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# Discussion of Ordinance No. 966 – Amending SMC Chapter 13.20 to Add a New Section SMC 13.20.060 – Deferred Underground Facilities

John Norris, Assistant City Manager

May 23, 2022



# Background

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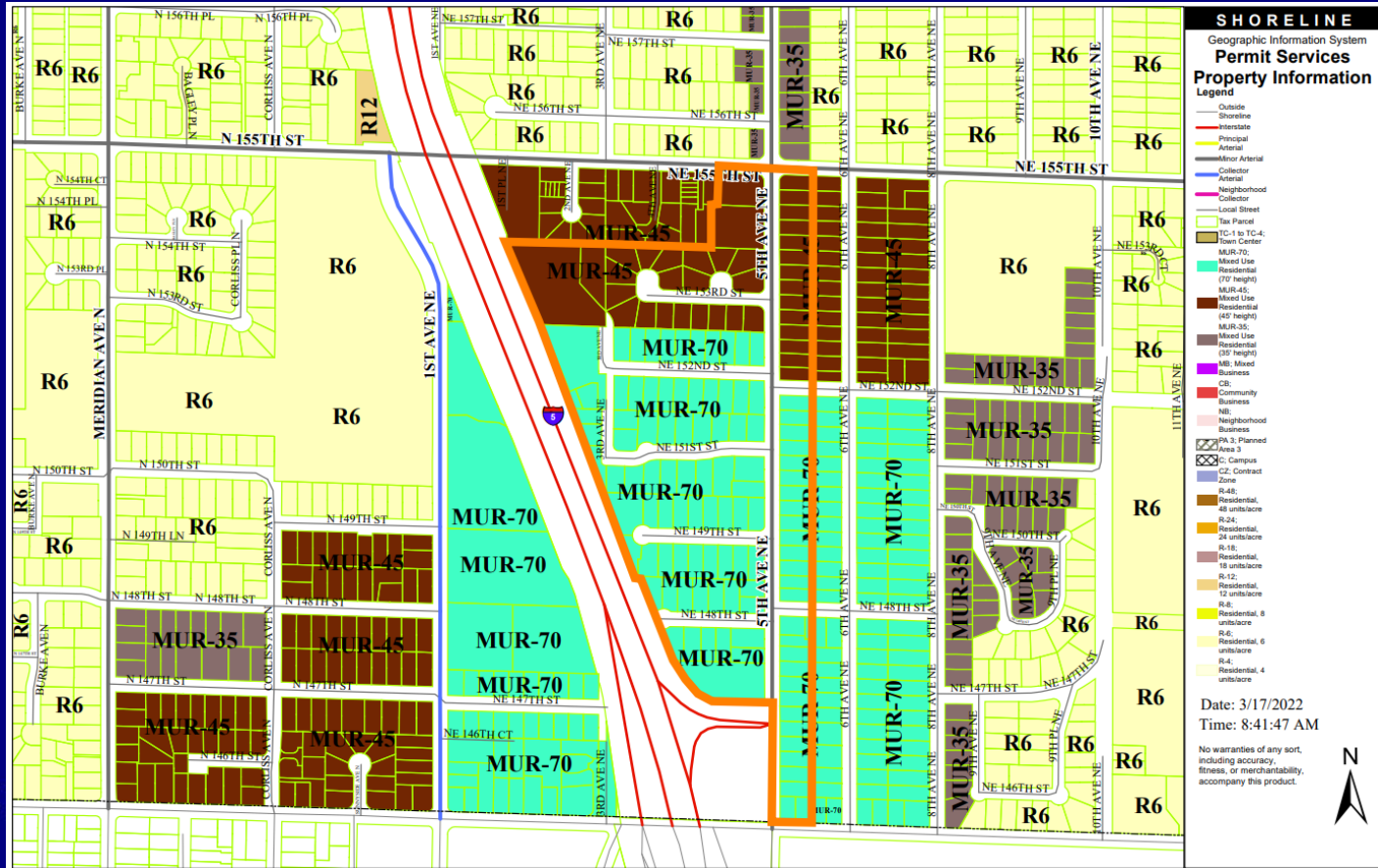
- Prior discussion February 28 regarding undergrounding in the 148<sup>th</sup> Station area and SCL Duct Bank Project
- Need in the 148<sup>th</sup> Station area for both:
  - Overhead *temporary construction* 3-phase power, and
  - Overhead *Interim operational* 3-phase power until the first 10 blocks of the SCL 5<sup>th</sup> Avenue Duct Bank Project is complete
- Temporary construction power addressed on March 7<sup>th</sup> - Ord. No. 958

# Ordinance No. 966

- Addresses overhead interim operational 3-phase power
- Requires Deferred Underground Facilities Agreement (DUFA) between City/developer
- DUFA term would be 5 years; allows for a 2-year extension and potential for additional extensions at City discretion.
- Requires developer to install underground infrastructure to for future permanent underground service connection and initiate a permit application for SCL to make the underground connection to their development if SCL does not automatically do this



# DUFA Designated Area



# Ordinance No. 966

- Electrical Utility Service Provider (SCL) Requirements:
  - Ensure that interim poles are designed and constructed to not preclude future full development of adjacent sites
  - Upon completion of undergrounding, remove the interim poles and wires within proscribed timelines
  - Provides for enforcement provisions

# Stakeholder Input/ Staff Proposed Amendment

- Proposed Code reviewed by Seattle City Light, Sound Transit, AAA Management, Spectrum Development Solutions, and GPA, LLC.
- Some feedback from these stakeholders has been incorporated proposed Code.
- Seattle City Light provided additional feedback on Subsection 13.20.060(1)(2) regarding the timelines for interim pole removal
  - Staff has proposed amendment to this section based on this information



# Recommendation

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- No action is required tonight.
- Staff recommends Council adopt Ord. No. 966 when it is brought back to Council for potential action on June 6<sup>th</sup> with staff-recommended amendments as discussed tonight.



# Proposed Amended Code Language – SMC 13.20.060(I)(2)

*Upon completion of the electrical utility provider's pending capital underground project, the interim overhead electrical facilities shall be deemed abandoned and shall be removed from the right-of-way at the electrical utility provider's sole expense ~~no later than ninety (90) calendar days of such connection~~, provided that the City may grant an exemption to the removal of the interim overhead facilities if those facilities are necessary to serve existing development. The electrical utility provider shall remove their interim overhead electrical wires and other electrical fixtures and equipment from the interim electrical utility poles within sixty (60) calendar days of the completion of their capital underground project. All non-electrical facility attachers shall then remove their facilities from the interim electrical utility poles within 180 calendar days of the electrical utility provider's removal of their electrical wires. The electrical utility provider shall then remove their interim electrical utility poles within sixty (60) calendar days of the final non-electrical facility attacher removing their facilities.*

