

Ordinance No. 121916

Council Bill No. 115350

we

AN ORDINANCE relating to Seattle Public Utilities' security from terrorism; authorizing that department to accept grants from the State of Washington and King County for security improvements to certain City water system facilities and for creation of a regional contaminant response team; amending the 2005-2010 Adopted Capital Improvement Program with respect to such projects, and increasing that department's 2005 Adopted Budget by making appropriations reimbursable with grant funds.

CF No. _____

Date Introduced:	AUG 15 2005	
Date 1st Referred:	AUG 15 2005	To: (committee) <u>Utilities & Technology</u>
Date Re - Referred:		To: (committee)
Date Re - Referred:		To: (committee)
Date of Final Passage:	9-19-05	Full Council Vote: 8-0
Date Presented to Mayor:	9-20-05	Date Approved: 9/22/05
Date Returned to City Clerk:	9/23/05	Date Published: 3/22/06 <input checked="" type="checkbox"/> T.O. <input 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: _____

COMPTON

Councilmember

Committee Action:

JC: Yes JD: Yes NL: Yes

9-19-05 Passed 8-0 (Excused: Compton)

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

ORDINANCE 121916

AN ORDINANCE relating to Seattle Public Utilities' security from terrorism; authorizing that department to accept grants from the State of Washington and King County for security improvements to certain City water system facilities and for creation of a regional contaminant response team; amending the 2005-2010 Adopted Capital Improvement Program with respect to such projects, and increasing that department's 2005 Adopted Budget by making appropriations reimbursable with grant funds.

WHEREAS, the United States Department of Homeland Security, through the State of Washington Homeland Security Program, has provided regional funding to be used to prevent, respond to and recover from threats or acts of terrorism; and

WHEREAS, King County solicited proposals for projects to be funded under the State program; and

WHEREAS, Seattle Public Utilities ("SPU") submitted a proposal and has been awarded grants for three capital projects (to improve physical security at Masonry Dam in the Cedar River Watershed, to improve physical security at the control works for the Cedar River System and to purchase and install an emergency backup generator for the regional drinking water quality laboratory); and, to create a model regional contaminant response team (each, a "Project"); NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Director of SPU or his designee is hereby authorized to accept, execute, deliver and perform, on behalf of The City of Seattle, four agreements with the State of Washington and King County and collateral documents necessary to receive grants in the total amount of up to Four Hundred Twenty-eight Thousand Five Hundred Seventy-six dollars (\$428,576) under the State of Washington Homeland Security Program to implement the Projects. The grant funds, when received, shall be deposited in the Water Fund as reimbursement for the appropriations set forth in Section 3.

Section 2. Contingent upon the execution of one or more of the grant agreements for capital Projects authorized in Section 1, and to carry out the purposes of said agreements, the



1 2005-2010 Adopted CIP for SPU – Water Fund is hereby amended to increase the allocation for
2 the Water System Security Improvement project (C1405), as follows, but only up to the
3 aggregate dollar amount of the executed agreements:

Budget Control Level	Project ID	Project Name	Total Dollar Amount Shown in 2005
Water Quality (C140B)	C1405	Water System Security Improvement	(\$5,263,000) \$5,591,576

7
8 Section 3. In order to pay for necessary costs and expenses of the Projects, for which
9 insufficient appropriations were made, the appropriations for the following in the 2005 Adopted
10 Budget are increased from the fund shown, as follows:

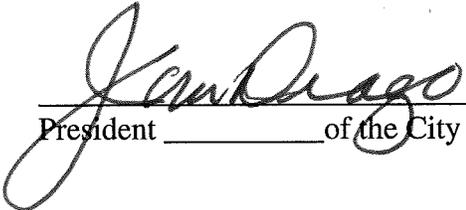
Fund	Department	Budget Control Level	Amount
Water Fund (43000)	Seattle Public Utilities	Water Quality (C140B)	\$328,576
Water Fund (43000)	Seattle Public Utilities	Other Operating-WU (N400B)	\$100,000



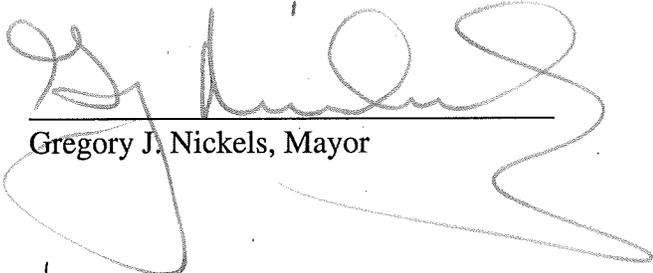
1
2 Section 4. Any act consistent with the authority but prior to the effective date of this
3 ordinance is hereby ratified and confirmed.
4

5 Section 5. This ordinance shall take effect and be in force thirty (30) days from and after
6 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
7 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.
8

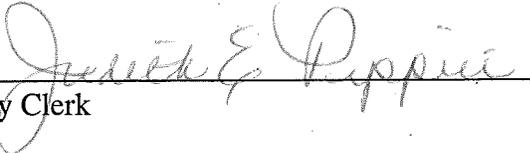
9 Passed by the City Council the 19th day of September, 2005, and signed by me in
10 open session in authentication of its passage this 19th day of September, 2005.
11

12
13 
14 President _____ of the City Council

15
16 Approved by me this 22nd day of September, 2005.

17
18 
19 Gregory J. Nickels, Mayor

20
21 Filed by me this 23rd day of September, 2005.
22

23
24 
25 City Clerk

26 (Seal)
27
28



City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

July 26, 2005

Honorable Jan Drago, President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Drago:

I am pleased to transmit the attached proposed Council Bill, accepting four grants totaling \$428,576 from King County and the State of Washington as part of the federally funded Homeland Security Program. These grants will be used to increase the security of the regional water system at Masonry Dam in the Cedar River Watershed and at the Cedar Water System Control Works, and will provide an emergency power generator at Seattle Public Utilities' (SPU's) water quality laboratory. One of the grants will fund a regional response team model that can be activated in case of contamination of the water system.

These grants support SPU's existing capital improvement program for water system security. Two of the grants focus on securing key water supply facilities from unauthorized access, and the third pays for an emergency generator to keep the water quality lab operating at a time when analysis may be most needed. The fourth grant, which is non-capital, will enable planning for a regional contamination-incident response team that is essential for the security of SPU's 1.3 million water customers in the metropolitan area. These projects are especially important in view of the federal government's assessment that Seattle is among the urban areas in the United States at highest risk of terrorist attack.

I believe the training, equipment, and infrastructure protection in this funding package are vital to advancing Seattle as the most prepared city in America. Thank you for your consideration of this legislation. Should you have questions, please contact Robin Friedman at 206-386-1815

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Nickels", written over a large, faint, stylized graphic element.

GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 7th Floor, P.O. Box 94749, Seattle, WA 98124-4747

Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, E:mail: mayors.office@ci.seattle.wa.us

An equal employment opportunity, affirmative action employer. Accommodations for people with disabilities provided upon request.



FISCAL NOTE FOR CAPITAL PROJECTS ONLY

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Seattle Public Utilities	Robin Friedman 386-1815	Barbara Gangwer 615-0768

Legislation Title: AN ORDINANCE relating to Seattle Public Utilities' security from terrorism; authorizing that department to accept grants from the State of Washington and King County for security improvements to certain City water system facilities and for creation of a regional contaminant response team; amending the 2005-2010 Adopted Capital Improvement Program with respect to such projects, and increasing that department's 2005 Adopted Budget by making appropriations reimbursable with grant funds.

• **Summary and background of the Legislation:**

This legislation authorizes Seattle Public Utilities (SPU) to execute agreements with the State of Washington, King County, and other local jurisdictions to participate in the State Homeland Security Program (SHSP) Grant Federal Fiscal Year 2004 (FFY '04) and receive grant funding from the State through King County. These grants will increase the capacity of the Seattle urban area to prevent, respond to, and recover from threats or acts of terrorism affecting our water supply, thereby assuring quality drinking water to our customers and purveyors. The total amount of the grants is \$428,526 and will fund the following items in the capital and operating programs:

Physical Security Improvements at Masonry Dam, Cedar River Watershed.

Install physical hardening, fencing, electronic access controls, intrusion detection and closed circuit television. (CIP - \$170,816)

Physical Security Improvements at the Control Works, Cedar Water System.

The objective of the project is to improve security by replacing old doors, door locks, unreinforced concrete masonry block window fill-in, roof hatches and high security roll up doors. (CIP - \$97,920)

Emergency Backup Power for Regional Drinking Water Quality laboratory.

Provide backup emergency generator for the Water Quality Laboratory. (CIP - \$59,840)

Regional Contaminant Response Team Model.

The purpose of this work is to identify and bring together a regional team of experts with the capability to provide a rapid response to any possible drinking water system event. (O&M - \$100,000)

Along with authorizing acceptance of these grants, this legislation increases the allocation for the Water System Security Improvement project (C1405) and the appropriation for the Water Quality budget control level by \$328,526. This legislation also increases the allocation for the Field Operations branch and the appropriation for the Other Operating-WU (N400B) budget control level by \$100,000. These grant funds will reimburse SPU for equipment, training, planning and management needs associated with preventing, responding to, and recovering from threats or acts of terrorism.



This legislation does not create new projects in the 2005-2010 Adopted CIP. The allocation for all water system security projects is approved in the 2005-2010 Adopted CIP under the Water System Security Improvement program (C1405). It also does not require a change to the Water System Security Improvement program project description in the 2005-2010 Adopted CIP. The capital projects funded by these grants are consistent with the approved Water System Security Improvement program description and timeline.

Project Name:	Project I.D.	Project Location:	Start Date:	End Date
Water System Security Improvements	C1405	Various Locations	1 st Quarter 2002	4 th Quarter 2006

 This legislation creates, funds, or anticipates a new CIP Project. (Please note whether the current CIP is being amended through this ordinance, or provide the Ordinance or Council Bill number of the separate legislation that has amended/is amending the CIP.)

 This legislation does not have any financial implications.

 X **This legislation has financial implications.** (Please complete all relevant sections that follow.)

Appropriations:

Fund Name and Number	Department	Budget Control Level	2005 Appropriation	2006 Anticipated Appropriation
Water Fund (43000)	Seattle Public Utilities	Water Quality (C140B)	\$328,576	\$0
Water Fund (43000)	Seattle Public Utilities	Other Operating-WU (N400B)	\$100,000	\$0
TOTAL			\$428,576	\$0

Notes:

Spending Plan and Future Appropriations for Capital Projects: Please list the timing of anticipated appropriation authority requests and expected spending plan. In addition, please identify your cost estimate methodology including inflation assumptions, the projected costs of meeting applicable LEED standards, and the percent for art and design as appropriate.

Spending Plan and Budget	2005	2006	2007	2008	2009	2010	Total
Spending Plan	\$328,576	\$0					\$328,576
Current Year Appropriation	\$328,576	\$0					\$328,576



Future Appropriations	\$0	\$0					\$0
-----------------------	-----	-----	--	--	--	--	-----

Notes: The funds that we are receiving, including the funding of \$100K to create a Regional Contaminant Response Team proposed to be added to the Other Operating-WU (N400B), from SHSP through the King County Office of Emergency Management must be spent and a final report submitted by October 1, 2005.

Funding source: Identify funding sources including revenue generated from the project and the expected level of funding from each source.

Funding Source (Fund Name and Number, if applicable)	2005	2006	2007	2008	2009	2010	Total
King County through the State Homeland Security Program Grant FFY '04	\$428,576						\$428,576
TOTAL	\$428,576						\$428,576

Notes: SPU will receive grant funding from King County through the State Homeland Security Program (SHSP) Grant FFY '04.

Bond Financing Required:

Type	Amount	Assumed Interest Rate	Term	Timing	Expected Annual Debt Service/Payment
N/A					
TOTAL					

Uses and Sources for Operation and Maintenance Costs for the Project: Estimate cost of one-time startup, operating and maintaining the project over a six-year period and identify each fund source available. Estimate the annual savings of implementing the LEED Silver standard. Identify key assumptions such as staffing required, assumed utility usage and rates and other potential drivers of the facility's cost.

O&M	2005	2006	2007	2008	2009	2010	Total
Uses							
Start Up	0	0	0	0	0	0	0
On-going	0	\$4,200	\$4,200	\$4,200	\$4,200	\$4,200	\$21,000
Sources (itemize)							

Notes: O&M cost of the new assets are accounted for in SPU's overall Security program in the Field Operations operating budget. This Ordinance will allow SPU to recover the capital cost of assets from an outside agency. The security system will be under warranty for one year from date of acceptance.

Periodic Major Maintenance costs for the project: Estimate capital cost of performing periodic maintenance over life of facility. Please identify major work items, frequency.



Major Maintenance Item	Frequency	Cost	Likely Funding Source
		0	
TOTAL			

Notes: There are no major maintenance costs associated with the project. The generator will require only routine maintenance such as an annual oil change.

Funding sources for replacement of project: Identify possible and/or recommended method of financing the project replacement costs.

None will be needed.

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

Position Title and Department*	Fund Name	Fund Number	Part-Time/Full Time	2005 Positions	2005 FTE	2006 Positions**	2006 FTE**
N/A				0	0	0	0
TOTAL				0	0	0	0

Notes: There will be no FTE impacts.

- **Do positions sunset in the future?** N/A
- **What is the financial cost of not implementing the legislation?** The costs to SPU of not implementing the legislation include the loss of funding that has been made available to the City under SHSP Grant FFY '04 and, therefore, loss of funding to improve SPU's ability to prevent, respond to, and recover from threats or acts of terrorism to the water system. Without the grant funding, SPU will still need to make these security investments but would use bond proceeds or operating funds instead.
- **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** Use of utility operating or capital funds to pay for these security measures. There is a program plan for increasing water system security that the grant funds enable at less cost to SPU.
- **Is the legislation subject to public hearing requirements:** No.
- **Other Issues** (including long-term implications of the legislation): None

Please list attachments to the fiscal note below: There are none.



STATE OF WASHINGTON – KING COUNTY

--SS.

190480
CITY OF SEATTLE, CLERKS OFFICE

No. TITLE ONLY

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.

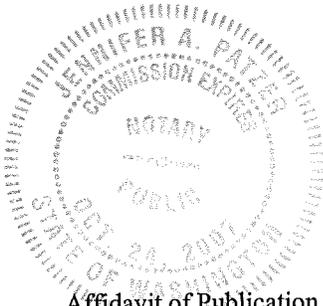
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:121916,920-121930

was published on

10/03/05

The amount of the fee charged for the foregoing publication is the sum of \$ 145.75, which amount has been paid in full.



[Handwritten signature]

Subscribed and sworn to before me on

10/03/05

[Handwritten signature]

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 19, 2005, and published here by title only, will be mailed upon request, or can be accessed electronically at <http://clerk.ci.seattle.wa.us>. For further information, contact the Seattle City Clerk at 684-8344.

ORDINANCE NO. 121930

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

ORDINANCE NO. 121929

AN ORDINANCE relating to security from terrorism; reducing appropriations in the 2005 Budgets of the Police Department, City Light, the Department of Planning and Development, Seattle Public Utilities, and the Department of Information Technology; and the Seattle Department of Transportation; and reappropriating that money to the Fleets & Facilities Department, Seattle Center, and the Fire Department.

ORDINANCE NO. 121928

AN ORDINANCE relating to the acquisition and management of real property and property interests on the Cedar River below Landsburg Dam, in King County; authorizing Seattle Public Utilities to acquire specified properties or conservation easements and to accept applicable deeds; authorizing Seattle Public Utilities to enter into an agreement with Cascade Land Conservancy for land acquisition and management services; and authorizing Seattle Public Utilities to convey easements or stewardship assignments in connection with the Conservancy's management responsibilities.

ORDINANCE NO. 121927

AN ORDINANCE removing a budget proviso that restricted an appropriation in the Department of Information Technology's 2005 budget.

ORDINANCE NO. 121926

AN ORDINANCE authorizing City Light to accept funds from the Washington State Attorney General's Office to collaborate on a refund program to provide restitution back to the business consumers who paid high electricity prices during the energy crisis; authorizing the necessary agreements; and authorizing City Light to take the actions necessary to allocate the settlement funds proportionately to Commercial and Industrial customers by providing a credit on the bill of the receiving businesses.

ORDINANCE NO. 121924

AN ORDINANCE revising a budget proviso that had restricted spending on the Arterial Asphalt and Concrete Program; authorizing the Director of Transportation to enter into interlocal funding agreements with the Cities of Beaux Arts, Clyde Hill, Hunts Point, Medina, and Yarrow Point; authorizing the Director of Transportation to enter into interlocal funding agreements with the Washington State Department of Transportation (WSDOT) and the deposit of funds to be received; contingently increasing an appropriation to the Seattle Department of Transportation; and amending the 2005-2010 Capital Improvement Program.

ORDINANCE NO. 121922

AN ORDINANCE relating to the City Light Department, accepting various easements for overhead and underground electrical distribution rights in King County, Washington; and placing said easements under the jurisdiction of the City Light Department.

ORDINANCE NO. 121921

AN ORDINANCE related to Seattle City Light's Security Improvements Project, removing a restriction that prohibits spending of Seattle City Light's Finance and Administration CIP Budget Control Level appropriation in the 2005 Adopted Budget on that project.

ORDINANCE NO. 121920

AN ORDINANCE relating to the City Light Department; authorizing the acceptance of deeds to two properties in Skagit County, Washington, and authorizing the grant of a Conservation Easement on one of said properties to Skagit Land Trust, all for salmonid habitat protection purposes.

ORDINANCE NO. 121916

AN ORDINANCE relating to Seattle Public Utilities' security from terrorism; authorizing that department to accept grants from the State of Washington and King County for security improvements to certain City water system facilities and for creation of a regional contaminant response team; amending the 2005-2010 Adopted Capital Improvement Program with respect to such projects, and increasing that department's 2005 Adopted Budget by making appropriations reimbursable with grant funds.

Publication ordered by JUDITH PIPPIN, City Clerk

Date of publication in the Seattle Daily Journal of Commerce, October 3, 2005.

10/3(190480)