

Ordinance No. 124163

Council Bill No. 117758

AN ORDINANCE relating to the Bell Street Park Boulevard Development Project and the 2008 Parks and Green Space Levy; reallocating funding from the Neighborhood Park Acquisition Subcategory to the Neighborhood Parks and Playgrounds Development Subcategory of the 2008 Parks and Green Spaces Levy; increasing appropriations to the Department of Parks and Recreation in the 2013 Adopted Budget; and amending the 2013-2018 Adopted Capital Improvement Program; and ratifying and confirming certain prior acts; all by a three-fourths vote of the City Council.

Related Legislation File:

Date Introduced and Referred: <u>4.15.13</u>	To: (committee): <u>Parks + Neighborhoods</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <u>4/22/13</u>	Date Presented to Mayor: <u>4/23/13</u>
Date Signed by Mayor: <u>4/26/13</u>	Date Returned to City Clerk: <u>4/30/13</u>
Published by Title Only <input checked="" type="checkbox"/>	Date Vetoed by Mayor:
Published in Full Text <input type="checkbox"/>	Date Passed Over Veto:
Date Veto Published:	Date Returned Without Signature:

The City of Seattle – Legislative Department

Council Bill/Ordinance sponsored by: Sally Bagshaw

Committee Action:

Date	Recommendation	Vote
<u>4/18/13</u>	<u>Pass</u>	<u>2-0, S.B. + J.G.</u>

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

Full Council Action:

Date	Decision	Vote
<u>April 22, 2013</u>	<u>Passed</u>	<u>9-0</u>

Law Department

CITY OF SEATTLE

ORDINANCE 124163

COUNCIL BILL 117758

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4 AN ORDINANCE relating to the Bell Street Park Boulevard Development Project and the 2008
5 Parks and Green Space Levy; reallocating funding from the Neighborhood Park
6 Acquisition Subcategory to the Neighborhood Parks and Playgrounds Development
7 Subcategory of the 2008 Parks and Green Spaces Levy; increasing appropriations to the
8 Department of Parks and Recreation in the 2013 Adopted Budget; and amending the
2013-2018 Adopted Capital Improvement Program; and ratifying and confirming certain
prior acts; all by a three-fourths vote of the City Council.

9 WHEREAS, in 1998 the Belltown/Denny Regrade Neighborhood Plan was completed, calling
10 for creation of "Green Streets" on Bell and Blanchard Streets, as a creative way to
11 provide usable open space and improve connections to adjacent parks and the waterfront;
and

12 WHEREAS, in Resolution 31055 (2008) the City Council created the Parks and Green Spaces
13 Levy Citizens' Advisory Committee ("Committee") to ensure citizen participation in the
14 development of a potential package of parks, open space, boulevards, trails, green
15 infrastructure, and recreation projects and a proposed set of options to fund the package;
and

16 WHEREAS, the Committee, after being duly appointed and after spending many hours in open
17 meetings and receiving public testimony and deliberating on the levy, voted by a strong
18 majority to recommend that the City Council place a \$145.5 million six-year levy
proposal for park purposes before the voters of Seattle; and

19 WHEREAS, in response to this recommendation, the City Council passed Ordinance 122749,
20 placing Proposition 2, the 2008 Parks and Green Spaces Levy before the voters of
Seattle; and

21 WHEREAS, the 2008 Parks and Green Spaces Levy ("Levy") was approved by Seattle voters on
22 November 4, 2008; and

23 WHEREAS, Ordinance 122749 identifies the Belltown Urban Village for a potential
24 neighborhood park acquisition; and

25 WHEREAS, the Department of Parks and Recreation ("DPR") considers Belltown as
26 significantly underserved with quality open space and is, therefore, a priority for
additional development of parks and open space; and



1 WHEREAS, following the recommendation of the Committee, Ordinance 123027 (2009)
2 authorized the transfer of \$2.5 million from the 2008 Parks and Green Spaces Levy
3 Acquisition Category for Neighborhood Park Acquisitions to the Development Category
4 of the 2008 Parks and Green Spaces Levy; established the Bell Street Park Boulevard
Development Project; and increased appropriations in connection thereto; and

5 WHEREAS, again, following the recommendation of the Committee, Ordinance 123442 (2010),
6 authorized the transfer of an additional \$1 million from the 2008 Parks and Green Spaces
7 Levy Acquisition Category for Neighborhood Park Acquisitions to the Development
8 Category of the 2008 Parks and Green Spaces Levy; and increased appropriations in
connection thereto; and

9 WHEREAS, after receiving public bids on January 23, 2013, DPR recommended that the budget
10 for the Bell Street Park Boulevard Development Project be increased by an additional
\$1.5 million to meet the full project costs of \$5 million to allow for its completion; and

11 WHEREAS, on January 28, 2013 the Committee unanimously recommended DPR be authorized
12 to transfer an additional \$1.5 million from the acquisition to development category for
Bell Street Park Boulevard Development; NOW, THEREFORE,

13 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

14 Section 1. The recommendation of the Parks and Green Spaces Levy Oversight
15 Committee to reallocate an additional \$1.5 million for completion of the Bell Street Park
16 Boulevard Development Project from the total allocation for the Neighborhood Park Acquisition
17 Subcategory of the Acquisition Category to the total allocation for the Neighborhood Parks and
18 Playgrounds Subcategory of the Development Category of the 2008 Parks Levy, is hereby
19 adopted.
20

21 Section 2. In order to pay for necessary capital costs and expenses incurred, or to be
22 incurred, but for which insufficient appropriations were made due to causes that could not
23 reasonably have been foreseen at the time the 2013 budget was adopted, the appropriation for the
24



1 following item in the 2013 Adopted Budget and the 2013-2018 Adopted Capital Improvement

2 Program is increased from the funds shown, as follows:

3

Fund	Department	Budget Control Level	Amount
2008 Parks Levy Fund (33860)	Parks and Recreation	2008 Parks Levy – Neighborhood Parks and Playgrounds (K720020)	\$1,500,000

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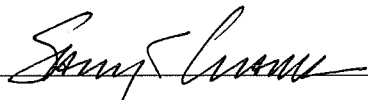
7 Section 3. Any acts consistent with the authority and prior to the effective date of this
8 ordinance are hereby ratified and confirmed.

9
10 Section 4. This ordinance shall take effect and be in force 30 days after its approval by
11 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
12 shall take effect as provided by Seattle Municipal Code Section 1.04.020.
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Passed by the City Council the 22nd day of April, 2013, and
signed by me in open session in authentication of its passage this
22nd day of April, 2013.



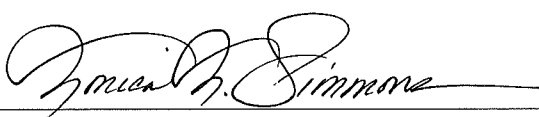
President _____ of the City Council

Approved by me this 26th day of April, 2013.



Michael McGinn, Mayor

Filed by me this 30th day of April, 2013.



Monica Martinez Simmons, City Clerk

(Seal)



FISCAL NOTE FOR CAPITAL PROJECTS ONLY

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Parks and Recreation	Terry Roche/233-2776	Jeff Muhm/684-8049

Legislation Title: AN ORDINANCE relating to the Bell Street Park Boulevard Development Project and the 2008 Parks and Green Space Levy; reallocating funding from the Neighborhood Park Acquisition Subcategory to the Neighborhood Parks and Playgrounds Development Subcategory of the 2008 Parks and Green Spaces Levy; increasing appropriations to the Department of Parks and Recreation in the 2013 Adopted Budget; amending the 2013-2018 Adopted Capital Improvement Program; and ratifying and confirming certain prior acts; all by a three-fourths vote of the City Council.

Summary and background of the Legislation:

Belltown has a long and significant history in Seattle and the area provides a unique link to many other neighborhoods including the waterfront, Pike Place Market, downtown, Seattle Center, and the Denny Triangle. The neighborhood has an eclectic mix of businesses, residents, social services and architecture. Belltown has the highest density of residents in the city, but has relatively little park space available for its growing and varied population.

After a recommendation from the Levy Oversight Committee, in June 2009 the City Council approved the initial funding of \$2.5 million from the Park Acquisition subcategory of the Parks and Green Spaces Levy Acquisition Category for the project (Ordinance 123027). This funding request was based on a Department of Planning and Development-funded conceptual design and an SDOT construction estimate completed in early 2009. Additionally, the jurisdiction of the Bell Street right-of-way, from 1st to 5th avenues, was transferred to Parks, and Parks assumed the lead role in design and construction of the project.

In July 2010, with the public design process completed, a better defined concept based on the public comments and a more complete understanding of some of the transportation and utility expectations for the project, Parks sought an additional \$1 million from the Park Acquisition subcategory to supplement the original \$2.5 million of project funding. The City Council approved the additional funding in October 2010 (Ordinance 123442).

In January 2011 the design team revised the project estimate, based on an updated 60% Street Improvement Permit (SIP)/CD. The new estimated cost of construction was \$2,150,864. This amount was \$4,388 under the Department's budget pre-tax construction cost estimate of \$2,155,251. After extensive review through the SIP process and extended negotiations with other City departments, in June 2012 the project progressed to the 90% SIP/CD phase, including an updated cost estimate by the design team. The design team's 90% SIP/CD cost estimate indicated the need for over \$237,000 in additional construction funding to accomplish the original project vision. An independent review by a separate cost-estimating consultant hired by Parks indicated the need for as much as \$520,000 of additional funding (in addition to the design team's estimate) for construction. Parks met with the design team and the independent cost estimator and reviewed the cost information. Based on the estimates and the department's



recent experience from other projects, \$565,000 was the agreed upon estimated amount of additional funding for construction costs. In addition, as estimated, associated (non-construction) costs add an additional \$285,000 (contingency, tax, added project management and inspection) for a total of \$850,000 needed in addition to the current project funding of \$3.5 million.

The project was advertized for bid in January 2013. At the direction of the Levy Oversight Committee, Parks structured the bid with three blocks of development as the base bid, and the fourth block as an additive element. The low bid came in above the estimated amount for the three block base bid, and above the estimate for the fourth block.

On January 28, 2013 the Parks and Green Spaces Levy Citizen Oversight Committee was presented with the new cost information and unanimously recommended moving forward with all four blocks of the project and transferring an additional \$1.5 million from the acquisition to development category for Bell Street Park Boulevard Development to ensure the project could be completed as designed.

To date we are negotiating or have acquired projects in 15 out of the 20 areas indentified in the Levy Neighborhood Park Acquisition program. Total revenue for the program is approximately \$38 million (including anticipated conservation futures tax (CFT) funding and the inflation reserve). Current and projected expenditures are approximately \$27.5 million (including the additional funding requested for Bell Street Park). This level of funding will allow us to acquire property in the remaining five areas (which is unlikely), with approximately \$500,000 remaining in the Levy Neighborhood Park Acquisition program.

Despite the increased cost of the project, the basic premise for pursuing the Bell Street Boulevard remains valid: records from property transactions in Belltown show that from 2009-2012, the cost for land in the neighborhood ranged from \$185 - \$365 per square foot. At 56,800 square feet, a comparable site would cost between \$10.5 million and \$20.7 million to purchase. This land value range does not include the additional funding needed for design and construction of a park.

Even with the increased project costs, the Bell Street Park project continues to make sense to provide additional park space in an area of the City where land acquisition costs are high and existing City land such as SDOT right-of-way is available for other compatible uses. The project continues to meet the goals sets from the project's inception.

Project Name:	Project I.D.:	Project Location:	Start Date:	End Date:
Bell Street Park Boulevard Development	K730138	Bell Street between 1st Avenue and 5th Avenue	3 rd Quarter 2009	1st Quarter 2014

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



X This legislation has financial implications.
Appropriations:

Fund Name and Number	Department	Budget Control Level*	Existing 2013 Appropriation	New 2013 Appropriation (if any)	2014 Anticipated Appropriation
2008 Parks Levy Fund #33860	Parks & Recreation	2008 Parks Levy-Neighborhood Parks and Playgrounds (K720020)	\$2,705,000	\$1,500,000	
TOTAL			\$2,705,000	\$1,500,000	

Appropriations Notes: \$2,500,000 was appropriated via Ordinance 123027 and \$1 million via Ordinance 123442.

Spending Plan and Future Appropriations for Capital Projects:

Spending Plan and Budget	2013	2014	2015	2016	2017	2018	Total
Spending Plan	\$ 3,700	\$ 505					\$4,205
Current Year Appropriation	\$1,500						
Future Appropriations							0

Spending Plan and Budget Notes: Improvements include removing existing pavement, sidewalk (50% to remain) and curb; installing new standard and paver sidewalk, new curb, asphalt overlay for travel lane, bio-retention and traditional underground detention to satisfy code compliance (flow control in CSO basin), create on-street parking; and wheel chair ramps. Temporary asphalt pavement, curb and sidewalk, along the south curb between 2nd Ave and 5th Ave. will be removed and replaced with permanent facilities.

Funding Source:

Funding Source (Fund Name and Number, if applicable)	2013	2014	2015	2016	2017	2018	Total
2008 Parks Levy Fund (33860)	\$1,500	\$0	\$0	\$0	\$0	\$0	\$1,500
TOTAL	\$1,500	\$0	\$0	\$0	\$0	\$0	\$1,500

Funding Source Notes:



Bond Financing Required: N/A

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

Bond Notes:

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

O&M	2013	2014	2015	2016	2017	2018	Total
Uses	7	112	119	122	124	126	610
Start Up							
On-going							
Sources (itemize)	7	112	119	122	124	126	610

Operation and Maintenance Notes: Implementation of this Levy project will lead to increased operating costs for DPR. The Levy does not include funding for ongoing costs, and costs have been incorporated in the annual operating budget.

Periodic Major Maintenance Costs for the Project: Not Calculated (N/C)

Major Maintenance Item	Frequency	Cost	Likely Funding Source
TOTAL	N/C	N/C	N/C

Funding sources for replacement of project:

The Levy does not provide a revenue source for ongoing major maintenance.

Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact: None

Position Title and Department*	Position # for Existing Positions	Fund Name & #	PT/FT	2013 Positions	2013 FTE	2014 Positions **	2014 FTE **
TOTAL	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Position Notes: Funding for ongoing maintenance positions (or portions of) may be requested with future legislation or in the annual budget process.



Do positions sunset in the future? N/A

Other Implications:

a) Does the legislation have indirect financial implications, or long-term implications?

b) What is the financial cost of not implementing the legislation?

The development of a Park Boulevard would provide the same benefits as a neighborhood park and is a far more viable approach given the scarcity and high cost of land suitable for park acquisition and development in the downtown area. Not implementing this legislation would forego this opportunity.

c) Does this legislation affect any departments besides the originating department?

Yes, Seattle Department of Transportation, Seattle Public Utilities, and Seattle City Light. SDOT and Parks have negotiated a Memorandum of Understanding to define their respective operations and maintenance responsibilities. Existing maintenance agreements are sufficient to cover potential responsibilities of Seattle City Light and Seattle Public Utilities.

d) What are the possible alternatives to the legislation that could achieve the same or similar objectives?

Buying private property in the neighborhood at a significantly higher cost. Based on current land prices, a comparable project on a private parcel is estimated to cost between \$10.5 and \$20.7 million, assuming \$185 – \$365 per square foot in land acquisition costs.

e) Is a public hearing required for this legislation? No

f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation? No

g) Does this legislation affect a piece of property? Yes, it is regarding Bell Street between 1st and 5th Avenues.

h) Other Issues: None

List attachments to the fiscal note below:





City of Seattle
Office of the Mayor

March 26, 2013

Honorable Sally J. Clark
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Clark:

I am transmitting the attached proposed Council Bill which increases the appropriation for the Bell Street Park Development project by \$1,500,000 and reallocates this amount from the Neighborhood Park Acquisition Subcategory of the Acquisition Category to the Neighborhood Parks and Playgrounds Subcategory of the Development Category of the 2008 Parks Levy to fund Park development.

The Belltown neighborhood has the city's highest residential density, yet lacks adequate parks and open space. Bell Street Park, first envisioned in the 1998 Belltown Neighborhood Plan and supported by a range of Belltown organizations, represents an innovative use of funding from the 2008 Parks and Green Spaces Levy. Bell Street Park will provide high-quality open space to the Belltown community, and provide a model for the rest of the city.

Based on the bids received on January 23, 2013, a total budget of \$5 million is needed for this project. At its January 28, 2013 meeting, the Levy Oversight Committee unanimously recommended that the full funding be provided this project from the Levy.

Thank you for your consideration of this legislation. Should you have questions, please contact Michael Shiosaki at 684-0750.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Michael McGinn, Mayor
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PO Box 94749
Seattle, WA 98124-4749

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STATE OF WASHINGTON -- KING COUNTY

--ss.

297797
CITY OF SEATTLE, CLERKS OFFICE

No. TITLE ONLY

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:124161-165.124171

was published on

05/16/13

The amount of the fee charged for the foregoing publication is the sum of \$107.25 which amount has been paid in full.



Affidavit of Publication

[Handwritten signature]

Subscribed and sworn to before me on

05/16/2013

[Handwritten signature]

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on April 22, 2013, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>. Contact: Office of the City Clerk at (206) 684-8344.

ORDINANCE NO. 124161

AN ORDINANCE relating to grant funds from the US Department of Justice, Bureau of Justice Assistance; authorizing the Mayor or his designee to execute related agreements; increasing an appropriation in the 2013 Adopted Budget for the Police Department; and ratifying and confirming certain prior acts, all by a three-fourths vote of the City Council.

ORDINANCE NO. 124162

AN ORDINANCE relating to the Seattle Center Department; authorizing execution of an agreement with Northwest Folklife for the presentation of the annual Northwest Folklife Festival at Seattle Center.

ORDINANCE NO. 124163

AN ORDINANCE relating to the Bell Street Park Boulevard Development Project and the 2008 Parks and Green Space Levy; reallocating funding from the Neighborhood Park Acquisition Subcategory to the Neighborhood Parks and Playgrounds Development Subcategory of the 2008 Parks and Green Spaces Levy; increasing appropriations to the Department of Parks and Recreation in the 2013 Adopted Budget; and amending the 2013-2018 Adopted Capital Improvement Program; and ratifying and confirming certain prior acts; all by a three-fourths vote of the City Council.

ORDINANCE NO. 124164

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

ORDINANCE NO. 124165

AN ORDINANCE related to Structured Teen Programming; lifting a budget proviso imposed on the Department of Parks and Recreation's Recreation Facilities and Programs Budget Control Level in 2013 for structured teen programming and amending Ordinance 124058, which adopted the 2013 budget.

ORDINANCE NO. 124171

AN ORDINANCE relating to youth employment and mentoring programs; changing appropriations to the Department of Neighborhoods, Department of Parks and Recreation and Human Services Department; and removing a proviso in Ordinance 124058.

Date of publication in the Seattle Daily Journal of Commerce, May 16, 2013.

5/16(297797)