

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Parks and Recreation	Max Jacobs / 206-684-8018	Anna Hurst / 733-9317

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE granting a utility easement of surface and subsurface rights to King County, through its Department of Natural Resources and Parks, Wastewater Treatment Division (“King County”), to maintain an underground overflow pipeline and channel for the King County–owned reservoir within Discovery Park, which serves the regional wastewater facility, to meet federal guidelines for a potable water supply separation in the event of an emergency shutdown and backup of the incoming water supply.

Summary and background of the Legislation: This proposed legislation authorizes the conveyance of limited subsurface property rights in the form of an exclusive perpetual utility easement for the operation and maintenance of an underground pipe and channel which provides an emergency outfall relief drain in the event that incoming water backs up within an existing reservoir, due to Wastewater Treatment Facility malfunction. Water expelled from the pipeline will be clean (potable) incoming water. If required, water will flow from and disperse within a natural depression within the park. The velocity and amount of flow will not pose a public risk. This modification of the existing reservoir is required by state and local utility code.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? Yes X No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? X Yes No

Appropriation change (\$):	General Fund \$		Other \$	
	2019	2020	2019	2020
Estimated revenue change (\$):	Revenue to General Fund		Revenue to Other Funds	
	2019	2020	2019	2020
			\$156,000	
Positions affected:	No. of Positions		Total FTE Change	
	2019	2020	2019	2020

Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

No

Is there financial cost or other impacts of *not* implementing the legislation?

Without an agreed utility easement, the City would be exposed to an intergovernmental dispute over use rights with King County and possibly the federal government, as well as potential litigation risks from either or both entities. Additionally, without the pipeline allowed by the utility easement, certain water dangers to Discovery Park might not be appropriately mitigated.

3.e. Revenues/Reimbursements

X This legislation adds, changes, or deletes revenues or reimbursements.

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Dept	Revenue Source	2019 Revenue	2020 Estimated Revenue
General Fund	Seattle Parks and Recreation	Market Value for easement sell to King County	\$156,000.00	
TOTAL				

Is this change one-time or ongoing?

This is a one-time increase in revenues that will support higher than anticipated and budgeted utility expenses in 2019.

4. OTHER IMPLICATIONS

- a. **Does this legislation affect any departments besides the originating department?**
No
- b. **Is a public hearing required for this legislation?**
Yes.
- c. **Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?**
No
- d. **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No, the City Council Agenda will serve as notice of the public hearing.

e. Does this legislation affect a piece of property?

Yes, a portion of Discovery Park as depicted in Summary Attachment A: Location of Easement Area.

f. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?

King County Waste Water Facilities serve a large number of diverse communities throughout Seattle. King County requires that equity and social justice is included in the King County Strategic Plan and major capital projects. The wastewater treatment system facilities and operations are viewed through an equity lens. This alignment of social justice goals and partnership between the City and County promotes a clean environment and equal access to a vital public health service for all communities.

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s). No

List attachments/exhibits below:

Summary Attachment A - Location of Permanent Easement Area within Discovery Park