

Ordinance No. 123321

Council Bill No. 110852

AN ORDINANCE relating to Seattle Public Utilities and the Department of Neighborhoods; declaring the SW Barton Street Pump Station property, located at the southwest corner of SW Barton Street and 34<sup>th</sup> Avenue SW, Seattle, as surplus to utility needs, and authorizing transfer of the property's jurisdiction from Seattle Public Utilities to the Seattle Department of Neighborhoods for the establishment of a community garden.

CF No. \_\_\_\_\_

Date Introduced: <u>May 3, 2010</u>		
Date 1st Referred:	To: (committee) <u>Seattle Public Utilities and Neighborhoods</u>	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage: <u>June 14, 2010</u>	Full Council Vote: <u>8-0</u>	
Date Presented to Mayor: <u>June 14, 2010</u>	Date Approved: <u>6.21.10</u>	
Date Returned to City Clerk: <u>6.23.10</u>	Date Published:	T.O. <input checked="" type="checkbox"/> F.T. _____
Date Vetoed by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

# The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: [Signature]  
Councilmember

## Committee Action:

6/8/10 2-0 (MO, PC) [Signature]

PASSED  
6/14/10 Full Council ^ 8-0 (Excused: Bagshaw)

This file is complete and ready for presentation to Full Council. Committee: \_\_\_\_\_ (initial/date)

*Law Department*

Law Dept. Review      OMP Review      City Clerk Review      Electronic Copy Loaded      Indexed

**ORDINANCE** 123321

1  
2 AN ORDINANCE relating to Seattle Public Utilities and the Department of Neighborhoods;  
3 declaring the SW Barton Street Pump Station property, located at the southwest corner of  
4 SW Barton Street and 34<sup>th</sup> Avenue SW, Seattle, as surplus to utility needs, and  
5 authorizing transfer of the property's jurisdiction from Seattle Public Utilities to the  
6 Seattle Department of Neighborhoods for the establishment of a community garden.

7 WHEREAS, the City of Seattle acquired the SW Barton Street Pump Station property in 1940, as  
8 authorized by Ordinance 70187, for the purpose of a water pump station; and

9 WHEREAS, the water pump station was abandoned by the City's water utility in the early  
10 1970s; and

11 WHEREAS, Seattle Public Utilities (SPU) does not foresee a utility need at this location and  
12 considers this property to be surplus to SPU's needs; and

13 WHEREAS, the Department of Neighborhoods (DON) identified this property as a priority for  
14 development of a P-Patch community garden and submitted a proposal for siting a  
15 community garden on the property; and

16 WHEREAS, the City's Real Estate Oversight Committee recommends transferring the property  
17 from the jurisdiction of SPU to the jurisdiction of DON; and

18 WHEREAS, an appraisal completed by a professional third party has established the value of the  
19 property, and DON is prepared to fund the transfer of the property from SPU to DON  
20 with funds available for development of community gardens through the 2008 Parks and  
21 Open Spaces Levy; NOW, THEREFORE,

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

23 Section 1. Pursuant to the provisions of RCW 35.94.040 and after public hearing, the  
24 real property interests described in the Preliminary Report for Property Management Area 768,  
25 attached hereto as Attachment 1, are hereby found and declared to be no longer required for  
26 providing municipal utility service and to be surplus to the City's utility needs.

27 Section 2. The Director of Seattle Public Utilities, or his designee, is hereby authorized  
28 to transfer the real property interests described in Attachment 1 to the Department of



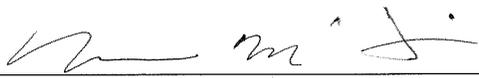
1 Neighborhoods upon payment by the Department of Neighborhoods of \$255,000 to Seattle  
2 Public Utilities, and the Director of the Department of Neighborhoods, or her designee, is hereby  
3 authorized to accept the property for use as a community garden.

4 Section 3. This ordinance shall take effect and be in force thirty (30) days from and after  
5 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days  
6 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

7 Passed by the City Council the 14<sup>th</sup> day of June, 2010, and  
8 signed by me in open session in authentication of its passage this  
9 14<sup>th</sup> day of June, 2010.

11  
12  
13   
14 President \_\_\_\_\_ of the City Council

15 Approved by me this 21<sup>st</sup> day of June, 2010

17  
18   
19 Michael McGinn, Mayor

20 Filed by me this 23<sup>rd</sup> day of June, 2010.

21  
22   
23 City Clerk

24 (Seal)

25 Attachment 1 Excess Property Preliminary Report  
26 Attachment 2 Map



**PRELIMINARY REPORT**  
**EVALUATION OF REUSE AND DISPOSAL OPTIONS FOR**  
**PMA No. 768**

Resolution 29799 directs that the Executive is to make its recommendations on the reuse or disposal of excess property on a case by case basis, using *the Procedures for Evaluation of the Reuse and Disposal of the City's Real Property* adopted by that resolution. Additionally, the Resolution identifies guidelines, which are to be considered in making a recommendation. This report addresses each of the guidelines outlined in Resolution 29799 in support of the recommendation. This report also follows those provisions of Resolution 30862, adopted May 1, 2006, that amended Resolution 29799.

Property Management Area: PMA No. 768 – Former SW Barton Street Pump Station

**BACKGROUND INFORMATION**

Legal Description: Lots 27 and 28, Block 1, Mc Kenzie Addition, per plat recorded in Volume 20 of Platts, page 42, Records of King County, Washington.

Physical Description and Related Factors: Two adjacent rectangular lots, tax parcel numbers 5347200135 and 5347200140 further identified as lots 1 and 2 respectively, located in the Delridge Neighborhood, Seattle, on the corner of SW Barton Street and 34<sup>th</sup> Avenue SW. There are no structures on either lot. The lots are zoned SF 5000, which allows a single family residence per 5000 sq feet.

**GUIDELINE A: CONSISTENCY**

*The analysis should consider the purpose for which the property was originally acquired, funding sources used to acquire the property, terms and conditions of original acquisition, the title or deed conveying the property, or any other contract or instrument by which the City is bound or to which the property is subject, and City, state or federal ordinances, statues and regulations.*

PMA No. 768 consists of Lots 27 and 28 as originally platted, purchased under authority of Ordinance # 70187, King County Tax Deed Record R # 3137830 on December 23, 1940 for the Water Department now Seattle Public Utility and installation of a booster pump for the vicinity. The pump was underground and has been filled in with cement. There is no longer power on the site. The lots are under the jurisdiction of Seattle Public Utilities (SPU). For purposes of this report, these lots are referred to as lot 1 and 2.

**GUIDELINE B: COMPATIBILITY AND SUITABILITY**

*The recommendation should reflect an assessment of the potential for use of the property in support of adopted Neighborhood Plans; as or in support of low-income housing and/or affordable housing; in support of economic development; for park or open space; in support of Sound Transit Link Light Rail station area development; as or in support of child care facilities, and in support of other priorities reflected in adopted City policies.*



Context.

The property is just outside of the target areas sited in the Delridge Neighborhood Plan (DNP) dated March 1, 1999. Growth in the Puget Sound region has been robust during the time that the Plan was written and it can be assumed that the next 10 year plan will include those areas previously omitted. With that in mind it would be prudent to include key points from the existing plan for inclusion in this report.

A key strategy of the DNP, under Section 2.1 recommends an integration of the residential and business environments with natural areas for public access and wildlife habitat. Key recommendations include land conservation by identifying land that should be preserved for public and/or park uses including vacant land. The overall vision as presented on the DNP, section 3.2: Housing, dated March 1, 1999 stress planning that incorporates transportation, housing, community and economic development. In regard to housing the plan is for “a community that preserves and enhances the residential character of single family neighborhoods within the Delridge community while providing a range of housing types to fit the diversity of Delridge families”. Section 3.4: Economic development envisions “A community that provides economic development opportunities that benefit all residents of the community; recognizes diversity, gives young people a “head start”; keeps wealth within the community; and integrates with nature”.

There are several city-owned properties in the general area.

Location	Size	Description	Approximate location relative to PMA
9010 35 <sup>th</sup> Ave SW	21,605 sq. ft.	Seattle Public Library	530 feet NW
3800 SW Barton St	25,527 sq. ft.	Barton Street Standpipe	1300 feet West
9450 34 <sup>th</sup> Ave SW	13,387 sq. ft.	Seattle City Light – Arbor Heights Substation	1140 feet South East

Range of Options.

The options for disposition of these parcels include retention by the City for a public purpose, long term ground lease, negotiated sale with a motivated purchaser, or sale by public bid. An Excess Property Notice for this property was circulated by electronic mail on January 13, 2009 to assess other City department and public entity interest in use of the property. Two City departments and one non-City entity gave a positive response to the electronic mailer. One came from City of Seattle Department of Neighborhoods which would like to acquire the property for a neighborhood P-Patch, either through grants procured by the community, or money available from the Parks Levy. Another City Department, the Seattle Office of Housing responded to the initially Excess Property Notice which was circulated with an inquiry regarding market rate pricing. King County Department of Natural Resources and Parks/Wastewater Treatment Division had expressed an interest in this property for a variety of uses centering on Combined Sewer Overflows (CSO's). The County may not have the funds to purchase the property at this time. A private individual has also expressed an interest in purchasing this property for use as a nursery / landscaping business. Given the interest for purchase of this property for public use long term lease or retention of the property is not in the City's best interest. If the property can not be purchased by another public entity, sale by public competitive bid is the most prudent and equitable manner of selling this property.



**GUIDELINE C: OTHER FACTORS**

*The recommendation should consider the highest and best use of the property, compatibility of the proposed use with the physical characteristics of the property and with surrounding uses, timing and term of the proposed use, appropriateness of the consideration to be received, unique attributes that make the property hard to replace, potential for consolidation with adjacent public property to accomplish future goals and objectives, conditions in the real estate market, and known environmental factors that make affect the value of the property.*

**Highest and Best Use:**

Highest and best use for both lots would be for single family housing. This is further supported by neighborhood zoning. Most multi-family units in the vicinity have been built along 35<sup>th</sup> Avenue SW within the commercial corridor. Although one of the two lots is below the 5,000 square foot minimum by 200 square feet, it would not be difficult to obtain a variance for development into a single family residence, or a lot line adjustment if sold to a single purchaser. Each lot could accommodate a single family dwelling, thereby increasing available housing within the City. The lots are located in an established neighborhood of modest homes that appear to be circa 1940's and 1950's.

**Compatibility with the physical characteristics:**

The physical characteristics of the lots are best described as level corner lots in an established single family home neighborhood, at the fringe of a small commercial district. Both lots are well positioned at the intersection of 34<sup>th</sup> Avenue SW and SW Barton Street with ample and direct access to both streets. Both streets are fairly busy arteries. An alley running along the westerly boundary of both lots, down the entire block is wide and well maintained. The lots are clear and covered with grass. There is a lone tree on the north lots westerly edge, which appears to be a European Birch that has been planted on the spot of the former pump station. Other trees observed are two small specimens of unidentified species, on the sidewalk border of 34<sup>th</sup> Avenue SW.

**Compatibility with surrounding uses:**

The parcels are two contiguous level lots in a predominately single family neighborhood that borders a neighborhood supported commercial district. A fruit and vegetable stand operates on the north corner of 35<sup>th</sup> Avenue SW and SW Barton Street. Directly west of the property separated by the alley is an *Exxon Gas Station* which features *Propel Biofuels*, a Seattle based bio-diesel product, along with conventional petroleum product. Although limited, there are a few amenities within close proximity of the lots. There is a business district to the west mostly comprised of small neighborhood supported businesses and multi family residence. This business district is concentrated along 35<sup>th</sup> Avenue SW. The neighborhood is surrounded by parks, Fauntleroy Park to the west and Roxhill Park east. A library is one block to the north.

**Timing and Term of Proposed Use:**

Generally, there are no conditions or related pending conditions effecting disposal of this property. The lone tree does not fall into the category of a heritage tree, and may not be subject to any restraints for removal.

**Appropriateness of the consideration:**

These lots are considered excess to the needs of Seattle Public Utilities. They have the potential to be developed into housing, or use by another Governmental Entity. Two factors affect the viability of both uses. Current economic conditions drive inhibiting factors. Other Governmental entities who may have been interested in the properties are adjusting for smaller revenue and budget amounts. Capital Projects have been delayed or shelved. King County originally expressed interest in this site for the installation of a sewer booster pump, but due to budgetary constraints that is now on hold. The lots would be prime building lots but the current downturn in the housing market has slowed the demand for new construction.

Unique Attributes:

The property was a former SPU pump station, and the remnants of an underground water pump which has been filled with concrete remains on the property. There is no evidence of the previous pump station on the surface of the property.

Potential for Consolidation with adjacent public property:

There are no public properties adjacent to these lots.

Conditions in the real estate market:

Although the Seattle area real estate market has not been hit as hard as the national market, declines were seen in all ranges of the local market over the past year. Seattle home prices were down 15% from year over January 2009. Prices were down 19.7% from July 2007. There is some optimism in that the number of pending sales increased from 1,611 in February 2009 to 2,058 in March in King County, a 28% jump. This is significantly stronger than last year's jump - only 10% in 2008.

Statistics from the Northwest Multiple Listing Service indicate that sales of undeveloped land remain comparatively strong. For a pool of 69 closed transactions of raw land, 43.5% of those sales were on the market for 30 days, and another 23.2% less between 31-60 days. The average selling price for these listings was 90% of listing price. The remaining 33% of sales were on the market for 61-120 days, and the average listing price ranged from 81.6% to 90.9% of listing price. Thus, although the tight credit market has created uncertainties for developers, the scarcity of appropriately priced development lots and land is likely to keep property values on undeveloped land strong over the long run.

Known environmental factors:

There are no known environmental factors. Parcel # 5347200140 or lot #2 once contained a water pump station. All evidence of that station once having been there is gone. A recent site visit revealed a lone tree growing on lot #2 planted over what had been the pump station. No significant tree canopy was observed on this property. The grass has been mowed. The lots are well maintained and free of trash. An environmental field inspection was completed January 13, 1994 with no significant findings of environmental problems. This was a visual inspection of the site using no exploratory or testing methods. The report does note that there is the possibility of contaminants from neighboring sources migrating to the site. A complete environmental assessment would be needed to definitively determine this.

**GUIDELINE D: SALE**

*The recommendation should evaluate the potential for selling the property to non-City public entities and to members of the general public.*

Non-City public entities were notified on January 2009 that this property was excess to the needs of Seattle Public Utilities. Two expressed an interest in acquiring it for their specific public use.



Department of Neighborhoods is interested in developing the property as a P-Patch, King County is interested in possible use of the property for a waste water booster pump station. A private individual has expressed an interest in purchasing the lots to develop into a nursery / landscaping business.

### **PUBLIC INVOLVEMENT**

On January 26, 2009 the first public circulation was mailed to 444 neighbors within a 1,000 foot radius of the subject properties. As of March 17, 2009 a total of 21 comments were received. Of these 15 expressed an interest in seeing the lots become a community pea patch or park, with emphasis on maintaining open space, and low congestion use. One commenter suggested turning the property into a restaurant, another suggested a liquor store. Other comments received suggested single family housing, low income housing, a Farmer's Market, Playground, or solar project. Two respondents did not comment but wish to be kept informed. One interested party has a market across the street (SW Barton), and expressed an interest in buying this property. The overwhelming response had a common theme of maintaining an open public area with development that would not increase congestion.

### **RECOMMENDATION**

SPU transfer jurisdiction to Department of Neighborhoods / Department of Parks and Recreation for P-Patch for fair market value to be determined by appraisal. In the event that such transfer does not occur by December 31, 2010, SPU may pursue legislation to sell the property to King County or on the open market via a public bid process.

### **THRESHOLD DETERMINATION**

Summation of points awarded as outlined in the Property Review Process Determination Form place this disposition within the "simple" property disposal threshold. Results from the initial neighborhood mailer generated a total of 21 comments. The majority of these expressed a desire to see both lots used in a neighborhood compatible way, as a P-Patch, park, or single family development. Neighborhood respondents have been fairly cohesive in their opinion for use of these properties.

### **NEXT STEPS**

Following preparation of this Preliminary Report, Fleets and Facilities Department is required to provide a summary to the Real Estate Oversight Committee, to all City Departments and Public Agencies that expressed an interest in the Excess Property, and to members of the public who responded to the initial Public Notice. The Summary will advise how to obtain a full copy of the report, note that FFD and REOC will consider comments on the Preliminary Report for 30 days after mailing the summary of the Preliminary Report and advise the recipient where and to whom any comments should be addressed. FFD will also post one sign visible to the public at each street frontage abutting the Excess Property which will provide the same information.

After comments are received after the posting of the Preliminary Report, FFD then revises its recommendation as appropriate, and prepares a Summary Preliminary Report including a report on public involvement, community comments, and feedback. The Recommendation is then forwarded



to the City Council with any legislation necessary to implement the recommendation for the excess property. All comment-makers and other interested parties are provided with at least two-week notice of the hearing at which the City Council makes a decision concerning disposition of PMA No. 768.







**PMA No. 768**  
**Barton Street**  
**Pumpstation**  
**34th Avenue SW and**  
**SW Barton Street**

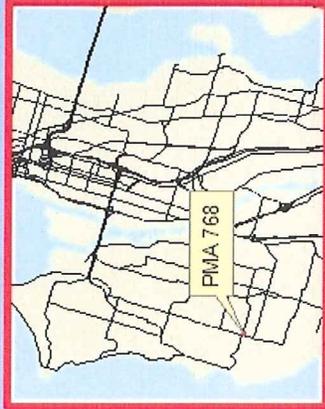


**Legend**

- PMA 768
- Building Outlines



0 12.5 25 50 Feet



All Rights Reserved. No guarantee of any, part implied, including accuracy, completeness or fitness of use. Map produced in color, copies may not be representative.

Produced by the City of Seattle  
 FFD Real Estate Services Division  
 R. Ghoghong February 11, 2009.

**ATTACHMENT 1 to SPU Barton TOJ to DON ORD**





Looking south, from SW Barton Street



Looking south from SW Barton Street along 34<sup>th</sup> SW.



Looking north from 34<sup>th</sup> SW towards commercial district.

**PRELIMINARY REPORT**  
**EVALUATION OF REUSE AND DISPOSAL OPTIONS FOR**  
**PMA No. 768**

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**BACKGROUND INFORMATION**

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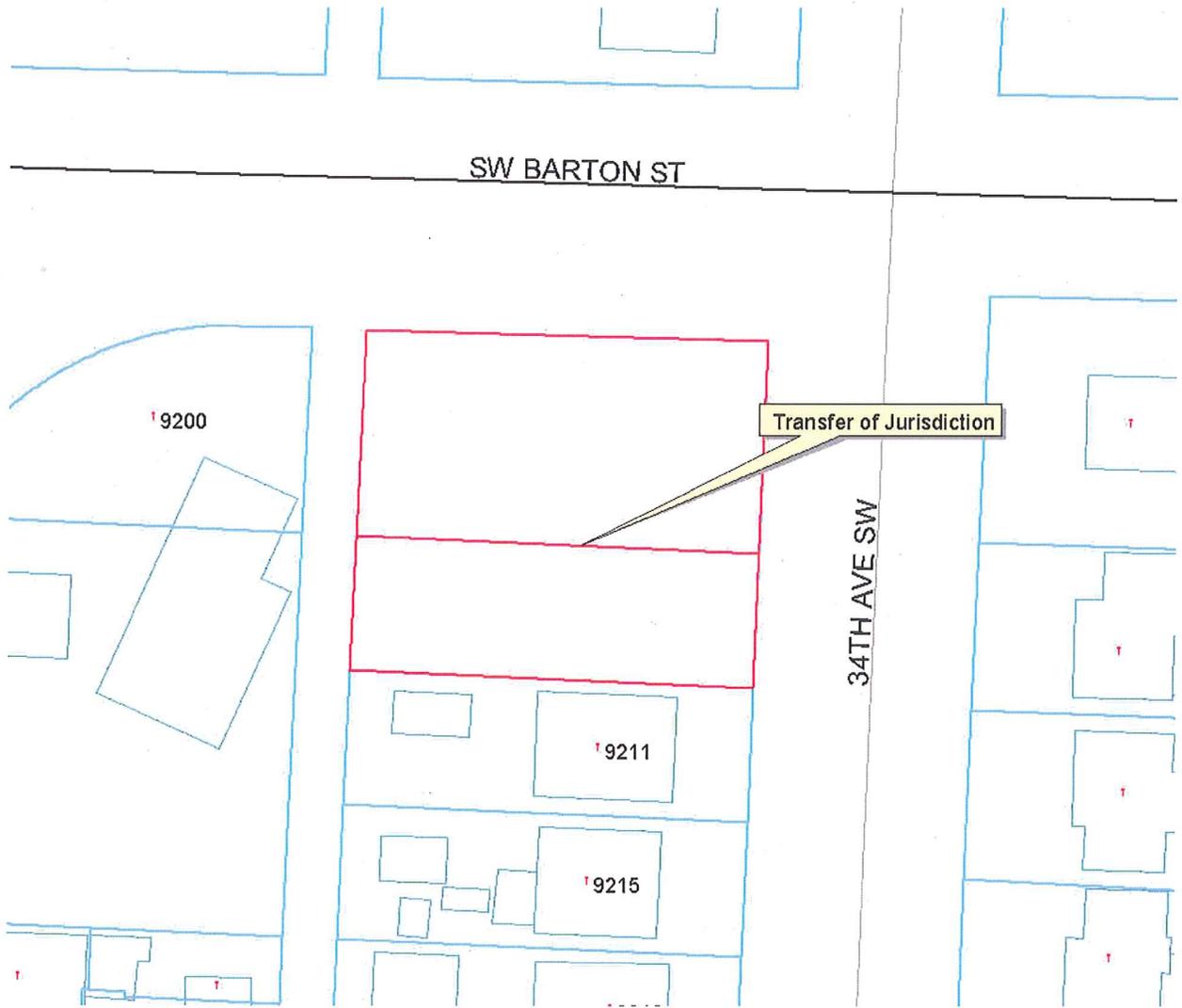
**GUIDELINE A: CONSISTENCY**

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**GUIDELINE B: COMPATIBILITY AND SUITABILITY**

*The recommendation should reflect an assessment of the potential for use of the property in support of adopted Neighborhood Plans; as or in support of low-income housing and/or affordable housing; in support of economic development; for park or open space; in support of Sound Transit Link Light Rail station area development; as or in support of child care facilities, and in support of other priorities reflected in adopted City policies.*



**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
Seattle Public Utilities and Dept. of Neighborhoods	Audrey Hansen/4-5877	John McCoy/5-0768

**Legislation Title:** AN ORDINANCE relating to Seattle Public Utilities and the Department of Neighborhoods; declaring the SW Barton Street Pump Station site, located at the southwest corner of SW Barton Street and 34<sup>th</sup> Avenue SW, Seattle, as surplus to utility needs, and authorizing transfer of the property's jurisdiction from Seattle Public Utilities to the Department of Neighborhoods for the establishment of a community garden.

• **Summary of the Legislation:**

The proposed ordinance would declare the inactive SW Barton Street Pump Station property surplus to utility needs and transfer jurisdiction over the property from SPU to DON for development of a community garden (P-Patch) upon payment to SPU of \$255,000, the appraised value.

• **Background:** *(Include brief description of the purpose and context of legislation and include record of previous legislation and funding history, if applicable):*

Seattle's water utility acquired the property 1940 (authorized by Ordinance 70187) and used it for a pump station until the 1970s. In 2008, SPU started the City's surplus process in preparation for selling the property. DON indicated a desire to use the land as a P-Patch, as it is in an area of the city underserved by community gardens.

DON forecasts the garden could support over 50 families with 100-square-foot plots, allowing them to grow a share of their produce needs. A site of this size would also typically donate several hundred pounds of produce to area food banks and hot meal programs. In this neighborhood, the gardeners will reflect the diversity of the community. The 2008 Parks and Open Spaces Levy made available \$2 million, administered by DON, to develop P-Patches and community gardens. DON has identified this site as a priority among its projects funded by the 2008 Parks and Open Spaces Levy.

This proposed ordinance would complete the surplus process prescribed in Council Resolutions 29799 and 30862 and authorize jurisdictional transfer to DON for its development as a community garden following payment to SPU-Water of the appraised property value.

• *Please check one of the following:*

**This legislation has financial implications.** *(Please complete all relevant sections that follow.)*



**Appropriations:** *This table should reflect appropriations that are a direct result of this legislation. In the event that the project/programs associated with this ordinance had, or will have, appropriations in other legislation, please provide details in the Notes section below.*

Fund Name and Number	Department	Budget Control Level*	2009 Appropriation	2010 Anticipated Appropriation
<b>TOTAL</b>				

\*See budget book to obtain the appropriate Budget Control Level for your department.

**Notes: No new appropriations are required.** This project will use existing appropriations under the Community Food Gardens and P-Patches BCL (K720031), which is the portion of the Parks and Recreation Levy Fund that the DON manages (CIP project K730031).

**Anticipated Revenue/Reimbursement: Resulting From This Legislation:** *This table should reflect revenues/reimbursements that are a direct result of this legislation. In the event that the issues/projects associated with this ordinance/resolution have revenues or reimbursements that were, or will be, received because of previous or future legislation or budget actions, please provide details in the Notes section below the table.*

Fund Name and Number	Department	Revenue Source	2009 Revenue	2010 Revenue
Water Fund (43000)	Seattle Public Utilities	2008 Parks Levy Fund	\$0	\$255,000
<b>TOTAL</b>				

Notes:

**Total Regular Positions Created, Modified, Or Abrogated Through This Legislation, Including FTE Impact:** *This table should only reflect the actual number of positions affected by this legislation. In the event that positions have been, or will be, created as a result of other legislation, please provide details in the Notes section below the table.*

Position Title and Department	Position # for Existing Positions	Fund Name & #	PT/FT	2009 Positions	2009 FTE	2010 Positions*	2010 FTE*
N/A							
<b>TOTAL</b>							

\* 2010 positions and FTE are total 2010 position changes resulting from this legislation, not incremental changes. Therefore, under 2010, please be sure to include any continuing positions from 2009.

Notes: N/A



- **Do positions sunset in the future?** (If yes, identify sunset date):

**Spending/Cash Flow:** This table should be completed only in those cases where part or all of the funds authorized by this legislation will be spent in a different year than when they were appropriated (e.g., as in the case of certain grants and capital projects). Details surrounding spending that will occur in future years should be provided in the Notes section below the table.

Fund Name & #	Department	Budget Control Level*	2009 Expenditures	2010 Anticipated Expenditures
<b>TOTAL</b>				

\* See budget book to obtain the appropriate Budget Control Level for your department.

Notes: N/A

- **What is the financial cost of not implementing the legislation?** (Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs if the legislation is not implemented.)

SPU would forego revenue from the sale of the property at this time, expend staff resources on an alternate sale of the property, and continue to maintain the property in the interim.

- **Does this legislation affect any departments besides the originating department?** • If so, please list the affected department(s), the nature of the impact (financial, operational, etc.), and indicate which staff members in the other department(s) are aware of this Bill.

This legislation also affects Parks and DON as described above.

- **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** (Include any potential alternatives to the proposed legislation, such as reducing fee-supported activities, identifying outside funding sources for fee-supported activities, etc.)

There is no alternative to this legislation that would achieve the same objective. The Department of Neighborhoods could purchase another property for a P-Patch but there is no indication such a property is available in this community, which is underserved by community gardens.

- **Is the legislation subject to public hearing requirements:** (If yes, what public hearings have been held to date, and/or what plans are in place to hold a public hearing(s) in the future.)

Yes, surplusing property for utility needs requires a public hearing, and the SPUNC and

Council meetings will meet this requirement. The Fleets and Facilities Department has conducted the required public review process for this surplus property.

Community meetings will be held by P-Patch staff concerning the design and development of the garden.

- **Other Issues** (*including long-term implications of the legislation*):
- **List attachments to the fiscal note below:** (*Please include headers with version numbers on all attachments, as well footers with the document's name (e.g., DOF Property Tax Fisc Att A)*)



**City of Seattle**  
Office of the Mayor

March 23, 2010

Honorable Richard Conlin  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill that transfers jurisdiction of a property in West Seattle from Seattle Public Utilities to the Department of Neighborhoods for development as a community garden.

The City's water utility purchased the property at the southwest corner of 34<sup>th</sup> Avenue SW and SW Barton Street in 1940. A pump station operated there for approximately 30 years, but the site is no longer needed for utility purposes. The property is in an area identified as a high priority by the Department of Neighborhoods for a new garden because this area is underserved by the Department's P-Patch Program. The location is on the list of sites presented to and supported by the Levy Oversight Committee to use development funds from 2008 Parks and Open Spaces Levy to acquire.

The new P-Patch community garden will transform the vacant lot into a green, living space and be a resource for the whole community. P-Patch community gardens promote community connections, support local food security, and foster cultural understanding and awareness of the natural environment. With support from the City's P-Patch Program, residents from this diverse community will work together to maintain and enjoy the neighborhood open space.

Thank you for your consideration of this legislation. Should you have questions, please contact Audrey Hansen at 684-5877.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael McGinn".

Michael McGinn  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

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600 4<sup>th</sup> Avenue, 7<sup>th</sup> Floor  
PO Box 94749  
Seattle, WA 98124-4749

Tel (206) 684-7000  
Fax (206) 684-5360  
TDD (206) 615-0476  
mike.mcgin@seattle.gov



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STATE OF WASHINGTON – KING COUNTY

--SS.

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256755  
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.

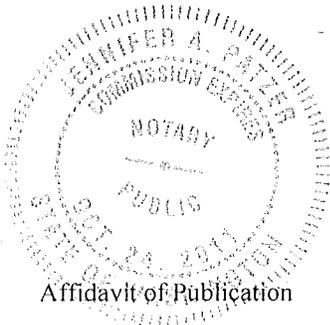
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:123321,323-329

was published on

06/25/40

The amount of the fee charged for the foregoing publication is the sum of \$ 122.85, which amount has been paid in full.



*[Handwritten Signature]*

Subscribed and sworn to before me on

06/25/40

*[Handwritten Signature]*

Notary public for the State of Washington,  
residing in Seattle

# City of Seattle

## TITLE-ONLY PUBLICATION

The full text of the following ordinances, passed by the City Council on June 14, 2010, and published here by title only, will be mailed upon request, or can be accessed at <http://clerk.ci.seattle.wa.us>. For further information, contact the Seattle City Clerk at 684-8344.

State

King County

### ORDINANCE NO. 123321

AN ORDINANCE relating to Seattle Public Utilities and the Department of Neighborhoods; declaring the SW Barton Street Pump Station property, located at the southwest corner of SW Barton Street and 34th Avenue SW, Seattle, as surplus to utility needs, and authorizing transfer of the property's jurisdiction from Seattle Public Utilities to the Seattle Department of Neighborhoods for the establishment of a community garden.

### ORDINANCE NO. 123323

AN ORDINANCE relating to Seattle Public Utilities; authorizing the purchase of approximately 67.7 acres of real property in Section 36, Township 23 North, Range 8 East, W.M. in King County, Washington, commonly called the Mount Washington property, adjacent to the Cedar River Municipal Watershed, from the Washington State Parks and Recreation Commission, granting a recreational trail easement over a portion of the property, and ratifying and confirming certain prior acts.

### ORDINANCE NO. 123324

AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to accept an easement for water, sewer and drainage infrastructure in 7040 36th Avenue NE, Seattle, and declaring an easement in the above property surplus to the City of Seattle's needs.

### ORDINANCE NO. 123325

AN ORDINANCE relating to the Transportation Strategic Plan; amending Ordinance 123177, which adopted the 2010 Budget, by restricting the use of appropriations for the update to the Transportation Strategic Plan's Seattle Transit Plan element.

### ORDINANCE NO. 123326

AN ORDINANCE relating to the construction of a new Fire Station 21; transferring jurisdiction of a portion of Lots 18, 19, 20 and 21, Block 2, Hillman's Lake Front Addition to the City of Seattle, Division Number 3, from the Fleets and Facilities Department or its successors to the Seattle Department of Transportation for street purposes to widen the alleyway in said block; and laying off, opening, widening, extending, and establishing the alleyway on the property transferred.

### ORDINANCE NO. 123327

AN ORDINANCE vacating the alley in Block 70, Terry's 1st Addition to the Town of Seattle, on the petition of FH, LLC, a Washington limited liability company; and accepting a Property Use and Development Agreement related herein (Clerk File 307256).

### ORDINANCE NO. 123328

AN ORDINANCE relating to the Mercer Corridor Project; removing restrictions in the 2009 Adopted Budget and the 2010 Adopted Budget that limit the Seattle Department of Transportation's spending on the

Mercer Corridor Project; and removing restrictions in the First Quarter 2009 Supplemental Budget Ordinance that limits Seattle City Light's spending on the Mercer Corridor Relocations Project.

### ORDINANCE NO. 123329

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

Publication ordered by the City Clerk  
Date of publication in the Seattle Daily  
Journal of Commerce, June 25, 2010.

6/25(256755)

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STATE OF WASHINGTON – KING COUNTY

--SS.

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256755  
CITY OF SEATTLE, CLERKS OFFICE

No. TITLE ONLY

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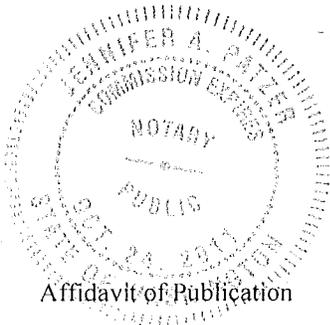
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