

CITY OF SEATTLE
RESOLUTION 31424

A RESOLUTION related to the City Light Department; adopting revised procedures for determining the appropriate disposition of surplus properties under the jurisdiction of City Light; suspending the requirements of Resolution Nos. 29799 and 30862 for the processing of such properties; and requesting that City Light report back to the City Council on the outcome of circulation to other City departments and other public agencies, and on the community outreach required by the revised procedures, together with City Light's recommendations for the appropriate disposition for the properties considered under such procedures.

WHEREAS the City Council established policies and procedures in Resolution Nos. 29799 and 30862 to provide for an orderly, transparent, and inclusive process for determining the appropriate disposition of properties owned by the City but which are deemed surplus to the City department holding jurisdiction over such properties; and

WHEREAS City Light has numerous former neighborhood 4kv substation properties that became part of the utility's inventory of surplus property when the utility moved to the larger more centralized 26kv substation system, making the utility an ideal candidate for a more community-based disposition process; and

WHEREAS by Resolution No. 31317 the City Council requested that City Light conduct a Surplus Property Disposition Pilot Project (the Surplus Pilot Project) to test an alternative process for determining the appropriate disposition of surplus utility properties; and

WHEREAS City Light submitted a report on the Surplus Pilot Project to the City Council dated August 6, 2012, and based on this report and the recommendations of City Light, the City Council authorized the sale of the six properties considered in the Surplus Pilot Project by Ordinance No. 124013; and

WHEREAS City Light and the Department of Finance and Administrative Services have submitted a second report on the Surplus Pilot Project to the City Council dated November 30, 2012, and subject to minor changes, have recommended that the procedures tested in the Surplus Pilot Project be used to determine the appropriate disposition for additional surplus properties under the jurisdiction of City Light;
NOW, THEREFORE,



**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE
MAYOR CONCURRING, THAT:**

Section 1. The Seattle City Council requests that the City Light Department ("City Light") conduct additional studies to consider and make recommendations for the appropriate disposition of surplus properties under the jurisdiction of City Light, in accordance with the "Procedures for Circulation, Public Outreach, and Public Hearings for Disposition of Surplus Properties under the Jurisdiction of Seattle City Light," attached as Exhibit A to this resolution.


Section 2. To the extent practicable, the surplus properties should be considered for appropriate disposition in a geographic group. In accordance with the revised procedures, City Light will first conduct a circulation process to determine if the Surplus Properties are needed for other City purposes, or by other public agencies for public purposes, all as described in the procedures attached to this resolution as Exhibit A. City Light will also provide public notice, conduct community outreach to nearby residents, property owners, and community groups, and conduct public hearings pursuant to RCW 35.94.040, all as further described in said Exhibit A.

Section 3. Upon conclusion of the circulation, community outreach, and public hearings described in Section 2, City Light will provide a report on these activities to the Seattle City Council, together with recommendations for disposition for the surplus properties under consideration and legislation necessary to implement those recommendations.

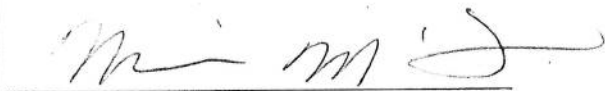


Section 4. The disposition procedures set forth in Resolution Nos. 29799 and 30862 are suspended for the surplus properties under the jurisdiction of City Light and being considered for disposition under the procedures described in Exhibit A to this resolution.

Adopted by the City Council the 14th day of January, 2013, and signed by me in open session in authentication of its adoption this 14th day of January, 2013.

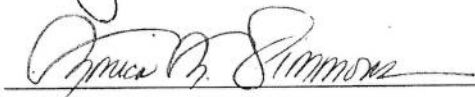

President _____ of the City Council

THE MAYOR CONCURRING:



Michael McGinn, Mayor

Filed by me this 24th day of January, 2013.


Monica Martinez Simmons, City Clerk

(Seal)

Exhibit A: Procedures for Circulation, Public Outreach, and Public Hearings for Disposition of Surplus Properties under the Jurisdiction of Seattle City Light



Exhibit A

Procedures for Circulation, Public Outreach, and Public Hearings For Disposition of Surplus Properties under the Jurisdiction Seattle City Light

The purpose of these procedures is to build on the successful experience of the Seattle City Light Surplus Property Disposition Pilot Project, and to provide effective procedures for vetting and making recommendations for the disposition of surplus City Light properties.

The underlying objectives of these procedures remain the same as in the Surplus Pilot Project: a) to provide other City departments and other public agencies an opportunity to acquire surplus properties under the jurisdiction of City Light; b) to provide an opportunity for neighboring owners, residents, and community groups to provide input on the proposed disposition of these properties; and c) to provide recommendations to the Seattle City Council for the eventual disposition of these properties.

These procedures are intended to replace the procedures in Resolution Nos. 29799 and 30862 for surplus properties under the jurisdiction of Seattle City Light, to improve the community outreach process, and to provide interested citizens and community groups with additional information on disposition issues.

Grouped Processing of Properties

City Light's surplus properties will be vetted in small groups based on geographic locations. In addition to more efficient use of City staff time, the Surplus Pilot Project demonstrated that such groupings can provide individual citizens and community groups with a wider perspective and better appreciation of surplus properties and disposition opportunities in their neighborhoods.

Circulation to Other City Departments and Other Public Jurisdictions

City Light will circulate complete descriptions of the surplus properties under study to all other City departments. Other City departments will have first priority to acquire a surplus property to meet City needs. The surplus properties will also be circulated to other public jurisdictions which may be interested in acquiring a property. Other public jurisdictions will have the second priority to acquire a surplus property to meet public needs.

The requesting City department or other public jurisdiction must identify a specific fund source for payment for the property, and there must be a reasonable expectation that the transfer can be completed within the next budget cycle after the property is identified.



Dave Barber
SCL, Surplus Prop Disp, RES EXH A
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Coordination with Department of Neighborhoods

City Light will coordinate its community outreach with the Department of Neighborhoods (DON) and will attend a meeting of each Neighborhood District Council or similar community group recommended by DON having representation within the geographic area of the surplus properties being considered for disposition. At the District Council meetings, City Light will advise the member neighborhood groups of the proposed disposition, opportunities for public comment, and the upcoming public hearing concerning such disposition.

City Light will attend a meeting of any member neighborhood group making such request to discuss any proposed dispositions in their neighborhoods. The DON District Coordinators would be expected to recommend other interested stakeholders as well.

Community Information Meetings

City Light will host at least one community information meeting, in addition to attending District Council meetings and meetings with individual community groups as requested, prior to conducting a formal public hearing.

City Light will invite the Department of Parks and Recreation (Parks), the Department of Planning and Development (DPD), and the Seattle Department of Transportation (SDOT) to provide representatives at each community information meeting. The Parks representative would discuss and answer questions about how the need for new parks is determined, and how new parks and park development are funded. The DPD representative would answer any questions about development under existing zoning and land use permitting. The SDOT representative would answer questions about traffic and parking impacts.

At each community meeting and at the public hearing, City Light will advise the attendees of:

** The history of each surplus property proposed for disposition within the hearing area, why the property is surplus to City Light needs, and the results of circulation to other City departments and other public agencies; and

** The requirements of RCW 43.09.210, the State Accountancy Act, the requirements of RCW 35.94.040, pertaining to sales of utility properties, City Charter provisions pertaining to the disposal of City property, the judicial precedents of *Okeson v. City of Seattle* (I and II), and *Lane v. City of Seattle*, and the disposition procedures authorized by Resolution.

** Opportunities to speak and how to submit written comments. City Light will maintain a record of all public testimony, written comments, and attendance and speaker sign-in sheets.



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** City Light will inform the attendees that they may also contact the City Council directly with any concerns and will provide contact information.

City Light Website

City Light will publicize each disposition process on the City Light website in the City of Seattle Public Access Network (PAN). The website will provide descriptions of the properties, a schedule of informational meetings and public hearings, and a means for submitting public comments.

Public Hearings

Following circulation to other City departments and other public jurisdictions, and after the community information meetings, City Light will conduct one public hearing to solicit public comments for each geographic group of surplus properties. These hearings are intended to fulfill the City's obligation pursuant to RCW 35.94.040 to conduct a public hearing prior to the sale or other conveyance of real property acquired for a public utility purpose.

At least one month prior to each public hearing, City Light will provide written notification of the surplus status, disposition process, and opportunities for public comment, to each person owning property or living within 700 feet of a surplus property proposed for disposition. A sign will be posted on each property to provide the same notification. A notice of the hearing will be published on two separate dates in a newspaper of record.

Reconsideration of Non-Utility Public Uses

At the conclusion of each public hearing, if any uses are proposed which would require the transfer of a property to another City department, such as park, community garden, or other non-utility use, City Light shall request such department to consider such proposal (to reconsider its determination in the earlier circulation), particularly with regard to how the proposed use would be consistent with citywide or local needs, and the availability of funds to effect a transfer.

Support to be Provided by Finance and Administrative Services

Seattle City Light will coordinate with the Department of Finance and Administrative Services (FAS) to obtain support in performing these procedures to the fullest extent that FAS staff resources and expertise will permit.

Recommendations to the City Council



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At the conclusion of each public hearing, and following reconsideration of any proposals for non-utility public uses, City Light will submit a report to the City Council on the circulation, community outreach, and community comments and suggestions, together with a recommendation for disposition of each specific property, and the necessary legislation to implement those recommendations.

All members of the public and all community groups which have participated in the review of a surplus property shall be advised of the findings and recommendations of City Light regarding such property, before the report on such findings and recommendations is submitted to the City Council.

