



SEATTLE CITY COUNCIL

Legislative Summary

CB 118662

Record No.: CB 118662

Type: Ordinance (Ord)

Status: Passed

Version: 1

125030

In Control: City Clerk

File Created: 04/05/2016

Final Action: 04/29/2016

Title: AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the execution of an amendment to the existing one-year pilot Activation and Programming Agreement for Westlake Park and Occidental Square Park with DBIA Services; and ratifying and confirming certain prior acts.

Notes:

Filed with City Clerk: 5/4/2016

Mayor's Signature: 5/4/2016

Sponsors: Juarez

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Att A - Amendment to Activation and Programming Agreement

Drafter: Victoria Schoenburg

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	04/12/2016	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						
1	City Clerk	04/12/2016	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	04/14/2016	sent for review	Parks, Seattle Center, Libraries, and Waterfront Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Parks, Seattle Center, Libraries, and Waterfront Committee						
	Notes:						

- 1 Full Council 04/18/2016 referred Parks, Seattle Center, Libraries, and Waterfront Committee
Action Text: The Council Bill (CB) was referred. to the Parks, Seattle Center, Libraries, and Waterfront Committee
Notes:
- 1 Parks, Seattle Center, Libraries, and Waterfront Committee 04/21/2016 pass Pass
Action Text: The Committee recommends that Full Council pass the Council Bill (CB).
In Favor: 2 Chair Juarez, Vice Chair Bagshaw
Opposed: 0
- 1 Full Council 04/25/2016 passed Pass
Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:
Notes:
In Favor: 9 Councilmember Bagshaw, Councilmember Burgess, Councilmember González , Council President Harrell, Councilmember Herbold, Councilmember Johnson, Councilmember Juarez, Councilmember O'Brien, Councilmember Sawant
Opposed: 0
- 1 City Clerk 04/26/2016 submitted for Mayor's signature Mayor
Action Text: The Council Bill (CB) was submitted for Mayor's signature. to the Mayor
Notes:
- 1 Mayor 04/29/2016 Signed
Action Text: The Council Bill (CB) was Signed.
Notes:
- 1 City Clerk 04/29/2016 attested by City Clerk
Action Text: The Ordinance (Ord) was attested by City Clerk.
Notes:
- 1 Mayor 05/04/2016 returned City Clerk
Action Text: The Council Bill (CB) was returned. to the City Clerk
Notes:
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CITY OF SEATTLE
ORDINANCE 125030
COUNCIL BILL 118662

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5 AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the execution
6 of an amendment to the existing one-year pilot Activation and Programming Agreement
7 for Westlake Park and Occidental Square Park with DBIA Services; and ratifying and
8 confirming certain prior acts.
9

10 WHEREAS, pursuant to Article XI of the Seattle Charter, the Superintendent of Parks and
11 Recreation (Superintendent) has responsibility for the operation and control of the parks
12 and recreation system of the City; and

13 WHEREAS, DBIA Services is an experienced nonprofit organization that has long been a
14 partner with the Department of Parks and Recreation (DPR) to create safe and lively
15 downtown public parks; and

16 WHEREAS, The City of Seattle, by and through the Superintendent, entered into an agreement
17 (“Pilot Agreement”) with DBIA Services, a Washington nonprofit corporation, to
18 conduct a one-year pilot project for the activation and programming of the City-owned
19 Westlake Park and Occidental Square Park; and

20 WHEREAS, City Council approved the one-year Pilot Agreement via Ordinance 124865, which
21 became effective on May 5, 2015, and expires on April 30, 2016; and

22 WHEREAS, the Urban Parks Partnership Investment Initiative 4.11, as part of the Seattle Park
23 District’s six-year plan, allows for the opportunity to fund a long-term sustainable
24 activation plan to activate Westlake Park and Occidental Square Park; and

25 WHEREAS, in December 2015, as part of the Urban Parks Partnership Investment Initiative
26 funding, DPR invited all community organizations interested in a multi-year partnership
27 with the City for the activation and programming of Westlake Park and Occidental

1 Square Park to submit proposals to the City through a publicly advertised request for
2 proposal process; and

3 WHEREAS, following a formal and thorough review process of the submitted proposals, the
4 DPR evaluation panel determined the strongest proposal to be that of DBIA Services; and

5 WHEREAS, the DPR Superintendent is currently negotiating a five-year partnership agreement
6 with DBIA Services for continued and expanded activation, programming, and
7 coordination services at Westlake Park and Occidental Square Park, but will require more
8 time to reasonably and adequately complete the negotiations prior to the expiration of the
9 Pilot Agreement on April 30, 2016; and

10 WHEREAS, DPR desires to execute a seamless transition from the Pilot Agreement to the five-
11 year partnership agreement with DBIA Services without a break in service to allow for
12 the continued activation and programming of both Westlake Park and Occidental Square
13 Park; and

14 WHEREAS, DPR desires to receive City Council authority to amend the existing Pilot
15 Agreement term by extending its expiration by three months, which would expire on July
16 30, 2016, to allow sufficient time for the completion of negotiations with DBIA Services
17 and presentation of the five-year partnership agreement to the City Council; NOW,
18 THEREFORE,

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

20 Section 1. The Superintendent of Parks and Recreation, or the Superintendent's designee,
21 is authorized to execute on behalf of The City of Seattle an amendment to the one-year
22 Activation and Programming Agreement for Westlake Park and Occidental Square Park with

1 DBIA Services, a Washington non-profit corporation, originally authorized by Ordinance
2 124865, in substantially the form described and set forth in Attachment A to this ordinance.

3 Section 2. Any acts consistent with the authority of this ordinance and taken prior to the
4 effective date of this ordinance are hereby ratified and confirmed.

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

4 Passed by the City Council the 25th day of April, 2016,
5 and signed by me in open session in authentication of its passage this
6 25th day of April, 2016.

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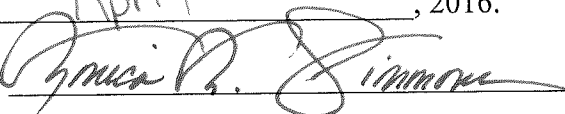
8 President _____ of the City Council

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10 Approved by me this 29th day of April, 2016.

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12 Edward B. Murray, Mayor

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15 Filed by me this 29th day of April, 2016.

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17 Monica Martinez Simmons, City Clerk

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19 (Seal)

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22 Attachments:

23 Attachment A - Amendment to Activation and Programming Agreement for Westlake Park and
24 Occidental Square Park Between The City of Seattle and DBIA Services

Attachment A

Amendment to
Activation and Programming Agreement
For Westlake Park and Occidental Square Park
Between
The City of Seattle
And DBIA Services

This Amendment to the Activation and Programming Agreement for Westlake Park and Occidental Square Park (“Agreement”), by and between THE CITY OF SEATTLE (“City”), a Washington municipal corporation, and DBIA Services (“DBIA”), a Washington nonprofit corporation, is made and entered into effective as of _____, 2016 (the “Effective Date”), subject to City Council authorization.

For good and valuable consideration, receipt of which is hereby acknowledged, the City and DBIA hereby agree to amend the Agreement as follows:

1. **Term of Agreement.** The term of this Agreement, which began on May 5, 2015, will end on July 30, 2016, unless terminated earlier under the provisions of the Agreement or unless the parties agree to a substitute and replacement agreement approved by Council.
2. **Continuance of the Activation and Programming Agreement.** All provisions of the Agreement, as amended hereby, shall remain in full force and effect and unchanged, except as provided herein. If any provision of this Amendment conflicts with the Agreement, the provisions of this Amendment shall control.
3. **Counterparts.** This Amendment may be executed in any number of counterparts with the same effect as if all signing parties had signed the same document. All counterparts shall be construed together and constitute the same document. Signature pages may be detached from the counterparts and attached to a single copy of this consent to form one document.

IN WITNESS WHEREOF, the parties hereto have affixed or caused to be affixed their respective signatures with the intent to be bound by the terms hereof as of the Effective Date.

Signatures of the Parties to this Amendment to the Pilot Agreement are on the following pages.

