SEATTLE CITY COUNCIL

Legislative Summary

CB 118357 / Ordinance 124762

Record No.: CB 118357 **Type:** Ordinance (Ord) **Status:** Attested by City Clerk

Version: 1 **In Control:** City Clerk

File Created: 02/10/2015

Final Action: 05/01/2015

Title: AN ORDINANCE relating to King County Conservation Futures Levy proceeds; authorizing the Mayor to amend the Interlocal Cooperation Agreement between the City of Seattle and King County authorized by City of Seattle Ordinance 114978; and authorizing the deposit of 2012 supplemental allocations, 2013 supplemental allocations, and 2014 allocations from King County Conservation Futures Levy proceeds into the City of Seattle's 2008 Parks Levy Fund.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Godden

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: Donald Harris

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published: ☐ Yes ☐ No

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	03/06/2015	Mayor's leg transmitted to Council	City Clerk			
	Action Text:	The Council Bill (CB) was Mayor's leg transmitted to Council to the City Clerk					
	Notes:						
1	City Clerk	03/10/2015	sent for review	Council President's Office			
	Action Text:	The Council Bill (CB) was sent for review to the Council President's Office					
	Notes:						

1	Council President's Office	03/11/2015	sent for review	Parks, Seattle Center, Libraries, and Gender Pay Equity Committee	

Action Text: The Council Bill (CB) was sent for review to the Parks, Seattle Center, Libraries, and Gender Pay Equity Committee

Notes:

1	Full Council	04/13/2015	referred	Parks, Seattle Center, Libraries, and Gender Pay Equity Committee	

Action Text: The Council Bill (CB) was referred. to the Parks, Seattle Center, Libraries, and Gender Pay Equity Committee

Notes:

1	Parks, Seattle Center, Libraries, and Gender Pay Equity Committee	04/21/2015	pass		Pass

Action Text: The Committee recommends that Full Council pass the Council Bill (CB).

Notes:

In Favor: 2 Chair Godden, Vice Chair Harrell

Opposed: 0

1	Full Council	04/27/2015	passed		Pass

Action Text: The Council Bill (CB) was passed by the following vote and the President signed the Bill:

In Favor: 8 Councilmember Bagshaw, Council President Burgess, Councilmember Godden, Councilmember Harrell, Councilmember Licata, Councilmember O'Brien, Councilmember Rasmussen, Councilmember Sawant

Opposed: 0

1	City Clerk	04/28/2015	submitted for Mayor's signature	Mayor	

Action Text: The Council Bill (CB) was submitted for Mayor's signature to the Mayor

Notes:

1	Mayor	05/01/2015	Signed		

Action Text: The Council Bill (CB) was Signed

Notes:

1	Mayor	05/01/2015	returned	City Clerk	

Action Text: The Council Bill (CB) was returned to the City Clerk

Notes:

1	City Clerk	05/01/2015	attested by City Clerk		

Action Text: The Ordinance (Ord) was attested by City Clerk

Notes:

CITY OF SEATTLE

ORDINANCE 124762

COUNCIL BILL 118357

AN ORDINANCE relating to King County Conservation Futures Levy proceeds; authorizing the Mayor to amend the Interlocal Cooperation Agreement between the City of Seattle and King County authorized by City of Seattle Ordinance 114978; and authorizing the deposit of 2012 supplemental allocations, 2013 supplemental allocations, and 2014 allocations from King County Conservation Futures Levy proceeds into the City of Seattle's 2008 Parks Levy Fund.

WHEREAS, in 1989, King County Ordinance 9128 established the Conservation Futures Levy (CFL) Fund, appropriated CFL proceeds to The City of Seattle (City), and established conditions for use of the proceeds, including allowable projects, costs, and expenses; and

WHEREAS, in 1990, City Ordinance 114978 authorized the CFL Interlocal Cooperation Agreement (CFL Interlocal) with King County to govern the receipt and use of CFL proceeds, and to define the specific projects (Projects) approved by King County for acquisition using CFL proceeds; and

WHEREAS, the City and King County have previously amended the CFL Interlocal to add additional Projects and to provide for additional allocations of CFL proceeds; and

WHEREAS, on November 15, 2010, the King County Council passed Ordinance 16984, which allocated $750,000 in CFL proceeds to the City for the Chinatown/International District Urban Center Park (ID UCP) acquisition Project, conditioned upon the City identifying and King County approving a specific site for the ID UCP; and also allocated $500,000 in CFL proceeds to the City for the Greenwood/Phinney Urban Center Park (Greenwood UCP) acquisition Project, conditioned upon the City identifying and King County approving a specific site for the Greenwood UCP; and

WHEREAS, on June 27, 2011, the King County Council passed Ordinance 17125, authorizing the King County Executive to enter into interlocal agreements with the City for the disbursement of CFL proceeds as provided in Ordinance 16984, subject to the City identifying and King County approving specific sites for the ID UCP and the Greenwood UCP; and

WHEREAS, on February 22, 2012, King County and the City signed Amendment Z to the CFL Interlocal for the disbursement of CFL proceeds as provided in Ordinance 16984 with the condition that the City identify and King County approve specific sites for the ID UCP and the Greenwood UCP; and

WHEREAS, on February 11, 2013, the King County Council passed Ordinance 17524, which approved the selection of sites for the ID UCP and the Greenwood UCP, satisfying the conditions in Amendment Z to the CFL Interlocal; and

WHEREAS, on November 9, 2011, the King County Council passed Ordinance 17232, which allocated $500,000 in CFL proceeds to the City for the University District Urban Center Park (University UCP) acquisition Project, conditioned upon the City identifying and King County approving a specific site for the University UCP; and

WHEREAS, on June 18, 2012, the King County Council passed Ordinance 17345, authorizing the King County Executive to enter into interlocal agreements with the City for the disbursement of CFL proceeds as provided in Ordinance 17232, with the condition that the City identify and King County approve a specific site for the University UCP; and

WHEREAS, on April 25, 2013, King County and the City signed Amendment AA to the CFL Interlocal, with the condition that the City identify and King County approve a specific site for the University UCP; and

1 WHEREAS, on June 18, 2012, the King County Council passed Ordinance 17349, which
2 allocated an additional $72,846 in CFL proceeds to the City for the University UCP
3 acquisition Project; and
4 WHEREAS, on December 2, 2013, the King County Council passed Ordinance 17704, which
5 approved the City's selection of a site for the University UCP, satisfying the condition in
6 Amendment AA to the CFL Interlocal, and which authorized the King County Executive
7 to enter into an interlocal agreement with the City of Seattle for the disbursement of CFL
8 proceeds for the University UCP acquisition Project provided for in Ordinance 17349;
9 and
10 WHEREAS, on July 9, 2013, the King County Council passed Ordinance 17619, which allocated
11 $625,000 in CFL proceeds to the City for the Smith Cove Park Addition (Smith Cove)
12 acquisition Project; and
13 WHEREAS, on December 2, 2013, the King County Council passed Ordinance 17704,
14 authorizing the King County Executive to enter into an interlocal agreement with the City
15 for the disbursement of CFL proceeds for Smith Cove provided in Ordinance 17619; and
16 WHEREAS, on December 9, 2013, the King County Council passed Ordinance 17707, which
17 allocated $2,925,000 in CFL proceeds to the City for the West Seattle Junction, Smith
18 Cove, South Park Plaza, Baker Park Addition, and 48th and Charlestown acquisition
19 Projects; and
20 WHEREAS, on April 28, 2014, the King County Council passed Ordinance 17795, authorizing
21 the King County Executive to enter into an interlocal agreements with the City for the
22 disbursement of CFL proceeds as provided in Ordinance 17707; NOW, THEREFORE;
23

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Mayor or his designee is hereby authorized to negotiate and enter into an amendment to the Conservation Futures Levy Interlocal Cooperation Agreement (CFL Interlocal), substantially in the form of Exhibit A (Amendment), to provide for the City's receipt and use of up to $3,622,846 from the 2012 supplemental allocations, 2013 supplemental allocations, and 2014 allocations of King County CFL proceeds. The Amendment adds an Attachment AC to the list of approved projects in the CFL Interlocal to include the Chinatown/International District Urban Center Park, Greenwood/Phinney Urban Center Park, University District Urban Center Park, West Seattle Junction Urban Village Park, South Park Plaza, Baker Park Addition, 48th and Charlestown Park and Smith Cove Park Addition acquisition projects.

Section 2. Funds received pursuant to the Amendment shall be deposited as follows:

Fund	**Department**	**Budget Control Level/Capital Improvement Program**	**Amount (Up To)**
2008 Parks Levy Fund (33860)	Parks and Recreation	2008 Parks Levy – Neighborhood Park Acquisitions - K720010	$1,072,846
2008 Parks Levy Fund (33860)	Parks and Recreation	2008 Parks Levy – Opportunity Fund K720040	$2,550,000

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

Passed by the City Council the 27th day of April, 2015, and signed by me in open session in authentication of its passage this 27th day of April, 2015.

President ____ of the City Council

Approved by me this ~~27th~~ 1st day of ~~April~~ May, 2015.

Edward B. Murray, Mayor

Filed by me this 1st day of MAY, 2015.

Monica Martinez Simmons, City Clerk

(Seal)

Exhibit A: Amendment to the Conservation Futures Interlocal Cooperation Agreement Between King County and The City of Seattle for Open Space Acquisition Projects

Exhibit A

AMENDMENT TO THE CONSERVATION FUTURES INTERLOCAL COOPERATION AGREEMENT BETWEEN KING COUNTY AND THE CITY OF SEATTLE FOR OPEN SPACE ACQUISITION PROJECTS

Preamble

The King County Council, through Ordinance 9128, has established a Conservation Futures Levy Fund and appropriated proceeds to King County, The City of Seattle (City), and certain suburban cities through the procedures set forth in Ordinance 8867, as amended by Ordinance 14714. This Amendment is entered into to provide for the allocation of additional funds made available for open space acquisition.

THIS AMENDMENT is entered into between the CITY OF SEATTLE and KING COUNTY, and amends and attaches to and is part thereof of the existing Interlocal Cooperation Agreement entered into between the parties on the 5th day of June, 1990 (ILA), as previously amended.

The parties agree to the following amendments:

Amendment 1: Article 1. Recitals

The following paragraphs are hereby added to the Recitals Section to provide for a Conservation Futures Levy Fund allocation for the Chinatown/International District Urban Center Park UCP, Greenwood/Phinney UCP, University District UCP, Smith Cove Park Addition, West Seattle Junction, South Park Plaza, Baker Park Addition, and 48th and Charlestown acquisition Projects, and hereafter read:

- On November 15, 2010, the King County Council passed Ordinance 16984, which allocated Seven Hundred and Fifty Thousand Dollars ($750,000) in CFL proceeds to the City for the Chinatown/International District Urban Center Park (ID UCP) acquisition Project, conditioned upon the City identifying and King County approving a specific site for the ID UCP; and which allocated Five Hundred Thousand Dollars ($500,000) in CFL proceeds to the City for the Greenwood/Phinney Urban Center Park (Greenwood UCP) acquisition Project, conditioned upon the City identifying and King County approving a specific site for the Greenwood UCP. On June 27, 2011, the King County Council passed Ordinance 17125, authorizing the King County Executive to enter into interlocal agreements with the City for the disbursement of CFL proceeds as provided in Ordinance 16984, subject to the City identifying and King County approving specific sites for the ID UCP and the Greenwood UCP. On February 22, 2012, King County and the City signed Amendment Z to the CFL Interlocal for the disbursement of CFL proceeds as provided in Ordinance 16984 with the condition that the City identify and King County approve specific sites for the ID UCP and the Greenwood UCP. On February 11, 2013, the King County Council passed Ordinance 17524, which approved the selection of sites for the ID

UCP and the Greenwood UCP, satisfying the conditions in Amendment Z to the CFL Interlocal.

- On November 9, 2011, the King County Council passed Ordinance 17232, which allocated Five Hundred Thousand Dollars ($500,000) in CFL proceeds to the City for the University District Urban Center Park (University UCP) acquisition Project, conditioned upon the City identifying and King County approving a specific site for the University UCP. On June 18, 2012, the King County Council passed Ordinance 17345, authorizing the King County Executive to enter into interlocal agreements with the City for the disbursement of CFL proceeds as provided in Ordinance 17232, with the condition that the City identify and King County approve a specific site for the University UCP; and on April 25, 2013, King County and the City signed Amendment AA to the CFL Interlocal, with the condition that the City identify and King County approve a specific site for the University UCP. On June 18, 2012, the King County Council passed Ordinance 17349, which allocated an additional Seventy-Two Thousand and Eight Hundred and Forty-Six Dollars ($72,846) in CFL proceeds to the City for the University UCP acquisition Project. On December 2, 2013, the King County Council passed Ordinance 17704, which approved the City's selection of a site for the University UCP, satisfying the condition in Amendment AA to the CFL Interlocal, and which authorized the King County Executive to enter into an interlocal agreement with the City of Seattle for the disbursement of CFL proceeds for the University UCP acquisition Project provided for in Ordinance 17349.

- On July 9, 2013, the King County Council passed Ordinance 17619, which appropriated a total of Six Hundred and Twenty-Five Thousand Dollars ($625,000) in CFL proceeds to the City for the Smith Cove Park Addition acquisition Project. On December 2, 2013, the King County Council passed Ordinance 17704, authorizing the King County Executive to enter into interlocal agreements with the City and the suburban cities for the disbursement of Conservation Futures Funds in Ordinance 17619.

- On December 9, 2013, the King County Council passed Ordinance 17707, which appropriated a total of Two Million, Nine Hundred and Twenty-Five Thousand Dollars ($2,925,000) in CFL proceeds to the City for the West Seattle Junction, Smith Cove Park Addition, South Park Plaza, Baker Park Addition, and 48th and Charlestown acquisition Projects. On April 28, 2014, the King County Council passed Ordinance 17795, authorizing the King County Executive to enter into interlocal agreements with the City and the suburban cities for the disbursement of Conservation Futures Funds in Ordinance 17707.

Amendment 2: Article V. Conditions of Agreement

Section 5.1 is amended to include Attachment AC, which lists 2011, 2012, 2013 and 2014 Conservation Futures Levy allocations for the Chinatown/International District UCP, Greenwood/Phinney UCP, University District UCP, Smith Cove Park Addition, West Seattle Junction, South Park Plaza, Baker Park Addition, and 48th and Charlestown acquisition Projects.

Exhibit A

Amendment 3: Article VII. Responsibilities of County

The first two sentences of this article are amended to include Attachment AC, which lists 2011, 2012, 2013 and 2014 Conservation Futures Levy proceeds allocations for the Chinatown/International District UCP, Greenwood/Phinney UCP, University District UCP, Smith Cove Park Addition, West Seattle Junction, South Park Plaza, Baker Park Addition, and 48th and Charlestown acquisition Projects:

> Subject to the terms of this agreement, the County will provide Conservation Futures Levy Funds in the amounts shown in Attachments A through AC to be used for the Projects listed in Attachments A through AC. The City may request additional funds; however, the County has no obligation to provide funds to the City for the Projects in excess of the total amounts shown in Attachments A through AC. The County assumes no obligation for the future support of the Projects described herein, except as expressly set forth in this agreement.

Amendment 4: Attachment AC

The attachments to the interlocal agreement are hereby amended to include references to Attachment AC, which is hereby attached to the Interlocal Cooperation Agreement, incorporated therein, and made a part thereof.

In all other respects, the terms, conditions, duties, and obligations of both parties shall remain the same as agreed to in the Interlocal Cooperation Agreement as previously amended.

Exhibit A

This document shall be attached to the existing Interlocal Cooperation Agreement.

IN WITNESS WHEREOF, authorized representatives of the parties hereto have signed their names in the spaces set forth below:

KING COUNTY

_____
Dow Constantine
King County Executive

_____
Date

Acting under the authority of
Ordinances 17524, 17704, and 17795
Dated: February 11, 2013, December 2, 2013, and April 28, 2014

Approved as to form:

_____
Dan Satterberg
King County Prosecuting Attorney

CITY OF SEATTLE

_____
Ed Murray
Mayor

_____
Date

Acting under the authority of
Ordinance
Dated:

Approved as to form:

_____
Peter S. Holmes
Seattle City Attorney

Attachment AC
to Exhibit A

ATTACHMENT AC

2011, 2012, 2013, AND 2014 CONSERVATION FUTURES LEVY CITY OF SEATTLE ALLOCATIONS

Jurisdiction	Project	Allocation
Seattle (Ordinance 17349)	Chinatown/International District UCP	Approves Site Location
Seattle (Ordinances 17349)	Greenwood/Phinney UCP	Approves Site Location
Seattle (Ordinance 17349)	University District UCP	$ 72,846
Seattle (Ordinance 17704)	University District UCP	Approves Site Location
Seattle (Ordinance 17619)	Smith Cove Park Addition	$ 625,000
Seattle (Ordinance 17707)	Smith Cove Park Addition	$ 875,000
Seattle (Ordinance 17707)	West Seattle Junction	$ 1,000,000
Seattle (Ordinance 17707)	South Park Plaza	$ 500,000
Seattle (Ordinance 17707)	Baker Park Addition	$ 200,000
Seattle (Ordinance 17707)	48th and Charlestown	$ 350,000
TOTAL		**$ 3,622,846**

Project Descriptions:

(Ordinance 17524):
1047211 International District Urban Center Park
This project received $750,000 in Conservation Futures funding from King County with the understanding that Seattle would work with local community leaders and groups in the International District, which is underserved with open space, to identify an open space site for final approval by King County. This action confirms Seattle's selection of a site on Jackson Street in the International District, about one half block north of 12th Avenue.

Attachment AC
to Exhibit A

1047216 Greenwood/Phinney Urban Center Park
This project received $500,000 in Conservation Futures funding from King County with the understanding that Seattle would choose among three sites in the Greenwood/Phinney Ridge neighborhood on Greenwood Avenue, which is underserved with open space, for final approval by King County. This action will approve Seattle's selection of a site on Greenwood Avenue at 81st Street, directly across 81st Street from the recently-constructed neighborhood branch of the Seattle Public Library.

1112180 University District Urban Center Park
$72,846 in Conservation Futures funds will be reallocated to this project from the recently-completed University District/Denny Triangle UCP project. That older project has a similar goal of acquiring open space in the University District neighborhood, which is underserved with open space, and has a need for additional funding for project completion.

(Ordinance 17704):
1112180 University District Urban Center Park
This project received Conservation Futures funding by Ordinance 17232 with supplemental funding by Ordinance 17349, under the condition that Seattle would identify a final open space site for approval by King County. King County approves Seattle's selection of the site on 9th Avenue NE, adjacent to Christy Park and south of NE 43rd Street in the University District.

1116261 SEA Smith Cove Park Addition
$625,000 in CFT funds will be reallocated to this project from the abandoned First Hill Open Space CFT project, also in Seattle.

(Ordinance 17795):
1116261 Seattle - WLFC SEA Smith Cove Park Addition
2014: $875,000 is added to this project to complete King County's Conservation Futures funding for this acquisition.

1122039 Seattle - WLFC West Seattle Junction
The West Seattle Junction Urban Village project is a new project that will acquire two parcels of approximately .26 acres to create a new community park in the mixed-use, high-density neighborhood near the intersection of SW Alaska Way and Fauntleroy Way.

1122040 Seattle - WLCF SEA South Park Plaza
This new project will establish an approximately 1.3-acre passive use greenspace within a larger park that is being created on 14th Avenue South, in the South Park community. It is located just north of the soon-to-be-completed South Park replacement bridge on the western shore of the Duwamish Waterway.

1122041 Seattle - WLFC SEA Baker Park Addition
The Baker Park Addition Project is a new project that will acquire a .25-acre property on 14th Avenue NW, immediately south of Baker Park in Seattle's Crown Hill Neighborhood. The goal

Attachment AC
to Exhibit A

is to enlarge the existing park, allow more light into it, and improve the general usability of the park.

1122042 Seattle - WLCF 48th and Charlestown
The goal of this new project is to acquire an approximately .25-acre property for a new local park in West Seattle. It is located at the corner of 48th Street SW and SW Charlestown Street.

City of Seattle: **$ 3,622,846**
Chinatown/International District UCP, Greenwood/Phinney UCP, University District UCP, Smith Cove Park Addition, West Seattle Junction, South Park Plaza, Baker Park Addition, and 48th and Charlestown acquisition Projects

STATE OF WASHINGTON -- KING COUNTY

--ss.

324504

No. 124761 124762

CITY OF SEATTLE,CLERKS OFFICE

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:TITLE ONLY ORDINANCE

was published on

05/26/15

The amount of the fee charged for the foregoing publication is the sum of $85.25 which amount has been paid in full.

Subscribed and sworn to before me on

05/26/2015

Notary public for the State of Washington,
residing in Seattle

JENNIFER A BORRIERO
COMMISSION EXPIRES
NOTARY
STATE OF WASHINGTON

Affidavit of Publication

State of Washington, King County

City of Seattle

Title Only Ordinances

The full text of the following legislation, passed by the City Council on April 27, 2015, 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. 124760

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

ORDINANCE NO. 124761

AN ORDINANCE establishing a new University District Parking and Business Improvement Area; levying special assessments upon owners of business property, multi-family residential property, and mixed-use property within the area; providing for the deposit of revenues in a special account and expenditures therefrom; providing for collection of and penalties for delinquencies; providing for the establishment of a Ratepayers Advisory Board; providing for an implementation agreement with a Program Manager; disestablishing the current University District Parking and Business Improvement Area that was established in 1996 by Ordinance 118412 ("1996 UDBIA"); suspending the issuance of assessments and providing for the winding up of activities under the 1996 UDBIA; and providing for the distribution of remaining funds from and closing of the 1996 UDBIA account.

ORDINANCE NO. 124762

AN ORDINANCE relating to King County Conservation Futures Levy proceeds; authorizing the Mayor to amend the Interlocal Cooperation Agreement between the City of Seattle and King County authorized by City of Seattle Ordinance 114978; and authorizing the deposit of 2012 supplemental allocations, 2013 supplemental allocations, and 2014 allocations from King County Conservation Futures Levy proceeds into the City of Seattle"s 2008 Parks Levy Fund.

Date of publication in the Seattle Daily Journal of Commerce, May 26, 2015.

5/26(324504)