



AGREEMENT BETWEEN THE CITY OF SEATTLE AND CITIZENS FOR OFF-LEASH AREAS ON THE OFF-LEASH AREAS PROGRAM

I. Introduction

Whereas, the Off-Leash Areas Program for 1998-2000 consists of several sites geographically dispersed throughout the city where dogs are allowed off-leash; and

Whereas, after completion and evaluation of a fifteen-month pilot program, the City Council in September 1997 approved a program of ten sites, a mix of pilot, interim, permanent and to-be-identified sites; and

Whereas, six of the sites in operation at the date of the signing of this agreement are located within City parks, and the seventh is Seattle Public Utilities property; and

Whereas, the activity at each location will occur within a delineated, properly signed, and in most cases fenced area where dogs will be allowed off-leash to run, play, exercise, train and socialize with their owners/handlers and with other dogs; and

Whereas, the Department of Parks and Recreation (DPR) has been designated as the organization that shall be responsible for management of the off-leash sites with the coordination and support of the Citizens for Off-Leash Areas (COLA); Now, therefore,

II. Purpose

The manager of park properties is the DPR, and the steward of the off-leash areas (OLAs) is COLA. The purpose of this agreement is to outline the duties of DPR and COLA for the operation of the program. This agreement lays out the responsibilities COLA will carry out in support of the program, describes the limits of COLA's responsibilities, and clarifies the roles of Animal Control and DPR staff.

III. Synopsis of the Status of Each Site

Following is a synopsis of the status of each site at the date of the signing of this agreement. Please see the attached maps. Note: Maps are included here to approximate the off-leash area sites, and may not reflect current configurations. Boundaries may change by agreement between DPR and COLA, or by action of DPR in accordance with the provisions of Ordinance 118724 and Resolution 29628.

UPPER GOLDEN GARDENS: Permanent. Please see the attached map.

MAGNUSON: Interim, pending adoption of a Use Plan for the combined Sand Point/Magnuson property. The Council's intent is to include a permanent off-leash site within the park. Please see the attached map.

WOODLAND PARK: The newly opened (March 1998) pilot site will operate as a pilot site for 18 months, during which time DPR will monitor and evaluate its success and at the end of which DPR will make recommendations to the City Council on its future. Please see the attached map.

VOLUNTEER: Temporary. The Department, in response to Council Resolution 29628, has identified several alternate properties on or near Capitol Hill and forwarded the list to the City Council. Please see the attached map.

GENESEEE: Permanent. This off-leash site reopened in October 1999 after completion of a landfill capping project. Please see the attached map.

WESTCREST: Permanent. The City Council asked in Resolution 29628 that DPR complete an environmental checklist on the entire park. That work is underway at the date of the signing of this agreement. Please see the attached maps.

BLUE DOG POND: Permanent. Please see the attached map.

NORTHACRES: Pilot. DPR was unable to move forward with improvements to this site due to 1998 budget limitations, and has funding for 1999 and 2000 to do so. Please see the attached map.

BEACON HILL (East Duwamish Greenbelt, Jefferson Reservoir or City Light ROW #2): Pilot. DPR was unable to move forward with improvements to the site to be selected from among these three due to 1998 budget limitations, and has funding for 1999 and 2000 to do so. Please see the attached maps (3).

CITY LIGHT ROW #3: Pilot. DPR was unable to move forward with improvements to this site due to 1998 budget limitations, and has funding for 1999 and 2000 to do so. Please see the attached map.

IV. Effective Date

This agreement will be in effect upon signature by the Superintendent of Parks and Recreation, the Director of the Executive Services Department, and the Chair of the Citizens for Off-Leash Areas Board of Directors. It shall not expire but may be amended and revised as necessary.

V. COLA Volunteer Support Agreements

COLA volunteers are not prohibited from engaging in general maintenance activities at off-leash sites before the agreement is signed by all parties, once they have registered with DPR and there is agreement between DPR crew chiefs and COLA lead site stewards on work programs.

VI. Program Components

The off-leash areas program has as integral components the following:

1. Maintenance: DPR staff will perform maintenance and restoration of the sites as they deem possible within the level of funding received for that purpose. COLA will be consulted and its input given weight when considering what discretionary maintenance and restoration shall be performed. In addition, where adequate maintenance of the sites is not deemed possible by DPR, DPR will notify COLA so that COLA is given an opportunity to supplement DPR resources for maintenance of off-leash areas.
2. Enforcement: Animal Control will enforce leash, scoop and license laws in parks.
3. Rules: DPR will post rules on a kiosk at each site stating at a minimum:
 - Owners are liable for any damage or injury inflicted by their dogs.
 - Dog owners must comply with all park rules and relevant parking requirements.
 - Dogs must be properly licensed.
 - Aggressive behavior, biting, fighting or excessive barking is not allowed.
 - Dogs must be leashed prior to entering, and upon leaving, the off-leash site.
 - Owners must have a visible leash at all times.
 - Owners must clean up and properly dispose of feces left by their dogs.
 - Female dogs in heat are not allowed.
 - Dog owners or handlers must be in attendance with dogs at all times.
4. Site Features: Each site will be clearly designated by fencing or, in some cases, natural barriers and signage that indicates the boundaries of the off-leash area. If new configuration requires that current space is reduced, DPR will make every effort to compensate for that reduction by adding reasonably comparable footage nearby. DPR will consult with COLA representatives on site design before any more site designs are implemented. DPR will provide each site with a bulletin board and kiosk where notices can be posted. Drainage solutions and surfacing alternatives will be sought.
5. Pilot Site Monitoring: For each pilot site, DPR will carry out a monitoring and evaluation program to measure its success, and DPR will make recommendations after 18 months to the City Council on its future. DPR will share the results of any monitoring and evaluation with COLA before presenting them to the City Council.

6. Site-Specific Agreements: A DPR representative and a COLA representative will, by August 31, 1999, sign an agreement for each off-leash site, substantially conforming to previous site-specific agreements.
7. Site Closure: The DPR Superintendent is authorized to close sites, temporarily or permanently, or modify the boundaries within reasonable limits in accordance with Ordinance 118724. Please refer to Attachment 1, Ordinance 118724, for details. In the event of a permanent closure of any off-leash site, COLA may endeavor to find a reasonably comparable alternative site, including non-DPR-owned property, as close as possible to the already established site to present to the City Council for approval.
8. New Sites: Resolution 29628 directs COLA to attempt to locate new non-park off-leash sites.
9. Notification of Meetings: COLA has been designated by the City as steward of the program. The City also recognizes that notification to the public regarding off-leash activities is very important. DPR and Animal Control shall keep COLA informed of significant problems and any public complaints within a reasonable time of receipt, and shall keep COLA informed of potential changes or closures so that COLA may have an opportunity to correct the problem, assist with intervention, or provide input before such decisions are made.

VII. Responsibilities

Administration of Agreement: COLA and DPR will meet on a regular basis but at least quarterly to discuss off-leash areas managed by DPR. Such meetings shall be open to the public. One purpose of these meetings is to discuss clarifications, additions or amendments to this agreement. City staff from DPR and Animal Control shall provide oversight required to carry out duties under this agreement, and shall monitor and administer it. Animal Control staff shall provide oversight of COLA volunteers in regard to compliance with City rules and ordinances relating to dogs. Animal Control will keep COLA informed regarding enforcement issues they encounter.

1. Operations. DPR has primary responsibility for maintenance of all off-leash areas. DPR staff will ensure that maintenance and improvements initiated and carried out by COLA volunteers are done according to DPR specifications as provided to COLA. DPR staff will inform COLA or individual site stewards of issues relating to the maintenance or operation of off-leash areas, and may request COLA's help in resolving them. DPR staff will inform COLA of upcoming special events that may have an impact on the operation of an off-leash area. If such events result in the temporary closure of an off-leash area, DPR will contact Animal Control and COLA to provide adequate notice to site users. DPR will provide adequate notice of closures and will post notices on kiosks. Unless otherwise agreed, or unless closure is for more than a weekend, adequate notice is one week in advance unless the closure is of an emergency nature. Animal Control and DPR staff will ensure that all responsibilities and duties under this agreement are carried out according to City policies, rules and ordinances, and will provide COLA with copies of all such off-leash areas policies, rules and ordinances.

COLA will solicit volunteers to carry out the responsibilities under this agreement. For this purpose, COLA will assign a single person or group to carry out duties at each off-leash site. Each person or group will provide DPR and Animal Control with a number where the City can reach, or leave a message for, the designated representative. The designated representative will respond to City inquiries within a reasonable time. DPR and Animal Control shall respond to COLA and its site stewards' inquiries within a reasonable time.

COLA will provide a telephone number visibly on the kiosk at each off-leash site which park users may call if they have questions or concerns about the off-leash areas program.

COLA will select a lead site steward to be the principal contact for each off-leash site. The lead site steward will be responsible for mobilizing volunteers, as needed, to carry out the duties outlined in "Duties and Responsibilities of Volunteer Groups." Each designated lead site steward will provide his/her name and telephone number to Animal Control and DPR maintenance staff. If there is a change in the lead site steward, COLA will notify DPR staff by telephone, written correspondence or another mutually agreed-upon method.

2. Off-Leash Area Budget: DPR will provide COLA with a copy of any proposed DPR budget or fiscal year budget sufficiently in advance of the adoption or approval of the budget by DPR or the City such that COLA may respond thereto.
3. Education, Training and Information. COLA volunteers may provide, with prior approval from DPR, regularly scheduled or special education and training classes for dogs and their owners. Approval shall not be unreasonably withheld and if not approved, a reason shall be provided for denial. COLA will notify DPR and Animal Control of these sessions at least two weeks before each event. COLA may invite Animal Control staff, Animal Control Commission members, or other animal experts to participate in the sessions. Topics may include responsible dog ownership, compliance with dog-related ordinances, dog obedience and behavior classes, pet licensing opportunities, pet health care and other issues reasonably related to off-leash dog areas or dogs and their owners. COLA will post notices of these sessions on off-leash area kiosks, other park information boards with DPR approval, and non-park sites as deemed appropriate. Notices will contain information about the time, date and location of each session.

COLA volunteers may provide the public with written materials regarding off-leash areas and other information of interest to dog owners without prior notification of DPR or Animal Control staff.

4. General Maintenance (Cleanup) of Off-Leash Areas. COLA volunteers will provide for general cleanup and maintenance activities relating to the implementation and operation of off-leash sites. DPR will provide each site with an adequate number of kiosks and bulletin boards, appropriate numbers of garbage cans (at least two), garbage bags, bag dispensers and bags for cleaning up dog feces and reasonable

maintenance of grounds. DPR will be responsible for trash removal from off-leash areas.

5. Off-Leash Site Improvements. COLA may help with improvements to an off-leash area. DPR and COLA may work together on such improvements. All improvements must be to DPR specifications, which shall be provided to COLA. Improvements may include:

- Installation of lighting, after a public process and approval by DPR;
- Installation or maintenance of fencing and gates;
- Installation or maintenance of signs;
- Trimming of weeds or other undesirable vegetation;
- Maintenance of paths or trails;
- Rehabilitation of lands, turf and vegetation; and
- Adding park furniture or other amenities mutually agreed upon by DPR and COLA volunteers.

DPR will not unreasonably withhold consent for improvements done at COLA expense, and will provide a written reason for denial of permission if it opposes COLA's proposed improvements.

6. Kiosk Maintenance: COLA volunteers will maintain the postings on the kiosk(s) installed near each off-leash site. Maintenance may include ensuring that rules, names of contacts and other information are posted, and cleaning to ensure kiosks are presentable. If DPR wishes the kiosks to be maintained in a certain form or manner, it will provide the necessary materials and other required equipment.

7. Monitoring Off-Leash Areas: COLA's duties include performing monitoring activities that may include:

- Inspecting off-leash sites to identify and report to DPR maintenance staff and the lead site steward any damage to fencing, signs or other fixtures that may impair operations;
- Notifying DPR maintenance staff of hazardous materials, debris or conditions in or around the site.

8. Fundraising. COLA volunteers may engage in private fundraising efforts for the purpose of making improvements to off-leash areas or carrying out other duties outlined in this agreement.

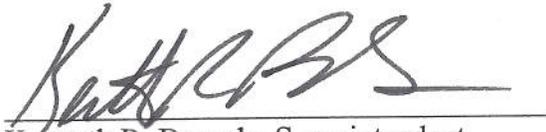
9. Animal Control Responsibility for Enforcing Animal Control Ordinances and Rules:

- Animal Control and, from time to time, Seattle Police Department staff will be solely responsible for enforcing City ordinances, regulations and policies relating to animals at off-leash sites. In no circumstance will COLA or its volunteers act as agents of the City.
- COLA volunteers may inform off-leash site users of the site rules, may refer users to handouts or information on kiosks, and may sponsor workshops on site rules.

- Animal Control will provide COLA with a name and telephone number for citizens to use to report dog-related incidents and other information necessary to ensure proper operation of the site.
- DPR staff may report violations to Animal Control.
- Animal Control Officers may distribute COLA literature.

VIII. Signatures

IN WITNESS WHEREOF, the parties hereto have executed this agreement by having their respective representatives affix their signatures in the spaces below:



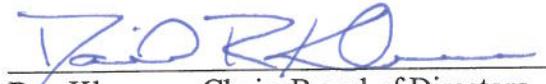
 Kenneth R. Bounds, Superintendent
 Department of Parks and Recreation

Date 03/15/00



 Dwight Dively, Director
 Executive Services Department

Date 3-24-00



 Dan Klusman, Chair, Board of Directors
 Citizens for Off-Leash Areas

Date 3/10/00

4/28/98
 7/29/98 revision
 Entered at DPR 9/30/98
 11/22/98
 7/12/99
 8/20/99
 10/7/99
 3/1/00 edition with site descriptions separate
 3/6/00--Final