

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL 118046

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4 AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the
5 acquisition of real property commonly known as 4041 California Avenue SW and 4045
6 California Avenue Southwest; authorizing acceptance and recording of the deeds for
7 open space, park, and recreation purposes; increasing appropriations to the Department of
8 Parks and Recreation in the 2014 Adopted Budget; and amending the 2014-2019 Adopted
Capital Improvement Program; and ratifying and confirming certain prior acts; all by a
three-fourths vote of the City Council.

9 WHEREAS, by Resolution 31055 the City Council created the Parks and Green Spaces Levy
10 Citizen's Advisory Committee to ensure citizen participation in the development of a
11 potential package of parks, open space, boulevards, trails, green infrastructure, and
recreation projects, and a proposed set of options to fund the package; and

12 WHEREAS, the Parks and Green Spaces Levy Citizens' Advisory Committee, after being duly
13 appointed and after spending many hours in open meetings and receiving public
14 testimony and deliberating on the levy, voted by a strong majority to recommend that the
City Council place a \$145.5 million six-year levy proposal for park purposes before the
voters of Seattle; and

15 WHEREAS, in response to this recommendation, the City Council passed Ordinance 122749,
16 placing Proposition 2, the 2008 Parks and Green Spaces Levy, before the voters of
17 Seattle; and

18 WHEREAS, the 2008 Parks and Green Spaces Levy was approved by Seattle voters on
19 November 4, 2008; and

20 WHEREAS, Ordinance 122749 identifies the West Seattle Junction Hub Urban Village for a
21 potential neighborhood park acquisition; and

22 WHEREAS, the Department of Parks and Recreation considers the West Seattle Junction Hub
23 Urban Village as significantly underserved with quality open space, and the area is,
therefore, a priority area for additional acquisitions for parks and open space; and

24 WHEREAS, the City has been trying to acquire the property at 4041/4045 California Avenue
25 Southwest for years because of the intensity of use and relative small size of Dakota
Place Park; and

1 WHEREAS, the property was recently acquired by a developer and divided into two lots for
2 development purposes; and

3 WHEREAS, if the City does not acquire the property now, before it is redeveloped, the
4 opportunity will be lost; NOW, THEREFORE,

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

6 Section 1. The Superintendent of Parks and Recreation (“Superintendent”), or his
7 designee, is authorized, on behalf of the City of Seattle, to acquire the following described real
8 property, situated in the City of Seattle, County of King, State of Washington, and commonly
9 known as 4041 California Avenue SW (“Parcel A”) and 4045 California Avenue Southwest
10 (“Parcel B”) (“Properties”), together with all rights, privileges, and other property pertaining,
11 thereto, for a purchase price of \$477,000 for Parcel A and a purchase price of \$238,000 for
12 Parcel B:
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14
15 Parcel A

16 *Lots 30 and 31, Block 4, J. Walter Hainsworth’s Second Addition to the City of West*
17 *Seattle, according to the plat thereof recorded in Volume 14 of Plats, Page 9, in King*
18 *County, Washington; Except the East 36 feet of Lot 30 and the East 36 feet of the South 5*
19 *feet of Lot 31.*

20
21 Parcel B

22 *The East 36 feet of Lot 30 and the East 36 feet of the South 5 feet of Lot 31, Block 4, J.*
23 *Walter Hainsworth’s Second Addition to the City of West Seattle, according to the plat*
24 *thereof recorded in Volume 14 of Plats, Page 9, in King County, Washington*

1 Section 2. The Superintendent, or his designee, is authorized to execute such documents
2 as he deems necessary or desirable to accomplish acquisition of Parcel A and Parcel B consistent
3 with this ordinance, and to accept the deeds for Parcel A and Parcel B by attaching to each deed
4 the Superintendent's written acceptance thereof, and recording the same. Parcel A and Parcel B
5 shall be accepted for open space, park, and recreation purposes, and placed under the jurisdiction
6 of the Seattle Department of Parks and Recreation.

7
8 Section 3. In order to pay for necessary capital costs and expenses incurred, or to be
9 incurred, but for which insufficient appropriations were made due to causes that could not
10 reasonably have been foreseen at the time the 2014 budget was adopted, the appropriation for
11 the following in the 2014 Adopted Budget and the 2014-2019 Adopted Capital Improvement
12 Program is increased from the funds shown, as follows:

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Fund	Department	Capital Improvement Program: Program (Number)	Amount
2008 Parks Levy Fund (33860)	Parks and Recreation	2008 Parks Levy – Neighborhood Park Acquisition (K720010)	\$776,485

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18 Section 4. Any act consistent with the authority of this ordinance taken after its
19 passage and prior to its effective date is ratified and confirmed.

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1 Section 5. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4
5 Passed by a three-fourths (3/4) vote of all the members of the City Council the ____
6 day of _____, 2014, and signed by me in open session in authentication
7 of its passage this ____ day of _____, 2014.

8
9 _____
10 President _____ of the City Council

11
12 Approved by me this ____ day of _____, 2014.

13
14 _____
15 Edward B. Murray, Mayor

16
17 Filed by me this ____ day of _____, 2014.

18
19 _____
20 Monica Martinez Simmons, City Clerk

21 (Seal)

FISCAL NOTE FOR CAPITAL PROJECTS ONLY

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Parks and Recreation	Donald Harris/684-8018	Catherine Cornwall/684-8725

Legislation Title: AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the acquisition of real property commonly known as 4041 California Avenue SW and 4045 California Avenue Southwest; authorizing acceptance and recording of the deeds for open space, park, and recreation purposes; increasing appropriations to the Department of Parks and Recreation in the 2014 Adopted Budget; and amending the 2014-2019 Adopted Capital Improvement Program; and ratifying and confirming certain prior acts; all by a three-fourths vote of the City Council.

Summary and background of the Legislation:

On November 4, 2008, Seattle voters approved a six-year property tax levy, the 2008 Parks and Green Spaces Levy (Levy), for the purpose of improving and expanding the City's parks and green spaces. The Levy includes an acquisition category and a neighborhood park acquisition subcategory. The West Seattle Junction Hub Urban Village is identified in this subcategory. The attached proposed Council Bill authorizes the Department of Parks and Recreation (DPR) to acquire, by voluntary agreements, two parcels (in aggregate totaling 5,750 square feet) located adjacent to Dakota Place Park, which will increase the functionality of this popular park. The legislation also authorizes the acceptance of the deeds to the subject properties for open space, park, and recreation purposes and appropriates the necessary funds.

The proposed acquisitions are well-suited for an expansion of the park. They will increase the functionality of the park (the former substation building, now a community facility, has a large footprint on the site), and further satisfy the goal to provide parks within walking distance for residents in and around urban villages, a key planning goal included in both Seattle's Parks and Recreation 2006 Development Plan and 2006 Open Space Gap Report Update, and Seattle's Parks and Recreation 2011 Development Plan. The parcels will not be developed as an addition to the park until funding is available for that purpose.

The City presented several offers to the previous owner; however, there was never any agreement on price. A developer acquired the property, subdivided it into two parcels, each now owned by a different limited liability company controlled by the same managing member. Both limited liability companies are willing to sell to the City. The two parcels will be acquired under separate purchase and sale agreements and conveyed under separate deeds. It is anticipated that after the acquisitions close, the City will manage the site until park design/construction funding becomes available by demolishing the three residential cottages and two small outbuildings on one parcel and managing the lease in the commercial building on the other parcel until it is time to develop the park, depending on the terms of the lease and the condition of the building.

Project Name:	Project I.D.:	Project Location:	Start Date:	End Date:
Neighborhood Park Acquisitions-2008 Parks Levy	K730010	West Seattle Junction Hub Urban Village – 4041, 4045 California Ave SW	April 2011	June 2015

This legislation creates, funds, or anticipates a new CIP Project.

This legislation does not have any financial implications.

This legislation has financial implications.

Appropriations:

Fund Name and Number	Department	Budget Control Level*	Existing Appropriation	New 2014 Appropriation (if any)	2014 Anticipated Appropriation
2008 Parks Levy Fund (33860)	Parks and Recreation	K720010	18,602	776,485	
TOTAL				776,485	

Appropriations Notes: The City will apply for 2014 King County Conservation Futures to offset approximately 50% of the acquisition costs. These funds require a 50% match and are paid on a reimbursement basis.

Spending Plan and Future Appropriations for Capital Projects:

Spending Plan and Budget	2010-2012	2013	2014	2015	2016	2017	Total
Spending Plan	18,602	1,485	775,000				795,087
Current Year Appropriation	18,602		776,485				
Future Appropriations				0	0	0	795,087

Spending Plan and Budget Notes:

The current budget for this project is \$795,087. The costs of negotiations with previous owner were \$20,087. The current purchase price is \$477,000 for one parcel and \$238,000 for the other for a total purchase price of \$715,000. The additional budget of \$60,000 is for appraisals, administrative time, title insurance and closing costs, environmental testing, survey, and demolition of the residential structures and outbuildings. The acquisitions are scheduled to close at the end of March 2014 with demolition of the structures happening at the end of 2014.

Funding Source:

Funding Source (Fund Name and Number, if applicable)	2012	2013	2014	2015	2016	2017	Total
2008 Parks Levy Fund (33860)	18,602		776,485	0	0	0	795,087
TOTAL	18,602		776,485	0	0	0	795,087

Funding Source Notes:

Costs for this acquisition will be covered by the Neighborhood Parks Acquisition category of the Levy.

Bond Financing Required: N/A

Type	Amount	Assumed Interest Rate	Term	Timing	Expected Annual Debt Service/Payment
TOTAL	N/A	N/A	N/A	N/A	N/A

Bond Notes:

Uses and Sources for Operation and Maintenance Costs for the Project:

O&M	2014	2015	2016	2017	2018	2019	Total
Uses							
Start Up							
On-going	1,618	2,347	2,394	2,442	2,491	2,540	13,832
Sources							
Rent Income	(6,000)	(12,000)	(12,000)	(12,000)	(12,000)	(12,000)	(66,000)
Total	(4,382)	(9,653)	(9,606)	(9,558)	(9,509)	(9,460)	(52,168)

Operation and Maintenance Notes: Estimates assume online/acquisition date of April 1, 2014. The new facility O&M estimates listed above reflect the costs to care for the property should the leases all be terminated and the buildings demolished. (DPR will likely keep the existing commercial tenant in place which is reflected in the projected rental income to pay for maintenance costs – subject to due diligence review of the existing lease.) Maintenance includes installation and repair of signage, graffiti removal, debris cleanup, and property repair due to vandalism. The O&M numbers listed above assume a 2% inflation rate in each successive year.

Periodic Major Maintenance Costs for the Project: N/A

Major Maintenance Item	Frequency	Cost	Likely Funding Source
TOTAL	N/A	N/A	N/A

Funding sources for replacement of project: As real property, this acquisition will not be subject to replacement.

Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact: N/A

Position Title and Department*	Position # for Existing Positions	Fund Name & #	PT/FT	2012 Positions	2012 FTE	2013 Positions*	2013 FTE**
TOTAL	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Position Notes:

Do positions sunset in the future? Not applicable.

Other Implications:

a) Does the legislation have indirect financial implications, or long-term implications?

The 2008 Parks and Green Spaces Levy provides funding for acquisition of new properties to create new neighborhood parks, and expand existing parks in and around urban villages. Funding has not been identified to develop and maintain the future expanded park; therefore, DPR intends to manage the site, either by demolishing the buildings shortly after acquisition and maintaining the site with minimal operations funding or by keeping the commercial tenant on the site after acquisition and using the rent revenue to pay expenses.

b) What is the financial cost of not implementing the legislation?

If this property is not acquired, the target site would likely be redeveloped with a higher density project in the near future, thereby eliminating its possibility for development as an expanded neighborhood park.

c) Does this legislation affect any departments besides the originating department?

No.

d) What are the possible alternatives to the legislation that could achieve the same or similar objectives?

The scope of this project is to expand the size of the existing Dakota Place Park. The Department could forgo this opportunity, but the opportunity to expand Dakota Place Park would be lost.

e) Is a public hearing required for this legislation?

No.

f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No.

g) Does this legislation affect a piece of property?

Yes.

h) Other Issues: None.

List attachments to the fiscal note below:

Attachment A: Map of West Seattle Junction Hub Urban Village – Proposed Dakota Place Park Addition – 4041 and 4045 California Avenue Southwest

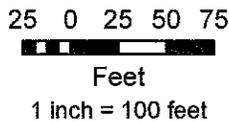
44TH AVE SW

CALIFORNIA AVE SW

SW DAKOTA ST

West Seattle Junction Hub Urban Village

Proposed Dakota Place Park Addition – 4041/4045 California Avenue SW



Legend

- Parcel of Interest
- Buildings
- Urban Village
- Park Boundary
- Parcel Boundary



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No warranties of any sort, including accuracy, fitness or merchantability accompany this product.

Map date: July 10, 2012

ATT A to Dakota Park Addition FISC



City of Seattle
Edward B. Murray
Mayor

February 18, 2014

Honorable Tim Burgess
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Burgess:

I am pleased to transmit the attached proposed Council Bill that authorizes the acquisition of two adjacent parcels, totaling approximately 5,750 square feet, located at 4041 and 4045 California Avenue SW and adjacent to Dakota Place Park in the West Seattle Junction Hub Urban Village. One parcel is currently improved with a small office building and the other is improved with three residential cottages and two outbuildings.

During the 2000 Pro Parks Levy, the City purchased Seattle City Light's surplus California Substation and redeveloped the site into a park, Dakota Place Park. Located at the edge of the West Seattle Junction Hub Urban Village, the park is heavily used and has strong community support. The acquisition of the identified property will allow for the expansion of the popular park, will increase its functionality (the existing community building - formerly the substation building - takes up part of the existing park's footprint), while keeping park maintenance and operations costs lower than if the City purchased a new park site in a different location.

The acquisition of this property will support the City's goal of providing parks within walking distance for residents in urban villages, and will serve the needs of the West Seattle Junction for many years to come. Thank you for your consideration of this legislation. Should you have questions, please contact Donald Harris at 684-8018.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward B. Murray".

Edward B. Murray
Mayor of Seattle

cc: Honorable Members of the Seattle City Council