

ORDINANCE No. 120807

COUNCIL BILL No. 114172

AN ORDINANCE relating to the Wallingford Steps development project, increasing the expenditure authority of the Department of Parks and Recreation in the 2002 Adopted Budget by making a reimbursable appropriation to pay for that project as part of CIP Program K723003, all by a three-fourths vote of the City Council

COMPTROLLER FILE No. \_\_\_\_\_

Introduced: <u>MAY - 6 2002</u>	By: <u>STEINBRUECK</u>
Referred: <u>MAY - 6 2002</u>	To: <u>Parks, Education &amp; Libraries Committ.</u>
Referred:	To:
Referred:	To:
Reported: <u>5-28-02</u>	Second Reading:
Third Reading: <u>5-28-02</u>	Signed: <u>5-28-02</u>
Presented to Mayor: <u>5-28-02</u>	Approved: <u>6/3/02</u>
Returned to City Clerk: <u>6/3/02</u>	Published: <u>3 pp. title</u>
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

US5047

## The City of Seattle--Legislative

### REPORT OF COMMITTEE

Honorable President:

Your Committee on \_\_\_\_\_

to which was referred the within Council Bill No. \_\_\_\_\_  
report that we have considered the same and respectfully recommend that the same:

2-0 Peter Steinbrueck, Heidi Wills  
5-13-02 Held to 5-28-02  
5-28-02 Passed 8-0  
(Excused: Melner)

Law Department

Committee Chair

SMEAD 45 YSP 17703

*Peter Steinbreck*

**The City of Seattle--Legislative Department**

**REPORT OF COMMITTEE**

Date Reported  
and Adopted

Honorable President:

Your Committee on \_\_\_\_\_

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5-28-02 Passed 8-0

(Excused: Melver)

Wed. 5/1 System down from 1:30-5:00

*Law Department*

Committee Chair

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SMEAD 45 YSP 17703

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C. Chin  
WALLord  
4/23/2002  
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ORDINANCE

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AN ORDINANCE relating to the Wallingford Steps development project; increasing the expenditure authority of the Department of Parks and Recreation in the 2002 Adopted Budget by making a reimbursable appropriation to pay for that project as part of CIP Program K723003; all by a three-fourths vote of the City Council.

WHEREAS, in 2001, the sum of Four Hundred Twelve Thousand Dollars (\$412,000) was appropriated for the Wallingford Steps development project as part of CIP Program K723003; and

WHEREAS, pursuant to an agreement expected to be signed between the City and Regata LLC ("Regata"), the City will accept a payment of One Hundred Thousand Dollars (\$100,000) from Regata in lieu of construction of an overlook, eight-foot-wide concrete steps from the new cul-de-sac south to the Burke-Gilman Trail, and a storm drain line; and

WHEREAS, pursuant to RCW 82.02.020, the City shall deposit Regata's payment into a reserve account and shall use the payment to pay for the costs of the improvements for which Regata is responsible;

NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Upon the signing of an agreement between the City and Regata committing Regata to contribute One Hundred Thousand Dollars (\$100,000) to the project, the Superintendent of Parks and Recreation is hereby authorized to proceed with the enhanced Wallingford Steps development project K733126 in the 2002 CIP, using funds already appropriated for this purpose in the 2002 budget and funds appropriated in this ordinance.

Section 2. The Superintendent of Parks and Recreation, or his authorized representative, is hereby authorized to execute such agreements with other City departments, governments, private organizations, firms, and individuals as are necessary to carry out said project.

Section 3. The Superintendent of Parks and Recreation is hereby authorized to accept funds from Regata in the amount of One Hundred Thousand Dollars (\$100,000) for expenditures related to the Wallingford Steps project. The money, when received, shall be

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1 deposited into a reserve account and then transferred, along with any interest then  
2 accumulated, to the 2000 Parks Levy Fund as reimbursement for the expenditures authorized  
3 in Section 4 below.

4 Section 4. To help pay for the project authorized in Section 1, and contingent upon the  
5 signing of an agreement between the City and Regata committing Regata to contribute One  
6 Hundred Thousand Dollars (\$100,000) to the project, the appropriation in the 2002 Budget  
7 of the 2000 Parks Levy Fund is increased as follows:

Fund	Program Category	Amount
2000 Parks Levy Fund (33850)	Program K723003 - 2000 Parks Levy-Neighborhood Park Development Wallingford Steps- Development Project K733126	\$100,000 plus interest earned from the time of deposit into a reserve account to the time of transfer to Fund 33850, not to exceed \$110,000

8  
9 Section 5. Any act consistent with the authority and prior to the effective date of this  
10 ordinance is hereby ratified and confirmed.

11 Section 6. The foregoing appropriation is made to meet actual necessary expenditures of  
12 the City for which no appropriation has been made due to causes that could not reasonably  
13 have been foreseen at the time of making the 2002 Adopted Budget. Now, therefore, in  
14 accordance with RCW 35.32A.060, by reason of the facts above stated, this ordinance shall

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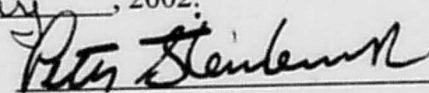




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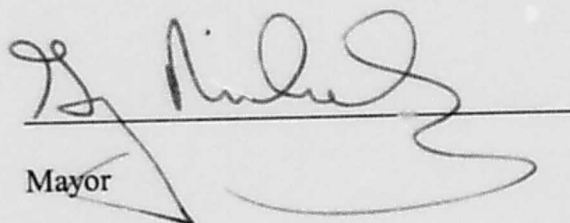
1 take effect and be in force thirty (30) days from and after its approval by the Mayor, but if  
2 not approved and returned by the Mayor within ten (10) days after presentation, it shall take  
3 effect as provided by Municipal Code Section 1.04.020.

4  
5 Passed by a three-fourths vote of all the members of the City Council the 28<sup>th</sup> day  
6 of May, 2002, and signed by me in open session in authentication of its  
7 passage this 28<sup>th</sup> day of May, 2002.

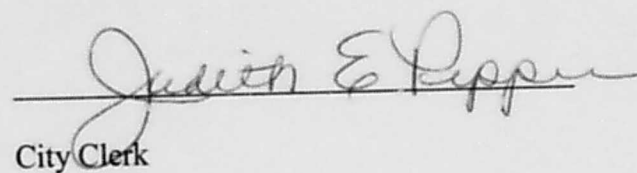
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9 President of the City Council

10  
11 Approved by me this 3 day of June, 2002.

12   
13  
14 Mayor

15  
16 Filed by me this 3rd day of June, 2002.

17   
18  
19 City Clerk

20 (SEAL)

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**Fiscal Note: Reimbursable Appropriation for the Wallingford Steps Development Project**

<b>Department:</b> Parks and Recreation	<b>Contact Person/Phone:</b> Tim Motzer 684-7060	<b>DOF Analyst/Phone:</b> Marnie Gardner 233-5109
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**Legislation Title:** AN ORDINANCE relating to the Wallingford Steps Development Project; increasing the expenditure authority of the Department of Parks and Recreation in the 2002 Adopted Budget by making a reimbursable appropriation to pay for that project as part of CIP Program K723003; all by a three-fourths vote of the City Council.

**Summary of the Legislation:**

The proposed legislation makes a reimbursable appropriation to pay for the Wallingford Steps Development Project as part of CIP Program K723003. An adjacent property owner, Regata LLC ("Regata") has proposed to pay \$100,000 to the Department of Parks and Recreation for the Wallingford Steps Development Project. A voluntary agreement has been prepared by the Law Department for Regata's review and approval. The agreement would accept the \$100,000 payment in lieu of satisfying the requirement in the Property Use and Development Agreement (PUDA) as part of a contract rezone to construct an overlook, eight-foot-wide concrete steps from the new cul-de-sac south to the Burke-Gilman Trail, and a storm drain line. The payment is needed in order to construct a portion of the steps as identified in the adopted Wallingford Neighborhood Plan. The Department shall be responsible for all work in the portion of the Wallingford Avenue right-of-way to the north of the Burke-Gilman Trail and to the south edge of the new Wallingford Avenue cul-de-sac sidewalk. The voluntary agreement allows the City to accept the payment in lieu of Regata actually doing the PUDA required work. If the City has not constructed the steps within five years, the payment plus interest will be returned to Regata.

The \$100,000 from Regata shall be deposited into a reserve account, to be established upon receipt of funds. The \$100,000 plus interest earned from the time of deposit to the time of transfer will reimburse the Parks Levy Fund for expenditures related to the Wallingford Steps Development Project.

**Background:**

The project designs and constructs a pedestrian connection and public open space between the Wallingford street-end and the Burke-Gilman Trail. The project concept was a priority in the Wallingford Neighborhood Plan, and was initially developed by the Department of Neighborhoods (DON). In 2000, the Neighborhood Planning Implementation Opportunity Fund provided \$121,000 to DON to develop a master design and cost estimates for this project. DPR and DON continue to work together to leverage investments by two adjacent private developers. The 2000 Parks Levy is providing \$412,000 towards construction of the public space, and \$28,000 (inflated annually) for maintenance and operating costs.

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**Public Private Partnership Review Status:** N/A

Is this project referenced in the legislation subject to P4 review? If yes, identify P4 review to date.

**Is the legislation subject to public hearing requirements?** N/A  
If yes, what public hearings have been held to date?

**Fiscal Sustainability Issues (related to grant awards):** N/A

**Estimated Expenditure Impacts:**

FUND	2002	2003	2004
2000 Parks Levy Fund (33850) – contingent, reimbursable appropriation	\$100,000	\$0	\$0
<b>TOTAL</b>	<b>\$100,000</b>	<b>\$0</b>	<b>\$0</b>

One-time \$ 100,000

On-going \$ 0

**Estimated Revenue Impacts:**

FUND	2002	2003	2004
2000 Parks Levy Fund (33850) – reimbursement from a reserve account (to be established upon receipt of funds)	\$100,000	\$0	\$0
<b>TOTAL</b>	<b>\$100,000</b>	<b>\$0</b>	<b>\$0</b>

One-time \$ 100,000

On-going \$ 0

**Estimated FTE Impacts:**

FUND	2002	2003	2004
Park and Recreation Fund	NA	NA	NA
<b>TOTAL</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>

Year \_\_\_\_: # Full Time \_\_\_\_ # Part Time \_\_\_\_ # TES \_\_\_\_

Do positions sunset in the future? No If so, when?

**Other Issues (including long-term implications of the legislation):**

DPR does not expect to incur operating & maintenance costs in addition to those already established for the Wallingford Steps Development Project.

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## City of Seattle

Gregory J. Nickels, Mayor

### Office of the Mayor

April 23, 2002

Honorable Peter Steinbrueck  
President  
Seattle City Council  
Municipal Building, 11<sup>th</sup> Floor

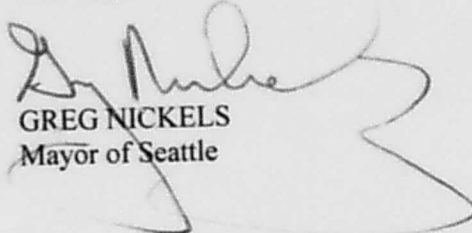
Dear Council President Steinbrueck:

I am transmitting the attached ordinance for Council consideration.

The proposed legislation makes a reimbursable appropriation to pay for the Wallingford Steps Development Project as part of CIP Program K723003. An adjacent property owner, Regata LLC ("Regata"), has proposed to pay \$100,000 to the Department of Parks and Recreation for the Wallingford Steps Development Project. A voluntary agreement has been prepared by the Law Department for Regata's review and approval. The agreement would accept the \$100,000 payment in lieu of satisfying the requirement in the Property Use and Development Agreement (PUDA), as part of a contract rezone to construct an overlook, eight-foot-wide concrete steps from the new cul-de-sac south to the Burke-Gilman Trail, and a storm-drain line. The payment is needed in order to construct a portion of the Steps as identified in the adopted Wallingford Neighborhood Plan. The Department shall be responsible for all work in the portion of the Wallingford Avenue right-of-way to the north of the Burke-Gilman trail and to the south edge of the new Wallingford Avenue cul-de-sac sidewalk. If the City has not constructed the Steps within five years, the payment plus interest will be returned to Regata.

Thank you for your consideration of this legislation. Should you have questions, please contact Tim Motzer, Project Manager at 684-7060.

Sincerely,

  
GREG NICKELS  
Mayor of Seattle

Cc: Ken Bounds, Superintendent, DPR  
Sarah Welch, Director, Finance & Administrative Services, DPR  
Erin Devoto, Director, Planning & Development, DPR  
Marilynne Gardner, DOF



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State of Washington, King County

**City of Seattle**

**TITLE-ONLY PUBLICATION**

The full text of the following ordinances, passed by the City Council on May 23, 2002, and published here by title only, will be mailed upon request, or can be accessed electronically at <http://clerk.ci.seattle.wa.us>. For further information, contact the Seattle City Clerk at 624-6344.

**ORDINANCE NO. 120812**

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

**ORDINANCE NO. 120810**

AN ORDINANCE relating to Law, Safety, and Justice Information Technology initiatives; creating a position in the

Seattle Police Department to act as the Project Director for the replacement of multiple public safety projects in the Police and Fire Departments; reducing an appropriation in Finance General and reappropriating that amount; and ratifying and confirming prior acts; all by a three-fourths vote of the City Council.

**ORDINANCE NO. 120809**

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing payment of all balances within the Zoo Project Construction Fund-Donations (Fund 33320) to the Woodland Park Zoo Society for capital improvements at Woodland Park Zoo; making appropriations therefor; and authorizing the closure of certain funds; all by a three-fourths vote of the City Council.

**ORDINANCE NO. 120808**

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the acquisition of real property located at the northeast corner of Delridge Way Southwest and Southwest Myrtle Street in the Delridge Neighborhood for open space, park, and recreation purposes; authorizing acceptance of the deed; and making an appropriation from the 2000 Parks Levy Fund for acquisition and related costs; all by a three-fourths vote of the City Council.

**ORDINANCE NO. 120807**

AN ORDINANCE relating to the Wallingford Steps development project; increasing the expenditure authority of the Department of Parks and Recreation in the 2002 Adopted Budget by making a reimbursable appropriation to pay for that project as part of CIP Program K723003; all by a three-fourths vote of the City Council.

**ORDINANCE NO. 120806**

AN ORDINANCE relating to the Police Department; authorizing the execution of an agreement with the Washington Traffic Safety Commission for financial assistance to enhance traffic safety through safety belt citation emphasis; accepting the money when received; increasing the 2002 Budget of the Police Department by making a reimbursable appropriation; and ratifying and confirming prior acts; all by a three-fourths vote of the City Council.

Publication ordered by JUDITH PIPPIN, City Clerk.

Date of official publication in Daily Journal of Commerce, Seattle, June 10, 2002.

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STATE OF WASHINGTON - KING COUNTY

--SS.

145941  
City of Seattle, Clerk's Office

No. TITLE ONLY ORDINANCE

**Affidavit of Publication**

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 12<sup>th</sup> 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

CTOT:ORD#120806-120810

was published on

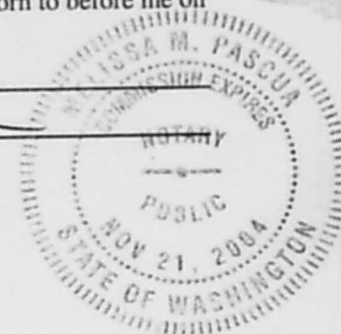
6/10/2002

J. Stedman  
Subscribed and sworn to before me on

6/10/2002

Melissa M. Pasqua  
Notary public for the State of Washington,  
residing in Seattle

Affidavit of Publication



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