

December 8, 2017

MEMORANDUM

To: Civil Rights, Utilities, Economic Development & Arts Committee
From: Calvin Chow, Council Central Staff
Subject: Council Bill 119140: Terminal 18 Easements

On December 12, the Civil Rights, Utilities, Economic Development & Arts (CRUEDA) Committee will consider Council Bill 119140, authorizing Seattle Public Utilities (SPU) to execute utility and public access easements and asset transfer agreements to reflect the redevelopment of Terminal 18 on Harbor Island. Execution of these agreements will resolve SPU's utility issues related to the Port of Seattle's petition to vacate portions of City right-of-way related to the Terminal 18 redevelopment.

In addition, the proposed legislation would declare certain utility easements to be surplus to the City's needs, pursuant to state law. This requires a public hearing which is also scheduled for the December 12 CRUEDA meeting.

Background

In 1997, the Port of Seattle petitioned the City to vacate certain streets for the redevelopment of Terminal 18 (Clerk File 301929). Council granted conditional approval for the vacation in 1998, and the Port completed physical improvements to Terminal 18 in 2002. The proposed agreements resolve the outstanding property and asset rights related to SPU, as conditioned in the vacation approval. With these agreements in place, the Port and the Seattle Department of Transportation will seek Council consideration of the final street vacation ordinance.

The legislation authorizes SPU to enter into the following agreements:

1. *Port Granted Overall Utility Easement for Terminal 18.* This master easement would transfer 11 easement areas from the Port of Seattle to the City (through SPU) for municipal water, stormwater and sewer infrastructure, as well as environmental protocols to specify responsibilities for working in contaminated soils.
2. *SPU-Port of Seattle Transfer Agreement.* This transfer agreement documents final ownership of various municipal and Port water, stormwater and sewer assets.
3. *Port Granted Public Access Easement Agreement.* This easement provides for access by the public and SPU, enabling room to turn around large vehicles or to access easement areas no longer accessible by right-of-way.

4. *Easement Agreement between BP West Coast Products LLC and SPU.* During redevelopment, City water and stormwater drainage facilities were relocated along the boundary of property owned by BP West Coast Products LLC. This easement allows SPU to access and maintain these facilities.

cc: Kirstan Arestad, Central Staff Director
Dan Eder, Central Staff Deputy Director