SEATTLE CITY COUNCIL

Legislative Summary

CB 118378

Record No.: CB 118378

Type: Ordinance (Ord)

124766

Status: Attested by City Clerk

Version: 1

In Control: City Clerk

File Created: 02/19/2015

Final Action: 05/08/2015

Title: AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to submit the "Plan to Protect Seattle's Waterways" and to fulfill the obligations set forth therein, to fulfill obligations under a Consent Decree required by the United States Environmental Protection Agency and the State of Washington Department of Ecology.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Bagshaw

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: Ed Mirabella

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published: ☐ Yes ☐ No

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	03/31/2015	Mayor's leg transmitted to Council	City Clerk			
	Action Text: The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk **Notes:**						
1	City Clerk	03/31/2015	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office **Notes:**						
1	Council President's Office	04/02/2015	sent for review	Seattle Public Utilities and Neighborhoods Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Seattle Public Utilities and Neighborhoods Committee **Notes:**						

1	Full Council	04/20/2015	referred	Seattle Public Utilities and Neighborhoods Committee	

Action Text: The Council Bill (CB) was referred to the Seattle Public Utilities and Neighborhoods Committee
Notes:

1	Seattle Public Utilities and Neighborhoods Committee	04/28/2015	pass		Pass

Action Text: The Committee recommends that Full Council pass the Council Bill (CB).
Notes:

In Favor: 3 Chair Bagshaw, Vice Chair Sawant, Member Harrell

Opposed: 0

1	Full Council	05/04/2015	passed		Pass

Action Text: The Council Bill (CB) was passed by the following vote and the President signed the Bill:
Notes:

In Favor: 9 Councilmember Bagshaw, Council President Burgess, Councilmember Godden, Councilmember Harrell, Councilmember Licata, Councilmember O'Brien, Councilmember Okamoto, Councilmember Rasmussen, Councilmember Sawant

Opposed: 0

1	City Clerk	05/06/2015	submitted for Mayor's signature	Mayor

Action Text: The Council Bill (CB) was submitted for Mayor's signature to the Mayor
Notes:

1	Mayor	05/08/2015	Signed

Action Text: The Council Bill (CB) was Signed
Notes:

1	Mayor	05/08/2015	returned	City Clerk

Action Text: The Council Bill (CB) was returned to the City Clerk
Notes:

1	City Clerk	05/08/2015	attested by City Clerk

Action Text: The Ordinance (Ord) was attested by City Clerk
Notes:

CITY OF SEATTLE

ORDINANCE 124766

COUNCIL BILL 118378

AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to submit the "Plan to Protect Seattle's Waterways" and to fulfill the obligations set forth therein, to fulfill obligations under a Consent Decree required by the United States Environmental Protection Agency and the State of Washington Department of Ecology.

WHEREAS, the City of Seattle (City) owns, maintains and operates a system of sanitary sewerage and storm and surface water drainage as part of Seattle Public Utilities' drainage and wastewater system; and

WHEREAS, the combined sewer system overflows (CSOs) from the City of Seattle's system are regulated by the State of Washington under the terms of a National Pollutant Discharge Elimination System (NPDES) permit; and

WHEREAS, the United States Environmental Protection Agency (EPA) has made Findings and Conclusions and issued a Consent Decree pursuant to Section 402 of the Clean Water Act, 33 U.S.C. section 1342(b); and

WHEREAS, the City in 2012 approved Ordinance 123908 authorizing the Director of Seattle Public Utilities to submit for court approval the Consent Decree and to fulfill the City's obligations contained therein; and

WHEREAS, City in 2013 approved ordinance 124129 authorizing the Director of Seattle Public Utilities to submit for court approval an amended Consent Decree and to fulfill the City's obligations contained therein; and

WHEREAS, the Consent Decree requires the City to implement its CSO reduction program by 2025 but also includes provisions allowing the City to defer certain CSO investments if alternative projects that yield greater benefit to the receiving waters can be identified by 2018; and

WHEREAS, Seattle Public Utilities has developed: a Long Term Control Plan to implement its CSO reduction program by 2025; an Integrated Plan to defer certain CSO investments in favor of using alternative projects that yield greater benefit to the receiving waters; and an Integrated Plan Alternative, known as the "Plan to Protect Seattle's Waterways," to both implement the City's long term CSO reduction program and reduce stormwater pollution using the Integrated Plan; and

WHEREAS, the Director of Seattle Public Utilities recommends that the "Plan to Protect Seattle's Waterways" be submitted to the United States Environmental Protection Agency and the State of Washington Department of Ecology in partial fulfillment of the City's obligations to implement its CSO reduction program; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Director of Seattle Public Utilities is authorized to submit to the United States Environmental Protection Agency (EPA) and the State of Washington Department of Ecology (Ecology) the "Plan to Protect Seattle's Waterways" (Plan), attached hereto as Attachment 1, and to fulfill the City's obligations contained therein.

Section 2. The Director is further authorized to submit to EPA and Ecology any Plan amendment that is required by EPA or Ecology and that does not increase the cost of or significantly alter the City's compliance obligations, and to fulfill the City's obligations contained therein.

Section 3. The provisions of this ordinance are declared to be separate and severable. The invalidity of any portion of this ordinance, or the invalidity of its application to any person or circumstance, does not affect the validity of the remainder of this ordinance or the validity of its application to other persons or circumstances.

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

Passed by the City Council the 4th day of MAY, 2015, and signed by me in open session in authentication of its passage this 4th day of MAY, 2015.

President _____ of the City Council

Approved by me this 8th day of May, 2015.

Edward B. Murray, Mayor

Filed by me this 8th day of MAY, 2015.

Monica Martinez Simmons, City Clerk

(Seal)

Attachment 1 – Plan to Protect Seattle's Waterways
Volume 1: Executive Summary
Volume 2: Long-Term Control Plan
Volume 3: Integrated Plan
Volume 4: Environmental Impact Statement

STATE OF WASHINGTON -- KING COUNTY

--ss.

324546

No. 124764,765,766

DPD-ACCOUNTS PAYABLE

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

05/27/15

The amount of the fee charged for the foregoing publication is the sum of $77.50 which amount has been paid in full.

JENNIFER A. BORRERO
NOTARY PUBLIC
COMMISSION EXPIRES
10-24-15
STATE OF WASHINGTON

Subscribed and sworn to before me on

05/27/2015

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 May 4, 2015, 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. 124763

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

ORDINANCE NO. 124764

AN ORDINANCE relating to the Department of Finance and Administrative Services, declaring the vacant property located at 8030 Fauntleroy Way SW as surplus to the City's needs; authorizing the sale of said property; authorizing the Director of Finance and Administrative Services to execute all documents for the sale and transfer of the property to Gary Moore; and directing how proceeds from the sale shall be distributed.

ORDINANCE NO. 124765

AN ORDINANCE relating to rates and charges for water services of Seattle Public Utilities; authorizing withdrawals from the Water Fund Revenue Stabilization Subfund; revising water rates and charges, and credits to low income customers; and amending the Seattle Municipal Code Sections 21.04.430, 21.04.440, and 21.76.040.

ORDINANCE NO. 124766

AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to submit the "Plan to Protect Seattle's Waterways" and to fulfill the obligations set forth therein, to fulfill obligations under a Consent Decree required by the United States Environmental Protection Agency and the State of Washington Department of Ecology.

Date of publication in the Seattle Daily Journal of Commerce, May 27, 2015.

5/27(324546)