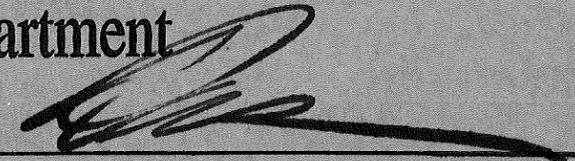


Ordinance No. 122580

Council Bill No. 110080

AN ORDINANCE relating to the Neighborhood Parks, Green Spaces, Trails, and Zoo Levy; transferring jurisdiction of City-owned land at 12th Avenue and East James Court from the Department of Neighborhoods to the Department of Parks and Recreation; and repealing Ordinance 120476.

# The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by:   
Councilmember

## Committee Action:

11/20/07 JD, RC, DD = Yea  
Ø = no  
12-10-07 Passed 8-1 (No: McIver)

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

Date Introduced:	<u>Nov. 19, 2007</u>	
Date 1st Referred:	To: (committee) <u>Parks, Education, Libraries</u>	
Date Re - Referred:	To: (committee) <u>And Labor</u>	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote: <u>8-1</u>	
Date Presented to Mayor:	Date Approved: <u>12-13-07</u>	
Date Returned to City Clerk:	Date Published: <u>3</u>	T.O. <input checked="" type="checkbox"/> F.T. <input type="checkbox"/>
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

October 30, 2007

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

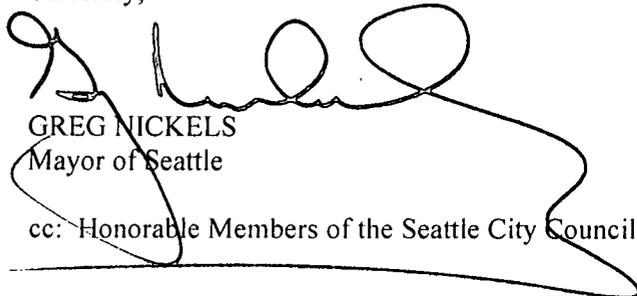
Dear Council President Licata:

I am pleased to transmit the attached proposed Council Bill that authorizes the transfer of jurisdiction of property located at the southeast corner of 12<sup>th</sup> Avenue and East James Court from the Department of Neighborhoods (DON) to the Department of Parks and Recreation (DPR), an ideal candidate for consideration for the additional Pro Parks funding I included in my 2008 budget. The proposed Bill also repeals Ordinance 120476, which authorized DON to sell the property at 12<sup>th</sup> Avenue and East James Court to a developer, a transaction that was not completed.

The 2000 Parks Levy Oversight Committee unanimously recommended funding from the 2000 Parks Levy for an acquisition project in the 12<sup>th</sup> Avenue Urban Center Village, and approved such acquisition by prior legislation. DPR has conducted a public planning process to identify, evaluate, and select a park site in that area. In January and July of this year, DPR, DON, and the Office of Housing met with the community to discuss options for the City-owned property located at 12<sup>th</sup> Avenue and East James Court. There was broad community support for retaining the property for eventual development as a park and I will work with the community to ensure this site is promptly considered by the Pro Parks Oversight committee for funding in 2008. Currently, there is a one-story building on the site that has been vacant and not in use for a number of years.

The proposed transfer of this property to DPR, and eventual development into a park, will help meet the open space and park needs of a rapidly growing residential population in the 12<sup>th</sup> Avenue Urban Center Village. Thank you for your consideration of this legislation. Should you have questions, please contact Donald Harris at 684-8018.

Sincerely,



GREG NICKELS  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

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

Tel: (206) 684-4000, TDD: (206) 615-0476 Fax: (206) 684-5360, Email: [mayors.office@seattle.gov](mailto:mayors.office@seattle.gov)

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



ORDINANCE 122 580

1  
2  
3 AN ORDINANCE relating to the Neighborhood Parks, Green Spaces, Trails, and Zoo Levy;  
4 transferring jurisdiction of City-owned land at 12<sup>th</sup> Avenue and East James Court from  
5 the Department of Neighborhoods to the Department of Parks and Recreation; and  
6 repealing Ordinance 120476.

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

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

12 WHEREAS, Ordinance 120024 established a Parks and Green Spaces Levy Oversight  
13 Committee ("Oversight Committee"), with responsibilities to include adopting evaluation  
14 criteria and recommending Opportunity Fund awards to the Superintendent of the  
15 Department of Parks and Recreation ("Superintendent"), Mayor, and City Council; and

16 WHEREAS, the Oversight Committee recommended granting a 2000 Parks Levy Development  
17 and Opportunity Fund second-cycle award for an acquisition project in the 12<sup>th</sup> Avenue  
18 Urban Center Village (previously referred to as the 12<sup>th</sup> Avenue Urban Center Gathering  
19 Place); and

20 WHEREAS, Ordinance 121947 accepted the recommendation of the Oversight Committee and  
21 authorized the Superintendent to conduct planning activities for all acquisition projects  
22 recommended by the Oversight Committee, including the 12<sup>th</sup> Avenue Urban Center  
23 Village acquisition project; and

24 WHEREAS, the location of the 12<sup>th</sup> Avenue Urban Center Village acquisition project was not  
25 identified in Ordinance 121947 and the Department of Parks and Recreation ("DPR") has  
26 since conducted a public planning process to identify, evaluate, and select a park site for  
27 acquisition; and

28 WHEREAS, pursuant to Ordinance 120476 the Director of the Department of Neighborhoods  
("DON") was authorized on behalf of the City of Seattle ("City") to sell a City-owned  
parcel located at the southeast corner of 12<sup>th</sup> Avenue and East James Court, but the sale  
was not completed; and



1 WHEREAS, the community supports use of the southeast corner of 12<sup>th</sup> Avenue and East James  
2 Court for a park; and

3 WHEREAS, the Mayor has proposed the transfer of jurisdiction from the DON to DPR for parks,  
4 open space and recreation purposes; NOW, THEREFORE,

5  
6 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

7 Section 1. Jurisdiction and responsibility for the land located at 12<sup>th</sup> Avenue and East  
8 James Court, legally described as follows:

9 *Lots 1, 2, and 3, Block "B," W.C. Squire's Replat of Block Eight of Squire Park Addition*  
10 *to the City of Seattle, according to the plat thereof recorded in Volume 10 of Plats, page*  
11 *18 records of King County, Washington; EXCEPT that portion of said Lot 1 condemned*  
12 *in King County Superior Court Case Number 61476 for the widening of 12<sup>th</sup> Avenue, as*  
13 *provided by Ordinance Number 17972 of the City of Seattle*

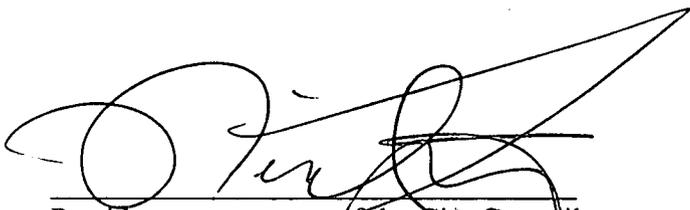
14  
15 is hereby transferred from the Department of Neighborhoods to the Department of Parks and  
16 Recreation.

17  
18 Section 2. Ordinance 120476 is repealed.

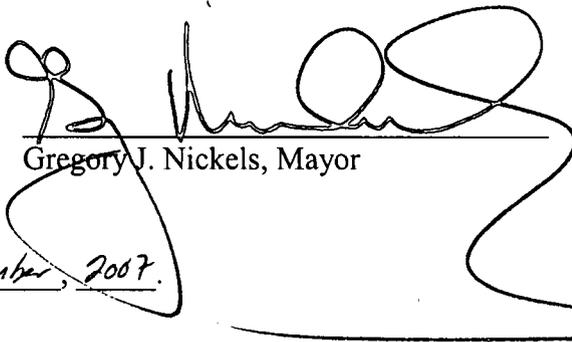


1 Section 3. This ordinance shall take effect and be in force thirty (30) days from and after  
2 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days  
3 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

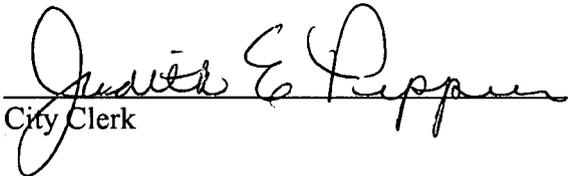
4 Passed by the City Council the 10<sup>th</sup> day of December, 2007, and signed by me in  
5 open session in authentication of its passage this 10<sup>th</sup> day of December, 2007.

6  
7  
8  
9  
10   
11 President \_\_\_\_\_ of the City Council

12 Approved by me this 13<sup>th</sup> day of December, 2007.

13  
14  
15  
16   
17 Gregory J. Nickels, Mayor

18 Filed by me this 14<sup>th</sup> day of December, 2007.

19  
20  
21  
22   
23 City Clerk

24 (Seal)

**FISCAL NOTE FOR CAPITAL PROJECTS ONLY**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>DOF Analyst/Phone:</b>
Parks and Recreation	Donald Harris / 684-8018	Jennifer Devore / 615-1328

**Legislation Title:**

AN ORDINANCE relating to the Neighborhood Parks, Green Spaces, Trails, and Zoo Levy; transferring jurisdiction of City-owned land at 12<sup>th</sup> Avenue and East James Court from the Department of Neighborhoods to the Department of Parks and Recreation; and repealing Ordinance 120476.

**Summary and background of the Legislation:**

This proposed Council Bill will authorize the transfer of jurisdiction of City of Seattle (City) owned property at the southeast corner of 12<sup>th</sup> Avenue and East James Court from the Department of Neighborhoods (DON) to the Department of Parks and Recreation (DPR) and will repeal Ordinance 120476. Ordinance 120476 authorized DON to sell the City-owned property at 12<sup>th</sup> Avenue and East James Court to a developer and that transaction was not completed.

On May 23, 2005, the 2000 Parks Levy Oversight Committee unanimously recommended funding from the Neighborhood Parks, Green Spaces, Trails, and Zoo Levy (2000 Parks Levy) for an acquisition project in the 12<sup>th</sup> Avenue Urban Center Village (referred to in previous legislation as the 12<sup>th</sup> Avenue Urban Center Gathering Place). Ordinance 121947 accepted the recommendation of the Oversight Committee and authorized the Superintendent of Parks and Recreation to conduct acquisition planning activities for the 12<sup>th</sup> Avenue Urban Center Village acquisition project. At that time, DPR had not identified specific property for the acquisition project. DPR conducted an identification and evaluation public planning process and selected a park site in the 12<sup>th</sup> Avenue Urban Center Village. In January and July of 2007, DON, DPR and the Office of Housing met with the community to discuss options for the City-owned, 7,332 square-foot property at 12<sup>th</sup> Avenue and East James Court. The property consists of a one-story, circa 1957 building that has been unused and vacant for a number of years. The Community supports the acquisition of the southeast corner of 12<sup>th</sup> Avenue and East James Court for development as a park. At this time there is no development plan in place for the site.

<b>Project Name:</b>	<b>Project I.D.</b>	<b>Project Location:</b>	<b>Start Date:</b>	<b>End Date</b>
Opportunity Fund Acquisitions	K733175	Citywide	October 2002	December 2009



- 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*	2007 Appropriation	2008 Anticipated Appropriation
<b>TOTAL</b>	N/A			

**Notes:** This legislation does not request appropriation authority. There is existing appropriation in the 2000 Parks Levy Opportunity Fund Acquisition category that DPR is using to cover the expenses associated with this project. This acquisition was identified in Ordinance 121947. The project targeted the 12<sup>th</sup> Ave Urban Center Village although a specific piece of property had not been identified at the time.

***Spending Plan and Future Appropriations for Capital Projects:***

Spending Plan and Budget	2007	2008	2009	2010	2011	2012	Total
Spending Plan	\$36,020	\$1,000	\$0	\$0	\$0	\$0	<b>\$37,020</b>
Current Year Appropriation	\$0						<b>\$0</b>
Future Appropriations		\$0	\$0	\$0	\$0	\$0	<b>\$0</b>

**Notes:** Total estimated expenses associated with the acquisition of the property are \$57,000. Previous expenses of \$19,980 were incurred in 2006. Planned expenses for 2007 are anticipated to be \$36,020 and the remaining \$1,000 will be spent in 2008. Acquisition costs are for the necessary related expenses associated with this property acquisition. They include, but are not limited to: title, survey, environmental assessment, project administration, public meetings, and other miscellaneous expenses.



**Funding source:**

<b>Funding Source (Fund Name and Number, if applicable)</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>Total</b>
2000 Parks Levy Fund (33850)	\$36,020	\$1,000	\$0	\$0	\$0	\$0	\$37,020
<b>TOTAL</b>	<b>\$36,020</b>	<b>\$1,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$37,020</b>

**Notes:** The funding source for the anticipated total expense of \$57,000 associated with the acquisition is the 2000 Parks Levy Fund (33850) in the Acquisitions Opportunity Fund (K723007) budget control level. Previous expenses of \$19,980 were incurred in 2006.

**Bond Financing Required:** N/A

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

**Uses and Sources for Operation and Maintenance (O&M) Costs for the Project:**

<b>O&amp;M</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>Total</b>
<b>Uses</b>							
Start Up	\$0						
On-going	\$0	\$2,977	\$3,643	\$3,716	\$3,791	\$3,866	\$17,993
<b>Total Uses</b>	<b>\$0</b>	<b>\$2,977</b>	<b>\$3,643</b>	<b>\$3,716</b>	<b>\$3,791</b>	<b>\$3,866</b>	<b>\$17,993</b>
<b>Sources (itemize)</b>							
Parks General Fund (10200)	\$0	\$2,977	\$3,643	\$3,716	\$3,791	\$3,866	\$17,993
<b>Total</b>	<b>\$0</b>	<b>\$2,977</b>	<b>\$3,643</b>	<b>\$3,716</b>	<b>\$3,791</b>	<b>\$3,866</b>	<b>\$17,993</b>

**Notes:** DPR will assume responsibility for the O&M costs when the transfer of jurisdiction from DON to DPR takes place. Maintenance includes maintaining the parking lot, alleyway, and parking strip, installation and repair of regulatory signs (“no dumping”), graffiti removal, repair of small equipment, litter and garbage pick-up, pressure washing, planting, weeding, watering, and packer truck support. Maintenance also assumes water installed with hose bibs, and automatic irrigation.



Note that a 2% inflation factor has been used for each successive year. Operation and maintenance costs associated with the 2000 Parks Levy projects are to be funded through Parks General Fund beginning in 2008.

The estimate above reflects maintaining the site in its current condition (7,332 square-foot site with a vacant, one-story, circa 1957 building) prior to any development. As a developed park, in a densely populated area, intensive use would be anticipated. Park elements could include a paved plaza, site furniture, benches and game tables, play area with rubber surfacing, pedestrian lighting, raised planters, lawn, irrigation, etc. The actual O&M costs for maintaining a developed park on the site cannot be determined at this time without an actual plan in place, but these annual costs are estimated to be \$15,000 - \$22,000 above the O&M estimates for acquisition only.

*Periodic Major Maintenance costs for the project: N/A*

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

*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**
<b>TOTAL</b>	<b>N/A</b>						

*Notes: N/A*

- **Do positions sunset in the future:** Not applicable.
- **What is the financial cost of not implementing the legislation:** Achievement of one of the goals of the Neighborhood Parks Acquisitions category of the 2000 Parks Levy (see Ordinance 120024), which is acquiring real property and expanding open space networks, would be delayed. This delay and further staff cost to meet this goal with another effort would consume additional and unanticipated resources from the 2000 Parks Levy Fund.

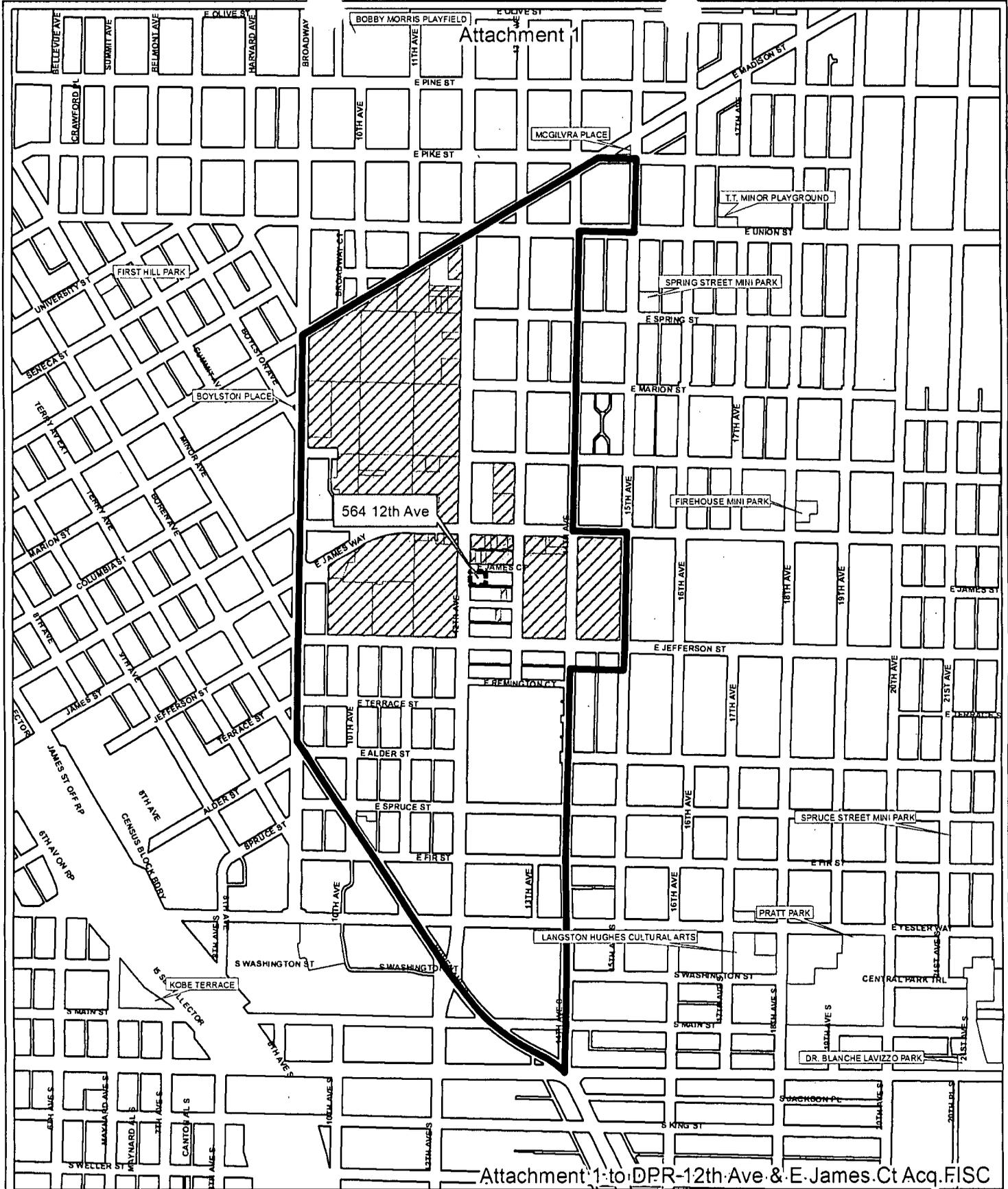


- **What are the possible alternatives to the legislation that could achieve the same or similar objectives:** DPR could try to find another opportunity like this in the same area, but to do this would require spending additional resources and would delay the goal for park acquisition in this underserved area as mentioned in the 2000 Parks Levy. City Council approval is required for authorization for DPR to acquire this property via Transfer of Jurisdiction.
- **Is the legislation subject to public hearing requirements:** No.
- **Other Issues:** No.

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

Attachment 1: 12<sup>th</sup> Avenue and East James Court (map)

Attachment 1



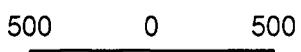
Attachment 1 to DPR-12th Ave & E-James Ct Acq.FISC

### 12th Ave & East James Court



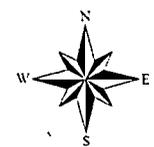
**Legend**

- Parcel of Interest
- Seattle University
- Urban Center Village Boundary
- Park Boundary



Feet

1 inch equals 750 feet



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

Map date: September 24, 2007



Attachment 1 to Fiscal Note

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STATE OF WASHINGTON – KING COUNTY

--SS.

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218577  
CITY OF SEATTLE, CLERKS OFFICE

No. 93,96 & RES 31003

**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:122579-81,83-86,90,92

was published on

12/18/07

The amount of the fee charged for the foregoing publication is the sum of \$ 181.35, which amount has been paid in full.



Affidavit of Publication

*[Handwritten signature]*

Subscribed and sworn to before me on

12/18/07

*[Handwritten signature]*

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 December 10, 2007, 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 884.8344.

#### ORDINANCE NO. 122584

AN ORDINANCE authorizing the Superintendent of Parks and Recreation to enter into an Agreement with the Seattle Foundation relating to the implementation of the Seward Park Reforestation Program; authorizing acceptance of funds from the Seattle Foundation for such purpose; amending the 2007-2012 Capital Improvement Program; and increasing appropriations in the Department of Parks and Recreation's 2007 Adopted Budget; all by a three-fourths vote of the City Council.

#### ORDINANCE NO. 122583

AN ORDINANCE authorizing, in 2007, acceptance of funding from non-City sources; authorizing the heads of the Department of Parks and Recreation, the Fleets and Facilities Department, the Human Services Department, the Legislative Department, the Office of Policy and Management, the Office of Sustainability and Environment, the City Light Department, the Seattle Department of Transportation, the Seattle Fire Department, the Seattle Office of Civil Rights, the Seattle Police Department, Seattle Public Utilities, and the Seattle Public Library to accept specified grants and private funding and to execute, deliver, and perform corresponding agreements.

#### ORDINANCE NO. 122581

AN ORDINANCE relating to the lease and concession agreement between the City of Seattle and Fun Forest Amusements, Inc.; authorizing the Director of the Seattle Center Department to execute a second amendment to the lease and concession agreement; thereby modifying terms and conditions of the lease and providing for a conditional settlement of rent.

#### ORDINANCE NO. 122580

AN ORDINANCE relating to the Neighborhood Parks, Green Spaces, Trails, and Zoo Levy; transferring jurisdiction of City-owned land at 12th Avenue and East James Court from the Department of Neighborhoods to the Department of Parks and Recreation; and repealing Ordinance 120476.

#### ORDINANCE NO. 122579

AN ORDINANCE relating to City employment; to be known as the 2008 Pay Zone Ordinance; adjusting the pay zone structures for the City's discretionary pay programs for the year 2008.

#### RESOLUTION NO. 31003

A RESOLUTION establishing a two-year Seattle Nightlife Advisory Board.

Publication ordered by JUDITH PIPPIN,  
City Clerk

Date of publication in the Seattle Daily

Journal of Commerce, December 18, 2007.

12/18(218577)