

**SUMMARY and FISCAL NOTE\***

<b>Department:</b>	<b>Dept. Contact/Phone:</b>	<b>CBO Contact/Phone:</b>
City Light	Timothy Croll/206-963-5074	Greg Shiring/206-386-4085

*\* 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 relating to the City Light Department; declaring certain real property rights to be surplus to the needs of City Light; and authorizing the General Manager and Chief Executive Officer of City Light to execute an easement agreement with King County, allowing the temporary use of a portion of City Light property to resolve the encroachment of an existing structure located on the west side of Boeing Field within the Northeast Quarter of Section 29 Township 24 Range 4 and the Southeast Quarter of Section 29 Township 24 Range 4.

**Summary and background of the Legislation:** City Light owns a property between S. Myrtle St. and East Marginal Way S. in the Georgetown neighborhood, on which property was previously sited a flume for spent cooling water from City Light’s Georgetown Steam Plant. City Light is planning to request City Council approval of the transfer of jurisdiction of a portion of the Georgetown Steam Plant flume property to the Seattle Department of Parks and Recreation (“SPR”) and to Seattle Department of Transportation as part of the required public benefit portion of City Light’s petition to vacate a portion of Diagonal Ave South.

A recent survey of the property has indicated that a fence, part of a storage yard, a floodlight, and part of a storage building on King County (“KC”) property are encroaching on this City Light property and likely have been doing so for several decades. City Light and SPR have determined that it is in the City’s interest to resolve the encroachment prior to the jurisdiction for the property being transferred to SPR. KC has agreed to remove the fence and floodlight from City Light property at KC’s expense in consideration for City Light providing KC a temporary easement for the remaining 158 square foot encroachment by the corner of the storage building for the life of that building. The subsequent transfer of the underlying property from City Light to SPR would then be subject to the terms of this temporary easement.

**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? \_\_\_ Yes **X** 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.

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

Transferring the property from SCL to SPR in the future without first resolving this encroachment could create confusion about the future rights of SPR.

#### **4. OTHER IMPLICATIONS**

**a. Does this legislation affect any departments besides the originating department?**

By resolving a longstanding property encroachment, the legislation will facilitate the future transfer of property from SCL to SPR to allow the development of an off-leash area.

**b. Is a public hearing required for this legislation?**

RCW 35.94.040 requires a public hearing before the sale of any property originally acquired for public utility purposes. City Light will request that the City Council schedule the public hearing during the same Transportation and Utilities Committee meeting that this legislation will be considered.

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

No.

**d. Does this legislation affect a piece of property?**

Yes.

**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?**

No expected impacts on vulnerable or historically disadvantaged communities. No planned outreach or communication to the public for this legislation.

**f. Climate Change Implications**

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

The legislation will not directly affect carbon emissions, though it will facilitate the development of the off-leash area and trail segment in Georgetown which would help decrease carbon emissions by creating local recreation opportunities.

**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.**

No.

- 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).**

Not applicable.

**List attachments/exhibits below:**

Summary Attachment 1 – King County Easement Area