



SEATTLE CITY COUNCIL

Legislative Summary

CB 119570

Record No.: CB 119570

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125871

In Control: City Clerk

File Created: 06/28/2019

Final Action: 07/26/2019

Title: AN ORDINANCE relating to Seattle Parks and Recreation; authorizing the acquisition of real property commonly known as 2318 NE 125th St.; authorizing acceptance and recording of the deed for open space, park, and recreation purposes; and ratifying and confirming certain prior acts.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Juarez

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: Chip Nevins

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	07/09/2019	Mayor's leg transmitted to Council	City Clerk			
1	City Clerk	07/09/2019	sent for review	Council President's Office			
Action Text: The Council Bill (CB) was sent for review. to the Council President's Office							
1	Council President's Office	07/10/2019	sent for review	Civic Development, Public Assets, and Native Communities Committee			
Action Text: The Council Bill (CB) was sent for review. to the Civic Development, Public Assets, and Native Communities Committee							

Legislative Summary Continued (CB 119570)

1	City Council	07/15/2019	referred	Civic Development, Public Assets, and Native Communities Committee	
1	Civic Development, Public Assets, and Native Communities Committee	07/17/2019	pass		Pass
	Action Text: The Committee recommends that City Council pass the Council Bill (CB). In Favor: 3 Chair Juarez, Vice Chair Bagshaw, Member González Opposed: 0				
1	City Council	07/22/2019	passed		Pass
	Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill: In Favor: 8 Councilmember Bagshaw, Councilmember González , Council President Harrell, Councilmember Herbold, Councilmember Mosqueda, Councilmember O'Brien, Councilmember Pacheco, Councilmember Sawant Opposed: 0				
1	City Clerk	07/25/2019	submitted for Mayor's signature	Mayor	
	Action Text: The Council Bill (CB) was submitted for Mayor's signature. to the Mayor				
1	Mayor	07/26/2019	Signed		
	Action Text: The Ordinance (Ord) was Signed.				
1	Mayor	07/26/2019	returned	City Clerk	
	Action Text: The Ordinance (Ord) was returned. to the City Clerk				
1	City Clerk	07/26/2019	attested by City Clerk		
	Action Text: The Ordinance (Ord) was attested by City Clerk.				

CITY OF SEATTLE

ORDINANCE 125871

COUNCIL BILL 119570

AN ORDINANCE relating to Seattle Parks and Recreation; authorizing the acquisition of real property commonly known as 2318 NE 125th St.; authorizing acceptance and recording of the deed for open space, park, and recreation purposes; and ratifying and confirming certain prior acts.

WHEREAS, the City Council passed Ordinance 124468 in 2014, authorizing an interlocal agreement between The City of Seattle ("City") and the Seattle Park District, which included the Seattle Park District Financial Plan: 2015-2020; and

WHEREAS, the Seattle Park District Financial Plan: 2015-2020 includes the Park Land Acquisition and Leverage Fund, which is to be used to acquire park lands, including acquisition of greenspace properties; and

WHEREAS, Seattle Parks and Recreation has determined that the Thornton Creek property provides significant open space benefits, including wildlife habitat and recreational opportunities, and the area is, therefore, a priority area for additional acquisitions for parks and open space; and

WHEREAS, Seattle Public Utilities has determined that the Thornton Creek property provides significant opportunity for flood control and habitat restoration and enhancement; and

WHEREAS, Seattle Parks and Recreation and Seattle Public Utilities are developing a Memorandum of Agreement (MOA) that will define cost sharing, roles, responsibilities and processes for specified activities including urban creek restoration and enhancement projects on the real property described in Section 1 of this ordinance; and

1 WHEREAS, Seattle Parks and Recreation intends to transfer a portion of the property to Seattle
2 Public Utilities for flood control and habitat restoration and enhancement pursuant to the
3 MOA; and

4 WHEREAS, funding for the acquisition is available from the Park Land Acquisition and
5 Leverage Fund and has been appropriated by Ordinance 125475; NOW, THEREFORE,

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

7 Section 1. The Superintendent of Parks and Recreation ("Superintendent"), or the
8 Superintendent's designee, is authorized, on behalf of The City of Seattle, to acquire the
9 following described real property, situated in the City of Seattle, County of King, State of
10 Washington, and commonly known as the property at 2318 NE 125th St ("Property"), together
11 will all rights, privileges, and other property pertaining thereto, for open space, park, and
12 recreation purposes:

13 BEGINNING AT A POINT 396 FEET WEST OF SOUTHEAST CORNER OF
14 SOUTHEAST QUARTER OF SOUTHEAST QUARTER OF SOUTHWEST
15 QUARTER OF SECTION 21, TOWNSHIP 26 NORTH, RANGE 4 EAST, W.M., IN
16 KING COUNTY, WASHINGTON;

17 THENCE NORTH 330 FEET;

18 THENCE WEST 132 FEET;

19 THENCE SOUTH 330 FEET;

20 THENCE EAST 132 FEET TO POINT OF BEGINNING;

21 EXCEPT THE SOUTH 30 FEET THEREOF LYING WITHIN EAST 125TH STREET;

22 AND EXCEPT THAT PORTION THEREOF CONVEYED TO THE CITY OF

23 SEATTLE FOR STREET PURPOSES BY DEED

1 RECORDED UNDER KING COUNTY RECORDING NUMBER 6527513.

2 Section 2. The Superintendent, or the Superintendent's designee, is authorized, on behalf
3 of The City of Seattle, to execute such documents, as deemed necessary or desirable to acquire
4 the Property for a purchase price of \$1,050,000.

5 Section 3. The Superintendent, or the Superintendent's designee, is authorized, on behalf
6 of The City of Seattle, to accept a deed for the Property for open space, park, and recreation
7 purposes by attaching to the deed the Superintendent's written acceptance thereof and recording
8 the same.

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

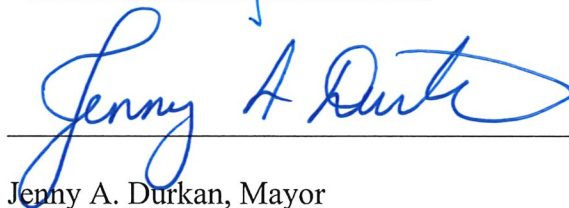
Section 5. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within 10 days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 22nd day of July, 2019,
and signed by me in open session in authentication of its passage this 22nd day of
July, 2019.

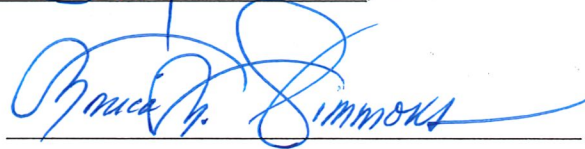


President _____ of the City Council

Approved by me this 26th day of July, 2019.


Jenny A. Durkan, Mayor

Filed by me this 26th day of July, 2019.



Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Parks & Recreation	Chip Nevins/233-3879	Anna Hurst/733-9317

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to Seattle Parks and Recreation; authorizing the acquisition of real property commonly known as 2318 NE 125th St.; authorizing acceptance and recording of the deed for open space, park, and recreation purposes; and ratifying and confirming certain prior acts.

Summary and Background of the Legislation: This proposed legislation authorizes Seattle Parks and Recreation (SPR) to acquire the property located at 2318 NE 125th St. by negotiation. The legislation also allows for the acceptance of the deed to the subject property for open space, park, and recreation purposes.

On August 5, 2014, Seattle voters approved the formation of the Seattle Park District, to provide stable funding for operations, maintenance, development and acquisition of parks and recreation facilities and programs.

The Seattle Park District provides funding to acquire park lands, including acquisition of greenspace properties. Seattle Parks and Recreation has been acquiring property within the City's green spaces since the late 1960s. The proposed legislation authorizes SPR to acquire a 39,226 square-foot property, with a 1,890-s.f. house and 760-s.f. cottage on it, located adjacent to the north branch of Thornton Creek. SPR will demolish the house and cottage.

The intent is for this project to be a partnership between SPR and Seattle Public Utilities (SPU). The two departments are developing a Memorandum of Agreement (MOA) that will define cost sharing, roles, responsibilities and processes for specified activities including urban creek restoration and enhancement projects on the property. SPR will use Park District funding to purchase the property. SPU will reimburse SPR for half the acquisition and demolition costs and pay for the stream restoration project. The intent is to transfer a portion of the property to SPU for urban creek restoration and enhancement projects at the time that SPU provides funding to the project pursuant to the MOA.

This acquisition extends the goals of the 2000 Thornton Creek masterplan developed by SPU. SPR and SPU have partnered on several projects in the Thornton Creek watershed as part of their cooperative effort to protect and enhance water quality and associated natural resource values in the watershed. This property represents a unique opportunity to reconnect the floodplain along this section of Thornton Creek to provide additional salmon habitat and increase the flood retention ability of the watershed.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes X No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes X No

Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

Once the acquisition is complete, SPR will incur additional costs to demolish the house and cottage as well as increased operating costs for maintenance of the property. The demolition costs are currently budgeted, and SPR may include a request for the new facility maintenance costs in a future budget process.

Is there financial cost or other impacts of *not* implementing the legislation?

The property is actively on the market. If the City does not acquire it at this time, the property will be sold, and this opportunity will be lost.

3.d. Appropriations

The Park District's Park Acquisition and Leverage Fund (Initiative 4.1) will fund this acquisition. The current budget for this project is \$1,200,000. The purchase price is \$1,050,000, with an additional budget of \$30,000 for staff time, title insurance and closing costs, and environmental testing and up to \$120,000 for demolition of the house. The funding for this acquisition was appropriated by Ordinance 125475.

3.e. Revenues/Reimbursements

Revenue/Reimbursement Notes: SPR has applied for King County Conservation Futures Tax funding (CFT) to reimburse the department for half the cost of acquisition (not including demolition).

3.f. Positions

Not applicable.

4. OTHER IMPLICATIONS

- a. Does this legislation affect any departments besides the originating department? Seattle Public Utilities.
- b. Is a public hearing required for this legislation? No.

- c. **Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?** No.
- d. **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?** Not applicable.
- e. **Does this legislation affect a piece of property?** Yes, included in this legislation as Summary Attachment A - Map of Thornton Creek: 125th Street Acquisition.
- f. **Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?** The acquisition of the property will add greenspace to the Lake City community, a historically underserved area.
- g. **If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s).** Not applicable.

List attachments/exhibits below:

Summary Attachment A – Map of Thornton Creek: 125th Street Acquisition

STATE OF WASHINGTON -- KING COUNTY

--SS.

376764

No. 125871,872,873

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.

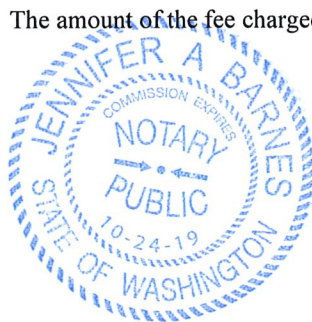
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

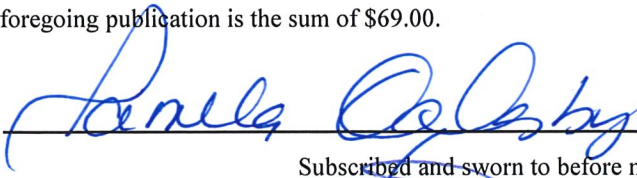
CT; TITLE ONLY ORDINANCES

was published on

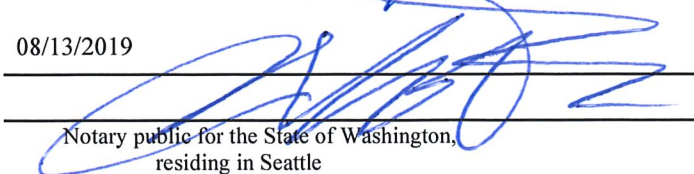
08/13/19

The amount of the fee charged for the foregoing publication is the sum of \$69.00.




Subscribed and sworn to before me on

08/13/2019


Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle

Title Only Ordinances

The full text of the following legislation, passed by the City Council on July 22, 2019, and published below by title only, will be mailed upon request, or can be accessed at <http://seattle.legistar.com>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Ordinance 125871

Council Bill 119570

AN ORDINANCE relating to Seattle Parks and Recreation; authorizing the acquisition of real property commonly known as 2318 NE 125th St.; authorizing acceptance and recording of the deed for open space, park, and recreation purposes; and ratifying and confirming certain prior acts.

Ordinance 125872

Council Bill 119402

AN ORDINANCE related to funding for the Equitable Development Initiative and affordable housing; creating a fund for short-term rental tax revenue.

Ordinance 125873

Council Bill 119537

AN ORDINANCE relating to the sale of low-income housing; requiring owners of certain multi-family rental housing to notify the Seattle Office of Housing, the Seattle Housing Authority, and tenants of the owner's proposed sale of that housing; and amending Sections 22.907.030 and 22.907.100 of the Seattle Municipal Code.

Date of publication in the Seattle Daily Journal of Commerce, August 13, 2019.

8/13(376764)