Ordinance No. 121974

Council Bill No. 115592

AN ORDINANCE relating to the Olympic Sculpture Park; repealing Ordinance 121974; authorizing the execution of a Construction and Finance Agreement and an Operation and Maintenance Agreement between the Seattle Department of Parks and Recreation and the Seattle Art Museum, concerning their roles in development, construction, and operation, and maintenance of portions of Alaskan Way Boulevard that will be operated as part of the Olympic Sculpture Park.

CF No. _____

Date Introduced: MAY 22, 2006	
Date 1st Referred:	To: (committee) Transportation
Date Re - Referred:	To: (committee)
Date F. - Referred:	To: (committee)
Date of Final Passage: 6-19-06	Full Council Vote: 9-0
Date Presented to Mayor: 6-20-06	Date Approved: 6/26/06
Date Returned to City Clerk: 6/28/06	Date Published: 3pp' T.O. ✓ F.T. ___
Date Vetoed by Mayor:	Date Veto Published:
Date Passed Over Veto:	Veto Sustained:

The City of Seattle - Legislative

Council Bill/Ordinance sponsored

TD 9 EMS

Committe

DO Pass as amended 5-

6-19-06 Passed

This file is complete and ready for presentation to Full

Law Dept. Review **OMP Review** **Cit Re**

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: DIAGO
Councilmember

Committee Action:

DO Pass as amended 5-0 JD, PS, JG, TR, RC.

6-19-06 Passed

This file is complete and ready for presentation to Full Council. Committee: _____
(initial/date)

Law Dept. Review	OMP Review	City Clerk Review	Electronic Copy Loaded	Indexed

T.O. ✓
F.T. ____

IT IS DUE TO THE QUALITY OF THE DOCUMENT.

ORDINANCE 122141

AN ORDINANCE relating to the Olympic Sculpture Park; repealing Ordinance 121974; authorizing the execution of a Construction and Finance Agreement and an Operation and Maintenance Agreement between the Seattle Department of Parks and Recreation and the Seattle Art Museum, concerning their roles in development, construction, operation, and maintenance of portions of Alaskan Way Boulevard and Myrtle Edwards Park that will be operated as part of the Olympic Sculpture Park.

WHEREAS, On June 12, 2000, the Seattle Department of Parks and Recreation (DPR) and Seattle Art Museum (SAM) entered into a Design Agreement, beginning a cooperative design effort that resulted in a final design concept for the Olympic Sculpture Park (OSP) including the use of portions of Alaskan Way Boulevard and improvements to Myrtle Edwards Park; and

WHEREAS, DPR and SAM have acknowledged the public benefits from a consistent design philosophy being applied to the OSP and portions of Alaskan Way; and

WHEREAS, the OSP will be free of charge and open to the public; and

WHEREAS, the OSP will create a seamless connection from Belltown to Myrtle Edwards Park; and

WHEREAS, the Construction and Finance Agreement will give SAM the authority to make improvements to Alaskan Way Boulevard and certain areas within Myrtle Edwards Park; and

WHEREAS, the Operations and Maintenance Agreement defines DPR's and SAM's roles in operating and maintaining portions of Alaskan Way Boulevard and certain areas within Myrtle Edwards Park, both of which will be improved as part of the OSP project; and

WHEREAS, the City Council passed Ordinance 121974 on October 31, 2005, authorizing the execution of a Construction and Finance Agreement and an Operation and Maintenance Agreement between DPR and SAM: and

WHEREAS, the City wishes to amend the Construction and Finance Agreement to reflect the additional $2.1 million that was added to the OSP project in the 2006 budget process, which was subsequent to the passage of Ordinance 121974; NOW, THEREFORE,

CITY CLERK

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1: Repeal Ordinance 121974 entitled:

"AN ORDINANCE relating to the Olympic Sculpture Park; authorizing the execution of a Construction and Finance Agreement and an Operation and Maintenance Agreement between the Seattle Department of Parks and Recreation and the Seattle Art Museum, concerning their roles in development, construction and operation and maintenance of portions of Alaskan Way Boulevard that will be operated as part of the Olympic Sculpture Park."

is hereby repealed.

Section 2. The Superintendent of Parks and Recreation, or his designee, is authorized to execute an Agreement, substantially in the form of Attachment A to this ordinance, to delineate the relative roles and responsibilities of the Seattle Art Museum and the Department of Parks and Recreation with respect to construction on portions of Alaskan Way Boulevard Myrtle Edwards Park, and regarding the disbursal of funds allocated through the Pro Parks Levy program and additional Council appropriation from the 2006 adopted budget.

Section 3. The Superintendent of Parks and Recreation, or his designee, is authorized to execute an Agreement, substantially in the form of Attachment B to this ordinance, to delineate the relative roles and responsibilities of the Seattle Art Museum and the Department of Parks and Recreation with respect to operation and maintenance of the public property within the Olympic Sculpture Park.

Section 4. Any act consistent with the authority granted by and prior to the effective date of this ordinance is herby ratified and confirmed.

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

CITY CLERK

Passed by the City Council the 19th day of June, 2006, and signed by me in open session in authentication of its passage this 19th day of June, 2006.

President _____ of the City Council

Approved by me this 26th day of June, 2006.

Gregory J. Nickels, Mayor

Filed by me this 28th day of June, 2006.

City Clerk

(Seal)

Attachment A: Construction and Finance Agreement
Attachment B: Operations and Maintenance Agreement

IT IS DUE TO THE QUALITY OF THE DOCUMENT.

CITY CLERK

122141

STATE OF WASHINGTON – KING COUNTY

--ss.

200066 No.
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:122139-122144 TITLE

was published on

07/03/06

The amount of the fee charged for the foregoing publication is the sum of $ 96.60, which amount has been paid in full.

Subscribed and sworn to before me on

07/03/06

Notary public for the State of Washington,
residing in Seattle

JENNIFER A. PATZER
COMMISSION EXPIRES
NOTARY
PUBLIC
STATE OF WASHINGTON

Affidavit of Publication

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State of Washington, King County

City of Seattle

TITLE-ONLY PUBLICATION

The full text of the following ordinances, passed by the City Council on June 19, 2006, 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. 122144

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

ORDINANCE NO. 122143

AN ORDINANCE relating to the City Light Department; declaring as surplus certain easement rights in City Light's Eastside Transmission Line Right-of-Way designated as PM #270521-3-301 and authorizing the City Light Department to grant an easement to the Alderwood Water District for the continued operation and maintenance of a water transmission pipeline and appurtenances for Segment 2 of the Clearview Water Supply Project.

ORDINANCE NO. 122142

AN ORDINANCE amending Subsection A of Section 3.18.300 of the Seattle Municipal Code regarding the administration of Council adopted policies and rules adopted by the Fleets and Facilities Director for City owned real property.

ORDINANCE NO. 122141

AN ORDINANCE relating to the Olympic Sculpture Park; repealing Ordinance 121974; authorizing the execution of a Construction and Finance Agreement and an Operation and Maintenance Agreement between the Seattle Department of Parks and Recreation and the Seattle Art Museum, concerning their roles in development, construction, operation, and maintenance of portions of Alaskan Way Boulevard and Myrtle Edwards Park that will be operated as part of the Olympic Sculpture Park.

ORDINANCE NO. 122140

AN ORDINANCE accepting from Ms. Vicki Reed a gift of outdoor benches for installation at the City Hall Plaza.

ORDINANCE NO. 122139

AN ORDINANCE relating to economic and community development; authorizing and providing for the issuance by the City of a note for the purpose of supporting eligible activities under the federal Section 108 program, including the acquisition and redevelopment of certain brownfields properties within the City of Seattle; authorizing a Funding Approval/Agreement and a contract with the United States Department of Housing and Urban Development for a Section 108 guaranty of the note; authorizing agreements with a custodian to establish separate accounts or funds; authorizing loans of a portion of the note proceeds; authorizing acceptance of a Brownfields Economic Development Initiative Grant; appropriating and authorizing the disbursement of grant funds to reduce debt service obligations on such loans, to provide loan loss reserves and to finance project costs associated with such loans; authorizing related agreements; and ratifying and confirming prior acts.

Publication ordered by JUDITH PIPPIN, City Clerk.

Date of publication in the Seattle Daily Journal of Commerce, July 3, 2006.

7/3(200086)

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

[City Clerk's Office Note: Because of its size, the PDF of Ordinance 122141 has been divided for faster electronic display and downloading. All linked files are PDF documents requiring Adobe Reader or equivalent program to view.]

Part 1, (20.6 MB)

Part 2, (13.3 MB)