



Legislation Details (With Text)

File #: CB 119886 **Version:** 1 **Name:** CB 119886
Type: Ordinance (Ord) **Status:** Passed
In control: City Clerk

On agenda: 9/21/2020

Final Action: 9/25/2020 **Ord. No.** Ord 126172

Title: AN ORDINANCE relating to the transfer of City property located at 722 18th Avenue, Seattle, Washington; authorizing the conveyance of the property to Byrd Barr Place, 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; authorizing acceptance of a negative easement restricting future development of the property; superseding Resolution 31837 for the purposes of this ordinance; and authorizing the Director of the Department 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.

Sponsors: Teresa Mosqueda

Indexes:

Attachments: 1. Att 1 - Byrd Barr Place Transfer Agreement, 2. Att 1 Ex A – Form of Negative Easement, 3. Att 1 Ex B – Form of Deed, 4. Summary and Fiscal Note, 5. Summary Att A – Property Map for Former Fire Station 23, 6. Central Staff Memo, 7. Signed Ordinance 126172, 8. Affidavit of Publication

Date	Ver.	Action By	Action	Result
9/25/2020	1	City Clerk	attested by City Clerk	
9/25/2020	1	Mayor	returned	
9/25/2020	1	Mayor	Signed	
9/24/2020	1	City Clerk	submitted for Mayor's signature	
9/21/2020	1	City Council	passed	Pass
9/15/2020	1	Finance and Housing Committee	pass	Pass
9/14/2020	1	City Council	referred	
9/10/2020	1	Council President's Office	sent for review	
9/9/2020	1	City Clerk	sent for review	
9/8/2020	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the transfer of City property located at 722 18th Avenue, Seattle, Washington; authorizing the conveyance of the property to Byrd Barr Place, 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; authorizing acceptance of a

negative easement restricting future development of the property; superseding Resolution 31837 for the purposes of this ordinance; and authorizing the Director of the Department 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 1957, the City authorized a proposal for conversion of former Fire Station 23 to a multipurpose neighborhood facility and an application for federal financial assistance in connection therewith; and

WHEREAS, in 1967, the Central Area Motivation Program (CAMP), which was founded in 1964, began working with the City to turn former Fire Station 23 into a multi-use community facility; and

WHEREAS, in 1967, the City initially leased the former Fire Station 23, located at 722 18th Avenue (Former Fire Station 23), to the Seattle-King County Economic Opportunity Board, Inc. for use as a multi-purpose neighborhood facility by its delegate agency, the Central Area Citizens' Committee, Inc. (CACC), a Washington non-profit corporation, d/b/a Central Area Motivation Program (CAMP); and

WHEREAS, in 1976, the City designated Former Fire Station 23 as a historic landmark; and

WHEREAS, in 1988, the City entered into a long-term, mutual and offsetting benefit lease with CACC, pursuant to which CACC paid de minimis cash rent in exchange for its promise to use Former Fire Station 23 for the delivery of social services, and which then converted to a month to month lease in 1992; and

WHEREAS, in 2012, CACC changed its name to Centerstone, a non-profit corporation, and then in 2018, changed its name again to Byrd Barr Place (BBP), a non-profit corporation; and

WHEREAS, as a month-to-month tenant, BBP uses and occupies Former Fire Station 23 in exchange for mutual and offsetting benefits in the form of social services to residents of the Central Area, including a food bank, energy assistance, housing assistance, and financial counseling; and

WHEREAS, Byrd Barr Place has been awarded a grant from the State of Washington that would provide for over one million dollars in capital improvements to the property, conditioned upon a long-term lease or ownership; and

WHEREAS, 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 BBP, in exchange for commitments to provide services to the community; and

WHEREAS, pursuant to the 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 of Seattle has determined that the proposed new property owner, BBP - 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 BBP have entered into an agreement regarding the consideration, terms and conditions for the City's conveyance of Former Fire Station 23 to BBP, 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, "Former Fire Station 23" means the real property and all easements, privileges, and appurtenant improvements on a site of approximately 15,360 square feet located at 722 18th Avenue and legally described as follows:

LOTS FOUR (4) AND FIVE (5) IN BLOCK TWENTY-EIGHT (28), SUPPLEMENTARY PLAT OF EDES & KNIGHT'S ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 2 OF PLATS AT PAGE 194, RECORDS OF KING COUNTY, WASHINGTON,

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

Section 2. The Director of the Department of Finance and Administrative Services (the "Director") or the Director's designee is authorized to convey Former Fire Station 23 to Byrd Barr Place, a Washington non-profit corporation, for consideration and on the terms and conditions described under the Agreement for the Transfer of Real Property by and between The City of Seattle and Byrd Barr Place (the "BBP Transfer

Agreement”), included as Attachment 1 to this ordinance. The Director is authorized to convey title by deed substantially in the form of the Quitclaim Deed Conveying Determinable Estate with Covenants that is Exhibit B to the BBP Transfer Agreement (the “Deed”).

Section 3. The Director of the Department of Finance and Administrative Services is authorized to accept, for and on behalf of the City, a negative easement in the form of Exhibit A to the BBP Transfer Agreement (the “Negative Easement”) preserving the development value of Former Fire Station 23 for social services facilities, affordable housing or both.

Section 4. The City Council finds that (i) the environmental and use covenants in the Deed, (ii) the Negative Easement, and (iii) the reversion of the property to the City if it is not used for the purposes required in the Deed, together form sufficient consideration for the transfer of the property to BBP.

Section 5. The City Council finds that the property interests in Former Fire Station 23 that are authorized to be conveyed to BBP 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 6. 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 Former Fire Station 23 consistent with the terms and conditions of the BBP Transfer Agreement.

Section 7. 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 _____, 2020, and signed by me in open session in authentication of its passage this _____ day of _____, 2020.

President _____ of the City Council

Approved by me this _____ day of _____, 2020.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2020.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1 - BBP Transfer Agreement

Exhibit A - Form of Negative Easement

Exhibit B - Form of Deed