

ORDINANCE No. 118430

COUNCIL BILL No. 111556

Council Bill No. 111556, AN ORDINANCE relating to environmental protection; authorizing acceptance of funds from the Washington State Department of Ecology, United States Environmental Protection Agency via the Washington State Department of Ecology, the City of Tukwila, King County, the Port of Seattle, the City of Seattle Industrial Development Corporation, and any other grantors; making contingent appropriations from the General Fund; authorizing the implementation of studies regarding environmental remediation in the Duwamish Industrial Area; and authorizing the Director of the Office of Economic Development to enter into agreements.

COMPTROLLER FILE No. _____

Introduced: NOV 18 1996	By: CHOE
Referred: NOV 18 1996	To: Finance & Budget Committee
Referred:	To:
Referred:	To:
Reported: NOV 25 1996	Second Reading: NOV 25 1996
Third Reading: NOV 25 1996	Signed: NOV 25 1996
Presented to Mayor: NOV 26 1996	Approved: DEC 3 1996
Returned to City Clerk: DEC 3 1996	Published: <i>Little 3:00</i>
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

INDEXED

The City of Seattle--Legisla

REPORT OF COM

Honorable President:

Your Committee on _____

to which was referred the within Council Bill No. _____ report that we have considered the same and respectfully rec

Full Council vote



Committee Cha

INDEXED

Passed,
2-0

The City of Seattle--Legislative Department

Date Reported
and Adopted

REPORT OF COMMITTEE

Honorable President:

Committee on _____

which was referred the within Council Bill No. _____

that we have considered the same and respectfully recommend that the same:

Full Council vote 9-0

Committee Chair

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ORDINANCE 118430

1
2 AN ORDINANCE relating to environmental protection; authorizing acceptance of funds
3 from the Washington State Department of Ecology, United States Environmental
4 Protection Agency via the Washington State Department of Ecology, the City of
5 Tukwila, King County, the Port of Seattle, the City of Seattle Industrial
6 Development Corporation, and any other grantors; making contingent
7 appropriations from the General Fund; authorizing the implementation of studies
8 regarding environmental remediation in the Duwamish Industrial Area; and
9 authorizing the Director of the Office of Economic Development to enter into
10 agreements.

11 WHEREAS, the City Council, by Resolution 29067, authorized the Director of the Office
12 of Economic Development ("OED") to seek federal and appropriate local
13 government and private sector companies to provide funds or technical assistance
14 to undertake a "Brownfields" project in the Duwamish Industrial Area, and

15 WHEREAS, the City Council, by Ordinance 117795, authorized the Director of the
16 Office of Economic Development to accept \$28,150 from the United States
17 Department of Commerce - Economic Development Administration to undertake
18 Phase 1 of a Brownfields / Total Petroleum Hydrocarbons (TPH) project in the
19 Duwamish Industrial Area; and

20 WHEREAS, Phase 1 of the Brownfields/TPH project has been completed and these
21 additional grants are needed to undertake Phases 2 and 3 of the project; and

22 WHEREAS, acceptance of these grants will not require additional staff for grant
23 administration and program monitoring; NOW, THEREFORE

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Mayor, or his designee, is hereby authorize, for and on behalf
of The City of Seattle, to accept funds and enter into an agreements with grantor agencies
to accept funds in the amount of up to Two Hundred and Fifty Three Thousand Eight
Hundred and Fifty Dollars (\$ 253,850) for the purposes authorized in this ordinance. The
funds shall be deposited into the General Fund. The Mayor, or his designee, is further
authorized to make, for and on behalf of The City of Seattle, all assurances, promises,
representations and consent to suit required in connection with required agreements and

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1 to comply with applicable requirements as outlined in Exhibit A relating to
2 implementation of actions authorized in this ordinance. The Director of the Office of
3 Economic Development is further designated as the authorized representative of the City
4 to supply to the grantor agencies such other documents and information as may be
5 required in connection with the grant and its implementation.

6 Section 2. Subject to and consistent with the applicable provisions of the
7 Constitution and laws of the State of Washington and Charter of the City of Seattle, the
8 Director of the Office of Economic Development is authorized, for and on behalf of The
9 City of Seattle, to implement the activities identified in Exhibit B, and to enter into such
10 agreements as shall be necessary or appropriate to implement those activities.

11 Section 3. For the purposes described in Exhibit B, the sum of up to Two-
12 Hundred and Fifty Three Thousand Eight Hundred and Fifty Dollars (\$ 253,850) is
13 hereby appropriated from the General Fund, which shall be limited to the amount
14 received under Section 1 of this ordinance, and which shall be supported by, the moneys
15 accepted in Section 1 of this ordinance.

16 Section 4. The Director of OED is authorized, for and on behalf of the City,
17 to accept gifts or additional grants from private or public sources up to an additional
18 amount of Two Hundred Thousand Dollars (\$ 200,000) , for the purposes of furthering
19 the goals of the Brownfields/TPH Project. Additional funds shall be deposited into the
20 General Fund and those funds received are hereby appropriated for the purposes
21 identified in Exhibit B. The Director of OED is authorized, for and on behalf of the City,
22 to execute, perform, modify and administer such agreements as may be necessary or
23 appropriate to obtain and expend such funds, all in accordance with applicable laws, City
Charter, and ordinances.

Section 5. The appropriations in this ordinance and the authority to accept
funds hereunder shall carry forward from year to year unless expressly abandoned by
ordinance.

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Section 6. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

Section 7. 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 the Municipal Code Section 1.04.020.

Passed by the City Council the 25 day of November, 1996, and signed by me in open session in authentication of its passage this 25 day of November, 1996.

Jan Duago
President of the City Council

Approved by me this 3 day of December, 1996.

Norman B. Rice
Norman B. Rice, Mayor

Filed by me this 3 day of December, 1996.

Margaret Carter
City Clerk

(SEAL)

Exhibits: Exhibit A: Sources of Grant Funding
Exhibit B: Work Program

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EXHIBIT A

CITY OF SEATTLE
DUV/AMISH BROWNFIELDS/TPH PROJECT

Sources of Grant Funds:

Washington State Department of Ecology	\$50,000
-- From U.S. Environmental Protection Agency Underground Storage Tank (UST) Brownfields Funding	
Washington State Department of Ecology	\$97,000
-- From the U.S. Environmental Protection Agency Region 10 Brownfields Funding	
Washington State Department of Ecology	\$50,000
-- MTCA Policy Advisory Committee Funding	
King County	\$30,000
City of Tukwila	\$20,000
City of Seattle Industrial Development Corporation	\$ 6,850
TOTAL:	\$253,850

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EXHIBIT B

CITY OF SEATTLE
DUWAMISH BROWNFIELDS/TPH PROJECT

SCOPE OF WORK

Proposed Uses of Funds:

The grants will be used to begin work on a new approach to evaluating risks and selecting cleanup remedies on industrial properties affected by Total Petroleum Hydrocarbon (TPH) contamination. This work will be divided in two parts: Part A - the basic technical components of risk analysis and remedy selection methodology, including computer modeling work to simplify the procedural requirements. Part B involves the development of detailed case studies.

Part A:

Funds will be used to begin the toxicological analysis part of the project -- contracting with consultants to critically review technical documents and begin computer modeling work necessary for the decision-tree logic that will be the basis of a new guidance methodology. This will focus on policy-related issues relevant to conducting human health and ecosystem risk analyses.

Specifically, this type of risk analyses includes three major elements:

- (1) Natural Resource Protection -- evaluation of fate and transport, leachability testing of TPH in soils and groundwater, and application of a tiered-approach to soil toxicity testing.
- (2) Human Health Risk Assessment -- adaptation of national efforts regarding risk-based corrective action guidance, with emphasis placed on brownfields redevelopment.
- (3) Development of Risk Assessment Methodology and Guidance for TPH -- development of a guidance model that will be site-tested, with the goal of this being useful to individual industrial property owners and prospective purchasers, but with respect to area-wide conditions and multi-property strategies.

Part B:

Funds will also be used to hire consultants to determine the detailed scope of work for a case study, to formulate site selection criteria, and to assist the City of Seattle in completing the selection of an appropriate case study. The purpose of the case study is to examine how site-specific (e.g., groundwater to surface water exposure pathways) are folded into the application of the new evaluation and remedy selection methodology. This will ensure that the new guidance methodology is applicable specifically to Duwamish industrial properties.

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City of Seattle

Executive Department—Office of Economic Development

Mary Jean Ryan, Director
Norman B. Rice, Mayor

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96 NOV 13 PM 2: 32

SEATTLE CITY ATTORNEY



November 12, 1996

To: Honorable Jan Drago, Council President

VIA: Tom Tierney, Director
Office of Management and Planning

From: Mary Jean Ryan, Director

SUBJECT: Proposed Legislation

Enclosed is proposed legislation for consideration by the Seattle City Council. The ordinance authorizes the City of Seattle to accept a combination of federal, state and local grants in the amount \$253,850 for the Brownfields / Total Petroleum Hydrocarbons (TPH) project.

These grants are to be used to continue and complete the City's work with the Washington State Department of Ecology, the Port of Seattle, King County, and Tukwila on an industrial "Brownfields" strategy. This strategy's intent is to stimulate more environmental cleanup and redevelopment in the Duwamish industrial area. Seeking funds for the "Brownfields" initiative and TPH project was previously approved by the City Council in Resolution 29067.

These grants will be used to complete the remaining phases of work on a new approach to evaluating risks and selecting cleanup remedies on industrial properties affected by Total Petroleum Hydrocarbon (TPH) contamination. This work will be divided in two parts: Part A funds the basic technical components of risk analysis and remedy selection methodology, including computer modeling work to simplify the procedural requirements; and Part B funds the development of case study(ies).

If you have any questions about the legislation, please contact Chuck Depew, at 684-0208. Thank you for your assistance with this economic development effort.

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City of Seattle

Executive Department—Office of Management and Planning

Thomas Tierney, Director
Norman B. Rice, Mayor

November 13, 1996

The Honorable Mark Sidran
City Attorney
City of Seattle

Dear Mr. Sidran:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING DEPARTMENT: Finance

SUBJECT: AN ORDINANCE relating to environmental protection; authorizing acceptance of funds from the Washington State Department of Ecology, United States Environmental Protection Agency via the Washington State Department of Ecology, the City of Tukwila, King County, the Port of Seattle, the City of Seattle Industrial Development Corporation, and any other grantors; making contingent appropriations from the general Fund; authorizing the implementation of studies regarding environmental remediation in the Dwamish Industrial Area; and authorizing the Director of the Office of Economic Development to enter into agreements.

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation to your office for review and drafting.

After reviewing this request and any necessary redrafting of the enclosed legislation, return the legislation to OMP. Any specific questions regarding the legislation can be directed to Leda Young at 233-7268.

Sincerely,

Norman B. Rice
Mayor

by

Leda Young for
TOM TIERNEY
Director

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Enclosure



APPROVED AS TO FORM ONLY
MARK H. SIDRAN
City Attorney

By *Theresa P. Tol*
Assistant City Attorney 11/13/96

SEATTLE CITY ATTORNEY
96 NOV 13 PM 3:32
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TIME AND DATE STAMP

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

Martha Chase

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE

C. S. 20.28

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TITLE-ONLY PUBLICATION

The full text of the following ordinances, passed by the City Council on November 25, 1996, and published in title only, will be mailed, at no cost, upon request for two months after this publication. For further information, contact the Seattle City Clerk at 894-8344.

ORDINANCE NO. 118427

AN ORDINANCE authorizing the Finance Department to write off certain debts owed to various departments which have been determined to be uncollectible.

ORDINANCE NO. 118428

AN ORDINANCE amending Ordinance 117423, which sets forth compensation adjustments for certain City Light and Engineering positions and revising the effective date for the next compensation adjustment from January 23, 1997, to January 22, 1997, for employees who are supervisors of employees represented by the International Brotherhood of Electrical Workers, Local 77.

ORDINANCE NO. 118429

AN ORDINANCE authorizing the execution of a Memorandum of Understanding with the International Brotherhood of Electrical Workers, Local 77, to implement a separation incentive program for employees in the City Light Appliance Repair Services Unit represented by Local 77.

ORDINANCE NO. 118430

AN ORDINANCE relating to environmental protection; authorizing acceptance of funds from the Washington State Department of Ecology, United States Environmental Protection Agency via the Washington State Department of Ecology, the City of Tukwila, King County, the Port of Seattle, the City of Seattle Industrial Development Corporation, and any other grants; making contingent appropriations from the General Fund; authorizing the implementation of studies regarding environmental remediation in the Duwamish Industrial Area; and authorizing the Director of the Office of Economic Development to enter into agreements.

ORDINANCE NO. 118431

AN ORDINANCE relating to economic development; authorizing acceptance of funds from King County and other sources for the Duwamish Coalition Hydrologic Pathways Project; making contingent appropriations from the General Fund; authorizing the implementation of certain studies and data compilation to facilitate economic development; and authorizing the Director of the Office of Economic Development to enter into such agreements as shall be necessary or appropriate.

Publication ordered by JUDITH PIPER, City Clerk.

Date of official publication in the Daily Journal of Commerce, Seattle, December 1996. 12/17(76184)

STATE OF WASHINGTON - KING COUNTY

_____, City Clerk

—ss.

No. _____ ORD BY TITLE

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

CTOT: ORD118427-31

was published on
12/17/96

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

Subscribed and sworn to before me on

12/18/96

Notary Public for the State of Washington,
residing in Seattle

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