



Legislation Details (With Text)

File #: CB 120141 **Version:** 1 **Name:** CB 120141
Type: Ordinance (Ord) **Status:** Passed
In control: City Clerk

On agenda: 8/9/2021

Final Action: 8/12/2021 **Ord. No.** Ord 126411

Title: AN ORDINANCE relating to Seattle Parks and Recreation; authorizing the acquisition of real property commonly known as 1024 South Elmgrove Street; authorizing acceptance of a recording of the deed for open space, park, and recreation purposes; and ratifying and confirming certain prior acts.

Sponsors: Debora Juarez

Indexes:

Attachments: 1. Att 1 – Purchase and Sale Agreement, 2. Att 2 – First Amendment to Purchase and Sale Agreement, 3. Att 3 - Deed Acceptance Certificate, 4. Summary and Fiscal Note, 5. Summary Ex A - Duwamish Waterway Park Addition, 6. Summary Ex B - Fifth Amendment to PSA, 7. Presentation, 8. Signed Ordinance 126411, 9. Affidavit of Publication

Date	Ver.	Action By	Action	Result
8/12/2021	1	City Clerk	attested by City Clerk	
8/12/2021	1	Mayor	returned	
8/12/2021	1	Mayor	Signed	
8/12/2021	1	City Clerk	submitted for Mayor's signature	
8/9/2021	1	City Council	passed	Pass
8/3/2021	1	Public Assets and Native Communities Committee	pass	Pass
7/26/2021	1	City Council	referred	
7/21/2021	1	Council President's Office	sent for review	
7/13/2021	1	City Clerk	sent for review	
7/13/2021	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to Seattle Parks and Recreation; authorizing the acquisition of real property commonly known as 1024 South Elmgrove Street; authorizing acceptance of a recording of the deed for open space, park, and recreation purposes; and ratifying and confirming certain prior acts.

WHEREAS, the Duwamish River flows into Seattle's Elliott Bay, from its source in the foothills of Mount Rainier; and

WHEREAS, we acknowledge that the Duwamish River flows through lands that have been occupied and stewarded since time immemorial by people from the Duwamish, Suquamish, Muckleshoot, and Yakama Tribes. These and other indigenous peoples have their homes in, travel through, harvest and use the plentiful natural resources of the Duwamish River, Elliott Bay, and the other nearby lands and waters. We honor with gratitude the land itself. We respect the history of all indigenous peoples who historically and currently are part of the Duwamish Valley, and whose people were forcibly dispossessed and removed from their homes and lands by the United States government and the City of Seattle. We are committed to recognizing the ongoing relationship that exists between indigenous peoples and these places; and

WHEREAS, local businesses and populations that include tribal members, low-income, immigrant, and refugee families, live, work, worship, play, and fish along the lower Duwamish River; and

WHEREAS, Duwamish Waterway Park has been identified as an important community asset in need of improvements in multiple community-led plans such as the 2014 South Park Green Space Vision Plan, which identifies community priorities for improved public spaces and guides actions and investments and highlights the fact that South Park residents and workers have access to 140 square feet of green space per resident versus an average of 387 square feet per resident in Seattle; and

WHEREAS, multiple health inequities and disparities were documented in the Duwamish Valley Cumulative Health Impacts Analysis (2013), including a 13-year life expectancy difference between residents of South Park and people living in more affluent and less diverse neighborhoods within Seattle city limits; and

WHEREAS, in 2015, Resolution 31567 requested City departments to create an Interdepartmental Team (IDT) to continue to identify ongoing projects that serve resident, tribal, and fishing communities in the Duwamish River Valley, coordinate outreach efforts, and consider further actions to protect the health of Duwamish Valley communities including South Park/Georgetown community members; and

WHEREAS, the Race and Social Justice Initiative (RSJI) requires the City to engage communities of color, immigrants, refugees, limited-English proficiency communities, people with low incomes and other most impacted communities in the design and implementation of City projects and programs to ensure racial and social equity and increased community benefit; and

WHEREAS the Equity & Environment Agenda (2016), Seattle’s blueprint and roadmap to advance race and social justice through our environmental work, identified South Park as a focus area; and

WHEREAS, the City completed the Duwamish Valley Action Plan in June 2018, with identified six racial equity outcomes, and strategies and actions that reflected community priorities including increased open spaces and access to the Duwamish River; and

WHEREAS, the City learned from community partners who reached out to City of Seattle staff, of the potential of acquiring a property located on the Duwamish River (“Site”) to enlarge Duwamish Waterway Park and meet community needs; and

WHEREAS, in 2020 the Robert Wood Johnson Foundation (RWJF) awarded the City a \$600,000 grant to work with community partners in the Duwamish Valley on a strategy that will improve health, increase community resilience, adapt to the impacts of a changing climate, and produce a site plan to guide the acquisition and development of the Site in ways that demonstrate shared decision-making, the advancement of community capacity, and the creation of opportunities for co-developing open space and community supportive spaces; and

WHEREAS, the South Park Capacity Building Group, through which leaders from South Park community organizations collaborate and coordinate efforts to advance community priorities, has prioritized this work and will serve as a project steering committee for the acquisition and development of the Site; and

WHEREAS, the City of Seattle, through its Seattle Parks and Recreation department, appraised and entered into a purchase and sale agreement with Elm Grove, LLC for its property at 1024 South Elmgrove Street, subject to City Council approval and other necessary due diligence, in order to complete the

acquisition in a timely manner in order to secure the property for future public uses, including an addition to the existing Duwamish Waterway Park, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Superintendent of Parks and Recreation (“Superintendent”), or the Superintendent’s 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 the property at 1024 South Elmgrove Street (“Property”), together with all rights, privileges, and other property pertaining thereto, for open space, park, and recreation purposes:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF KING, STATE OF WASHINGTON, AND IS DESCRIBED AS FOLLOWS:

PARCEL A:

LOTS 11 THROUGH 20, INCLUSIVE, AND 38 THROUGH 46, ALL IN BLOCK 13, RIVER PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 7 OF PLATS, PAGE 41, IN KING COUNTY, WASHINGTON; EXCEPT THAT PORTION CONDEMNED IN KING COUNTY SUPERIOR COURT CAUSE NUMBER 82673 FOR COMMERCIAL WATERWAY DISTRICT NUMBER 1.

PARCEL B:

TOGETHER WITH THE WEST 112.75 FEET OF THE SOUTH 100 FEET OF THE NORTH 360 FEET OF GOVERNMENT LOT 1, SECTION 32, TOWNSHIP 24 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON;

EXCEPT THAT PORTION CONDEMNED IN KING COUNTY SUPERIOR COURT CAUSE NUMBER 82673 FOR COMMERCIAL WATERWAY DISTRICT NUMBER 1.

Section 2. The Superintendent, or the Superintendent’s designee, is authorized to execute and perform on behalf of The City of Seattle a Real Estate Purchase and Sale Agreement and First Amendment (“Agreement”) with the seller substantially in the form of Attachments 1 and 2 to this ordinance, by which the City will acquire the Property in exchange for a purchase price not to exceed \$3,900,000, as supported by an

appraisal, negotiation, and other promises set forth in the Agreement; and to accept a deed for the Property consistent with the terms of the Agreement by executing a Deed Acceptance Certificate substantially in the form of Attachment 3 to this ordinance.

Section 3. The Superintendent is further authorized to execute such further and additional agreements or amendments to the Agreement that the Superintendent determines necessary to effect the acquisition consistent with the terms of this ordinance, including amendments to the Agreement to reduce the purchase price and to extend the closing date and other deadlines set out in the Agreement.

Section 4. The Property shall be placed under the jurisdiction of Seattle Parks and Recreation.

Section 5. Any act consistent with the authority of this ordinance, including but not limited to execution of the Agreement, taken prior to its effective date is ratified and confirmed.

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 10 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 _____, 2021, and signed by me in open session in authentication of its passage this ____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1 - Agreement for Purchase and Sale of Real Property

Attachment 2 - First Amendment to Real Estate Purchase and Sale Agreement

Attachment 3 - Deed Acceptance Certificate