

SUMMARY AND FISCAL NOTE*

Department:	Contact Person/Phone:	Executive Contact/Phone:
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** 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 Parks and Recreation; authorizing the Superintendent of Parks and Recreation to execute a five-year concession agreement with Gary Warhaftig, d/b/a Point of View Telescopes, to manage, maintain, and provide coin-operated telescopes at various City-owned park facilities.

Summary and background of the Legislation: The proposed legislation authorizes the Superintendent of Seattle Parks and Recreation (Superintendent) to enter into a five-year concession agreement with Gary Warhaftig, D/B/A Point of View Telescopes (POV). Under the terms of this agreement, POV will manage, maintain and provide coin-operated telescopes at various park facilities. The proposed bill also authorizes options to extend the initial term of the agreement for two additional 5-year terms at the discretion of the Superintendent.

- **Background:** Seattle Parks and Recreation (SPR) has provided coin-operated telescopes to park patrons through concession agreements for over 30 years. They have proven to be a popular feature in our park system for both residents and visitors. The last vending agreement expired in December 2015 in which an extension was granted until October 2016 to the current vendor so that SPR could do a Request for Proposal (RFP) process. A publicly advertised RFP process was issued in fall 2015 and completed in November 2015. There was only one proposal submitted from Gary Warhaftig, D/B/A Point of View Telescopes (POV) which was eventually recommended and approved as the winning proposer. POV met all requirements as set forth in the RFP. The new lease provides SPR with payments in two scenarios: 1) a monthly fee for each complete telescope installation on Department property equal to either a minimum payment of \$30.00 or twenty-five percent (25%) of total monthly sales for each telescope, whichever is greater during peak months from May through October. 2) Monthly rental payment to the Department for non-peak months from November through April per telescope located on SPR property shall be the greater of \$5.00 or twenty-five percent (25%) of total monthly sales. Projected revenue estimated to be \$2300 annually. In addition POV will manage and maintain all installed telescopes.

2. CAPITAL IMPROVEMENT PROGRAM

This legislation creates, funds, or amends a CIP Project.

3. SUMMARY OF FINANCIAL IMPLICATIONS

This legislation has direct financial implications.

Budget program(s) affected:				
Estimated \$ Appropriation change: n/a	General Fund \$		Other \$	
	2016	2017	2016	2017
Estimated \$ Revenue change:	Revenue to General Fund		Revenue to Other Funds	
	2016	2017	2016	2017
	\$0	\$0		
Positions affected: n/a	No. of Positions		Total FTE Change	
	2016	2017	2016	2017
Other departments affected:				

The proposed legislation continues current revenue from the existing telescope lease; there is no anticipated revenue increase.

3.a. Appropriations

This legislation adds, changes, or deletes appropriations.

3.b. Revenues/Reimbursements

This legislation adds, changes, or deletes revenues or reimbursements.

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Dept.	Revenue Source	2016 Revenue	2017 Estimated Revenue
Park and Recreation Fund (10200)	DPR	Telescope lease	\$2,300	\$2,300
TOTAL			\$2,300	\$2,300

Revenue/Reimbursement Notes: This legislation and lease with POV is anticipated to continue a projected \$2,300 annually for the next two years.

3.c. Positions

_____ This legislation adds, changes, or deletes positions.

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?**
No.
- b) **Is there financial cost or other impacts of not implementing the legislation?**
Seattle Parks and Recreation would forgo at least \$11,500 in revenue over the five years of the lease. There also would be a loss of a current amenity in Seattle parks for the community and park patrons.
- c) **Does this legislation affect any departments besides the originating department?**
No.
- 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 to the Concession Agreement.
- 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?**
N/A.
- 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.**
No.
- j) **Other Issues:**
None.