

August 9, 2019

MEMORANDUM

To: Finance and Neighborhoods Committee
From: Eric McConaghy, Analyst
Subject: Seattle City Light Legislation related to property and easements

On August 14, 2019, the Finance and Neighborhoods Committee (Committee) will discuss and may vote on five, separate Council Bills (C.B.) dealing with a property sale, property acquisition, deed acceptance and easement acceptance proposed by Seattle City Light (City Light):

- [C.B. 119591](#) - Snohomish County 35th Ave Sale Easement;
- [C.B. 119592](#) - Boundary Housing Properties;
- [C.B. 119498](#) - 2018 Boundary Hydroelectric Project Habitat Land Deed Acceptance;
- [C.B. 119533](#) - Platted Easement Acceptance and
- [C.B. 119534](#) - Distribution Easement Acceptance

The Committee will hold a public hearing on C.B. 119591. This memorandum briefly describes each proposal.

C.B. 119591: Selling property

C.B. 119591 would:

- (1) declare certain real property at the intersection of 35th Avenue SE and 164th Street SE in Snohomish County, Washington that is not necessary for transmission line purposes surplus to the needs of the City Light;
- (2) authorize the sale of a portion of that property to Snohomish County for road widening purposes;
- (3) reserve aerial rights over the real property to be sold for electric transmission line purposes; and
- (4) accept payment for the sale of the real property. City Light would deposit the accepted payment of \$41,000 into the Light Fund.

The property is part of City Light's transmission corridor located immediately south of City Light's Bothell Substation. Snohomish County is widening 35th Avenue SE. To do so, Snohomish County needs to purchase narrow strips of City Light real property that abut 35th Avenue Southeast. City Light engineers have reviewed Snohomish County's plan and have stated that there is no conflict between the road project and City Light's electric transmission corridor.

City Light can sell the surface rights in the real property to Snohomish County while retaining all aerial rights for the continuing operation and maintenance of City Light transmission lines. This legislation is necessary because all sales of real property or real property interests must be authorized by legislation passed by City Council.

The [Revised Code of Washington \(RCW\) 35.94.040](#) requires that a public hearing is held when the City declares a property surplus and offers it for sale. The Committee is scheduled to hold the required public hearing on C.B. 119591 at the meeting on August 14. After the hearing, the Committee will discuss the matter and may take action on the proposal.

CB 119592: Acquiring property

C.B. 119592 would authorize City Light to negotiate for and purchase or lease up to two parcels of land near the Boundary Hydroelectric Project. All purchases of real property or real property interests must be authorized by legislation passed by the City Council.

The properties are needed to provide lodging to consultants and City Light employees. One of the two parcels will provide temporary lodging for project managers and engineers traveling to oversee the planning, design, and construction of the replacement and maintenance of generators and transformers on the Boundary Hydroelectric Project. It is expected that this property will be needed for this use for a minimum of six years. The second parcel will provide temporary lodging for City Light Department employees traveling to the area for ongoing environmental protection and mitigation measures required by the Boundary Hydroelectric Project's federal license. This work is scheduled to occur over the next 30 years. In addition to providing lodging, these properties may also be used for other purposes related to the Boundary Hydroelectric Project, including but not limited to equipment and materials storage.

CB 119498: Accepting deeds

C.B. 119498 would authorize City Light to accept statutory warranty deeds to the two properties that were purchased in compliance with City Light's Boundary Hydroelectric Project's Federal Energy Regulatory Commission (FERC) license under the authority of [Ordinance 125072](#).

Boundary License implementation funds were used to purchase the 24.7-acre Massnick property (\$120,915.74) and the 40-acre Levins property (\$70,921.51). This legislation will place the acquired properties under the jurisdiction of City Light. The funding for these acquisitions was already budgeted and does not require a new appropriation.

CB 119533 and 119534: Accepting easements

CB 119533 and 119534 would authorize the acceptance of easements and place the real property interests conveyed by the easements under the jurisdiction of City Light. The Seattle City Charter requires that all acquisition and disposal of real property interests are approved by ordinance.

C.B. 119533 SCL Platted Easement Acceptance

CB 119533 would accept 451 easements for overhead and underground electrical rights in King County, Washington. These easements are contained in short plats, lot boundary adjustments, and unit lot subdivisions approved by the Seattle Department of Construction and Inspections (SDCI).

C.B. 119534 SCL Distribution Easement Acceptance

City Light requires that the owner of a new or altered electrical service provide the City of Seattle with a utility easement whenever City Light conductors must pass over, under, or through the property of another person, or when service equipment such as poles or vaults must be located either on the property being served or the property of a third party. City Light periodically requests an ordinance be passed by the City Council accepting the distribution easements. This legislation will accept the 112 distribution easements that have been received and recorded since the previous distribution easement acceptance ordinance was adopted.

Next Steps

If the Committee recommends approval of any of the proposed legislation described above, the Council could take final action on or after September 3, 2019.

cc: Kirstan Arestad, Exec Director
Dan Eder, Deputy Director