

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Seattle Department of Transportation	Angela Steel/684-5967	Christie Parker/684-5211

Legislation Title:

AN ORDINANCE granting King County Department of Natural Resources and Parks Wastewater Treatment Division permission to locate, construct, maintain, and operate underground injection control wells and associated green stormwater infrastructure systems on selected blocks within the project area bounded by 35th Avenue Southwest to the west, Southwest Othello Street to the north, 30th Avenue Southwest to the east, and Southwest Barton Street to the south; for an unlimited term; specifying the conditions under which this permit is granted; and providing for the acceptance of the permit and conditions.

Summary of the Legislation:

This legislation grants the King County Department of Natural Resources and Parks, Wastewater Treatment Division (KCWTD) permission to locate, construct, maintain, and operate underground injection control (UIC) wells and associated green stormwater infrastructure systems to reduce stormwater flows to the combined sewer system and the frequency of combined sewer overflow (CSO) events at King County's Barton CSO outfall to Puget Sound.

KCWTD has determined that installing and implementing the UIC wells and associated green stormwater infrastructure systems are KCWTD's preferred option for complying KCWTD's National Pollution Discharge Elimination System Waste Discharge Permit No. WA-002918-1 for the West Point Wastewater Treatment Plant that requires KCWTD limit CSO events to Puget Sound at the Barton Street Pump Station to no more than one overflow per year.

KCWTD will be regulated under the UIC well program of the Washington State Department of Ecology in Washington Administrative Code Chapter 173-218 and under other legal requirements.

The UIC wells and associated green stormwater infrastructure systems will be constructed entirely within City right-of-way according to City standards and Seattle Municipal Code Chapters 22.800-22.808 that requires projects implement green stormwater infrastructure to the maximum extent feasible. The project site is on selected blocks within 35th Avenue SW to the west, Southwest Othello Street to the north, 30th Avenue Southwest to the east and Southwest Barton Street to the south. A map identifying this area can be found in Attachment A to the ordinance.

This permit is for an unlimited term for so long as the GSI systems are used to reduce stormwater flows to City combined sewers and reduce the frequency of combined sewer overflows to Puget Sound at the Barton CSO outfall, subject to the right of the City to require the removal of the GSI systems or to revise any of the terms and conditions of the permission granted by this permit. After five years from the effective date of this ordinance, the SDOT Director in consultation with the SPU Director shall assess the effectiveness of the GSI systems and determine if any amendments to this ordinance should be made. During the lifetime of the GSI system, the SDOT Director in consultation with the SPU Director may further assess the effectiveness of the GSI systems and determine if additional amendments to this ordinance are desired or necessary. 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 KCWTD pay the City an annual fee beginning on January 1, 2014 and annually thereafter. The \$132.61 annual fee is based on the square footage of the UIC structures installed as part of GSI Drainage Area-Phase I-A as depicted in Attachment A to the ordinance. In 2015, the annual fee shall be adjusted based on the construction of the UIC structures as part of the GSI Drainage Area-Phase I-B as depicted in Attachment A. If it is determined that additional UIC structures will be constructed as part of GSI Drainage Area-Phase II, the annual fee shall be adjusted in 2016.

Adjustments to the annual fee may be made every year and if so made shall be calculated according to the term permit fee schedule adopted by Ordinance 123485. An Annual Fee Assessment Summary is attached for reference.

As part of the annual term permit fee, an additional \$688 fee shall be assessed for the first two years of the permit's annual fee assessment to cover the City's cost to map the GSI systems in the City's geographic information system. This fee is based on the \$172 hourly rate established by the current SDOT Street Use Permit Fee Schedule and may be adjusted accordingly.

As provided for in the vegetation management requirements in Section 15 of the ordinance, an annual inspection fee from SDOT Urban Forestry Division shall be assessed as part of the annual term permit fee assessment for three years of each phase of the permit to ensure the establishment and healthy condition of the vegetation placed in the Public Place. This fee is based on the \$172 hourly rate established by the current SDOT Street Use Permit Fee Schedule and may be adjusted accordingly. In 2015, an additional annual fee of \$7,568 shall be assessed as part of GSI Drainage Area-Phase I-A per year for three years. In 2016, an additional fee of \$7,568 shall be assessed as part of GSI Drainage Area-Phase I-B per year for three years. If additional GSI systems are constructed as part of Phase II, additional inspection fees shall be assessed accordingly.

Background:

By Resolution 31442, the City granted conceptual approval for the GSI systems project.

Please check one of the following:

X This legislation has financial implications.

Appropriations: N/A

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Department	Revenue Source	2013 Revenue	2014 Revenue
Transportation Operating Fund 10310	Seattle Department of Transportation	Annual Fee and GSI System Fee	\$0	\$820.61
TOTAL			\$0	\$820.61

Revenue/Reimbursement Notes: N/A

Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact: N/A

Do positions sunset in the future? No

Spending/Cash Flow: N/A

Other Implications:

- a) **Does the legislation have indirect financial implications, or long-term implications?**
 If the legislation is not approved by City Council, KCWTD would be out of compliance with their NPDES permit.
- b) **What is the financial cost 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 as described above. 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) **What are the possible alternatives to the legislation that could achieve the same or similar objectives? None**
- e) **Is a public hearing required for this legislation? No**
- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation? No**
- g) **Does this legislation affect a piece of property? Yes, an area map is attached to the ordinance for reference.**

h) Other Issues: None

List attachments to the fiscal note below:

Attachment A – Annual Fee Assessment Summary

Attachment A - Annual Fee Assessment Summary

STREET USE ANNUAL FEE ASSESSMENT

Date: 6/21/13

<p><u>Summary:</u> Land Value: \$14.42/SF 2014 Permit Fee: \$132.61</p>
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I. Property Description:

The King County Department of Natural Resources and Parks, Wastewater Treatment Division has proposed the construction of underground injection control (UIC) wells and associated green stormwater infrastructure systems on selected blocks bounded by 35th Avenue SW to the west, SW Othello Street to the north, 29th Avenue SW to the east and SW Barton Street to the south. The project will be installed in two phases. The first will be completed in 2014 and the UIC structures will comprise **383.2 square feet**.

Applicant:

King County Department of Natural Resources and Parks, Wastewater Treatment Division

Abutting Parcels, Property Size, Assessed Value:

1. Parcel 8122100295, Square Feet 5,796
Tax year 2013 Appraised Land Value \$85,000
2. Parcel 9269200160, Square Feet 7,380
Tax year 2013 Appraised Land Value \$90,000
3. Parcel 4364200135, Square Feet 7,680
Tax year 2013 Appraised Land Value \$92,000
4. Parcel 8122100585, Square Feet 5,789
Tax year 2013 Appraised Land Value \$82,000
5. Parcel 9269200530, Square Feet 5,696
Tax year 2013 Appraised Land Value \$82,000
6. Parcel 1932300740, Square Feet 3,657

Tax year 2013 Appraised Land Value \$72,000

7. Parcel 4363700105, Square Feet 7,500

Tax year 2013 Appraised Land Value \$92,000

8. Parcel 1932300245, Square Feet 160,736

Tax year 2013 Appraised Land Value \$2,571,700

Average 2013 tax assessed land value: \$14.42/SF

II. Annual Fee Assessment:

The 2014 permit fee is calculated as follows:

$(\$14.42/\text{SF}) \times (383.2 \text{ SF}) \times (30\%) \times (8\%) = \boxed{\$132.61}$ where 30% is the degree of alienation for a below-grade utility structure and 8% is the annual rate of return.

Fee methodology authorized under Ordinance 123485.