

**AGREEMENT FOR AWARD
OF KING CONSERVATION DISTRICT MEMBER JURISDICTION GRANT**

City of Bellevue, Parks

This Agreement is made between the King Conservation District Number 9, a municipal corporation in King County, Washington, located at 935 Powell Ave. SW, Renton, WA 98057 (referred to herein as "District"), and City of Bellevue, Parks, a municipal corporation in King County, Washington, located at P.O. Box 90012, Bellevue, WA 98009-9012 (referred to herein as "Recipient"), for the purposes set forth herein.

SECTION 1. RECITALS

1.1 Whereas, the District is a special purpose district organized and existing under authority of Chapter 89.08 RCW which engages in certain activities and programs to conserve natural resources, including soil and water, which activities are declared to be of special benefit to lands; and

1.2 Whereas, pursuant to RCW 89.08.400, King County has authorized and imposed a system of assessments to finance the activities and programs of the District; and

1.3 Whereas, pursuant to RCW 89.08.220, RCW 89.08.341 and/or Chapter 39.34 RCW, the District is authorized to enter into agreements with municipal entities and agencies (governmental or otherwise), or their designees, in order to carry out and facilitate the activities and programs of the District to conserve natural resources; and

1.4 Whereas, the District has reviewed the grant application submitted by Recipient and has determined that the application meets the requirements of Chapter 89.08 RCW and the District's policies and procedures for awarding grants; and

1.5 Whereas, the District and Recipient desire to enter into this Agreement for the purpose of establishing the terms and conditions relating to the District's award of a grant to Recipient.

SECTION 2. AGREEMENT

2.1 The District agrees to award Recipient a grant in the total amount of Eighty-Nine Thousand Dollars (\$89,000.00) from Returned, 2007, and 2008 Assessment Funds. Grant funds shall be used by Recipient solely for the performance of the work described in **Exhibit A** which is attached hereto and incorporated herein by this reference. The District shall pay the grant funds to Recipient in accordance with the District's policies and procedures, including but not limited to, the policies and procedures contained in the Member Jurisdiction & WRIA Forum Grant Application Instructions and Policies, provided that such funds have been collected and received by the District.

2.2 Recipient represents and warrants that it will only use the grant funds for the work described in **Exhibit A**, which may be amended by the parties pursuant to Paragraph 3.3 of the Agreement. Recipient shall be required to refund to the District that portion of any grant funds which are used for unauthorized work. Further, Recipient agrees to return to the District any grant funds that are not expended or remain after completion of the work covered by this Agreement.

2.3 Recipient acknowledges and agrees that the grant funds may only be expended on work which shall be entirely within the District's jurisdictional boundaries. The following municipal entities are not within the District's jurisdictional boundaries: Enumclaw, Federal Way, Milton, Pacific, and Skykomish. Recipient shall be required to refund to the District that portion of any grant funds which are used for work performed outside the District's jurisdictional boundaries.

2.4 In the event the scope of work authorized by this Agreement includes the use of grant funds to purchase houses located on real property within a flood hazard area, Recipient acknowledges and agrees that grant funds may only be used for such purposes if the houses to be purchased were constructed before floodplain mapping or sensitive areas regulations were in place for that area. Recipient shall be required to refund to the District that portion of any grant funds which are used for unauthorized purposes.

2.5 Recipient shall be required to provide the District with biannual financial and project progress reports, along with an annual summary report. Financial and project reports shall be due June 30 and November 30 each year. The Recipient shall also be required to submit to the District a final report which documents the Recipient's completion of the work in conformance with this Agreement within thirty (30) days after the completion of the work. The final report shall, among other things, summarize the project's successes and shall address the regional benefits accomplished by the work. The final report shall also identify any obstacles or challenges which were encountered during the work, along with general recommendations regarding ways to avoid such obstacles or challenges in the future. If requested, Recipient agrees to provide the District with additional financial or progress reports from time to time, at reasonable intervals.

2.6 Recipient's expenditures of grant funds shall be separately identified in the Recipient's accounting records. If requested, Recipient shall comply with other reasonable requests made by the District with respect to the manner in which project expenditures are tracked and accounted for in Recipient's accounting books and records. Recipient shall maintain such records of expenditures as may be necessary to conform to generally accepted accounting principals and to meet the requirements of all applicable state and federal laws.

2.7 Recipient shall be required to track project expenses using the Budget Accounting and Reporting System for the State of Washington ("BARS").

2.8 The District or its representative shall have the right from time to time, at reasonable intervals, to audit the Recipient's books and records in order to verify compliance with the terms of this Agreement. Recipient shall cooperate with the District in any such audit.

2.9 Recipient shall retain all accounting records and project files relating to this Agreement in accordance with criteria established in the Revised Code of Washington and the Washington State Archivist.

2.10 Recipient shall ensure that all work performed by Recipient or its employees, agents, contractors or subcontractors is performed in a manner which protects and safeguards the environment and natural resources and which is in compliance with local, state and federal laws and regulations. Recipient shall implement an appropriate monitoring system or program to ensure compliance with this provision.

2.11 Recipient agrees to indemnify, defend and hold harmless the District, its elected or appointed officials, employees and agents, from all claims, alleged liability, damages, losses to or death of person or damage to property allegedly resulting from the negligent or intentional acts of the Recipient or any of its employees, agents, contractors or subcontractors in connection with this Agreement.

2.12 Recipient agrees to acknowledge the District as a source of funding for this project on all literature, signage or press releases related to said project.

SECTION 3. GENERAL PROVISIONS

3.1 This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

3.2 This Agreement constitutes the entire agreement between the parties with respect to the subject matter hereof. No prior or contemporaneous representation, inducement, promise or agreement between or among the parties which relate to the subject matter hereof which are not embodied in this Agreement shall be of any force or effect.

3.3 No amendment to this Agreement shall be binding on any of the parties to this Agreement unless such amendment is in writing and is executed by the parties. The parties contemplate that this Agreement may from time to time be modified by written amendment which shall be executed by duly authorized representatives of the parties and attached to this Agreement.

3.4 Each party warrants and represents that such party has full and complete authority to enter into this Agreement and each person executing this Agreement on behalf of a party warrants and represents that he/she has been fully authorized to execute this Agreement on behalf of such party and that such party is bound by the signature of such representative.

DISTRICT:

By William M. Koutsev
Name William M. Koutsev Jr
Title Chair
Date 5-06-2009

Approved as to Form:

DISTRICT LEGAL COUNSEL:

By Eric Frimodt
Name Eric Frimodt
Date 4/2/09

RECIPIENT:

By Brad Miyake
Name BRAD MIYAKE
Title DEPUTY CITY MGR
Date 4/22/09

Approved as to Form:

RECIPIENT'S ATTORNEY:

By Siona Windsor
Name Siona Windsor
Date 4/29/09

Exhibit A



Member Jurisdiction & WRIA Forum Grant Program Grant Application

Project Title: Larsen Lake Riparian and Greenbelt Enhancement Project	
Applicant: City of Bellevue Parks	Contact: Geoff Bradley
Principal Partners (if any): Washington Native Plant Society	Title: Environmental Programs Supervisor
	Address: PO Box 90012 Bellevue, WA. 98009-9012
Total Project Cost: \$161,358.00	
WRIA Funding <input type="checkbox"/> Jurisdiction Funding <input checked="" type="checkbox"/>	
KCD Funding Requested: \$89,000.00	Phone: 425-452-2740
Project Start Date: March 2009	Fax: 425-452-7221
Project End Date: December 2009	E-mail: gmbradley@bellevuewa.gov

- 1. Project Description** – provide a brief description of the project that summarizes what you will do, how you will do it, and why you will do it. Consider the following in the answer to this question: *what pressing need will be addressed by the project or what promising opportunity will be capitalized on? Who or what will benefit or be positively and negatively affected?*

The *Larsen Lake Riparian and Greenbelt Enhancement Project* will improve existing degraded wetland habitat around Larsen Lake located in the Lake Hills Greenbelt. The Lake Hills Greenbelt contains the headwater wetlands for Kelsey Creek, Bellevue's largest drainage. In response to observations of the need to improve degraded habitat conditions in the Lake Hills Greenbelt, the Parks Department worked with Skilling's and Connelly to develop the *Lake Hills Greenbelt Wildlife and Habitat Assessment and Enhancement Plan* in 2006. The report identified the shoreline of Larsen Lake as a critical area in need of natural resource restoration. In 2007, the Watershed Company used the Skilling and Connelly report to design the *Larsen Lake Riparian and Greenbelt Enhancement Plan*. The plan designs specific natural resource enhancement activities around the shoreline of Larsen Lake that will help improve latching wetland functions and values. These plans will guide project implementation.

The project will also utilize an opportunity to partner with the Washington Native Plant Society to create a Stewardship Training Program to provide training and involvement opportunities for community volunteers in assist in the protection, preservation and enhance urban natural systems. The project will provide significant improvements to the Larsen Lake shoreline habitat while raising community awareness and support, leading to changes in attitudes and behaviors that help protect critical wetland habitat.

- 2. Natural Resource Improvement Actions** – describe how the project will address a minimum of one of the natural resource improvement actions described on page 1 of the application instructions. Consider the following in your answer to this question: *What natural resources will be improved? What are the known needs, gaps or deficits that will be addressed? What are the known benefits to soil, water, air, plants, fish and wildlife, landowners?*

The project will provide direct natural resources improvements to the wetland functions and values provided by the Larsen Lake wetlands. Specific enhancements will focus on controlling presence of noxious species, planting of native species, and adding large woody debris to the shoreline. These improvements will provide food and nesting habitat for birds, additional shading and cover for fish, and help stabilize the shoreline to reduce erosion and protect water quality.

In addition, the project will create significant community education and outreach opportunities. The Stewardship Training Program will develop an intensive training program to educate citizens on the importance of urban natural resources and provide community involvement opportunities to participate in the natural resource restoration and enhancement activities. Graduates of the program will be trained “stewards” that may lead community planting projects, provide on-going maintenance and monitoring, or participate in developing additional community education and outreach. The significant public involvement and outreach efforts created by the project will raise community awareness and support that lead to changes in behavior that help protect critical wetland habitat.

The project will also serve as the initial pilot project for additional restoration projects indentified in Skillings and Connelly Lake Hills Greenbelt Wildlife and Habitat Assessment and Enhancement Plan. Techniques and materials used in the project will be available to others agencies, residents, and landowners to build capacity for similar projects that lead to more effective natural resource protection and enhancement.

- 3. Project Activities and Measurable Results** – using the table below, list specific project activities to be completed, the timetable for the activities, and the deliverables associated with those activities. Consider the following in your answer to this question: *What actions, interventions, programs, services will be deployed?*

	Activity Description	Deliverables	Timeline
1.	Finalize planting plan and specifications	Completed planting plan and specification	Mar - Apr 2009
2.	Apply for permits	Obtained permits	Apr – June 2009

3.	Finalize Stewardship Training Program Curriculum	MOU with WNPS for Stewardship Training Program	Mar - Apr 2009
4.	Implement Stewardship Training Program	Scheduled training classes	June - August 2009
5.	Develop and implement contract for LWD placement and site prep	Completed site prep and placement of LWD	July - Aug 2009
6.	Implement planting with stewards and community volunteers	Installed plant materials	Oct- Nov 2009
7.	Develop maintenance workload plan	Implement maintenance plan	March 2009 (ongoing)
8.	Develop monitoring plan	Monitoring plan and reports	Dec 2009 - Jan 2010
9.	Implement monitoring plan	Monitoring reports	May 2010 (ongoing)
10.			

4. Effectiveness (see page 2 of application instructions for definition) – describe how the project will effectively implement the natural resource improvement measures identified in question No. 2 above. Consider the following in your answer to this question: *Why is the primary applicant the best entity to deliver the proposed program/service/intervention? What is the capacity of the primary applicant to deliver the proposed program/service/intervention? What tools, services and partners will be brought to bear?*

The City of Bellevue, as land owner and manager of the Lake Hills Greenbelt Park, is the most logical agency to implement the *Larsen Lake Riparian and Greenbelt Enhancement Project*. The project will be managed by the Natural Resource Division of the Parks and Community Services Department. The Division has technical expertise, staffing resources, appropriate tools, and maintenance budget to help ensure project success. The Natural Resource Division also has a successful Stewardship Saturdays volunteer program that annually coordinates over 25 projects. The program effectively engages over 1,000 community volunteers who contribute over 5,000 annual hours implementing natural resource enhancement projects. In addition, the Washington Native Plant Society will be a partner in the project providing training for the Stewardship Training Program. The Washington Native Plant Society is a well established organization with the expertise and reputation of developing and implementing successful community stewardship training programs.

- 5. Efficiency (see page 2 of application instructions for definition)** – describe how the project will efficiently implement the natural resource improvement measures identified in question No. 2 above. Consider the following in your answer to this question: *How will the proposed program/service/ intervention engage in conjunction with related efforts? How does your strategy best leverage resources?*

Overriding natural resource assessment and restoration plans have already been completed making the project essentially ready to go once funding for implementation is obtained. Initial coordination efforts with the Washington Native Plant Society to develop the curriculum for the Stewardship Training Program has begun, however, funding is needed for implementation. The *Larsen Lake Riparian and Greenbelt Enhancement Project* will provide a perfect project site for trained stewards to implement restoration activities. The use of community volunteers for initial planting, along with on-going maintenance, monitoring and education will provide for efficient service delivery. The City will provide staffing to assist with training, project management and volunteer coordination. In addition the will provide approximately \$37,000.00 in monetary funding..

- 6. Equity (see page 2 of application instructions for definition)** – describe how the project will equitably implement the natural resource improvement measures identified in question No. 2 above. Consider the following in your answer to this question: *In what part of the District will the proposed program/service/intervention occur? Who is the target audience and what demographic section of the community will be affected?*

The proposed *Lake Riparian and Greenbelt Enhancement Project* will be implemented in the Lake Hills Greenbelt located in the Lake Hills area of Bellevue. The Lake Hills area of Bellevue is the most ethnically diverse and economically challenged areas of the City. The project may give preference to the residents of Lake Hills for the Stewardship Training classes. In addition, volunteer recruitment for project implementation will focus on Lake Hills residents. By involving citizens who may come from different ethnic background with different perspectives on urban natural resources, or who, because of economic reasons, do not place environmental health as a high priority, the project will make the greatest difference in changing attitudes and behaviors of citizens regarding the importance of protection, preservation and enhancement of urban natural resources. In addition, by implanting restoration and enhancement activities in headwater wetlands may results in the greatest ecological benefits for the entire downstream watershed.

8. Project Budget & Expenses

Budget Item	KCD Funds	Other Funds	Other Funds (City of Bellevue)	Total
Salaries and Benefits GB -100x55.22/hr LH -50x36.24/hr CK -50x34.49/hr			\$ 9,058	\$ 9,058
Travel/Meals/Mileage				
Office/Field Supplies				
Contracted/ Professional Services	\$ 89,000		\$ 20,000	\$109,000
Land Acquisition				
Permits			\$ 5,500	\$ 5,500
Other (Plant Materials)			\$ 27,000	\$ 27,000
Other (In Kind Community Labor 600x18.hr)			\$ 10,800	\$ 10,800
Other (specify)				
TOTAL	\$ 89,000		\$ 72,358	\$161,358

9. KCD Acknowledgement - Describe how the KCD will be acknowledged as a source of funding for the proposed program/service/intervention (see Grant Program Overview & Policies, General Grant Program Policies, #6).

KCD will be listed as a project sponsor on all printed materials and publications developed for the project. In addition, the City of Bellevue will acknowledge KCD as a source of funding in any articles published in It's Your City, the city's quarterly newspaper. KCD will also be recognized on all construction signage, environmental education materials, and interpretive signage developed in conjunction with this phase of the project. Furthermore, KCD will be mentioned as a project sponsor at all volunteer trainings and planting project.

Hully Mault

4/30/09

[Signature]

3/12/09

Authorized Signature

Date

7. Evaluation of Intended Results – describe the evaluation mechanisms you will use to track, document, and report that the project has achieved the intended results described in questions 1- 3.

The City will conduct on-going maintenance and monitoring on the project to ensure project success. Stewardship and site maintenance will be performed using a combination of city crews, contractors, and volunteer efforts. An annual workload maintenance plan will be developed for the project site.

A monitoring plan will be developed to help monitor the site and ensure project success. The monitoring plan will be implemented using steward graduates of Stewardship Training Program. Sample surveys of survival rates will be conducted to statistically calculate mortality rate. In addition, sample growth rates and overall plant densities will be collected and calculated within the restoration area. Inspections of LWD infrastructure will also be conducted on regular basis. Additional monitoring criteria such as water temperature, shoreline degradation, and wildlife counts may also be developed to help ensure project success.

The City will submit maintenance reports as a component of biannual progress reports and a final report when maintenance is conducted prior to the approved project completion date. Maintenance activities on completed phases of planting projects will be conducted a minimum of 3 years regardless of the approved project completion date, and shall include weeding, watering, and replacement planting to achieve 90% survival.

MEMORANDUM

DATE: April 10, 2009

TO: Shelley Marelli, Deputy Director, Parks

FROM: Geoff Bradley, Environmental Programs Supervisor *GB*
Dan DeWald, Natural Resource Manager *DD*

SUBJECT: KCD Membership Jurisdiction Grant for Larsen Lake Restoration

When fully executed, the attached document will provide a grant agreement between the City of Bellevue (Grantee) and the King Conservation District (Grantor) in the amount of \$89,000 for the Larsen Lake Riparian and Greenbelt Habitat Enhancement Project.

The Larsen Lake Riparian and Greenbelt Enhancement Project will improve the existing degraded wetland habitat around Larsen Lake. The project will implement the 2007 *Larsen Lake Riparian and Greenbelt Enhancement Plan* developed by the Watershed Company. The project will add significant improvements to the wetland functions and values, including water quality and wildlife habitat, associated with the Kelsey Creek watershed.

City funds for Larsen Lake Riparian and Greenbelt Enhancement project currently exist in the P-R-11 Renovation and Refurbishment of Park Facilities. An ordinance authorizing execution of this KCD Membership Jurisdiction Grant agreement to be applied toward the Larsen Lake Riparian and Greenbelt Enhancement Project, and amending the 2009-2010 General CIP Plan (P-R-11) budget to increase the fund by the grant amount of \$89,000, is scheduled for adoption on the on the 4/20/09 City Council consent calendar.

It is recommended that the City enter into the attached agreement for a grant amount of \$89,000 from the King Conservation District for funding for the Larsen Lake Riparian and Greenbelt Enhancement Project.

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5870

AN ORDINANCE authorizing execution of a King Conservation District (KCD) 2009 Membership Jurisdiction Grant agreement of up to \$89,000 for the Larsen Lake Riparian and Greenbelt Enhancement Project, amending the 2009-2010 General CIP Fund budget to increase by \$89,000 and amending the General CIP Plan (P-R-11) to increase the project budget by \$89,000.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City Manager or his designee is hereby authorized to execute a King Conservation District (KCD) 2009 Membership Jurisdiction Grant agreement of up to \$89,000 for the Larsen Lake Riparian and Greenbelt Enhancement Project, a copy of which grant agreement has been given Clerk's Receiving No. 44429.

Section 2. The 2009-2010 General Capital Investment Program (CIP) Fund appropriation adopted by Ordinance No. 5851 on December 1 2008 as previously amended is hereby further amended to increase the appropriation to said CIP fund by \$89,000.

Section 3. The City's 2009-2010 General Capital Investment Program Plan adopted by Ordinance No. 5851 on December 1, 2008 as previously amended is hereby further amended by increasing the appropriation to said CIP fund and to increase the P-R-11 project budget by \$89,000.

Section 4. If the actual revenue received from the anticipated sources specified in said grant agreement shall be more or less than the anticipated amount set forth herein, the appropriations to the CIP Fund and Plan shall be adjusted to be equal to the amount actually received.

Section 5. The City Manager or his designee shall have the responsibility for the administration and expenditure of said grant monies and monies received pursuant to said agreement and shall have all authority necessary to enter into agreements regarding the use thereof.

Section 6. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

ORIGINAL

Passed by the City Council this 20th day of April, 2009
and signed in authentication of its passage this 20th day of April,
2009.

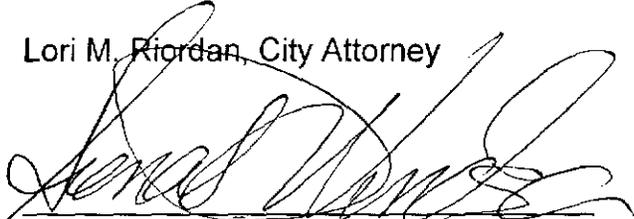
(SEAL)



Grant S. Degginger, Mayor

Approved as to form:

Lori M. Riordan, City Attorney



Siona D. Windsor, Assistant City Attorney

Attest:



Myrna L. Basich, City Clerk

Published April 23, 2009

Ordinance 5870
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Item 8(g)

Agenda

City Council

Regular Session

MONDAY
April 20, 2009

8:00 – 10:00 p.m.
Council Chambers (1E-126)

Page

1. Call to Order
2. Roll Call, Flag Salute
3. Communications: Written and Oral

Note: Three-minute limit per person, or five minutes if representing the official position of a recognized community organization. Maximum of three persons are permitted to speak to each side of any one topic. Additional presentations may be heard at Agenda Item 13, including three additional persons speaking to topics heard at Agenda Item 3.

4. Reports of Community Council, Boards and Commissions
5. Report of the City Manager

- (a) Year-end 2008 Budget Monitoring Report

FIN 5-1
Jan Hawn

(For information and discussion.)

6. Council Business and New Initiatives
 - (a) Council approval of Transportation Commission Appointment *(no packet materials)*

City Council meetings are wheelchair accessible. American Sign language (ASL) interpretation is available upon request. Please phone 452-6805 at least 48 hours in advance. Assisted Listening Devices are also available upon request.



City of Bellevue

		<u>Page</u>
7.	Approval of the Agenda	
8.	Consent Calendar	
(a)	Minutes of March 2, 2009 Study Session Minutes of March 2, 2009 Regular Session Minutes of March 9, 2009 Extended Study Session Minutes of March 16, 2009 Study Session Minutes of March 16, 2009 Regular Session	<u>8a-1</u>
(b)	Motion to approve payment of claims for the period April 4, 2009 through April 17, 2009 and payroll for the period March 16, 2009 through March 31, 2009.	FIN <u>8-1</u>
(c)	Resolution No. 7911 authorizing execution of a professional services contract with James Lee Witt Associates, part of Global Options Group, Inc., in an amount not to exceed \$113,460, for project management services to develop a comprehensive regional Structural Collapse Rescue Plan.	FIRE <u>8-3</u>
(d)	Ordinance No. 5869 authorizing execution of the 2009-2013 Emergency Medical Services Advanced Life Support (ALS) and Basic Life Support (BLS) contracts with King County in amounts of up to \$7,808,929 and \$1,986,860, respectively; and amending the 2009-2010 Equipment Rental Fund budget to increase by \$1,414,477.	FIRE <u>8-9</u>
(e)	Resolution No. 7912 authorizing execution of a contract with Braun Northwest, Inc., in an amount not to exceed \$529,554.51, to purchase three Advanced Life Support (ALS) medic units.	FIRE <u>8-15</u>
(f)	Resolution No. 7913 authorizing execution of a professional services agreement with Sahale, LLC, in an amount not to exceed \$96,890.12, to design and engineer two pedestrian bridges at the Bellevue Botanical Garden (P-AD-81).	PARK <u>8-21</u>

(This project was included in the voter-approved 2008 Parks and Natural Areas levy.)

		<u>Page</u>
✦ (g)	Ordinance No. 5870 authorizing execution of a King Conservation District 2009 Membership Jurisdiction Grant agreement of up to \$89,000 for the Larsen Lake Riparian and Greenbelt Enhancement Project, amending the 2009-2010 General CIP Fund budget to increase by \$89,000 and amending the General CIP Plan to increase the project budget by \$89,000 (P-R-11).	PARK <u>8-27</u>
(h)	Motion to award Bid No. 8357 to Pacific Northwest Earthworks LLC, in the amount of \$27,089.00, as lowest responsive bidder, for roofing and finish work needed to complete the installation of two custom-built picnic shelters at the Crossroads Park Water Spray Playground (NEP-1). <i>(Council previously approved purchase and installation of the two customized picnic shelter frames in Resolution No. 7866 on January 5, 2009.)</i>	PARK <u>8-33</u>
(i)	Resolution No. 7914 authorizing approving an amended 2009-2020 Transportation Facilities Plan. <i>(Council adopted the 2009-2020 TFP by Resolution No. 7896 on March 23, 2009.)</i>	TRAN <u>8-39</u>
(j)	Resolution No. 7915 authorizing execution of an agreement to relinquish a water pipeline easement no longer required by the Water Utility at 12400 SE 38 th Street.	UTIL <u>8-45</u>
(k)	Resolution No. 7916 authorizing execution of an agreement to relinquish a water pipeline easement no longer required by the Water Utility at 14316 NE 16 th Place.	UTIL <u>8-51</u>
(l)	Resolution No. 7917 authorizing execution of an agreement to relinquish a storm drainage pipeline easement no longer required by the Storm and Surface Water Utility at 157 West Lake Sammamish Parkway SE.	UTIL <u>8-57</u>

9. Public Hearings

- (a) Coal Creek Park Natural Area Pre-annexation Zoning Hearing

PCD
Dan Stroh
Nicholas
Matz

9-1

(This is the first of two required public hearings to consider pre-annexation zoning for the Coal Creek Natural Area within Bellevue's potential annexation area. A future Council action will consider annexing this property to Bellevue.)

1. Staff Report
2. Motion to open public hearing
3. Receive public testimony

Note: Three-minute limit per person, or five minutes if representing the official position of a recognized community organization.

4. Motion to close public hearing
5. Council discussion
6. Motion to direct staff to schedule a second public hearing at least 30 days ahead on R-1 pre-annexation zoning for the Coal Creek Natural Area property.

10. Land Use

11. Other Ordinances, Resolutions and Motions

- (a) NPDES Phase II Municipal Stormwater Permit Requirements

UTIL
Denny
Vidmar
Phyllis
Varner

11-1

Motion to direct staff to prepare code revisions adopting the 2005 Ecology Manual stormwater standards for projects disturbing less than one acre, resulting in one citywide stormwater standard, to comply with the NPDES Phase II Municipal Stormwater Permit Requirements.

(Previously discussed with Council on March 23 and April 2, 2009.)

12. Unfinished Business
13. Continued Oral Communications
14. New Business
15. Executive Session
16. Adjournment

Page

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT: Ordinance No. 5870, authorizing execution of a King Conservation District (KCD) 2009 Membership Jurisdiction Grant agreement of up to \$89,000 for the Larsen Lake Riparian and Greenbelt Enhancement Project, amending the 2009-2010 General CIP Fund budget to increase by \$89,000 and amending the General CIP Plan (P-R-11) to increase the project budget by \$89,000.

FISCAL IMPACT: This action will increase the Renovation and Refurbishment of Park Facilities (P-R-11) budget by \$89,000. The grant will supplement existing CIP funds allocated to the Larsen Lake Riparian and Greenbelt Enhancement Project. This grant was not anticipated in the 2009-2015 CIP budget.

STAFF CONTACTS

Patrick Foran, Director, x5377
Dan Dewald, Natural Resource Manager x6048
Geoff Bradley, Community Parks Supervisor, x2740
Parks & Community Services Department

POLICY CONSIDERATION

City financial policy requires that grant awards over \$50,000 and unanticipated CIP revenues be accepted by Ordinance.

BACKGROUND

Larsen Lake is the headwater wetland associated with Kelsey Creek, Bellevue's largest drainage basin. The Larsen Lake Riparian and Greenbelt Enhancement Project will add significant improvements to wetland functions and values, including water quality and wildlife habitat associated with the Kelsey Creek watershed. Specific enhancements will include controlling and managing the presence of reed canary grass and Himalayan blackberry, and enhancing the existing lacustrine and riparian buffers through the installation of native plants and large woody debris in the area around Larsen Lake.

This project will also create significant community outreach efforts to help leverage project resources and provide opportunities for community involvement. A partnership with the Washington Native Plant Society will create a Stewardship Training Program to provide training and involvement opportunities for community volunteers to assist in project implementation, maintenance, and monitoring.

The Parks & Community Services Department submitted a KCD Membership Jurisdiction grant application to supplement existing project funds. The KCD subsequently awarded a grant for the project in the amount of \$89,000.

The City shall acknowledge the KCD as a source of funding for the Larsen Lake Riparian and Greenbelt Enhancement Project on all printed, web-based, and electronic documents; audio-visual materials; signs; or any other materials produced in association with an awarded grant.

EFFECTIVE DATE

If approved by Council, this Ordinance will become effective on April 29, 2009.

OPTIONS

1. Adopt Ordinance No. 5870, authorizing execution of a King Conservation District (KCD) 2009 Membership Jurisdiction Grant agreement of up to \$89,000 for the Larsen Lake Riparian and Greenbelt Enhancement Project, amending the 2009-2010 General CIP Fund budget to increase by \$89,000 and amending the General CIP Plan (P-R-11) to increase the project budget by \$89,000.
2. Do not adopt Ordinance No. 5870, and provide alternative direction to staff.

RECOMMENDATION

Adopt Ordinance No. 5870, authorizing execution of a King Conservation District (KCD) 2009 Membership Jurisdiction Grant agreement of up to \$89,000 for the Larsen Lake Riparian and Greenbelt Enhancement Project, amending the 2009-2010 General CIP Fund budget to increase by \$89,000 and amending the General CIP Plan (P-R-11) to increase the project budget by \$89,000.

MOTION

Move to adopt Ordinance No. 5870, authorizing execution of a King Conservation District (KCD) 2009 Membership Jurisdiction Grant agreement of up to \$89,000 for the Larsen Lake Riparian and Greenbelt Enhancement Project, amending the 2009-2010 General CIP Fund budget to increase by \$89,000 and amending the General CIP Plan (P-R-11) to increase the project budget by \$89,000.

ATTACHMENT

CIP Project Description
Proposed Ordinance No. 5870

AVAILABLE IN COUNCIL OFFICE

Grant Application

P-R-11 Renovation & Refurbishment of Park Facilities

Category: **Redevelopment**
 Department: **Parks & Community Services**

Status: **Ongoing**
 Location:

Programmed Funding

Programmed Funding	Appropriated To Date	FY 2009 Budget	FY 2010 Budget	FY 2011 Budget	FY 2012 Budget	FY 2013 Budget	FY 2014 Budget	FY 2015 Budget
46,584,000	22,106,000	3,511,000	3,166,000	3,290,000	3,420,000	3,555,000	3,695,000	3,841,000

Description and Scope

This project consists of major repairs to renovate and/or refurbish various park facilities, including all buildings and equipment on land for which Parks & Community Services has maintenance responsibility and those facilities primarily occupied and controlled by the department. Minimal trail development projects would also be authorized to allow public access to currently undeveloped areas. Typical projects include dock repairs, replacement of playground equipment, roof repairs, ballfield and parking lot lighting, signage, painting, pavement repairs, and other major maintenance items.

Additional funding of \$0.1 million per year for the Enhanced Forest Management projects included in this project. This ongoing CIP investment will allow an increase in the rate at which the City is able to restore and improve City owned trees and forests, including those at parks, natural areas and open space properties. As a rule of thumb, each additional 50k increment of funding allows approximately one additional acre to be restored to healthy conditions. Present funding provides for the restoration of 1.2 to 2.4 acres per year.

The Parks and Community Services Department manages over 1800 acres of natural areas and forested open space. The health of Bellevue's forests these areas varies throughout the City. Site conditions range from healthy and sustainable to degraded sites where new forest regeneration is minimal and forest successional processes have been disrupted by invasive plants. Restoration and enhancement efforts would utilize native trees and plants and include community volunteers in the implementation process where ever feasible.

Rationale

The project addresses improvements beyond normal maintenance requirements, as well as safety issues identified by Parks staff and the City's Risk Manager. The City has placed high priority on reducing potential liability situations, completing major refurbishment projects in all of its facilities, and increasing public access into unimproved areas. These repairs and renovations will preserve the quality of park facilities, reduce potentially dangerous conditions, and allow the public minimal access into undeveloped park properties.

As for the Enhanced Forest Management project, natural areas and forested open space provide measurable economic, social and environmental benefits. Research has quantified, in dollars, the benefit that trees and landscape provide (carbon sequestration, storm water retention, air quality/pollution abatement) for people living in urban areas. In addition, trees and forests filter and clean our air, provide natural drainage detention, improve water quality, provide wildlife habitat, provide shade, beauty and places for relaxation and recreation. Trees increase property values and well designed landscapes create a positive environment that attracts and welcomes consumers to commercial areas. To ensure that these benefits continue, these urban forest sites needs to be managed with the same skill and diligence as any other community asset.

Environmental Impacts

Renovation and refurbishment projects are generally exempt from the State Environmental Protection Act (SEPA), except where additional work stations to add staff in the facility will be provided through the related improvements. Those projects which involve provision of work space for additional employees will be reviewed during the design phase.

Operating Budget Impacts

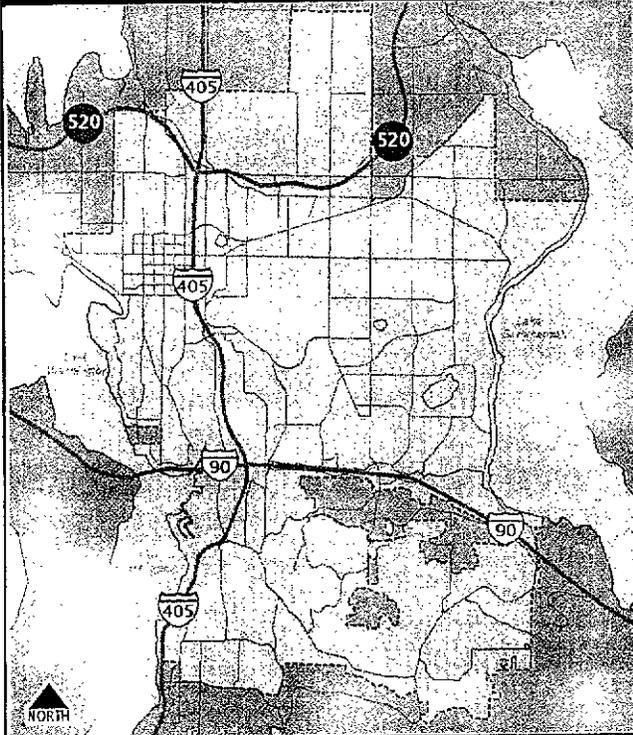
This project will have no impact on operating revenues and/or expenditures.

P-R-11 Renovation & Refurbishment of Park Facilities

Category: Redevelopment
 Department: Parks & Community Services

Status: Ongoing
 Location:

Project Map



Schedule of Activities

Project Activities	From - To	Amount
Project Costs	Ongoing	46,584,000
Total Budgetary Cost Estimate:		46,584,000
Means of Financing		
Funding Source	Amount	
Funding Rollup	46,584,000	
Total Programmed Funding:		46,584,000
Future Funding Requirements:		C

This project will occur at multiple locations throughout the City.

Capital Costs/Revenue: This project provides enhanced funding (\$350,000) to increase the rate at which the City is able to restore and improve city-owned trees and forest, including those at parks, natural areas and open space properties.

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5870

AN ORDINANCE authorizing execution of a King Conservation District (KCD) 2009 Membership Jurisdiction Grant agreement of up to \$89,000 for the Larsen Lake Riparian and Greenbelt Enhancement Project, amending the 2009-2010 General CIP Fund budget to increase by \$89,000 and amending the General CIP Plan (P-R-11) to increase the project budget by \$89,000.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City Manager or his designee is hereby authorized to execute a King Conservation District (KCD) 2009 Membership Jurisdiction Grant agreement of up to \$89,000 for the Larsen Lake Riparian and Greenbelt Enhancement Project, a copy of which grant agreement has been given Clerk's Receiving No. _____.

Section 2. The 2009-2010 General Capital Investment Program (CIP) Fund appropriation adopted by Ordinance No. 5851 on December 1 2008 as previously amended is hereby further amended to increase the appropriation to said CIP fund by \$89,000.

Section 3. The City's 2009-2010 General Capital Investment Program Plan adopted by Ordinance No. 5851 on December 1, 2008 as previously amended is hereby further amended by increasing the appropriation to said CIP fund and to increase the P-R-11 project budget by \$89,000.

Section 4. If the actual revenue received from the anticipated sources specified in said grant agreement shall be more or less than the anticipated amount set forth herein, the appropriations to the CIP Fund and Plan shall be adjusted to be equal to the amount actually received.

Section 5. The City Manager or his designee shall have the responsibility for the administration and expenditure of said grant monies and monies received pursuant to said agreement and shall have all authority necessary to enter into agreements regarding the use thereof.

Section 6. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

1075-ORD
04/14/09

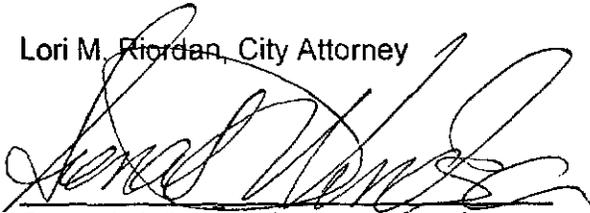
Passed by the City Council this _____ day of _____, 2009
and signed in authentication of its passage this _____ day of _____,
2009.

(SEAL)

Grant S. Degginger, Mayor

Approved as to form:

Lori M. Riordan, City Attorney



Siona D. Windsor, Assistant City Attorney

Attest:

Myrna L. Basich, City Clerk

Published _____

CR #: 44429 Date: 06-05-09 Loc: 04-419 PO #: 910415-000

ORD 5870



City of Bellevue
Finance - Contracting Services
425-452-7876

Grant Agreement Routing Form

Current Agreement Information

Agreement Title:

Agreement for Award of King Conservation District Member Jurisdiction Grant

Agreement Description:

Provides a of grant of \$89,000 to be added to P-R-11 and allocated to the Larsen Lake Enhancement Project

Agreement Form:

Vendor Agreement Document

Agreement Type: Grant

Document Type: Award Letter

Agreement Manager: Geoff Bradley

Agreement Amount: \$0.00 89K

Total Aggregate Value: NaN

Project Information:

Project Name: Larsen Lake Enhancement Project
Department: Parks & Community Services

Project Manager: Geoff Bradley

Are matching funds required on this project? No

Granting Organization Information:

Funding Agency: King Conservation District

Administrative Agency: ~~Jessica Saavedra~~

Administrative Agency JDE Vendor #: 37420

Funding Program Name: Member Jurisdiction Grant

Agreement Terms:

Original Effective Date: 04/20/2009 (estimated date)

End Date: 12/31/2010 (estimated date)

Related Agreement Information:

Is this a renewal/amendment? No

Council Approval:

Council Award Date: 4/20/2009

Ordinance #: 5870

Resolution #:

Route:

		In	Out
Contracting Services:	<u>[Signature]</u>	<u>4/14/09</u>	<u>4/14/09</u>
Accounting:	<u>[Signature]</u>	<u>4/14/09</u>	<u>4/14/09</u>
Information Technology:	Not Required		
Legal:	<u>[Signature]</u>	<u>4/15/09</u>	<u>4/15/09</u>
Insurance Reviewed By:	<u>Joanne Nicolai</u>	<u>4/15/08</u>	<u>4/15/09</u>
Department Director:	<u>[Signature]</u>	<u>4/30/09</u>	<u>4/30/09</u>
Contracting Services:			
Return To:	Geoff Bradley		
City Clerk's Office:	<u>Chaugen</u>	<u>06-05-09</u>	<u>06-05-09</u>

910415-000

548000

Document Management Information:

CIP Plan #: P-R-11

Budget Fund: 3680

Funding Source: Local/Other

JDE Project Number: 785680084.7680

Explanation:

Parks Renovation

Budget Information:

There is no budget requirement for this agreement.

Year	Description	JDE Account Number	Amount

Additional Comments:

Only two routing copies. Return both to KCD for signature. KCD will return one original for CCR#