

Resolution No. 31476

# The City of Seattle – Legislative Department

Resolution sponsored by: *Tom Rasmussen*

A RESOLUTION granting conceptual approval to King County Department of Natural Resources and Parks, Wastewater Treatment Division to expand, construct, maintain, and operate diversion structures in 32<sup>nd</sup> Avenue West to redirect combined sewer overflows as part of the South Magnolia Combined Sewer Overflow Control Project.

## Committee Action:

Date	Recommendation	Vote
9-10-13	Approve	TR BHJG 3-0

Related Legislation File: \_\_\_\_\_

Date Introduced and Referred: <del>8-13-13</del>	To: (committee): <del>Utilities and Transportation</del> Libraries, Utilities and Center Committee Transportation
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: 9/10/13	Date Presented to Mayor: 9/20/13
Date Signed by Mayor: 9.27.13	Date Returned to City Clerk: 9.27.13
Published by Title Only <input checked="" type="checkbox"/>	Date Returned Without Concurrence:
Published in Full Text _____	

This file is complete and ready for presentation to Full Council. \_\_\_\_\_

## Full Council Action:

Date	Decision	Vote
9/16/13	Adopted	9-0

*Law Department*

**CITY OF SEATTLE**  
**RESOLUTION 31476**

A RESOLUTION granting conceptual approval to King County Department of Natural Resources and Parks, Wastewater Treatment Division to expand, construct, maintain, and operate diversion structures in 32<sup>nd</sup> Avenue West to redirect combined sewer overflows as part of the South Magnolia Combined Sewer Overflow Control Project.

WHEREAS, King County Department of Natural Resources and Parks, Wastewater Treatment Division ("KCWTD") has applied for permission to expand an existing below-grade diversion structure facility in 32<sup>nd</sup> Avenue West with the possibility of constructing an additional below-grade diversion structure in the vicinity that may include a retaining wall, above-grade cabinet, manhole covers and hatches, and vent pipes (the "South Magnolia CSO project" or "project"); and

WHEREAS, the purpose of the project is to reduce and control stormwater flows to the combined sewer system and the frequency of combined sewer overflow ("CSO") events at Seattle Public Utility's South Magnolia Basin outfall to Puget Sound; and

WHEREAS, KCWTD has determined that installing and implementing the South Magnolia diversion structure is KCWTD's preferred option for complying with KCWTD's National Pollution Discharge Elimination System Waste Discharge Permit No. WA-002918-1 for the West Point Wastewater Treatment Plant that requires KCWTD to limit CSO events to Puget Sound at the South Magnolia Basin to no more than one overflow per year; and

WHEREAS, in making a recommendation, the Director of the Seattle Department of Transportation ("Director") considered the submitted plans and application materials for constructing the South Magnolia CSO project and recommends that conceptual approval be granted; NOW, THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE  
MAYOR CONCURRING, THAT:**

Section 1. The City Council finds that the South Magnolia CSO project is in the public interest.



1 Section 2. As conditions for obtaining permission to construct the South Magnolia CSO  
2 project, KCWTD shall:

3 (1) Provide structural engineering and utility plans to the Seattle Department of  
4 Transportation for reviewing and permitting;

5 (2) Provide public liability insurance naming the City as an additional insured or in the  
6 form of self-insurance, either as approved by the City's Risk Manager;

7 (3) Pay all City permit fees;

8 (4) Obtain all necessary land use or building permits; and

9 (5) Remove the South Magnolia CSO project and restore the right-of-way to its original  
10 condition if KCWTD fails to perform any obligation under the term permit within a reasonable  
11 time after receiving notice by the City specifying the failure to perform.  
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14 Section 3. After this resolution is adopted, SDOT will present to the Council for its  
15 modification or approval a draft term permit ordinance that prescribes the conditions under  
16 which permission to use the right-of-way will be granted and the specific location of the  
17 diversion structures on 32<sup>nd</sup> Avenue West.

18 Section 4. As recommended by the Director and the Mayor, conceptual approval for  
19 construction of the South Magnolia CSO project is GRANTED.  
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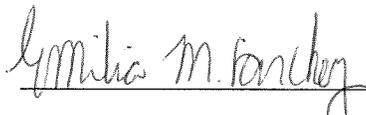
Adopted by the City Council the 16<sup>th</sup> day of September, 2013, and  
signed by me in open session in authentication of its adoption this 16<sup>th</sup> day  
of September, 2013.

  
President \_\_\_\_\_ of the City Council

THE MAYOR CONCURRING:

  
Michael McGinn, Mayor

Filed by me this 27<sup>th</sup> day of September, 2013.

  
for Monica Martinez Simmons, City Clerk

(Seal)



**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
Seattle Department of Transportation	Angela Steel/684-5967	Christie Parker/684-5211

**Legislation Title:**

A RESOLUTION granting conceptual approval to King County Department of Natural Resources and Parks, Wastewater Treatment Division to expand, construct, maintain, and operate diversion structures in 32<sup>nd</sup> Avenue West to redirect combined sewer overflows as part of the South Magnolia Combined Sewer Overflow Control Project.

**Summary of the Legislation:**

This proposed resolution grants the conceptual approval for King County Department of Natural Resources and Parks, Wastewater Treatment Division ("KCWTD") to expand, construct, operate, and maintain diversion structures in 32<sup>nd</sup> Avenue West to redirect combined sewer overflows as part of the South Magnolia Combined Sewer Overflow ("CSO") Control Project. An area map is attached for reference.

The purpose of the South Magnolia CSO Project is to reduce and control stormwater flows to the combined sewer system and frequency of CSO events at Seattle Public Utility's South Magnolia Basin outfall to Puget Sound.

**Background:**

KCWTD has determined that installing and implementing the South Magnolia diversion structure is KCWTD's preferred option for complying with KCWTD's National Pollution Discharge Elimination System Waste Discharge Permit No. WA-002918-1 for the West Point Wastewater Treatment Plant that requires KCWTD to limit CSO events to Puget Sound at the South Magnolia Basin to no more than one overflow per year.

Please check one of the following:

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

Although this resolution does not accept or appropriate funds, SDOT will receive a permit fee from KCWTD after the effective date of the term permit ordinance.

**List attachments to the fiscal note below:**

Attachment A – King County South Magnolia CSO Area Map



Attachment A – King County South Magnolia CSO Area Map



Map is for informational purposes only and is not intended to modify or supplement the legal description(s) in the Resolution.





**City of Seattle**  
Office of the Mayor

July 30, 2013

Honorable Sally J. Clark  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

Dear Council President Clark:

I am pleased to transmit the attached proposed Resolution that grants conceptual approval to King County Department of Natural Resources and Parks, Wastewater Treatment Division ("KCWTD") to expand, construct, maintain, and operate diversion structures for the combined sewer overflow ("CSO") control system ("South Magnolia CSO project") within 32nd Avenue West as part of the existing South Magnolia Basin.

The purpose of the South Magnolia CSO project is to reduce and control stormwater flows to the combined sewer system and the frequency of CSO events at Seattle Public Utility's South Magnolia Basin outfall to Puget Sound. King County's National Pollution Discharge Elimination System Waste Discharge Permit for the West Point Wastewater Treatment Plant requires that King County limit CSO events to Puget Sound to no more than one overflow per year.

Thank you for your consideration of this legislation. Should you have questions, please contact Angela Steel at 684-5967.

Sincerely,

Michael McGinn  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council



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STATE OF WASHINGTON -- KING COUNTY

--SS.

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303312  
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 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

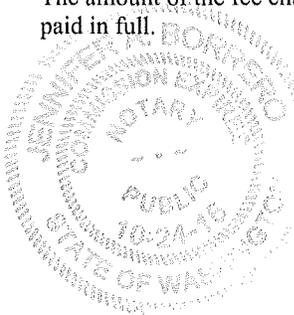
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:31463,65,76,77,79-80

was published on

10/09/13

The amount of the fee charged for the foregoing publication is the sum of \$107.25 which amount has been paid in full.



*[Handwritten Signature]*  
\_\_\_\_\_  
Subscribed and sworn to before me on  
10/09/2013  
*[Handwritten Signature]*  
\_\_\_\_\_

Notary public for the State of Washington,  
residing in Seattle

Affidavit of Publication

## State of Washington, King County

### City of Seattle

The full text of the following legislation, passed by the City Council on September 16, 2013, 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.

#### RESOLUTION NO. 31463

A RESOLUTION relating to the City Light Department; establishing a ratepayer engagement process for the development of biennial revisions to the utility's strategic plan and supporting electricity rates; outlining the roles of the Department, the City Light Review Panel, the Mayor, and the Council in that process; and establishing a schedule for regular adoption of such strategic plans and electricity rates necessary to implement them.

#### RESOLUTION NO. 31465

A RESOLUTION approving the alignment, station locations, and maintenance base location for Sound Transit's Central Link, University Link, Northgate Link Extension, and East Link Light Rail Lines in the City of Seattle; and superseding the alignment, station locations, and maintenance base location approved in Resolution 30993.

#### RESOLUTION NO. 31476

A RESOLUTION granting conceptual approval to King County Department of Natural Resources and Parks, Wastewater Treatment Division to expand, construct, maintain, and operate diversion structures in 32nd Avenue West to redirect combined sewer overflows as part of the South Magnolia Combined Sewer Overflow Control Project.

#### RESOLUTION NO. 31477

A RESOLUTION adopting the 2013 update of the Urban Forest Stewardship Plan.

#### RESOLUTION NO. 31479

A RESOLUTION granting conceptual approval to the Port of Seattle to construct, maintain, and operate a private road and electrical utilities on a portion of South Dakota Street and Duwamish Avenue South, east of East Marginal Way South, as part of the Argo Yard Truck Roadway Project.

#### RESOLUTION NO. 31480

A RESOLUTION granting conceptual approval to Prologis, L.P. to maintain and operate an existing truck loading access area in Colorado Avenue South, north of Diagonal Avenue South, abutting 4200 East Marginal Way South.

Date of publication in the Seattle Daily Journal of Commerce, October 9, 2013.

10/9(303312)