

**BILL SUMMARY & FISCAL NOTE**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>Executive Contact/Phone:</b>
Seattle Department of Transportation	Angela Steel/684-5967	Aaron Blumenthal/233-2656

**1. BILL SUMMARY**

**Legislation Title:**

AN ORDINANCE granting Acorn Development LLC permission to construct, maintain, and operate below-grade utility lines for a site specific heat conveyance system and other utilities under and across Lenora Street between 6th Avenue and 7th Avenue, and under and across 7th Avenue between Lenora Street and Blanchard Street; for a ten-year term, renewable for two successive ten-year terms; specifying the conditions under which this permit is granted and providing for the acceptance of the permit and conditions.

**Summary and background of the Legislation:**

This legislation grants Acorn Development LLC (“Acorn”) permission to construct, maintain, and operate below-grade utilities including utility lines for a site specific heat conveyance system, including facilities for conveying non-potable water, a site specific fire protection water conveyance system, and communications, under and across Lenora Street between 6th Avenue and 7th Avenue, and under and across 7th Avenue between Lenora Street and Blanchard Street. An area map is attached for reference.

The utility lines will be used for utilities that include a site specific heat conveyance system that will capture heat energy from the Westin Building Exchange at 2001 6th Avenue and will transfer that heat energy to the Acorn buildings as a heating and cooling source.

This permit is for a ten-year term, renewable for two successive ten-year terms. The legislation has an insurance provision as recommended by the City's Risk Manager, specifies the conditions under which authorization is granted, and provides for acceptance of the permit and conditions. The ordinance requires Acorn to pay the City an annual fee of \$8,305.25 commencing on the effective date of this ordinance. Adjustments to the annual fee may be made every year and if so made shall be calculated in accordance with a term permit fee schedule adopted by the City Council by Ordinance 123485. An Annual Fee Assessment Summary is attached for reference.

The Seattle City Council conceptually approved utility tunnels containing the site specific, below-grade heat conveyance system for the Acorn building(s) under Resolution No. 31545. Although the Resolution refers to utility tunnels, only utility lines will be installed in the right of way.

**2. CAPITAL IMPROVEMENT PROGRAM**

This legislation creates, funds, or amends a CIP Project.

**Project Name: Project I.D.: Project Location: Start Date: End Date: Total Cost:**

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**3. SUMMARY OF FINANCIAL IMPLICATIONS**

Please check one:

This legislation has direct financial implications. (

This legislation does not have direct financial implications.

<b>Budget program(s) affected:</b>				
<b>Estimated \$ Appropriation change:</b>	<b>General Fund \$</b>		<b>Other \$</b>	
	<b>2015</b>	<b>2016</b>	<b>2015</b>	<b>2016</b>
<b>Estimated \$ Revenue change:</b>	<b>Revenue to General Fund</b>		<b>Revenue to Other Funds</b>	
	<b>2015</b>	<b>2016</b>	<b>2015</b>	<b>2016</b>
			<b>\$8,305.25</b>	<b>TBD</b>
<b>Positions affected:</b>	<b>No. of Positions</b>		<b>Total FTE Change</b>	
	<b>2015</b>	<b>2016</b>	<b>2015</b>	<b>2016</b>
<b>Other departments affected:</b>				

**3.a. Appropriations**

This legislation adds, changes, or deletes appropriations.

<b>Fund Name and number</b>	<b>Dept</b>	<b>Budget Control Level Name/##*</b>	<b>2015 Appropriation Change</b>	<b>2016 Estimated Appropriation Change</b>
<b>TOTAL</b>				

Appropriations Notes:

**3.b. Revenues/Reimbursements**

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

**Anticipated Revenue/Reimbursement Resulting from this Legislation:**

<b>Fund Name and Number</b>	<b>Dept</b>	<b>Revenue Source</b>	<b>2015 Revenue</b>	<b>2016 Estimated Revenue</b>
Transportation Operating Fund 10310	Seattle Department of Transportation	Annual Fee	\$8,305.25	TBD
<b>TOTAL</b>				

Revenue/Reimbursement Notes: The 2016 fee will be based on 2016 King County assessed land values.

**3.c. Positions**

\_\_\_\_\_ This legislation adds, changes, or deletes positions.

**Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact:**

<b>Position # for Existing Positions</b>	<b>Position Title &amp; Department*</b>	<b>Fund Name &amp; #</b>	<b>Program &amp; BCL</b>	<b>PT/FT</b>	<b>2015 Positions</b>	<b>2015 FTE</b>	<b>Does it sunset? (If yes, explain below in Position Notes)</b>
<b>TOTAL</b>							

\* List each position separately

Position Notes:

**4. OTHER IMPLICATIONS**

- a) **Does the legislation have indirect or long-term financial impacts to the City of Seattle that are not reflected in the above?**  
No.
- b) **Is there financial cost or other impacts of not implementing the legislation?**  
If the legislation is not enacted by the City Council, the City of Seattle will not receive the annual fee of \$8,305.25. As previously stated, the City of Seattle has the option to adjust the fee amount on an annual basis.
- c) **Does this legislation affect any departments besides the originating department?**  
No.
- d) **Is a public hearing required for this legislation?**  
No.

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

No.

- f) **Does this legislation affect a piece of property?**

Yes, Westin Building Exchange at 2001 6th Avenue and the abutting Acorn Buildings, which properties are legally described in Section 1 of the Council Bill.

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

There are no perceived implications for the principles of the Race and Social Justice Initiative. This legislation does not impact vulnerable or historically disadvantaged communities.

- h) **If this legislation includes a new initiative or a major programmatic expansion: What are the long-term and measurable goals of the program? Please describe how this legislation would help achieve the program's desired goals.**

N/A

- i) **Other Issues:** N/A

**List attachments below:**

Attachment A - Acorn Development LLC Area Map  
Attachment B - Annual Fee Assessment Summary