

## **SUMMARY and FISCAL NOTE\***

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>Executive Contact/Phone:</b>
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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 the Seattle Public Utilities Department; authorizing the Director of Seattle Public Utilities to grant the City of Kenmore limited permission to construct and manage a non-motorized, public recreational trail on a portion of utility property in the Tolt Pipeline Right of Way; and authorizing the Director to execute an agreement for this property use.

**Summary and background of the Legislation:** This legislation authorizes Seattle Public Utilities to execute an agreement with the City of Kenmore. The agreement grants permission for Kenmore to build and manage a public trail for non-motorized uses on a portion of the Tolt water supply pipeline right of way within the Kenmore city limits. The term of the agreement is 20 years, with provision for mutually-agreed extensions up to an additional 20 years, for a total of 40 years. Council approval would be required for extensions exceeding this threshold.

SPU granted Kenmore a non-exclusive road easement involving the same property in 2003. Kenmore has not built a road and now wants to build a trail on the property. The proposed recreational trail agreement ensures if Kenmore decides to build a road on the property, Kenmore would have to remove the trail at its own expense and the recreational trail agreement would be terminated.

While SPU is not charging a use fee, Kenmore will not exercise its right to build a road in the location while there is a trail there. In addition, Kenmore will maintain the trail and drainage improvements it is constructing as part of the project, and will mow the grass on the entire width of the involved Tolt pipeline right of way, a task currently performed by SPU crews. Since the trail will be open to the public, SPU customers will also be able to use the trail.

### **2. CAPITAL IMPROVEMENT PROGRAM**

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

### **3. SUMMARY OF FINANCIAL IMPLICATIONS**

☒ This legislation does not have direct financial implications.

### **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?

SPU will avoid minor costs associated with maintaining this small stretch of pipeline right-of-way.

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

If the legislation is not implemented, Kenmore would not be able to build a recreational trail on the property.

**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

**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

**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.**

N/A

**j) Other Issues:**

**List attachments/exhibits below:**

Summary Attachment A – Vicinity Map