

Ordinance No. 123688

Council Bill No. 117191

AN ORDINANCE relating to the Department of Parks and Recreation; accepting deeds for the donation of real property in Taylor Creek green space and for the donation of an addition to Fauntleroy Park, all for open space, park, and recreation purposes; and ratifying and confirming certain prior acts.

CF No. _____

Date Introduced:	<u>6.6.11</u>	
Date 1st Referred:		To: (committee) <u>Parks + Sea Center</u>
Date Re - Referred:		To: (committee)
Date Re - Referred:		To: (committee)
Date of Final Passage:	<u>9.6.11</u>	Full Council Vote: <u>9-0</u>
Date Presented to Mayor:	<u>9.7.11</u>	Date Approved: <u>Sept. 12, 2011</u>
Date Returned to City Clerk:	<u>Sept. 13, 2011</u>	Date Published: <input type="checkbox"/> T.O. <input checked="" type="checkbox"/> F.T. <input type="checkbox"/>
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:

8/18/11 PASS 2-0 SB, TR

9.6.11 Passed Full Council 9-0

This file is complete and ready for presentation to Full Council. Committee: [Signature]
(initial/date)

Law Department

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

ORDINANCE 123688

1
2 AN ORDINANCE relating to the Department of Parks and Recreation; accepting deeds for the
3 donation of real property in Taylor Creek green space and for the donation of an addition
4 to Fauntleroy Park, all for open space, park, and recreation purposes; and ratifying and
5 confirming certain prior acts.

6 WHEREAS, the City of Seattle is continually acquiring property to expand existing parks and
7 conserve green spaces; and

8 WHEREAS, the City of Seattle does not have adequate funding to acquire all the properties
9 worthy of conservation; and

10 WHEREAS, the City of Seattle encourages owners of properties that add value to the City's
11 inventory of parks and green spaces to donate them to the City; and

12 WHEREAS, the Seattle City Charter requires that all acquisition of real property be accepted by
13 or under authority of ordinance; NOW, THEREFORE,

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

15 Section 1. The deeds described below (by grantor, legal description, date and recording
16 number), conveying real property to the City of Seattle, are hereby accepted for open space, park
17 and recreation purposes, and the real property is hereby placed under the jurisdiction of the
18 Department of Parks and Recreation:

19
20 Taylor Creek Green Space

21 The following parcels in this area were acquired by donation:

22
23 DARLENE J. PURSLEY, an unmarried individual, by Deed dated July 27, 2010, recorded
24 September 24, 2010, under King County Recording Number 20100924000974, as to RPAMIS
Subject Parcel No. 22072:

25 Lots 5 and 6, Guthries Terrace Park, according to the plat thereof recorded in Volume 52 of
26 Plats, page 24, in King County, Washington (commonly known as King County Tax Account
27 Parcel No. 297680-0925 and 297680-0930);



1
2 THEODORE S. WARREN and MARGARET A. WARREN, husband and wife, by Deed dated
3 July 28, 2010, recorded September 24, 2010, under King County Recording Number
4 20100924000647, as to RPAMIS Subject Parcel No. 22071:

5 Lots 1 and 2, Guthries Terrace Park, according to the plat thereof recorded in Volume 52 of
6 Plats, page 24, in King County, Washington (commonly known as King County Tax Account
7 Parcel No. 297680-0905 and 297680-0910);

8 Fauntleroy Park Addition

9 The following parcels in this area were acquired by donation:

10 MARTHA A. POOLTAN, as her separate estate, by Deed dated October 9, 2009, recorded
11 November 3, 2009, under King County Recording Number 20091103000914, as to RPAMIS
12 Subject Parcel No. 22025:

13 Lots 6 through 9, inclusive, in block 5, Daugherty Addition to the City of Seattle, according to
14 the plat thereof recorded in Volume 27 of Plats, page 10 in King County Washington (commonly
15 known as King County Tax Account Parcel No. 190410-0250, 190410-0260 and 190410-0270);

16 Section 2. Any act consistent with acceptance of the deeds described in Section 1 above
17 and prior to the effective date of this ordinance, including, without limitation, acceptance of
18 donations of real property and other acquisition of real property described in Section 1 above, is
19 hereby ratified and confirmed.

20 Section 3. This ordinance shall take effect and be in force 30 days after its approval by
21 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
22 shall take effect as provided by Seattle Municipal Code Section 1.04.020.



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Passed by the City Council the 6th day of September, 2011, and
signed by me in open session in authentication of its passage this
6th day of September, 2011.



President _____ of the City Council

Approved by me this 13th day of September, 2011.



Michael McGinn, Mayor

Filed by me this 13th day of September, 2011.



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	Amy Williams/ 233-2651

Legislation Title:

AN ORDINANCE relating to the Department of Parks and Recreation; accepting deeds for the donation of real property in Taylor Creek green space and for the donation of an addition to Fauntleroy Park, all for open space, park, and recreation purposes; and ratifying and confirming certain prior acts.

Summary and background of the Legislation:

This proposed legislation accepts three deeds for property donated to the City, all for open space, park, and recreation purposes, and places the property under the jurisdiction of the Seattle Department of Parks and Recreation (DPR). The donation of these properties will lead to increased operating costs for the Department beginning this year. However, these additional costs are minimal as the properties will remain undeveloped, and the Department will cover the costs within existing budget.

DPR is continually acquiring property to expand existing parks and green spaces or to add new land to the park system. The three deeds referenced in the attached legislation convey property in two project areas: .66 acres in the Taylor Creek green space and .44 acres as an addition to Fauntleroy Park. These donations add a total of 1.1 acres of open space to the City's park inventory.

The purpose of this legislation is to formally accept the deeds to the previously donated properties, as required by City Charter. Ordinance 122959 provided authority for planning and due diligence of green space properties and the authority to acquire property within designated green spaces at current fair market value. However, it did not authorize the acquisition of property by donation. Section 2 of the Ordinance included with this legislation rectifies this lack of previous authorization by seeking to ratify and confirm authority.

Project Name:	Project I.D.:	Project Location:	Start Date:	End Date:

Please check any of the following that apply:

This legislation creates, funds, or anticipates a new CIP Project.
 (Please note whether the current CIP is being amended through this legislation, or provide the Ordinance or Council Bill number of the separate legislation that has amended/is amending the CIP.)

This legislation does not have any financial implications.
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This legislation has financial implications.



Appropriations: N/A

Fund Name and Number	Department	Budget Control Level*	Existing 2011 Appropriation	New 2011 Appropriation (if any)	2012 Anticipated Appropriation
TOTAL	N/A	N/A	N/A	N/A	N/A

Appropriations Notes:

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

Spending Plan and Budget	2011	2012	2013	2014	2015	2016	Total
Spending Plan							
Current Year Appropriation							
Future Appropriations	N/A						

Spending Plan and Budget Notes:

Funding Source: N/A

Funding Source (Fund Name and Number, if applicable)	2011	2012	2013	2014	2015	2016	Total
TOTAL	N/A						

Funding Source Notes:

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:



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

O&M	2011	2012	2013	2014	2015	2016	Total
Uses							
Start Up							
On-going	\$7,105	\$7,590	\$7,742	\$7,896	\$8,054	\$8,215	\$46,602
Sources (itemize)							
Parks and Recreation Fund	\$7,105	\$7,590	\$7,742	\$7,896	\$8,054	\$8,215	\$46,602

Operation and Maintenance Notes:

The Taylor Creek property new facility cost for 2011 is \$4,147. This undeveloped property is at the headwaters of Taylor Creek in southeast Seattle and will remain undeveloped and in a natural condition. The Fauntleroy Park property new facility cost for 2011 is \$2,958. The property adjoins the eastern edge of the park and will also remain undeveloped. The Department will use existing budget to cover these new facility costs, and no additional funding is being requested.

Both sites are easily accessible so illegal dumping will be likely. There is a potential need for herbicide application of noxious weeds as County laws require removal. Regulatory signage will be installed and maintained, plus graffiti removal.

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: N/A

Identify possible and/or recommended method of financing the project replacement costs.

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	2011 Positions	2011 FTE	2012 Positions **	2012 FTE **
TOTAL	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Position Notes:



Do positions sunset in the future? N/A

What is the financial cost of not implementing the legislation?

The cost of not implementing the legislation is non-compliance with the City Charter which requires that the deeds to donated properties be accepted by ordinance.

Does this legislation affect any departments besides the originating department? No.

What are the possible alternatives to the legislation that could achieve the same or similar objectives?

There are none.

Is the legislation subject to public hearing requirements? No.

Other Issues:

None.

List attachments to the fiscal note below:

None.





City of Seattle
Office of the Mayor

May 24, 2011

Honorable Richard Conlin
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Conlin:

I am transmitting the attached proposed Council Bill, which accepts deeds for three properties acquired by donation in connection with the 2008 Parks and Green Spaces Levy. The purpose of this bill is to formally accept the deeds to these properties, as required by City Charter.

These acquisitions add property in two project areas: .66 acres in the Taylor Creek watershed in Southeast Seattle and .44 acres as an addition to Fauntleroy Park in Southwest Seattle; for a total of 1.1 acres of open space added to the City's park inventory. Voluntary conservation, such as donation of property, is an integral part of the City's Levy acquisition strategy, allowing for the preservation of more land than could be preserved with Levy funds.

Approval of this legislation contributes to the preservation of valued open space in Seattle. 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.

276477
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.

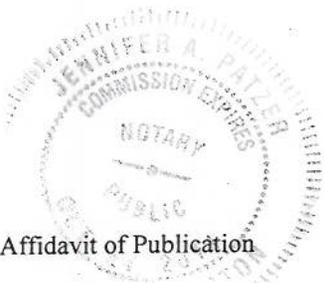
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:123686,88-123697

was published on

09/21/11

The amount of the fee charged for the foregoing publication is the sum of \$ 150.15, which amount has been paid in full.



Affidavit of Publication

M. J. [Signature]

Subscribed and sworn to before me on

09/21/11

[Signature]
Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on September 6, 2011, 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. 123686

AN ORDINANCE relating to jail services; authorizing the Mayor to execute an Interlocal Agreement with King County for the Provision of Jail Services.

ORDINANCE NO. 123688

AN ORDINANCE relating to the Department of Parks and Recreation; accepting deeds for the donation of real property in Taylor Creek green space and for the donation of an addition to Fauntleroy Park, all for open space, park, and recreation purposes; and ratifying and confirming certain prior acts.

ORDINANCE NO. 123689

AN ORDINANCE declaring the former Fire Station 37 surplus to the City's needs, and authorizing the Director of the Department of Finance and Administrative Services to sell the site and building through an open competitive process.

ORDINANCE NO. 123690

AN ORDINANCE declaring the former Fire Station 38 surplus to the City's needs, and authorizing the Director of the Department of Finance and Administrative Services to sell the site and building through an open competitive process.

ORDINANCE NO. 123691

AN ORDINANCE relating to the City Light Department; authorizing the Superintendent to grant, under threat of condemnation, an easement in City Light's fee owned transmission line right-of-way in the Southeast Quarter of the Northwest Quarter, Section 1, Township 29 North, Range 5 East, W.M., in Snohomish County, Washington, to Northwest Pipeline GP, for the continued operation and maintenance of a gas pipeline and appurtenances of its Everett Delta Lateral Project, and ratifying and confirming certain prior acts.

ORDINANCE NO. 123692

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 pro-

grams included in the City's Consolidated Plan for Housing and Community Development; decreasing appropriations in the 2011 Adopted Budget of funds available for activities under the Community Development Block Grant ("CDBG") Program, the Housing Opportunities for Persons with AIDS program, the Emergency Shelter Grant program and the HOME program; amending the 2011 Annual Allocation Plan component of the 2011 Update to the Consolidated Plan; reallocating unexpended funds from prior years; amending the housing policies section of the Consolidated Plan; authorizing a change to the schedule of CDBG payments in Section 4.2.3 of the Substitute Community Development Fund Agreement Executed By Central Puget Sound Regional Transit Authority and the City Of Seattle To Establish, Oversee, And Fund The City Of Seattle's Portion Of The Transit Oriented Community Development Fund, made pursuant to Ordinance 121763; and ratifying and confirming prior acts.

ORDINANCE NO. 123693

AN ORDINANCE relating to City employment commonly referred to as the Second Quarter 2011 Employment Ordinance; designating positions as exempt from Civil Service status and amending the Seattle Municipal Code (SMC) 4.13.010, Subsections 11 and 22; returning positions to Civil Service status; and ratifying and confirming prior acts; all by a 2/3 vote of the City Council.

ORDINANCE NO. 123694

AN ORDINANCE relating to the Pacific Place Garage; authorizing the loan of funds from the City's Consolidated (Residual) Cash Pool, or its participating funds, to the Downtown Parking Garage Fund; providing for repayment; and ratifying and confirming certain prior acts.

ORDINANCE NO. 123695

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

ORDINANCE NO. 123696

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

ORDINANCE NO. 123697

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, September 21, 2011.
9/21(276477)