

SUMMARY and FISCAL NOTE*

| Department: | Dept. Contact/Phone: | CBO Contact/Phone: |
|--------------------|-----------------------------|-----------------------------|
| FAS | Nancy Stachey /684-0690 | George Dugdale 206-733-9297 |

** 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 authorizing the Director of the Department of Finance and Administrative Services to execute and accept from the Washington State Department of Natural Resources, on behalf of The City of Seattle, a waterway permit and three sequential waterway permits, for the Seattle Police Department’s Harbor Patrol use of Waterway 20.

Summary and background of the Legislation: The Seattle Police Department’s Harbor Patrol (Harbor Patrol) provides safety patrols of water bodies located in Seattle. The Harbor Patrol’s main base of operations is located adjacent to Lake Union and Gas Works Parks.

The Harbor Patrol has shared access over the area known as Waterway 20, which is under the jurisdiction of the Washington State Department of Natural Resources (DNR). The Harbor Patrol uses Waterway 20 as temporary storage for navigational hazards, impounded vessels, evidence, found property, recovered stolen vessels and other flotsam recovered from navigable waterways in the City. The collected material and personal property are stored on the upland and aquatic land areas until it can be collected and permanently removed from Waterway 20 by the Army Corps of Engineers. The upland portion of Waterway 20 was created by fill material and is fenced off from adjacent properties. The aquatic portion contains a dock, holding pen enclosed by a log boom and concrete boat ramp.

In order to continue secure water safety patrol operations, the City is requesting from DNR secure access to Waterway 20. A permit from DNR to the City provides similar rights as a lease as it reserves and conveys a temporary property right to the City. Third parties such as tribes will continue to have access to Waterway 20, although other public uses will be allowed only by permission of the Harbor Patrol.

As a condition of the permit, the Department of Finance and Administrative Services, (FAS) will meet with the Wallingford Community Council and the Center for Wooden Boats on a monthly basis in order to create a future conceptual plan for the use of Waterway 20 which meets the interests of both the City of Seattle and the Wallingford Community Council.

It is known that there is extensive environmental contamination of soils on the bottom of the water adjacent to the Waterway 20. FAS understands that the upland portion of Waterway 20 may also contain contaminated soils. FAS will further investigate the extent of contamination as a part of future planning efforts.

This legislation enables the Director FAS to negotiate and sign the permit on the behalf of the City, for the use of Waterway 20 by Harbor Patrol.

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? Yes 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?

There is an annual permit fee for the use of the property. This will be paid from the operation budget of the Seattle Police Department (SPD), through FAS operating fund.

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

The loss of the use of Waterway 20 on the Harbor Patrol operations would result in a costly relocation of Harbor Patrol operations.

3.d. Appropriations

This legislation adds, changes, or deletes appropriations.

3.e. Revenues/Reimbursements

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

Anticipated Revenue/Reimbursement Resulting from this Legislation:

| Fund Name and Number | Dept | Revenue Source | 2020 Revenue | 2021 Estimated Revenue |
|----------------------|------|-------------------------|--------------|------------------------|
| | SPD | Police Operations | (\$59,880) | (\$59,880) |
| | FAS | FAS Facility Operations | \$59,880 | \$59,880 |
| TOTAL | | | | |

Revenue/ Reimbursement notes:

Amount includes 3% administration fee for FAS Facility Operations.

Is this change one-time or ongoing?

This will be an on-going expense for the Harbor Patrol facility operations. FAS pays the permit fee to DNR and is reimbursed from SPD for the lease fee and FAS administrative costs.

4. OTHER IMPLICATIONS

- a. Does this legislation affect any departments besides the originating department?**
This legislation affects the Seattle Police Department's Harbor Patrol.
- b. Is a public hearing required for this legislation?**
No public hearing is required for this legislation.
- c. Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?**
This legislation does not include purchasing or selling of a property and complies with RCW 64.06.080 which regulates notice on the purchase and sale of property.
- d. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
This legislation does not require the publication of a notice.
- e. Does this legislation affect a piece of property?**
This property affects a piece of property. A map of the permit area is attached to the Fiscal Summary.
- 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?**
This legislation would place some restrictions on general public access over Waterway 20, although members of Washington Tribes will continue to have access to Waterway 20. Other general public access to Lake Union is available at Gas works parks which is adjacent to this property. The City will continue to work with the Wallingford Community Council and the Center for Wooden Boats for water access.
- 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)?**
This legislation is not a new initiative or a programmatic expansion. The Harbor Patrol has used Waterway 20 for over 50 years.

List attachments/exhibits below:

Summary Attachment 1 – Map of Permit Area