

## SUMMARY and FISCAL NOTE

<b>Department:</b>	<b>Dept. Contact:</b>	<b>CBO Contact:</b>
Seattle Public Utilities	Leana Aguila	Akshay Iyengar

### 1. BILL SUMMARY

**Legislation Title:** AN ORDINANCE relating to Seattle Public Utilities; authorizing the General Manager and CEO of Seattle Public Utilities to accept slope stabilization easements within two parcels of private property identified as King County Parcel Number 6844703215 located at 3822 NE 91st Street, and King County Parcel Number 6844703295 located at 3832 NE 91st Street; placing the properties under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.

**Summary and Background of the Legislation:** This ordinance would authorize the General Manager and CEO of Seattle Public Utilities to accept permanent slope easements over two parcels of private property needed for the NE 91st Street Culvert and Slope Stabilization Project. A slope stabilization easement is a permanent property right allowing Seattle Public Utilities to construct and maintain slope stabilization and drainage infrastructure on a limited part of private property.

In 2022 SPU determined that a culvert conveying street runoff to Maple Creek at the end of NE 91st Street had partially failed at the top of a steep slope. The steep slope also exhibited signs of instability with a void extending from the top of the slope to the bottom of the ravine behind the culvert outlet and a visible one-foot drop at the top of the slope indicating ground movement and instability. In 2023, SPU installed a temporary culvert to safely convey stormwater away from the unstable slope area. The permanent solution involves construction of a Reinforced Soil Slope (RSS) to stabilize the steep slope, on portions of two adjacent properties, with easements needed from the property owners. RSS is an engineered slope reinforced for long-term stability.

The cost of the two easements is \$9,900 and is included in SPU's current budget.

### 2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project?    Yes     No

### 3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation have financial impacts to the City?    Yes     No

### 3.d. Other Impacts

**Does the legislation have other financial impacts to The City of Seattle, including direct or indirect, one-time or ongoing costs, that are not included in Sections 3.a through 3.c? If so, please describe these financial impacts.**

No additional financial impacts are anticipated. Periodic maintenance will be funded through existing Drainage and Wastewater (DWW) Operations and Maintenance resources.

**If the legislation has costs, but they can be absorbed within existing operations, please describe how those costs can be absorbed.**

The cost of acquiring the easements totals \$9,900.

**The description should clearly describe if the absorbed costs are achievable because the department had excess resources within their existing budget or if by absorbing these costs the department is deprioritizing other work that would have used these resources.**

**Please describe any financial costs or other impacts of *not* implementing the legislation.**

The slope easements are required to provide access to City assets for long-term maintenance. Without accepting the easements, SPU would be unable to complete permanent slope stabilization improvements, which could increase maintenance and emergency repair costs, and reduce drainage system performance.

**Please describe how this legislation may affect any City departments other than the originating department.**

N/A.

### 4. OTHER IMPLICATIONS

**a. Is a public hearing required for this legislation?**

No.

**b. Is publication of notice with The Daily Journal of Commerce and/or The Seattle Times required for this legislation?**

No.

**c. Does this legislation affect a piece of property?**

Yes. This legislation requests approval for easements on two private parcels, maps are attached.

**d. Please describe any perceived implication for the principles of the Race and Social Justice Initiative.**

- i. How does this legislation impact vulnerable or historically disadvantaged communities? How did you arrive at this conclusion? In your response please consider impacts within City government (employees, internal programs) as well as in the broader community.**

The project is located within the Racial and Social Justice Initiative Map's second-lowest equity priority area. The project is important to the community as it stabilizes the utility's stormwater assets in an environmentally critical area, protects private homeowner property from erosion, and protects Maple Creek fish habitat downstream of the culvert.

- ii. Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.**

N/A.

- iii. What is the Language Access Plan for any communications to the public?**

The Project's community engagement plan will be in alignment with OIRA's language access best practices.

**e. Climate Change Implications**

- i. Emissions: How is this legislation likely to increase or decrease carbon emissions in a material way? Please attach any studies or other materials that were used to inform this response.**

This easements purchase will not increase carbon emissions in a material way.

- ii. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**

Purchase of these permanent easements will increase Seattle's resilience to climate change. Construction of the culvert infrastructure and reinforced steep slope are improvements to stormwater conveyance infrastructure that carry stormwater out of the neighborhood to the stream to reduce flooding risk and safeguard the green space and downstream fish habitat in Maple Creek.

- f. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)? What mechanisms will be used to measure progress towards meeting those goals?**

N/A.

- g. Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization?**

No.

## 5. ATTACHMENTS

### **Summary Attachments:**

Summary Exhibit A – Map of Project Area

Summary Exhibit B – Map of Easement Areas