

Ordinance No. 122486

Council Bill No. 115980

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: [Signature]
Councilmember

AN ORDINANCE relating to City real property; authorizing the transfer of jurisdiction of certain property in Block 11, Hunter's Lake Union Addition, commonly referred to as the Dexter Pit (PMA 1106), from the Fleets and Facilities Department to the Department of Parks and Recreation for park and recreation purposes.

Committee Action:

Sept 5, 2007
yea = DD
Nay = Ø
DoG
9-10-07 Passed 8-0 (Excused: Drago)

CF No. _____

Date Introduced:	<u>8-13-07</u>	
Date 1st Referred:	<u>8-13-07</u>	
To: (committee)	<u>PARKS, EDUCATION, LIBRARIES AND LABOR</u>	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote:	
<u>9-10-07</u>	<u>8-0</u>	
Date Presented to Mayor:	Date Approved:	
<u>9-11-07</u>	<u>9-21-07</u>	
Date Returned to City Clerk:	Date Published:	T.O. <input checked="" type="checkbox"/> F.T. <input type="checkbox"/>
<u>9-21-07</u>	<u>3</u>	
Date Vetoed by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

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



City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

July 31, 2007

Honorable Nick Licata
President
Seattle City Council
City Hall, 2nd Floor

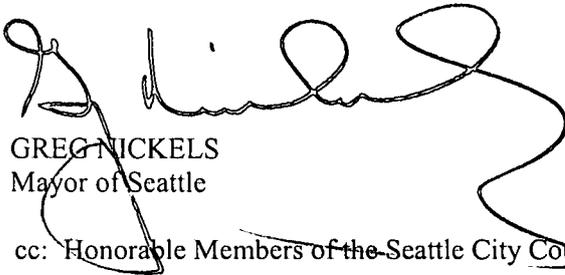
Dear Council President Licata:

I am pleased to transmit the attached proposed Council Bill that will transfer jurisdiction of the property located at 2400 Dexter Avenue N., commonly referred to as the Dexter Pit, from the Fleets and Facilities Department (FFD) to the Department of Parks and Recreation (DPR) for development into a neighborhood park.

Until 1987, the Dexter Pit was used by FFD as a gravel pit or for material storage. Since that time, the property has remained unused as the City evaluated reuse and disposition options. This property was specifically identified in The Neighborhood Parks, Green Spaces, Trails and Zoo Levy (2000 Parks Levy) for development into a neighborhood park. Construction on the park is scheduled to begin in 2008.

The transfer of jurisdiction of the Dexter Pit property to DPR will result in the development of another 2000 Parks Levy neighborhood park, which will be enjoyed by Seattle residents for many years to come. Thank you for your consideration of this legislation. Should you have questions, please contact Terry Dunning at 684-4860.

Sincerely,



GREG NICKELS
Mayor of Seattle

cc: ~~Honorable Members of the Seattle City Council~~

600 Fourth Avenue, 7th Floor, P.O. Box 94749, Seattle, WA 98124-4749

Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, Email: mayors.office@seattle.gov

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ORDINANCE 122486

1
2
3 AN ORDINANCE relating to City real property; authorizing the transfer of jurisdiction of certain
4 property in Block 11, Hunter's Lake Union Addition, commonly referred to as the Dexter
5 Pit (PMA 1106), from the Fleets and Facilities Department to the Department of Parks
6 and Recreation for park and recreation purposes.

7 WHEREAS, the City of Seattle ("City"), using Seven Thousand Eight Hundred Dollars (\$7,800)
8 from the General Fund, acquired Lots 12 - 24, Block 11, Hunter's Lake Union Addition
9 by warranty deed from P. J. and Alice C. McHugh in 1919; and

10 WHEREAS, a portion of the site was used until 1987 as a gravel pit or for material storage; and

11 WHEREAS, in 1949, on petition of T.S. Miller, Ordinance 78255 vacated a portion of Birch
12 Avenue from McGraw Street to the north line of Lot 9, Block 10 and Lot 9, Block 11,
13 both in Hunter's Lake Union Addition, to accrue to the abutting City property in Block 11
14 of Hunter's Lake Union Addition; and

15 WHEREAS, in 1979, Ordinance 108404 provided for the sale of Lots 18 and 19, Block 11,
16 Hunter's Lake Union Addition for Sixty Eight Thousand Dollars (\$68,000) to the Seattle
17 Housing Authority as evidenced by a Quit Claim Deed recorded under #197910080392;
18 and

19 WHEREAS, in 1980, Ordinance 109557 provided for the sale of portions of vacated Birch
20 Avenue abutting Lots 12 - 16, Block 11, Hunter's Lake Union Addition to abutting
21 property owners, Leonard and Gladys Downie for Twenty Thousand Dollars (\$20,000) to
22 be credited to the General Fund; and

23 WHEREAS, Ordinance 120024 authorized the Neighborhood Parks, Green Spaces, Trails, and
24 Zoo Levy (2000 Parks Levy), which was approved by the voters of Seattle and included,
25 among other things, funding for development of a park (Dexter Pit Park) at this site as a
26 specific project identified in neighborhood plans and other planning efforts; and

27 WHEREAS, the Fleets and Facilities Department and the Department of Parks and Recreation
28 recommend transferring jurisdiction of the property described in Section 1 for use as a
park; NOW, THEREFORE,



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

2 Section 1. The Director of the Fleets and Facilities Department is hereby authorized to
3 transfer to the Department of Parks and Recreation jurisdiction of the following described
4 property:
5

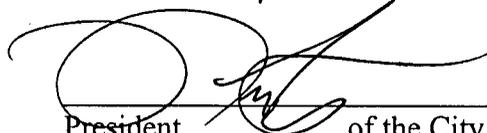
6 Lots 12 through 17 and Lots 20 through 24, Block 11, Hunter's
7 Lake Union Addition to the City of Seattle, Volume 7 of Plats,
8 page 27, records of King County, Washington.

9 The Superintendent of the Department of Parks and Recreation is hereby authorized to accept
10 jurisdiction of said property and shall manage and control said property for its intended use as a
11 park.

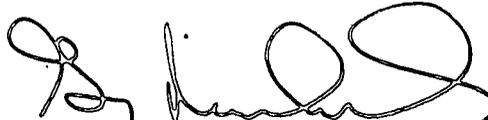


1 Section 2. This ordinance shall take effect and be in force thirty (30) days from and after
2 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
3 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

4 Passed by the City Council the 10th day of September, 2007, and signed by me in open
5 session in authentication of its passage this 10th day of September 2007.

6
7
8 
President _____ of the City Council

9 Approved by me this 21st day of September, 2007.

10
11 
12 _____
Gregory J. Nickels, Mayor

13 Filed by me this 21st day of September, 2007

14
15 
16 _____
City Clerk

17 (Seal)



FISCAL NOTE FOR CAPITAL PROJECTS ONLY

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Fleets & Facilities	Hillary Hamilton / 684-0421	Ellen Schroer / 733-9841.
Parks and Recreation	Terry Dunning / 684-4860	Jennifer Devore / 615-1328

Legislation Title:

AN ORDINANCE relating to City real property; authorizing the transfer of jurisdiction of certain property in Block 11, Hunter's Lake Union Addition, commonly referred to as the Dexter Pit (PMA 1106), from the Fleets and Facilities Department to the Department of Parks and Recreation for park and recreation purposes.

Summary and background of the Legislation:

This legislation will transfer approximately 56,625 square feet of unimproved, unused land located at approximately 2400 Dexter Avenue N., also known as the Dexter Pit, from the Fleets and Facilities Department (FFD), to the Department of Parks and Recreation (DPR), allowing the property to be developed as active park lands. The property, commonly known as the Dexter Pit, was used as a gravel pit or for material storage until 1987. Since that time, the property has remained unused as the City of Seattle (City) evaluated various reuse and disposition options. This property was specifically identified in The Neighborhood Parks, Green Spaces, Trails and Zoo Levy (2000 Parks Levy), authorized by Ordinance 120024, for development into a neighborhood park. After development, Dexter Pit Park will be used for park, recreation, and open space purposes to promote the value of arts and culture.

The environmental site assessment (ESA) completed for the Dexter Pit property meets the City's due diligence policy, Superfund Amendment and Reauthorization Act of 1986 (SARA), due diligence by the innocent purchaser, and Model Toxics Control Act Chapter 70.105 D RCW pertaining to standards of liability.

Note: This legislation is specific to the transfer of jurisdiction of the property from FFD to DPR and does not address the development of the property.

Project Name:	Project I.D.	Project Location:	Start Date:	End Date
Dexter Pit Park	K733081	6 th West & Dexter Ave. West	1 st Q - 2007	4th Q - 2008

The above project name and description refers to the 2000 Parks Levy Neighborhood Park Development project, which will develop the property into a park upon transfer to DPR. The development of the property is not addressed in this legislation.



- 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. (Please complete all relevant sections that follow.)

Appropriations: N/A

Fund Name and Number	Department	Budget Control Level*	2007 Appropriation	2008 Anticipated Appropriation
N/A				
TOTAL	N/A			

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

Notes: There are no appropriations since this is a transfer of jurisdiction from FFD to DPR and no funds will be exchanged.

Spending Plan and Future Appropriations for Capital Projects: N/A

Spending Plan and Budget	2007	2008	2009	2010	2011	2012	Total
Spending Plan	N/A						
Current Year Appropriation	N/A						
Future Appropriations	N/A						

Notes: There are no appropriations since this is a transfer of jurisdiction from FFD to DPR and no funds will be exchanged.

Funding source: N/A

Funding Source (Fund Name and Number, if applicable)	2007	2008	2009	2010	2011	2012	Total
TOTAL	N/A						

Notes: N/A



Bond Financing Required: N/A

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	2007	2008	2009	2010	2011	2012	Total
Uses							
Start Up	\$0	\$0	\$0	\$0	\$0	\$0	\$0
On-going	\$0	\$1,295	\$12,387	\$13,545	\$13,816	\$14,093	\$55,136
Sources (itemize)							
2000 Parks Levy Fund (33850)	\$0	\$1,295	\$0	\$0	\$0	\$0	\$1,295
The funding source is TBD	\$0	\$0	\$12,387	\$13,545	\$13,816	\$14,093	\$53,841
Total		\$1,295	\$12,387	\$13,545	\$13,816	\$14,093	\$55,136

Notes: With the transfer of jurisdiction from FFD to DPR, DPR will assume responsibility for the O&M costs. Maintenance includes repairs and maintenance of the park including signage, graffiti removal, water system including irrigation repairs and legally required testing, security, heavy equipment support, garbage and clean green recycling, litter pick up, blowing, edging & trimming, herbicide spraying, plant replacement, pressure washing, shrub bed maintenance, weed eating, and truck support.

Note that a 2% inflation factor has been used for each successive year. Operations and maintenance costs associated with the 2000 Parks Levy projects are to be funded from Levy proceeds through 2008. An alternative funding strategy has not been determined for the following years.

Periodic Major Maintenance costs for the project: N/A

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

Funding sources for replacement of project:

As real property, this acquisition will not be subject to replacement.



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

Position Title and Department*	Fund Name	Fund Number	Part-Time/Full Time	2007 Positions	2007 FTE	2008 Positions**	2008 FTE**
TOTAL	N/A						

Notes: There are no positions created or abrogated as a result of the legislation.

- **Do positions sunset in the future?** N/A
- **What is the financial cost of not implementing the legislation:** If this legislation is not implemented, the 2000 Parks Levy money spent to provide a development plan may have been spent unnecessarily. There are no other actual financial costs associated with this legislation, as this is a jurisdiction transfer between FFD and DPR.
- **What are the possible alternatives to the legislation that could achieve the same or similar objectives:** None. Achievement of one of the goals of the Neighborhood Parks Development category of the 2000 Parks Levy Ordinance (120024), in which this project was specifically identified, would be unmet.
- **Is the legislation subject to public hearing requirements:** No
- **Other Issues:** None.

Please list attachments to the fiscal note below:

Attachment 1: Dexter Pit; 2499 Dexter Ave. N.; PMA No 1106 (map)



Attachment 1

The City
of Seattle



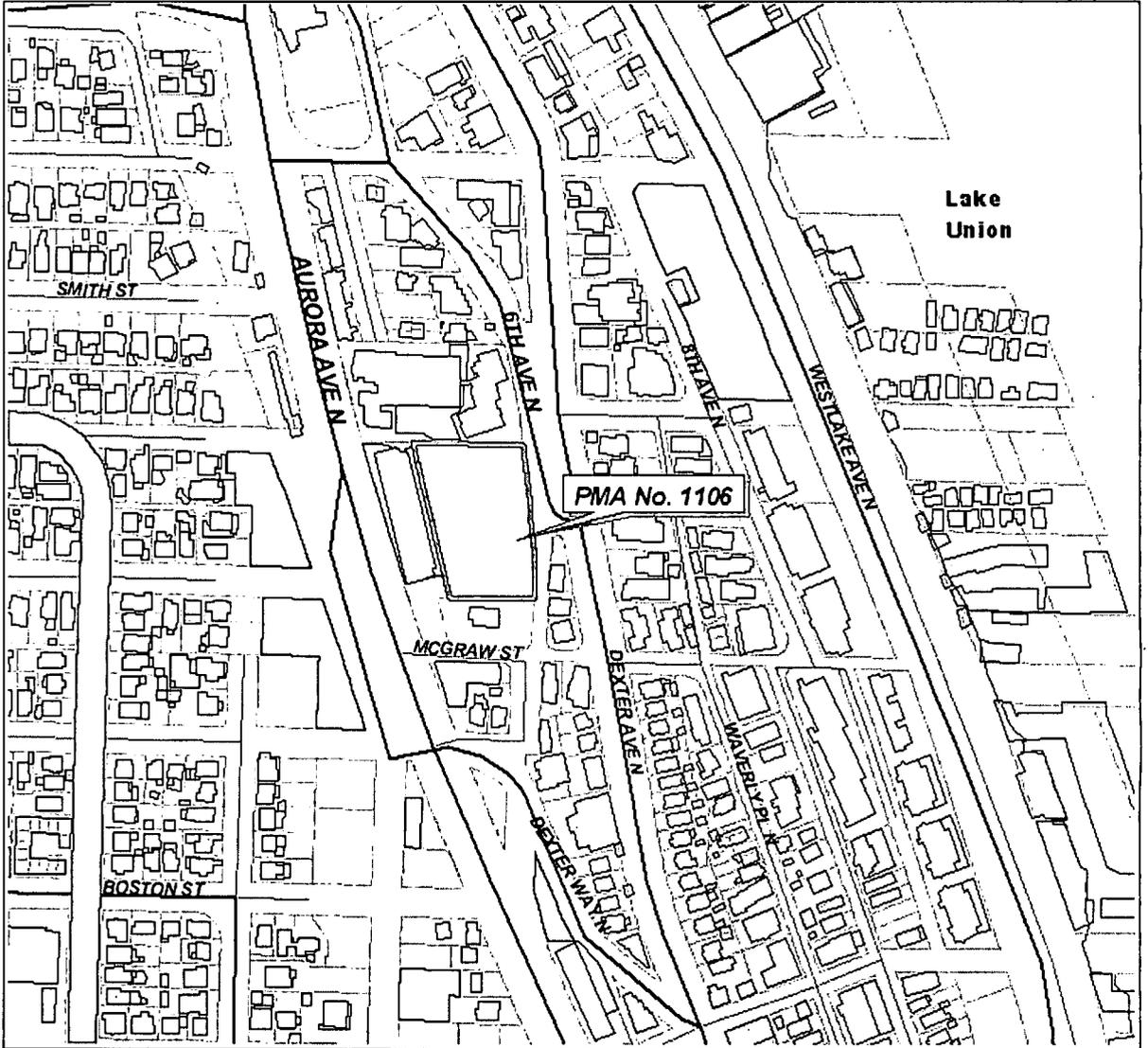
Dexter Pit
2499 Dexter Ave.N.
PMA No. 1106

Legend

- City Property-Primary Juris.Dept
- FFD
- Parks
- SDOT
- Tax Parcels
- Building Outlines
- Streets
 - Residential
 - Arterials



100 0 100 200 Feet



July 23, 2007
THE CITY OF SEATTLE, 2007. All rights reserved.
No guarantee of any sort is implied, including accuracy,
completeness, or fitness for use.

Attachment 1 to DPR Dexter PR Park Acq FISC



STATE OF WASHINGTON – KING COUNTY

--SS.

215854
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 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

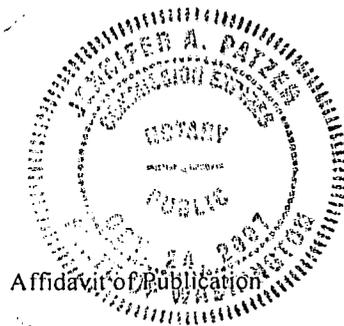
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:122483-88,90,92-94

was published on

09/27/07

The amount of the fee charged for the foregoing publication is the sum of \$ 167.40, which amount has been paid in full.



Affidavit of Publication

[Signature]

Subscribed and sworn to before me on
09/27/07 *[Signature]*

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

ORDINANCE NO. 122486

AN ORDINANCE relating to City real property; authorizing the transfer of jurisdiction of certain property in Block 11, Hunter's Lake Union Addition, commonly referred to as the Dexter Pit (PMA 1108), from the Fleets and Facilities Department to the Department of Parks and Recreation for park and recreation purposes.

ORDINANCE NO. 122485

AN ORDINANCE relating to Conservation Futures Levy proceeds; authorizing the Mayor to amend the Interlocal Cooperation Agreement between the City of Seattle and King County as authorized by City of Seattle Ordinance 114978; authorizing the deposit of 2008 allocations from King County Conservation Futures Levy proceeds into the City of Seattle's 2000 Parks Levy Fund and the Cumulative Reserve Subfund; and increasing appropriations to the Department of Parks and Recreation in the 2007 Budget; all by a three-fourths vote of the City Council.

ORDINANCE NO. 122484

AN ORDINANCE relating to the City's purchase of an interest in real property owned by Nisei Veterans Committee; removing a budget proviso restricting expenditure of an appropriation in the 2007 Budget; and authorizing the expenditure of the funds for purchase and acceptance of an easement with restrictive covenants from Nisei Veterans Committee to provide for community education and access uses on the property at 1212 South King Street, Seattle, Washington for a period of seven years; all by a three-fourths vote of the City Council.

ORDINANCE NO. 122483

AN ORDINANCE relating to the federal Section 108 program, amending Ordinance 122139.

Publication ordered by JUDITH PIPPIN, City Clerk.

Date of publication in the Seattle Daily Journal of Commerce, September 27, 2007.

9/27(215854)