

ORDINANCE No. 121858

MC

COUNCIL BILL No. 115299

Law Department

The City of Seattle--Legislative Department

AN ORDINANCE relating to the Neighborhood Parks, Green Spaces, Trails, and Zoo Levy; authorizing the acquisition of real property commonly known as Junction Plaza and the Ercolini Property; authorizing acceptance of the deeds for open space, park and recreation purposes; increasing appropriations to the Department of Parks and Recreation in the 2005 Budget; all by a three-fourths vote of the City Council.

REPORT OF COMMITTEE

Date Reported and Adopted

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:

Motion: JG; 2nd: PS

Y: 2, N: 0

7/11/05 Passed 7-0 (Excused: Della, Steinbrueck)

Introduced: <i>JUN 20 2005</i>	By: DELLA
Referred: <i>JUN 20 2005</i>	To: Parks, Neighborhoods & Education
Referred:	To:
Referred:	To:
Reported: <i>7-11-05</i>	Second Reading:
Third Reading: <i>7-11-05</i>	Signed: <i>7-11-05</i>
Presented to Mayor: <i>7-11-05</i>	Approved: <i>7/18/05</i>
Returned to City Clerk: <i>7/21/05</i>	Published: <i>Jette 4pp.</i>
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

US5047

SMEAD 45 YSP 17703

Committee Chair

MC

ORDINANCE 121858

1
2 AN ORDINANCE relating to the Neighborhood Parks, Green Spaces, Trails, and Zoo Levy;
3 authorizing the acquisition of real property commonly known as Junction Plaza and the
4 Ercolini Property; authorizing acceptance of the deeds for open space, park and recreation
5 purposes; increasing appropriations to the Department of Parks and Recreation in the
6 2005 Budget; all by a three-fourths vote of the City Council.

7 WHEREAS, Ordinance 120024 proposed the Neighborhood Parks, Green Spaces, Trails, and
8 Zoo Levy (hereafter 2000 Parks Levy) to provide funding for, among other things,
9 property acquisitions identified by neighborhood and community groups; and

10 WHEREAS, the voters of Seattle approved the 2000 Parks Levy on November 7, 2000; and

11 WHEREAS, the 2000 Parks Levy program includes an Acquisition and Development
12 Opportunity Fund (hereafter, Opportunity Fund), making available up to Ten Million
13 Dollars (\$10,000,000) to fund acquisition and development projects not identified for
14 funding in the remainder of the program; and

15 WHEREAS, Ordinance 120024 established a Parks and Green Spaces Levy Oversight
16 Committee (hereafter, Oversight Committee), with responsibilities to include adopting
17 evaluation criteria and recommending Opportunity Fund awards to the Superintendent,
18 Mayor, and City Council; and

19 WHEREAS, the Oversight Committee conducted an extensive public process regarding
20 acquisition and development projects to be funded in the first cycle of the Opportunity
21 Fund; and

22 WHEREAS, the Oversight Committee recommended the allocation of Six Million Dollars
23 (\$6,000,000) for the Opportunity Fund's first funding cycle, including Five Million
24 Dollars (\$5,000,000) for acquisition projects and One Million Dollars (\$1,000,000) for
25 development projects; and

26 WHEREAS, the Oversight Committee recommended first cycle-awards for property acquisitions
27 in multiple locations, including Junction Plaza and the Ercolini Property; and

28 WHEREAS, Ordinance 120869 accepted the recommendations of the Oversight Committee and
authorized the Superintendent of Parks and Recreation to conduct planning activities of
any or all of the parcels recommended by the Oversight Committee; including the
locations identified as Junction Plaza and the Ercolini Property; and



1 WHEREAS, Ordinance 120852 approved a Department of Neighborhoods Neighborhood
2 Matching Fund grant award of One Hundred Two Thousand One Hundred Twenty
3 Dollars (\$102,120), One Hundred Thousand Dollars (\$100,000) of which is for the
4 acquisition of Junction Plaza, matched by One Hundred Thousand Dollars (\$100,000) in
5 cash from community donations; and

6 WHEREAS, at the time Ordinance 120852 was passed, the Neighborhood Matching Fund was
7 authorized to support property acquisition projects; NOW, THEREFORE,

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

9 Section 1. Contingent upon the Department of Neighborhoods' receipt of One Hundred
10 Thousand Dollars (\$100,000) in cash from community donations to match the grant authorized in
11 Ordinance 120852, the Superintendent of Parks and Recreation or his designee is authorized, on
12 behalf of the City of Seattle, to acquire real property commonly known as Junction Plaza for a
13 purchase price of Four Hundred Thousand Dollars (\$400,000). The legal description of Junction
14 Plaza is as follows:

15 Parcel A, as delineated and described in King County Short Plat Number 80-120, recorded under
16 King County Recording Number 8011261007, said short plat being more particularly described
17 as follows: Lots 16 to 24, inclusive, Block 50, Boston Co.'s Plat of West Seattle, according to
18 the plat thereof recorded in Volume 3 of Plats, page 19, in King County, Washington; EXCEPT
19 that portion of said Lot 24 heretofore condemned in King County Superior Court Cause No.
20 70682, for widening of West Alaska Street as provided by Ordinance No. 21302 of the City of
21 Seattle; TOGETHER with that portion of West Alaska Street Adjoining said Lot 24 on the south
22 vacated by Ordinance No. 50159 of said City as would revert to said lot by operation of law;



1 EXCEPT that portion lying northerly of the following described line: Beginning at a point on the
2 easterly line of aforesaid Lots 16 through 24, in Block 50, Boston Company's plat of West
3 Seattle, 154.33 feet southerly of the northeast corner of said Lot 16; THENCE westerly
4 perpendicular to said east line, 34.88 feet; THENCE southerly parallel to said line 4.00 feet;
5 THENCE westerly perpendicular to said east line 17.17 feet; THENCE northwesterly 11.31 feet
6 to a point 60.00 feet westerly of 42nd Avenue Southwest; THENCE westerly 55.07 feet to a point
7 on the west line of aforesaid lots 16 through 24, which point lies 150.32 feet southerly from the
8 northwest corner of said Lot 16 and the terminus of this described line.
9

10 Section 2. The Superintendent of Parks and Recreation or his designee is authorized, on
11 behalf of the City of Seattle, to acquire real property commonly known as the Ercolini Property,
12 for a purchase price of Eight Hundred Ninety-six Thousand Dollars (\$896,000). The legal
13 description of the Ercolini Property is as follows:
14

15 Lots 17 through 24, inclusive, Block 23, Euclid Addition to West Seattle, according to the plat
16 thereof recorded in Volume 7 of Plats, page 7, in King County, Washington.
17

18 Section 3. The Superintendent or his designee is authorized to execute such documents
19 as the Superintendent deems necessary or desirable to accomplish the acquisition of the
20 properties described in Sections 1 and 2 above.
21

22 Section 4. To pay for the acquisitions authorized in Sections 1 and 2 above and for
23 necessary related costs and expenses, for which insufficient appropriations were made, the
24 following appropriation amount is added to the 2005 Budget of the Department of Parks and
25 Recreation:
26
27
28

Fund	Department	Budget Control Level/Capital Improvement Program	Amount
2000 Parks Levy Fund (33850)	Parks and Recreation	2000 Parks Levy – Opportunity Fund Acquisitions Program K723007	\$1,220,000

Section 5. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

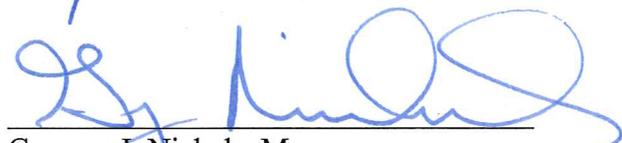
Section 6. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by a three-fourths (3/4) vote of all the members of the City Council the 11th day of July, 2005, and signed by me in open session in authentication of its passage this 11th day of July, 2005.



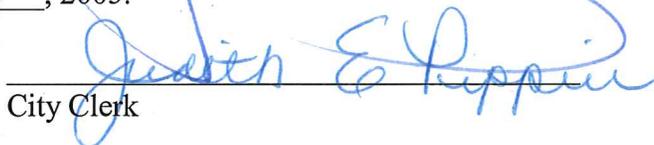
President _____ of the City Council

Approved by me this 18th day of July, 2005.



Gregory J. Nickels, Mayor

Filed by me this 21st day of July, 2005.



City Clerk

(Seal)



FISCAL NOTE FOR CAPITAL PROJECTS ONLY

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Parks & Recreation	Donald Harris/4-8018	Tyler Running Deer/4-8075

Legislation Title: AN ORDINANCE relating to the Neighborhood Parks, Green Spaces, Trails, and Zoo Levy; authorizing the acquisition of real property commonly known as Junction Plaza and the Ercolini Property; authorizing acceptance of the deeds for open space, park and recreation purposes; increasing appropriations to the Department of Parks and Recreation in the 2005 Budget; all by a three-fourths vote of the City Council.

Summary and background of the Legislation:

This proposed legislation would authorize the Department of Parks and Recreation (DPR) to acquire real property commonly known as Junction Plaza and the Ercolini Property identified in Ordinance 120869 as projects in the Acquisition and Development Opportunity Fund category of the Neighborhood Parks, Green Spaces, Trails and Zoo Levy (2000 Parks Levy), accept the deeds, and appropriate funds from the 2000 Parks Levy Fund to pay for acquisition and related costs.

The subject properties were unanimously recommended by the Levy Oversight Committee and approved by DPR's Superintendent, the Mayor, and Council for funding from the Levy's Acquisition and Development Opportunity Fund. The Committee recommended \$5 million for 12 acquisition projects in the first cycle, and future ordinances will appropriate funds for the remaining acquisitions.

- Junction Plaza: There is strong business support for DPR's purchase of this property in the heart of the West Seattle Junction business district at 42nd Ave SW & SW Alaska St. The business district has already begun raising funds to develop the site into an urban plaza for community celebrations, performances and concerts, and as an outdoor spot for activities like chess, reading, and eating lunch on a sunny day.
- Ercolini Property: The residential neighborhood west of the Junction has many families with small children, yet there is no park within walking distance. Residents have come together to champion the purchase of this property for development of a children's park. The 1/2-acre size of this site is unusual in the area, and the large lawn area on the corner of 48th Ave SW and SW Alaska will provide a visible and accessible play area. The community has begun raising funds to develop a play area at the site.

The funding available under this proposed ordinance is to be partially reimbursed by a Neighborhood Matching Fund award of \$100,000 for the Junction Plaza project approved under Ordinance 120852, matched by \$100,000 in community funds; a Washington State Interagency Committee for Outdoor Recreation grant for \$245,000 for the Ercolini Property; and by \$430,000 of King County Conservation Futures Levy grants for the Ercolini Property.



Project Name:	Project I.D.	Project Location:	Start Date:	End Date
Junction Plaza	K733181	42 nd Ave SW & SW Alaska St	August 2002	September 2005
Ercolini Property	K733180	48 th Ave SW & SW Alaska St	August 2002	December 2005

- Please check any of the following that apply:

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*	2004 Appropriation	2005 Appropriation	Total
2000 Parks Levy Fund (33850)	Parks and Recreation	2000 Parks Levy-Opportunity Fund Acquisition Program K723007	\$0	\$1,220,000	\$1,220,000
Neighborhood Matching Subfund (00165)	Neighborhoods	Program 2IN00	\$200,000	\$0	\$200,000
TOTAL			\$200,000	\$1,220,000	\$1,420,000

Notes: Acquisition budget for Ercolini Property is \$960,000 and Junction Plaza is \$460,000. Appropriated amounts exceeding the purchase prices of \$896,000 and \$400,000, respectively, are for the necessary related costs and expenses associated with property acquisition, including, but not limited to: title, appraisal, closing costs, survey, environmental assessment, negotiation, grant administration, and, in the case of Ercolini, structure removal.

Spending Plan and Future Appropriations for Capital Projects:

Spending Plan and Budget	2005	2006	2007	2008	2009	Total
Spending Plan	\$1,420,000					\$1,420,000
Current Year Appropriation	\$1,420,000					\$1,420,000
Future Appropriations		\$0	\$0	\$0	\$0	\$0

Notes: Acquisitions scheduled to close in 2005.



Funding source:

Funding Source (Fund Name and Number, if applicable)	2004	2005	2006	2007	2008	Total
2000 Parks Levy Fund (33850)		\$545,000				\$545,000
Neighborhood Matching Subfund (00165) DON	\$200,000					\$200,000
2000 Parks Levy Fund (33850) Conservation Futures Levy reimbursement		\$430,000				\$430,000
2000 Parks Levy Fund (33850) Washington Interagency Committee for Outdoor Recreation (IAC) reimbursement			\$245,000			\$245,000
TOTAL	\$200,000	\$975,000	\$245,000			\$1,420,000

Notes: Neighborhood Matching Fund grant monies of \$100,000 matched with \$100,000 of community funds does not need to be appropriated in DPR's budget. The Conservation Futures Levy Fund monies will be reimbursements to the 2000 Parks Levy Fund in the amounts of \$260,000 (awarded in 2002, interlocal agreement authorized in Ordinance 121375) and \$170,000 (awarded in 2003, interlocal agreement authorized in Ordinance 121775). An IAC grant of \$245,000, authorized in Resolution 30704, was recently approved by the State Legislature.

Bond Financing Required:

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



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

O&M	2005	2006	2007	2008	2009	2010	Total
Uses							
Start Up							
On-going:							
West Seattle Junction		3,830	3,905	29,795	30,395	31,000	98,925
Ercolini		3,830	3,905	20,385	20,795	21,210	70,125
Total		7,660	7,810	50,180	51,190	52,210	169,050
Sources (itemize)							
2000 Parks Levy Fund (33850)		7,660	7,800				15,470
To be determined				50,180	51,190	52,210	153,580

Notes: The New Facility costs listed above for years 2006-2007 reflect the full year O&M costs for maintaining the properties as undeveloped acquisitions as estimated in 2000 Parks Levy Fund documents. The properties are expected to be developed and on-line in 2008. When this occurs there will be additional O&M costs as reflected above in years 2008-2010. The O&M numbers listed above assume an approximate 2% inflation rate in each successive year. The O&M tasks for caring for the sites will include trash/litter pickup, graffiti removal, mowing & trimming, care of shrub beds, trees and other plantings, pressure washing and other maintenance of hard surfaces, maintenance of plumbing and electrical components, maintenance of special features and structures and other park amenities. Funding available from the 2000 Parks Levy for the O&M for the acquisitions ends in 2008 and an alternative funding strategy has yet to be determined for the following years. Additional General Fund for O&M for the developed projects for years 2008 and beyond will be requested by the DPR in the 2007/08 budget process.

Periodic Major Maintenance costs for the project:

Major Maintenance Item	Frequency	Cost	Likely Funding Source
TOTAL	NA		

Funding sources for replacement of project:

Notes: As real property, these acquisitions will not be subject to replacement.



Total Regular Positions Created Or Abrogated Through This Legislation, Including FTE Impact:

Position Title and Department*	Fund Name	Fund Number	Part-Time/ Full Time	2005 Positions	2005 FTE	2006 Positions**	2006 FTE**
TOTAL							

Notes: N/A

- **Do positions sunset in the future?** N/A
- **What is the financial cost of not implementing the legislation:** The originating Neighborhood Parks, Green Spaces, Trails, and Zoo Levy Ordinance (120024) set \$10 million aside for the express purpose of funding opportunity fund acquisitions and development. Subsequently, Ordinance 120869 accepted the recommendations of the Parks and Green Spaces Levy Oversight Committee and authorized the Superintendent of Parks and Recreation to conduct acquisition planning activities for any or all of the parcels recommended by the Oversight Committee; including the locations identified as Junction Plaza and the Ercolini Property. The City has already spent approximately \$60,000 in staff time and planning for this purchase. Absent this proposed legislation, DPR would lack approval as well as the expenditure authority necessary to progress with these projects and take advantage of the leveraging opportunity afforded by the Neighborhood Matching Fund, Washington Interagency Committee for Outdoor Recreation, and Conservation Futures Levy funding.
- **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** No alternatives exist; the originating 2000 Parks Levy legislation (Ordinance 120024) requires City Council approval of all acquisitions of real property and appropriation of all parks development funding.
- **Is the legislation subject to public hearing requirements:** No.
- **Other Issues:** None.

Please list attachments to the fiscal note below:

- Attachment A – Junction Plaza Map
- Attachment B – Ercolini Property Map





Junction
Plaza

0952006470

Orthophoto taken: July 1999
Map date: January 16, 2002

LEGEND

-  Parcel of Interest
-  Parcel Boundary



Scale 1:960

25 0 25 Feet

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accuracy, fitness, or merchantability
accompany this product.

Attachment A - Junction Plaza
Map





Ercolini Property

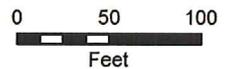
(working project name)

Legend

-  Parcel of Interest
-  Parcel Boundary



1 inch equals 100 feet



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

Orthophoto taken:
Triathlon, July 1999
Map date: June 1, 2005



Attachment B - Ercolini Property Map



City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

June 7, 2005

Honorable Jan Drago
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Drago:

I am pleased to transmit the attached proposed Council Bill, which authorizes the Department of Parks and Recreation (DPR) to acquire the Junction Plaza property at 42nd Avenue SW and SW Alaska Street, and the Ercolini property at 48th Avenue SW and SW Alaska Street. This legislation also authorizes acceptance of the deeds to both properties, and increases appropriations from the 2000 Parks Levy Fund in the Department of Parks and Recreation's 2005 budget.

The Junction Plaza and Ercolini properties were unanimously recommended by the 2000 Parks Levy Oversight Committee, and were awarded funding from the Levy's Acquisition and Development Opportunity Fund via Ordinance 120869. The business local district has already begun raising funds to develop the Junction Plaza property into an urban plaza for community celebrations, performances, concerts, and leisure activities like chess, reading, and eating lunch on a sunny day. In addition, residents west of the Junction property have come together to champion the purchase of the Ercolini Property by beginning to raise funds for the development of a children's park.

The acquisition of these properties will provide West Seattle with two new parks and improved open spaces, which the community will enjoy for many years. Thank you for your consideration of this legislation. Should you have questions, please contact Donald Harris at 684-8018.

Sincerely,

A handwritten signature in blue ink, appearing to read "Greg Nickels", written over a blue horizontal line.

GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council



STATE OF WASHINGTON – KING COUNTY

--SS.

188506
CITY OF SEATTLE, CLERKS OFFICE

No.

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.

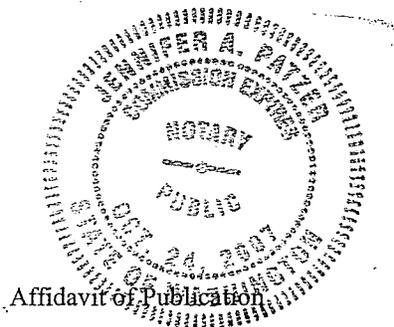
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:121858-121864

was published on

08/01/05

The amount of the fee charged for the foregoing publication is the sum of \$ 79.50, which amount has been paid in full.



MDI

Subscribed and sworn to before me on

08/01/05

Jennifer Patzer

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

TITLE-ONLY PUBLICATION

The full text of the following ordinances, passed by the City Council

on July 11, 2005, 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. 121858

AN ORDINANCE relating to the Neighborhood Parks, Green Spaces, Trails, and Zoo Levy; authorizing the acquisition of real property commonly

known as Junction Plaza and the Ercolini Property; authorizing

acceptance of the deeds for open space, park and recreation purposes; increasing appropriations to the Department of Parks and Recreation in the 2005 Budget; all by a three-fourths vote of the City Council.

ORDINANCE NO. 121880

AN ORDINANCE relating to security from terrorism; authorizing the City

to partner with the State of Washington and King County to receive

financial assistance from the Department of Homeland Security (DHS), Office for State and Local Government Coordination and Preparedness under the Urban Areas Security Initiative Grant for Federal Fiscal Year 2005 (UASI 05); authorizing an application for allocation of funds under that agreement; increasing appropriations to the Police Department, the Fire Department, the Department of Information Technology, and the Fleets and Facilities Department in the 2005 Budget; all by a three-fourths vote of the City Council.

ORDINANCE NO. 121863

AN ORDINANCE relating to care and treatment for sex industry workers;

making an appropriation to the Human Services Department in the 2005 Budget from a dedicated account in the Human Services Operating Fund by a three-fourths vote of the City Council.

ORDINANCE NO. 121864

AN ORDINANCE appropriating money to pay certain audited claims and

ordering the payment thereof.

Publication ordered by JUDITH PIPPIN,
City Clerk

Date of publication in the Seattle Daily
Journal of Commerce, August 1, 2005.

8/1(188608)