

ORDINANCE No. 111716

COUNCIL BILL No. 104214

AN ORDINANCE calling a special election in conjunction with the municipal primary election on September 18, 1984, for submission of a proposition to authorize the City to issue its unlimited tax levy general obligation bonds for the purpose of improving the City's park and recreation system facilities.

Engrossed (Rec Amendment)

COMPTROLLER FILE No. 293181

Introduced: <i>April 23, 1984</i>	By:
Referred:	To:
Referred:	To:
Referred:	To:
Reported: <i>JUN 4 1984</i>	Second Reading: <i>JUN 4 1984</i>
Third Reading: <i>JUN 4 1984</i>	Signed: <i>JUN 4 1984</i>
Presented to Mayor: <i>JUN 5 1984</i>	Approved: <i>JUN 14 1984</i>
Returned to City Clerk: <i>JUN 14 1984</i>	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

ORD. 111716 ... AMENDMENTS & RE TO

ORD. 112061 -Auth the issuance & sale from time to time of gen'l obligation bond anticipa-
tion notes of the City in the principal amount of not to exceed \$28,000,000
re impvt. of park & recreation facilities.

ORDINANCE 111716

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AN ORDINANCE calling a special election in conjunction with the municipal primary election on September 18, 1984, for submission of a proposition to authorize the City to issue its unlimited tax levy general obligation bonds for the purpose of improving the City's park and recreation system facilities.

WHEREAS, the City appointed an 18-member citizens' committee to identify the most critical needs of the City's transportation system, its park and recreation system, and other public facilities; the citizens' committee identified the projects in Section 3 as in need of immediate renovation or improvement (C.F. 292436); the Pro-Parks citizens' committee in 1982 had found such renovations and improvements to be needed and recommended their accomplishment; and a "Renovation and Maintenance Survey" in 1981 in a report on municipal buildings had identified a series of major defects and deficiencies in community centers and various other park facilities; and

WHEREAS, the Constitution and laws of the State of Washington require that the question of whether or not the City may issue its unlimited tax levy bonds for such purpose must be submitted to the qualified electors of the City for their ratification or rejection; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Findings and Declarations. The City Council finds and declares that the renovation, modification, and improvements described in Section 3 constitute a single purpose; that the health, safety, welfare, convenience, and benefit of the residents of the City require that these renovations, improvements, and other construction be carried out at the time or times deemed the most appropriate by the City's Legislative Authority; and that expenditure of public funds therefor serves a public purpose.

Section 2. Definitions. Unless the context clearly indicates otherwise, the following words shall have the meanings set forth in this section:

- a. "Bond" or "Bonds" means any or all of the general obligation bonds of the City issued pursuant to this ordinance or any series of such bonds.
- b. "Bond Proceeds" means the funds received from the sale of the Bonds and any interest earned by the City on such funds.
- c. "City" means The City of Seattle, Washington.
- d. "City Council" means the Seattle City Council.
- e. "Legislative Authority" means the Mayor and the City Council of the City.
- f. "Plan" means the plan for renovation and improvement of park and recreation facilities and grounds contained in this ordinance.

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g. "Project" means renovation, improvement, or other construction identified in Section 3a through 3r inclusive.

Section 3. The Plan. The City shall, to the extent permitted by law and this ordinance, carry out the following projects to improve the City's park and recreation system facilities, as more particularly described in Comptroller's File 293/81. (The dollar figures beside each project are based on 1983 estimates of their accomplishment adjusted for expected inflation; actual appropriations and expenditures may vary as authorized in Section 4. The amounts shown do not include \$110,000 set aside for expenses for sale and issuance of bonds and interim financing as authorized in Section 5.)

- a. Childrens Play Areas \$ ~~453,000~~
\$ 473,000
Renovation and related improvements to children's play areas at Wallingford, Sacajawea, Peppi's, Licton Springs, Meadowbrook, Carkeek, Miller, Powell Barnett, Garfield, and other parks.
- b. Woodland Park Zoo \$ ~~2,579,000~~
\$ 1,570,000
~~Replacement of the Elephant House, Renovation or improvements to the Feline House, Tropical House, Aviary, Bear Dens, of other exhibition facilities and service areas, and public restrooms. and other improvements and renovations.~~
- c. Community Centers, Swimming Pools, and Energy Conservation Improvements \$ 6,480,000
Replacement of Ballard and South Park Community Centers; renovation of all or portions of Green Lake, Langston Hughes, Laurelhurst, Magnolia, Miller, and Van Assalt Community Centers and seven swimming pools; energy-saving improvements to community centers, swimming pools, and other park facilities as specified in Comptroller's File.
- d. Conservatory and Other Horticulture Maintenance Facilities \$ 1,346,000
Replacement of existing horticulture maintenance facilities including greenhouses, infrastructure and site improvements; replacement of crew quarters.
- e. Park Maintenance Shops and Office Building \$ ~~2,591,000~~
\$ 2,792,000
Replacement or renovation of park maintenance facilities to improve operational efficiency and meet safety standards.

1	f.	<u>Park Roadways and Paving</u>	\$ 3,751,000 <u>\$ 3,811,000</u>
2		Renovation and improvements to portions	
3		of Lake Washington Boulevard, Interlaken	
4		Boulevard, Queen Anne Boulevard, and the	
5		roadways in Volunteer Park and Seward Park.	
6	g.	<u>Tennis Courts</u>	\$ 435,000
7		Reconstruction of deteriorated tennis courts	
8		at Montlake Playfield and Woodland Park	
9		and replacement of lighting at Lincoln Park,	
10		Ballard Pool, and Meadowbrook Playfield.	
11	h.	<u>Discovery Park</u>	\$ 613,000
12		Site restoration, outside the designated	
13		historic district; site restoration within	
14		the designated historic district limited to	
15		non-historic buildings; and related improve-	
16		ments in accordance with plans approved by	
17		the Legislative Authority.	
18	i.	<u>Magnuson Park</u>	\$ 1,088,000 <u>\$ 344,000</u>
19		Restoration and erosion control of portions	
20		of the shoreline and beach; limited improvements to	
21		turf and ground cover, land form, and	
22		traffic circulation system; and other site work.	
23	j.	<u>Arboretum in Washington Park</u>	\$ 514,000 <u>\$ 544,000</u>
24		Site drainage for Azalea Way and the Big	
25		Flat; restoration; reconstruction of	
26		Arboretum waterfront trail; renovation	
27		of the Japanese Tea Garden, utilities, and	
28		public facilities.	
29	k.	<u>Major Shoreline Parks</u>	\$ 1,811,000 <u>\$ 1,643,000</u>
30		Control of shoreline erosion; renovation of	
31		park facilities, and other related improve-	
32		ments at Mathews Beach, Golden Gardens;	
33		Madrona, Gas Works, Colman and Mt.	
34		Baker Parks; renovation of the	
35		seawall, shoreline, and related improve-	
36		ments at Schmitz/Me-Kwa-Mooks, Stan Sayres,	
37		and Alki Beach Parks.	
38	l.	<u>Waterfront Park and Aquarium</u>	\$ 989,000 <u>\$ 1,110,000</u>
39		Renovation and replacement of segments of	
40		the water flow and life support systems of	
41		the Seattle Aquarium and other building and	
42		exhibit improvements; renovation, improve-	
43		ments and protection of the shed, roof, pilings,	
44		and other structural elements of Piers 57 and	
45		59.	
46	m.	<u>Park Restrooms</u>	\$ 2,068,000
47		Renovation or replacement of public	
48		restrooms at Lincoln Park, Alki Beach,	

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Alki Playground, Highland, Bayview, Magnolia Playfield, Kinnear, B.F. Day, Seward, Pritchard Island Beach, Powell Barnett, Genessee, Leschi, Maple Leaf, Cowan, Garfield, Bobby Morris, Miller, Soundview, Carkeek, and Magnolia Parks.

n. Green Lake Water Quality ~~\$ 262,000~~
\$ 330,000
Improvements to the water quality and aquatic environment of Green Lake in accordance with ongoing technical and planning studies, in conjunction with federal or state water quality grants.

o. Local Parks ~~\$ 1,789,000~~
\$ 1,800,000
Landscape, drainage, outdoor facilities, and related improvements at Green Lake Park; replacement of the running track at West Seattle Stadium; irrigation and dust control at Hiawatha and Miller Playfields; renovation and improvements to Prefontaine Place, the Atlantic City Boat Ramp, Alki Playground, Hing Hay, Hamilton, Bevedere, Kerry, Rodgers, Judkins, Kinnear, Lowman Beach, Froula, Leschi, and other parks. ~~B-F Day.~~

p. Seattle Art Museum at Volunteer Park \$ 970,000
Renovation and improvement of portions of the Seattle Art Museum at Volunteer Park.

q. Museum of History and Industry \$ 416,000
Renovation and improvement of portions of the Museum of History and Industry at McCurdy Park.

r. Lincoln Park ~~\$ 1,135,000~~
\$ 1,145,000
Replacement or renovation of the seawall, beach, promenade path, and related improvements.

Section 4. Discretionary Powers of Legislative Authority. The Legislative Authority shall expend the Bond Proceeds among the several projects, and among the various elements within a project description, to accomplish the Plan in its entirety, as near as may be practicable. ~~For such purposes, the Legislative Authority may exceed the allocations for any Project in Section 3, appropriate a lesser sum, or, as authorized in Section 7, discontinue or abandon any particular element of a project or the project itself.~~ If Bond Proceeds shall appear to be insufficient to accomplish all

1 the Projects, the Legislative Authority may apply the Bond Proceeds toward
2 completion of those Projects it deems most necessary. If, and only if, all the
3 Projects have been completed or duly provided for, the Legislative Authority after
4 public hearing may appropriate any Bond Proceeds remaining for additional renova-
5 tions or improvements to the City's park and recreation system, similar to those
6 identified in Section 3, which it deems most urgent.

7 The Legislative Authority shall determine ~~the exact location of facilities, the~~
8 ~~work to be done, the property and property rights to be acquired, the equipment to be~~
9 ~~secured;~~ the amount of expenditures to be made for any particular project or any
10 element within a project; and the eligible costs to be paid from Bond Proceeds. New
11 construction serving the same purpose may be substituted for renovation.

12 The Legislative Authority may seek supplemental, matching, or additional funds
13 from other sources to pay all or part of the cost of a Project, and if successful, apply
14 such funds to accomplishment thereof or to complement or enlarge the Project.

15 The Legislative Authority may execute joint use agreements with other public
16 authorities, grant temporary permits, leases, concessions, or franchises, and make
17 other arrangements for use of occupancy of buildings and grounds as long as the right,
18 privilege, or use granted furthers the use and enjoyment of the premises for park and
19 recreation purposes. The Legislative Authority may also grant temporary permits
20 and underground easements compatible with the use of the premises for park and
21 recreation purposes.

22 Section 5. Eligible Costs. Bond Proceeds may be used to pay costs of
23 engineering, architectural, planning, financial, legal, and other services lawfully
24 incurred incident to accomplishment of the Projects in Section 3. Eligible costs
25 include expenditures incident to eminent domain proceedings and relocation assist-
26 ance; expenditures for necessary environmental mitigation measures adjacent to the
27 facilities; expenditures for pedestrian or bicycle trails that are a part of the City's
28 park and recreation system; pursuant to Seattle Municipal Code Section 20.32.030, an
apportionment equal to one percent (1%) of construction expenditures upon public
works for art which will be located on property within the City's park and recreation
system; expenses for sale and issuance of bonds and interim financing as authorized

1 by state law and City ordinances; the cost of annual performance audits during
2 period of construction; and the cost of interest on the Bonds during a period of
3 construction up to six months from the issuance of the bond.

4 Section 6. Life of Improvements. The duration of the property rights to be
5 acquired and the life of the renovations and improvements to be made with Bond
6 Proceeds are estimated and declared to be not less than six years.

7 Section 7. Discontinuation/Abandonment of Work. ~~If The~~ Legislative Authority
8 ~~finds that funds allocated for a project are insufficient to accomplish all of the may-~~
9 ~~forego accomplishment of any particular elements of a Project in Sections 3 b, d, h, i,~~
10 ~~j, p, or q the Legislative Authority, may by appropriateing and expending all the funds~~
11 ~~allocated for the Project to accomplish other named elements in the Project at the~~
12 ~~park identified in the caption. The City may forego accomplishment of any other~~
13 ~~element or any other particular project, if the Legislative Authority, after public~~
14 ~~hearing, shall determine that Bond Proceeds and supplemental funds then available~~
15 ~~are insufficient for accomplishment of all the Projects described in Section 3, and~~
16 ~~that completion of the remainder is more urgent, and the Bond Proceeds so released~~
17 ~~may only be used for completion of the other more urgent Projects or Project~~
18 ~~elements.~~

19 The Legislative Authority may abandon any particular element of a Project or a
20 particular Project if in Section 3a, c, e, f, g, k, l, m, n, o or r, after public hearing, it
21 finds that special circumstances arising after approval of this ordinance prevents its
22 successful completion, or indicate that if completed, a Project or element of a
23 Project, proposed for abandonment ~~being abandoned~~, would not serve its intended use.
24 Examples of special circumstances that would provide cause for abandoning a
25 particular work include: prior acquisition for a superior public use; significant
26 adverse environmental impact; a probable cost of completion substantially greater
27 than the allocation in Section 3; a substantial increase in anticipated operating costs
28 so as to make its continuous usage for the life of the Bonds financially infeasible; and
new laws or regulations of the State of Washington or the United States impairing the
construction or usefulness of the affected Project or Project element. Upon
abandonment of a Project or an element of a Project, the City shall first apply the

1 funds toward completion of other work contemplated by Section 3; and any Bond
2 Proceeds which are not so required may be applied for enlargement of a Project.
3 ~~and/or for other renovation or improvement of park and recreation system facilities~~
4 ~~of the City.~~

5 Section 8. Bond Issuance. For the purpose of providing funds necessary to pay
6 the costs of carrying out this ordinance, general obligation bonds of the City shall be
7 issued in the principal amount of not to exceed ~~Twenty-nine Million Four Hundred~~
8 ~~Thousand Dollars (\$29,400,000)~~ Twenty-eight Million Dollars (\$28,000,000) over a
9 period of up to five years. The Bonds shall be sold in the manner permitted by law
10 and shall bear interest at a rate not to exceed the maximum rate or rates permitted
11 by law, shall be issued from time to time out of such authorization over the
12 contemplated renovation, modification and improvement period, shall mature in no
13 more than six years from the date of issuance of such bond, all as hereafter
14 authorized by the Legislative Authority and as provided by law. Both the principal
15 and the interest on the Bonds shall be payable out of annual tax levies to be made
16 upon all of the taxable property within the City without limitation as to rate or
17 amount and from any other money which may become available and may be used for
18 such purposes. The exact date, form, terms, options of redemption and maturities of
19 each series of the Bonds shall be as hereafter fixed by ordinance of the City.

20 Section 9. Application of Bond Proceeds. The proceeds of sale of the Bonds
21 shall be deposited in the "Park Renovation and Improvement Fund," which shall be
22 created in the City Treasury; and premium and accrued interest on the Bonds
23 received at the time of their delivery shall be paid into a fund of the City to be used
24 for redemption of the Bonds. Money in the "Park Renovation and Improvement Fund"
25 and/or the Bond redemption fund may be temporarily deposited in such institutions or
26 invested in such obligations as may be lawful for the investment of City money.
27 Money in the "Park Renovation and Improvement Fund" may also be temporarily
28 advanced to the fund for the redemption of the Bonds or to pay Bond interest pending
receipt of taxes levied therefor.

Bond Proceeds shall be applied and used solely for the purposes authorized by
this ordinance, and none of such proceeds shall be used for other than a capital

1 purpose. To such end, during the period of construction, the Mayor shall cause to be
2 prepared an annual performance audit by an independent auditing firm to be
3 submitted to the City Council at such time as the City Council may direct.

4 Pending the printing, execution and delivery to the purchaser of the definitive
5 Bonds authorized in Section 8, the City may execute and deliver to such purchaser or
6 purchasers a single temporary Bond for each issue of definitive Bonds in the principal
7 amount of each such issue. Each temporary Bond shall bear the same date of
8 issuance, interest rates, principal payment dates and terms and covenants as the
9 definitive Bonds of that issue, and shall be issued as a fully registered bond in the
10 name of such purchaser, and shall be in each form as acceptable to such purchaser.
11 Such temporary Bond shall be exchanged for the definitive Bonds of that issue as soon
12 as the same are printed, executed and available for delivery.

13 After approval of this ordinance by the voters, pending issuance, sale and
14 delivery of the Bonds, the City may execute a promissory note or notes, warrants or
15 other evidences of indebtedness as authorized by law providing for a loan or loans of
16 funds from a bank or banks or other qualified lending or financial institutions in a
17 total amount outstanding at any time not to exceed the amount of the Bond Proceeds
18 authorized in this ordinance, to bear interest at a rate or rates authorized by law,
19 with the maturity dates of such note or notes or warrants to be no later than three (3)
20 years from the date of execution or issuance, and including, in the discretion of the
21 Legislative Authority, provision for early repayment. Such warrants may be
22 redeemed or loans repaid from the proceeds of the Bonds or the temporary Bond,
23 from the proceeds of other notes or warrants or other evidences of indebtedness, or
24 such other moneys available therefor.

25 Section 10. Irrevocable Covenants with Bond Holders. The City hereby
26 irrevocably covenants and agrees that each year during the life of the Bonds, if
27 authorized by the voters as provided in Section 11, it will cause to be levied annually
28 a tax upon all the property within the City subject to taxation in an amount which,
together with any other money legally available and to be used therefor, will be
sufficient to pay the principal of and interest on the Bonds as the same shall become
due and to make payments into a sinking fund as required by bond covenants. All of

1 such taxes so collected shall be paid into a fund for redemption of the Bonds.

2 The City hereby irrevocably pledges that the aforesaid annual tax, together
3 with any other money legally available and to be used therefor, will be and is hereby
4 irrevocably set aside, pledged and appropriated for the payment of the principal of
5 the interest on such Bonds.

6 The full faith, credit and resources of the City are hereby pledged for the
7 annual levy and collection of such taxes and to the prompt payment of the principal
8 and interest on the Bonds as the same shall become due.

9 Section 11. Election Called. The City Council hereby finds and declares an
10 emergency exists, which requires the submission of the proposition to authorize the
11 issuance of the general obligation bonds authorized in this ordinance to the qualified
12 electors of the City at a special election to be held in conjunction with the Municipal
13 Primary Election on the 18th day of September, 1984. The Manager of the King
14 County Records and Elections Division, as ex officio supervisor of all elections held
15 within King County, is hereby requested also to find that such an emergency exists
16 and to assume jurisdiction of and to call and conduct such special election within the
17 City on that date and to submit the aforesaid proposition to the qualified electors of
18 the City at such special elections.

19 The City Comptroller, as ex officio City Clerk, is hereby authorized and
20 directed to certify the aforesaid proposition to the Manager of the King County
21 Records and Elections Division in substantially the following form:

SEATTLE, WASHINGTON

PROPOSITION NO. 2

PARK RENOVATION AND IMPROVEMENT BONDS

22 Shall the City issue during a five year period ~~\$29,400,000~~ \$28,000,000 in general
23 obligation bonds, maturing in no more than six years from date of issuance to be paid
24 by annual property tax levies in excess of regular levies, for renovating and improving
25 City park and recreation system facilities, as provided in Ordinance _____?

26 BOND, YES...../_____/

27 BOND, NO...../_____/

28 Section 12. Captions. Captions of Projects in Section 3 are part of the general

description of the Project. Captions to ordinance sections are for convenient reference and do not expand, limit, or comment upon the text.

Section 13. Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, that determination shall not affect the validity of the remaining portions of this ordinance.

Section 14. Ratification. Certification of such proposition by the City Clerk to the Manager of the King County Records and Elections Division in accordance with law prior to the date of such election on September 18, 1984 and any other act pursuant to the authority and prior to the effective date of this ordinance are hereby ratified and confirmed.

Section 15. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 4th day of June, 1984,
and signed by me in open session in authentication of its passage this 4th day of
June 1984.

Norman B. Rice
President of the City Council.

Approved by me this 14th day of June, 1984.

Charles P. Rosen
Mayor.

Filed by me this 14th day of June, 1984.

Jim Hill
Attest: City Comptroller and City Clerk.

(SEAL)

Published

By *Theresa Dunbar*
Deputy Clerk.

Office of the Comptroller
City of Seattle

Tim Hill, Comptroller

June 19, 1984

Ms. Ellen Hansen, Manager
Department of Records and Elections
553 King County Administration Building
Seattle, WA 98104

Attention: Donald R. Perrin, Elections Supervisor

Dear Mr. Perrin:

Enclosed herewith is a certified copy of City of Seattle Ordinance No. 111716, relating to a special election to be held in conjunction with the municipal primary election on September 18, 1984. The Ordinance provides for the submission of a proposition to authorize the City to issue its unlimited tax levy general obligation bonds for the purpose of improving the City's park and recreation system facilities.

The Ordinance directs the following form to be used in submittal of the proposition (page 9, Section 11):

SEATTLE, WASHINGTON

PROPOSITION NO. 2

PARK RENOVATION AND IMPROVEMENT BONDS

Shall the City issue during a five year period \$28,000,000 in general obligation bonds, maturing in no more than six years from date of issuance to be paid by annual property tax levies in excess of regular levies, for renovating and improving City park and recreation system facilities, as provided in Ordinance 111716?

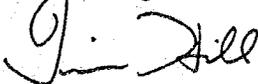
BOND, YES...../ _____ /

BOND, NO...../ _____ /

The Council Bill was passed by the City Council at its regular meeting of June 4, 1984 and signed by the Mayor June 14, 1984.

Thank you for your assistance.

Sincerely,



Tim Hill
City Comptroller

TH:td
Enclosure



KING COUNTY RECORDS
& ELECTIONS DEPT.

84 JUL 9 AM 9:01

RECEIVED

City of Seattle

Executive Department-Office of Management and Budget

Gary Zarker, Director
Charles Royer, Mayor

April 17, 1984

The Honorable Douglas Jewett
City Attorney
City of Seattle

Dear Mr. Jewett:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING
DEPARTMENT: Executive

SUBJECT: An ordinance calling a special election in conjunction with the municipal election on September 18, 1984, for submission of a proposition to authorize the City to issue its unlimited tax levy general obligation bonds for the purpose of improving the City's park and recreation system facilities.

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation directly to your office for review and drafting.

After reviewing this request and drafting appropriate legislation:

- (X) File the legislation with the City Clerk for formal introduction to the City Council as an Executive Request.
- () Do not file with City Council but return the proposed legislation to OMB for our review. Return to _____.

Sincerely,

Charles Royer
Mayor

By



GARY ZARKER
Budget Director

GZ/lb/bca

Enclosure



ORDINANCE _____

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AN ORDINANCE calling a special election in conjunction with the municipal primary election on September 18, 1984, for submission of a proposition to authorize the City to issue its unlimited tax levy general obligation bonds for the purpose of improving the City's park and recreation system facilities.

WHEREAS, the City appointed an 18-member citizens' committee to identify the most critical needs of the City's transportation system, its park and recreation system, and other public facilities; the citizens' committee identified the projects in Section 3 as in need of immediate renovation or improvement (C.F. 292436); the Pro-Parks citizens' committee in 1982 had found such renovations and improvements to be needed and recommended their accomplishment; and a "Renovation and Maintenance Survey" in 1981 in a report on municipal buildings had identified a series of major defects and deficiencies in community centers and various other park facilities; and

WHEREAS, the Constitution and laws of the State of Washington require that the question of whether or not the City may issue its unlimited tax levy bonds for such purpose must be submitted to the qualified electors of the City for their ratification or rejection; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Findings and Declarations. The City Council finds and declares that the renovation, modification, and improvements described in Section 3 constitute a single purpose; that the health, safety, welfare, convenience, and benefit of the residents of the City require that these renovations, improvements, and other construction be carried out at the time or times deemed the most appropriate by the City's Legislative Authority; and that expenc ture of public funds therefor serves a public purpose.

Section 2. Definitions. Unless the context clearly indicates otherwise, the following words shall have the meanings set forth in this section:

- a. "Bond" or "Bonds" means any or all of the general obligation bonds of the City issued pursuant to this ordinance or any series of such bonds.
- b. "Bond Proceeds" means the funds received from the sale of the Bonds and any interest earned by the City on such funds.
- c. "City" means The City of Seattle, Washington.
- d. "City Council" means the Seattle City Council.
- e. "Legislative Authority" means the Mayor and the City Council of the City.
- f. "Plan" means the plan for renovation and improvement of park and recreation facilities and grounds contained in this ordinance.

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\$ 473,000
Renovation and related improvements to children's play areas at Wallingford, Sacajawea, Peppi's, Lixton Springs, Meadowbrook, Carkeek, Miller, Powell Barnett, Garfield, and other parks.
- b. Woodland Park Zoo ~~\$ 2,579,000~~
\$ 1,570,000
~~Replacement of the Elephant House, Renovation or improvements to the Feline House, Tropical House, Aviary, Bear Dens, of other exhibition facilities and service areas, and public restrooms. and other improvements and renovations.~~
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- d. Conservatory and Other Horticulture Maintenance Facilities ~~\$ 1,346,000~~
\$ 596,000
~~Limited replacement of portions of existing horticulture maintenance facilities including selected greenhouses, infrastructure and site improvements; partial-replacement or improvement of crew quarters.~~
- e. Park Maintenance Shops and Office Building ~~\$ 2,591,000~~
\$ 2,792,000
Replacement or renovation of park maintenance facilities to improve operational efficiency and meet safety standards.

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- f. Park Roadways and Paving ~~\$ 3,751,000-~~
\$ 3,811,000
Renovation and improvements to portions of Lake Washington Boulevard, Interlaken Boulevard, Queen Anne Boulevard, and the roadways in Volunteer Park and Seward Park.

- g. Tennis Courts \$ 435,000
Reconstruction of deteriorated tennis courts at Montlake Playfield and Woodland Park and replacement of lighting at Lincoln Park, Ballard Pool, and Meadowbrook Playfield.

- h. Discovery Park \$ 613,000
Site restoration, outside the designated historic district; site restoration within the designated historic district limited to non-historic buildings; and related improvements in accordance with plans approved by the Legislative Authority.

- i. Magnuson Park ~~\$ 1,088,000-~~
\$ 194,000
Restoration and erosion control of portions of the shoreline and beach; improvements to turf and ground cover, land form, and traffic circulation system; and other site work.

- j. Arboretum in Washington Park ~~\$ 514,000~~
\$ 544,000
Site drainage for Azalea Way and the Big Flat; reforestation; reconstruction of Arboretum waterfront trail; renovation of the Japanese Tea Garden, utilities, and public facilities.

- k. Major Shoreline Parks ~~\$ 1,811,000-~~
\$ 1,643,000
Control of shoreline erosion; renovation of park facilities, and other related improvements at Mathews Beach, Golden Gardens; Madrona, Gas Works, Colman and Mt. Baker Parks; renovation of the seawall, shoreline, and related improvements at Schmitz/Me-Kwa-Mooks, Stan Sayres, and Alki Beach Parks.

- l. Waterfront Park and Aquarium ~~\$ 989,000-~~
\$ 1,110,000
Renovation and replacement of segments of the water flow and life support systems of the Seattle Aquarium and other building and exhibit improvements; renovation, improvements and protection of the shed, roof, pilings, and other structural elements of Piers 57 and 59.

- m. Park Restrooms \$ 2,068,000
Renovation or replacement of public

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restrooms at Lincoln Park, Alki Beach, Alki Playground, Highland, Bayview, Magnolia Playfield, Kinneer, B.F. Day, Seward, Pritchard Island Beach, Powell Barnett, Genessee, Leschi, Maple Leaf, Cowan, Garfield, Bobby Morris, Miller, Sundview, Carkeek, and Magnolia Parks.

n. Green Lake Water Quality ~~\$ 262,000~~
\$ 330,000

Improvements to the water quality and aquatic environment of Green Lake in accordance with ongoing technical and planning studies, in conjunction with federal or state water quality grants.

o. Local Parks ~~\$ 1,789,000~~
\$ 1,800,000

Landscape, drainage, outdoor facilities, and related improvements at Green Lake Park; replacement of the running track at West Seattle Stadium; irrigation and dust control at Hiawatha and Miller Playfields; renovation and improvements to Prefontaine Place, the Atlantic City Beach Ramp, Alki Playground, Hing Hay, Harbison, Belevedere, Kerry, Rodgers, Judkins, Kinneer, Lowman Beach, Froula, Leschi, and other parks, B-F Day.

p. Seattle Art Museum at Volunteer Park \$ 970,000

Renovation and improvement of portions of the Seattle Art Museum at Volunteer Park.

q. Museum of History and Industry \$ 416,000

Renovation and improvement of portions of the Museum of History and Industry at McCurdy Park.

r. Lincoln Park ~~\$ 1,135,000~~
\$ 1,145,000

Replacement or renovation of the seawall, beach, promenade path, and related improvements.

Section 4. Discretionary Powers of Legislative Authority. The Legislative Authority shall expend the Bond Proceeds among the several projects, and among the various elements within a project description, to accomplish the Plan in its entirety, as near as may be practicable. ~~For such purposes, the Legislative Authority may exceed the allocations for any Project in Section 3, appropriate a lesser sum, or, as authorized in Section 7, discontinue or abandon any particular element of a project or the project itself.~~ If Bond Proceeds shall appear to be insufficient to accomplish all

1 the Projects, the Legislative Authority may apply the Bond Proceeds toward
2 completion of those Projects it deems most necessary. If, and only if, all the
3 Projects have been completed or duly provided for, the Legislative Authority after
4 public hearing may appropriate any Bond Proceeds remaining for additional renova-
5 tions or improvements to the City's park and recreation system, similar to those
6 identified in Section 3, which it deems most urgent.

7 The Legislative Authority shall determine ~~the exact location of facilities, the~~
8 ~~work to be done, the property and property rights to be acquired, the equipment to be~~
9 ~~secured,~~ the amount of expenditures to be made for any particular project or any
10 element within a project; and the eligible costs to be paid from Bond Proceeds. New
11 construction serving the same purpose may be substituted for renovation.

12 The Legislative Authority may seek supplemental, matching, or additional funds
13 from other sources to pay all or part of the cost of a Project, and if successful, apply
14 such funds to accomplishment thereof or to complement or enlarge the Project.

15 The Legislative Authority may execute joint use agreements with other public
16 authorities, grant temporary permits, leases, concessions, or franchises, and make
17 other arrangements for use of occupancy of buildings and grounds as long as the right,
18 privilege, or use granted furthers the use and enjoyment of the premises for park and
19 recreation purposes. The Legislative Authority may also grant temporary permits
20 and underground easements compatible with the use of the premises for park and
21 recreation purposes.

22 Section 5. Eligible Costs. Bond Proceeds may be used to pay costs of
23 engineering, architectural, planning, financial, legal, and other services lawfully
24 incurred incident to accomplishment of the Projects in Section 3. Eligible costs
25 include expenditures incident to eminent domain proceedings and relocation assist-
26 ance; expenditures for necessary environmental mitigation measures adjacent to the
27 facilities; expenditures for pedestrian or bicycle trails that are a part of the City's
28 park and recreation system; pursuant to Seattle Municipal Code Section 20.32.030, an
apportionment equal to one percent (1%) of construction expenditures upon public
works for art which will be located on property within the City's park and recreation
system; expenses for sale and issuance of bonds and interim financing as authorized

1 by state law and City ordinances; the cost of annual performance audits during the
2 period of construction; and the cost of interest on the Bonds during a period of
3 construction up to six months from the issuance of the bond.

4 Section 6. Life of Improvements. The duration of the property rights to be
5 acquired and the life of the renovations and improvements to be made with Bond
6 Proceeds are estimated and declared to be not less than six years.

7 Section 7. Discontinuation/Abandonment of Work. ~~If~~ ^{The} Legislative Authority
8 ~~finds that funds allocated for a project are insufficient to accomplish all of the~~ ^{may}
9 ~~forego accomplishment of any particular elements of a Project in Sections 3 b, d, h, i,~~
10 ~~j, p, or q the Legislative Authority, may by appropriating and expending~~ all the funds
11 allocated for the Project to accomplish other named elements in the Project at the
12 park identified in the caption. ~~The City may forego accomplishment of any other~~
13 ~~element or any other particular project, if the Legislative Authority, after public~~
14 ~~hearing, shall determine that Bond Proceeds and supplemental funds then available~~
15 ~~are insufficient for accomplishment of all the Projects described in Section 3, and~~
16 ~~that completion of the remainder is more urgent, and the Bond Proceeds so released~~
17 ~~may only be used for completion of the other more urgent Projects or Project~~
18 ~~elements.~~

19 The Legislative Authority may abandon any particular element of a Project or a
20 particular Project if in Section 3a, c, e, f, g, k, l, m, n, o or r, after public hearing, it
21 finds that special circumstances arising after approval of this ordinance prevents its
22 successful completion, or indicate that if completed, a Project or element of a
23 Project, proposed for abandonment being abandoned, would not serve its intended use.
24 Examples of special circumstances that would provide cause for abandoning a
25 particular work include: prior acquisition for a superior public use; significant
26 adverse environmental impact; a probable cost of completion substantially greater
27 than the allocation in Section 3; a substantial increase in anticipated operating costs
28 so as to make its continuous usage for the life of the Bonds financially infeasible; and
new laws or regulations of the State of Washington or the United States impairing the
construction or usefulness of the affected Project or Project element. Upon
abandonment of a Project or an element of a Project, the City shall first apply the

1 funds toward completion of other work contemplated by Section 3; and any Bond
2 Proceeds which are not so required may be applied for enlargement of a Project,
3 ~~and/or for other renovation or improvement of park and recreation system facilities~~
4 ~~of the City.~~

5 Section 8. Bond Issuance. For the purpose of providing funds necessary to pay
6 the costs of carrying out this ordinance, general obligation bonds of the City shall be
7 issued in the principal amount of not to exceed ~~Twenty-nine Million Four Hundred~~
8 ~~Thousand Dollars (\$29,400,000)~~ ^{22,000,000} Twenty-seven Million One Hundred Thousand Dollars
9 (\$27,100,000) over a period of up to five years. The Bonds shall be sold in the manner
10 permitted by law and shall bear interest at a rate not to exceed the maximum rate or
11 rates permitted by law, shall be issued from time to time out of such authorization
12 over the contemplated renovation, modification and improvement period, shall
13 mature in no more than six years from the date of issuance of such bond, all as
14 hereafter authorized by the Legislative Authority and as provided by law. Both the
15 principal and the interest on the Bonds shall be payable out of annual tax levies to be
16 made upon all of the taxable property within the City without limitation as to rate or
17 amount and from any other money which may become available and may be used for
18 such purposes. The exact date, form, terms, options of redemption and maturities of
19 each series of the Bonds shall be as hereafter fixed by ordinance of the City.

20 Section 9. Application of Bond Proceeds. The proceeds of sale of the Bonds
21 shall be deposited in the "Park Renovation and Improvement Fund," which shall be
22 created in the City Treasury; and premium and accrued interest on the Bonds
23 received at the time of their delivery shall be paid into a fund of the City to be used
24 for redemption of the Bonds. Money in the "Park Renovation and Improvement Fund"
25 and/or the Bond redemption fund may be temporarily deposited in such institutions or
26 invested in such obligations as may be lawful for the investment of City money.
27 Money in the "Park Renovation and Improvement Fund" may also be temporarily
28 advanced to the fund for the redemption of the Bonds or to pay Bond interest pending
receipt of taxes levied therefor.

Bond Proceeds shall be applied and used solely for the purposes authorized by
this ordinance, and none of such proceeds shall be used for other than a capital
purpose. To such end, during the period of construction, the Mayor shall cause to be

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prepared an annual performance audit by an independent auditing firm to be submitted to the City Council at such time as the City Council may direct.

Pending the printing, execution and delivery to the purchaser of the definitive Bonds authorized in Section 8, the City may execute and deliver to such purchaser or purchasers a single temporary Bond for each issue of definitive Bonds in the principal amount of each such issue. Each temporary Bond shall bear the same date of issuance, interest rates, principal payment dates and terms and covenants as the definitive Bonds of that issue, and shall be issued as a fully registered bond in the name of such purchaser, and shall be in each form as acceptable to such purchaser. Such temporary Bond shall be exchanged for the definitive Bonds of that issue as soon as the same are printed, executed and available for delivery.

After approval of this ordinance by the voters, pending issuance, sale and delivery of the Bonds, the City may execute a promissory note or notes, warrants or other evidences of indebtedness as authorized by law providing for a loan or loans of funds from a bank or banks or other qualified lending or financial institutions in a total amount outstanding at any time not to exceed the amount of the Bond Proceeds authorized in this ordinance, to bear interest at a rate or rates authorized by law, with the maturity dates of such note or notes or warrants to be no later than three (3) years from the date of execution or issuance, and including, in the discretion of the Legislative Authority, provision for early repayment. Such warrants may be redeemed or loans repaid from the proceeds of the Bonds or the temporary Bond, from the proceeds of other notes or warrants or other evidences of indebtedness, or such other moneys available therefor.

Section 10. Irrevocable Covenants with Bond Holders. The City hereby irrevocably covenants and agrees that each year during the life of the Bonds, if authorized by the voters as provided in Section 11, it will cause to be levied annually a tax upon all the property within the City subject to taxation in an amount which, together with any other money legally available and to be used therefor, will be sufficient to pay the principal of and interest on the Bonds as the same shall become due and to make payments into a sinking fund as required by bond covenants. All of such taxes so collected shall be paid into a fund for redemption of the Bonds.

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The City hereby irrevocably pledges that the aforesaid annual tax, together with any other money legally available and to be used therefor, will be and is hereby irrevocably set aside, pledged and appropriated for the payment of the principal of the interest on such Bonds.

The full faith, credit and resources of the City are hereby pledged for the annual levy and collection of such taxes and to the prompt payment of the principal and interest on the Bonds as the same shall become due.

Section 11. Election Called. The City Council hereby finds and declares an emergency exists, which requires the submission of the proposition to authorize the issuance of the general obligation bonds authorized in this ordinance to the qualified electors of the City at a special election to be held in conjunction with the Municipal Primary Election on the 18th day of September, 1984. The Manager of the King County Records and Elections Division, as ex officio supervisor of all elections held within King County, is hereby requested also to find that such an emergency exists and to assume jurisdiction of and to call and conduct such special election within the City on that date and to submit the aforesaid proposition to the qualified electors of the City at such special elections.

The City Comptroller, as ex officio City Clerk, is hereby authorized and directed to certify the aforesaid proposition to the Manager of the King County Records and Elections Division in substantially the following form:

SEATTLE, WASHINGTON
PROPOSITION NO. _____

PARK RENOVATION AND IMPROVEMENT BONDS

Shall the City issue during a five year period ~~\$29,400,000~~ \$27,100,000 in general obligation bonds, maturing in no more than six years from date of issuance to be paid by annual property tax levies in excess of regular levies, for renovating and improving City park and recreation system facilities, as provided in Ordinance _____?

BOND, YES...../_____/

BOND, NO...../_____/

Section 12. Captions. Captions of Projects in Section 3 are part of the general description of the Project. Captions to ordinance sections are for convenient

(To be used for all Ordinances except Emergency.)

reference and do not expand, limit, or comment upon the text.

Section 13. Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, that determination shall not affect the validity of the remaining portions of this ordinance.

Section 14. Ratification. Certification of such proposition by the City Clerk to the Manager of the King County Records and Elections Division in accordance with law prior to the date of such election on September 18, 1984 and any other act pursuant to the authority and prior to the effective date of this ordinance are hereby ratified and confirmed.

Section 15. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the day of, 19,
and signed by me in open session in authentication of its passage this day of, 19

President of the City Council.

Approved by me this day of, 19

Mayor.

Filed by me this day of, 19

Attest:
City Comptroller and City Clerk.

(SEAL)

Published

By
Deputy Clerk.

City of Seattle
ORDINANCE 111716

AN ORDINANCE calling a special election in conjunction with the municipal primary election on September 18, 1984, for submission of a proposition to authorize the City to issue its unlimited tax levy general obligation bonds for the purpose of improving the City's park and recreation system facilities.

WHEREAS, the City appointed an 18-member citizens' committee to identify the most critical needs of the City's transportation system, its park and recreation system, and other public facilities; the citizens' committee identified the projects in Section 3 as in need of immediate renovation or improvement (C.F. 29A.05); the Park-Fields citizens' committee in 1982 had found such renovations and improvements to be needed and recommended their accomplishment; and a "Renovation and Maintenance Survey" in 1981 in a report on municipal buildings had identified a series of major defects and deficiencies in community centers and various other park facilities; and

WHEREAS, the Constitution and laws of the State of Washington require that the question of whether or not the City may issue its unlimited tax levy bonds for such purpose must be submitted to the qualified electors of the City for their ratification or rejection; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Findings and Declarations. The City Council finds and declares that the renovation, modification, and improvements described in Section 3 constitute a single purpose; that the health, safety, welfare, convenience, and benefit of the residents of the City require that these renovations, improvements, and other construction be carried out at the time or times deemed the most appropriate by the City's Legislative Authority; and that expenditure of public funds therefor serves a public purpose.

Section 2. Definitions. Unless the context clearly indicates otherwise, the following words shall have the meanings set forth in this section:

- a. "Bond" or "Bonds" means any or all of the general obligation bonds of the City issued pursuant to this ordinance or any series of such bonds.
- b. "Bond Proceeds" means the funds received from the sale of the Bonds and any interest earned by the City on such funds.
- c. "City" means The City of Seattle, Washington.
- d. "City Council" means the Seattle City Council.
- e. "Legislative Authority" means the Mayor and the City Council of the City.
- f. "Plan" means the plan for renovation and improvement of park and recreation facilities and grounds contained in this ordinance.
- g. "Project" means renovation, improvement, or other construction identified in Section 3a through 3r inclusive.

Section 3. The Plan. The City shall, to the extent permitted by law and this ordinance, carry out the following projects to improve the City's park and recreation system facilities, as more particularly described in Comptroller's File 233181. (The dollar figures beside each project are based on 1983 estimates of their accomplishment adjusted for expected inflation; actual appropriations and expenditures may vary as authorized in Section 4. The amounts shown do not include \$110,000 set aside for expenses for sale and issuance of bonds and interim financing as authorized in Section 5.)

- a. **Children's Play Areas** \$ 443,000
\$ 473,000
Renovation and related improvements to children's play areas at Wallingford, Sacklawea, Peppit, Lincoln Springs, Meadowbrook, Carkeek, Miller, Powell Barnett, Garfield, and other parks.
- b. **Woodland Park Zoo** \$ 2,570,000
\$ 1,570,000
Replacement of the Elephant House, Renovation or improvements to the Pelican House, Tropical House, Aviary, Bear Den, 66 other exhibition facilities and service areas, and public restrooms, and other improvements and renovations.
- c. **Community Centers, Swimming Pools, and Energy Conservation Improvements** \$ 6,480,000
Replacement of Ballard and South Park Community Centers; renovation of all or portions of Green Lake, Longston Hughes, Leachhurst, Magnolia, Miller, and Van Asselt Community Centers and seven swimming pools; energy-saving improvements to community centers, swimming pools, and other park facilities as specified in Comptroller's File
- d. **Conservatory and Other Horticulture Maintenance Facilities** \$ 1,746,000
Replacement of existing horticulture maintenance facilities including greenhouses, infrastructure and site improvements; replacement of crew quarters.
- e. **Park Maintenance Shops and Office Building** \$ 2,591,000
\$ 2,792,000
Replacement or renovation of park maintenance facilities to improve operational efficiency and meet safety standards.
- f. **Park Roadways and Paving** \$ 2,751,000
\$ 3,811,000
Renovation and improvements to portions of Lake Washington Boulevard, Interlaken Boulevard, Queen Anne Boulevard, and the roadways in Volunteer Park and Seward Park.
- g. **Tennis Courts** \$ 635,000
Reconstruction of deteriorated tennis courts at Woodland Playfield and Woodland Park and replacement of lighting at Lincoln Park, Ballard Pool, and Meadowbrook Playfield.
- h. **Discovery Park** \$ 613,000
Site restoration, outside the designated historic district; site restoration within the designated historic district limited to non-historic buildings and related improvements in accordance with plans approved by the Legislative Authority.

- i. **Washington Park** \$ 1,088,000
\$ 310,000
Restoration and erosion control of portions of the shoreline and beach; limited improvements to turf and ground cover, land form, and traffic circulation systems and other site work.
- j. **Arboretum in Washington Park** \$ 317,000
\$ 228,000
Site drainage for Azalea Way and the Big Flat; reforestation; reconstruction of Arboretum waterfront trail; renovation of the Japanese Tea Garden, utilities, and public facilities.
- k. **Major Shoreline Parks** \$ 1,917,000
\$ 1,603,000
Control of shoreline erosion; renovation of park facilities, and other related improvements at Matthews Beach, Golden Gardens, Madrona, Goswami, Colman and Mt. Baker Parks; renovation of the seawall, shoreline, and related improvements at Schmitz/Mt. Kwa-Mooks, Stan Sayres, and Alki Beach Parks.
- l. **Waterfront Park and Aquarium** \$ 909,000
\$ 1,110,000
Renovation and replacement of segments of the water flow and life support systems of the Seattle Aquarium and other building and exhibit improvements; renovation, improvements and protection of the shed, roof, pilings, and other structural elements of Piers 57 and 59.
- m. **Park Restrooms** \$ 2,068,000
Renovation or replacement of public restrooms at Lincoln Park, Alki Beach, Alki Playground, Highland, Bayview, Magnolia Playfield, Kinneer, O.F. Day, Seward, Pritchard Island Beach, Powell Barnett, Genesee, Leachi, Maple Leaf, Cowan, Garfield, Bobby Morris, Miller, Soundview, Carkeek, and Magnolia Parks.
- n. **Green Lake Water Quality** \$ 268,000
\$ 230,000
Improvements to the water quality and aquatic environment of Green Lake in accordance with ongoing technical and planning studies, in conjunction with federal or state water quality grants.
- o. **Local Parks** \$ 1,780,000
\$ 1,800,000
Landscape, drainage, outdoor facilities, and related improvements at Green Lake Park; replacement of the running track at West Seattle Stadium; irrigation and dust control at Hiawatha and Miller Playfields; renovation and improvements to Prefontaine Place, the Atlantic City Boat Ramp, Alki Playground, Hing Hay, Hamilton, Belvedere, Kerry, Rodgers, Jenkins, Kinneer, Lowman Beach, Froula, Leachi, and other parks; O.F. Day.
- p. **Seattle Art Museum at Volunteer Park** \$ 370,000
Renovation and improvement of portions of the Seattle Art Museum at Volunteer Park.
- q. **Museum of History and Industry** \$ 916,000
Renovation and improvement of portions of the Museum of History and Industry at McCurdy Park.
- r. **Lincoln Park** \$ 1,138,000
\$ 1,185,000
Replacement or renovation of the seawall, beach, promenade path, and related improvements.

Section 4. Discretionary Powers of Legislative Authority. The Legislative Authority shall expend the Bond Proceeds among the several projects, and among the various elements within a project description, to accomplish the Plan in its entirety, as near as may be practicable. For such purposes, the Legislative Authority may exceed the allocations for any project in Section 3, appropriate a lesser sum, or, as authorized in Section 7, discontinue or abandon any particular element of a project or the project itself. If Bond Proceeds shall appear to be insufficient to accomplish all the Projects, the Legislative Authority may apply the Bond Proceeds toward completion of those Projects it deems most necessary. If, and only if, all the Projects have been completed or duly provided for, the Legislative Authority after public hearing may appropriate any Bond Proceeds remaining for additional renovations or improvements to the City's park and recreation system, similar to those identified in Section 3, which it deems most urgent.

The Legislative Authority shall determine the exact location of facilities the work to be done, the property and property rights to be acquired, the equipment to be secured, the amount of expenditures to be made for any particular project or any element within a project; and the eligible costs to be paid from Bond Proceeds. New construction serving the same purpose may be substituted for renovation.

The Legislative Authority may seek supplemental, matching, or additional funds from other sources to pay all or part of the cost of a Project, and if successful, apply such funds to accomplishment thereof or to complement or enlarge the Project.

The Legislative Authority may execute joint use agreements with other public authorities, grant temporary permits, leases, concessions, or franchises, and make other arrangements for use of occupancy or buildings and grounds as long as the right, privilege, or use granted furthers the use and enjoyment of the premises for park and recreation purposes. The Legislative Authority may also grant temporary permits and underground easements compatible with the use of the premises for park and recreation purposes.

Section 5. Eligible Costs. Bond Proceeds may be used to pay costs of engineering, architectural, planning, financial, legal, and other services lawfully

incurred incident to accomplishment of the Projects in Section 3. Eligible costs include expenditures incident to eminent domain proceedings and relocation assistance; expenditures for necessary environmental mitigation measures adjacent to the facilities; expenditures for pedestrian or bicycle trails that are a part of the City's park and recreation system pursuant to Seattle Municipal Code Section 20.32.030, an apportionment equal to one percent (1%) of construction expenditures upon public works for art which will be located on property within the City's park and recreation system; expenses for sale and issuance of bonds and interim financing as authorized by state law and City ordinances; the cost of annual performance audits during the period of construction; and the cost of interest on the Bonds during a period of construction up to six months from the issuance of the bond.

Section 6. Life of Improvements. The duration of the property rights to be acquired and the life of the renovations and improvements to be made with Bond Proceeds are estimated and declared to be not less than six years.

Section 7. Discontinuation/Abandonment of Work. If the Legislative Authority finds that funds allocated for a project are insufficient to accomplish all of the ~~forego accomplishment of any particular elements of a Project in Sections 3 b, d, h, i, j, p, or q~~ Legislative Authority, may by appropriating and expending all the funds allocated for the Project to accomplish other named elements in the Project at the park identified in the caption. The City may forego accomplishment of any other element of any other particular project, if the Legislative Authority, after public hearing, shall determine that Bond Proceeds and supplemental funds then available are insufficient for accomplishment of all the Projects described in Section 3, and that completion of the remainder is more urgent and the Bond Proceeds so released may only be used for completion of the other more urgent Projects or Project elements.

The Legislative Authority may abandon any particular element of a Project or a particular Project if in Section 3a, c, e, f, h, k, l, m, n, o, or r, after public hearing, it finds that special circumstances arising after approval of this ordinance prevents its successful completion, or indicate that if completed, a Project or element of a Project, proposed for abandonment being abandoned, would not serve its intended use. Examples of special circumstances that would provide cause for abandoning a particular work include: prior acquisition for a superior public use; significant adverse environmental impact; a probable cost of completion substantially greater than the allocation in Section 3; a substantial increase in anticipated operating costs so as to make its continuous usage for the life of the Bonds financially infeasible; and new laws or regulations of the State of Washington or the United States impairing the construction or usefulness of the affected Project or Project element. Upon abandonment of a Project or an element of a Project, the City shall first apply the funds toward completion of other work contemplated by Section 3; and any Bond Proceeds which are not so required may be applied for enlargement of a Project and/or for other renovation or improvement of park and recreation system for hills of the City.

Section 8. Bond Issuance. For the purpose of providing funds necessary to pay the costs of carrying out this ordinance, general obligation bonds of the City shall be issued in the principal amount of not to exceed ~~Twenty-nine Million Four Hundred Thousand Dollars (\$29,400,000)~~ Twenty-eight Million Dollars (\$28,000,000) over a period of up to five years. The Bonds shall be sold in the manner permitted by law and shall bear interest at a rate not to exceed the maximum rate or rates permitted by law, shall be issued from time to time out of such authorization ~~for~~ the contemplated renovation, modification and improvement period, shall mature in no more than six years from the date of issuance of such bond, all as hereafter authorized by the Legislative Authority and as provided by law. Both the principal and the interest on the Bonds shall be payable out of annual tax levies to be made upon all of the taxable property within the City without limitation as to rate or amount and from any other money which may become available and may be used for such purposes. The exact date, form, terms, options of redemption and maturities of each series of the Bonds shall be as hereafter fixed by ordinance of the City.

Section 9. Application of Bond Proceeds. The proceeds of sale of the Bonds shall be deposited in the "Park Renovation and Improvement Fund," which shall be created in the City Treasury; and premium and accrued interest on the Bonds received at the time of their delivery shall be paid into a fund of the City to be used for redemption of the Bonds. Money in the "Park Renovation and Improvement Fund" and/or the Bond redemption fund may be temporarily deposited in such institutions or invested in such obligations as may be lawful for the investment of City money. Money in the "Park Renovation and Improvement Fund" may also be temporarily advanced to the fund for the redemption of the Bonds or to pay Bond interest pending receipt of taxes levied therefor.

Bond Proceeds shall be applied and used solely for the purposes authorized by this ordinance, and none of such proceeds shall be used for other than a capital purpose. To such end, during the period of construction, the Mayor shall cause to be prepared an annual performance audit by an independent auditing firm to be submitted to the City Council at such time as the City Council may direct.

Pending the printing, execution and delivery to the purchaser of the definitive Bonds authorized in Section 8, the City may execute and deliver to such purchaser or purchasers a single temporary Bond for each issue of definitive Bonds in the principal amount of each such issue. Each temporary Bond shall bear the same date of

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issuance, interest rates, principal payment dates and terms and covenants as the definitive Bonds of that issue, and shall be issued as a fully registered bond in the name of such purchaser, and shall be in each form as acceptable to such purchaser. Such temporary Bond shall be exchanged for the definitive Bonds of that issue as soon as the same are printed, executed and available for delivery.

After approval of this ordinance by the voters, pending issuance, sale and delivery of the Bonds, the City may execute a promissory note or notes, warrants or other evidences of indebtedness as authorized by law providing for a loan or loans of funds from a bank or banks or other qualified lending or financial institutions in a total amount outstanding at any time not to exceed the amount of the Bond Proceeds authorized in this ordinance, to bear interest at a rate or rates authorized by law, with the maturity dates of such note or notes or warrants to be no later than three (3) years from the date of execution or issuance, and including, in the discretion of the Legislative Authority, provision for early repayment. Such warrants may be redeemed or loans repaid from the proceeds of the Bonds or the temporary bond, from the proceeds of other notes or warrants or other evidences of indebtedness, or such other moneys available therefor.

Section 10. Irrevocable Covenants with Bond Holders. The City hereby irrevocably covenants and agrees that each year during the life of the Bonds, if authorized by the voters as provided in Section 11, it will cause to be levied annually a tax upon all the property within the City subject to taxation in an amount which, together with any other money legally available and to be used therefor, will be sufficient to pay the principal of and interest on the Bonds as the same shall become due and to make payments into a sinking fund as required by bond covenants. All of such taxes so collected shall be paid into a fund for redemption of the Bonds.

The City hereby irrevocably pledges that the aforesaid annual tax, together with any other money legally available and to be used therefor, will be and is hereby irrevocably set aside, pledged and appropriated for the payment of the principal of the interest on such Bonds.

The full faith, credit and resources of the City are hereby pledged for the annual levy and collection of such taxes and to the prompt payment of the principal and interest on the Bonds as the same shall become due.

Section 11. Election Called. The City Council hereby finds and declares an emergency exists, which requires the submission of the proposition to authorize the issuance of the general obligation bonds authorized in this ordinance to the qualified electors of the City at a special election to be held in conjunction with the Municipal Primary Election on the 18th day of September, 1984. The Manager of the King County Records and Elections Division, as ex officio supervisor of all elections held within King County, is hereby requested also to find that such an emergency exists and to assume jurisdiction of and to call and conduct such special election within the City on that date and to submit the aforesaid proposition to the qualified electors of the City at such special elections.

The City Comptroller, as ex officio City Clerk, is hereby authorized and directed to certify the aforesaid proposition to the Manager of the King County Records and Elections Division in substantially the following form:

SEATTLE, WASHINGTON

PROPOSITION NO. _____

PARK RENOVATION AND IMPROVEMENT BONDS

Shall the City issue during a five year period ~~\$29,400,000~~ \$28,000,000 in general obligation bonds, maturing in no more than six years from date of issuance to be paid by annual property tax levies in excess of regular levies, for renovating and improving City park and recreation system facilities, as provided in Ordinance _____?

BOND, YES. /

BOND, NO. /

3

Section 12. Captions. Captions of Projects in Section 3 are part of the general description of the Project. Captions to ordinance sections are for convenient reference and do not expand, limit, or comment upon the text.

Section 13. Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, that determination shall not affect the validity of the remaining portions of this ordinance.

Section 14. Ratification. Certification of such proposition by the City Clerk to the Manager of the King County Records and Elections Division in accordance with law prior to the date of such election on September 18, 1984 and any other act pursuant to the authority and prior to the effective date of this ordinance are hereby ratified and confirmed.

Section 15. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 14th day of June, 1984.

and signed by me in open session in authentication of its passage this 14th day of June, 1984.

Norman B. Rice
President of the City Council.

Approved by me this 14th day of June, 1984.

Charles J. Poma
Mayor.

Filed by me this 14th day of June, 1984.

Jim Hill
Attest: City Comptroller and City Clerk.

(SEAL)
By: *Paula D. Darnon*
Deputy Clerk.

Publication ordered by TIM HILL, Comptroller and City Clerk.
Date of official publication in Daily Journal of Commerce, Seattle, July 2, 1984. (C-556)

C-556

Affidavit of Publication

STATE OF WASHINGTON
KING COUNTY—SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

Ordinance No. 111716

was published on July 2, 1984

B. Blair
Subscribed and sworn to before me on

July 2, 1984

Richard A. Lewis
Notary Public for the State of Washington,
residing in Seattle.

