



Legislation Text

File #: CB 118912, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE related to the City Light Department and the Department of Parks and Recreation; superseding Section 7 of Ordinance 124917 and transferring jurisdiction of the former Delridge Substation from the City Light Department to the Department of Parks and Recreation for open space, park and recreation purposes.

WHEREAS, by Ordinance 124917, the City's former Delridge Substation (the "Property") was declared surplus to the City's needs, and the City Light Department ("City Light") was authorized to offer the Property for sale to a community-based non-profit organization for preservation of public open space and for appraised value within one year of the effective date of the legislation; and

WHEREAS, in order to fulfill the intent of Ordinance 124917, City Light has recommended that jurisdiction over the Property be transferred to the Department of Parks and Recreation ("Parks"), and that Parks develop an operating agreement with the Delridge Neighborhoods Development Association ("DNDA"), under which the DNDA will develop and manage the Property for public open space, park, and recreation purposes; and

WHEREAS, City Light and Parks have determined the fair market value of the Property to be \$80,000; NOW THEREFORE;

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Pursuant to Ordinance 124917, the property commonly known as the Former Delridge Substation ("Delridge Property"), legally described below, was declared no longer needed for the City of Seattle's electric utility purposes and surplus to the City's electric utility needs:

Lot 1, Block 12, Homecroft Addition to the City of Seattle, according to the plat thereof recorded in Volume 24 of Plats, Page 42, records of King County, Washington.
(KC Tax Parcel No. 343850-0360; SCL PM No. 240324-4-301)

Section 2. Section 7 of Ordinance 124917 with respect to sale of the Delridge Property is hereby superseded, and jurisdiction over the Delridge Property is hereby transferred from the City Light Department to

the Department of Parks and Recreation for open space, park and recreation purposes, upon payment of \$80,000 to the City Light Fund (41000) from the Department of Parks and Recreation Cumulative Reserve Capital Projects Unrestricted Subfund (00164).

Section 3. Notwithstanding the transfer of jurisdiction, City Light shall remain responsible for all costs and expenses for response, removal, or other remedial action, including disposal, of any Hazardous Substance in or on the Delridge Property or improvements thereon caused by City Light's use, occupation, or operation of the Delridge Property.

Section 4. For purposes of this ordinance, the term Hazardous Substance means any substance or material defined or designated as a hazardous, dangerous, radioactive or toxic material, waste or substance, environmental pollutant or contaminant, including without limitation asbestos and petroleum products, or other similar term by any Environmental Laws, and the term Environmental Laws means any environmental or health and safety-related law, regulation, or rule, ordinance or directive at the federal, state or local level, whether existing as of the date of this Ordinance, previously enforced or subsequently enacted.

Section 5. The Superintendent of Parks and Recreation is authorized to execute, for and on behalf of the City, an agreement with the Delridge Neighborhood Development Authority ("DNDA"), substantially in the form of the "Operating Agreement between The City of Seattle and the Delridge Neighborhood Development Authority," attached hereto as Attachment 1, providing for the DNDA's use, maintenance, operation and development of the Delridge Property for an initial term of 10 years. Consistent with the provisions of the operating agreement authorized by this Section, the Superintendent is also authorized to extend the operating agreement for additional five-year periods, with such amendments or deletions as the Superintendent deems in the best interest of the City.

Section 6. 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 the City Council the _____ day of _____, 2017, and signed by
me in open session in authentication of its passage this _____ day of _____, 2017.

President _____ of the City Council
Approved by me this _____ day of _____, 2017.

Edward B. Murray, Mayor
Filed by me this _____ day of _____, 2017.

Monica Martinez Simmons, City Clerk
(Seal)

Attachment 1 - Operating Agreement
Exhibit A - Property Description
Exhibit B - Forest Stewards Field Guide