



SEATTLE CITY COUNCIL

Legislative Summary

CB 118957

Record No.: CB 118957

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125306

In Control: City Clerk

File Created: 02/13/2017

Final Action: 05/11/2017

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; authorizing the deposit of 2015 and 2016 allocations from King County Conservation Futures Levy proceeds into The City of Seattle's 2008 Parks Levy Fund; and superseding Ordinance 124866.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Juarez

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Ex A - Amendment to Conservation Futures Levy Interlocal Agreement – 2015 Allocations, Ex A Att AD – 2015 Allocations, Ex B - Amendment to Conservation Futures Levy Interlocal Agreement – 2016 Allocations, Ex B Att AE – 2016 Allocations

Drafter: Chip Nevins

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

Yes

No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	03/07/2017	Mayor's leg transmitted to Council	City Clerk			
1	City Clerk	03/07/2017	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	03/10/2017	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 | 05/01/2017 | referred | Parks, Seattle Center, Libraries, and Waterfront Committee | |
| 1 | Parks, Seattle Center, Libraries, and Waterfront Committee | 05/04/2017 | pass | | Pass |
| | Action Text: | The Committee recommends that Full Council pass the Council Bill (CB). | | | |
| | Notes: | In Favor: 3 Chair Juarez, Vice Chair Bagshaw, Member Harrell | | | |
| | | Opposed: 0 | | | |
| 1 | Full Council | 05/08/2017 | 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 | 05/10/2017 | submitted for Mayor's signature | Mayor | |
| 1 | Mayor | 05/11/2017 | Signed | | |
| 1 | Mayor | 05/11/2017 | returned | City Clerk | |
| 1 | City Clerk | 05/11/2017 | attested by City Clerk | | |
| | Action Text: | The Ordinance (Ord) was attested by City Clerk. | | | |
| | Notes: | | | | |
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CITY OF SEATTLE

ORDINANCE 125306

COUNCIL BILL 118957

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; authorizing the deposit of 2015 and 2016 allocations from King County Conservation Futures Levy proceeds into The City of Seattle's 2008 Parks Levy Fund; and superseding Ordinance 124866.

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 17, 2014, the King County Council passed Ordinance 17941, which appropriated a total of \$1,860,000 in CFL proceeds to The City of Seattle for the Dakota Place Park Addition, Greenwood Park Addition, Kubota Garden Greenspace Addition, La Villa Meadows Natural Area/Thornton Creek, and Morgan Junction Park Addition acquisition projects; and

WHEREAS, on April 20, 2015, the King County Council passed Ordinance 18023, authorizing the King County Executive to enter into interlocal agreements with The City of Seattle

1 and the suburban cities for the disbursement of Conservation Futures Funds in Ordinance
2 17941; and

3 WHEREAS, on September 21, 2015, the Seattle City Council passed Ordinance 124866,
4 authorizing the Mayor to amend the CFL Interlocal to add the 2015 allocations, but the
5 ordinance contained inaccuracies and the amendment was not completed; and

6 WHEREAS, on September 14, 2015, the King County Council passed Ordinance 18110, which
7 reallocated \$500,000 in City of Seattle CFL proceeds from the abandoned 12th Avenue
8 Urban Center project to North Rainier Urban Village; and

9 WHEREAS, on November 9, 2015, the King County Council passed Ordinance 18151,
10 authorizing the King County Executive to enter into interlocal agreements with The City
11 of Seattle and the suburban cities for the disbursement of Conservation Futures Funds in
12 Ordinance 18110; and

13 WHEREAS, on February 22, 2016, the King County Council passed Ordinance 18239, which
14 appropriated a total of \$2,775,000 in CFL proceeds to The City of Seattle for First Hill
15 Urban Center Park, Greenwood/Phinney Ridge Urban Village Park, North Rainier Urban
16 Village Town Center Park, Thornton Creek Natural Area/Little Brook, and West
17 Duwamish Greenbelt acquisition projects; and

18 WHEREAS, on July 5, 2016, the King County Council passed Ordinance 18312, authorizing the
19 King County Executive to enter into interlocal agreements with The City of Seattle and
20 the suburban cities for the disbursement of Conservation Futures Funds in Ordinance
21 18239; NOW, THEREFORE,

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

1 Section 1. The Mayor or his designee is hereby authorized to negotiate and enter into two
2 amendments to the Conservation Futures Levy (CFL) Interlocal Cooperation Agreement
3 (“Interlocal”), substantially in the form of Exhibit A (2015 Allocations) and Exhibit B (2016
4 Allocations) to this ordinance, to provide for the City’s receipt and use of up to \$5,135,000 from
5 the 2015 and 2016 allocations of King County CFL proceeds. The amendments add Attachment
6 AD and Attachment AE to the list of approved projects (“Projects”) in the CFL Interlocal, to
7 include the Dakota Place Park Addition, Greenwood Park Addition, Kubota Garden Greenspace
8 Addition, La Villa Meadows Natural Area/Thornton Creek, Morgan Junction Park Addition,
9 North Rainier Urban Village Parks (2), First Hill Urban Center Park, Greenwood/Phinney Ridge
10 Urban Village Park, Thornton Creek Natural Area/Little Brook, and West Duwamish Greenbelt
11 acquisition projects, and reallocates the proceeds previously allocated to the abandoned 12th
12 Avenue Urban Village Park.

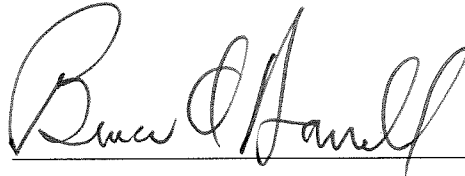
13 Section 2. Funds received pursuant to the amendments shall be deposited as follows:

Fund	Department	Budget Control Level/ Capital Improvement Program	Amount (Up To)
2008 Parks Levy Fund (33860)	Parks and Recreation	2008 Parks Levy – Neighborhood Park Acquisition– (K720010)	\$3,825,000
2008 Parks Levy Fund (33860)	Parks and Recreation	2008 Parks Levy – GreenSpace Acquisition (K720011)	\$1,310,000

14 Section 3. Ordinance 124866 is hereby superseded in its entirety.

1 Section 4. 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 8th day of MAY, 2017,
5 and signed by me in open session in authentication of its passage this 8th day of
6 MAY, 2017.

7 

8 President _____ of the City Council

9 Approved by me this 11th day of MAY, 2017.

10 

11 Edward B. Murray, Mayor

12 Filed by me this 11th day of MAY, 2017.

13 

14 Monica Martinez Simmons, City Clerk

15 (Seal)

16 Attachments:

17 Exhibit A: Amendment to Conservation Futures Levy Interlocal Agreement – 2015 Allocations

18 Exhibit B: Amendment to Conservation Futures Levy Interlocal Agreement – 2016 Allocations

**AMENDMENT TO THE CONSERVATION FUTURES
INTERLOCAL COOPERATION AGREEMENT
BETWEEN KING COUNTY AND THE CITY OF SEATTLE
FOR 2015 OPEN SPACE ACQUISITION PROJECTS**

Preamble

The King County Council, through Ordinance 9128, established a Conservation Futures Levy Fund and appropriated proceeds to King County, the City of Seattle, and certain suburban cities through the procedures set forth in Ordinance 8867, as amended by Ordinance 14714. This Amendment provides 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 of the existing Interlocal Cooperation Agreement (ILA), 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 I. Recitals

The following paragraph is hereby added to the Recitals Section to provide for a Conservation Futures Levy Fund allocation for the Dakota Place Park Addition, Greenwood Park Addition, Kubota Gardens Greenspace Addition, La Villa Meadows Natural Area/Thornton Creek, and Morgan Junction Park Addition acquisition Projects, and hereafter reads:

- On November 17, 2014, the King County Council passed Ordinance 17941, which allocated One Million, Eight Hundred and Sixty Thousand Dollars (\$1,860,000) in CFL proceeds to the City for the Dakota Place Park Addition, Greenwood Park Addition, Kubota Gardens Greenspace Addition, La Villa Meadows Natural Area/Thornton Creek, and Morgan Junction Park Addition acquisition projects. On April 20, 2015 the King County Council passed Ordinance 18023, authorizing the King County Executive to enter into interlocal agreements with the City for the disbursement of CFL proceeds as provided in Ordinance 17941.

Amendment 2: Article V. Conditions of Agreement

Section 5.1 is amended to include Attachment AD, which lists 2015 Conservation Futures Levy allocations for the Dakota Place Park Addition, Greenwood Park Addition, Kubota Gardens Greenspace Addition, La Villa Meadows Natural Area/Thornton Creek, and Morgan Junction Park Addition acquisition Projects.

Amendment 3: Article VII. Responsibilities of County

The first two sentences of this article are amended to include Attachment AD, which lists 2015 Conservation Futures Levy proceeds allocations for the Dakota Place Park Addition, Greenwood Park Addition, Kubota Gardens Greenspace Addition, La Villa Meadows Natural Area/Thornton Creek, and Morgan Junction Park Addition 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 AD to be used for the Projects listed in Attachments A through AD. 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 AD. 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 AD

The attachments to the Interlocal Agreement are hereby amended to include references to Attachment AD, 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.

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

Dow Constantine
King County Executive

Ed Murray
Mayor

Date

Date

Acting under the authority of
Ordinances 18023
Dated: April 20, 2015

Acting under the authority of
Ordinance
Dated:

Approved as to form:

Approved as to form:

Dan Satterberg
King County Prosecuting Attorney

Pete Holmes
Seattle City Attorney

ATTACHMENT AD

**2015 CONSERVATION FUTURES LEVY
CITY OF SEATTLE ALLOCATIONS**

Jurisdiction	Project	Allocation
Seattle (Ordinance 17941)	Dakota Place Park Addition	\$ 375,000
Seattle (Ordinance 17941)	Greenwood Park Addition	\$ 100,000
Seattle (Ordinance 17941)	Kubota Gardens Greenspace Addition	\$ 385,000
Seattle (Ordinance 17941)	La Villa Meadows Natural Area/Thornton Creek	\$ 300,000
Seattle (Ordinance 17941)	Morgan Junction Park Addition	\$ 700,000
TOTAL		\$ 1,860,000

Project Descriptions:

(From Ordinance 18023):

1123822 Seattle – Dakota Place Park Addition

The goal of this new project is to acquire a .13-acre property located immediately to the north of Dakota Place Park in Seattle. It is on the west side of California Way in the West Seattle Junction Urban Village.

1123823 Seattle – Greenwood Park Addition

This new project will acquire one of two inholding parcels in Greenwood Park, located on Fremont Avenue North at North 88th Street in the Greenwood neighborhood of Seattle. The property contains a small house that will be removed.

1116259 Seattle – Kubota Gardens Greenspace Addition

This new project will acquire up to 7.16 acres of wooded open space adjacent to the Kubota Garden Greenspace. The project will help buffer the garden from encroaching development that would significantly diminish the experience of visiting the garden.

1123824 Seattle – La Villa Meadows Natural Area / Thornton Creek

This new project, the La Villa Meadows Natural Area on Thornton Creek acquisition project, will add a .39-acre inholding to the Thornton Creek Natural Area. It currently contains a house that will be removed. The property is located on Thornton Creek, east of Lake City Way and north of NE 100th Street.

1116253 Seattle – Morgan Junction Park Addition

This project will acquire .28-acre property to expand Morgan Junction Park in West Seattle. It is located on California Avenue SW at SW Eddy Street.

2015: \$700,000 is added to the Morgan Junction Park Addition CFT Project to help complete funding for acquisition of the property.

City of Seattle Total

\$ 1,860,000

**AMENDMENT TO THE CONSERVATION FUTURES
INTERLOCAL COOPERATION AGREEMENT
BETWEEN KING COUNTY AND THE CITY OF SEATTLE
FOR 2016 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 through the procedures set forth in Ordinance 8867, as amended by Ordinance 14714. This Amendment provides 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 of the existing Interlocal Cooperation Agreement (ILA), 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 I. Recitals

The following paragraphs are hereby added to the Recitals Section to provide for Conservation Futures Levy Fund allocations for the First Hill Urban Center Park, Greenwood/Phinney Ridge Urban Village Park, North Rainier Urban Village Park, North Rainier Urban Village Town Center Park, Thornton Creek Natural Area/Little Brook, and West Duwamish Greenbelt acquisition Projects, and hereafter read:

- On September 14, 2015, the King County Council passed Ordinance 18110, which reallocated Five Hundred Thousand Dollars (\$500,000) in City of Seattle CFL proceeds from 12th Avenue Urban Center Park to North Rainier Urban Village Park. On November 9, 2015, the King County Council passed Ordinance 18151, authorizing the King County Executive to enter into interlocal agreements with the City of Seattle and the suburban cities for the disbursement of Conservation Futures Funds as specified in Ordinance 18110.
- On February 22, 2016, the King County Council passed Ordinance 18239, which allocated Two Million, Seven Hundred and Seventy-Five Thousand Dollars (\$2,775,000) in CFL proceeds to the City of Seattle's First Hill Urban Center Park, Greenwood/Phinney Ridge Urban Village Park, North Rainier Urban Village Town Center Park, Thornton Creek Natural Area/Little Brook, and West Duwamish Greenbelt acquisition projects. On July 5, 2016 the King County Council passed Ordinance 18312, authorizing the King County Executive to enter into interlocal agreements with the City for the disbursement of CFL proceeds as provided in Ordinance 18239.

Amendment 2: Article V. Conditions of Agreement

Section 5.1 is amended to include Attachment AE, which lists 2016 Conservation Futures Levy allocations or reallocations for the First Hill Urban Center Park, Greenwood/Phinney Ridge Urban Village Park, North Rainier Urban Village Park, North Rainier Urban Village Town Center Park, Thornton Creek Natural Area/Little Brook, and West Duwamish Greenbelt acquisition Projects.

Amendment 3: Article VII. Responsibilities of County

The first two sentences of this article are amended to include Attachment AE, which lists 2016 Conservation Futures Levy proceeds allocations or reallocations for the First Hill Urban Center Park, Greenwood/Phinney Ridge Urban Village Park, North Rainier Urban Village Park, North Rainier Urban Village Town Center Park, Thornton Creek Natural Area/Little Brook, and West Duwamish Greenbelt 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 AE to be used for the Projects listed in Attachments A through AE. 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 AE. 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 AE

The attachments to the interlocal agreement are hereby amended to include references to Attachment AE, 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.

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

Dow Constantine
King County Executive

Ed Murray
Mayor

Date

Date

Acting under the authority of
Ordinances 18151 and 18312
Dated: November 9, 2015 and July 5, 2016

Acting under the authority of
Ordinance
Dated:

Approved as to form:

Approved as to form:

Dan Satterberg
King County Prosecuting Attorney

Pete Holmes
Seattle City Attorney

ATTACHMENT AE

**2016 CONSERVATION FUTURES LEVY
 CITY OF SEATTLE ALLOCATIONS**

Jurisdiction	Project	Allocation
Seattle (Ordinance 18110)	12 th Avenue Urban Village Park	(\$500,000)
Seattle (Ordinance 18110)	North Rainier Urban Village Park	\$500,000
Seattle (Ordinance 18239)	First Hill Urban Center Park	\$ 1,000,000
Seattle (Ordinance 18239)	Greenwood/Phinney Ridge Urban Village Park	\$ 850,000
Seattle (Ordinance 18239)	North Rainier Urban Village Town Center Park	\$ 300,000
Seattle (Ordinance 18239)	Thornton Creek Natural Area	\$ 200,000
Seattle (Ordinance 18239)	West Duwamish Greenbelt	\$ 425,000
TOTAL		\$ 2,775,000

Project Descriptions:

(From Ordinance 18151):

1116251 Seattle – North Rainier UVP

This project will acquire a .29 acre open space site located on three parcels at South Charleston Street and 35th Avenue South in Seattle. The project will create a new neighborhood park in the North Rainier Hub Urban Village, located just one block from Rainier Avenue in south Seattle.

2015: \$500,000 is reallocated to the North Rainier UVP project from the abandoned Seattle 12th Avenue Corridor CFT project, to help meet a funding shortfall. The project scope is enlarged to include the two adjacent parcels immediately to the west of the three original parcels, on 33rd Avenue South. The reallocation is recommended by the CFT Citizens Committee as part of their annual project progress review.

(From Ordinance 18312):

1126735 Seattle – First Hill Urban Center Park

This new project will acquire a .5-acre urban greenspace in the First Hill Urban Center, as part of a creative partnership between the Seattle Parks Department and the Plymouth Housing Group. The site is located on Madison Avenue, west of Broadway. The site is currently developed with a small retail building, which will be removed, and a below-street-grade parking garage that may be retained, with the public green open space at street level on Madison Avenue.

1126738 Seattle – Greenwood/Phinney Ridge Urban Village Park

This project consists of the acquisition of a .25-acre property that will double the size of the Greenwood/Phinney Park, currently being established on Greenwood Avenue at N 81st Street. The new park is located directly across North 81st Street from the Greenwood Library

1126739 Seattle – North Rainier Urban Village Town Center Park

This project will acquire approximately .25-acre of open space in the North Rainier Hub Urban Village, adjacent or close to the Sound Transit light rail station located at Martin Luther the intersection of King Boulevard and North Rainier Avenue. The exact site location will be determined through a road planning effort in the area that may lead to the separation of Martin Luther King Boulevard and Rainier Avenue to relieve a congested intersection. Before funds are released for this project, Seattle Parks will return to the King County CFT Citizens Committee and King County for final site approval.

1126740 Seattle – Thornton Creek Natural Area: Little Brook

This new project will acquire a key .35-acre addition to the Thornton Creek Natural Area at 35th Avenue NE near 33rd Place NE, in North Seattle. An older house on the property in poor condition will be removed to provide better access to the existing Thornton Creek open space.

1126741 Seattle – West Duwamish Greenbelt

This new project will acquire a .35-acre inholding in the West Duwamish Greenbelt in West Seattle, east of Marginal Way at 16th Avenue SW. The property contains a large house and driveway that will be removed to allow for better stewardship of the greenbelt. The property is situated completely within the existing Seattle ownership in the greenbelt.

City of Seattle

\$ 2,775,000