

SUMMARY and FISCAL NOTE*

Department:	Contact Person/Phone:	Executive Contact/Phone:
Seattle Public Utilities	Rick Johnson / 3-7861	Aaron Blumenthal / 3-2656

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to acquire by negotiation land and all other necessary property rights in the Taylor Creek area at 10018 Rainier Avenue South, Seattle, Washington, for addressing the identified need for permanent and temporary construction easements for the new alignment of the culvert crossing Rainier Avenue South, and to execute, accept, and record deeds and convenient documents and agreements deemed by the Director to be necessary to this transaction on behalf of the City; placing the conveyed real properties under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.

Summary and background of the Legislation: The City’s 1995 Comprehensive Drainage Plan Update called for stream enhancement and storm water control, wetland and fish enhancement, and drainage improvements on Taylor Creek. The proposed legislation authorizes Seattle Public Utilities (SPU) to acquire a property near Taylor Creek, as part of a project to open Taylor Creek to fish passage and manage sediment.

Purchasing this property will give SPU significantly more flexibility in designing fish passage solutions via the new-fish passable culvert. Rather than being forced to work with the creek’s existing alignment, the creek can be re-routed through a portion of the parcel. The new creek route will allow SPU to adjust the grade, remove the upstream fish passage barrier, widen the riparian buffer and make smoother connections to the culvert under Rainier Avenue South.

3. SUMMARY OF FINANCIAL IMPLICATIONS

 x This legislation has direct financial implications.

Budget program(s) affected:				
Estimated \$ Appropriation change:	General Fund \$		Other \$	
	2016	2017	2016	2017
			\$475,000	
Estimated \$ Revenue change:	Revenue to General Fund		Revenue to Other Funds	
	2016	2017	2016	2017
Positions affected:	No. of Positions		Total FTE Change	
	2016	2017	2016	2017
Other departments affected:				

3.a. Appropriations

 x This legislation adds, changes, or deletes appropriations.

Fund Name and number	Dept	Budget Control Level Name/#*	2016 Appropriation Change	2017 Estimated Appropriation Change
Drainage & Wastewater Fund 44010	SPU	Protection of Beneficial Uses/C333B	\$475,000	
TOTAL			\$475,000	

**See budget book to obtain the appropriate Budget Control Level for your department.*

Appropriations Notes:

Per an agreement with the seller, the property will be purchased for the appraised price of \$475,000. The 2016 budget includes a \$400,000 appropriation for the Taylor Creek project for project costs relating to options analysis. As such, an additional \$475,000 is being requested.

4. OTHER IMPLICATIONS

a) Does the legislation have indirect or long-term financial impacts to the City of Seattle that are not reflected in the above?

Pursuant to a state regulations SPU is obligated to maintain and constructed project features such as the re-aligned creek channel and riparian buffer on property owned by the City. State permit regulations require the structures be fish passable in perpetuity and that 80% of installed plants are alive at the end of the 3-year plant establishment period. Funds will be budgeted for maintenance and monitoring of the site for the 5-year plant establishment period of 2022 – 2026.

Long-term commitments with financial obligations:

- SPU will be responsible for periodic inspections during the first 5 years (2022-2026) to ensure the constructed features on SPU properties remain fish passable. The project is designed to function naturally, with as minimal, active management as can be expected in an urban environment.

- The project is being completed with the Seattle Parks and Recreation Department. Parks and SPU are discussing how long-term management of the project will be completed. Either Parks or SPU will take long term ownership and responsibility for this parcel.
 - The party with long-term ownership will be responsible for ensuring the structures placed in stream including log and rock weirs remain fish-passable.
 - The owner is responsible for permanent monitoring and maintenance of the bridge structure to ensure it is structurally sound and does not become a barrier to fish passage.

b) Is there financial cost or other impacts of not implementing the legislation?

If this legislation is not implemented, SPU's ability to align the new fish passable culvert within this vicinity of Taylor Creek would be reduced. Not acquiring the property will reduce SPU's design flexibility, possibly requiring SPU to reroute the Taylor Creek through the adjacent Lakeridge Park play field. This could increase project cost by an estimated \$1 -\$1.5 million.

c) Does this legislation affect any departments besides the originating department?

The project is being completed in partnership with the Seattle Parks and Recreation Department. Either Parks or SPU will take long term ownership and responsibility for this parcel.

d) Is a public hearing required for this legislation?

No.

e) Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?

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. See Exhibit A.

h) Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?

No. The property is vacant and the owner wants to sell.

- i) If this legislation includes a new initiative or a major programmatic expansion:
What are the long-term and measurable goals of the program? Please describe how
this legislation would help achieve the program's desired goals.**

NA

- j) Other Issues:**

NA

List attachments/exhibits below:

Exhibit A: Map of Taylor Creek Property