



Legislation Text

File #: CB 120086, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the transfer of City property located at 525 North 85th Street; authorizing the conveyance of the property to the Phinney Neighborhood Association, a Washington non-profit corporation, consistent with the intent of Resolution 31856 and to provide for the continued delivery of social services; making findings of fact about the consideration for the transfer; superseding Resolution 31837 for the purposes of this ordinance; and authorizing the Director of Finance and Administrative Services or designee to execute and deliver documents necessary to carry out the conveyance of such property on the terms and conditions of this ordinance.

WHEREAS, in 1977, The City of Seattle (“City”) purchased a medical clinic on an approximately 22,000-square-foot site located at 525 North 85th Street (“Greenwood Senior Center”) for use as a neighborhood senior center; and

WHEREAS, the purchase money for the Greenwood Senior Center included funds from a community development block grant from the United States Department of Housing and Urban Development and from an award of Referendum 29 funds as administered by the State of Washington Department of Social and Health Services; and

WHEREAS, in 1987 Greenwood Senior Center, Inc. (“GSC, Inc.”), purchased the 3,171-square-foot parcel abutting the east boundary of the Greenwood Senior Center to provide parking for the users of the Greenwood Senior Center; and

WHEREAS, in 1987 the City entered into a long-term mutual and offsetting benefit lease (“GSC Lease”) with Senior Services of Seattle/King County and GSC, Inc., both organizations being non-profit corporations and operating as joint tenants, pursuant to which the tenants paid no cash rent in exchange for a commitment to use the Greenwood Senior Center to provide offsetting public benefits in the form of

senior services, and which then converted to a month-to-month lease; and

WHEREAS, in 2006, GSC, Inc., and the Phinney Neighborhood Association (PNA), a Washington non-profit corporation, merged, with the PNA acquiring all of GSC, Inc.'s right, title, and interest in (a) the GSC Lease (including GSC, Inc.'s standing as a month-to-month tenant), and (b) the 3,171-square-foot parcel abutting the east boundary of the Greenwood Senior Center; and

WHEREAS, pursuant to those certain *Procedures for Evaluation of the Reuse and Disposal of the City's Real Property* ("Disposition Procedures"), as first adopted by Resolution 29799 and amended by Resolutions 30862 and 31837, in May 2015 the Department of Finance and Administrative Services (FAS) declared the Greenwood Senior Center excess to its needs; and

WHEREAS, in 2016 and 2017, pursuant to the Disposition Procedures, FAS conducted public outreach with respect to the proposed conveyance of the Greenwood Senior Center to the PNA, and in doing so identified no opposition to such conveyance; and

WHEREAS, a portion of the funding for the City's acquisition of the Greenwood Senior Center was provided by Washington State Social and Health Services Facilities 1972 bonds ("1972 Bonds"); and

WHEREAS, RCW 43.83.410 permits public bodies to transfer property and facilities acquired and constructed with the 1972 Bonds to non-profit agencies in exchange for the promise to continuously operate services benefitting the public on the site without further consideration; and

WHEREAS, as a month-to-month tenant, PNA has continued to use and currently uses and occupies the Greenwood Senior Center property in exchange for mutual and offsetting benefits in the form of social services to older adult residents of the Greenwood neighborhood, including senior programs, classes, events, daily hot lunch program, and social activities; and

WHEREAS, in 2018 in Resolution 31856, City Council stated its intention to collaborate with the Executive with the goal of transferring certain properties to non-profit organizations, including PNA, in exchange for commitments to provide services to the community; and

WHEREAS, pursuant to that certain 2019 *Memorandum of Agreement Implementing Criteria for Initiating Transfer of Mutually Offsetting Facilities to Tenants*, by and amongst six City of Seattle departments and offices (the Department of Finance and Administrative Services, the Office of Planning and Community Development, the Department of Neighborhoods, the Office of Economic Development, the Office of Housing, and the Human Services Department), an interdepartmental team within the City has determined that the proposed new property owner, PNA, in all material respects meets the transfer criteria established by the City for transferring property to tenants who have been operating properties under mutually and offsetting benefit lease agreements; and

WHEREAS, FAS and the PNA have entered into an agreement regarding the consideration, terms, and conditions for the City's conveyance of the Greenwood Senior Center to the PNA, subject to the City Council's authorization; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. As used in this ordinance, the "Greenwood Senior Center" means the real property and all easements, privileges, and appurtenant improvements on a site of approximately 21,987 square feet located at 525 North 85th Street and legally described as follows:

THE NORTH HALF OF LOT 2; AND THE EAST 60 FEET OF LOT 3; BLOCK 19, OSNER'S SECOND ADDITION TO SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 12 OF PLATS, PAGE 3, IN KING COUNTY, WASHINGTON, EXCEPT THE SOUTH 110 FEET OF SAID PORTION OF LOT 3.

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON

Section 2. The Director of Finance and Administrative Services ("Director") or the Director's designee is authorized to convey the Greenwood Senior Center to the Phinney Neighborhood Association (PNA), a Washington non-profit corporation, for consideration and on the terms and conditions described under the Agreement for the Transfer of Real Property between The City of Seattle and the Phinney Neighborhood Association ("PNA Transfer Agreement"), included as Attachment 1 to this ordinance. The Director is

authorized to enter into a Subrecipient Agreement in the form of Exhibit A to the PNA Transfer Agreement (“Subrecipient Agreement”) and convey title by deed substantially in the form of the Quitclaim Deed Conveying Determinable Estate with Covenants (“Deed”) that is included as Exhibit B to the PNA Transfer Agreement.

Section 3. The City Council finds that (i) the environmental and use covenants in the Deed, (ii) the Subrecipient Agreement requiring compliance with federal funding requirements, and (iii) the reversion of the property to the City if it is not used for the purposes required in the Deed together are sufficient consideration for the transfer of the property to the PNA consistent with the terms of RCW 43.83.410.

Section 4. The City Council finds that the property interests in 525 North 85th Street that are authorized to be conveyed to the PNA on the terms of this ordinance are consistent with municipal purposes, and therefore the surplus property procedures of Resolution 31837 are superseded for the purposes of this ordinance.

Section 5. The Director or the Director’s designee is authorized to negotiate, execute, deliver, and record, for and on behalf of the City, any and all documents and agreements necessary or advisable to carry out the conveyance of the Greenwood Senior Center consistent with the terms and conditions of the PNA Transfer Agreement.

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 _____, 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 the Transfer of Real Property between The City of Seattle and the Phinney Neighborhood Association
- Exhibit A - Form of Subrecipient Agreement
- Exhibit B - Form of Quitclaim Deed Conveying Determinable Estate with Covenants