Ordinance No. 123116

Council Bill No. 116630

AN ORDINANCE accepting funds from the U.S. Department of Energy allocated through the American Recovery and Reinvestment Act of 2009 and the Energy Efficiency and Conservation Block Grant program; authorizing the Mayor or his designee to execute related agreements; amending the 2009 Adopted Budget to increase appropriations for Seattle City Light, the Department of Planning and Development, the Office of Housing, the Office of Sustainability and Environment, the Seattle Department of Transportation, and Finance General; creating an exempt position in the Office of Sustainability and Environment; and ratifying and confirming prior acts; all by a three-fourths vote of the City Council.

CF No. _____

Date Introduced: 9.8.09	Finance + Budget
Date 1st Referred:	To: (committee)
Date Re - Referred:	To: (committee)
Date Re - Referred:	To: (committee)
Date of Final Passage: 9-28-09	Full Council Vote: 8-0
Date Presented to Mayor: 9-29-09	Date Approved: 10.2.09
Date Returned to City Clerk: 10.5.09	Date Published: 6 T.O. ✓ F.T. ___
Date Vetoed by Mayor:	Date Veto Published:
Date Passed Over Veto:	Veto Sustained:

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Jean Godden
Councilmember

Committee Action:

Pass as amended y-JG,SC

9-21-09 Held 1 week

9-28-09 (E/V) Passed 8 0 (Excused McIver)
AS Amended

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

Law Department

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

Ben Noble
OSE ARRA-EECBG Acceptance ORD
September 28, 2009
version #7

ORDINANCE 123116

AN ORDINANCE accepting funds from the U.S. Department of Energy allocated through the American Recovery and Reinvestment Act of 2009 and the Energy Efficiency and Conservation Block Grant program; authorizing the Mayor or his designee to execute related agreements; amending the 2009 Adopted Budget to increase appropriations for Seattle City Light, the Department of Planning and Development, the Office of Housing, the Office of Sustainability and Environment, the Seattle Department of Transportation, and Finance General; creating an exempt position in the Office of Sustainability and Environment; and ratifying and confirming prior acts; all by a three-fourths vote of the City Council.

WHEREAS, the United States Congress authorized $3.2 Billion in the Energy Efficiency and Conservation Block Grant Program as part of the American Recovery and Reinvestment Act of 2009 ("ARRA"), and

WHEREAS, based on the City's successful application that was submitted on June 15, 2009, the U.S. Department of Energy awarded Seattle $6,142,300 from these Energy Efficiency and Conservation Block Grant funds; and

WHEREAS, the ARRA grant funding constitutes one-time funding for energy efficiency and conservation activities; and

WHEREAS, the City is not obligated to continue or maintain ARRA grant funding levels for the Energy Efficiency and Conservation Block Grant Program once ARRA grant funds have lapsed; and

WHEREAS, the City intends to transfer some of its ARRA funds to an outside entity, with the understanding that recipients of those funds should not anticipate that the City will assume responsibility for any program costs funded by ARRA once ARRA funds are spent; and

WHEREAS, the City Council wishes to amend the 2009 Adopted Budget for Seattle City Light, the Department of Planning and Development, the Office of Housing, the Office of Sustainability and Environment, the Seattle Department of Transportation, and Finance General to reflect the anticipated receipt and authorize the expenditure of these Energy Efficiency and Conservation Block Grant funds; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

COUNCIL CLERK

Section 1. The City of Seattle hereby accepts ARRA funds from U.S. Department of Energy for the Energy Efficiency and Conservation Block Grant Program in the amount of $6,142,300 for the following purposes:

Item	Program and Description
1	Direct Installation Program Management. This conservation pilot program will directly install energy-saving devices such as compact fluorescent light bulbs, low-flow showerheads, and faucet aerators.
2	Residential Energy Performance Score. This program will develop a standardized Energy Performance Score (EPS) that evaluates single-family home energy performance and identifies cost-effective efficiency improvements.
3	Residential Energy Efficiency Loan Program. This program will provide for the development of, and capital for, a revolving loan program for residential energy efficiency upgrades.
4	Energy Performance Disclosure. This program will provide technical assistance and development costs to promote energy performance reporting of commercial and multifamily buildings.
5	Commercial Lighting Upgrade Program. This conservation pilot program will identify inefficient lighting fixtures in small to medium-sized commercial businesses. The program creates green jobs and provides training. Returning war veterans will be given priority to participate in this program.
6	HomeWise Weatherization Program. This will supplement the HomeWise low-income weatherization program, targeting multifamily projects where there are significant financial barriers to owners' investment in energy efficiency.
7	Municipal Energy Efficiency Program. This program will assess and identify energy efficiency improvements in municipal buildings.
8	Residential LED Streetlights. This program will begin using LED technology in the city's residential streetlight system.
9	Electric Trolley-bus System Improvements. This is a joint project with King County will make system improvements to the Seattle trolley-bus network.
10	Grant Administration. This funding will allow the City to respond to the administration, monitoring, and reporting requirements of the grant.

On behalf of the City of Seattle, the Mayor or his designee is authorized to execute and deliver and fulfill such agreements and certifications as may be necessary to accept the ARRA funds. Energy Efficiency and Conservation Block Grant funds, when received, shall be deposited into the appropriate funds, as follows:

CITY COUNCIL CLERK

Item	Fund Name and Number	Department	Amount
1.1	City Light Fund (41000)	Seattle City Light	$500,000
1.2	General Subfund (00100)	Office of Sustainability and Environment	$400,000
1.3	General Subfund (00100)	Office of Sustainability and Environment	$1,500,000
1.4.1	Planning and Development Fund (15700)	Department of Planning and Development	$195,000
1.4.2	City Light Fund (41000)	Seattle City Light	$255,000
1.5	City Light Fund (41000)	Seattle City Light	$750,000
1.6	Low Income Housing Fund (16400)	Office of Housing	$500,000
1.7	General Subfund (00100)	Finance General	$500,000
1.8	City Light Fund (41000)	Seattle City Light	$1,000,000
1.9	Transportation Operating Fund (10310)	Seattle Department of Transportation	$300,000
1.10	General Subfund (00100)	Office of Sustainability and Environment	$242,300

The Mayor or his designee is further authorized to execute and deliver documents relating to the agreements if required by federal guidelines.

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

Item	Fund Name and Number	Department	Budget Control Level	Amount
2.1	City Light Fund (41000)	Seattle City Light	Conservation Resources and Environmental Affairs O&M (SCL220)	$500,000
2.2	General Subfund (00100)	Office of Sustainability and Environment	Office of Sustainability and Environment (X1000)	$400,000
2.3	General Subfund (00100)	Office of Sustainability and Environment	Office of Sustainability and Environment (X1000)	$1,500,000
2.4.1	Planning and Development Fund (15700)	Department of Planning and Development	Planning (U2900)	$195,000
2.4.2	City Light Fund (41000)	Seattle City Light	Conservation Resources and Environmental Affairs O&M (SCL220)	$255,000
2.5	City Light Fund (41000)	Seattle City Light	Conservation Resources and Environmental Affairs O&M (SCL220)	$750,000
2.6	Low Income Housing Fund (16400)	Office of Housing	Low-Income Housing Fund 16400 (XZ-R1)	$500,000
2.7	General Subfund (00100)	Finance General	Reserves (2QD00)	$500,000
2.8	City Light Fund (41000)	Seattle City Light	Customer Services (SCL320)	$1,000,000
2.9	Transportation Operating Fund (10310)	Seattle Department of Transportation	Mobility-Operations (17003)	$300,000
2.10	General Subfund (00100)	Office of Sustainability and Environment	Office of Sustainability and Environment (X1000)	$242,300

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

CITY COUNCIL CLERK

Section 3. To carry out purposes of the appropriation in Section 2 of this ordinance, the following new position, which is exempt from Civil Service and Public Safety Civil Service rules and laws, is created:

Item	Department	Position Title	Position Status	Number
3.10	Office of Sustainability and Environment	Strategic Advisor 1, Exempt	Full Time	1.0

The Director of the Office of Sustainability and Environment is authorized to fill this position. Given the anticipated duration of this funding, this position is abrogated effective December 31, 2011.

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

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

COUNCIL CLERK

Passed by a three-fourths (¾) vote of all the members of the City Council the 28th day of September, 2009, and signed by me in open session in authentication of its passage this 28th day of September, 2009.

President _____ of the City Council

Approved by me this 2nd day of October, 2009.

Gregory J. Nickels, Mayor

Filed by me this 5th day of October, 2009.

City Clerk

(Seal)

Form revised May 26, 2009

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Department of Finance	Calvin Chow/684-4652	Calvin Chow/684-4652

Legislation Title:
AN ORDINANCE accepting funds from the U.S. Department of Energy allocated through the American Recovery and Reinvestment Act of 2009 and the Energy Efficiency and Conservation Block Grant program; authorizing the Mayor or his designee to execute related agreements; amending the 2009 Adopted Budget to increase appropriations for Seattle City Light, the Department of Planning and Development, the Office of Housing, the Office of Sustainability and Environment, the Seattle Department of Transportation, and Finance General; creating an exempt position in the Office of Sustainability and Environment; and ratifying and confirming prior acts; all by a three-fourths vote of the City Council.

- **Summary of the Legislation:**

This legislation provides grant acceptance authority and appropriations to expend $6,142,300 of grant funds from the U.S. Department of Energy. The grant supports energy efficiency and conservation programs, and provides funding for grant administration and reporting. The legislation creates 1.0 FTE Strategic Advisor 1, Exempt position in the Office of Sustainability and Environment to administer this grant. This position is intended to be abrogated effective June 30, 2011 unless additional funding is identified and appropriated.

- **Background:**

The American Recovery and Reinvestment Act (ARRA) of 2009 allocated $3.2B for the Energy Efficiency and Conservation Block Grant (EECBG) program, administered by the U.S. Department of Energy. The City submitted an application on June 15, 2009 to receive $6,142,300 of ARRA funds that were allocated by formula and anticipates release of these funds in September 2009.

With this EECBG grant, the City of Seattle will fund the following ten activities:

Direct Installation Program Management, $500,000. This conservation pilot program will directly install energy-saving devices such as compact fluorescent light bulbs, low-flow showerheads, and faucet aerators.
Residential Energy Performance Score, $400,000. This program will develop a standardized Energy Performance Score (EPS) that evaluates single-family home energy performance and identifies cost-effective efficiency improvements.
Residential Energy Efficiency Loan Program, $1,500,000. program will provide for the development of, and capital for, a revolving loan program for residential energy efficiency upgrades.

ACTING CITY CLERK

Energy Performance Disclosure, $450,000. This program will provide technical assistance and development costs to promote energy performance reporting of commercial and multifamily buildings.
Commercial Lighting Upgrade Program, $750,000. This conservation pilot program will identify inefficient lighting fixtures in small to medium-sized commercial businesses. The program creates green jobs and provides training. Returning war veterans will be given priority to participate in this program.
HomeWise Weatherization Program, $500,000. This will supplement the HomeWise low-income weatherization program, targeting multifamily projects where there are significant financial barriers to owners' investment in energy efficiency.
Municipal Energy Efficiency Program, $500,000. This program will assess and identify energy efficiency improvements in municipal buildings.
Residential LED Streetlights, $1,000,000. This program will begin using LED technology in the city's residential streetlight system.
Electric Trolley-bus System Improvements, $300,000. This is a joint project with King County will make system improvements to the Seattle trolley-bus network.
Grant Administration, $242,300. This funding will allow the City to respond to the administration, monitoring, and reporting requirements of the grant.

- *Please check one of the following:*

___ **This legislation does not have any financial implications.**

_✓_ **This legislation has financial implications.**

Appropriations:

Fund Name and Number	Department	Budget Control Level*	2009 Appropriation	2010 Anticipated Appropriation
City Light Fund (41000)	Seattle City Light	Conservation Resources and Environmental Affairs O&M (SCL220)	$1,505,000	$0
City Light Fund (41000)	Seattle City Light	Customer Services (SCL320)	$1,000,000	$0
Planning and Development Fund (15700)	Department of Planning and Development	Planning (U2900)	$195,000	$0
Low Income Housing Fund (16400)	Office of Housing	Low-Income Housing Fund 16400 (XZ-R1)	$500,000	$0
Transportation Operating Fund (10310)	Seattle Department of Transportation	Mobility-Operations (17003)	$300,000	$0
General Subfund	Finance	Reserves (2QD00)	$500,000	$0

ACTING CITY CLERK

(00100)	General			
General Subfund (00100)	Office of Sustainability and Environment	Office of Sustainability and Environment (X1000)	$2,142,300	$0
TOTAL			$6,142,300	$0

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

Notes: As a grant, unspent funds will carry forward to subsequent years until they are exhausted or abandoned by ordinance.

Anticipated Revenue/Reimbursement: Resulting From This Legislation:

Fund Name and Number	Department	Revenue Source	2009 Revenue	2010 Revenue
City Light Fund (41000)	Seattle City Light	Energy Efficiency and Conservation Block Grant	$2,505,000	$0
Planning and Development Fund (15700)	Department of Planning and Development	Energy Efficiency and Conservation Block Grant	$195,000	$0
Low Income Housing Fund (16400)	Office of Housing	Energy Efficiency and Conservation Block Grant	$500,000	$0
Transportation Operating Fund (10310)	Seattle Department of Transportation	Energy Efficiency and Conservation Block Grant	$300,000	$0
General Subfund (00100)	Finance General	Energy Efficiency and Conservation Block Grant	$500,000	$0
General Subfund (00100)	Office of Sustainability and Environment	Energy Efficiency and Conservation Block Grant	$2,142,300	$0
TOTAL			$6,142,300	$0

Notes: The U.S. Department of Energy will disburse half of the $6,142,300 EECBG grant upon approval of the City's application. The remainder of funds will be disbursed after one or more progress reviews. It is possible that payments following progress reviews could be delayed until 2010. The U.S. Department of Energy requires that EECBG funding be obligated within 18 months, and be spent within 36 months.

Total Regular Positions Created, Modified, Or Abrogated Through This Legislation, Including FTE Impact:

ACTING CITY CLERK

Position Title and Department	Position # for Existing Positions	Fund Name & #	PT/FT	2009 Positions	2009 FTE	2010 Positions*	2010 FTE*
Strategic Advisor 1, Exempt / Office of Sustainability and Environment	New position	General Fund (00100)	FT	1	1.0	1	1.0
TOTAL				**1**	**1.0**	**1**	**1.0**

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

Notes: This position will work with departments receiving EECBG funding to provide centralized administration, monitoring, and reporting and comply with the requirements of the EECBG grant.

- **<u>Do positions sunset in the future</u>?** Yes, this position will sunset on June 30, 2011 unless additional funding is identified and appropriated.

<u>Spending/Cash Flow</u>:

Fund Name & #	Department	Budget Control Level*	2009 Expenditures	2010 Anticipated Expenditures
City Light Fund (41000)	Seattle City Light	Conservation Resources and Environmental Affairs O&M (SCL220)	$645,500	$859,500
City Light Fund (41000)	Seattle City Light	Customer Services (SCL320)	$0	$1,000,000
Planning and Development Fund (15700)	Department of Planning and Development	Planning (U2900)	$195,000	$0
Low Income Housing Fund (16400)	Office of Housing	Low-Income Housing Fund 16400 (XZ-R1)	$250,000	$250,000
Transportation Operating Fund (10310)	Seattle Department of Transportation	Mobility-Operations (17003)	$0	$300,000
General Subfund (00100)	Finance General	Reserves (2QD00)	$500,000	$0
General Subfund (00100)	Office of Sustainability and Environment	Office of Sustainability and Environment (X1000)	$1,960,575	$121,150
TOTAL			$3,551,075*	$2,530,650*

***Note:* This table reflects anticipated spending in 2009 and 2010. An additional $60,575 is anticipated to be spent in 2011 for grant monitoring and reporting (by the Office of Sustainability and Environment), for a total spending plan of $6,142,300.**

ACTING CITY CLERK

- **What is the financial cost of not implementing the legislation?** Without this legislation, the City will forego $6,142,300 of federal funding. Many of the affected programs would be deferred until alternative funding is identified and secured. The SCL conservation programs and the OH low-income weatherization program would continue with existing resources, but at a reduced level.

- **Does this legislation affect any departments besides the originating department?** The Municipal Energy Efficiency Program ($500,000) will fund energy audits for other City departments, including the Fleets and Facilities Department, Department of Parks and Recreation, and Seattle Center.

- **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** No alternatives identified.

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

- **Other Issues:** The EECBG program is a new grant program, and continued funding for future grant cycles is uncertain. The City programs receiving these funds have developed spending plans based on a one-time grant, however the City may apply for additional funds in the future if the EECBG program is continued and programs demonstrate effective use of funds.

- **List attachments to the fiscal note below:** None.

ACTING CITY CLERK

City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

August 25, 2009

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

Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill, which accepts $6,142,300 in federal stimulus Energy Efficiency and Conservation Block Grant funds through the U.S. Department of Energy. The Bill increases appropriations to reflect the anticipated receipt and expenditure of these funds, and creates a position to coordinate administration and reporting requirements of the grant.

The American Recovery and Reinvestment Act (ARRA) of 2009 allocated $3.2 Billion through the Energy Efficiency and Conservation Block Grant program to cities, counties, tribes, and states by formula allocation. The purpose of the ARRA funding is to reduce fossil fuel emissions in a manner that is environmentally sustainable, maximizes benefits for local and regional communities, and reduces the total energy use in those jurisdictions. Additionally, this ARRA program is slated to improve energy efficiency in the building sector, the transportation sector, and other appropriate sectors. To meet the grant's intent, the City's allocation of ARRA funds will be used to reduce building energy utilization through lighting conservation and weatherization programs, residential energy efficiency loan financing, development of energy performance tools, energy audits of municipal facilities, installation of LED streetlights, and improvements to the Seattle trolley-bus network.

The position created by this Bill is expected to be eliminated when grant funding expires unless additional funding is identified and appropriated. The City is required to obligate its award within 18 months, complete spending within 36 months, and comply with Davis-Bacon Act prevailing wage provisions. Thank you for your consideration of this legislation. Should you have questions, please contact Calvin Chow at 684-4652.

Sincerely,

GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

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

FILED CITY CLERK

Calvin Chow
OSE ARRA-EECBG Acceptance ORD
August 18, 2009
version #5

ORDINANCE _____

AN ORDINANCE accepting funds from the U.S. Department of Energy allocated through the American Recovery and Reinvestment Act of 2009 and the Energy Efficiency and Conservation Block Grant program; authorizing the Mayor or his designee to execute related agreements; amending the 2009 Adopted Budget to increase appropriations for Seattle City Light, the Department of Planning and Development, the Office of Housing, the Office of Sustainability and Environment, the Seattle Department of Transportation, and Finance General; creating an exempt position in the Office of Sustainability and Environment; and ratifying and confirming prior acts; all by a three-fourths vote of the City Council.

WHEREAS, the United States Congress authorized $3.2 Billion in the Energy Efficiency and Conservation Block Grant Program as part of the American Recovery and Reinvestment Act of 2009 ("ARRA"), and

WHEREAS, based on the City's successful application that was submitted on June 15, 2009, the U.S. Department of Energy awarded Seattle $6,142,300 from these Energy Efficiency and Conservation Block Grant funds; and

WHEREAS, the ARRA grant funding constitutes one-time funding for energy efficiency and conservation activities; and

WHEREAS, the City is not obligated to continue or maintain ARRA grant funding levels for the Energy Efficiency and Conservation Block Grant Program once ARRA grant funds have lapsed; and

WHEREAS, the City intends to transfer some of its ARRA funds to an outside entity, with the understanding that recipients of those funds should not anticipate that the City will assume responsibility for any program costs funded by ARRA once ARRA funds are spent; and

WHEREAS, the City Council wishes to amend the 2009 Adopted Budget for Seattle City Light, the Department of Planning and Development, the Office of Housing, the Office of Sustainability and Environment, the Seattle Department of Transportation, and Finance General to reflect the anticipated receipt and authorize the expenditure of these Energy Efficiency and Conservation Block Grant funds; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

ACTING CITY CLERK

Section 1. The City of Seattle hereby accepts ARRA funds from U.S. Department of Energy for the Energy Efficiency and Conservation Block Grant Program in the amount of $6,142,300 for the following purposes:

Item	Program and Description
1	Direct Installation Program Management. This conservation pilot program will directly install energy-saving devices such as compact fluorescent light bulbs, low-flow showerheads, and faucet aerators.
2	Residential Energy Performance Score. This program will develop a standardized Energy Performance Score (EPS) that evaluates single-family home energy performance and identifies cost-effective efficiency improvements.
3	Residential Energy Efficiency Loan Program. This program will provide for the development of, and capital for, a revolving loan program for residential energy efficiency upgrades.
4	Energy Performance Disclosure. This program will provide technical assistance and development costs to promote energy performance reporting of commercial and multifamily buildings.
5	Commercial Lighting Upgrade Program. This conservation pilot program will identify inefficient lighting fixtures in small to medium-sized commercial businesses. The program creates green jobs and provides training. Returning war veterans will be given priority to participate in this program.
6	HomeWise Weatherization Program. This will supplement the HomeWise low-income weatherization program, targeting multifamily projects where there are significant financial barriers to owners' investment in energy efficiency.
7	Municipal Energy Efficiency Program. This program will assess and identify energy efficiency improvements in municipal buildings.
8	Residential LED Streetlights. This program will begin using LED technology in the city's residential streetlight system.
9	Electric Trolley-bus System Improvements. This is a joint project with King County will make system improvements to the Seattle trolley-bus network.
10	Grant Administration. This funding will allow the City to respond to the administration, monitoring, and reporting requirements of the grant.

On behalf of the City of Seattle, the Mayor or his designee is authorized to execute and deliver and fulfill such agreements and certifications as may be necessary to accept the ARRA funds. Energy Efficiency and Conservation Block Grant funds, when received, shall be deposited into the appropriate funds, as follows:

ACTING CITY CLERK

Item	Fund Name and Number	Department	Amount
1.1	City Light Fund (41000)	Seattle City Light	$500,000
1.2	General Subfund (00100)	Office of Sustainability and Environment	$400,000
1.3	General Subfund (00100)	Office of Sustainability and Environment	$1,500,000
1.4.1	Planning and Development Fund (15700)	Department of Planning and Development	$195,000
1.4.2	City Light Fund (41000)	Seattle City Light	$255,000
1.5	City Light Fund (41000)	Seattle City Light	$750,000
1.6	Low Income Housing Fund (16400)	Office of Housing	$500,000
1.7	General Subfund (00100)	Finance General	$500,000
1.8	City Light Fund (41000)	Seattle City Light	$1,000,000
1.9	Transportation Operating Fund (10310)	Seattle Department of Transportation	$300,000
1.10	General Subfund (00100)	Office of Sustainability and Environment	$242,300

The Mayor or his designee is further authorized to execute and deliver documents relating to the agreements if required by federal guidelines.

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

ACTING CITY CLERK

Item	Fund Name and Number	Department	Budget Control Level	Amount
2.1	City Light Fund (41000)	Seattle City Light	Conservation Resources and Environmental Affairs O&M (SCL220)	$500,000
2.2	General Subfund (00100)	Office of Sustainability and Environment	Office of Sustainability and Environment (X1000)	$400,000
2.3	General Subfund (00100)	Office of Sustainability and Environment	Office of Sustainability and Environment (X1000)	$1,500,000
2.4.1	Planning and Development Fund (15700)	Department of Planning and Development	Planning (U2900)	$195,000
2.4.2	City Light Fund (41000)	Seattle City Light	Conservation Resources and Environmental Affairs O&M (SCL220)	$255,000
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2.6	Low Income Housing Fund (16400)	Office of Housing	Low-Income Housing Fund 16400 (XZ-R1)	$500,000
2.7	General Subfund (00100)	Finance General	Reserves (2QD00)	$500,000
2.8	City Light Fund (41000)	Seattle City Light	Customer Services (SCL320)	$1,000,000
2.9	Transportation Operating Fund (10310)	Seattle Department of Transportation	Mobility-Operations (17003)	$300,000
2.10	General Subfund (00100)	Office of Sustainability and Environment	Office of Sustainability and Environment (X1000)	$242,300

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

ACTING CITY CLERK

Section 3. To carry out purposes of the appropriation in Section 2 of this ordinance, the following new position, which is exempt from Civil Service and Public Safety Civil Service rules and laws, is created:

Item	Department	Position Title	Position Status	Number
3.10	Office of Sustainability and Environment	Strategic Advisor 1, Exempt	Full Time	1.0

The Director of the Office of Sustainability and Environment is authorized to fill this position. This position is expected to continue as long as funding is available from the corresponding grant or funding agreement authorized by Section 1 of this ordinance. The Council intends to take action by ordinance to abrogate this position effective June 30, 2011, unless additional funding is identified and appropriated.

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

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

ACTING CITY CLERK

Passed by a three-fourths (¾) vote of all the members of the City Council the ____ day of _____, 2009, and signed by me in open session in authentication of its passage this _____ day of _____, 2009.

_____
President _____ of the City Council

Approved by me this ____ day of _____, 2009.

_____
Gregory J. Nickels, Mayor

Filed by me this ____ day of _____, 2009.

_____
City Clerk

(Seal)

Calvin Chow
OSE ARRA-EECBG Acceptance ORD
August 18, 2009
version #65

ORDINANCE _____

AN ORDINANCE accepting funds from the U.S. Department of Energy allocated through the American Recovery and Reinvestment Act of 2009 and the Energy Efficiency and Conservation Block Grant program; authorizing the Mayor or his designee to execute related agreements; amending the 2009 Adopted Budget to increase appropriations for Seattle City Light, the Department of Planning and Development, the Office of Housing, the Office of Sustainability and Environment, the Seattle Department of Transportation, and Finance General; creating an exempt position in the Office of Sustainability and Environment; and ratifying and confirming prior acts; all by a three-fourths vote of the City Council.

WHEREAS, the United States Congress authorized $3.2 Billion in the Energy Efficiency and Conservation Block Grant Program as part of the American Recovery and Reinvestment Act of 2009 ("ARRA"), and

WHEREAS, based on the City's successful application that was submitted on June 15, 2009, the U.S. Department of Energy awarded Seattle $6,142,300 from these Energy Efficiency and Conservation Block Grant funds; and

WHEREAS, the ARRA grant funding constitutes one-time funding for energy efficiency and conservation activities; and

WHEREAS, the City is not obligated to continue or maintain ARRA grant funding levels for the Energy Efficiency and Conservation Block Grant Program once ARRA grant funds have lapsed; and

WHEREAS, the City intends to transfer some of its ARRA funds to an outside entity, with the understanding that recipients of those funds should not anticipate that the City will assume responsibility for any program costs funded by ARRA once ARRA funds are spent; and

WHEREAS, the City Council wishes to amend the 2009 Adopted Budget for Seattle City Light, the Department of Planning and Development, the Office of Housing, the Office of Sustainability and Environment, the Seattle Department of Transportation, and Finance General to reflect the anticipated receipt and authorize the expenditure of these Energy Efficiency and Conservation Block Grant funds; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

CITY COUNCIL CLERK

Section 1. The City of Seattle hereby accepts ARRA funds from U.S. Department of Energy for the Energy Efficiency and Conservation Block Grant Program in the amount of $6,142,300 for the following purposes:

Item	Program and Description
1	Direct Installation Program Management. This conservation pilot program will directly install energy-saving devices such as compact fluorescent light bulbs, low-flow showerheads, and faucet aerators.
2	Residential Energy Performance Score. This program will develop a standardized Energy Performance Score (EPS) that evaluates single-family home energy performance and identifies cost-effective efficiency improvements.
3	Residential Energy Efficiency Loan Program. This program will provide for the development of, and capital for, a revolving loan program for residential energy efficiency upgrades.
4	Energy Performance Disclosure. This program will provide technical assistance and development costs to promote energy performance reporting of commercial and multifamily buildings.
5	Commercial Lighting Upgrade Program. This conservation pilot program will identify inefficient lighting fixtures in small to medium-sized commercial businesses. The program creates green jobs and provides training. Returning war veterans will be given priority to participate in this program.
6	HomeWise Weatherization Program. This will supplement the HomeWise low-income weatherization program, targeting multifamily projects where there are significant financial barriers to owners' investment in energy efficiency.
7	Municipal Energy Efficiency Program. This program will assess and identify energy efficiency improvements in municipal buildings.
8	Residential LED Streetlights. This program will begin using LED technology in the city's residential streetlight system.
9	Electric Trolley-bus System Improvements. This is a joint project with King County will make system improvements to the Seattle trolley-bus network.
10	Grant Administration. This funding will allow the City to respond to the administration, monitoring, and reporting requirements of the grant.

On behalf of the City of Seattle, the Mayor or his designee is authorized to execute and deliver and fulfill such agreements and certifications as may be necessary to accept the ARRA funds. Energy Efficiency and Conservation Block Grant funds, when received, shall be deposited into the appropriate funds, as follows:

CITY COUNCIL CLERK

Item	Fund Name and Number	Department	Amount
1.1	City Light Fund (41000)	Seattle City Light	$500,000
1.2	General Subfund (00100)	Office of Sustainability and Environment	$400,000
1.3	General Subfund (00100)	Office of Sustainability and Environment	$1,500,000
1.4.1	Planning and Development Fund (15700)	Department of Planning and Development	$195,000
1.4.2	City Light Fund (41000)	Seattle City Light	$255,000
1.5	City Light Fund (41000)	Seattle City Light	$750,000
1.6	Low Income Housing Fund (16400)	Office of Housing	$500,000
1.7	General Subfund (00100)	Finance General	$500,000
1.8	City Light Fund (41000)	Seattle City Light	$1,000,000
1.9	Transportation Operating Fund (10310)	Seattle Department of Transportation	$300,000
1.10	General Subfund (00100)	Office of Sustainability and Environment	$242,300

The Mayor or his designee is further authorized to execute and deliver documents relating to the agreements if required by federal guidelines.

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

JD COUNCIL CLERK

Item	Fund Name and Number	Department	Budget Control Level	Amount
2.1	City Light Fund (41000)	Seattle City Light	Conservation Resources and Environmental Affairs O&M (SCL220)	$500,000
2.2	General Subfund (00100)	Office of Sustainability and Environment	Office of Sustainability and Environment (X1000)	$400,000
2.3	General Subfund (00100)	Office of Sustainability and Environment	Office of Sustainability and Environment (X1000)	$1,500,000
2.4.1	Planning and Development Fund (15700)	Department of Planning and Development	Planning (U2900)	$195,000
2.4.2	City Light Fund (41000)	Seattle City Light	Conservation Resources and Environmental Affairs O&M (SCL220)	$255,000
2.5	City Light Fund (41000)	Seattle City Light	Conservation Resources and Environmental Affairs O&M (SCL220)	$750,000
2.6	Low Income Housing Fund (16400)	Office of Housing	Low-Income Housing Fund 16400 (XZ-R1)	$500,000
2.7	General Subfund (00100)	Finance General	Reserves (2QD00)	$500,000
2.8	City Light Fund (41000)	Seattle City Light	Customer Services (SCL320)	$1,000,000
2.9	Transportation Operating Fund (10310)	Seattle Department of Transportation	Mobility-Operations (17003)	$300,000
2.10	General Subfund (00100)	Office of Sustainability and Environment	Office of Sustainability and Environment (X1000)	$242,300

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

CITY COUNCIL CLERK

Section 3. To carry out purposes of the appropriation in Section 2 of this ordinance, the following new position, which is exempt from Civil Service and Public Safety Civil Service rules and laws, is created:

Item	Department	Position Title	Position Status	Number
3.10	Office of Sustainability and Environment	Strategic Advisor 1, Exempt	Full Time	1.0

The Director of the Office of Sustainability and Environment is authorized to fill this position. This position is expected to continue as long as funding is available from the corresponding grant or funding agreement authorized by Section 1 of this ordinance. This position shall be abrogated when funding is no longer available from the corresponding grant. The Council intends to take action by ordinance to abrogate this position effective June 30, 2011, unless additional funding is identified and appropriated.

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

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

LD COUNCIL CLERK

Passed by a three-fourths (¾) vote of all the members of the City Council the _____ day of _____, 2009, and signed by me in open session in authentication of its passage this _____ day of _____, 2009.

_____
President _____of the City Council

Approved by me this _____ day of _____, 2009.

_____
Gregory J. Nickels, Mayor

Filed by me this _____ day of _____, 2009.

_____
City Clerk

(Seal)

STATE OF WASHINGTON – KING COUNTY

--ss.

245697 No. TITLE ONLY

CITY OF SEATTLE,CLERKS OFFICE

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:123108-09,11-16

was published on

10/08/09

The amount of the fee charged for the foregoing publication is the sum of $ 134.43, which amount has been paid in full.

JENNIFER A. PATZER NOTARY PUBLIC STATE OF WASHINGTON COMMISSION EXPIRES OCT. 24, 2011

Subscribed and sworn to before me on 10/08/09

Notary public for the State of Washington, residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle

TITLE-ONLY PUBLICATION

The full text of the following ordinances, passed by the City Council on September 28, 2009, and published here by title only, will be mailed upon request, or can be accessed at http://clerk.ci.seattle.wa.us. For further information, contact the Seattle City Clerk at 684-8344.

ORDINANCE NO. 123115

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

ORDINANCE NO. 123114

AN ORDINANCE relating to the City's water system; declaring as surplus certain property rights in Seattle Public Utilities' Tolt Pipeline right of way; and authorizing the Director of Seattle Public Utilities ("SPU") to execute and convey an easement for such surplus property rights to Puget Sound Energy, Inc. ("PSE") for purposes of installing a natural gas pipeline in a portion of the Tolt Pipeline right of way.

ORDINANCE NO. 123113

AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to execute a donation agreement and to accept a deed for the donated parcel of land in Seattle known as 9718 44th Avenue NE, King County Parcel No. 5418600050, to be used for utility purposes.

ORDINANCE NO. 123112

AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to collect a franchise fee from retail customers in the City of Lake Forest Park, and revising water rates and charges and amending Seattle Municipal Code Chapter 21.04 in connection therewith, and ratifying and confirming certain prior acts.

ORDINANCE NO. 123111

AN ORDINANCE relating to a loan from the Washington Department of Ecology allocated through the American Recovery and Reinvestment Act of 2009 for the purpose of making water quality improvements in the Ballard combined system basin; accepting the loan funds and authorizing the Seattle Public Utilities' Director or his designee to execute related agreements.

ORDINANCE NO. 123109

AN ORDINANCE relating to City employment; authorizing the execution of a memorandum of understanding between the City of Seattle and the International Brotherhood of Electrical Workers, Local 46, increasing wages to the job title of Electrical Plans Examiner; providing payment for such increase; and ratifying and confirming prior acts.

ORDINANCE NO. 123108

AN ORDINANCE related to the Department of Information Technology and Department of Executive Administration; lifting a budget proviso restricting expenditures in the 2009 Adopted Budget relating to a Constituent Relationship Management (CRM) system; and ratifying and confirming certain prior acts.

ORDINANCE NO. 123116

AN ORDINANCE accepting funds from the U.S. Department of Energy allocated through the American Recovery and Reinvestment Act of 2009 and the Energy Efficiency and Conservation Block Grant program; authorizing the Mayor or his designee to execute related agreements; amending the 2009 Adopted Budget to increase appropriations for Seattle City Light, the Department of Planning and Development, the Office of Housing, the Office of Sustainability and Environment, the Seattle Department of Transportation, and Finance General; creating an exempt position in the Office of Sustainability and Environment; and ratifying and confirming prior acts; all by a three-fourths vote of the City Council.

Publication ordered by the City Clerk

Date of publication in the Seattle Daily Journal of Commerce, October 8, 2009.

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