SUMMARY and FISCAL NOTE*

Department:	Dept. Contact:	CBO Contact:
Parks and Recreation	Richard Gholaghong	Alex Rouse

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to Seattle Parks and Recreation (SPR); authorizing the Superintendent of Parks and Recreation to grant and convey utility easements under portions of Magnolia Park, Magnolia Boulevard, Ursula Judkins Viewpoint Park, and Smith Cove Park to the King County Wastewater Treatment Division for the purposes of operating a Combined Sewer Overflow (CSO) pipeline, and to accept payment therefor; and finding that the grant of a permanent subsurface easement meets the requirements of Ordinance 118477, adopting Initiative 42.

Summary and Background of the Legislation:

This will complete the conveyance of property rights required for the installation, operation, and maintenance of a regional sewer pipeline. The King County South Magnolia CSO Control Project is a part of the response to the 2013 Consent Decree by the United States District Court. King County and the City of Seattle are working together to lessen the combined sewer overflow (CSO) events that occur annually. Part of the King County Wastewater Treatment Division plan was to construct an underground gravity pipeline extending from 32nd Ave W. to 23rd Ave W. in the Magnolia neighborhood of Seattle. The pipeline has been constructed and this legislation is granting utility easements to King County for the existing pipeline. Under Resolution 31476, the City granted conceptual approval for the South Magnolia CSO project.

Seattle Parks and Recreation will receive \$329,858 in compensation for the easement.

The easement is described as two separate segments: The west segment easement is deep underground, beneath portions of Magnolia Park, Galer Street and Ursula Judkins Park. This underground easement is 20 feet wide along about 2,650 lineal feet at an underground depth of about 20' – 135' beneath the ground surface for a total easement area of approximately 52,200 sf. The east segment easement encumbers shallow and surface land in Smith Cove Park, also 20 feet wide by about 290 lineal feet for a total easement area of approximately 5,800 sf. The location, depth and related information for each pipeline is depicted in attachments to the respective Easement Agreement as Exhibits A-E.

2. CAPITAL IMPROVEMENT PROGRAM

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

^{*} 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.

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget?

___ Yes <u>X</u> No

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

Are there financial costs or other impacts of *not* implementing the legislation?

The easements are required to legally transfer the property rights for a completed King County utility project impacting SPR properties. Not implementing the legislation would delay the compensation for use of SPR properties as well as the transfer of property rights related to this project.

3.b. 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	2023 Revenue	
Park and Recreation Fund (10200)	SPR	King County payment for easement	\$329,858	
		TOTAL	\$329,858	

Revenue/Reimbursement Notes:

Position Notes:

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department? Yes. A portion of the pipeline crosses right of way under the jurisdiction of the Seattle Department of Transportation (SDOT).

b. Is a public hearing required for this legislation?

Yes. Per Ordinance 118477, pursuant to I-42, a public hearing is required. The consideration of this legislation shall include the required public hearing prior to Council review.

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

Yes.

d. Does this legislation affect a piece of property?

Yes. This legislation affects multiple City properties under the jurisdiction of SPR and SDOT. A map is included to show the underground pipeline alignment. The pipeline location is described in Summary Attachment A.

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public? The King County CSO and pipeline has been built, and is in service within the Magnolia neighborhood.

This legislation does not impact a historically disadvantaged community.

The pipeline is a vital utility that conveys stormwater and wastewater for treatment and disbursal.

The CSO Pipeline is mostly below surface and does not create a visual or physical barrier. All notices will be provided to the public in languages based on Census data and request from non-, and limited-English speakers. This option will be included on all written notices in predominate, non-English languages.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

No.

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

The installation and operation of this pipeline and CSO has increased the City's capacity to treat and process stormwater runoff from extreme rain events.

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.

Summary Attachments:

Summary Attachment 1 – Exhibits A-E Smith Cove Summary Attachment 2 – Exhibits A-E Judkins and Magnolia