Ordinance No. 124448

Council Bill No. 118046

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the acquisition of real property commonly known as 4041 California Avenue SW and 4045 California Avenue Southwest; authorizing acceptance and recording of the deeds for open space, park, and recreation purposes; increasing appropriations to the Department of Parks and Recreation in the 2014 Adopted Budget; and amending the 2014-2019 Adopted Capital Improvement Program; and ratifying and confirming certain prior acts; all by a three-fourths vote of the City Council.

Related Legislation File: _____

Date Introduced and Referred: 3|3|14	To: (committee): Parks, Seattle Center, Libraries, and Gender Pay Equity
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: 3|24|14	Date Presented to Mayor: 3|25|14
Date Signed by Mayor: 3|28|14	Date Returned to City Clerk: 3|31|14
Published by Title Only X Published in Full Text _____	Date Vetoed by Mayor:
Date Veto Published:	Date Passed Over Veto:
Date Veto Sustained:	Date Returned Without Signature:

The City of Seattle – Legislative Department

Council Bill/Ordinance sponsored by: Jean Godden

Committee Action:

Date	Recommendation	Vote
3.18.14	PASS	JG TR BH 3/4

This file is complete and ready for presentation to Full Council. _____

Full Council Action:

Date	Decision	Vote
3|24|14	Passed	8-0 (excused: Rasmussen)

Law Department

Chip Nevins
DPR Dakota Park Addition Acq ORD
January 29, 2014
Version #3

CITY OF SEATTLE

ORDINANCE 124448

COUNCIL BILL 118046

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the acquisition of real property commonly known as 4041 California Avenue SW and 4045 California Avenue Southwest; authorizing acceptance and recording of the deeds for open space, park, and recreation purposes; increasing appropriations to the Department of Parks and Recreation in the 2014 Adopted Budget; and amending the 2014-2019 Adopted Capital Improvement Program; and ratifying and confirming certain prior acts; all by a three-fourths vote of the City Council.

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

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

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

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

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

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

WHEREAS, the City has been trying to acquire the property at 4041/4045 California Avenue Southwest for years because of the intensity of use and relative small size of Dakota Place Park; and

SEATTLE CITY CLERK

WHEREAS, the property was recently acquired by a developer and divided into two lots for development purposes; and

WHEREAS, if the City does not acquire the property now, before it is redeveloped, the opportunity will be lost; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Superintendent of Parks and Recreation ("Superintendent"), or his designee, is authorized, on behalf of the City of Seattle, to acquire the following described real property, situated in the City of Seattle, County of King, State of Washington, and commonly known as 4041 California Avenue SW ("Parcel A") and 4045 California Avenue Southwest ("Parcel B") ("Properties"), together with all rights, privileges, and other property pertaining, thereto, for a purchase price of $477,000 for Parcel A and a purchase price of $238,000 for Parcel B:

Parcel A

Lots 30 and 31, Block 4, J. Walter Hainsworth's Second Addition to the City of West Seattle, according to the plat thereof recorded in Volume 14 of Plats, Page 9, in King County, Washington; Except the East 36 feet of Lot 30 and the East 36 feet of the South 5 feet of Lot 31.

Parcel B

The East 36 feet of Lot 30 and the East 36 feet of the South 5 feet of Lot 31, Block 4, J. Walter Hainsworth's Second Addition to the City of West Seattle, according to the plat thereof recorded in Volume 14 of Plats, Page 9, in King County, Washington

2014 CITY CLERK

Section 2. The Superintendent, or his designee, is authorized to execute such documents as he deems necessary or desirable to accomplish acquisition of Parcel A and Parcel B consistent with this ordinance, and to accept the deeds for Parcel A and Parcel B by attaching to each deed the Superintendent's written acceptance thereof, and recording the same. Parcel A and Parcel B shall be accepted for open space, park, and recreation purposes, and placed under the jurisdiction of the Seattle Department of Parks and Recreation.

Section 3. In order to pay for necessary capital costs and expenses incurred, or to be incurred, but for which insufficient appropriations were made due to causes that could not reasonably have been foreseen at the time the 2014 budget was adopted, the appropriation for the following in the 2014 Adopted Budget and the 2014-2019 Adopted Capital Improvement Program is increased from the funds shown, as follows:

Fund	**Department**	**Capital Improvement Program: Program (Number)**	**Amount**
2008 Parks Levy Fund (33860)	Parks and Recreation	2008 Parks Levy – Neighborhood Park Acquisition (K720010)	$776,485

Section 4. Any act consistent with the authority of this ordinance taken after its passage and prior to its effective date is ratified and confirmed.

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Section 5. 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 24th day of March, 2014, and signed by me in open session in authentication of its passage this 24th day of March, 2014.

President _____ of the City Council

Approved by me this 28th day of March, 2014.

Edward B. Murray, Mayor

Filed by me this 31st day of March, 2014.

Monica Martinez Simmons, City Clerk

(Seal)

SDS CITY CLERK

Chip Nevins
DPR Dakota Park Addition Acq FISC
January 29, 2014
Version #3

Form revised: December 12, 2012

FISCAL NOTE FOR CAPITAL PROJECTS ONLY

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Parks and Recreation	Donald Harris/684-8018	Catherine Cornwall/684-8725

Legislation Title: AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the acquisition of real property commonly known as 4041 California Avenue SW and 4045 California Avenue Southwest; authorizing acceptance and recording of the deeds for open space, park, and recreation purposes; increasing appropriations to the Department of Parks and Recreation in the 2014 Adopted Budget; and amending the 2014-2019 Adopted Capital Improvement Program; and ratifying and confirming certain prior acts; 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, by voluntary agreements, two parcels (in aggregate totaling 5,750 square feet) located adjacent to Dakota Place Park, which will increase the functionality of this popular park. The legislation also authorizes the acceptance of the deeds to the subject properties for open space, park, and recreation purposes and appropriates the necessary funds.

The proposed acquisitions are well-suited for an expansion of the park. They will increase the functionality of the park (the former substation building, now a community facility, has a large footprint on the site), and further satisfy the goal to provide parks within walking distance for residents in and around urban villages, a key planning goal included in both Seattle's Parks and Recreation 2006 Development Plan and 2006 Open Space Gap Report Update, and Seattle's Parks and Recreation 2011 Development Plan. The parcels will not be developed as an addition to the park until funding is available for that purpose.

The City presented several offers to the previous owner; however, there was never any agreement on price. A developer acquired the property, subdivided it into two parcels, each now owned by a different limited liability company controlled by the same managing member. Both limited liability companies are willing to sell to the City. The two parcels will be acquired under separate purchase and sale agreements and conveyed under separate deeds. It is anticipated that after the acquisitions close, the City will manage the site until park design/construction funding becomes available by demolishing the three residential cottages and two small outbuildings on one parcel and managing the lease in the commercial building on the other parcel until it is time to develop the park, depending on the terms of the lease and the condition of the building.

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Project Name:	Project I.D.:	Project Location:	Start Date:	End Date:
Neighborhood Park Acquisitions-2008 Parks Levy	K730010	West Seattle Junction Hub Urban Village – 4041, 4045 California Ave SW	April 2011	June 2015

____ **This legislation creates, funds, or anticipates a new CIP Project.**

____ **This legislation does not have any financial implications.**

__X__ **This legislation has financial implications.**

Appropriations:

Fund Name and Number	Department	Budget Control Level*	Existing Appropriation	New 2014 Appropriation (if any)	2014 Anticipated Appropriation
2008 Parks Levy Fund (33860)	Parks and Recreation	K720010	18,602	776,485	
TOTAL				**776,485**	

Appropriations Notes: The City will apply for 2014 King County Conservation Futures to offset approximately 50% of the acquisition costs. These funds require a 50% match and are paid on a reimbursement basis.

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Spending Plan and Future Appropriations for Capital Projects:

Spending Plan and Budget	2010-2012	2013	2014	2015	2016	2017	Total
Spending Plan	18,602	1,485	775,000				795,087
Current Year Appropriation	18,602		776,485				
Future Appropriations				o	o	o	**795,087**

Spending Plan and Budget Notes:
The current budget for this project is $795,087. The costs of negotiations with previous owner were $20,087. The current purchase price is $477,000 for one parcel and $238,000 for the other for a total purchase price of $715,000. The additional budget of $60,000 is for appraisals, administrative time, title insurance and closing costs, environmental testing, survey, and demolition of the residential structures and outbuildings. The acquisitions are scheduled to close at the end of March 2014 with demolition of the structures happening at the end of 2014.

Funding Source:

Funding Source (Fund Name and Number, if applicable)	2012	2013	2014	2015	2016	2017	Total
2008 Parks Levy Fund (33860)	18,602		776,485	0	0	0	795,087
TOTAL	**18,602**		**776,485**	**0**	**0**	**0**	**795,087**

Funding Source Notes:
Costs for this acquisition will be covered by the Neighborhood Parks Acquisition category of the Levy.

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:

SEAS CITY CLERK

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

O&M	2014	2015	2016	2017	2018	2019	Total
Uses							
Start Up							
On-going	1,618	2,347	2,394	2,442	2,491	2,540	**13,832**
Sources							
Rent Income	(6,000)	(12,000)	(12,000)	(12,000)	(12,000)	(12,000)	**(66,000)**
Total	(4,382)	(9,653)	(9,606)	(9,558)	(9,509)	(9,460)	**(52,168)**

Operation and Maintenance Notes: Estimates assume online/acquisition date of April 1, 2014. The new facility O&M estimates listed above reflect the costs to care for the property should the leases all be terminated and the buildings demolished. (DPR will likely keep the existing commercial tenant in place which is reflected in the projected rental income to pay for maintenance costs – subject to due diligence review of the existing lease.) Maintenance includes installation and repair of signage, graffiti removal, debris cleanup, and property repair due to vandalism. 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**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**

Position Notes:

Do positions sunset in the future? Not applicable.

DAS CITY CLERK

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 expanded park; therefore, DPR intends to manage the site, either by demolishing the buildings shortly after acquisition and maintaining the site with minimal operations funding or by keeping the commercial tenant on the site after acquisition and using the rent revenue to pay expenses.

b) What is the financial cost of not implementing the legislation?
If this property is not acquired, the target site would likely be redeveloped with a higher density project in the near future, thereby eliminating its possibility for development as an expanded neighborhood 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?
The scope of this project is to expand the size of the existing Dakota Place Park. The Department could forgo this opportunity, but the opportunity to expand Dakota Place Park would be lost.

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 West Seattle Junction Hub Urban Village – Proposed Dakota Place Park Addition – 4041 and 4045 California Avenue Southwest

2014 CITY CLERK

~~Chip Nevins~~
DPR Dakota Park Addition Acq FISC ATT A
January 22, 2014
Version 1

West Seattle Junction Hub Urban Village

Proposed Dakota Place Park Addition – 4041/4045 California Avenue SW

SEATTLE PARKS AND RECREATION

25 0 25 50 75
Feet
1 inch = 100 feet

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

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

Map date: July 10, 2012

ATT A to Dakota Plark Addition FISC

CITY CLERK

City of Seattle
Edward B. Murray
Mayor

February 18, 2014

Honorable Tim Burgess
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Burgess:

I am pleased to transmit the attached proposed Council Bill that authorizes the acquisition of two adjacent parcels, totaling approximately 5,750 square feet, located at 4041 and 4045 California Avenue SW and adjacent to Dakota Place Park in the West Seattle Junction Hub Urban Village. One parcel is currently improved with a small office building and the other is improved with three residential cottages and two outbuildings.

During the 2000 Pro Parks Levy, the City purchased Seattle City Light's surplus California Substation and redeveloped the site into a park, Dakota Place Park. Located at the edge of the West Seattle Junction Hub Urban Village, the park is heavily used and has strong community support. The acquisition of the identified property will allow for the expansion of the popular park, will increase its functionality (the existing community building – formerly the substation building – takes up part of the existing park's footprint), while keeping park maintenance and operations costs lower than if the City purchased a new park site in a different location.

The acquisition of 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 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,

Edward B. Murray
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Office of the Mayor
Seattle City Hall, 7th Floor
600 Fourth Avenue
PO Box 94749
Seattle, Washington 98124-4749

Tel (206) 684-4000
Fax: (206) 684-5360
Hearing Impaired use the Washington Relay Service (7-1-1)
www.seattle.gov/mayor

2014 CITY CLERK

STATE OF WASHINGTON -- KING COUNTY

--ss.

309770 No. 124447,448,449

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:TITLE ONLY ORDINANCES

was published on

04/11/14

The amount of the fee charged for the foregoing publication is the sum of $74.75 which amount has been paid in full.

Subscribed and sworn to before me on

04/11/2014

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 March 24, 2014, 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. 124447

AN ORDINANCE relating to environmentally critical areas, amending Sections 23.60A.156, 25.06.020, 25.06.030, 25.06.040, 25.06.050, 25.06.100, 25.06.110, 25.09.017, 25.09.020, 25.09.030, 25.09.040, 25.09.045, 25.09.055, 25.09.060, 25.09.120, 25.09.160, 25.09.180, 25.09.200, 25.09.260, 25.09.300, 25.09.320, and 25.09.520 of the Seattle Municipal Code to reconcile conflicts and discrepancies between regulations for development in floodplains in Chapter 25.06 and the regulations for flood-prone areas set forth in Chapter 25.09, and to clarify language and make minor amendments to the Regulations for Environmentally Critical Areas.

ORDINANCE NO. 124448

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the acquisition of real property commonly known as 4041 California Avenue SW and 4045 California Avenue Southwest; authorizing acceptance and recording of the deeds for open space, park, and recreation purposes; increasing appropriations to the Department of Parks and Recreation in the 2014 Adopted Budget; and amending the 2014-2019 Adopted Capital Improvement Program; and ratifying and confirming certain prior acts; all by a three-fourths vote of the City Council.

ORDINANCE NO. 124449

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

Date of publication in the Seattle Daily Journal of Commerce, April 11, 2014.

4/11(309770)