Ordinance No. 123434

Council Bill No. 116993

AN ORDINANCE relating to a grant from the Department of Energy through the Puget Sound Clean Air Agency and allocated through the American Recovery and Reinvestment Act of 2009 for the purpose of installing electric vehicle charging infrastructure; accepting the grant funds, authorizing the Mayor or his designee to execute related agreements, increasing appropriations in the 2010 Adopted Budget and ratifying and confirming certain prior acts; all by a three-fourths vote of the City Council.

Related Legislation File: Clerk File 311086

Date Introduced and Referred: Oct. 18, 2010	To: (committee): Full Council
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: 10.25.10	Date Presented to Mayor: 10.26.10
Date Signed by Mayor: Oct. 29, 2010	Date Returned to City Clerk: Nov. 1, 2010
Published by Title Only ✓ Published in Full Text	Date Vetoed by Mayor:
Date Veto Published:	Date Passed Over Veto:
Date Veto Sustained:	Date Returned Without Signature:

The City of Seattle – Legislative Department

Council Bill/Ordinance sponsored by: Richard Conlin

Committee Action:

Date	Recommendation	Vote

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

Full Council Action:

Date	Decision	Vote
10.25.10	Passed	9-0

Law Department

Chris Wiley, cw
FAS ARRA CleanCitiesGrant ORD
September 27, 2010
Version 4

ORDINANCE 123434

AN ORDINANCE relating to a grant from the Department of Energy through the Puget Sound Clean Air Agency and allocated through the American Recovery and Reinvestment Act of 2009 for the purpose of installing electric vehicle charging infrastructure; accepting the grant funds, authorizing the Mayor or his designee to execute related agreements, increasing appropriations in the 2010 Adopted Budget and ratifying and confirming certain prior acts; all by a three-fourths vote of the City Council.

WHEREAS, the United States Congress has authorized $300,000,000 in the Clean Cities Transportation Sector Petroleum Reduction Technologies Project as part of the American Recovery and Reinvestment Act of 2009 ("ARRA"); and

WHEREAS, the City submitted an application to the Puget Sound Clean Air Agency – Clean Cities Coalition in April 2009 to request Clean Cities Transportation Sector Petroleum Reduction Technologies Project funds; and

WHEREAS, based on the City's successful application, the Puget Sound Clean Air Agency awarded $1.4 million to the City of Seattle from those funds; and

WHEREAS, on August 9, 2010, the City Council passed Ordinance 123373, accepting and appropriating $900,000 of the City's share of the grant for the purpose of purchasing and installing advanced technologies that reduce greenhouse gas emissions in heavy-duty vehicle; and

WHEREAS, this legislation will accept and appropriate the City's remaining portion of the ARRA grant for the purpose of installing electric vehicle charging infrastructure; and

WHEREAS, the expenditure of these grant funds requires an increase in appropriation authority as the conditions giving rise to these grants could not have been reasonably foreseen at the time the 2010 budget was adopted; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City of Seattle hereby accepts grant funds from the Puget Sound Clean Air Agency for the Clean Cities Transportation Sector Petroleum Reduction Technologies

THIS CITY CLERK

Project in the amount of $500,000 for the purpose of installing electric vehicle charging infrastructure.

Section 2. The Mayor or his designee is authorized to execute and deliver and perform for and on behalf of the City of Seattle such agreements and certifications as may be necessary to accept and expend the Clean Cities grant funds.

Section 3. The Clean Cities grant funds, when received, shall be deposited into the Fleets and Facilities Operating Fund (50300).

Section 4. Contingent upon the execution of the grant or other funding agreement authorized in Section 2 of this ordinance, and in order to pay for necessary costs and expenses for which insufficient appropriations were made due to causes that could not reasonably have been foreseen at the time the 2010 Budget was adopted, the appropriation for the following item in the 2010 Budget is increased from the fund shown, as follows:

Fund Name and Number	Department	Budget Control Level	Amount
Fleets and Facilities Operating Fund (50300)	FAS	Fleet Services BCL (A2000)	$ 500,000
Total			$500,000

Unspent funds shall carry forward to subsequent years until they are exhausted or abandoned by ordinance.

DOS CITY CLERK

Section 5. All acts authorized by this ordinance and taken after its passage are ratified and confirmed.

Section 6. This ordinance shall take effect and be in force 30 days from and 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 Municipal Code Section 1.04.020.

Passed by a three-fourths vote of all the members of the City Council the 25th day of October, 2010, and signed by me in open session in authentication of its passage this

25th day of October, 2010.

President Richard Conlin of the City Council

Approved by me this 29th day of October, 2010.

Michael McGinn, Mayor

Filed by me this 1st day of November, 2010.

Monica B. Simmons
City Clerk

(Seal)

THIS CITY CLERK

Form revised: August 9, 2010

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Finance and Administrative Services Department	Chris Wiley, 233-7912	Greg Shiring, 386-4085

Legislation Title:
AN ORDINANCE relating to a grant from the Department of Energy through the Puget Sound Clean Air Agency and allocated through the American Recovery and Reinvestment Act of 2009 for the purpose of installing electric vehicle charging infrastructure; accepting the grant funds, authorizing the Mayor or his designee to execute related agreements, increasing appropriations in the 2010 Adopted Budget and ratifying and confirming certain prior acts; all by a three-fourths vote of the City Council.

Summary of the Legislation: This legislation authorizes the acceptance of grant funds made available through the American Recovery and Reinvestment Act of 2009 ("ARRA") and increases the 2010 Adopted Budget to authorize new expenditures.

Background: The American Recovery and Reinvestment Act of 2009 has allocated $300,000,000 to eligible recipients to provide installation of electric vehicle charging infrastructure and to encourage purchase of diesel hybrid, alternative fueled or advanced technology vehicles. A total project 50% cost share is required. As part of a competitive application process, the Puget Sound Clean Air Agency/Puget Sound Clean Cities Coalition (PSCAA/PSCCC) is the primary recipient of a $15 million grant award, $1.4 million of which was directed to the City of Seattle. Ordinance 123373, which was passed by the City Council on August 9, 2010, accepted and appropriated $900,000 of the City's share of the grant for the purpose of purchasing and installing advanced technologies that reduce greenhouse gas emissions in heavy-duty vehicles. The attached proposed Bill authorizes the Department of Finance and Administrative Services to accept the remaining $500,000 of the City's share of these ARRA grant funds to cover the cost of installing Electric Vehicle Supply Equipment (EVSE) at City-owned or managed facilities, parking garages, or other properties that are strategic to a regional electric vehicle charging infrastructure. The City will be responsible for developing the specifications and bidding the EVSE and installation design and labor, paving the way to use electricity as a transportation fuel.

DPS CITY CLERK

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

Appropriations:

Fund Name and Number	Department	Budget Control Level*	2010 Appropriation	2011 Anticipated Appropriation
Fleets and Facilities Operating Fund (50300)	FAS	Fleet Services BCL (A2000)	$250,000	$250,000
TOTAL			**$250,000**	**$250,000**

Notes: Spending of the appropriation in this section is contingent upon ARRA funds being granted to, and received by, the City.

Anticipated Revenue/Reimbursement: Resulting from this Legislation: *N/A*

Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact: *N/A*

Do positions sunset in the future? *N/A*

Spending/Cash Flow:

Fund Name & Number	Department	Budget Control Level*	2010 Expenditures	2011 Anticipated Expenditures
Fleets and Facilities Operating Fund (50300)	FAS	Fleet Services BCL (A2000)	$250,000	$250,000
TOTAL			**$250,000**	**$250,000**

Spending/Cash Flow Notes: ARRA grant funds will provide funding to the City to: 1) purchase EVSE; and 2) install EVSE in parking facilities and locations owned or controlled by the City.

What is the financial cost of not implementing the legislation?
Without this legislation, the City will not receive $500,000 in grant revenues to install electric vehicle charging infrastructure to support the use of alternative fuels.

Does this legislation affect any departments besides the originating department?
Seattle City Light, and Parks and Recreation.

What are the possible alternatives to the legislation that could achieve the same or similar objectives? Acceptance of the grant award is a prerequisite for the receipt of these federal economic stimulus funds. There are no alternatives that could achieve the same or similar objectives.

Is the legislation subject to public hearing requirements? No.

Other Issues:

CITY CLERK

City of Seattle
Office of the Mayor

October 19, 2010

Honorable Richard Conlin
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill, which accepts and appropriates $500,000 in federal stimulus Electric Vehicle Charging Infrastructure grant funds through the Puget Sound Clean Air Agency.

In August 2009, the Puget Sound Clean Air Agency received a $15 million regional American Recovery and Reinvestment Act (ARRA) award from the U.S. Department of Energy, $1.4 million of which was directed to the City of Seattle. Ordinance 123373, which was passed by the City Council on August 9, 2010, accepted and appropriated $900,000 of the total grant for the purpose of purchasing and installing advanced technologies that reduce greenhouse gas emissions in heavy-duty vehicles. The attached proposed Bill authorizes the City's Department of Finance and Administrative Services to accept the remaining $500,000 in ARRA grant funds to cover the cost of installing Electric Vehicle Supply Equipment (EVSE) at City-owned or managed facilities, parking garages, or other properties that are strategic to a regional electric vehicle charging infrastructure.

Thank you for your consideration of this legislation. Should you have questions, please contact FAS' Green Fleets Coordinator, Chris Wiley, at 233-7912.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Michael McGinn, Mayor
Office of the Mayor
600 Fourth Avenue, 7th Floor
PO Box 94749

Tel (206) 684-4000
Fax (206) 684-5360
TDD (206) 615-0476

LEGIS CITY CLERK

STATE OF WASHINGTON – KING COUNTY

--ss.

262799 No.
CITY OF SEATTLE,CLERKS OFFICE

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:123432-123435 TITLE

was published on

11/08/10

The amount of the fee charged for the foregoing publication is the sum of $ 75.08, which amount has been paid in full.

JENNIFER A. PATZER
COMMISSION EXPIRES
NOTARY
PUBLIC
OCT 24 2011
STATE OF WASHINGTON

Subscribed and sworn to before me on

11/08/10

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 October 25, 2010, and published here by title only, will be mailed upon request, or can be accessed at http://clerk.seattle.gov. For further information, contact the Seattle City Clerk at 684-8344.

ORDINANCE NO. 123432

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

ORDINANCE NO. 123433

AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of the Seattle Public Utilities to purchase certain real property located at 10032-10038 Rainier Avenue South, Seattle, Washington, King County Parcel Identification Nos. 807300-0525, -0526, -0531, and -0535, in settlement of a judgment entered into between The City of Seattle and Litchfield Family, LLC, in King County Superior Court Case No. 08-2-08628-3SEA, and to accept and record deeds on behalf of the City; and increasing appropriations to Seattle Public Utilities in the 2010 Budget.

ORDINANCE NO. 123434

AN ORDINANCE relating to a grant from the Department of Energy through the Puget Sound Clean Air Agency and allocated through the American Recovery and Reinvestment Act of 2009 for the purpose of installing electric vehicle charging infrastructure; accepting the grant funds, authorizing the Mayor or his designee to execute related agreements, increasing appropriations in the 2010 Adopted Budget and ratifying and confirming certain prior acts; all by a three-fourths vote of the City Council.

ORDINANCE NO. 123435

AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to sign and to fulfill the obligations in an Agreed Order with the State of Washington Department of Ecology to achieve the greatest reasonable reduction of combined sewer overflows at the earliest possible date.

Publication ordered by the City Clerk
Date of publication in the Seattle Daily Journal of Commerce, November 8, 2010.
11/8(262799)