



Legislation Text

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File #: CB 118871, Version: 1

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**CITY OF SEATTLE**

**ORDINANCE \_\_\_\_\_**

**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE relating to the Department of Parks and Recreation and the Office of the Waterfront; authorizing submission of application(s) for grant funding assistance for a Boating Facilities Program project (Pier 62 Boat Dock) to the State's Recreation and Conservation Funding Board as provided in chapter 79A.25 RCW and WAC 286; authorizing acceptance of the grant if awarded; authorizing entry into a project agreement if the grant is awarded; and ratifying and confirming certain prior acts.

WHEREAS, on November 28, 2011, the Seattle City Council passed Resolution 31336, adopting the Department of Parks and Recreation 2011 Development Plan; and

WHEREAS, the Parks Central Waterfront Piers Rehabilitation Project is included in the Department of Parks and Recreation's 2016-2021 Capital Improvement Program; and

WHEREAS, under provisions of the Boating Facilities - Local Program (BFLP), state grant assistance is requested to aid in financing the cost of facility development and renovation; and

WHEREAS, The City of Seattle, by and through the Department of Parks and Recreation and Office of the Waterfront ("City"), intends to apply for and accept RCO Grant funding assistance for the Pier 62 Boat Dock project ("Project"); and

WHEREAS, the Office of the Waterfront is directly involved in the rehabilitation of Pier 62/63 as an element of Seattle's Central Waterfront Program and will coordinate the City's application for BFLP funding; and

WHEREAS, the City considers it in the best public interest to complete the projects described in the applications; NOW, THEREFORE,

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

Section 1. The Superintendent of Parks and Recreation ("Superintendent"), or the Superintendent's

designee, and/or the Director of the Office of the Waterfront (“Director”), or the Director’s designee, is hereby authorized to submit formal application on behalf of The City of Seattle (“City”), in such counterparts as are necessary, to the Recreation and Conservation Funding Board for grant assistance in the amount set forth in the “Grant Request” column below:

<b>Proposed CIP Projects</b>	<b>RCO Program Category</b>	<b>Grant Request</b>	<b>Match</b>	<b>Total</b>
Pier 62/63 Park	Boating Facilities - Local	\$600,000	\$600,000	\$1,200,000
<b>Totals:</b>		<b>\$600,000</b>	<b>\$600,000</b>	<b>\$1,200,000</b>

Section 2. The City has reviewed the sample funding board project agreement on the Recreation and Conservation Office’s website, which is attached to this ordinance as Attachment A, and authorizes the Superintendent, or the Superintendent’s designee, or the Director, or the Director’s designee, to enter into such a project agreement if funding from the Recreation and Conservation Office is awarded to the City. The City understands and acknowledges that the project agreement will contain the indemnification and other terms and conditions that are contained in the sample project agreement attached to this ordinance. The City further acknowledges the project agreement may be revised periodically by the Recreation and Conservation Office. The City recognizes that such changes might occur prior to its authorized representative signing the actual project agreement, and the City accepts the responsibility and the presumption that its authorized representative shall have conferred with the City Council as to any such changes prior to execution of the project agreement on behalf of the City and shall execute with the City Council’s authorization.

Section 3. Any grant assistance received will be used for only direct eligible and allowable costs that are reasonable and necessary to implement the project referenced above.

Section 4. The City’s matching share of project funding has been appropriated in the Seattle Parks and Recreation’s 2016-2021 Capital Improvement Program, and pursuant to WAC 286-13-040 the City shall certify the availability of match at least one month before funding approval. In addition, the City understands it is responsible for supporting all non-cash commitments to this project should they not materialize.

Section 5. The City acknowledges that if the Recreation and Conservation Funding Board approves grant assistance for the project, the Recreation and Conservation Office will pay only on a reimbursement basis. The City understands that “reimbursement basis” means that the Recreation and Conservation Funding Board will only request payment from the Recreation and Conservation Office after the City incurs and pays eligible and allowable costs. The Recreation and Conservation Office may also determine an amount of retainage and hold that amount until the project is complete.

Section 6. The City acknowledges that any property owned by the City that is developed, renovated, or restored with grant assistance must be dedicated for the purpose of the grant for at least 25 years after the project is complete unless otherwise provided and agreed to by the City’s organization and the Recreation and Conservation Funding Board in the project agreement or an amendment thereto.

Section 7. This ordinance is hereby authorized and shall function as part of a formal application from the City to the Recreation and Conservation Funding Board for grant assistance.

Section 8. The City confirms to the Recreation and Conservation Funding Board that it has provided appropriate opportunity for public comment on the City’s application for Recreation and Conservation Office grant assistance for the Pier 62 Boat Dock project.

Section 9. The City certifies that the application authorization referenced in this ordinance was properly and lawfully adopted following the requirements of the City and applicable laws and policies and that the person signing the application as authorized representative is duly authorized to do so.

Section 10. The Superintendent, or the Superintendent’s designee, or Director, or the Director’s designee, is further authorized to act as the representative of the City to provide such information and documents as may be required in connection therewith.

Section 11. Any act consistent with the authority of this ordinance taken prior to its effective date is hereby ratified and confirmed.

Section 12. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2016, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Edward B. Murray, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)

Attachments:  
Attachment A - Funding Board Project Agreement