



**Special Meeting of the Land Committee of the
Spokane Park Board**

February 6, 2019, 3:00 p.m. – 5:00 p.m.

Meeting Room at Manito Park

Spokane, Washington

Al Vorderbrueggen – Park Operations Director

Committee Members:

Gilman, Greta – Chairperson
Lodato, Sally
Ogden, Jennifer
SiJohn, Jamie
Fagan, Mike – Council Liaison

A special meeting of the City of Spokane Park Board will be held at 3:00 p.m. on Wednesday, February 6, 2019, in the **Manito Park Meeting Room, 2016 South Tekoa Street**, Spokane, Washington. The call-in number for this meeting is 509-242-8422. Please use only after prior arrangements have been made with the Committee Chairperson.

The meeting will be conducted in a standing committee format for the Land Committee of the City of Spokane Park Board. Because a quorum of the Park Board may be present, the standing committee meeting will be conducted as a committee of the whole board.

The meeting will be open to the public, with the possibility of moving into executive session only with the members of the Park Board and appropriate staff. Discussion will be limited to appropriate officials and staff. Public testimony may be taken at the discretion of the committee chair.

Agenda

MEETING LOCATION: Manito Meeting Room

Action Items:

1. Redband Park Sculpture Acceptance – Garrett Jones
2. Parks Surplus Property Policy – Jason Conley/City Legal Staff
3. Peaceful Valley Wayfinding Approval – Eric Lester
4. SE Sports Complex Construction Contract – Garrett Jones
5. SE Sports Complex Restroom Purchase – Garrett Jones
6. SE Sports Complex Playground Equipment Purchase – Garrett Jones

Discussion Items:

1. Library Bond Projects Update – Andrew Chanse

Standing Report Items:

1. Parks Report – Al Vorderbrueggen/Garrett Jones

Agenda is subject to change

AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION: The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. Individuals requesting reasonable accommodations or further information may call, write, or email Human Resources at (509) 625-6363, 808 W. Spokane Falls Blvd., Spokane, WA, 99201; or erahrclerks@spokanecity.org. Persons who are deaf or hard of hearing may contact Human Resources through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.

**TITLE: DISPOSITION OF SURPLUS REAL PROPERTY UNDER THE OWNERSHIP
AND CONTROL OF THE SPOKANE PARK BOARD**

EFFECTIVE DATE

REVISION EFFECTIVE DATE: N/A

1.0 GENERAL

1.1 PURPOSE

City of Spokane Charter Section 48 provides that Park Board may not “sell or exchange any existing park or portion thereof without the prior approval of the electorate.”

The purpose of this policy is to establish a predictable and functional uniform policy and procedure, consistent with Charter Section 48, governing disposition of real property under the ownership and control of the City of Spokane Park Board and that is surplus to the needs of the Park Board and where such disposition provides the Park Board a reasonable return. Nothing in this policy shall be read to require the Park Board to dispose of real property or to limit the power of the Park board to dispose of real property as the interests of the Park Board may require.

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2.0 DEPARTMENTS/DIVISIONS AFFECTED

This policy and procedure shall apply to the Spokane Park Board and the Parks & Recreation Department.

3.0 REFERENCES

City of Spokane Charter, Article V: Parks and Park Board

4.0 DEFINITIONS

For purposes of this policy and procedure, the following definitions shall apply.

“Appraised value” means a determination of the fair market value of the Subject parcel, as determined by a sufficient and acceptable appraisal performed by a licensed appraiser using a commercially reasonable method of appraisal.

“Assessed value” means the dollar amount assigned by the Spokane County Assessor as the valuation of the Subject parcel of land and improvements for real property taxation purposes.

“Fair market value” means the price that a willing buyer would pay to a willing seller for the purchase of property in an open and competitive market.

“Parks” refers collectively to both the City of Spokane Park Board and the Parks Division of the City of Spokane.

“Public interest” means factors which may be considered in determining whether to dispose of a Subject parcel for less than appraised value, including but not limited to whether such disposition permits higher and better use of the Subject parcel than the Subject parcel’s current use; the economic value of the Subject parcel; the economic value to Parks of the proposed disposition; the impacts of the proposed disposition on neighbors and the City in general; the unique character of the Subject parcel; and potential future uses of the Subject parcel for park purposes.

“Reasonable return” means cash, real property, improvements, or construction of improvements conducted pursuant to state law, or some combination thereof, provided to Parks in exchange for surplus real property that is either:

- 1) of a monetary value equal to the surplus property’s Appraised value as defined in this chapter; or
- 2) of a monetary value that is less than the Appraised value, when based upon a finding by the Park Board that disposition of the surplus property for less than its Appraised value is in the public interest as defined herein and as determined by the Park Board acting within its charter authority.

“Subject parcel” means Park Board-owned and controlled real property under consideration for disposition as surplus real property.

“Surplus real property” means Park Board-owned and controlled real property for which there is no reasonably identifiable current or future Parks need, and which is not an existing park or portion thereof.

5.0 POLICY

- 5.1 It is the policy of the City of Spokane Park Board that the sale of Surplus property should generally be at Fair market value. Surplus property may be sold for less than Fair market value if the Park Board determines it is in the public interest to do so.

6.0 PROCEDURE

Process for Sale or Exchange of Park Property:

1. Upon request of either the Park Board or the Director of Parks, Parks staff will prepare a list of potential Parks property for surplus.
2. Upon creation of a list of surplus property, the Parks Director shall present as a discussion item at a Park Board Land Committee meeting a specific parcel or a list of parcels which may be eligible for sale as Surplus real property.
3. If the Land Committee desires to consider that the merits of one or more parcels of Parks property to be offered sale as surplus, Parks staff shall prepare a written report outlining the pros and cons of a sale of each parcel, and a proposed method of disposition, which may include direct negotiation with a willing buyer.
4. Once a final report and recommendation are ready, they shall be presented as an action item at a future Land Committee meeting.
5. If the action item is approved by the Land Committee, it shall be considered at a future Park Board Meeting.
6. If the Park Board approves the sale of the identified property or properties, Parks staff will
 - A. **For existing parks or portions of existing parks:** begin the process of seeking voter approval to authorize a sale as outlined by Article V, Section 48, of the Spokane City Charter, or
 - B. **For park property that is not an existing park or portion of an existing park:** begin the process for declaring the property as surplus, which does not require a vote of the public.
7. Prior to taking action to sell property, the Park Board shall hold a public hearing regarding the Subject property or properties. The public hearing shall be noticed on the Park Board's Agenda for a regular or special meeting. In addition, Parks staff shall endeavor to provide notice that the Park Board is considering sale of a parcel of land by posting notice of the time and place of the Park Board hearing in a conspicuous manner on the parcel or parcels being considered for sale, where practicable.
8. Proceeds from any sale of Park Property will be placed in the Park Fund.
9. The written report prepared by Parks staff shall contain the following elements:
 - A. A description of the subject parcel's size, zoning, existing improvements, condition of improvements, ingress/egress, neighborhood planning, known environmental conditions (findings of environmental reports, if any) and other relevant observations.

- B. A description of the acquisition and development history of the property, including when the property was originally acquired by Parks, the method of acquisition, the source of funds for subsequent improvements (if any) and how the property has been used since acquisition.
- C. An estimate of the subject property's market value. This can be accomplished through use of any commercially reasonable means available.
- D. The report should include recommended covenants, conditions, or restrictions that the Park Board should place on the subject property at the time of sale, if any. Examples include access easements, air rights, purchase option, or rights of first refusal for Parks or the City to reacquire the property at a future date, among others.
- E. The report shall include a legal opinion as to whether the parcel is subject to public vote requirements of Article 5, Section 48, of the City Charter. Such legal opinion will involve an examination of the public record to determine if the Subject Property is currently being used as a park or portion thereof.
- F. The report will include a recommendation as to the commercially reasonable means, or combinations of means, to be used to sell a parcel.

10. Park Board Action on Disposition:

- A. Upon receipt of the report referenced in § 6.0.9, *supra*, and the Park Director's recommendation, the Park Board shall undertake consideration of the recommendation to designate the property as surplus property, and if so, whether and how to dispose of the property.
- B. The Park Board may decide to:
 - i. Accept the recommendations as presented and adopt a resolution declaring the subject property to be surplus and authorizing the disposal of the property as set forth the in the surplus report; or
 - ii. Modify the surplus report recommendations, adopt a resolution declaring the subject property to be surplus and authorize the disposal of the property as set forth in the modified surplus report recommendations; or
 - iii. Return the recommendations to Park staff for further analysis and consideration of specific facts or criteria identified by the Park Board; or
 - iv. Take no action on the recommendation.

7.0 RESPONSIBILITIES

8.0 APPENDICES

APPROVED BY:

City Attorney

Date

Director

Date

City Administrator

Date