



Legislation Text

File #: CB 119962, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to Seattle Public Utilities; authorizing the General Manager and Chief Executive Officer of Seattle Public Utilities to enter into a stormwater facility construction and maintenance agreement with the State of Washington and grant a non-exclusive easement to the State of Washington for the stormwater facility, upon, under, and across a portion of the south half of the northwest quarter of Section 3, Township 23 North, Range 4 East, W.M., King County, Washington.

WHEREAS, The City of Seattle (“City”), by and through its Seattle Public Utilities Department (SPU) owns a parcel of land adjacent to Interstate 5 north of the Boeing Access Road, which was purchased in 1993 to address the needs of the City’s South Norfolk Street Drainage Project (authorized by Ordinance 116785) and the State of Washington’s (“State”) Tukwila to Lucile St. High Occupancy Vehicle (HOV) and Surveillance, Control, and Driver Information (SC&DI) Stage 1 complementary drainage projects; and

WHEREAS, since time was of the essence, SPU granted the State a construction permit to proceed with construction of stormwater facilities while continuing to negotiate the terms of the Participating Agreement GM1119 between the City and the State; and

WHEREAS, SPU and the State unsuccessfully attempted to reach agreement on the construction and maintenance details of the joint drainage project; and

WHEREAS, SPU has not yet conveyed property rights to the State for the project; and

WHEREAS, the State proceeded to install the stormwater facility necessary for the Tukwila to Lucile St. HOV and SC&DI Stage 1 project on the parcel purchased by SPU, as well as on property owned by the State within the limited access of Interstate 5, based on the construction permit previously granted to the State by SPU; and

WHEREAS, SPU and the State have agreed that the most advantageous solution to the State's stormwater facility on SPU property is the sale of an easement for the existing stormwater facilities; and

WHEREAS, the General Manager and Chief Executive Officer of Seattle Public Utilities has recommended granting the easement; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The General Manager and Chief Executive Officer (CEO) of Seattle Public Utilities or the CEO's designee is authorized to execute for and on behalf of The City of Seattle a Stormwater Maintenance and Operation Agreement with the State of Washington, substantially in the form of Attachment 1 to this ordinance.

Section 2. Upon receipt of payment in the amount of \$6,100, the CEO of Seattle Public Utilities or the CEO's designee is authorized to execute for and on behalf of The City of Seattle an easement with the State of Washington, substantially in the form of the Easement for Access and Stormwater Treatment Facility, attached to this ordinance as Exhibit B to Attachment 1, granting a non-exclusive easement for access to and maintenance of stormwater facilities on City-owned Tax Parcel 0323049223.

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 _____, 2020, and signed by me in open session in authentication of its passage this _____ day of _____, 2020.

President _____ of the City Council

Approved by me this _____ day of _____, 2020.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2020.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1 - Stormwater Maintenance and Operation Agreement