the construction and delivery of a variety of commercial projects including the recent phase of the Bill and Melinda Gates Foundation, the Spheres at Amazon, Amazon developments in Virginia, and other similarly scaled projects. Ms. Wine has a 20+ year career in architecture and design firms as well as careers with Vulcan, and the Federal Transit Administration.</i></p> <p><i>Elaine has an extensive public service background, including serving as the Architect member of the City's Landmark Board, and as a member and Chair of the Ballard Avenue Landmarks Board.</i></p> <p><i>Elaine has a Bachelor's Degree in Architecture from Lehigh University along with certificates in Commercial Real Estate and Project Management from University of Washington.</i></p>		
<b>Authorizing Signature (original signature):</b> 		<b>Appointing Signatory:</b> <b>Jenny A Durkan</b> <i>Mayor of Seattle</i>

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

# Elaine Wine, AIA

LEED® Accredited Professional

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<b>Skills</b>	<b>Creative</b> Problem Solving <b>Collaborative</b> Team Leadership <b>Communicating</b> with Diverse Groups <b>Translating</b> Visions into Successful Projects <b>Inspiring</b> Design Excellence
<b>Experience</b>	<b>SENECA GROUP</b> Seattle, Washington <b>Development Manager</b> April 2014 – Current Amazon Northern Virginia Headquarters Amazon Headquarters - The Spheres <b>FEDERAL TRANSIT ADMINISTRATION</b> Seattle, Washington <b>Director of Oversight and Program Management</b> July 2009 – March 2014 Sound Transit U-Link / East Link Light Rail Tri-Met SW Moody Avenue Streetcar Reconstruction <b>VULCAN, INC.</b> Seattle, Washington <b>Senior Project Manager</b> June 2006 - January 2009 Seattle Seahawks Headquarters and Training Facility Qwest Field Tenant Improvements <b>ZIMMER GUNSUL FRASCA PARTNERSHIP</b> Seattle, Washington <b>Project Architect</b> June 1998 - June 2006 King County Chinook Office Building and Parking Garage UNC Cancer Hospital and Campus Development Microsoft Campus Developments
<b>Leadership</b>	<b>Seattle Design Commission</b> , Seattle, Washington Architect Position February 2019 - Current <b>Alaskan Way Viaduct North Portal Working Group</b> , Seattle, Washington Advisory Member Spring 2009-2017 <b>City of Seattle Landmarks Preservation Board</b> , Seattle, Washington Architect Board Member December 2009-2016 <b>Ballard Avenue Landmarks Board</b> , Seattle, Washington Architect Board Member 2003-September 2008, Chair 2006-08 <b>AIA Seattle Board of Directors</b> , Seattle, Washington Secretary 2005-2006, Special Director 2002-2003
<b>Education</b>	<b>University of Washington</b> , Seattle, Washington Commercial Real Estate Certificate Program 2010-2011 Project Management Certificate Program 2007-2008 <b>Lehigh University</b> , Bethlehem, Pennsylvania Bachelor of Arts with Honors 1991, Major: Architecture Minor: Urban Studies
<b>Professional</b>	<b>Washington State Registered Architect #8356</b>

# Elaine Wine, AIA

LEED® Accredited Professional

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## Project Descriptions

### **Amazon Northern Virginia Headquarters**, Arlington, Virginia

Target Completion Spring 2023-2026. New construction of 4M sf of commercial high-rise offices, 4 acres of site and park improvements, below grade parking, and a 425,000 sf special amenity building. *Managing campus wide components for Design with a primary focus on exterior landscapes and the special amenity building.*

### **Amazon Headquarters - The Spheres** Seattle, Washington

Completed January 2018. New construction of 60,000 sf of signature amenity space for Amazon HQ. *Managing design and construction of technically challenging geometry and complex interior programming including conservatories, water features, and food service components.*

### **Sound Transit East Link Light Rail and I-90 Transit Improvements** Seattle, Washington

Full Completion 2023. 14 mile light rail extension including 10 transit stations from downtown Seattle to Overlake Transit Station. *Managed federal oversight of a high profile and complex regional project and supporting innovative project delivery methods.*

### **Tri-Met Southwest Moody Avenue Streetcar Reconstruction** Portland, Oregon

Completed 2012. Reconstruction of SW Moody Avenue to form an elevated roadway with dual streetcar tracks and separated pedestrian and bicycle paths. *Managed federal oversight of a high profile Recovery Act project and worked collaboratively with grantees to integrate new domestically produced rail products.*

### **Seattle Seahawks Headquarters and Training Facility** Renton, Washington

Completed 2008. New construction of a 215,000 sf headquarters and training facility, natural grass playing fields, and restoration and remediation of a 20 acre Brownfield site. *Coordinated detailed programming, tenant build out and move in for over 20 specialized departments.*

### **UNC Cancer Hospital and Campus Development** Chapel Hill, North Carolina

Completed 2009. Phased 6.5 acre development of a 300,000 sf Cancer Center and 100,000 sf Physician's Office Building. *Managed and coordinated complex site and utility infrastructure design with multi-phased documentation to keep facilities operational during construction.*

### **King County Chinook Office Building and Parking Structure** Seattle, Washington

Completed 2007. New construction of 300,000 sf of high-rise office space and structured parking for 825 cars. *Worked collaboratively with Contractor during construction to simplify multiple design build systems.*

### **Microsoft Buildings 121 and 122 and Parking Structure** Redmond, Washington

Completed 2003. Tenant Improvements and rehabilitation to 2 existing office buildings with new construction of a 1065 stall parking structure. *Worked cooperatively with the Design Build contractor and design team to develop and construct a well-integrated quality design.*

### **Microsoft St. Andrews Campus** Redmond, Washington

Completed 2002. New construction of 500,000 sf of office space, 25,000sf dining facility, and structured parking for 850 cars. *Lead specialized design, development, and construction administration of secure tenant improvement for Microsoft executives.*

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## SELF-IDENTIFIED DIVERSITY CHART

	(1)		(2)		(3)		(4)		(5)		(6)		(7)		(8)		(9)	
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