



Legislation Text

File #: CB 120354, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to Seattle Public Utilities; authorizing the General Manager/CEO of Seattle Public Utilities to enter into an amended Water Quality Combined Financial Assistance Agreement with the State of Washington Department of Ecology to partially finance costs related to the construction of the Ship Canal Water Quality Project; and ratifying and confirming certain prior acts.

WHEREAS, The City of Seattle and King County own and operate combined sewer systems, portions of which are interconnected, and there is a risk of overflows in some locations during heavy rain events; and

WHEREAS, the Combined Sewer Overflows (“CSOs”) are regulated under the federal Clean Water Act and governed by the State of Washington under the terms of National Pollutant Discharge Elimination System (“NPDES”) permits separately issued to both The City of Seattle and King County; and

WHEREAS, the terms of the NPDES permits require The City of Seattle and King County to limit untreated overflows at each CSO outfall to an average of no more than one per year; and

WHEREAS, under a Consent Decree with the U.S. Environmental Protection Agency (“EPA”), the Washington Department of Ecology (“Ecology”), and the U.S. Department of Justice (“DOJ”) authorized by Ordinance 123908 and amended by Ordinance 124129 (the “City’s Consent Decree”), The City of Seattle must implement control measures to limit untreated combined sewer overflows in accordance with State of Washington requirements by December 31, 2025; and

WHEREAS, in 2015 the City Council pursuant to Ordinance 124966 authorized Seattle Public Utilities to enter into a Joint Project Agreement (“JPA”) with King County to design, construct, operate, and maintain the Ship Canal Water Quality Project; and

WHEREAS, the Seattle City Council on June 21, 2021, approved Ordinance 126376 authorizing Seattle Public Utilities to enter into a low-interest loan agreement with the Washington Department of Ecology (“Ecology”) in the amount of \$66 million to partially finance costs related to the construction of the Ship Canal Water Quality Project; and

WHEREAS, Ecology has decided to make additional low-interest loan funds available to Seattle Public Utilities for the Ship Canal Water Quality Project and Seattle Public Utilities has determined it is in the ratepayers’ interest to accept those funds; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The General Manager/CEO of Seattle Public Utilities is authorized to execute an Amendment to Water Quality Combined Financial Assistance Agreement No. WQC-2021-SeaPUD-00191 between the State of Washington Department of Ecology and Seattle Public Utilities to provide an additional \$59 million to partially finance costs related to the construction of the Ship Canal Water Quality Project to fulfill obligations under the City’s Consent Decree.

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

Section 3. 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 _____ day of _____, 2022, and signed by me in open session in authentication of its passage this ____ day of _____, 2022.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2022.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2022.

Monica Martinez Simmons, City Clerk

(Seal)