

SUMMARY and FISCAL NOTE

Department:	Dept. Contact:	CBO Contact:
City Light	Andrew Strong	Christie Parker

1. BILL SUMMARY

Legislation Title:

AN ORDINANCE relating to the City Light Department; accepting Statutory Warranty Deeds to the Meyer Family Trust property in King County, and the Brown, Crawford for Lewis Estate, Crozier and McGown, Fulwiler, Hershaw, Ruble, Whitmore Properties, LLC, Lang and Sims properties, a Bargain and Sale Deed to the Kalkoske property, and a Quit Claim Deed to the Loney property in Skagit County, Washington, all for salmonid habitat protection purposes; ratifying acceptance of the Salmon Recovery Funding Board grants and funding for property acquisitions; declaring certain real property rights surplus and no longer required for providing public utility service or other municipal purposes; ratifying the City's grants of Deeds of Right to the State of Washington for the Brown, Crawford for Lewis Estate, Crozier and McGown, Fulwiler, Hershaw, Kalkoske, Loney, Whitmore Properties LLC, and Lang properties for salmon recovery and conservation purposes; placing said lands conveyed to the City under the jurisdiction of the City Light Department; and ratifying and confirming certain prior acts.

Summary and Background of the Legislation:

This legislation authorizes the General Manager and Chief Executive Officer to ratify acceptance of the Washington State Salmon Recovery Funding Board ("SRFB") grants and funding for property acquisitions, accept Statutory Warranty Deeds, a Bargain and Sale Deed, and a Quit Claim Deed for certain properties in King and Skagit Counties and ratifies the grants of Deeds of Right for nine of those properties to the SRFB for habitat protection purposes. All the properties were purchased as part of City Light's Endangered Species Act ("ESA") Early Action Program under the authority of Ordinance 121114. Both the Program and Ordinance stated criteria by which the City committed to assist in threatened species recovery and these properties meet the criteria by protecting salmonid habitat. Funding for the property acquisitions included \$860,000 in City Light funds and \$5,070,000 from SRFB. This legislation places the acquired properties under the jurisdiction of the City Light Department. The funding for these acquisitions was already budgeted and does not require new appropriations.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project?

☐ Yes ☒ No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation have financial impacts to the City?

☐ Yes ☒ No

3.d. Other Impacts

Does the legislation have other financial impacts to The City of Seattle, including direct or indirect, one-time or ongoing costs, that are not included in Sections 3.a through 3.c? If so, please describe these financial impacts.

City Light currently contracts for quarterly stewardship site visits to the properties, conducted by local salmon recovery groups. These site visits incur ongoing costs related to weed treatment, trash removal, and native plantings, all of which are currently paid for through City Light's Endangered Species Act (ESA) Lands Program budget.

If the legislation has costs, but they can be absorbed within existing operations, please describe how those costs can be absorbed. The description should clearly describe if the absorbed costs are achievable because the department had excess resources within their existing budget or if by absorbing these costs the department is deprioritizing other work that would have used these resources.

Please see description above. These costs are to improve and/or maintain the salmon habitat benefits for which the property was purchased. These costs are within the existing program budget and are not deprioritizing other work.

Please describe any financial costs or other impacts of *not* implementing the legislation.

City Light would be out of compliance with the terms of the signed grants with the SRFB. This may ultimately result in a loss of the award for the properties and subject City Light to funding the purchase of the properties with other resources, including but not limited to ratepayer funds.

Please describe how this legislation may affect any City departments other than the originating department.

This legislation is not expected to affect any other City departments.

4. OTHER IMPLICATIONS

a. Is a public hearing required for this legislation?

Yes.

b. Is publication of notice with The Daily Journal of Commerce and/or The Seattle Times required for this legislation? No.

c. Does this legislation affect a piece of property? Yes, this legislation affects parcels outside of Seattle in King and Skagit County. Maps are provided as Attachments 1 and 2.

d. Please describe any perceived implication for the principles of the Race and Social Justice Initiative.

- i. How does this legislation impact vulnerable or historically disadvantaged communities? How did you arrive at this conclusion? In your response please consider impacts within City government (employees, internal programs) as well as in the broader community.**

Most of the properties are vacant lands. Those that have structures are usually located within the floodplain and were built before current permitting which would have prevented their construction. In two instances, renters were present on the property, and we followed federal and state relocation requirements to relocate the individuals, all to equal or better housing situations, as required by law.

City government will not be impacted. The broader community is not impacted as we work with willing individual private sellers.

- ii. Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.**

The acquisitions are with willing sellers, so a Racial Equity Toolkit or other racial equity analysis was not developed. Additionally, the two purchases that impacted renters were or are being made whole by the relocation process.

- iii. What is the Language Access Plan for any communications to the public?**

Not applicable to this ordinance.

e. Climate Change Implications

- i. Emissions: How is this legislation likely to increase or decrease carbon emissions in a material way? Please attach any studies or other materials that were used to inform this response.**

This legislation will likely have a neutral impact on emissions, with an overall slight decrease over time. Trees will be planted on the properties, capturing carbon, but to make a measurable difference, the trees would have to be fully mature. Trees planted on the properties in the next few years will not fully mature for upwards of 60-80 years.

- ii. 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.**

These property transfers will neither increase nor decrease Seattle's resiliency as the properties are located outside of Seattle's city limits.

- f. 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)? What mechanisms will be used to measure progress towards meeting those goals?**

The legislation does not include a new initiative or a major programmatic expansion.

- g. Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization? No.**

5. ATTACHMENTS

Summary Attachments:

Summary Attachment 1 – SCL ESA Lands Map King County

Summary Attachment 2 – SCL ESA Lands Map Skagit/Snohomish Counties