

ORDINANCE No. 122079

COUNCIL BILL No. 115535

# The City of Seattle--Leg

AN ORDINANCE transferring jurisdiction of the surplus Gatewood substation property, located at 7710 35<sup>th</sup> Avenue SW, legally described as Lots 3, 4, 5, and 6, Block 1, Day's Park Addition to the City of Seattle, less portion for street, to the Fleets and Facilities Department for general municipal purposes including, but not limited to, the relocation of Fire Station No. 37.

## REPORT OF COM

Honorable President:

Your Committee on \_\_\_\_\_

to which was referred the within Council Bill No. \_\_\_\_\_  
report that we have considered the same and respectfully rec

pass as amended 3-0 ML, JG

(6/3)

4-24-06 Passed 9-0

COMPTROLLER FILE No. \_\_\_\_\_

Introduced: <u>April 23, 2006</u>	By: <u>LICATA</u>
Referred:	To: <u>Public Safety, Governmental Relations and Arts</u>
Referred:	To:
Referred:	To:
Reported: <u>4-24-06</u>	Second Reading:
Third Reading: <u>4-24-06</u>	Signed: <u>4-24-06</u>
Presented to Mayor: <u>4-25-06</u>	Approved: <u>5/2/06</u>
Returned to City Clerk: <u>5/4/06</u>	Published: <u>Sube 3pp. 5/4/06</u>
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

*Law Department*

*[Signature]*

Committee Cha

Wre

# The City of Seattle--Legislative Department

Date Reported  
and Adopted

## REPORT OF COMMITTEE

Honorable President:

Your Committee on \_\_\_\_\_

to which was referred the within Council Bill No. \_\_\_\_\_  
report that we have considered the same and respectfully recommend that the same:

PS 55 as amended 3-0 ML, JG, PS (UH) 4/18/06  
(S)

4-24-06 Passed 9-0

Relations  
6  
D. Dye  
Law Department

Committee Chair

210

NOTICE: IF THE DOCUMENT IS NOT OF THE QUALITY OF THE DOCUMENT.



1 up of any environmentally hazardous substances and remediation work in order that  
2 design and construction may proceed on schedule; NOW THEREFORE,

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

4 Section 1. The City Council finds and declares that the Substation Property legally  
5 described in Section 2 below is not required for electric utility purposes.

6 Section 2. Jurisdiction over the Substation Property, legally described as:

7 Lots 3, 4, 5, and 6, Block 1, Day's Park Addition to the City of Seattle, Volume 16 of  
8 Plats, Page 72 in King County, Washington; EXCEPT that portion thereof condemned for  
widening of 35<sup>th</sup> Avenue Southwest in the Superior Court for King County as Cause No.  
68907 as provided by Ordinance No. 20756 of the City of Seattle,

9 is transferred from Seattle City Light to the Fleets and Facilities Department for general  
10 municipal purposes, including but not limited to the relocation of Fire Station No. 37.

11 Section 3. Consideration for the transfer of the Substation Property is the difference  
12 between the fair market value of the substation in a clean condition, appraised at Five Hundred  
13 Thirty Thousand Dollars (\$530,000.00) and the actual costs incurred by the Fleets and Facilities  
14 Department for the assessment and cleanup of any environmentally hazardous substances and  
15 payment of said consideration shall be made to the Light Fund (Fund 41000) from the Fire  
16 Facilities and Emergency Response Levy Program Fund (Fund 34440).

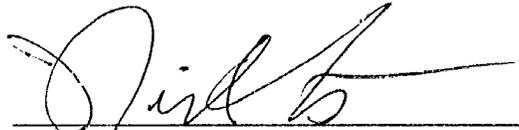
17 Section 4. Any acts made consistent with the authority and prior to the effective date of  
18 this ordinance are hereby ratified and confirmed.

19 Section 5. This ordinance shall take effect and be in force thirty (30) days from and after  
20 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days  
21 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

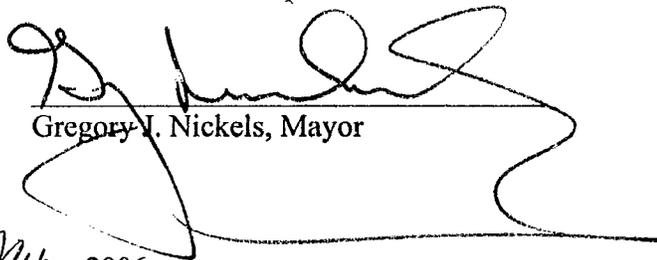


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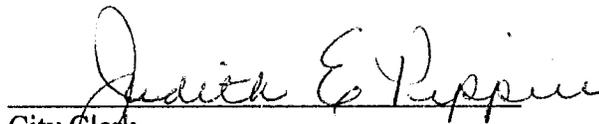
Passed by the City Council the 24<sup>th</sup> day of April, 2006, and signed by me in open session in authentication of its passage this 24<sup>th</sup> day of April, 2006.

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

Approved by me this 2<sup>nd</sup> day of May, 2006.

  
\_\_\_\_\_  
Gregory J. Nickels, Mayor

Filed by me this 4<sup>th</sup> day of May, 2006.

  
\_\_\_\_\_  
City Clerk

(Seal)



**FISCAL NOTE FOR CAPITAL PROJECTS ONLY**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>DOF Analyst/Phone:</b>
Fleets and Facilities	David Hemmelgarn/684-0701	Candice Chin/233-7014

**Legislation Title:**

An Ordinance transferring jurisdiction of the surplus Gatewood substation property, located at 7710 35<sup>th</sup> Avenue SW, legally described as Lots 3, 4, 5, and 6, Block 1, Day's Park Addition to the City of Seattle, less portion for street, to the Fleets and Facilities Department for general municipal purposes including, but not limited to, the relocation of Fire Station No. 37.

**Tax Account Numbers**

The King County Property Tax Account Number for this land is 193230-0020.

**Summary and background of the Legislation:**

Adoption of the proposed legislation allows the City of Seattle to complete the acquisition of one of two parcels of land needed for the preferred site for the relocation of Fire Station No. 37. The legislation authorizes a transfer of jurisdiction between Seattle City Light (SCL) and the Fleets and Facilities Department (FFD) of the surplus Gatewood Substation, located on 35<sup>th</sup> Ave SW in West Seattle, and sets forth the consideration and other terms for the transfer.

In accordance with an interdepartmental agreement between FFD and SCL, FFD obtained an appraisal and contracted for both a Phase I and Phase II Environmental Site Assessment of the substation property. Upon review of those assessments, SCL and FFD will determine the most effective and least costly methods of completing any necessary cleanup and remediation. SCL will be responsible for de-energization of the facility. FFD and SCL will cooperate to devise a schedule that is consistent with FFD's timeline for acquisition and development of the site for relocation of Fire Station No. 37.

The actual date for transfer of jurisdiction will be agreed upon between SCL and FFD, based upon the plan for site cleanup and remediation, de-energization, and removal of all equipment. The date of transfer will be no later than December 31, 2007.

The Fire Facilities and Emergency Response Levy Program (Levy Program), approved by Seattle voters on November 4, 2003, contemplates the acquisition of nine sites for relocation or expansion projects. Funds for all property acquisitions were previously appropriated in Ordinance 121380 and Ordinance 121333.



The preferred Fire Station No. 37 site is a priority acquisition, consistent with the anticipated 2007 commencement of design for the new station. The station's program requirements call for a facility that is 8,178 square feet on approximately 15,000 square feet of land. The existing Fire Station No. 37 facility, located at 7300 35<sup>th</sup> Ave. SW is 4148 square feet on 9,464 square feet of land. The size of the current station building is more than 4,000 square feet less than required under the levy program for Neighborhood I-size fire stations, and the current station site is approximately 7,000 square feet less than required under that program.

The 11,800 square foot parcel of land acquired through this legislation will be combined with the adjoining 6,254 square foot property to create a site of sufficient size and features to serve as the new location for Fire Station No. 37. Both this substation parcel and the other parcel that will comprise the site are zoned Neighborhood Commercial 2-40. The second parcel needed for this project is owned by Doxa Church and is the subject of a separate Council Bill.

Expanding the existing station is not feasible. The station facility has been designated a historic building. Preservation of the building's historic features would prevent an expanded structure from fully supporting the operational needs of the Fire Department under the Levy Program. The present station is 79 years old and has passed its useful and efficient life in terms of building systems, site capacity, and fire operations requirements.

More than a dozen sites were evaluated. In the early spring of 2005, the Fleets and Facilities Department and Seattle Fire Department mailed notices about the Fire Station No. 37 relocation to nearby residents and organized a public meeting to obtain community input and feedback from all of the neighborhoods impacted by this potential relocation. Based upon the siting criteria and community input and feedback, the optimum site for the acquisition was determined to be the southwest corner of the intersection of 35<sup>th</sup> Avenue SW and SW Holden Street.

<b>Project Name:</b>	<b>Project I.D.</b>	<b>Project Location:</b>	<b>Start Date:</b>	<b>End Date</b>
Fire Stations – Land Acquisition/FS37	A1FL101	High Point/West Seattle	May 2005	May 2006

• *Please check any of the following that apply:*

**This legislation has financial implications.**

All financial implications related to the expansion of Fire Station 37 are discussed in the Fiscal Note that accompanied Ordinance 121380 and also appropriated funds for the acquisition of the site. This ordinance serves to facilitate the prompt acquisition



of suitable land for the relocation. It does not appropriate any funds for the acquisition.

**Please list attachments to the fiscal note below:**

- Att 1: FS No. 37 Relocation: New Site -- 35<sup>th</sup> Ave. SW and SW Holden Streets Map
- Att 2: FS No. 37 Relocation: Neighborhood Location Map





FS No. 37 Relocation: Neighborhood Location

# The City of Seattle



## FS No. 37 Relocation

### New Site

35th Ave. SW & SW Holden St.

Produced by the City of Seattle  
FFD/RES  
March 3, 2005

#### Legend

New Site Location

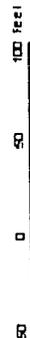
Tax Parcels

Streets

Residential

Arterials

Traffic signals



THE CITY OF SEATTLE, 2005. All rights reserved.  
No guarantee of any sort is made, including accuracy.  
City of Seattle, 2005. All rights reserved.

Katie Mueller, Acquisition  
35th Holden St. No. 37 Relocation





# City of Seattle

Gregory J. Nickels, Mayor

## Office of the Mayor

March 14, 2006

Honorable Nick Licata  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

Dear Council President Licata:

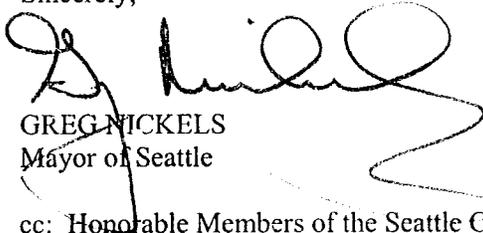
I am pleased to transmit the attached proposed Council Bill that authorizes a transfer of jurisdiction of the surplus Gatewood Substation tax parcel, located at 7710 35<sup>th</sup> Ave. SW, from Seattle City Light to the Fleets and Facilities Department. This property is one of two tax parcels needed to relocate Fire Station No. 37 to the optimum site at the southeast corner of 35<sup>th</sup> Ave. SW and SW Holden St., two blocks south of the current station. Relocating Station 37 will enable the new station to accommodate modern firefighting equipment and more effectively respond to aid calls and public safety emergencies. The second tax parcel needed for this station relocation is owned by Doxa Church and is the subject of a separate Council Bill.

The Fire Facilities and Emergency Response Levy Program, approved by Seattle voters on November 4, 2003, provides for the acquisition of real property for the relocation or expansion of nine fire stations, including Fire Station No. 37. Fire Station No. 37 is currently located at 7300 35<sup>th</sup> Ave. SW in the High Point neighborhood. The current building is not suitable for expansion because it has been designated as an historic building. Preservation of the building's historic features would prevent an expanded structure from fully supporting the operational needs of the Fire Department under the Levy Program.

City Light will receive the appraised fair market value for the Gatewood property, minus reasonable costs and setoffs for testing and cleanup of any hazardous substances on the site, as agreed between City Light and the Fleets and Facilities Department. City Light will be responsible for de-energizing the facility and removing all equipment according to a schedule that meets the Fire Facilities Levy Program timelines.

A relocated Fire Station No. 37 is an essential part of the Fire Facilities and Emergency Response Levy Program. Thank you for your consideration of this legislation. Should you have questions, please contact Mary Pearson at 684-0407.

Sincerely,



GREG NICKELS  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council



600 Fourth Avenue, 7<sup>th</sup> Floor, Seattle, WA 98104-8154

Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, E-mail: [mayors.office@ci.seattle.wa.us](mailto:mayors.office@ci.seattle.wa.us)

An equal employment opportunity, affirmative action employer. Accommodations for people with disabilities provided upon request.



1 up of any environmentally hazardous substances and remediation work in order that  
2 design and construction may proceed on schedule; NOW THEREFORE,

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

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8 Plats, Page 72 in King County, Washington; EXCEPT that portion thereof condemned for  
9 widening of 35<sup>th</sup> Avenue Southwest in the Superior Court for King County as Cause No.  
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16 Department for the assessment and cleanup of any environmentally hazardous substances and  
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Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2006, and signed by me in open session in authentication of its passage this \_\_\_\_ day of \_\_\_\_\_, 2006.

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

Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Gregory J. Nickels, Mayor

Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
City Clerk

(Seal)



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STATE OF WASHINGTON – KING COUNTY

--SS.

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198014  
CITY OF SEATTLE, CLERKS OFFICE

No. TITLE ONLY

**Affidavit of Publication**

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

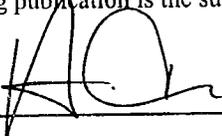
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:122078-122086

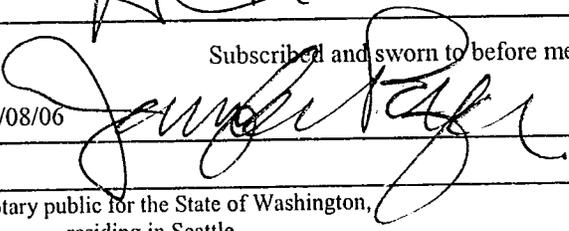
was published on

05/08/06

The amount of the fee charged for the foregoing publication is the sum of \$ 117.30, which amount has been paid in full.

  
\_\_\_\_\_  
Subscribed and sworn to before me on

05/08/06

  
\_\_\_\_\_  
Notary public for the State of Washington,  
residing in Seattle



IT IS DUE TO THE QUALITY OF THE DOCUMENT.

# State of Washington, King County

## City of Seattle

### TITLE-ONLY PUBLICATION

The full text of the following ordinance, passed by the City Council on April 24, 2006, and published here by title only, will be mailed upon request, or can be accessed electronically at <http://clerk.ci.seattle.wa.us>. For further information, contact the Seattle City Clerk at 684-8344.

#### ORDINANCE NO. 122086

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

#### ORDINANCE NO. 122085

AN ORDINANCE relating to the South Lake Union Park Development Project, amending the 2006 Adopted Budget of the Department of Parks and Recreation including transferring appropriations, all by a three-fourths vote of the City Council.

#### ORDINANCE NO. 122084

AN ORDINANCE relating to South Lake Union Park, authorizing amendments to the Agreement between the Seattle Department of Parks and Recreation and the Seattle Parks Foundation.

#### ORDINANCE NO. 122083

AN ORDINANCE relating to day reporting services for misdemeanants, increasing a half-time Probation Counselor position in the Municipal Court's Compliance section to full-time, appropriating funds to support the additional position, and revising a budget proviso that restricts spending on Jail Services.

#### ORDINANCE NO. 122082

AN ORDINANCE amending the 2005 Adopted Budget, including the 2005-2010 Capital Improvements Program (CIP), changing appropriations to various departments and from various funds in the Budget, and amending the total dollar amounts allocated for projects in 2005 in the 2005-2010 CIP, all by a three-fourths vote of the City Council.

#### ORDINANCE NO. 122081

AN ORDINANCE authorizing the Department of Executive Administration to close certain funds and subfunds, authorizing the transfer of all unexpended and unencumbered balances and other assets and liabilities of those funds and subfunds, and abandoning appropriation authority from those funds and subfunds.

#### ORDINANCE NO. 122080

AN ORDINANCE authorizing the execution of a Memorandum of Agreement to amend the collective bargaining agreement between the City of Seattle and the Seattle Police Dispatchers Guild, Article 13, Section 13-18, relating to staff scheduling of discretionary time.

#### ORDINANCE NO. 122079

AN ORDINANCE transferring jurisdiction of the surplus Gatewood substation property, located at 7710 35th Avenue SW, legally described as Lots 3, 4, 5 and 6, Block 1, Day's Park Addition to the City of Seattle; less portion for street, to the Fleets and Facilities Department for general municipal purposes including, but not limited to, the relocation of Fire Station No. 37.

#### ORDINANCE NO. 122078

AN ORDINANCE providing for the acquisition by negotiation or by condemnation of land and other property rights at the location commonly known as 7700 35th Avenue SW, legally described as Lots 1 and 2, Block 1, Day's Park Addition to the City of Seattle, Volume 16 of Plats, Page 72, records of King County, Washington, less portion for street, for general municipal purposes, including, but not limited to, the relocation of Fire Station No. 37.

Publication ordered by JUDITH PIPPIN,  
City Clerk