



Department of Parks and Recreation

Seattle Board of Park Commissioners
<http://www.seattle.gov/parks/parkboard/>
Meeting Minutes
March 8, 2007

Board of Park Commissioners:

Present:

Terry Holme
Jackie Ramels
Amit Ranade

Seattle Parks and Recreation Staff:

B.J. Brooks, Interim Superintendent
Christopher Williams, Interim Deputy Superintendent
Sandy Brooks, Coordinator

Commissioner Ranade called the meeting to order at 6:00 p.m. Commissioner Holme moved, and Commissioner Ramels seconded, approval of the agenda and minutes as amended and the Acknowledgment of Correspondence as presented. The vote was taken and motion passed.

Superintendent's Report

Interim Deputy Superintendent Brooks reported on the following items. For more information on Seattle Parks and Recreation, please visit the web pages at <http://www.seattle.gov/parks/>.

Staff Transitions: Interim Superintendent Brooks introduced Christopher Williams as the Interim Deputy Superintendent. Mr. Williams is Seattle Parks' Direction of Operations. Josette Valentino will continue as assistant to the Superintendent, while Jeanette Geiger will assist Deputy Superintendent Williams. Deputy Superintendent Williams has previously co-chaired the Department's Race and Social Justice Initiative efforts. Darwyn Anderson, Seattle Parks' Human Resources Director, and Brenda Kramer, Seattle Parks Enterprise Division Strategic Analyst, will now co-chair this effort.

Lake Union Park: As part of the effort to connect people to the water and to promote multi-modal access to Lake Union Park, the Center for Wooden Boats (CWB) has received a Department of Neighborhoods grant to build a day-use kayak storage rack. The rack will be installed on the west side of Waterway 3 and will allow people visiting the park or neighborhood by water to temporarily secure their kayaks, just as bicyclists would lock up their bicycles. CWB is working with Aquatics to use the design already developed for use at Alki.

Center City Parks: Parks has signed a contract with the Downtown Seattle Association (DSA) for \$25,000 in support of their hiring a person to promote programming in specified parks. Their focus will be on Hing Hay, Occidental, Victor Steinbrueck, and Cascade Parks. For the parks that have DSA-assigned programming help, Parks staff will continue to provide support where appropriate, such as hiring a park attendant for Freeway, if this is desired, and handling vendor relationships, etc.

The Park Board will be briefed on this effort at an upcoming meeting.

Steinbrueck Park Remembrance: On March 6, Enterprise staff attended the first community information session on a homeless place of remembrance proposed for Victor Steinbrueck Park. The session was organized by SHARE/WHEEL (Seattle Housing and Resource Effort/Women's Housing, Equality and Enhancement League). Ten supporters were in attendance at the Pike Market Senior Center to hear presentations why a place of remembrance for deceased homeless people is needed in Seattle. A community brainstorming session on design ideas is scheduled for March 27 at the Seattle Chapter Office of the American Institute of Architects.

Superintendent Brooks stated that the group has been active in the City Center Planning and a Parks staff person has been assigned to assist them. The Park Board will be briefed on this proposal at an upcoming meeting. Commissioner Holme commented that the Board has had several requests for this remembrance site from Women in Black.

Green Lake Rowing Advisory Council: The Green Lake Rowing Advisory Council held their annual auction on March 3. The honored guest of the evening was recently-retired former Superintendent Ken Bounds who was presented with a 3-foot long model oar in appreciation for his many years of support. The event generated \$30,000 for the summer boating program. In keeping with the Mayor's Race and Social Justice Initiative, Parks is providing free boating opportunities to youth and teen groups throughout the city, including participants from Seattle Parks and Recreation community centers.

MOHAI Moving to Lake Union Armory: The relocation of the Museum of History and Industry (MOHAI) from its current site in the Montlake area to the Lake Union Armory is moving forward. Staff will make a presentation to MOHAI's Board on April 14.

Oral Requests and Communication from the Audience

The Chair explained that this portion of the agenda is reserved for topics that have not had, or are not scheduled for, a public hearing. Speakers are limited to three minutes each and will be timed. The Board's usual process is for 15 minutes of testimony to be heard at this time, with additional testimony heard after the regular agenda and just before Board of Park Commissioner's business. Two people signed up to testify; a brief summary of their testimony is included.

Consuelo Larrabee: She is a member of the Friends of Discovery Park Board that considered the easement proposal being presented tonight for the Park Board's consideration. She commended the Parks Department for its role in this process and understands that the easement has taken years to negotiate. The Friends of Discovery Park is very supportive of this proposal.

Briefing: Capital Improvement Projects

Erin Devoto, Seattle Parks' Director of Project Planning and Development, presented a briefing on the Departments' Capital Improvement Projects. Commissioners received both a written and verbal briefing.

Written Briefing

Requested Board Action

The presentation is a briefing only; no action is required by the Board.

Project Description and Background

The City of Seattle Capital Improvement Plan (CIP) allocates existing funds and anticipated revenues to rehabilitate, restore, improve, and add to the City's existing facilities. The CIP covers a six-year planning horizon and is updated each year to reflect ongoing changes and additions. The 2007–2012 CIP highlights the City's emphasis on new building efforts as well as maintaining or improving existing infrastructure. Eight City Departments receive funds from the City's CIP and the Department of Parks and Recreation is one of those eight departments.

The 2007–2008 CIP was recently approved during the last budget process in fall of 2006 and includes the following funding:

	<u>2007</u>	<u>2008 (in 000's)</u>
Total	\$67,294	\$29,165
Debt	\$ 3,773	\$ 5,538
Major	\$26,705	\$22,679
Maintenance		

The funding comes from a variety of sources such as levies, Cumulative Reserve Subfund, Councilmanic debt, and the Shoreline Park Improvement Fund.

Selection Process: DPR selects projects from the latest update of the asset management plan (AMP). The AMP establishes a threshold determination of the demand for renovation or replacement projects and information on facility deficiencies related to the structural integrity, facility usability, ADA compliance, safety and regulatory considerations, and operational costs. DPR prioritizes those projects and solicits input from citizen groups such as the Sports Advisory and the City Neighborhood Council (CNC). The department's CIP is reviewed by the City's Department of Finance and the Mayor's office and submitted to the City Council.

Issues

Beyond the projects funded by voter approved levies, the list of projects in the 2007–2012 AMP is approximately 700 projects estimated at \$200 million. During the past several years, Parks has received approximately \$20 million per biennium to address those needs. As Parks facilities age, the list of needed improvements increases. Project costs have increased over 30% during the past three years. The budget allocation is purchasing less now than it did five years ago.

Examples of 2007-2008 Projects

- 16 programs. Umbrellas for groups of small projects such as: Small Roofs, Forest and Landscape Restoration, Tennis Courts, and Play Areas. Most of these projects are low cost yet extend the life of the asset so we can delay a larger project
- Pools: Ballard and Queen Anne
- Ballfield Lighting: up to eight locations
- Discovery Park: mitigation projects such as demolition of the Nike Building
- Utility Conservation: new
- Acquisition of property for the Northgate Park

Budget

N/A

Staff Recommendations

N/A

Additional Information

Erin Devoto is the Division Director for Planning and Development and can be reached at 233-7937 or erin.devoto@seattle.gov

The Adopted 2007- 2012 CIP is available as follows:

<http://www.seattle.gov/financedepartment/0712adoptedcip/default.htm>

Verbal Briefing

Ms. Devoto reviewed information in the written briefing and described the CIP funding sources: levys, bonds, grants, the cumulative reserve fund, and real estate and excise taxes. City Council approved the most recent CIP in the fall of 2006 with \$67 million funded for 2007. The Pro Parks Levy Fund will sunset at the end of 2007 and, as a result, the funded amount is much lower for 2008.

Ms. Devoto described major maintenance projects. Seattle Parks has a number of shops [carpenters, plumbers, painter, HVAC, and electricians] who do many small facility repairs and some of the Department's capital projects. She described the process to determine whether in-house staff or contractors perform the major maintenance work.

An asset management plan is created and reviewed every two years. Parks staff members meet with citizen groups to help determine which projects are most important to them and then meet with internal staff to review and prioritize the projects. Next, assessments and studies are made. The priority list then goes to the Department of Finance and the Mayor who compare Parks' list with the needs of other City departments such as Seattle Center, Seattle Department of Transportation, and Fleets and Facilities. Parks' list included 700 projects with a cost of \$200-250 million. The list included many small projects. From the list of 700 projects, approximately 100 were funded for 2007 and 46 in 2008.

She gave several examples of 2007 Capital Improvement Projects: pool work at Ballard and Queen Anne; ballfield lighting; replacement of failing wooden utility poles; Discovery Park mitigation; and the Northgate park acquisition (located north of Target in the Northgate area.)

The entire CIP is on the web (see written briefing above.)

Board Questions & Answers

Commissioner Ramels asked if all of the Pro Parks Levy Funds go to the CIP and Ms. Devoto answered no, just the portion that goes into capital. Commissioner Ramels asked about the community centers that have not yet had improvements and whether they are on the improvement list. Ms. Devoto answered that some of those have individual elements listed for improvement but there is no line item in the Asset Management Plan for total replacement. Ms. Potter stated that there are 26 community centers. During the Community Center Levy, six community centers were improved in the first round and nine in the second round. Eleven were not improved. Some of those 11 were not as old as the 15 that were improved. The following community centers did not receive funding from the Community Center Levy, Pro Parks Levy, or Forward Thrust: Alki, Green Lake, Hiawatha, Loyal Heights, Magnolia, and Queen Anne.

Ms. Devoto commented that staff will look at different ways of asset management over the next years as funds decrease. Staff will analyze whether it is better to close down a community center and do all the needed work at once or continue to leave them open and do project by project. Commissioner Ramels asked if the community centers are in pretty good shape and Ms. Devoto answered that, overall, they are. Ms. Potter referred to the life expectancy of

the community center roofs. Commissioner Holme commented a number of elements affect the roof lifetimes, most importantly the execution of the installation.

Commissioner Holme asked if the Department has ever reached the limit of having 11% of the CIP projects completed by in house staff (the shops.) Ms. Devoto answered that this is a fairly high limit and it has not been reached. The Department's shops do many repairs and maintenance and are not set up as a contractor system. Commissioner Holme asked whether, as dollars shrink, will there be staff layoffs. Ms. Devoto answered that the staff most affected will be the project management and landscape architect staff. The shops have a big work list without the CIP.

Commissioner Holme referred to the recent windstorm that blew down four ballfield lights at Garfield playfield and asked, in an instance like this, whether the Department considers replacing all the poles at once. The field could be unusable for awhile from the damage. Ms. Devoto answered that such decisions are made on a case-by-case basis and depends on the location. At Garfield, the lights are partially on Seattle School District property, so Parks would not replace all the poles. Donald Harris, Seattle Parks Property Manager, commented that Parks is building a new teen life center at Garfield and is responsible for replacing the center poles. Commissioner Ranade observed that the City is self insured and asked if any of the costs for this replacement is covered by insurance. Ms. Devoto answered that the light poles are not covered.

Commissioner Holme stated that he is pleased the CIP is now available on the Department's web page, which helps make the process more transparent. This visibility also garners more public input into the process. He asked for more information about the CIP public involvement process. Ms. Devoto answered that it includes Parks staff going to the 13 District Council meetings every two years to review the current CIP list and ask for the community's suggestions. During the last process, the Mayor's office had the CIP request list on its web page. The public does need more education on what Parks is grappling with — especially the number of projects on the list and how many can actually be funded. During the alternate years of the CIP process, staff make adjustments to reflect what has been completed and what hasn't. The City grapples with the difficult funding process, as there are always more projects than funds.

Commissioner Holme asked about the timeline for the next cycle. Ms. Devoto answered that the background work will begin in February 2008 and the list of projects for the 2009-2010 budget cycle will go to the City Council for approval in fall of 2008. Superintendent Brooks commented that the Department is beginning work on a six-year strategic business plan that will include determining ways to take care of current assets. The discussions on the business plan promise to be lively.

The Commissioners thanked Ms. Devoto for the briefing.

Briefing: Seattle Parks Hours of Operation

Dewey Potter, Seattle Parks Communication Manager, presented a briefing on the Seattle Parks' Hours of Operation. This briefing was a request from the Commissioners, following a recent public hearing to change the hours at Lavizzo Park. Commissioners would like a broader understanding of how the policy was formulated and how it has evolved. Commissioners received both a written and verbal briefing. A summary of the verbal briefing and a copy of the written briefing and the policy is included.

Written Briefing

Requested Board Action

None.

Project Description and Background

This is a briefing on park operating hours and how the uniform hours ordinance was adopted. In 1994, then-Superintendent Holly Miller perceived that park operating hours varied from park to park with no guiding policies, and that there was confusion among citizens about hours from park to park. She directed staff to conduct a public

process to learn what other cities do, to hold public meetings, and to make recommendations to the Board of Park Commissioners on whether to establish uniform operating hours.

Parks staff conducted a survey of 20 similarly sized cities around the U.S. The results revealed that about 80 percent of those cities have uniform operating hours, which they believe makes park access predictable and hours enforceable by local police.

Public Involvement Process

Parks developed a proposal to establish uniform park operating hours, and conducted three public workshops (at Ballard Community Center, Langston Hughes Cultural Arts Center, and Jefferson Community Center) to hear public comment on it. The vast majority of the comments, both from workshop attendees and from people who called and wrote in, were in support of it.

The proposal went to the Park Board for public hearing and review, and the Board recommended hours of 6 a.m. to 11:30 p.m. The Seattle Police Department (SPD) recommended changing 6 a.m. to 4 a.m. to increase times of access (based on the premise that bars close at 2 a.m. and people then go home), and the City Council adopted the 4 a.m. to 11:30 p.m. standard hours in 1995, Ordinance 117645. It is encoded in the Seattle Municipal Code in Section 18.12.245.

It includes an exemption from the hours for Alaskan Way, Lakeside Ave. S, and Lake Washington, Magnolia, Queen Anne, Ravenna, and Schmitz Boulevards and parks that already have specifically adopted hours, and authorization for the Superintendent to designate different hours for specific parks under his/her rulemaking authority, SMC 18.12.040.

Parks developed, the Board recommended, and the Superintendent adopted the Park Operating Hours Exception Rule, also in 1995, which has served us well ever since. It is attached. It provides that any neighborhood organization can ask Parks to change the hours in response to problems in a specific park or group of parks. They need the support of SPD and the support of the community, and the proposal is evaluated by the Parks security staff and taken to the Board of Park Commissioners for a briefing and public hearing.

The initial change in park hours made the hours for these parks 24 hours per day: all boat ramps Myrtle Edwards Park, Green Lake Park, and Lake Washington Boulevard pathway to accommodate early exercisers, and made the hours for downtown parks 6 a.m. to 11:30 p.m.

Since the ordinance was adopted, Parks has modified the hours at Prentiss I. Frazier Park (July 2005); John C. Little Park (90-day emergency, July 2006), and most recently at Edwin C. Pratt and Blanche Lavizzo Parks (January 2007).

Issues

NA.

Budget

NA.

Schedule

NA.

Staff Recommendation (if applicable)

NA.

Additional Information

Dewey Potter: 684-7241; dewey.potter@seattle.gov

PARK OPERATING HOURS EXCEPTION POLICY

1.0 PURPOSE

- 1.1 To provide for the creation and approval of exceptions to the operating hours established for city parks in SMC 18.12.245.

2.0 ORGANIZATIONS AFFECTED

- 2.1 Department of Parks and Recreation (DPR)
- 2.2 Board of Park Commissioners (Park Board)
- 2.3 Seattle Police Department (SPD)
- 2.4 Neighborhood Organizations

3.0 REFERENCES

- 3.1 Seattle Municipal Code (SMC) Chapter 18.12 (Park Code), 18.12.030, Definitions.
- 3.2 SMC Chapter 18.12.040, Superintendent's Authority.
- 3.3 SMC Chapter 18.12.245, General Park Operating Hours.
- 3.4 SMC Chapter 18.12.277, Trespass in the Parks.
- 3.5 SMC Chapter 3.02.030 Administrative Code, Notice and Hearing on Adoption of Rules.
- 3.6 SMC Chapter 3.02.050 Administrative Code, Emergency Action.
- 3.7 SMC Chapter 3.02.070 Administrative Code, Rules to be Filed.

4.0 POLICY

- 4.1 Seattle Municipal Code Chapter 18.12.245 establishes general park operating hours between 4:00am and 11:30pm; Chapter 18.12.040 authorizes the Superintendent of Parks and Recreation to establish times for opening and closing of any particular park or park facility to public use; in order to provide or restrict nighttime access to park areas the Superintendent believes to be appropriate, she may declare an exception to the general operating hours established in SMC 18.12.245, that is, to modify the operating hours of a park or portion thereof.
- 4.2 As of the effective date of SMC 18.12.245, July 1, 1995, the following parks and facilities are open to the public 24 hours a day, and are declared by the Superintendent of Parks and Recreation to be exceptions to the operating hours established in SMC 18.12.245:
 - 4.2.1 Green Lake Park, Green Lake Way
 - 4.2.2 Myrtle Edwards Park, 103 Alaskan Way West
 - 4.2.3 Lake Washington Boulevard Path, extending from Washington Park to Seward Park
 - 4.2.4 Atlantic City Boat Ramp, 8702 Seward Park Avenue South
 - 4.2.5 Magnuson Park Boat Launch, 6500 Sand Point Way Northeast
 - 4.2.6 Stan Sayers Boat Launch, 3808 Lake Washington Boulevard South
 - 4.2.7 Eddie Vine Boat Ramp, 8001 Seaview Avenue Northwest
 - 4.2.8 Ferdinand Street Boat Launch (car top/hand), Lake Washington Boulevard South
 - 4.2.9 First Avenue South Boat Ramp, First Avenue South/South River Street
 - 4.2.10 Sunnyside Avenue North Boat Ramp, 2301 North Northlake Way
 - 4.2.11 Kerry Viewpoint, 211 West Highland Drive
- 4.3 Proposals to create other exceptions to the park operating hours established in SMC 18.12.245 will be considered by DPR staff, who will forward a report to the Board of Park Commissioners. After holding a public hearing and considering the report, the Board will forward their recommendation to the Superintendent, who will issue a decision.
- 4.4 An exception declared by the Superintendent to the operating hours prescribed in SMC 18.12.245 shall be conveyed to the public by appropriate signage placed at the entrance and elsewhere in the park.
- 4.5 From time to time, at the request of the Superintendent, DPR staff will review whether the modified operating hours of a park or portion thereof have resulted in a threat to public peace, in the potential for injury to the public, DPR employees or the park, or in an identified threat to the public health or

safety. The review will include input from DPR security staff, SPD, DPR recreation and resource staff in the appropriate district, and affected or interested neighborhood or community organizations.

- 4.6 In the event the Superintendent determines prior to a staff review that the modified operating hours of a park or portion thereof are no longer warranted, she may notify the Board of Park Commissioners of the need to consider re-establishing the operating hours prescribed in SMC 18.12.245, or other operating hours she may deem appropriate.

5.0 DEFINITIONS

- 5.1 "Board of Park Commissioners," also referred to as the "Park Board," are citizens appointed by the Mayor whose function shall be to act in an advisory capacity to the Mayor, City Council, DPR and other City Departments with respect to park and recreation matters. The number of members of the Board, their terms of office and the manner in which they shall be appointed and may be removed, and their duties, are prescribed by ordinance.
- 5.2 "Modified Operating Hours" refers to a decision by the Superintendent to allow a park or a portion thereof to be open during hours other than those prescribed in SMC 18.12.245.

6.0 RESPONSIBILITIES

- 6.1 The Security staff will keep itself apprised of activities occurring in specific parks, coordinating both with SPD and DPR recreation and resource staff as appropriate. The security staff will evaluate park problems from the standpoints of threat to public peace, the potential for injury to the public, DPR employees or the park, and danger to the public health or safety. When appropriate, the staff will recommend to the Superintendent that she authorize modified operating hours for specific parks, or portions thereof. The security staff will order and maintain appropriate signage to alert the public to modified operating hours in a park, or portion thereof.
- 6.2 The Parks Superintendent will advise the Park Board of the need to consider authorizing modified operating hours for a park or portion thereof, or re-establishing for a park or portion thereof the operating hours prescribed in SMC 18.12.245. The Superintendent may authorize modified operating hours when she receives a request for such modified hours from a neighborhood or community organization representing the geographic area in which a park is located, an organization formed or functioning for the purpose of preserving and maintaining a park, or SPD or DPR security staff. She may consider factors such as:
- Public safety;
 - The potential for injury to park users or DPR employees or to the park, or the potential for danger to the public health or safety.
 - Construction or other disruptive activity.

7.0 PROCEDURE

- 7.1 Security Staff
- 7.1.1 The staff will coordinate with SPD, DPR recreation and resource staff, neighborhood organizations and other concerned parties to evaluate requests to establish operating hours different from those prescribed in SMC 18.12.245.
- 7.1.2 Upon the Superintendent's decision to establish modified operating hours, or to establish the operating hours prescribed in SMC 18.12.245, the staff will order posting of appropriate signage and inform the Police of the Superintendent's decision.
- 7.1.3 The staff will maintain files and status information on parks for which the Superintendent has established operating hours different from those prescribed in SMC 18.12.245.
- 7.1.4 At the request of the Superintendent, the staff will evaluate and make submit a report in writing to the Superintendent evaluating whether to re-establish the operating hours prescribed in SMC 18.12.245, or other hours she may deem appropriate.
- 7.2 The Superintendent
- 7.2.1 The Superintendent will forward to the Park Board the staff report on whether to establish for a park, or a portion thereof, modified operating hours or to re-establish the operating hours prescribed in SMC 18.12.245.

- 7.2.2 The Superintendent will review the Park Board recommendation and take appropriate action.
- 7.2.3 When the Superintendent finds the immediate adoption, amendment or repeal of this rule is necessary for the immediate preservation of the public peace, prevention of injury to park users, DPR employees or the park, or to respond to an identified danger to the public health or safety, she may take such action effective upon filing such adoption, amendment or repeal with the City Clerk.

This filing will include a statement of the facts upon which the findings of an emergency and necessity are based. The adoption, amendment or repeal of a rule shall be for a period of sixty days unless the notice and hearing procedures set forth above, and in 3.5 have been complied with during this time period, or unless there has been a more limiting statement placed within the rule itself.

7.3 The Park Board

- 7.3.1 The Park Board will make a recommendation to the Superintendent at the earliest opportunity after holding public hearing and considering the staff report on whether to establish for the park in question modified operating hours, or to re-establish the operating hours prescribed in SMC 18.12.245.
- 7.3.2 Except in the case of an emergency action to establish for a park or portion thereof specific operating hours, the Park Board will hold a public hearing and consider the report of the staff on whether to establish modified operating hours for a park or part thereof.

Verbal Briefing/Board Questions & Answers

When Ms. Potter joined Seattle Parks, one of her first projects was to study the parks' hours of operation. At that time, parks all over the city had a variety of hours. She surveyed 20 other cities similar in size to Seattle and found that most had set hours for their parks to open and close. She developed an initial policy proposal and three public workshops were held. The policy was then tweaked and went before the Board of Park Commissioners for a public hearing. It then went to City Council and was adopted in early 1995. Seattle Parks asked that the ordinance direct parks to close at 11 p.m. and open at 6 a.m. Seattle Police Department then weighed in and City Council changed the park closure to 11:30 pm and park opening to 4:00 a.m.

The policy allows for park hour exceptions, in certain cases. If SPD, Parks' security staff, or the community sees an ongoing problem with the hours a particular park is open, they can request the hours to be changed. In order to change the hours, there is a review process and the request then comes before the Park Board for a public hearing. This has occurred five times since the ordinance was adopted. View Ridge Park may be the next request to come to the Board.

Commissioner Ramels asked when parks that aren't covered by the policy close. Ms. Potter answered that some parks close at dusk. Unless the park is one of those open 24 hours each day, all must be closed by 11:30 pm.

The Commissioners thanked Ms. Potter for the briefing.

Briefing/Recommendation: Discovery Park Easement

Donald Harris, Seattle Parks Property and Acquisitions Services Manager, briefed the Board on a Discovery Park Easement. Commissioners received a written briefing, included in the minutes.

Written Briefing

Requested Board Action

The issue before the Board is the granting of an easement over an approximately 10,000 sq. ft. parcel at the southwest corner of Discovery Park to allow for the continued maintenance of a seawall and landscaping, and transferring federal covenants from the easement area to a parcel in the Kiwanis Ravine Green Space, as agreed to by the National Park Service. Staff is requesting a recommendation from the Board following the briefing in support of the proposed City legislative action.

Background

For a number of years the Department has been trying to determine the most appropriate mechanism to enable and facilitate the continued maintenance, repair, and reinforcement of a seawall that has existed since well before the transfer of Fort Lawton to the City and the creation of Discovery Park. A private residence is protected by the seawall and is at risk if it is not maintained, and the City is not well positioned to carry out this responsibility. Therefore, of primary interest to the city is protecting itself from liability and removing any ongoing responsibility for maintenance of the seawall.

Under permits from the City the property owners have repaired and reinforced the seawall at their expense for a number of years. In effect the granting of the easement will be to safeguard and assure:

- Nothing changes from both the past and current “as is” condition that existed before the City acquired Discovery Park from the Federal Government;
- The activities are to be carried out in a way compatible with the naturalistic setting of Discovery Park;
- All values and views of the park will be preserved;
- No structures will be allowed; and
- The property owners’ right to maintain the seawall and landscaping behind it.

The underlying federal covenant that applies to the area over which the easement is to be granted, and that accompanied the transfer of Fort Lawton to the city, will be transferred to a property in Kiwanis Ravine and has been approved by both National Parks Service and General Services Administration. The value of the easement (based on an independent appraisal) at \$25,000 will defray the acquisition cost of the Kiwanis Reserve Property.

Public Involvement Process

The Friends of Discovery Park and the Discovery Park Advisory Council expressed unanimous support for this recommendation.

Issues

The issue is the granting of a property right (easement) over a small piece of Discovery Park, and the transfer of federal covenants. Note the transfer of covenants is from an approximately 10,000 sq. ft. property (easement area in Discovery Park) to an approximately 20,000 sq. ft. property in the Kiwanis Ravine Green Space.

Budget

The value of the easement has been established by an appraisal at \$25,000. That funding will partially defray the cost of the Kiwanis Ravine reserve property acquisition.

Schedule

Following the Board of Park Commissioners’ recommendation, the intent is to submit legislation to the City Council in April.

Staff Recommendation

Staff recommends Park Board support of granting the easement, and applying the covenant to the Kiwanis Ravine Property.

Additional Information

Please contact Donald Harris, Property and Acquisition Services Manager, at donald.harris@seattle.gov or by phone at 206-684-8018.

Verbal Briefing/Questions & Answers

Mr. Harris displayed a large map of Discovery Park and pointed out the location of the easement and the site in Kiwanis Ravine. The Department received two letters today in support of the easement from Discovery Park Advisory Council and Friends of Discovery Park. Copies of the letters were distributed to the Board.

Mr. Harris introduced Mr. Mark Bloom, who owns the property and is requesting the easement. Mr. Harris commented that the seawall issue predates the formation of Discovery Park. The City constantly struggles with how to maintain all of its property. Granting the easement to Mr. Bloom, who will then care for the property, is critical to him. Mr. Bloom commented that he has worked on Discovery Park issues and projects for over 20 years. He only learned six years ago that the seawall is on Parks property. Once that was discovered, the process was started to grant him an easement. Mr. Bloom and Mr. Harris described the location of the property as being difficult to access. Commissioner Holme frequently walks in Discovery Park and was familiar with the stone seawall.

During this process, Parks staff and Mr. Bloom went to the constituent groups who have a focus on Discovery Park and made presentations on the easement and received their unanimous approval. Mr. Bloom stated that he is proud of the unanimous support of this easement — it solves a complex problem for him and the City wins, too, in the process.

Commissioner Holme asked for a summary of the covenant transfer. Mr. Harris explained that Discovery Park was the first park in the nation to be formed from federal lands being turned over to a local city. However, it was deeded to the City with the restriction that the land be used for parks and recreation. The federal government doesn't take lightly that federal lands deeded for park usage would be transferred to a private citizen. In order for the federal government to approve the easement, it required that other property be transferred to the park and that the easement is only approved with "conditions of use." The other property is the \$25,000 from Mr. Bloom used to help purchase the nearby Kiwanis Ravine property. Commissioner Ranade asked for the total cost of the Kiwanis Ravine. Mr. Harris answered that the total was \$400,000 to purchase this identified greenspace. The remainder was paid from the Pro Parks Levy and matching funds. The next step is for the easement to go before City Council for adoption by ordinance.

Commissioner Ramels commented that it is serendipitous that the rest of the needed funds to acquire the property were available. She congratulated Parks staff and Mr. Bloom on getting buy-in from all parties.

Commissioner Ramels asked what in the contract addresses the possibility of conditions not being followed, e.g., the seawall is built higher than its current height. Mr. Harris answered that the contract includes written constraints and Parks property management staff will monitor the site for compliance.

Deputy Superintendent Williams asked if a shoreline permit will be required if maintenance of the seawall requires heavy equipment. Mr. Harris answered that the easement requires all city permits. Deputy Superintendent Williams asked if the easement supersedes Parks' usual permit process and Mr. Harris answered yes.

Commissioner Holme moved that the staff recommendation be followed and Commissioner Ramels seconded. The vote was taken and was unanimous in favor. Motion carried.

The Commissioners thanked Mr. Harris for the briefing and complimented the excellent work on the part of staff and Mr. Bloom in this process.

New/Old Business

Committee Appointments: The following appointments to Park Board committees were made:

Park Board Member Search Committee: As a result of the recent City Council amendment to the Park Board's membership, the six members of the Board who are appointed (three by the Mayor and three by City Council) are required to select the seventh member. This is a new process for the Board and appropriate procedures must be determined. Commissioner Ranade commented that Commissioner Holme is the senior member of the Board and appointed him to chair the search committee. Once the Mayor and City Council's new representatives join the Board, Commissioner Holme will form a committee to determine the policy for how the search is both conducted and executed. Commissioner Ramels voiced her support for Commissioner Holme in this role.

Parks Naming Committee: Commissioner Ramels volunteered to represent the Park Board on the Parks Naming Committee. When new commissioners join the Board, she will encourage one of them to take over her current position as a representative to the Seattle Parks Foundation.

Other Committees: The Park Board Coordinator will revise the Board's Committee list to clearly designate the three committees that require a Park Board member. There are several other committees that include, but do not require, a Park Board member.

Park Board Operating Procedures: To bring the Board's Operating Procedures in alignment with the recent City Council amendment, Commissioner Ranade and Parks staff are reviewing the City Council Resolutions and Amendments, the Seattle Municipal Code, and the Board's Operating Procedures. The updated Procedures will be brought before the Board for discussion and adoption, once all seven positions are filled. Commissioner Ramels asked that other Commissioners be kept informed of any changes being proposed during the review process. Commissioner Holme suggested that this be added to the Board's annual retreat agenda for discussion. The retreat is tentatively scheduled for fall of 2007, when a full Board membership is anticipated.

April 26 Park Board Meeting Cancelled: Two of the three Commissioners anticipate being out of town on April 26 and that meeting will be cancelled.

Park Board Vacancies: There have been four vacancies on the Board since the January 25 resignations:

- Mayor Nickels has not announced any candidates to fill the one vacant mayoral position.
- City Council's PELL Committee has not announced any candidates to fill the Council's two vacant positions.
 - The PELL Committee meets twice monthly and did not bring forth any candidates at its March 7 meeting, as was anticipated it would do.
 - The March 21 PELL meeting has been cancelled.
 - PELL is scheduled to meet on April 4. If candidates are brought forth at the April 4 meeting, they could be brought to full City Council confirmation vote as early as April 9.
 - PELL is also scheduled to meet on April 18. If candidates are brought forth at this meeting, they could be brought to full City Council confirmation as early as April 23.
 - Since the Park Board's April 26 meeting is cancelled, it may be at least the May 10 meeting before new members join the Board at a meeting.

Commissioner Ramels asked if staff know who has applied to City Council for the two positions. Superintendent Brooks stated that it is not common knowledge. Her understanding is that PELL is considering a list of ten candidates.

Meeting of PELL Committee Chair and Park Board Chair: Commissioner Ranade has requested to meet with Councilmember David Della, PELL Committee Chair. Parks staff will expedite this request. Superintendent Brooks met this week with Councilmember Della and he voiced enthusiasm for this meeting.

There being no further business, the meeting adjourned at 7:35 p.m.

APPROVED: _____
Amit Ranade, Chair
Board of Park Commissioners

DATE _____