



SEATTLE CITY COUNCIL

Legislative Summary

CB 119635

Record No.: CB 119635

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125960

In Control: City Clerk

File Created: 08/29/2019

Final Action: 10/11/2019

Title: AN ORDINANCE relating to the City Light Department and the Office of Housing; transferring jurisdiction of the former Loyal Heights and Phinney Substation properties from the City Light Department to the Office of Housing for the purpose of developing permanently affordable home ownership.

<p>Notes:</p> <p>Sponsors: Mosqueda</p> <p>Attachments:</p> <p>Drafter: Alan.Matthews@seattle.gov</p>	<p style="text-align: right;"><u>Date</u></p> <p>Filed with City Clerk:</p> <p>Mayor's Signature:</p> <p>Vetoed by Mayor:</p> <p>Veto Overridden:</p> <p>Veto Sustained:</p>
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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	City Clerk	09/03/2019	sent for review	Council President's Office			
1	Mayor	09/03/2019	Mayor's leg transmitted to Council	City Clerk			
1	Council President's Office	09/05/2019	sent for review	Housing, Health, Energy, and Workers' Rights Committee			
Action Text: The Council Bill (CB) was sent for review. to the Housing, Health, Energy, and Workers' Rights Committee							
1	City Council	09/09/2019	referred	Housing, Health, Energy, and Workers' Rights Committee			

Legislative Summary Continued (CB 119635)

- 1 Housing, Health, Energy, 09/24/2019 pass 09/30/2019 Pass
and Workers' Rights
Committee
Action Text: The Committee recommends that City Council pass the Council Bill (CB).
In Favor: 3 Chair Mosqueda, Vice Chair Juarez, Member Bagshaw
Opposed: 0
- 1 City Council 09/30/2019 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, Council President Harrell, Councilmember
Herbold, Councilmember Juarez, Councilmember Mosqueda,
Councilmember O'Brien, Councilmember Pacheco, Councilmember
Sawant
Opposed: 0
- 1 City Clerk 10/03/2019 submitted for Mayor
Mayor's signature
- 1 Mayor 10/04/2019 Signed
Action Text: The Council Bill (CB) was Signed.
- 1 Mayor 10/11/2019 returned City Clerk
Action Text: The Council Bill (CB) was returned. to the City Clerk
- 1 City Clerk 10/11/2019 attested by City Clerk
Action Text: The Ordinance (Ord) was attested by City Clerk.
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CITY OF SEATTLE

ORDINANCE 125960

COUNCIL BILL 119635

AN ORDINANCE relating to the City Light Department and the Office of Housing; transferring jurisdiction of the former Loyal Heights and Phinney Substation properties from the City Light Department to the Office of Housing for the purpose of developing permanently affordable home ownership.

WHEREAS, the City Light Department of The City of Seattle (“City Light”), in compliance with Resolution 31424, has notified other City departments and other public agencies about the former Loyal Heights and Phinney Substation properties being excess to City Light’s needs and available for sale and transfer, with the Office of Housing being the sole City entity to express its interest in acquiring both properties for permanently affordable home ownership; and

WHEREAS, the Office of Housing has a track record of investing in affordable housing, including permanently affordable homeownership; and

WHEREAS, access to publicly owned land for use as affordable housing at key locations furthers the City’s fair housing goals and offers cost savings that increase project viability; and

WHEREAS, there are very limited opportunities for first-time, low-income homebuyers at or below 80 percent of Area Median Income to purchase a home within The City of Seattle; and

WHEREAS, Ordinance 125571 allows for strategic land acquisition by the Office of Housing to purchase property and secure it for critical long-term affordable housing development opportunities; and

1 WHEREAS, City Light, in compliance with Resolution 31424, has conducted a robust
2 community outreach to solicit public input on the potential disposition of the former
3 Loyal Heights and Phinney Substation properties, and has submitted a report on its
4 efforts, comments received, and recommendations on the disposition of the property to
5 the City Council after first notifying the interested public of this same information; and

6 WHEREAS, City Light has taken many steps to inform the public of the possible disposition of
7 the properties and of the public's opportunity to comment, above and beyond those
8 required by Resolution 31424; and

9 WHEREAS, the Washington State Legislature adopted Third Substitute House Bill 2382 with an
10 effective date of June 7, 2018, which provides that sale or transfer of public utility
11 surplus property may be carried out at low or no cost for the purpose of providing
12 affordable housing for low-income households at or below 80% of the median income
13 where the affordable housing is located, in compliance with locally adopted
14 implementing rules; and

15 WHEREAS, on July 30, 2018, the City Council adopted Resolution 31829 which established the
16 required local implementing rules to carry out the authority of Third Substitute House
17 Bill 2382 and established a priority of dedicating surplus City Light property for the
18 development of affordable housing; and

19 WHEREAS, Resolution 31829 provides that those City Light properties that have completed the
20 public outreach process that was previously required are not required to restart the public
21 outreach process; and

22 WHEREAS, in accordance with Third Substitute Bill 2382 and Resolution 31829 City Light and
23 the Office of Housing have agreed upon no-cost transfers of the former Loyal Heights

1 Substation property and the former Phinney Substation property for the purpose of
2 developing permanently affordable home ownership; and

3 WHEREAS, the Office of Housing has conducted a competitive process to select developers of
4 the former Loyal Heights and Phinney Substation properties to build permanently
5 affordable home ownership; NOW, THEREFORE,

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

7 Section 1. The City of Seattle (City) approves the steps taken by the City Light
8 Department as documented in “The Disposition of Seven Seattle City Light Properties in NW
9 Seattle: A Report and Recommendation in Response to the Requirements of Resolution 31424”,
10 to evaluate and determine the appropriate disposition for the following described excess City
11 Light properties in King County, Washington:

12 Former Loyal Heights Substation, 7750 28th Ave. N.W., Seattle: Lots 13 and 14, Block 2,
13 Loyal Heights Division No. 6, an addition to The City of Seattle, according to the plat
14 thereof recorded in Volume 19 of Plats, page 82, Records of King County, Washington,
15 Tax Parcel Number: 444380024505.

16
17 Former Phinney Substation, 6109 Phinney Ave. N., Seattle: Lots 7,8,9 and 10, Block 81,
18 Supplemental Plat of Woodland Park Addition to The City of Seattle, according to the
19 plat thereof recorded in Volume 5 of Plats, page 19, in King County, Washington; except
20 the north 5 feet of Lot 7 as conveyed by deed recorded under recording No. 4291156; and
21 except the south 20 feet of the east 50 feet of Lot 7; and except the east 50 feet of Lots 8
22 and 9, all as conveyed by deed recorded under Recording No. 4306574, Tax Parcel
23 Number: 952310129004.

24
25 Section 2. Pursuant to RCW 35.94.040 and after public hearing, the former Loyal Heights
26 and Phinney Substation properties described in Section 1 are declared to be surplus to the City’s
27 electric utility needs and no longer required for providing continued public utility service.

28 Section 3. Jurisdiction over the former Loyal Heights Substation property described in
29 Section 1 is hereby transferred at no cost as of the effective date of this ordinance from the City

1 Light Department to the Office of Housing for the purpose of developing permanently affordable
2 home ownership for low-income households at or below 80 percent of the median income.

3 Section 4. Jurisdiction over the former Phinney Substation property described in Section
4 1 is hereby transferred at no cost as of the effective date of this ordinance from the City Light
5 Department to the Office of Housing for the purpose of developing permanently affordable home
6 ownership for low-income households at or below 80 percent of the median income.

7 Section 5. Upon transfer of title to the property, the Office of Housing shall require the
8 transferee to accept the property “as-is, where-is, with all faults” and to release, indemnify, and
9 hold the City harmless from any future claims regarding the condition of the property, including
10 but not limited to any and all claims related to environmental conditions.

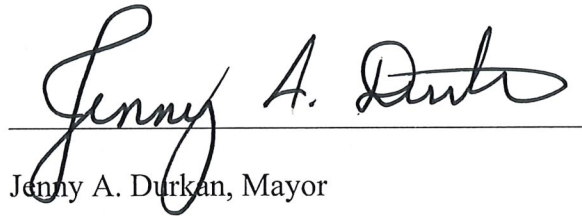
1 Section 6. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 30th day of September, 2019,
5 and signed by me in open session in authentication of its passage this 30th day of
6 September, 2019.


7 

8 President _____ of the City Council

9 Approved by me this 4th day of October, 2019.

10 
11 Jenny A. Durkan, Mayor

12 Filed by me this 11th day of OCTOBER, 2019.

13 
14 Monica Martinez Simmons, City Clerk

15 (Seal)