

IMPACT STATEMENT

Legislation title: Refer amendments to the City Charter regarding Public Use of City Lands for Incidental Purposes (Resolution)

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Purpose of proposed legislation and background information:

The measure amends the Charter by clarifying Council authority to permit or prohibit incidental uses by the general public of City lands controlled by the Water Bureau for use in the City's water system, provided the lands are outside of the Bull Run Watershed Closure Area. Incidental public uses may include green spaces, community gardens or other functions that do not conflict with the primary drinking water purpose of these lands. The public's incidental use may result in associated costs to the Water Fund, including compliance with the Americans with Disabilities Act. The measure will not impact City lands in the Bull Run Watershed Closure Area.

Financial and budgetary impacts:

- As this is a general election year, there are minimal costs to the City to file this ballot measure with the county.
- This measure, if approved would permit rate-payer funds to be used in lieu of General Funds for ADA compliance. The estimate that was not approved in the FY 2020-21 budget request was \$1.5 million for ADA compliance.
- The Water Bureau is currently spending approximately \$11,500 in General Funds on hydroparks maintenance. This Charter change would permit rate-payer funds to be used in lieu.
- Whether there will be an impact from rates if the measure passes will be determined by which incidental uses are approved by Council in the subsequent Code process, and on timing of ADA compliance. The plan in the FY 2020-21 Budget was to do them over five years, which could be accommodated within existing rates.
- The passing of this measure will not require additional staff.

Community impacts and community involvement:

The 2014 Citywide Transition Plan identified 580 Americans with Disabilities Act barriers at Water Bureau Facilities accessed by the public. The schedule for barrier removal in the Transition Plan has not been met as rate payer funds cannot be used for much of this work. This Charter amendment would allow the Bureau to make improvements for compliance with the Americans with Disabilities Act using ratepayer funding for removal of barriers.

