

Ordinance No. 122485

Council Bill No. 115979

AN ORDINANCE relating to Conservation Futures Levy proceeds; authorizing the Mayor to amend the Interlocal Cooperation Agreement between the City of Seattle and King County as authorized by City of Seattle Ordinance 114978; authorizing the deposit of 2006 allocations from King County Conservation Futures Levy proceeds into the City of Seattle's 2000 Parks Levy Fund and the Cumulative Reserve Subfund; and increasing appropriations to the Department of Parks and Recreation in the 2007 Budget; all by a three-fourths vote of the City Council.

CF No. _____

Date Introduced:	<u>8-13-07</u>	
Date 1st Referred:	<u>8-13-07</u>	
Date Re - Referred:		
Date Re - Referred:		
Date of Final Passage:	<u>9-10-07</u>	
Date Presented to Mayor:	<u>9-11-07</u>	
Date Returned to City Clerk:	<u>9-21-07</u>	T.O. <input checked="" type="checkbox"/> F.T. <input type="checkbox"/>
Date Vetoed by Mayor:		
Date Passed Over Veto:		

*PARKS, EDUCATION,
ECONOMICS AND LABOR
COUNCIL*

To: (committee) *ECONOMICS AND LABOR*

To: (committee) *COUNCIL*

To: (committee)

Full Council Vote: 8-0

Date Approved: 9-21-07

Date Published: 4

Date Veto Published:

Veto Sustained:

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: _____

[Signature]
Councilmember

Committee Action:

Sept 5, 2007

Yea = DD

Nay = 0

208

9-10-07 Passed 8-0 (Excused: Diago)

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

Law Department

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



City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

July 24, 2007

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

Dear Council President Licata:

I am transmitting the attached proposed Council Bill, which authorizes an amendment to the existing Conservation Futures Levy (CFL) Interlocal Cooperation Agreement between the City of Seattle and King County, and authorizes the City to accept up to \$2,950,000 in CFL proceeds. In addition, the proposed Bill increases appropriations to the Department of Parks and Recreation (DPR) in the 2007 Adopted Budget.

King County's annual allocations of CFL proceeds, which are funded by a county-wide property tax dedicated to the acquisition of open space, agricultural property, or timberlands, have been invaluable in helping the City achieve the goals of the 2000 Neighborhood Parks, Green Spaces, Trails, and Zoo Levy (2000 Parks Levy). The 2006 CFL allocation made available by this legislation will be used to help pay for the Discovery Park - Capehart, Morgan Junction Urban Village Park, NE Queen Anne Greenspace Additions, St. Marks Greenspace Additions, Thornton Creek Park - 2 Additions, Kubota Garden Natural Area, and Sylvan Way Open Space acquisition projects. As a CFL recipient, the City is required to provide at least 50 percent in matching funds. The primary sources of matching funds will be the 2000 Parks Levy and the Shoreline Park Improvement Fund.

This legislation will help us expand the parks and open spaces that are so highly valued by Seattle residents. 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', written over a horizontal line.

GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council



ORDINANCE 122485

AN ORDINANCE relating to Conservation Futures Levy proceeds; authorizing the Mayor to amend the Interlocal Cooperation Agreement between the City of Seattle and King County as authorized by City of Seattle Ordinance 114978; authorizing the deposit of 2006 allocations from King County Conservation Futures Levy proceeds into the City of Seattle's 2000 Parks Levy Fund and the Cumulative Reserve Subfund; and increasing appropriations to the Department of Parks and Recreation in the 2007 Budget; all by a three-fourths vote of the City Council.

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 with King County to govern the receipt and use of CFL proceeds, and to define the specific projects ("Projects") approved by King County for acquisitions using CFL proceeds; and

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

WHEREAS, the King County Council passed Ordinance 14797 in 2003 to authorize additional Projects and allocate CFL proceeds, including Three Hundred Thousand (\$300,000) for Sylvan Way Open Space; and

WHEREAS, in 2005, City Ordinance 121775 authorized the Mayor to amend the Interlocal Cooperation Agreement between the City and King County to reflect the 2003 Projects and allocations authorized by King County Ordinance 14797, including Sylvan Way Open Space; and

WHEREAS, the City determined that it was not able to acquire the land known as Sylvan Way Open Space; and

WHEREAS, the City requested a scope modification to the Project known as Sylvan Way Open Space; and

WHEREAS, the King County Council passed Ordinance 15652 on November 20, 2006, authorizing the following additional land acquisition Projects: Discovery Park - Capehart, Morgan Junction Urban Village Park, NE Queen Anne Greenspace Additions, St. Marks Greenspace Additions, Thornton Creek Park 2 Additions, and Kubota Garden Natural



1 Area; allocating 2007 CFL proceeds in the amount of Two Million Nine Hundred Fifty
2 Thousand Dollars (\$2,950,000) for the additional land acquisition Projects; and
3 authorizing a modification of the scope of the Sylvan Way Open Space Project to enable
4 the City to use the 2003 CFL proceeds allocated for that Project to help acquire two
wooded parcels in the Longfellow Creek Watershed as alternatives to the nearby property
that was originally targeted; and

5 WHEREAS, the King County Council also passed Ordinance 15711 on April 9, 2007,
6 authorizing the King County Executive to enter into interlocal cooperation agreements
7 and amendments to interlocal cooperation agreements with the cities of Bellevue, Burien,
8 Duvall, Federal Way, Issaquah, Kent, Lake Forest Park, Normandy Park, Seattle,
9 Shoreline, Snoqualmie and Tukwila for the disbursement of CFL Proceeds appropriated
under Ordinance 14797, Ordinance 15295, Ordinance 15555 and Ordinance 15652;
NOW, THEREFORE,

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

11 Section 1. The Mayor or his designee is hereby authorized to negotiate and enter into an
12 amendment to the CFL Interlocal Cooperation Agreement, substantially in the form of Exhibit A
13 (hereafter, "Amendment"), to provide for the City's receipt and use of up to Two Million Nine
14 Hundred Fifty Thousand Dollars (\$2,950,000) from the 2006 King County allocations of CFL
15 proceeds. The Amendment will also add an Attachment V to the list of Projects in the CFL
16 Interlocal Cooperation Agreement to include the Discovery Park – Capehart, Morgan Junction
17 Urban Village Park, NE Queen Anne Greenspace Additions, St. Marks Greenspace Additions,
18 Thornton Creek Park 2 Additions, and Kubota Garden Natural Area land acquisition Projects,
19 and an amended description of the Sylvan Way Open Space land acquisition Project,
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Section 2. Funds received pursuant to the Amendment shall be deposited as follows:

Fund	Department	Budget Control Level/Capital Improvement Program	Amount (Up To)
Cumulative Reserve Subfund – Unrestricted Subaccount (00164)	Parks and Recreation	West Point Settlement Projects K72982	\$1,300,000
2000 Parks Levy Fund (33850)	Parks and Recreation	2000 Parks Levy – Neighborhood Park Acquisitions K723001	\$475,000
2000 Parks Levy Fund (33850)	Parks and Recreation	2000 Parks Levy – Green Space Acquisitions K723002	\$1,175,000

Section 3. The following appropriation amounts, to be reimbursed by 2007 CFL proceeds, are added to the 2007 Budget of the Seattle Department of Parks and Recreation.

Fund	Department	Budget Control Level/Capital Improvement Program	Amount
2000 Parks Levy Fund (33850)	Parks and Recreation	2000 Parks Levy – Green Space Acquisitions	\$925,000



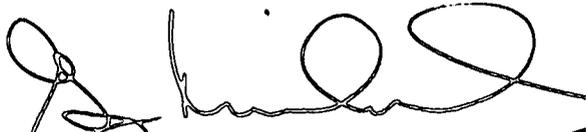
1 Section 4. This ordinance shall take effect and be in force thirty (30) days from and after
2 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
3 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

4 Passed by a three-fourths vote of all the members of the City Council the 10th day of
5 September, 2007, and signed by me in open session in authentication of its passage this 10th
6 day of September, 2007.
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10 President _____ of the City Council

11 Approved by me this 21st day of September, 2007.
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16 Gregory J. Nickels, Mayor

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18 Filed by me this 21st day of September, 2007.

19
20 
21 City Clerk

22 (Seal)

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

27 Attachment V to Exhibit A: 2006 Conservation Futures Levy City of Seattle Allocation
28



**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 and certain suburban cities. 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 the existing Interlocal Cooperation Agreement entered into between the parties on the 5th day of June, 1990, as previously amended.

The parties agree to the following amendments:

Amendment 1: Article 1. Recitals

A paragraph is hereby added to the Recitals Section to provide for the 2006 Conservation Futures Levy Fund Allocation, and hereafter reads:

“On November 20, 2006, the King County Council passed Ordinance 15652, which appropriated a total of Two Million Nine Hundred Fifty Thousand Dollars (\$2,950,000) in Conservation Futures Levy proceeds to the City of Seattle. On April 9, 2007 the King County Council passed Ordinance 15711, authorizing the King County Executive to enter into interlocal agreements with the cities of Bellevue, Burien, Duvall, Federal Way, Issaquah, Kent, Lake Forest Park, Normandy Park, Seattle, Shoreline, Snoqualmie and Tukwila for the disbursement of conservation futures tax levy funds appropriated under Ordinance 14797, Ordinance 15295, Ordinance 15555 and Ordinance 15652.”

Amendment 2: Article V. Conditions of Agreement

Section 5.1 is amended to include Attachment V, which lists the 2006 Conservation Futures Levy Allocation to the City of Seattle for the following land acquisition projects: Discovery Park – Capehart, Morgan Junction Urban Village Park, NE Queen Anne Greenspace Additions, St. Marks Greenspace Additions, Thornton Creek Park 2 Additions, Kubota Garden Natural Area, and Sylvan Way Open Space.



Exhibit A

Amendment 3: Article VII. Responsibilities of County

The first two sentences of this article are amended to include Attachment V, which lists the 2006 Conservation Futures Levy Allocation to the City of Seattle for the Discovery Park – Capehart, Morgan Junction Urban Village Park, NE Queen Anne Greenspace Additions, St. Marks Greenspace Additions, Thornton Creek Park 2 Additions, Kubota Garden Natural Area, and Sylvan Way Open Space acquisition projects, and Article VII hereafter reads:

“Subject to the terms of this agreement, the County will provide Conservation Futures Levy Funds in the amounts shown in Attachments A through V to be used for the Projects listed in Attachments A through V. 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 V. The County assumes no obligation for the future support of the Projects described herein except as expressly set forth in this agreement.”

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.

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

CITY OF SEATTLE

Ron Sims
King County Executive

Gregory J. Nickels
Mayor

Date

Date

Acting under the authority of
Ordinance 15711
Dated: April 9, 2007

Acting under the authority of
Ordinance:
Dated:

Approved as to form:

Approved as to form:

Dan Satterberg,
Interim King County Prosecuting Attorney

Thomas A. Carr
City Attorney



2006
CONSERVATION FUTURES LEVY
CITY OF SEATTLE
ALLOCATION

Jurisdiction	Project	Allocation
Seattle	Discovery Park – Capehart	\$1,300,000
Seattle	Morgan Junction Urban Village Park	\$475,000
Seattle	NE Queen Anne Greenspace Additions	\$300,000
Seattle	St. Marks Greenspace Additions	\$250,000
Seattle	Thornton Creek Park 2 Additions	\$425,000
Seattle	Kubota Garden Natural Area	\$200,000
Seattle	Sylvan Way Open Space	\$0
TOTAL		\$2,950,000

Project Descriptions:

315426 Discovery Park - Capehart

This project consists of the acquisition of a significant 23.9-acre inholding in Seattle's Discovery Park, a park of regional significance. The project is located in the Magnolia neighborhood of Seattle, known as the Capehart housing tract site. It will be used as passive-use open space.

2007: \$1,300,000 in Conservation Futures Funds is allocated to this project.

315430 Morgan Junction Urban Village Park

This project consists of the acquisition of approximately .2 acres of land on California Avenue Southwest at Fauntleroy Avenue in the West Seattle neighborhood of Morgan Junction. The goal of the project is to establish a small community green space in the hub of this urban center.

315431 NE Queen Anne Greenspace Additions

This is a multiple-parcel open space acquisition project within the Northeast Queen Anne Green Space, located between Taylor Avenue North and Aurora Avenue North in Queen Anne. The first priority for acquisition is four parcels totaling .27 acres adjacent to Maclean Park.

315432 St. Marks Greenspace Additions

This is a multiple-parcel open space acquisition project that will help preserve a neighborhood greenbelt and will enhance the East Blaine public stairway, which is part of the Capitol Hill to Lake Union Trail and the I-5 Colonnade Park. The walkway has views of Lake Union, the Seattle Space Needle and the Olympic Mountains. The first priorities for acquisition are four parcels totaling .44-acres, on Harvard Avenue.



315433 Thornton Creek Park 2 Additions

This is a one-acre, two-parcel open space acquisition project on Thornton Creek at Northeast 100th Street and 20th Avenue Northeast in Northeast Seattle. These two parcels contain small houses that will be removed. The goal of the project is to help repair riparian habitat and functions on Thornton Creek to continue a community trail and greenbelt.

315417 Kubota Garden Natural Area

Located off Renton Avenue South in the Rainier Beach Neighborhood, this project consists of two wooded inholding parcels totaling 5.6 acres that buffer Kubota Gardens. The gardens are a Seattle landmark with local and international cultural significance. The additions also provide additional urban wildlife habitat. The city plans a passive nature trail in this buffer and the project will also help protect the headwaters of Mapes Creek.

2007: \$200,000 in Conservation Futures Funds is allocated to this project, with a first priority for acquisition of 1.3 acres located on Renton Avenue South near South 52nd Avenue, on the northern side of the Garden, to help buffer the garden from encroaching development. Conservation Futures funds previously allocated to this project by Ordinance 14797 may also be expended on the 1.3 acres near South 52nd Avenue, if such funds are needed.

315421 Sylvan Way Open Space

This project is a 3.4-acre wooded open space between Sylvan Way SW and SW Othello Street, at 27th Avenue SW, in the Delridge neighborhood. This project will provide additional urban wildlife habitat.

2007: The Sylvan Way Open Space acquisition project is expanded to include two additional wooded parcels between Sylvan Way SW and SW Othello Street, at 27th Avenue SW, to achieve added habitat protection of the Longfellow Creek watershed.



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 relating to Conservation Futures Levy proceeds; authorizing the Mayor to amend the Interlocal Cooperation Agreement between the City of Seattle and King County as authorized by City of Seattle Ordinance 114978; authorizing the deposit of 2006 allocations from King County Conservation Futures Levy proceeds into the City of Seattle's 2000 Parks Levy Fund and the Cumulative Reserve Subfund; and increasing appropriations to the Department of Parks and Recreation in the 2007 Budget; all by a three-fourths vote of the City Council.

Summary and background of the Legislation:

This legislation authorizes the Mayor to amend the existing Conservation Futures Levy (CFL) Interlocal Cooperation Agreement between the City of Seattle (City) and King County to add six projects to the list of King County-approved acquisition projects. The projects include: Discovery Park - Capehart, Morgan Junction Urban Village Park, NE Queen Anne Greenspace Additions, St. Marks Greenspace Additions, Thornton Creek Park - 2 Additions, and Kubota Garden Natural Area. The new amendment is Amendment V.

The CFL is a county-wide property tax collected by King County for the acquisition of open space, agricultural, or timber lands. From 1990 to 1997, King County allocated the CFL proceeds among incorporated and unincorporated areas, based on project applications by local governments, citizen groups, and individual citizens. In 2001, the County re-established the application process for allocating the CFL proceeds. Among the requirements is the provision of at least a 50% (fifty percent) matching contribution by the applicant.

The Shoreline Park Improvement Fund and the 2000 Neighborhood Parks, Green Spaces, Trails, and Zoo Levy (2000 Parks Levy) are the primary sources of matching funds for the projects included in the City's 2006 application for CFL proceeds. Ordinance 120024, which authorized the election that approved the 2000 Parks Levy, anticipated that the costs of the 2000 Parks Levy projects might exceed the proceeds. Consequently, the ordinance declared the City's intent "to leverage funds through collaboration with County, State, and Federal sources and with private and non-profit organizations, including the Seattle Parks Foundation, through the development of partnerships for purposes of enhancing the projects and programs funded through the levy lid lift."

While this legislation does not authorize any property acquisitions or initiate any new acquisition projects, it allocates \$2,950,000 from CFL proceeds to the City for the six new projects mentioned above. These proceeds were appropriated in the 2007 King County Capital Budget and will be collected by the County in 2007. The legislation provides that the CFL payments will be deposited in the Cumulative Reserve Subfund - Unrestricted Subaccount



(00164 – \$1,300,000) and the 2000 Parks Levy Fund (Fund 33850 – \$1,650,000).

The proposed Ordinance appropriates the CFL proceeds for the NE Queen Anne Greenspace (\$300,000), the Thornton Creek Greenspace (\$425,000) and the Kubota Gardens Greenspace (\$200,000). These three properties were acquired using “general appropriation” (i.e. appropriation that can be used for the acquisition of any named Pro Parks property within the same Budget Control Level) provided by Ordinances 121170, 121660 and 121991. By providing additional CFL-related appropriation for these three projects, the general appropriation that was previously used for these projects will be available for use in acquiring other greenspace property identified in Ordinance 121170.

The proposed ordinance does not appropriate \$725,000 for grant allocations for the St. Marks Greenspace or the Morgan Junction Greenspace. Full appropriation authority specific to the St. Marks Greenspace was provided by Ordinances 122129 and 122314 and full appropriation authority specific to the Morgan Junction Urban Village Park acquisition was provided by Ordinance 122215. Likewise, the proposed ordinance does not include an appropriation of \$1.3 million for the Discovery Park - Capehart Acquisition because this funding will be appropriated by a special ordinance relating to the acquisition of the property.

Because the City is not able to acquire the specific property identified as Sylvan Way Open Space in Amendment R to the Interlocal Agreement (2003 CFL proceeds; Ordinance 121775), Amendment V expands the scope of the Sylvan Way project as defined by King County. In Amendment R, the Sylvan Way Open Space project was allocated \$300,000 from 2003 CFL proceeds. Under Amendment V, King County’s definition of the scope of the Sylvan Way Open Space project was expanded to include property defined by the City as Delridge Open Space.¹ The scope expansion will allow the City to use a portion of the \$300,000 allocated in 2003 for two property acquisitions in Delridge Open Space in lieu of the Sylvan Way property identified in Amendment R to the Interlocal Agreement.

¹ Under the Neighborhood Park Acquisition program of the 2000 Neighborhood Parks, Green Spaces, Trails and Zoo Levy, the Sylvan Way Property and Delridge Open Space are defined as separate projects. DPR has determined, with agreement from the Parks Levy Oversight Committee, that it is not able to acquire the Sylvan Way Property, and thus, the Sylvan Way Property Acquisition project will be abandoned. The City’s need to abandon the Sylvan Way project subsequently led to the need to change King County’s definition of Sylvan Way Open Space for purposes of the CFL grant.



Project Name:	Project I.D.	Project Location:	Start Date:	End Date
Discovery Park - Capehart Acquisition	Program K723982, Project K731231	Westerly portion of Discovery Park uplands	April 2005	October 2009
Morgan Junction Urban Village Park	Program K723001, Project K733041	6431 California Avenue SW	January 2006	November 2006 (acquired)
NE Queen Anne Greenspace Additions	Program K723002, Project K733233-01	562 Newton Street	April 2005	March 2007 (acquired)
St. Marks Greenspace Additions	Program K723002, Projects K733049-01, -02, & -03	Lakeview Boulevard & E Blaine Street	October 2005	March 2007 (acquired)
Thornton Creek Park - 2 Additions	Program K723002, Projects K733051-01 & -02	2003 20 th Avenue NE & 2105 NE 100th Street	September 2005	June 2006 (acquired)
Kubota Garden Natural Area Additions	Program K723002, Projects K733197-02 & -03	9669 & 9693 Renton Avenue S	August 2005	January 2007 (acquired)
Sylvan Way (Delridge Open Space)	Program K723001, Projects K733037-09 & -10	27 th Avenue SW & SW Othello Street; 24 th Avenue SW & SW Myrtle Street	October 2004	April 2005 (acquired)

- *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. *(Please complete all relevant sections that follow.)*



Appropriations: Seattle Department of Parks and Recreation

Fund Name and Number	Department	Budget Control Level*	2007 Appropriation	2008 Anticipated Appropriation
2000 Parks Levy Fund (33850)	Parks and Recreation	2000 Parks Levy Green Space Acquisitions K723002	\$925,000	\$0
TOTAL			\$925,000	\$0

Notes: This legislation appropriates partial reimbursements for prior acquisitions including NE Queen Anne Greenspace (\$300,000); Thornton Creek Greenspace (\$425,000) and Kubota Gardens Greenspace (\$200,000). "General appropriation" for these three projects was provided in prior legislative actions: NE Queen Anne Additions (Ordinances 121660 and 121991); Thornton Creek Park - 2 Additions (Ordinance 121660); and Kubota Gardens Natural Area (Ordinances 121170 and 121991). By appropriating the CFL proceeds in this legislation, the "general appropriation" previously allocated to these three projects will be available for use in acquiring other greenspace property identified in Ordinance 121170.

Full appropriation was previously provided specifically for the Morgan Junction Urban Village Park Project (122215), the St. Marks Greenspace Additions (Ordinances 122314 and 122129) and the Delridge Open Spaces, which are included in the amended description of the Sylvan Way Open Space project (Ordinances 121660 and 121680). Additional appropriation for these projects is not being requested with this legislation.

Partial appropriation for the Discovery Park - Capehart project has been provided by Ordinances 121488, 121660, 121993, and 121991. Additional appropriation for the Discovery Park Capehart project, including the CFL proceeds identified in this legislation, will be identified in separate legislation authorizing acquisition of the Capehart property.



Spending Plan and Future Appropriations for Capital Projects: (in 000's)

Spending Plan and Budget	Prior to 2007	2007	2008	2009	2010	2011	2012	Total
Spending Plan	3,146	5,810	20	7,330	0	0	0	16,306
Current Year Appropriation								
Discovery Park - Capehart Acquisition	3,000	2,685						5,685
Morgan Junction Urban Village Park	1,063	0						1,063
NE Queen Anne Greenspace Additions	491	0						491
St Marks Green Space Additions	578	0						578
Thornton Creek Park - 2 Additions	497	0						497
Kubota Gardens Natural Area Additions	905	0						905
Sylvan Way (Delridge Open Space)	247	0						247
Future Appropriations								
NE Queen Anne Greenspace Acquisition (this legislation)		300	0	0	0	0	0	300
Thornton Creek Greenspace (this legislation)		425						425
Kubota Gardens Natural Area (this legislation)		200						200
Discovery Park - Capehart Acquisition (separate legislation associated with Capehart Acq)		5,915	0	0	0	0	0	5,915

Notes: In 2007, \$925,000 of "Future Appropriations" is being appropriated with this legislation. The remaining "Future Appropriations" of \$5,915,500 in 2007 is for the Discovery Park - Capehart Acquisition project and will be approved in separate legislation.



Funding source:

Funding Source (Fund Name and Number, if applicable)	Prior to 2007	2007	2008	2009	2010	2011	2012	Total
Shoreline Improvement Fund (33110) – Discovery Park	2,985*	0	0	0	0	0	0	2,985
Cumulative Reserve Subfund – Unrestricted Subaccount (00164) – Discovery Park	0	8,615*	0	0	0	0	0	8,615
2000 Parks Levy Fund (33850)	3,781*	925	0	0	0	0	0	4,706
TOTAL	6,766	9,540	0	0	0	0	0	16,306

Notes: *Funding appropriated via other legislation.

Bond Financing Required: Not applicable.

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



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

O&M	2007	2008	2009	2010	2011	2012	Total
Uses							
Start Up	\$0	\$0	\$0	\$7,036	\$0	\$0	\$7,036
On-going	\$73,121	\$91,533	\$106,874	\$150,927	\$154,281	\$157,375	\$734,111
Total Uses	\$73,121	\$91,533	\$106,874	\$157,963	\$154,281	\$157,375	\$741,147
Sources (itemize)							
2000 Parks Levy Fund (33850)	\$68,833	\$73,735	\$0	\$0	\$0	\$0	\$142,568
Other – TBD	\$0	\$0	\$75,233	\$76,753	\$78,302	\$79,877	\$310,165
Parks General Fund (00100)	\$4,288	\$17,798	\$31,641	\$81,210	\$75,979	\$77,498	\$288,414
Totals	\$73,121	\$91,533	\$106,874	\$157,963	\$154,281	\$157,375	\$741,147

Notes: The operation and maintenance (O&M) estimates above for these DPR acquisitions assume a 2% inflation rate for each successive year. These O&M costs only reflect the funding needed to maintain the sites as undeveloped properties.

The general tasks to maintain these undeveloped sites will include some combination of trail maintenance, trimming and mowing, pruning, turf maintenance, control and removal of invasive plants, plant establishment, litter and trash pick-up, removal of encampments or dumping, installation and repair of regulatory signs, and graffiti removal.

Note that a 2% inflation factor has been used for each successive year. O&M funding for the Morgan Junction, NE Queen Anne, St Marks, Thornton Creek, and Sylvan (Delridge) sites is available from the 2000 Parks Levy through 2008. An alternate funding strategy has yet to be determined for the following years.

O&M notes per project:

Discovery Park - Capehart Acquisition: The existing buildings, roadways and parking lots on the site will be demolished and the site converted to a meadow open space interspersed with thickets and coniferous forest. This legislation does not result in additional operation and maintenance (O&M) costs, beyond what was previously identified in Ordinance 122358, but the table does reflect a change in online dates. O&M costs associated with phase one of the acquisition begins October 2007 and Phase Two of the acquisition will begin October 2009. In 2009, there is also a one-time vehicle purchase cost.

Morgan Junction Urban Village Park: DPR will assume the maintenance responsibilities of this parcel, currently owned by the Seattle Monorail project. The new facility Operation and Maintenance (O&M) estimates reflect the costs for acquiring the site and applying DPR maintenance standards, with no development features.



NE Queen Anne Green Space Additions: This property was acquired for green space preservation purposes and no developed facilities are anticipated. DPR will assume water service at this site, which is legally required to have yearly testing.

St Marks Green Space Additions: The O&M estimate listed above reflects costs to care for this new facility, including tree hazard removal, clean green recycling, installation and repair of regulatory signs, graffiti removal, encampment removal, illegal dumping, litter pick-up, trail maintenance, weeding, and truck support. The estimate above assumes the Backcountry Bicycle Trails Club will landscape and maintain the proposed mountain bike trail on parcel #1 based on a stewardship agreement with DPR.

Thornton Creek Park - 2 Additions: The O&M estimates above reflect the Operation and Maintenance costs needed to care for this property as undeveloped green space. This assumes the existing houses on the two sites will be demolished and removed.

Kubota Gardens Natural Area Additions: Properties were acquired to buffer Kubota Garden and prevent future encroachment. DPR will assume water service at this site, which is legally required to have yearly testing.

Sylvan Way (Delridge Open Space): The O&M estimates above reflect the Operation and Maintenance costs needed to care for this property as undeveloped green space.

Projected Annual O&M Costs per Project: This chart breaks out the costs for each project.

O&M	2007	2008	2009	2010	2011	2012	Total
Discovery Park – Capehart Acquisition	\$4,288	\$17,798	\$31,641	\$81,210	\$75,979	\$77,498	\$288,414
Morgan Junction Urban Village Park	\$15,102	\$16,092	\$16,414	\$16,742	\$17,077	\$17,418	\$98,845
NE Queen Anne Green Space Additions	\$9,261	\$9,931	\$10,129	\$10,332	\$10,539	\$10,749	\$60,941
St Marks Green Space Additions	\$11,722	\$13,308	\$13,596	\$13,886	\$14,178	\$14,472	\$81,162
Thornton Creek Park - 2 Additions	\$9,235	\$9,420	\$9,610	\$9,800	\$9,995	\$10,195	\$58,255
Kubota Gardens Natural Area Additions	\$6,635	\$7,737	\$7,891	\$8,049	\$8,210	\$8,374	\$46,896
Sylvan Way (Delridge Open Space)	\$16,878	\$17,247	\$17,593	\$17,944	\$18,303	\$18,669	\$106,634
Total	\$73,121	\$91,533	\$106,874	\$157,963	\$154,281	\$157,375	\$741,147

Periodic Major Maintenance costs for the project: N/A

Major Maintenance Item	Frequency	Cost	Likely Funding Source
TOTAL			

Note: This legislation does not authorize property improvements or facility development.

Funding sources for replacement of project: N/A

Not applicable.

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

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



- **Do positions sunset in the future?** N/A
- **What is the financial cost of not implementing the legislation:** The City would forgo \$3,250,000 in reimbursements from King County CFL Proceeds, which includes \$2,950,000 associated with Amendment V and up to \$300,000 associated with the Sylvan Way project in Amendment R.
- **What are the possible alternatives to the legislation that could achieve the same or similar objectives:** No alternatives have been identified, other than foregoing the reimbursements. While other revenue sources for reimbursement (such as grants) might be pursued, these are generally unavailable retroactively and competitive criteria for most grant programs tend not to favor these types of acquisitions.
- **Is the legislation subject to public hearing requirements:** No.
- **Other Issues:** None.

Please list attachments to the fiscal note below: None.

STATE OF WASHINGTON – KING COUNTY

--SS.

215854
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.

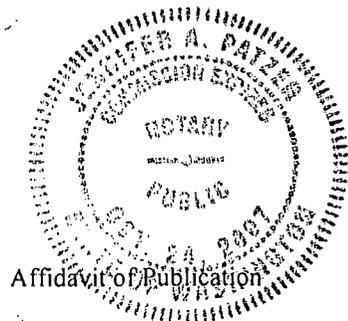
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:122483-88,90,92-94

was published on

09/27/07

The amount of the fee charged for the foregoing publication is the sum of \$ 167.40, which amount has been paid in full.



[Signature]

Subscribed and sworn to before me on
09/27/07 *[Signature]*

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

ORDINANCE NO. 122486

AN ORDINANCE relating to City real property; authorizing the transfer of jurisdiction of certain property in Block 11, Hunter's Lake Union Addition, commonly referred to as the Dexter Pit (PMA 1106), from the Fleets and Facilities Department to the Department of Parks and Recreation for park and recreation purposes.

ORDINANCE NO. 122485

AN ORDINANCE relating to Conservation Futures Levy proceeds; authorizing the Mayor to amend the Interlocal Cooperation Agreement between the City of Seattle and King County as authorized by City of Seattle Ordinance 114978; authorizing the deposit of 2006 allocations from King County Conservation Futures Levy proceeds into the City of Seattle's 2000 Parks Levy Fund and the Cumulative Reserve Subfund; and increasing appropriations to the Department of Parks and Recreation in the 2007 Budget, all by a three-fourths vote of the City Council.

ORDINANCE NO. 122484

AN ORDINANCE relating to the City's purchase of an interest in real property owned by Nisei Veterans Committee; removing a budget proviso restricting expenditure of an appropriation in the 2007 Budget; and authorizing the expenditure of the funds for purchase and acceptance of an easement with restrictive covenants from Nisei Veterans Committee to provide for community education and access uses on the property at 1212 South King Street, Seattle, Washington for a period of seven years; all by a three-fourths vote of the City Council.

ORDINANCE NO. 122483

AN ORDINANCE relating to the federal Section 108 program; amending Ordinance 122139.

Publication ordered by JUDITH PIPPIN,
City Clerk

Date of publication in the Seattle Daily
Journal of Commerce, September 27, 2007.
9/27(215854)