

Ordinance No. 122584

Council Bill No. 116084

AN ORDINANCE authorizing the Superintendent of Parks and Recreation to enter into an Agreement with the Seattle Foundation relating to the implementation of the Seward Park Reforestation Program; authorizing acceptance of funds from the Seattle Foundation for such purpose; amending the 2007-2012 Capital Improvement Program; and increasing appropriations in the Department of Parks and Recreation's 2007 Adopted Budget; all by a three-fourths vote of the City Council.

CF No. _____

Date Introduced: <u>Nov. 19, 2007</u>		
Date 1st Referred:	To: (committee) <u>Finance</u>	
Date Re - Referred:	To: (committee) <u>Full Council</u>	
Date Re - Referred:	To: (committee)	
Date of Final Passage: <u>12-10-07</u>	Full Council Vote: <u>9-0</u>	
Date Presented to Mayor: <u>12-11-07</u>	Date Approved: <u>12-13-07</u>	
Date Returned to City Clerk: <u>12-14-07</u>	Date Published: <u>3</u>	T.O. <input checked="" type="checkbox"/> F.T. <input type="checkbox"/>
Date Vetoed by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: _____

Councilmember

Committee Action:

RM - Pass

GG - Pass

12-10-07 Passed 9-0

This file is complete and ready for presentation to Full Council.

Committee: _____

(initial/date)

Law Department

Law Dept. Review

OMP
Review

City Clerk
Review

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City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

November 13, 2007

Honorable Nick Licata
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Licata:

I am pleased to transmit the attached proposed Council Bill that authorizes the Superintendent of Parks and Recreation to enter into an agreement with the Seattle Foundation to accept a \$1,000,000 donation for forest restoration in Seward Park. This donation was made by a private individual, working through the Foundation, who specified that the funds be used toward the restoration of forest vegetation in Seward Park. In addition to accepting the donation, the legislation also creates a new capital improvement project and increases appropriation authority in the Department of Parks and Recreation's budget.

Seward Park is home to more than 150 acres of true old-growth Douglas fir forest and more than two miles of Lake Washington shoreline. Unfortunately, the Park is being overtaken by invasive non-native plants that threaten the health of the forest ecosystem. The Friends of Seward Park, along with other volunteer groups like the Native Plant Society and Seattle Audubon Society, have donated thousands of volunteer hours to reverse this trend. While the results of their combined work have been impressive, much restoration work is left to be done. The donation accepted by this legislation will support more than ten years of restoration work in the Park, leaving it essentially free of invasive plants, and allow us to leverage funds from other donors, grants, and organizations to support other restoration work at the Park. The agreement with the Seattle Foundation calls for the donor to make three consecutive Annual Allocations of \$333,000 each. The Foundation will distribute annual predetermined increments to the City, beginning with a payment of \$225,000 in 2007. Subsequent allocations will be included in the annual budget.

The City is very fortunate to be the recipient of such a generous donation, which will go a long way toward restoring one of the oldest and most beautiful forests in our park system. Thank you for your consideration of this legislation. Should you have questions, please contact Donald Harris at 684-8018.

Sincerely,

A handwritten signature in black ink, appearing to read 'Greg Nickels', with a long, sweeping underline that extends across the page.

GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 7th Floor, P.O. Box 94749, Seattle, WA 98124-4749

Tel: (206) 684-4000, TDD: (206) 615-0476 Fax: (206) 684-5360, Email: mayors.office@seattle.gov

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ORDINANCE 122584

AN ORDINANCE authorizing the Superintendent of Parks and Recreation to enter into an Agreement with the Seattle Foundation relating to the implementation of the Seward Park Reforestation Program; authorizing acceptance of funds from the Seattle Foundation for such purpose; amending the 2007-2012 Capital Improvement Program; and increasing appropriations in the Department of Parks and Recreation's 2007 Adopted Budget; all by a three-fourths vote of the City Council.

WHEREAS, Seward Park contains approximately 150 contiguous acres of true old-growth forest and over two miles of shoreline that are threatened by non-native invasive plants; and

WHEREAS, citizens of the City of Seattle ("City") have voiced a strong desire to see the Seward Park forest and shoreline restored, and they have performed thousands of hours of volunteer stewardship toward that effort; and

WHEREAS, the 2004 Seward Park Vegetation Management Plan ("VMP") clearly identifies restoration of the native forest and shoreline vegetation as its highest priority; and

WHEREAS, the general public has demonstrated support for the forest restoration work through their support of the VMP; and

WHEREAS, various groups and organizations such as the Friends of Seward Park, the Native Plant Society and the Audubon Society are on record in support of this work; and

WHEREAS, an anonymous citizen has offered to generously donate One Million Dollars (\$1,000,000) in support of forest restoration in Seward Park; and

WHEREAS, the said One Million Dollars (\$1,000,000) will be paid to the Seattle Foundation ("Foundation") in equal amounts over a consecutive three year period; and

WHEREAS, the Foundation will make this donation available to the Department of Parks and Recreation (DPR) for the single purpose of restoring the forest in Seward Park in annual predetermined funding increments, beginning in 2007 and ending when both principal and interest are expended; and

WHEREAS, a Memorandum of Agreement ("MOA") between DPR and the Foundation will be entered into to delineate roles and responsibilities and the process for the annual allocation of funds from the donation account; and



WHEREAS, the MOA between DPR and the Foundation will also include annual work performance indicators to be accomplished by the City and demonstrated to the Foundation before future funds are allocated; and

WHEREAS, DPR and the Foundation wish to memorialize the relative roles and responsibilities of the Foundation and the City with respect to donated funds allocated for forest restoration in Seward Park; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Superintendent or his or her designee, is authorized to execute an MOA with the Seattle Foundation, substantially in the form of Attachment A, to this ordinance, to delineate the relative roles and responsibilities of the Foundation and the City with respect to the allocation and acceptance of donated funds for Seward Park reforestation.

Section 2. The Superintendent, or his or her designee, is authorized on behalf of the City to accept donations from an anonymous donor through the Foundation to be used solely for the restoration of the Seward Park forest.

Section 3. Contingent upon the execution of the MOA authorized in Section 1 above and the receipt of the funds described in Section 2 above, and in order to pay for necessary capital costs and expenses for which insufficient appropriations were made, the appropriation for the following item in the 2007 Adopted Budget is increased as follows:

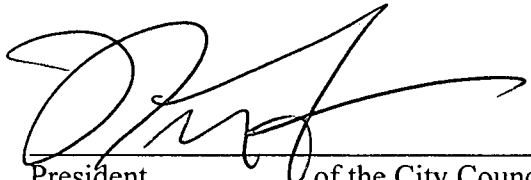
Fund	Department	Budget Control Level/ CIP Program	Amount
Cumulative Reserve Subfund – Unrestricted (00164)	Parks and Recreation	Rehabilitation or Restoration (K72442)	\$225,000

Any amounts unspent and unencumbered shall automatically carry forward from year to year until spent or abandoned by ordinance.

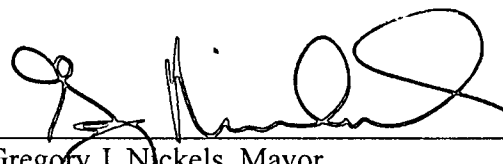
1 Section 4. The Seward Park Forest Restoration project, as described in Attachment B to
2 this ordinance, is established in the 2007-2012 Adopted Capital Improvement Program.

3 Section 5. This ordinance shall take effect and be in force thirty (30) days from and after
4 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
5 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

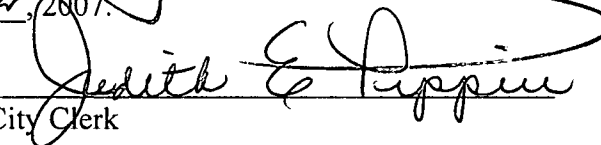
6 Passed by a three-fourths (3/4) vote of all the members of the City Council the 10th
7 day of December, 2007, and signed by me in open session in authentication of its passage this
8 10th day of December, 2007.

9
10
11 
12 President _____ of the City Council

13 Approved by me this 13th day of December, 2007.

14
15 
16 Gregory J. Nickels, Mayor

17 Filed by me this 14th day of December, 2007.

18 
19 City Clerk

20 (Seal)

21 Attachment A: City of Seattle, Parks and Recreation and The Seattle Foundation Grant
22 Agreement

23 Exhibit 2 to Attachment A: The Seattle Foundation – Investment and Fee Information

24 Attachment B: Seward Park Forest Restoration - Project Description
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27
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**City of Seattle, Parks and Recreation and The Seattle Foundation
Grant Agreement**

The Seattle Foundation is awarding a grant from the Seward Park Reforestation Fund to the City of Seattle, Parks and Recreation, subject to the terms and conditions of this grant agreement.

Grant Description:

Grantee: City of Seattle, Parks and Recreation
100 Dexter Ave N.
Seattle, WA 98109

Grant Purpose: Restoration of Seward Park

Project Description: This grant is to support expenses related to reforestation of Seward Park.

Grant Amount: A total grant in the principal amount of \$1,000,000 to be paid out over a ten-year time period (plus any investment income earned, less fees incurred by the Seward Park Reforestation Fund.)

Grant Period: January 1, 2008 to December 31, 2018

Grant Amount and Payment Schedule

The total principal amount of the grant is **\$1,000,000** (adjusted for any investment income earned, less fees incurred by the Seward Park Reforestation Fund.) Funds will be expended over a ten-year time period as outlined below:

- In the first year of the program, approximately \$225,000 will be transferred to the Department of Parks and Recreation (“Parks”) to address specific high impact projects in four areas of Seward Park.
- In the second year, \$108,000 will be transferred to fund the necessary follow-up work on invasives and to assure the establishment of the plants and trees planted previously.
- In the third year, \$90,000 will be transferred for continuation of restoration and plant establishment work.
- The remainder of the funds will remain in the Seward Park Reforestation Fund with the Seattle Foundation for expenditure in subsequent years, as outlined in the attached proposal (Exhibit 1). After initial establishment of the program, annual expenditures will range from \$90,000 to \$113,000 until the funds are exhausted, which is expected to be in 2018.

All funds in the Seward Park Reforestation Fund shall be invested in accordance with The Seattle Foundation’s general financial management practices and assessed designated fees in accordance with The Seattle Foundation’s fees schedule (Exhibit 2). Budget allocation estimates in the attached proposal indicating expected earnings on invested funds are for illustrative purposes only and are not guaranteed by The Seattle Foundation.



Attachment A

Actual investment earnings and resulting payments will depend on actual fund performance.

The release of the second grant installment payment and all subsequent payments are contingent upon satisfactory performance of the project as described in the attached proposal. If, in its sole discretion, the Foundation determines that the program has for any reason become impracticable, the Foundation may modify, withhold or cancel future grant payments.

The Seward Park Reforestation Fund is being established and funded by an individual donor who is expected to be making three contributions of \$333,000 to establish and fully fund the project. All grant payments outlined in this agreement and attached proposal are fully dependent on receiving payment from the donor. A lack of funding from the donor may result in the Foundation modifying, withholding or canceling future grant payments.

Parks may make adjustments in the scope of work and the allocation of costs after receiving written approval from The Seattle Foundation who will ensure that the changes are consistent with the original intent of the donor.

Parks shall track its time and costs and shall only use grant funds based on the actual level of services provided, up to the total grant amount. Should expenditures be less than the total approved amount, the remaining funds may be reprogrammed by The Seattle Foundation.

Grant Requirements

1. This grant is made subject to the condition that the entire amount will be expended for the purposes stated above.
2. All grant funds must be expended by December 31, 2018. Any unused funds must be returned to The Seattle Foundation at the conclusion of the Grant Period, unless permission is given to carry them over to a new grant period.
3. The Foundation must be promptly notified about any of the following during the grant period:
 - a. Change in key personnel of the project or organization.
 - b. Change in address or phone number.
 - c. Change in name of the organization.
 - d. Any development that significantly affects the operation of the project or the organization.
4. The Grantee will provide the Foundation with the performance and financial reports described below.
5. The Grantee will abide by all provisions of this agreement and will keep adequate supporting records to document the expenditure of funds and the activities supported by the funds.
6. If the Grantee fails or becomes unable to perform the activities funded by this grant, or if conditions arise that make the project untenable, or if the Grantee

Attachment A

materially breaches this agreement, all unexpended grant funds must be returned to The Seattle Foundation.

Project Reports

The Grantee agrees to provide The Seattle Foundation with a written progress report by December 31, 2008 (or at year-end from initial grant date), and an annual report thereafter for the duration of the grant agreement. These reports should include but are not limited to:

- A financial statement detailing how grant funds were used.
- Information on the specific activities and accomplishments during the grant period.
- A candid assessment of the successes and challenges of the project.
- Any lessons learned that would help inform future grantmaking by The Seattle Foundation.

IRS Status

It is the understanding of the Foundation that the Grantee organization has obtained a determination from the Internal Revenue Service that qualifies it as a section 501(c)(3) organization or that it is a governmental unit described in section 170(c)(1) of the IRS code. If there is any change in the Grantee's status or classification, the Grantee must promptly notify the Foundation. In the event of loss of tax-exempt status under Federal law, any unspent grant funds must be returned to the Foundation within 30 days.

City of Seattle
Department of Parks and Recreation

By: _____
Christopher M. Williams
Interim Superintendent

Date: _____

The Seattle Foundation

By: _____
Phyllis Campbell
President/CEO

Date: , _____

Exhibit 1: Proposal

Exhibit 2: The Seattle Foundation's fees scheduled



Proposal for Seward Park Reforestation Program Donation

The Department of Parks and Recreation has been given the opportunity to restore the crown jewel of our emerald city's forested parklands, the old growth forest of Seward Park. The gracious donation of \$1,000,000 by a single donor will stem the tide of invasive plants already in the park and help plant the next generation of trees and shrubs. This funding will also help build the stewardship ethic in the surrounding community and across the city that will be necessary to assure the long term sustainability of this irreplaceable asset. Seward Park is one of the last stands of untouched native forest in the city; this is a treasure we can now preserve for generations to come.

Initial Allocation of Funds

Phasing for the project is based upon an intended stream of funding. The donor has requested that the gift be made through the Seattle Foundation in equal amounts (\$333,000) over a three-year period. The Foundation will transfer an agreed upon specified amount of the funds to the City each year via ordinance, as required by City procedures.

In the first year of the program, approximately \$225,000, of the initial \$333,000 would be transferred from the Seattle Foundation to the Department of Parks and Recreation to address specific high impact projects in four areas of Seward Park. In 2009, \$108,000 would be transferred to fund the necessary follow up work on invasives and to assure the establishment of the plants and trees planted previously.

In 2009, the second installment check of \$333,000 from the donor would be deposited with the Seattle Foundation. Of this installment, \$90,000 would be transferred to the City of Seattle for continuation of restoration and plant establishment work in 2010. The remainder of the funds will remain in an interest bearing account with the Seattle Foundation for expenditure in the following years. After initial establishment of the program annual expenditures are estimated to be \$90,000 to \$113,000 until the funds are exhausted.

Parks expects to leverage these funds as well as it has done successfully in similar, although much smaller, projects across the City. At the end of this ten year program, Parks expects to have developed the necessary personnel and city funding to support the long term maintenance of the areas worked.

Budget Allocation

(Estimate: assumes 3% inflation on expenditures and 6% interest on invested funds)

Year	Allocation	Fund Balance	Expenditure	New Balance	Interest
2008	\$333,000	\$333,000	\$225,000	\$108,000	\$6,480
2009	\$333,000	\$447,480	\$108,000	\$339,480	\$20,369
2010	\$333,000	\$692,849	\$90,000	\$602,489	\$36,150
2011		\$638,638	\$92,700	\$545,938	\$32,756
2012		\$578,694	\$95,481	\$483,213	\$28,993
2013		\$512,206	\$98,345	\$413,861	\$24,832
2014		\$438,693	\$101,295	\$337,398	\$20,244
2015		\$357,642	\$104,339	\$253,303	\$15,198



Exhibit 1

2016		\$268,501	\$110,599	\$157,902	\$9,474
2017		\$167,376	\$113,917	\$54,459	\$3,208
2018		\$57,567	\$57,567	0	-

Scope of Work

The first years of this program will be focused on eradicating invasives and establishing native vegetation in three highly visible and impacted areas of the Park and to restore a site severely damaged in the December 2006 storm. The Establishment of a year-round youth program in 2008 will provide the foundation for a park-wide invasive removal program. This initial work outlined below was drawn from the Seward Park Vegetation Management Plan and will begin in 2008. The interior and less visible portions of the Plan will be implemented in subsequent years through this program.

~The Forest Edge

The transition zone from one type of landscape, grassland for example, to true forest is known as the forest "edge". It's along this edge that the forest is most challenged by invasive species. These edges are also the most visible to the public. Therefore, restoration of these areas will provide the dual purposes of stopping the spread of invasives along the open areas and expand the forest, while providing a positive visual image to the majority of Seward Park's users. This will be particularly true along the south edge of the old growth forest. A major objective for 2008 will be to remove the blackberries from this area and move this area to more native plant composition. Removal of blackberries will require extensive handwork and planting. Planting for this area will include seedlings grown from trees on site, and the installation of taller native shrubs to preclude re-invasion by blackberry and other invasives. As access is easier than other areas in the park, there will opportunities to utilize equipment and contracted crews for the hard work on blackberry removal, allowing volunteer and youth crews to focus on the necessary planting and follow-up monitoring of the site for invasives as well as care for the new plantings. Estimated costs for 2008-09 are \$65,000.

Exhibit 1

Forest Edge Conversion with Volunteers



~The Lake Edge

Much like the forest edge, the lake edge is open to sunlight in many areas and is easily overtaken by invasive plants like blackberry. A limited amount of the lakeshore has been restored but a great deal of the lake shoreline remains to be restored. Restoration of selected areas along the lake shoreline will include removals of large poplar trees to be replaced by native evergreens and taller wetland species trees. Additional challenges for this site include the heavy impact of users and the need to provide more near shore vegetation to support young salmon. This will also be an excellent area to model native plant communities and their positive impacts on the shoreline and surrounding area. As the shoreline areas receives the heaviest use in the park these positive changes will generate significant public education and stewardship recruitment opportunities. Estimated costs for 2008-09 are \$50,000.

~Garry Oak Ecosystem

In the southeast corner of the Park, the combination of soils, hydrology and sun exposure makes the site conducive to naturally growing native Garry Oaks. The area is bordered by the Amphitheatre to the west and picnic facilities to the east. It is quite visible and heavily used. Garry oak communities are rare this far north of Tacoma and provide a very different experience both visually and environmentally. The combination of easy access and an uncommon plant community will provide a unique native plant adventure for Seattleites. Unfortunately, poison oak is also found in the area and is sometimes associated with the native oak communities. As poison oak is not a necessary component of the oak ecosystem and is hazardous to users, Parks will test several strategies for poison oak removal in this area. Continuing the process of converting this area to a true

Exhibit 1

Garry Oak forest, with associated grasslands, is a very desirable project for the current Friends of Seward Park as well. Estimated costs for 2008-09 are \$30,000.

Lawn Conversion to Forest



~Wind Damage Response

Along the western edge of the property, across from the main entrance and near the tennis courts, exists an area of less than an acre which was severely impacted by last December's wind storms. This area of spruce has seen losses over the last four to five years due to disease and poor planting conditions for the trees. If not planted with an appropriate species of tree shortly it will become a field of blackberry and other invasives. Re-establishment of the canopy in this area will also provide screening from the homes to the west, helping to preserve the forest atmosphere of Seward Park. A short intensive study will be made of the soils and associated features of this site to develop a more specific set of proscription for the site. There is the potential this area may be converted to a native oak or Madrona stand. Estimated costs for 2008-09 are \$40,000.

~Ivy Free Trees

Volunteers and non-profits have had a great deal of success removing ivy from a large number of the trees across Seward Park. The Ivy Free Trees element of this program will help to continue and support this effort by beginning a concerted effort to remove ivy from every tree in Seward Park's forest. This Ivy Free Trees project will include revisiting all trees, including trees previously cleared of ivy, to clear any re-growth as well as expansion of the ivy cleared areas around the trees from five to 20 feet. An added element will be the measurement and mapping of all trees cleared of ivy. Estimated costs for 2008-09 are \$40,000.

Freeing trees from ivy



Resources Utilized

Just like many other projects across the City, Parks will rely heavily on partners such as Seattle Conservation Corps, Earthcorps (Americorps program), summer youth programs and other existing non-profit organizations. These groups are using contracted and utilized paid staff to organize and lead volunteers or trainees. These groups may work in concert with citizen volunteers. As funding will be strong for this program, additional resources will be drawn from contracted crews for specialized work and to deal with the bulk of the heavier work. Parks has found that the most successful programs of this size also have a dedicated Parks staff person coordinating the overall efforts with duties that include: recruiting, training and leading volunteers, coordination of all contractors, work site planning and daily on site labor. Parks also plans on establishing a year-round weekend youth leadership program that will help build youth crews that can lead volunteers in this effort throughout the year.

Additional support will come from local Parks District field staff in the form of services already performed for volunteers and will not be directly funded by this program. A vital link in the Seward Park project will be the volunteer "Forest Stewards" which will be recruited, trained and tracked through the citywide Green Seattle Partnership. The Green Seattle Partnership will provide logistical support and coordination of efforts with over 50 similar projects across the City at no cost to the Seward Program.

Parks currently has a similar program at Coleman Park. The Coleman Park program has initiated restoration in over 12 acres of Coleman, planted over 3,200 plants, recruited and utilized over 4,000 volunteers and generated over 17,000 volunteer hours and cleared over 18 acres of invasives in the last four years. Each year the Coleman project utilized the services of youth teams through the Parks' summer Steps toward Environmental Partnership (STEP) program. This success will be repeated and amplified at Seward Park with the donation mentioned above.

Plants for the program will come from the close by Parks nursery and from contracted native plant growers. Irrigation for new plantings will come from existing irrigation,

Exhibit 1

temporary irrigation systems to be installed through this program, contracted hand watering and when possible through volunteers.

Work Methods

Several different work methods will be employed to undertake this work in 2008. All sites worked will be mapped and work progress will be tracked via established Green Seattle Partnership protocols, to not only assure the success of the work at Seward but to also include these efforts in the citywide Partnership.

To accelerate the project some of the areas that are heavily covered by blackberry will be mown down and will be controlled mechanically or chemically as the blackberry re-grows. In these areas Parks may lay down a thick blanket of wood chips five to six inches thick to help smother the blackberry and build up the soils. Some native plants will usually be found in these sites, but generally these sites will require extensive replanting with taller native shrubs as soon as the blackberry is brought under control. During the transition from blackberry to native forest, "Future Forests" informational signs will be placed in these areas.

In many areas the blackberry, ivy and other invasive weeds will need to be removed by hand. These are areas where machines can not go and/or have existing native plant communities that can be freed of invasive plants. Much of this work will be done by volunteers under the supervision of groups like Earthcorps or trained volunteer "Forest Stewards". Steeper areas and areas with poison oak are not conducive to volunteer work and will require contracting one of our non-profit or for profit contractors.

Typically a work area is cleared of non-native invasive plants in the winter, spring and through the summer, with initial invasive work beginning in early spring of 2008. Depending on the degree of invasive plant coverage in an area, new plantings may or may not be planted the next fall. If the invasive plant coverage is heavy, replanting may be delayed one year to ensure control of the invasive plants. However, in the initial project sites of this program all efforts will be made to at a minimum plant the next generation of trees in each site in the fall of 2008.

Once the new plants are planted, the work is typically watered, monitored for invasive plants and native plant success for three years. The year-round youth program mentioned above and Forest Stewards for the site will perform a great deal of the site monitoring. Volunteer work parties will participate in the delicate tasks of removing invasives from these planting areas.

Continued Work

Seward Park is not only one of the most valued forests in the City; it is also one of the City's largest parks. This donation will fund a great deal of the work necessary to restore Seward Park to native like conditions. The work described above will only be the initial efforts of this ten year program. Parks and its partners will rely heavily on the existing Seward Park Vegetation Management Plan to guide the use of the donated funds. Care of the areas cleared initial will be complimented by an expansion into the interior areas of

Exhibit 1

Seward Park. It is expected and welcomed that the current Friends of Seward Park volunteer groups and the newly resident Audubon Center will have a great deal of input on priorities for subsequent years work.

Summary

Parks would once again thank the donor for this gift. This funding will help restore a large portion of one of Seattle's most treasured and visible assets. The size of this donation and its specific direction toward Seward Park makes this donation unique and timely. Parks has an outstanding record of success with forest restoration efforts; we are grateful for the opportunity to apply these skills and efforts to Seward Park and our community through this donation.



2008 -09 Work Zone for Seward Park

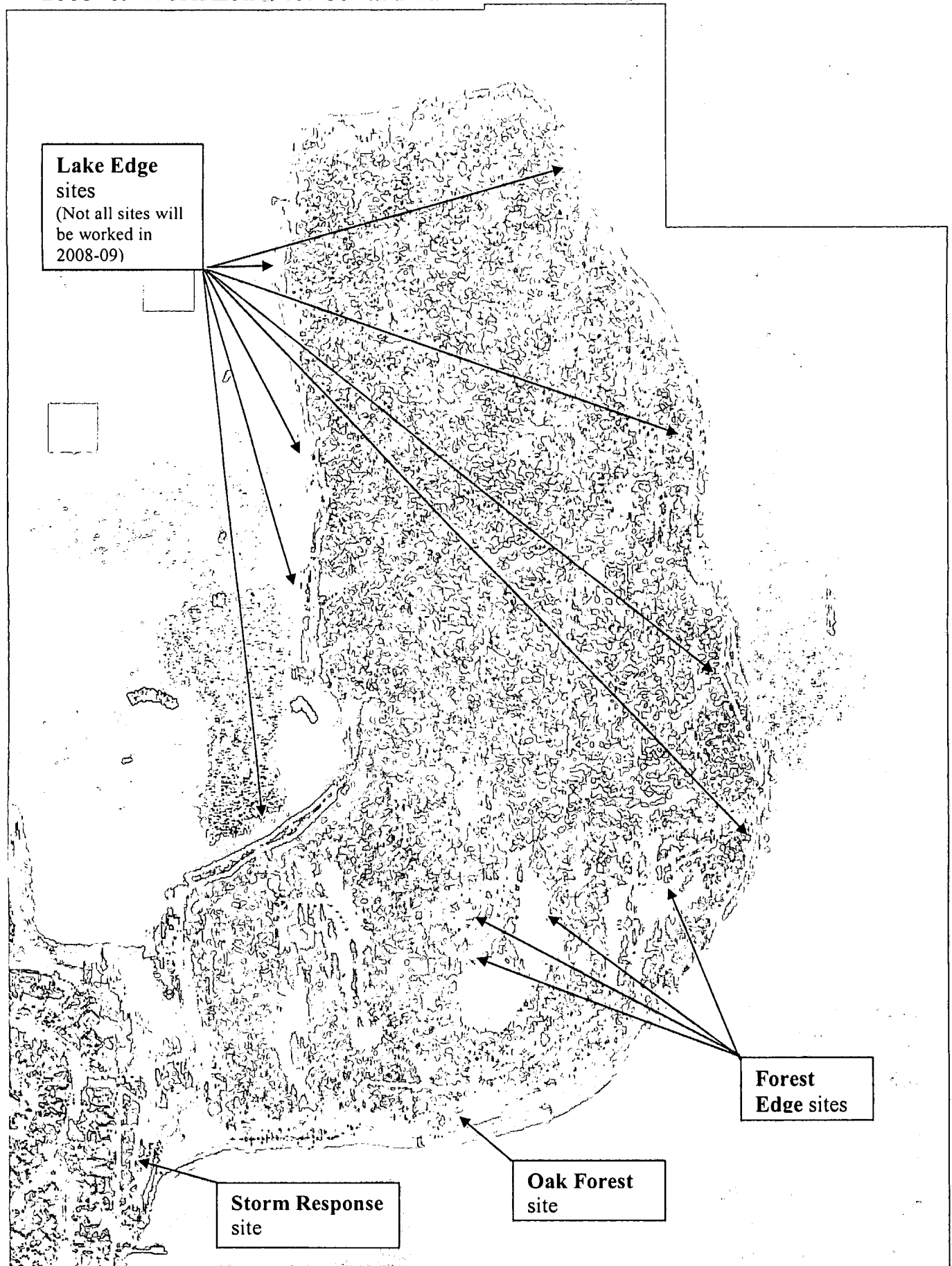


Exhibit 1

Overall Restoration Strategy for Seward Park
Distribution of Donation Funds and Costs to be Leveraged.

Area	Issue	Action	Amount	Rate	Distribution of Donation	Proposed Amount For Parks to Leverage	Total Work	Timeline
1. FOREST HEALTH								
	Invasive Plants	All existing populations are contained and eventually removed						
	<i>Ivy</i>	Remove ivy from all trees in park	12,000 trees	\$10 / tree	\$ 80,000	\$40,000	\$120,000	ASAP
	<i>Ivy</i>	< 5% cover at any given spot in forest	62 acres	\$7,000/Acre X 10 acres / year	\$200,000 in value provided by youth crews	\$234,000	\$434,000	10 years
	<i>Holly</i>	Remove holly from all areas of park	78 acres	\$3,000/Acre X 10 acres / year	\$80,000	\$154,000	\$234,000	ASAP
	<i>Himalayan Blackberry</i>	Remove from all areas of park	134 acres	\$5,000/Acre X 10 acres / year	\$200,000	\$470,000	\$670,000	12 years
	<i>Other Invasive</i>	Remove from all areas of park	17 acres	\$15,000/Acre X 2 acres / year		\$30,000	\$30,000	8 years
Native Regeneration (Planting & Establishment)								
	<i>Native Trees</i>	Plant in all appropriate areas as soon as possible	158 acres	100 trees/acre @ \$50 tree	\$124,000	\$666,000	\$790,000	ASAP
	<i>Under story Plants</i>	Scaled with invasive removal	158 acres	500 plants/acre @ \$15 plant	\$180,000	\$1,005,000	\$1,185,000	8 years
	Zone 12 Rehabilitation	Intense restoration to native plant community	0.4 acres	\$20,000 / Acre	\$8,000		\$8,000	4 years
2. WILDLIFE HABITAT								

Exhibit 1

	Forest Edge	Grass margins converted to forest where appropriate	40,000 linear feet	\$10,000 / 4,000 ft./yr		\$100,000	\$100,000	10 years
	Eagle Nesting Areas	Partner with Audubon to develop plan and implement				\$5,000	\$5,000	ASAP
3. ENVIRONMENTAL EDUCATION								
	Forest Stewardship	Develop year-round paid youth stewardship program	10 youth	\$12,000 per youth per year	\$240,000	\$120,000	\$120,000	Annual
4. RETENTION OF PARK CHARACTER								
	Gateway entrance improvements	Work with neighbors to improve west areas of park	5 acres	\$15,000 / Acre		\$75,000	\$75,000	TBD
	Trails Improvement	Improve designated trail system	42,000 linear feet					5 years
5. VEGETATION MONITORING								
	Develop tools	Develop forest health monitoring system				\$20,000	\$20,000	Scaled to program growth
6. PRESERVATION OF RARE, SENSITIVE PLANT COMMUNITIES AND OUTSTANDING TREES								
	Garry Oak	Enhance/expand Oak stands to native conditions	3 acres	\$15,000 Acre	\$45,000		\$45,000	ASAP
7. SHORELINE VEGETATION MANAGEMENT								
	Shoreline Vegetation Management	Increase upper canopy/shading remove invasives			\$50,000			
8. GRASSLANDS AND LAWNS								

Exhibit 1

8.1	Non-native grasses	Managed to reduce encroachment into native forest	Approx. 10 acres	Unknown				
8.2	Unmowed Grassland Management	Evaluated and converted to forest, where appropriate	4.8 acres	TBD	\$60,000			
9. POISON OAK CONTROL								
	Poison Oak Control	Manage for public safety where appropriate	7 acres	\$20,000 Acre	\$ 70,000	\$70,000	\$140,000	ASAP
OVERALL PROGRAM								
	Total program				\$ 1,137,000	\$ 2,989,000	\$3,976,000	





**The Seattle
Foundation**

Investment & Fee Information

As a community foundation, The Seattle Foundation holds the charitable endowment for this community in perpetuity. As stewards of our donors' funds, we have three main investment priorities:

1. Protect principal
2. Maximize income commensurate with safety of principal and
3. Ensure capital growth

The Investment Committee, a standing committee of the Board of Trustees, is responsible for oversight of the Foundation's investments and investment managers.

Annualized Rate of Return as of December 31, 2006¹

1 Year	3 Years	5 Years	10 Years
11.31%	11.27%	9.62%	9.77%

Relevant Benchmarks

	1 Year	3 Years	5 Years	10 Years
S & P 500	15.80%	10.44%	6.19%	8.42%
Russell 2000	18.37%	13.56%	11.39%	9.44%
Lehman Aggregate	4.33%	3.70%	5.06%	6.24%
90 Day T-Bills	4.85%	3.07%	2.43%	3.80%
CPI	2.67%	3.22%	2.83%	2.56%

As of February 2007, The Seattle Foundation's investment managers are:

Aeltus/ING Investment Management
Artisan Partners
AXA Rosenberg
Calvert Group
Capital Guardian Trust Company
Columbia Management
Commonfund Capital Inc.
Dodge and Cox
Euro Pacific/American Funds
Goldman, Sachs & Co./Whitehall

HarbourVest
Harris Associates
INVESCO Private Capital
Morgan Stanley
Northgate Capital
Oaktree Capital Management
PIMCO
Rigel Capital Management
RREEF
The TCW Group

with **R. V. Kuhns & Associates, Inc** serving as investment advisors.

Bank of New York is custodian and **Clark Nuber P.S.** is the Foundation's independent auditor.

Legal counsel is **Davis Wright Tremaine**.

¹ Gross of Investment Fees

(OVER)



Exhibit 2

FUND ADMINISTRATION FEES

Donor Advised Fund	Rates
LEVEL 1: First \$500K	1.50%
LEVEL 2: Next \$500K (Total = \$1M)	1.35%
LEVEL 3: Next \$1M (Total = \$2M)	1.20%
LEVEL 4: Next \$2M (Total = \$4M)	1.00%
LEVEL 5: Next \$1M (Total = \$5M)	0.75%
LEVEL 6: Next \$1M (Total = \$6M)	0.75%
LEVEL 7: Next \$2M (Total = \$8M)	0.50%
LEVEL 8: Next \$2M (Total = \$10M)	0.25%
LEVEL 9: Additional \$ (Total > \$10M)	0.25%
Minimum fee	\$1,500
Community Fund²	Rates
Percentage fee	1.25%
Minimum fee	N/A
Area of Interest Fund²	Rates
Percentage fee	1.25%
Minimum fee	N/A
Designated Fund²	Rates
Percentage fee	1.25%
Minimum fee	\$250
Scholarship Fund²	Rates
LEVEL 1: First \$500K	1.75%
LEVEL 2: Next \$500K (Total = \$1M)	1.60%
LEVEL 3: Next \$1M (Total = \$2M)	1.45%
LEVEL 4: Next \$2M (Total = \$4M)	1.25%
LEVEL 5: Additional \$ (Total > \$4M)	1.00%
Minimum fee	\$1,750
Supporting Organization	Rates
LEVEL 1: First \$2M	1.00%
LEVEL 2: Next \$2M (Total = \$4M)	.75%
LEVEL 3: Next \$2M (Total = \$6M)	.50%
LEVEL 4: Next \$2M (Total = \$8M)	.25%
LEVEL 5: Additional \$ (Total > \$8M)	.15%
Minimum fee	N/A
Nonprofit Endowment Fund	Rates
Percentage fee	1.00%
Minimum fee	\$250

Fund Administration Fees: Your annual fees cover all administrative costs to manage your grantmaking and may also provide funds to support our community leadership activities. We do not provide financial benefits of any sort to third-party participants in the gift planning process.

Investment Management Fees: The rates listed above do not include investment fees that typically fluctuate between 70 and 90 basis points.

² Based on endowed funds. Fees for non-endowed funds are negotiated on a case-by-case basis.

Attachment B

Seward Park Forest Restoration

Project ID	K732367	Project Start	Q4/2007
Type	Rehabilitation or Restoration	Project End	TBD
Contact Name:	Mark Mead	Contact	684-4113
BCL Name:	Forest Restoration	BCL Code:	K72442
Capacity:	This project does not increase capacity		

Project Location(s)**Location:** 5900 Lake Washington Blvd S**Neighborhood Plan:** Not in a Neighborhood Plan**Neighborhood Plan Matrix:** N/A**Neighborhood District:** Southeast**Urban Village:** Not in an Urban Village**Checked box indicates this project is:**☐ **Art Eligible**☐ **Design Eligible****Cost Estimate:** \$1,000,000☐ **In a Neighborhood Plan**☐ **Information Only****Description**

This project provides for additional funds to be used toward the restoration of old growth forest in Seward Park as part of the Green Seattle Partnership. The restoration work will be guided by the established vegetation management plan for Seward Park. This additional work is being funded by a private donation of \$1 million. The donation will be made to the Seattle Foundation over the course of 3 to 4 years and dispersed to parks over a period of 10 to 11 years. The Seattle Foundation will enter into a grant agreement with the Department of Parks and Recreation and begin dispersing funds in 2007.

	LTD	2007	2008	2009	2010	2011	2012	2013	Total
Revenue Sources									
Miscellaneous Grants or Donations	0	225	0	108	90	93	95	98	709
Project Total:	0	225	0	108	90	93	95	98	709
Fund Appropriations/Allocations									
Cumulative Reserve Subfund – Unrestricted Subaccount	0	225	0	108	90	93	95	98	709
Appropriations Total	0	225	0	108	90	93	95	98	709
O & M Costs (Savings)	0	0	0	0	0	4	7	11	22
Spending Plan	0	225	0	108	90	93	95	98	709



FISCAL NOTE FOR CAPITAL PROJECTS ONLY

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Parks and Recreation	Donald Harris / 684-8018	Jennifer Devore / 615-1328

Legislation Title:

AN ORDINANCE authorizing the Superintendent of Parks and Recreation to enter into an Agreement with the Seattle Foundation relating to the implementation of the Seward Park Reforestation Program; authorizing acceptance of funds from the Seattle Foundation for such purpose; amending the 2007-2012 Capital Improvement Program; and increasing appropriations in the Department of Parks and Recreation's 2007 Adopted Budget; all by a three-fourths vote of the City Council.

Summary and background of the Legislation:

This proposed legislation will authorize the Superintendent of Parks and Recreation (Superintendent) to enter into an Agreement with the Seattle Foundation (Foundation) that outlines the roles and responsibilities of the Foundation and the Department of Parks and Recreation (DPR) with respect to accepting donations from the Foundation and to expending the funds for the restoration of the Seward Park forest and shoreline. The legislation also creates a new CIP project which will be named 'Seward Park Forest Restoration' (K732367).

In 1994, DPR officially began its Cumulative Reserve Subfund (CRS) funded Forest Restoration Program. The purpose of this program is to restore forested park lands to healthy, sustainable ecosystems. A major component of the program is the development of a "Vegetation Management Plan" (VMP) for over 60 selected parks. The VMP provides the basis for assessing and defining the condition of the forest and provides recommendations and/or best management practices for forest restoration. Having a VMP in place makes a park eligible for restoration work should funding become available such as through the Green Seattle Partnership (GSP), a grant source or donation. Such is the case with Seward park.

The VMP for Seward Park was completed in 2004. In early 2007 DPR was approached by an individual who was interested in making an anonymous donation to DPR. The donor's area of interest was forest restoration combined with a particular fondness for Seward Park. Working from the Seward Park VMP, staff from DPR's Forestry Section developed and presented to the donor a proposal that would significantly enhance the forest and shoreline in Seward Park through his very generous donation. The proposal calls for the donor to make three consecutive annual allocations of \$333,000 each to the Foundation. The Foundation will distribute annual predetermined funding increments to DPR beginning with the first payment of \$225,000 in 2007. Payments in subsequent years will be inflated by 3% per year. Annual payments will continue until the principal and all earned interest has been spent, which is estimated to be 2018.

Project Name:	Project I.D.	Project Location:	Start Date:	End Date
Seward Park Forest Restoration	K732367	5902 Lake Washington Blvd S	Dec 2007	Jan 2018 (estimated)

- *Please check any of the following that apply:*

☐ This legislation creates, funds, or anticipates a new CIP Project.

☐ This legislation does not have any financial implications.

☒ This legislation has financial implications.

Appropriations:

Fund Name and Number	Department	Budget Control Level*	2007 Appropriation	2008 Anticipated Appropriation
Cumulative Reserve Subfund – Unrestricted (00164)	Parks and Recreation	Forest Restoration (K72442)	\$225,000	\$0
TOTAL			\$225,000	\$0

Notes: Appropriation authority for subsequent years will be included in each year's respective budget.

Spending Plan and Future Appropriations for Capital Projects:

Spending Plan and Budget	2007	2008	2009	2010	2011	2012	Total
Spending Plan		\$225,000	\$108,000	\$90,000	\$92,700	\$95,481	\$611,181
Current Year Appropriation	\$225,000						\$225,000
Future Appropriations		\$0	\$108,000	\$90,000	\$92,700	\$95,481	\$386,181

Notes: This spending plan includes an estimated 6% annual interest rate on the fund balance. The appropriation schedule is based on the assumption that the donations received from the donor will be dispersed from the Foundation to DPR as shown in the Funding Source table that follows. See Exhibit 1 to view all years of the spending plan (2007 thru 2018).

Funding source:

Funding Source (Fund Name and Number, if applicable)	2007	2008	2009	2010	2011	2012	Total
Seattle Foundation Seward Park Fund	\$225,000	\$0	\$108,000	\$90,000	\$92,700	\$95,481	\$611,181
TOTAL	\$225,000	\$0	\$108,000	\$90,000	\$92,700	\$95,481	\$611,181

Notes: The \$1,000,000 from the donor to the Foundation is contingent upon the City implementing a significant amount of the work in Seward Park during 2008. Since this project is part of DPR and the City of Seattle's (City) Green Seattle Partnership (GSP) effort there is a high degree of certainty that additional donations and/or grants will be received from private individuals, corporations, foundations, and other public sources over the lifetime of this donation. However, it is not possible at this time to ascertain the amount or timing of

other funds. See Exhibit 2 for all years of funding source (2007 thru 2018) being approved by this legislation.

Bond Financing Required: N/A.

Type	Amount	Assumed Interest Rate	Term	Timing	Expected Annual Debt Service/Payment
TOTAL	N/A				

Uses and Sources for Operation and Maintenance Costs for the Project:

O&M	2007	2008	2009	2010	2011	2012	Total
Uses							
Start Up							
On-going	\$0	\$0	\$0	\$0	\$3,608	\$7,361	\$10,969
Sources (itemize)							
Other - TBD	\$0	\$0	\$0	\$0	\$3,608	\$7,361	\$10,969
Total	\$0	\$0	\$0	\$0	\$3,608	\$7,361	\$10,969

Notes: The estimates above reflect the additional O&M costs necessary to maintain the Restoration project once plant establishment is completed for the 50 acres in the plan. These costs are dependent upon the successful establishment of a native plant community over a three year period. Annual O&M costs are based on 2008 estimated costs at \$340 per acre per year. A 2% inflation factor is included for each successive year. The O&M in year 2011 reflects the acres that were initially restored in 2008 being transferred to ongoing maintenance after a successful 3 year plant establishment period. In each subsequent year the total number of acres in O&M phase will increase in concert with the acreage restored to maintainable condition.

These figures assume the restoration of 50 acres at the end of 2018. If additional donations or private funding is received the O&M costs will be increased respectively. If the on-line date changes for a significant number of acres, O&M costs will need to be adjusted accordingly as well.

The operation and maintenance tasks include monitoring and removal of invasive species, installing new plantings as warranted, elimination of unauthorized access trails as sites are restored and removal of debris and encampments. A significant amount of this time will also include training volunteers to develop volunteer Forest Stewards for each site.

Periodic Major Maintenance costs for the project:

Major Maintenance Item	Frequency	Cost	Likely Funding Source
NA			
TOTAL	N/A		

Funding sources for replacement of project: Identify possible and/or recommended method of financing the project replacement costs.

N/A

Total Regular Positions Created Or Abrogated Through This Legislation, Including FTE Impact:

Position Title and Department*	Fund Name	Fund Number	Part-Time/Full Time	2007 Positions	2007 FTE	2008 Positions**	2008 FTE**
TOTAL	N/A						

Notes: No new positions will be created as a result of this legislation.

- **Do positions sunset in the future?** N/A
- **What is the financial cost of not implementing the legislation:** If this legislation is not approved by City Council, DPR will lose the \$1,000,000 donation.
- **What are the possible alternatives to the legislation that could achieve the same or similar objectives:** At this time, there are no other viable opportunities to obtain a donation of this magnitude for Seward Park.
- **Is the legislation subject to public hearing requirements:** This legislation is not subject to any public hearing requirements. However, the Seward Park VMP was subject to public review during its development and presentation to the Parks Board of Commissioners. Four public meetings regarding the VMP were held between December 2002 and November 2004. The Seward Park VMP is supported by the Friends of Seward Park and has been integrated with educational opportunities provided by the Audubon Center in Seward Park.

- **Other Issues:** This legislation is the first of hopefully many such donations to support the GSP, a citywide effort to restore 2,500 of the 3,200 acres of forested parklands in the city. The combined estimated need for the GSP over the 30 year lifetime is \$52 million. This donation will provide significant leveraging opportunities to meet this need.

Please list attachments to the fiscal note below:

Exhibit A: Spending Plan and Budget 2007- 2018

Exhibit B: Funding Source 2007 - 2018

Exhibit A

Seward Park Donation
Spending Plan and Budget 2007 – 2018

Spending Plan and Budget	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
Spending Plan	\$0	\$225,000	\$108,000	\$90,000	\$92,700	\$95,481	\$98,345	\$101,295	\$104,339	\$110,599	\$113,917	\$57,567	\$1,197,243
Current Year Appropriation	\$225,000												\$225,000
Future Appropriations		\$0	\$108,000	\$90,000	\$92,700	\$95,481	\$98,345	\$101,295	\$104,339	\$110,599	\$113,917	\$57,567	\$972

Exhibit B

Seward Park Donation

Funding Source 2007 - 2018

Funding Source (Fund Name and Number, if applicable)	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
Seattle Foundation Seward Park Fund	\$225,000	\$0	\$108,000	\$90,000	\$92,700	\$95,481	\$98,345	\$101,295	\$104,339	\$110,599	\$113,917	\$57,567	\$1,197,243
TOTAL	\$225,000	\$0	\$108,000	\$90,000	\$92,700	\$95,481	\$98,345	\$101,295	\$104,339	\$110,599	\$113,917	\$57,567	\$1,197,243



STATE OF WASHINGTON – KING COUNTY

--SS.

218577
CITY OF SEATTLE, CLERKS OFFICE

No. 93,96 & RES 31003

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 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

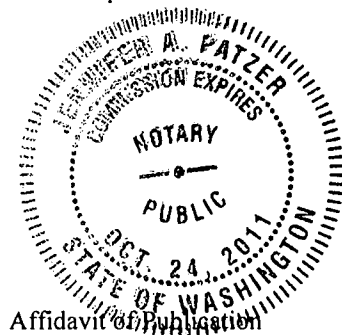
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:122579-81,83-86,90,92

was published on

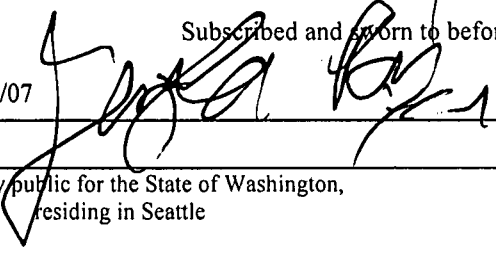
12/18/07

The amount of the fee charged for the foregoing publication is the sum of \$ 181.35, which amount has been paid in full.



12/18/07


Subscribed and sworn to before me on


Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

TITLE-ONLY PUBLICATION

The full text of the following ordinances, passed by the City Council on December 10, 2007, 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 684.8344.

ORDINANCE NO. 122584

AN ORDINANCE authorizing the Superintendent of Parks and Recreation to enter into an Agreement with the Seattle Foundation relating to the implementation of the Seward Park Reorestation Program; authorizing acceptance of funds from the Seattle Foundation for such purpose; amending the 2007-2012 Capital Improvement Program; and increasing appropriations in the Department of Parks and Recreation's 2007 Adopted Budget; all by a three-fourths vote of the City Council.

ORDINANCE NO. 122583

AN ORDINANCE authorizing, in 2007, acceptance of funding from non-City sources; authorizing the heads of the Department of Parks and Recreation, the Fleets and Facilities Department, the Human Services Department, the Legislative Department, the Office of Policy and Management, the Office of Sustainability and Environment, the City Light Department, the Seattle Department of Transportation, the Seattle Fire Department, the Seattle Office of Civil Rights, the Seattle Police Department, Seattle Public Utilities, and the Seattle Public Library to accept specified grants and private funding and to execute, deliver, and perform corresponding agreements.

ORDINANCE NO. 122581

AN ORDINANCE relating to the lease and concession agreement between the City of Seattle and Fun Forest Amusements, Inc.; authorizing the Director of the Seattle Center Department to execute a second amendment to the lease and concession agreement; there by modifying terms and conditions of the lease and providing for a conditional settlement of rent.

ORDINANCE NO. 122580

AN ORDINANCE relating to the Neighborhood Parks, Green Spaces, Trails, and Zoo Levy; transferring jurisdiction of City-owned land at 12th Avenue and East James Court from the Department of Neighborhoods to the Department of Parks and Recreation; and repealing Ordinance 120476.

ORDINANCE NO. 122579

AN ORDINANCE relating to City employment; to be known as the 2008 Pay Zone Ordinance; adjusting the pay zone structures for the City's discretionary pay programs for the year 2008.

RESOLUTION NO. 31003

A RESOLUTION establishing a two-year Seattle Nightlife Advisory Board.

Publication ordered by JUDITH PIPPIN,
City Clerk

Date of publication in the Seattle Daily

Journal of Commerce, December 18, 2007.
12/18(216577)