



Legislation Details (With Text)

File #: CB 120045 **Version:** 1 **Name:** CB 120045
Type: Ordinance (Ord) **Status:** Passed
In control: City Clerk

On agenda: 5/10/2021
Final Action: 5/13/2021 **Ord. No.** Ord 126328

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.

Sponsors: Alex Pedersen

Indexes:

Attachments: 1. Att 1 - Temporary Easement Agreement, 2. Summary and Fiscal Note, 3. Summary Att 1 – King County Easement Area, 4. Presentation (added 4/16/21), 5. Presentation, 6. Signed Ordinance 126328, 7. Affidavit of Publication

Date	Ver.	Action By	Action	Result
5/13/2021	1	City Clerk	attested by City Clerk	
5/13/2021	1	Mayor	returned	
5/13/2021	1	Mayor	Signed	
5/13/2021	1	City Clerk	submitted for Mayor's signature	
5/10/2021	1	City Council	passed	Pass
5/5/2021	1	Transportation and Utilities Committee	pass	Pass
4/21/2021	1	Transportation and Utilities Committee	discussed	
4/19/2021	1	City Council	referred	
4/15/2021	1	Council President's Office	sent for review	
4/14/2021	1	City Clerk	sent for review	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

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.

WHEREAS, City Light owns certain property between S. Myrtle St. and East Marginal Way S. in the Georgetown neighborhood of Seattle, on which City Light previously operated a flume for drainage of spent cooling water from the Georgetown Steam Plant to Slip 4 on the Duwamish Waterway until the flume was decommissioned in 2009 by City Light; and

WHEREAS, City Light is planning to request City Council approval of the transfer of jurisdiction of a portion of this property to the Seattle Department of Parks and Recreation (SPR) and to the Seattle Department of Transportation (SDOT) as part of the required public benefit portion of City Light's petition to vacate a portion of Diagonal Ave. South; and

WHEREAS, a recent survey performed by City Light has indicated that a fence, part of a storage yard, a floodlight, and part of a storage building on adjacent King County (KC) property encroach onto a small portion of this City Light property and likely have existed in their current location for many years; and

WHEREAS, City Light and SPR have determined that it is in the interest of the City to resolve these encroachments prior to the jurisdiction for the property being transferred to SPR; and

WHEREAS, 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 158 square foot encroachment by the corner of the storage building; and

WHEREAS, City Light has determined it has no further utility use for the 158 square feet of the surface of this property and desires to grant KC a temporary easement for the building encroachment; and

WHEREAS, the subsequent transfer of jurisdiction of the underlying property from City Light to SPR would then be subject to the terms of this temporary easement; and

WHEREAS, the City Council has held a public hearing in accordance with the requirements of RCW 35.94.040; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. After a public hearing and pursuant to RCW 35.94.040, those real property rights described

and depicted in the temporary easement agreement attached to this ordinance as Attachment 1 are declared to be no longer required for electric utility service and are surplus to the City's needs.

Section 2. The General Manager and Chief Executive Officer of City Light, or designee, is authorized to execute and grant to King County, for and behalf of The City of Seattle, a temporary easement agreement, substantially in the form of Attachment 1 to this ordinance.

Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2021, and signed by me in open session in authentication of its passage this _____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1 - Temporary Easement Agreement