Legislation Details (With Text)

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Type:	Ordinance	**Status:**	Passed
File created:	5/25/2021	**In control:**	Mobility and Environment Committee
On agenda:		**Final action:**	9/7/2021
Enactment date:	9/21/2021	**Enactment #:**	19322
Title:	AN ORDINANCE authorizing the King County executive to sign the recreational trail use agreement with Puget Sound Energy for permission to use portions of PSE property for the construction, maintenance, and operation of the Interurban Trail South.		
Sponsors:	Pete von Reichbauer		
Indexes:	King County, Puget Sound Power and Light, Trails and Paths		
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Attachments:	1. Ordinance 19322, 2. A. Recreational Trail Agreement, July 15, 2021, 3. A. Recreational Trail Use Agreement, 4. 2021-0200 transmittal letter, 5. 2021-0200 fiscal note, 6. 2021-0200 Legislative Review Form, 7. 2021-0200_ATT2_AMD1_Updated Agreement, 8. 2021-0200_SR_PSE Interurban Trail Use Agreement, 9. 2021-0200 Loh Comments, 10. 2021-0200_REVISED SR_PSE Interurban Trail Use Agreement		

Date	Ver.	Action By	Action	Result
9/7/2021	2	Metropolitan King County Council	Passed	Pass
8/25/2021	1	Mobility and Environment Committee	Recommended Do Pass Substitute Consent	Pass
5/25/2021	1	Metropolitan King County Council	Introduced and Referred	

AN ORDINANCE authorizing the King County executive to sign the recreational trail use agreement with Puget Sound Energy for permission to use portions of PSE property for the construction, maintenance, and operation of the Interurban Trail South.

STATEMENT OF FACTS:

1. In 1977, Puget Sound Energy granted a recreational easement to King County that allowed for the development, maintenance, and operation of a public recreational trail on Puget Sound Energy's fee-owned property.

2. The fourteen-mile-long Interurban Trail was constructed in the 1970's and early 1980's by King County, connecting the cities of Tukwila, Kent, Auburn, Algona, and Pacific.

3. In 2002, the 1977 recreational easement for the Interurban Trail expired, and the trail has since fallen into disrepair. King County and Puget Sound Energy began discussions on how to provide for the continued maintenance and operation of the Interurban Trail on the Puget Sound Energy-owned property.

4. On January 19, 2018, Puget Sound Energy filed a Petition for Declaratory Order with the Washington Utilities and Transportation Commission under Declaratory Order U-180068. The petition requested that the Washington Utilities and Transportation Commission allow Puget Sound Energy to grant King County permission to use the property in order to operate, maintain, and improve the Interurban Trail for public recreation purposes. Order 01 was issued by the Washington Utilities and Transportation Commission on March 6, 2018, granting Puget Sound Energy authorization to allow King County use of the property for recreational purposes.

5. King County is authorized to enter into this agreement under chapter 36.89.030 RCW, and Puget Sound Energy is so authorized by and through the authority granted to the Washington Utilities and Transportation Commission.

6. Ordinance 18890, enacted May 2, 2019, called for a special election to authorize the King County parks, recreation, trails, and open space levy for 2020-2025 which, in part, provided funds for the improvement of the Interurban Trail.

7. When executed, this recreational trail-use agreement will grant King County a nonexclusive license over Puget Sound Energy property solely for the construction, operation, and maintenance of the Interurban Trail for recreational use by members of the general public free of charge.

8. The total thirty-foot-wide strip of land will allow for improvement and maintenance of the trail pathway and adjacent vegetation, as necessary for health and safety.

9. The term of this recreational trail use agreement, Attachment A to this ordinance, will be

twenty-five years, with the option to extend for an additional twenty-five-year term.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The King County executive is hereby authorized to enter into a twenty-five year use agreement between the parks and recreation division of the department of natural resources and parks and Puget Sound Energy, substantially in the

form of Attachment A to this ordinance, for the construction, operation, and maintenance of the Interurban Trail.

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