

RESOLUTION R-4943

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELATING TO THE CROSS KIRKLAND CORRIDOR AND THE CITY'S STORMWATER UTILITY, AND AUTHORIZING USE OF THE CROSS KIRKLAND CORRIDOR FOR STORMWATER PURPOSES.

WHEREAS, the City acquired 5.75 miles of the former BNSF rail corridor (now known as the "Cross Kirkland Corridor" and referred to herein as "Corridor") from the Port of Seattle in April 2012 for a purchase price of five million dollars (\$5,000,000); and

WHEREAS, one million dollars (\$1,000,000) of the Corridor purchase price was paid from the City's Surface Water Utility Fund; and

WHEREAS, the Corridor, generally speaking, splits the City into an upper portion and lower portion, and it has been historically difficult for the City to convey surface water from the upper portion to the lower portion; and

WHEREAS, prior to acquisition of the Corridor, the City was unable to utilize the Corridor for surface water infrastructure without obtaining and paying for easements or permits from the former owners of the Corridor; and

WHEREAS, in addition to the many transportation and other public benefits, Corridor ownership will allow the City to utilize the Corridor for public surface water drainage improvements that are not inconsistent with other transportation uses of the Corridor; and

WHEREAS, the City has calculated the value of being able to use the Corridor for storm water conveyance purposes as being in excess of \$3,000,000 based on a valuation of five dollars per square foot for existing or anticipated surface water conveyance facilities (assuming a ten foot wide passage for such facilities); and

WHEREAS, the City would like, through this Resolution, to document and memorialize the fact that use of the Corridor for public surface water and drainage improvements is authorized to the extent not inconsistent with other transportation uses of the Corridor.

NOW, THEREFORE, be it resolved by the City Council of the City of Kirkland as follows:

Section 1. The recitals set forth above are hereby adopted as findings of fact.

Section 2. The Council finds that full access to the Corridor for the purpose of maintenance and improvement of the City's surface water system is worth significantly more than the \$1,000,000 contribution to the purchase price from the Fund.

Section 3. In recognition of the fact that a portion of the Corridor purchase price was paid with Surface Water Utility funds, the City is authorized and encouraged to utilize the Corridor for public surface water drainage improvements that are not inconsistent with existing easements or other transportation uses of the Corridor.

Passed by majority vote of the Kirkland City Council in open meeting this 20th day of November, 2012.

Signed in authentication thereof this 20th day of November, 2012.

  
MAYOR

Attest:

  
City Clerk