

ORDINANCE No. 124300

COUNCIL BILL No. 117910

SgBagshaw

The City of Seattle--Legislative Department

AN ORDINANCE relating to the 2008 Parks and Green Spaces Levy; authorizing the acquisition of real property commonly known as 4723 40th Avenue Southwest; authorizing acceptance and recording of the deed for open space, park, and recreation purposes; increasing appropriations to the Department of Parks and Recreation in the 2013 Adopted Budget; and amending the 2013-2018 Adopted Capital Improvement Program; all by a three-fourths vote of the City Council.

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 recommed that the same:

COMPROLLER FILE No. _____

Introduced: <u>9.9.13</u>	By: <u>Parks and Neighborhoods</u>
Referred:	To:
Referred:	To:
Referred:	To:
Reported:	Second Reading:
Third Reading: <u>9/23/13</u>	Signed: <u>9/23/13</u>
Presented to Mayor: <u>9/25/13</u>	Approved: <u>10.1.13</u>
Returned to City Clerk: <u>10.1.13</u>	Published: <u>T.O.</u>
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

9/13/13 Pass 2-0 (SB, JG)

Full Council: Sept. 23, 2013 Passed 8-0 (excused: bodden)

Committee Chair

Law Department

CITY OF SEATTLE
ORDINANCE 124300
COUNCIL BILL 117910

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4 AN ORDINANCE relating to the 2008 Parks and Green Spaces Levy; authorizing the
5 acquisition of real property commonly known as 4723 40th Avenue Southwest;
6 authorizing acceptance and recording of the deed for open space, park, and recreation
7 purposes; increasing appropriations to the Department of Parks and Recreation in the
8 2013 Adopted Budget; and amending the 2013-2018 Adopted Capital Improvement
9 Program; all by a three-fourths vote of the City Council.

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

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

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

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

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

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

WHEREAS, the City purchased the property at 4731 40th Avenue Southwest in 2012 to address
open space needs established in Seattle's Parks and Recreation 2006 Development Plan,
Seattle's 2006 Open Space Gap Report Update, and Seattle's Parks and Recreation 2011
Development Plan; and



1 WHEREAS, the City has determined that the property at 4723 40th Avenue Southwest, adjacent
2 to 4731 40th Avenue Southwest, will allow for a bigger neighborhood park to address the
3 open space needs of the West Seattle Junction Hub Urban Village and that it is in the
4 public's best interest to acquire the same for open space, park, and recreation purposes;

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

6 Section 1. The Superintendent of Parks and Recreation, or his designee, is authorized to
7 acquire, on behalf of the City of Seattle, the following described real property ("Property"),
8 commonly known as 4723 40th Avenue Southwest, for a purchase price not to exceed
9 \$720,000:

10 *Lots 36 and 37, Block 3, Scenic Park, according to the plat thereof recorded in Volume*
11 *15 of Plats, page 34, records of King County, Washington.*

12 Section 2. The Superintendent of Parks and Recreation, or his designee, is authorized to
13 execute such documents as he deems necessary or desirable to accomplish acquisition of the
14 Property consistent with this ordinance. Upon delivery of the deed for the Property, the
15 Superintendent or his designee is authorized to accept the deed on behalf of the City of Seattle by
16 attaching to the deed the Superintendent's written acceptance thereof, and recording the same.
17 The Property shall be accepted for open space, park, and recreation purposes, and placed under
18 the jurisdiction of the Seattle Department of Parks and Recreation.

19 Section 3. In order to pay for necessary capital costs and expenses incurred, or to be
20 incurred, but for which insufficient appropriations were made due to causes that could not
21 reasonably have been foreseen at the time the 2013 budget was adopted, the appropriation for
22 the following in the 2013 Adopted Budget and the 2013-2018 Adopted Capital Improvement
23 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)	\$750,000

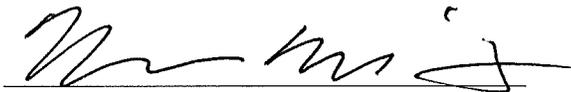
Section 4. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by a three-fourths (3/4) vote of all the members of the City Council the 23rd day of September, 2013, and signed by me in open session in authentication of its passage this 23rd day of September, 2013.



President _____ of the City Council

Approved by me this 1st day of October, 2013.



Michael McGinn, Mayor

Filed by me this 15th day of October, 2013.



Monica Martinez Simmons, City Clerk

(Seal)



FISCAL NOTE FOR CAPITAL PROJECTS ONLY

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Parks and Recreation	Donald Harris/684-8018	Jeff Muhm/684-8049

Legislation Title: AN ORDINANCE relating to the 2008 Parks and Green Spaces Levy; authorizing the acquisition of real property commonly known as 4723 40th Avenue Southwest; authorizing acceptance and recording of the deed for open space, park, and recreation purposes; increasing appropriations to the Department of Parks and Recreation in the 2013 Adopted Budget; and amending the 2013-2018 Adopted Capital Improvement Program; 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 a 5,750 square-foot vacant property located at 4723 40th Avenue SW. The legislation also authorizes the acceptance of the deed to the property for open space, park, and recreation purposes.

With over 1,500 dwelling units scheduled to come on line in the next couple of years, West Seattle Junction is an area in need of additional open space. In response to the closure of the Huling Brothers car dealership, the Department of Planning and Development (DPD) developed the West Seattle Triangle Urban Design Framework, which highlights some of the opportunities and challenges in this area. The Framework identifies 40th Avenue SW as a green street. In 2012 DPR acquired an 11,500 square foot property at 4731 40th Avenue SW for a new neighborhood park. The acquisition of the adjacent property at 4723 40th Avenue SW will, when developed, enlarge the new park to over 17,000 square feet to better serve the present and future residents of the West Seattle Junction Hub Urban Village. This enlarged neighborhood park, when developed, will also support the goal to provide parks within walking distance for residents in and around urban villages, a key planning goal included in Seattle's Parks and Recreation 2006 Development Plan, 2006 Open Space Gap Report Update, and Seattle's Parks and Recreation 2011 Development Plan. A park will not be developed until additional funding is available for that purpose.

Project Name:	Project I.D.:	Project Location:	Start Date:	End Date:
Neighborhood Park Acquisitions-2008 Parks Levy	K730010	West Seattle Junction Hub Urban Village – 4731 40 th Ave SW	January 2013	October 2013



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 2013 Appropriation	New 2013 Appropriation (if any)	2014 Anticipated Appropriation
2008 Parks Levy Fund (33860)	Parks and Recreation	K720010		\$750,000	\$0
TOTAL				\$750,000	\$0

Appropriations Notes: Funding from the Neighborhood Parks Acquisition subcategory of the Levy will pay for this acquisition.

Spending Plan and Future Appropriations for Capital Projects:

Spending Plan and Budget	2013	2014	2015	2016	2017	2018	Total
Spending Plan	\$750,000	\$0	\$0	\$0	\$0	\$0	\$750,000
Current Year Appropriation	\$750,000						
Future Appropriations		\$0	\$0	\$0	\$0	\$0	\$750,000

Spending Plan and Budget Notes: The current budget for this project is \$750,000. The purchase price will not exceed \$720,000, with an additional budget of \$30,000 for administrative time, title insurance and closing costs, environmental testing, survey, etc. The acquisition is scheduled to close October 2013.

Funding Source:

Funding Source (Fund Name and Number, if applicable)	2013	2014	2015	2016	2017	2018	Total
2008 Parks Levy Fund (33860)	\$750,000	\$0	\$0	\$0	\$0	\$0	\$750,000
TOTAL	\$750,000	\$0	\$0	\$0	\$0	\$0	\$750,000

Funding Source Notes:

Costs for this acquisition will be covered by the Neighborhood Parks Acquisition subcategory of the Levy. (The City has applied for King County Conservation Futures funding to reimburse up



to 50% of the expenditure.)

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: N/A

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

O&M	2013	2014	2015	2016	2017	2018	Total
Uses							
Start Up							
On-going	145	1,130	1,276	1,302	1,328	1,355	6,536
Sources							
Parks and Recreation Fund (10200)	145	1,130	1,276	1,302	1,328	1,355	6,536
Total	145	1,130	1,276	1,302	1,328	1,355	6,536

Operation and Maintenance Notes: Estimates assume acquisition date of October 31, 2013. Maintenance includes installation and repair of regulatory signs (no dumping), graffiti removal, repair of small equipment, control for invasive growth, cleanup, and litter removal. 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						

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 park.
- b) What is the financial cost of not implementing the legislation?**
 There is no financial cost to not implementing this legislation. However by acquiring this property the new neighborhood park in the West Seattle Junction Urban Village will be larger and better able to accommodate the increased density going in around the 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?**
 There are no other properties that could be acquired to enlarge this park. Additionally, the target site would likely be redeveloped with a high-density project at some point in the future, thereby sandwiching the new park between developments.
- 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.

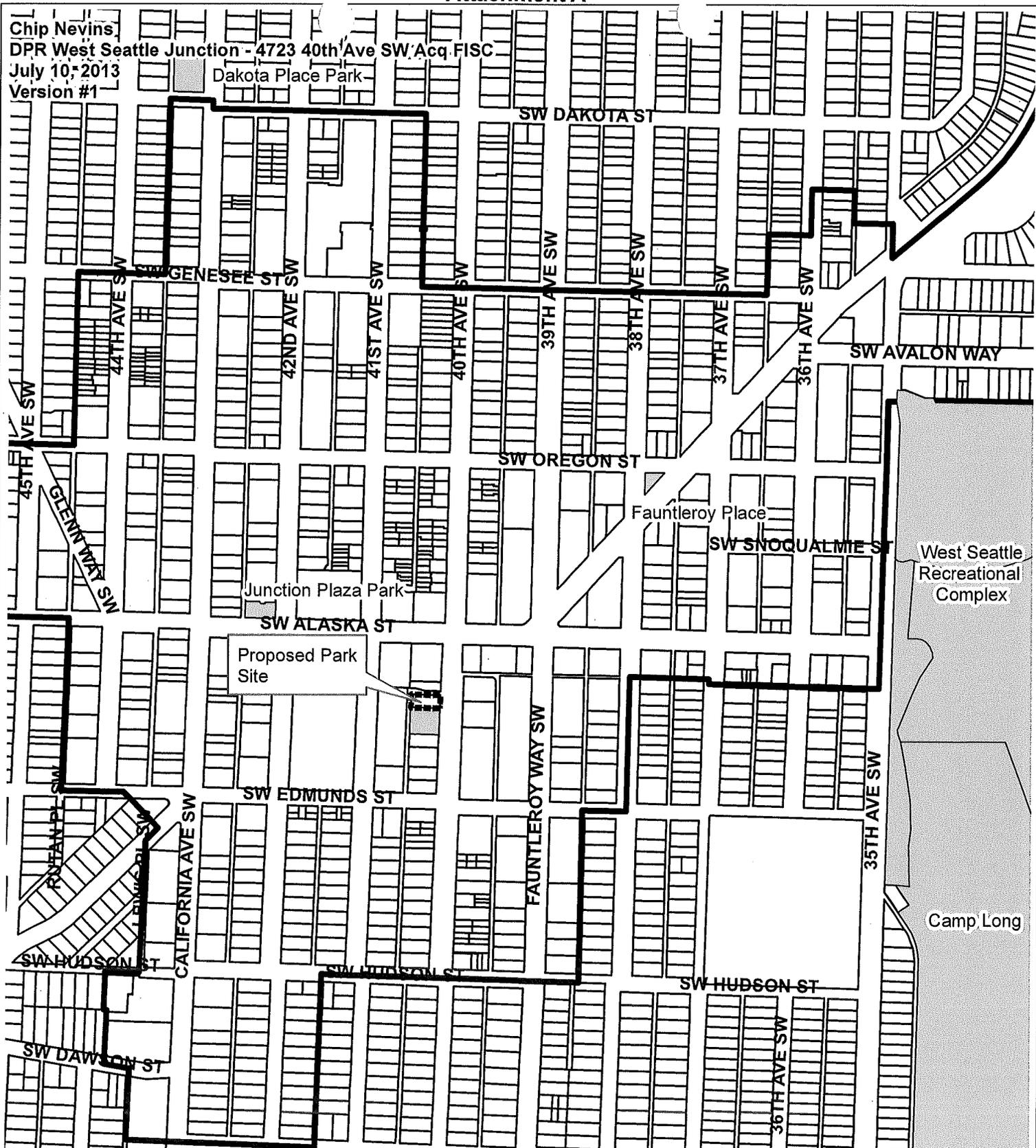
List attachments to the fiscal note below:

Attachment A: Map of Proposed Park Site – 4723 40th Avenue SW



Attachment A

Chip Nevins
 DPR West Seattle Junction - 4723 40th Ave SW Acq FISC
 July 10, 2013
 Version #1

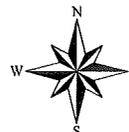
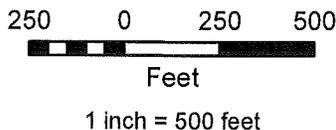


**West Seattle Junction Hub Urban Village
 4723 40th Ave SW – Proposed Park Site**



Legend

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



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

Map date: July 10, 2013

Document Path: V:\Project\SOUTHWest Seattle Junction\4723 40th Ave SW - Acq (P-ansi a).mxd



City of Seattle
Office of the Mayor

August 13, 2013

Honorable Sally J. Clark
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Clark:

I am pleased to transmit the attached proposed Council Bill that authorizes the acquisition of an approximately 5,750 square-foot vacant parcel located at 4723 40th Avenue SW, in the heart of the West Seattle Junction Hub Urban Village.

With over 1,500 dwelling units scheduled in the next couple of years, the West Seattle Junction is an area in need of additional open space. In response to the closure of the Huling Brothers car dealership, the Department of Planning and Development (DPD) developed the West Seattle Triangle Urban Design Framework, which lays out a vibrant vision for a mixed-use district with locally-owned businesses, new residents, great transit connections and streetscapes, green features and public gathering places for West Seattle.

The subject property is adjacent to an 11,500 square-foot parcel that Parks recently acquired. The two properties will result in a 17,250 square-foot neighborhood park adjacent to two newly proposed mixed-use developments on the former car dealership site. This proposed park will serve the present and future residents of the West Seattle Junction Hub Urban Village.

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 Hub Urban Village 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,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council



STATE OF WASHINGTON -- KING COUNTY

--SS.

303562

No.

CITY OF SEATTLE, CLERKS OFFICE

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 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

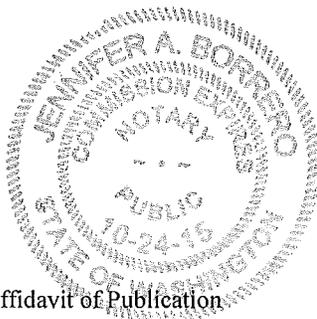
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:124291-303 TITLE ONLY

was published on

10/16/13

The amount of the fee charged for the foregoing publication is the sum of \$264.00 which amount has been paid in full.



Affidavit of Publication

[Handwritten Signature]

Subscribed and sworn to before me on
10/16/2013
[Handwritten Signature]

Notary public for the State of Washington,
residing in Seattle

City of Seattle

The full text of the following legislation, passed by the City Council on September 23, 2013, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>. Contact: Office of the City Clerk at (206) 684-8344.

ORDINANCE NO. 124291

AN ORDINANCE relating to historic preservation, imposing controls upon the Pacific Net and Twine Building, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

ORDINANCE NO. 124292

AN ORDINANCE relating to historic preservation, imposing controls upon the YWCA Building, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

ORDINANCE NO. 124293

AN ORDINANCE relating to funding for housing and community development programs; authorizing acceptance of grant funds from the United States Department of Housing and Urban Development for programs included in the City's Consolidated Plan for Housing and Community Development; amending Ordinance 124068, which adopted the 2013 Budget; increasing appropriations in the 2013 Adopted Budget of funds available for activities of the Human Services Department under the Community Development Block Grant (CDBG) Program; decreasing appropriations in the 2013 Adopted Budget for the Human Services Department for Transitional Living and Support to reflect reductions in federal funds under the Housing Opportunities for Persons with AIDS program and the Emergency Solutions Grant program and to reappropriate general fund revenues for the Executive Department's Office of Economic Development; decreasing appropriations in the 2013 Adopted Budget for certain activities of the Office of Housing to reflect reduced funding under the HOME Investment Partnerships Program; making a cash transfer between funds; authorizing the amendment of the 2013 Annual Action Plan to the Consolidated Plan to reflect federal funding levels and to modify the allocations to various projects and programs; and ratifying and confirming prior acts.

ORDINANCE NO. 124294

AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to purchase approximately 182 acres of real property, including an easement for ingress and egress, in Section 29, Township 26 North, Range 8 East, W.M., King County, Washington, from the John Hancock Life Insurance Company (U.S.A.) for the purpose of protecting the Tolt River drinking water supply transmission pipelines, located across and adjacent to such property, and to execute any necessary documents, accept or deliver any necessary deeds, and take any other action necessary, on behalf of the City; and ratifying and confirming certain prior acts.

ORDINANCE NO. 124295

AN ORDINANCE relating to Seattle Public Utilities; accepting easements granted to the City of Seattle for installation, operation, and maintenance of water mains,

hydrants, and appurtenances necessary for water utility purposes at various locations in Seattle and unincorporated King County, Washington; placing the easements under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.

State of Washington, King County

ORDINANCE NO. 124296

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the Superintendent to enter into a lease agreement with Seattle Waldorf School to occupy and use a portion of Building 11 at Warren G. Magnuson Park.

ORDINANCE NO. 124297

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the Superintendent to enter into a lease agreement with Interbay N.W. Management, Inc., for the use, occupancy and operation of a 9-hole golf course and for providing services to the public at the Department of Parks and Recreation's Green Lake Pitch and Putt facility.

ORDINANCE NO. 124298

AN ORDINANCE relating to housing for low-income households, adopting the Housing Levy Administrative and Financial Plan for Program Years 2014-2016 and Housing Funding Policies, and ratifying and confirming certain prior acts.

ORDINANCE NO. 124299

AN ORDINANCE establishing a new Pioneer Square Parking and Business Improvement Area; levying special assessments upon operators of the business property, and mixed-use property (multi-family residential and commercial) within the area; providing for the deposit of revenues in a special account and expenditures therefrom; providing for collection of and penalties for delinquencies; providing for the establishment of a Ratepayers Advisory Board; providing for an implementation agreement with a Program Manager; disestablishing the current Pioneer Square Parking and Business Improvement Area that was established in 1983 by Ordinance 111244 ("1983 PSBIA") as amended by Ordinance 114396, Ordinance 116838 and Ordinance 122000; suspending the issuance of assessments and providing for the winding up of activities under the 1983 PSBIA; and providing for the distribution of remaining funds from and closing of the 1983 PSBIA Account.

ORDINANCE NO. 124300

AN ORDINANCE relating to the 2008 Parks and Green Spaces Levy; authorizing the acquisition of real property commonly known as 4723 40th Avenue Southwest; authorizing acceptance and recording of the deed for open space, park, and recreation purposes; increasing appropriations to the Department of Parks and Recreation in the 2013 Adopted Budget; and amending the 2013-2018 Adopted Capital Improvement Program; all by a three-fourths vote of the City Council.

ORDINANCE NO. 124301

AN ORDINANCE relating to the City's criminal code; amending and adding various sections and subsections in Chapters 6.240, 12A.02, 12A.06, 12A.08, 12A.10, 12A.14, 12A.16, 12A.24, 12A.28, 16.20, 16.64, 18.12 of the Seattle Municipal Code to conform with changes in state law.

ORDINANCE NO. 124302

AN ORDINANCE relating to the City's traffic code; amending various sections and subsections in and adding sections to Chapters 3.33, 11.14, 11.20, 11.22, 11.30, 11.31, 11.56, 11.57, 11.58, 11.64, 11.72 and 11.84 of the Seattle Municipal Code, to conform with changes in state law.

ORDINANCE NO. 124303

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

Date of publication in the Seattle Daily Journal of Commerce, October 16, 2013.

10/16(303562)