

Ordinance No. 124659

Council Bill No. 118264

AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to accept specified grants from the King County Flood Control District and the Washington State Department of Ecology and to execute, deliver, and perform corresponding agreements; and ratifying and confirming certain prior acts.

CF No. _____

Date Introduced:	<u>11-10-14</u>	
Date 1st Referred:		To: (committee) <u>Seattle Public Utilities & Neighbourhoods</u>
Date Re - Referred:		To: (committee)
Date Re - Referred:		To: (committee)
Date of Final Passage:	<u>12/1/14</u>	Full Council Vote: <u>8-0 (excused: Sawant)</u>
Date Presented to Mayor:	<u>12/2/14</u>	Date Approved: <u>12/2/14</u>
Date Returned to City Clerk:	<u>12/2/14</u>	Date Published: _____ T.O. <input checked="" type="checkbox"/> 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: _____

S. Bagshaw
Councilmember

Committee Action:

~~11/25/14 PASS 2-0 (SB, BH)~~
 11/25/14 PASS (2-0; SB, KS)

Full Council Action:

12/1/14 passed 8-0 (excused: Sawant)

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

1
2
3 **CITY OF SEATTLE**
4 **ORDINANCE** 124659
5 **COUNCIL BILL** 118264

6 AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public
7 Utilities to accept specified grants from the King County Flood Control District and the
8 Washington State Department of Ecology and to execute, deliver, and perform
corresponding agreements; and ratifying and confirming certain prior acts.

9 WHEREAS, the King County Flood Control District has allocated a portion of the Flood
10 District's levy proceeds for a Sub-Regional Opportunity Fund. The Sub-Regional
11 Opportunity Fund is made available to jurisdictions on a proportional basis for flood
12 control and stormwater improvements and watershed management activities such as
habitat conservation; and

13 WHEREAS, the Washington State Department of Ecology administers the Floodplain
14 Management and Control Competitive Grant Program which was created in 2013 by the
15 State Legislature to provide cost-effective hazard reduction to people, property, critical
facilities, and transportation corridors; while achieving multiple benefits including
salmon recovery, water quality improvements and habitat restoration; and

16 WHEREAS, Seattle Public Utilities applied for and has been awarded \$2,020,000 from the King
17 County Flood Control District in the form of two grants and \$1,200,000 from the
18 Washington State Department of Ecology; NOW, THEREFORE

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

20
21 Section 1. The Director of the Seattle Public Utilities is authorized to accept, execute,
22 deliver and perform on behalf of the City of Seattle an agreement for each of the following
23 grants from the King County Flood Control District and the Washington State Department of
24 Ecology for the purposes described below. The funds, when received, shall be deposited in the
25 receiving fund identified below to support, or as reimbursements for, spending on the purposes
26 set forth in the grant agreements.
27
28



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

<u>Grant Provider</u>	<u>Purpose</u>	<u>Amount</u>	<u>Receiving Fund</u>
King County Flood Control District	South Portland Street Drainage Improvement Project	\$1,500,000	Drainage and Wastewater Fund (44010)

<u>Grant Provider</u>	<u>Purpose</u>	<u>Amount</u>	<u>Receiving Fund</u>
King County Flood Control District	Thornton Creek Confluence Floodplain Project	\$520,000	Drainage and Wastewater Fund (44010)

<u>Grant Provider</u>	<u>Purpose</u>	<u>Amount</u>	<u>Receiving Fund</u>
Washington State Department of Ecology	Thornton Creek Confluence Floodplain Project	\$1,200,000	Drainage and Wastewater Fund (44010)



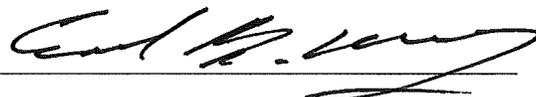
1 Section 2. Any act taken after the passage but prior to the effective date of this ordinance
2 and consistent with its authority is hereby ratified and confirmed.

3 Section 3. This ordinance shall take effect and be in force 30 days from and after its
4 approval by the Mayor, but if not approved and returned by the Mayor within ten days after
5 presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.
6

7
8 Passed by the City Council the 1st day of December, 2014, and
9 signed by me in open session in authentication of its passage this
10 1st day of December, 2014.

11
12 
13 _____
14 President _____ of the City Council

15 Approved by me this 2 day of December, 2014.

16
17 
18 _____
19 Edward B. Murray, Mayor

20 Filed by me this 2nd day of December, 2014.

21 
22 _____
23 Monica Martinez Simmons, City Clerk

24 (Seal)
25
26
27
28



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Seattle Public Utilities	Sheila Harrison/4-5899	Aaron Blumenthal/ 3-2656

Legislation Title: AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to accept specified grants from the King County Flood Control District and the Washington State Department of Ecology and to execute, deliver, and perform corresponding agreements; and ratifying and confirming certain prior acts.

Summary of the Legislation:

This legislation would authorize Seattle Public Utilities (SPU) to accept three grants worth \$3,220,000 for two projects. Two of the grants are from the King County Flood Control District (District) for the South Portland Street Drainage Improvement Project (C312067) and the Thornton Creek Confluence Floodplain Project (C408023). The third grant is from the Washington Department of Ecology for the Thornton Creek Confluence Floodplain Project (C408023).

Background:

South Portland Street Drainage Improvement Project:

South Portland Street is in the mostly industrial lower 7th Ave Basin of the South Park Neighborhood. The area is subject to localized flooding in moderate storm events and at periods of high tides because the stormwater system in the area consists of an informal and incomplete system of pipes, ditches and informal drainage channels.

This project is part of a multi-phased approach to reduce flooding in South Park and is being conducted in cooperation with SDOT, which is extending the West Duwamish Trail along the south side of South Portland Street and paving the street between SR99/ 2nd Ave S and 8th Ave S. The project will construct approximately 1,800 linear feet of storm drains.

Thornton Creek Confluent Floodplain Project:

This project is in north Seattle near Nathan Hale High School and the Meadowbrook Community Center. Thornton Creek floods on a regular basis overtopping an arterial road (35th Avenue NE), and flooding adjacent buildings, residences, and occasionally the high school. The proposed project would replace the culvert under 35th Avenue NE with a bridge, reconnect Thornton Creek to its historic floodplain at the confluence of its North and South branches, re-align the stream to a more natural configuration, re-vegetate the floodplain and riparian areas and improve in stream habitat for fish, which includes endangered Chinook salmon.



Please check one of the following:

This legislation does not have any financial implications.

This legislation has financial implications.

Additional appropriations are not needed. Project funding is included in the 2014 Adopted Budget.

Anticipated Revenue/Reimbursement Resulting from this Legislation:

South Portland Street Drainage Improvement Project

Fund Name and Number	Department	Revenue Source	2014 Revenue	2015 Revenue
Drainage & Wastewater Fund - 44010	Seattle Public Utilities	King County Flood Control District (grant)	\$1,500,000	
TOTAL				

Spending/Cash Flow:

Fund Name & #	Department	Budget Control Level*	2014 Expenditures	2015 Anticipated Expenditures
Drainage & Wastewater Fund - 44010	Seattle Public Utilities	C380B	\$1,500,000	
TOTAL				

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

Thornton Creek Confluence Floodplain Project

Fund Name and Number	Department	Revenue Source	2014 Revenue	2015 Revenue
Drainage & Wastewater Fund - 44010	Seattle Public Utilities	King County Flood Control District (grant)	\$520,000	
TOTAL				

Spending/Cash Flow:

Fund Name & #	Department	Budget Control Level*	2014 Expenditures	2015 Anticipated Expenditures
Drainage & Wastewater Fund - 44010	Seattle Public Utilities	C380B	\$520,000	
TOTAL				



Thornton Creek Confluence Floodplain Project

<u>Fund Name and Number</u>	<u>Department</u>	<u>Revenue Source</u>	<u>2014 Revenue</u>	<u>2015 Revenue</u>
Drainage & Wastewater Fund – 44010	Seattle Public Utilities	Washington Department of Ecology (grant)	\$1,200,000	
TOTAL				

Spending/Cash Flow:

<u>Fund Name & #</u>	<u>Department</u>	<u>Budget Control Level*</u>	<u>2014 Expenditures</u>	<u>2015 Anticipated Expenditures</u>
Drainage & Wastewater Fund – 44010	Seattle Public Utilities	C380B	\$1,200,000	
TOTAL				

Other Implications:

- a) **Does the legislation have indirect financial implications, or long-term implications?**
 No.
- b) **What is the financial cost of not implementing the legislation?**
 Failure to approve this legislation would result in \$3.22 million in forgone revenue.
- c) **Does this legislation affect any departments besides the originating department?**
 No
- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**
 The alternative would be to fund this portion of the project with capital financing – 75% bond funds and 25% cash financing.
- e) **Is a public hearing required for this legislation?**
 No
- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
 No
- g) **Does this legislation affect a piece of property?**
 No
- h) **Other Issues:**





City of Seattle
Edward B. Murray
Mayor

August 26, 2014

Honorable Tim Burgess
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Burgess:

I am pleased to transmit the attached proposed Council Bill authorizing Seattle Public Utilities to accept three grants worth a combined \$3.2 million, for two projects to address flooding and drainage problems in Seattle.

The first of these projects is in the South Park neighborhood and will construct approximately 1800 feet of new storm drain. This is part of a larger multi-phased approach to reduce flooding in South Park and is being done in partnership with Seattle Department of Transportation. The second project, the Thornton Creek Confluence Floodplain Project, is in north Seattle near Nathan Hale High School and the Meadowbrook Community Center. Thornton Creek regularly overtops 35th Avenue NE, flooding nearby buildings and occasionally the high school. The proposed project would replace the culvert under 35th Avenue NE with a bridge, reconnect Thornton Creek to its historic floodplain at the confluence of its North and South branches and improve in stream habitat for fish.

This measure is the result of SPU's efforts to make use of grant funding to help keep rates as low as possible. If you have questions regarding these funding awards, you can contact Bob Hennessey at 615-0740.

Sincerely,



Edward B. Murray
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Office of the Mayor
Seattle City Hall, 7th Floor
600 Fourth Avenue
PO Box 94749
Seattle, Washington 98124-4749

Tel (206) 684-4000
Fax: (206) 684-5360
Hearing Impaired use the Washington Relay Service (7-1-1)
www.seattle.gov/mayor



STATE OF WASHINGTON -- KING COUNTY

--SS.

318667

No. 124657,658,659,660,661

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.

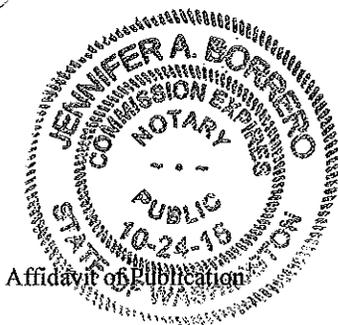
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:TITLE ONLY ORDINANCES

was published on

12/24/14

The amount of the fee charged for the foregoing publication is the sum of \$97.18 which amount has been paid in full.



Paula Oakley

Subscribed and sworn to before me on
12/24/2014
[Signature]

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

Title Only Ordinances

The full text of the following legislation, passed by the City Council on December 1, 2014, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City

Council, please visit <http://www.seattle.gov/council/calendar>.

Contact: Office of the City Clerk at (206) 684-8344.

ORDINANCE NO. 124657

AN ORDINANCE relating to Seattle Public Utilities; declaring certain real property rights relating to sewer facilities within property commonly known as 1620 Lake Washington Boulevard surplus to City utility needs; authorizing the Director of Seattle Public Utilities to relinquish such easement rights; authorizing the Director of Seattle Public Utilities to accept an easement from Julia Rose, Peter Rose and the Maple Leaf Revocable Trust for a City-owned sanitary sewer facility; and ratifying and confirming certain prior acts.

ORDINANCE NO. 124658

AN ORDINANCE relating to Seattle Public Utilities; accepting easements granted to the City of Seattle for installation, operation, and maintenance of storm drainage facilities, sewer facilities, sanitary sewers, combined sanitary sewer facilities, drainage pipes, drain facilities, utilities, collection structures, culverts, outfall structures, fishways and streams, access and appurtenances necessary for drainage and wastewater utility purposes at various locations in Seattle and unincorporated King County, Washington; placing the easements under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.

ORDINANCE NO. 124659

AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to accept specified grants from the King County Flood Control District and the Washington State Department of Ecology and to execute, deliver, and perform corresponding agreements; and ratifying and confirming certain prior acts.

ORDINANCE NO. 124660

AN ORDINANCE relating to the solid waste system of Seattle Public Utilities; revising rates and charges for solid waste services; revising credits to low income customers for solid waste services; and amending Chapters 21.40 and 21.76 of the Seattle Municipal Code.

ORDINANCE NO. 124661

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

Date of publication in the Seattle Daily Journal of Commerce, December 24, 2014.

12/24(918667)