

SUMMARY and FISCAL NOTE*

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** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to the Waterfront Park and public spaces; authorizing the Superintendent of Parks and Recreation and the Director of the Seattle Center to execute for and on behalf of The City of Seattle an agreement with Friends of Waterfront Seattle for operation and maintenance of Waterfront Park and public spaces; and ratifying and confirming certain acts.

Summary of the Legislation: The City has made a commitment to high quality maintenance and operations of the waterfront through adopted legislation which outlines specific commitments to an operating partner with the City to deliver park maintenance and operations on the waterfront.

The purpose of this legislation is to authorize Seattle Parks and Recreation (SPR) and Seattle Center (CEN) to enter into an agreement with Friends of Waterfront Seattle for Waterfront Park Operations, which includes, programming/activation, maintenance, and public safety.

Background: The City has been planning for the long-term Waterfront Park operations agreement with Friends of Waterfront Seattle upon phased completion of Waterfront Seattle, a series of capital improvement projects along the waterfront that will reconnect the downtown core to Seattle's waterfront.

The Waterfront Seattle Strategic Plan, endorsed by the Mayor and City Council in 2012 in Resolution 31399, recommended a partnership with a non-profit park conservancy for operation and management of the parks and open spaces delivered as part of the Waterfront Seattle improvements.

In 2017, City Council adopted Resolution 31768, stating its expectation that Waterfront Park operations would include Friends of Waterfront Seattle and a dedicated City team working within an operations partnership model for delivery of maintenance, programming/activation, outreach, and public safety within Waterfront Park.

City Council passed Ordinance 125761 in 2019, which set the foundation for a short-term pilot agreement with Friends of Waterfront Seattle for Park Operations at Pier 62 (Pilot Agreement) and outlined the terms for a long-term agreement with Friends for the park in its entirety at completion of the Pilot Agreement.

As part of the LID protest waiver agreement and Ordinance 125761, the City committed to establishing a Waterfront Park Boulevard to allow for park rules, established park hours, and

one set of governance of park public spaces. In 2021, the Waterfront Park Boulevard was established through Ordinance 126444, defining the Waterfront Park boundaries and transfer of jurisdiction from SDOT to SPR.

Ordinance 125761 also established the Central Waterfront Oversight Committee (CWOC), to provide oversight of the performance of the partnership and charged them with the development of a set of Performance Standards to evaluate park performance on an ongoing basis.

The CWOC also conducts an annual review as prescribed in Ordinance 125761. In their 2021 review the CWOC recommended to the Mayor and City Council that they transfer lead City Department responsibility to the Seattle Center Department, including responsibility for operations, maintenance, and public safety and for the City to dedicate additional resources for public safety.

In 2023, City Council passed Ordinance 126755, authorizing the Seattle Parks Superintendent to delegate authority to the Seattle Center Director to manage and operate portions of Waterfront Park. Friends of Waterfront Seattle (Friends) committed funds, along with funding from the Seattle Park District (MPD) to a joint public safety team for the waterfront that includes outreach, Park Ambassadors, and city public safety staff. Ordinance 126758 accepted non-city funds from Friends to help fund city public safety positions, contingent on the approval of funding agreement included in the Operations Management Agreement.

The Pilot Agreement between the City and Friends was intended to last two years and was extended due to the COVID-19 Pandemic. The longer-term agreement between the City and Friends includes the terms and metrics outlined in Ordinance 125761, lessons learned from the Pilot Agreement, includes the Performance Standard developed by the CWOC, public safety funding approved in Ordinance 126758, and the change of the lead City Department for the partnership.

The City Council determined Friends were to be assessed for their readiness to act as the Park operator by the City and CWOC based on the following criteria:

1. Successful management of Pier 62 under Friends' pilot agreement with the City;
2. Financial sustainability, including reasonably sufficient and funded operating reserves;
3. Overall operating and capital budgets reasonably acceptable to the City;
4. Staffing plans, including appropriately credentialed and experienced leadership and management personnel;
5. Successful relationships with the Office of the Waterfront and Civic Projects, SPR, SDOT, the Oversight Committee and relevant third-party stakeholders including the Downtown Seattle Association/Metropolitan Improvement District, the Pike Place Market Public Development Authority, the Alliance for Pioneer Square, the Seattle Historic Waterfront Association and the Seattle Aquarium Society;

6. Successful adoption of labor harmony protocols and implementation of area standard wages and benefits, as described in attachment C of Ordinance 125761;

The CWOC and the City have had the opportunity to evaluate Friends readiness as the Park Operator through the terms outlined above and find them ready to enter into an Operations Management Agreement for Waterfront Park Operations with the City.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ☐ Yes ☒ No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ☐ Yes ☒ No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

Yes, Friends are providing public safety funding to the City in years 2023 through 2028 to help fund public safety positions at Seattle Center for work at Waterfront Park. In addition, Friends are funding and providing public programming/activation and outreach public safety services in collaboration with and at no cost to the City.

Are there financial costs or other impacts of *not* implementing the legislation?

The legislation solidifies the partnership for programming/activation and outreach public safety services that provide a no cost benefit to the City. Not implementing this legislation would result in Waterfront Park not having an Operating Partner to provide programming/activation and additional public safety resources and financial support.

This legislation integrates the commitments between the City and Friends of Waterfront Seattle made throughout the years-long planning phases for Waterfront Operations.

4. OTHER IMPLICATIONS

- a. **Does this legislation affect any departments besides the originating department?**
Yes, Seattle Parks and Recreation. If legislation is not approved, Seattle Parks and Recreation would need to find funding to support programming and activation for Seattle's Waterfront Park.
- b. **Is a public hearing required for this legislation?**
No.
- c. **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No.

d. Does this legislation affect a piece of property?

No.

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

The Waterfront Park operations partnership encourages use by people of all ages, incomes, and abilities, and supports free expression. The Performance Standards outline metrics of performance that must include strategies for outreach services, programming, events, transportation, and accessibility.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

This legislation is not anticipated to have a material impact on carbon emissions.

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

No.

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?

This legislation incorporates all previous council actions and agreements between the City and Friends for delivering on a long-term operations model for Waterfront Park. The current Pilot Agreement is limited to Pier 62 and as more portions of the waterfront are close to completion, operations for the waterfront will expand in phases over the next two years. Friends and Seattle Center need the Operations Management Agreement executed to effectively operate and manage these new public spaces when handed over from the Office of Waterfront and Civic Projects.