

**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	Kruckeberg Garden Purchase and Sales Agreement
<b>DEPARTMENT:</b>	Parks, Recreation, and Cultural Services
<b>PRESENTED BY:</b>	Dick Deal, PRCS Director Ian Seivers, City Attorney

**PROBLEM/ISSUE STATEMENT:**

The Kruckeberg Botanic Garden was founded in 1958 by Dr. Art Kruckeberg and his wife Mareen from a 4-acre plot and farmhouse in Richmond Beach. Art and Mareen grew nearly every plant for seed or cutting. They took an informal, naturalistic approach to design, combining northwest native plants with unusual and rarely cultivated species collected from the West coast and around the world. The result is a unique Puget Sound Basin woodland garden. The garden contains more than 2,000 plant species and several of the trees on the property are the largest or rarest in the state.

Dr. Art Kruckeberg is a professor emeritus of Botany from the University of Washington and still lives on the garden site. His wife Mareen passed away in 2003. Mareen was very active in the development of the garden and founded MsK Rare Plant Nursery. The nursery on site is still active and sells native and rare plant species.

In an effort to preserve the botanic garden for future generations to enjoy, Dr. Kruckeberg signed a conservation easement in 2003 that protects the property in perpetuity from development. The easement is held by the Dunn Historic Garden Trust's Board of Directors and the Cascade Land Conservancy.

Over the years, the Garden and Nursery have been visited by thousands of Shoreline residents and are considered treasured community assets.

In the late 1990's the Kruckeberg Botanic Garden Foundation (KBGF) was founded to assist the Kruckeberg's with the garden. The KBGF conducts tours of the site, helps with plant inventory and identification, and conducts work parties to assist with maintenance.

For several years the KBGF has had an interest in the management of Kruckeberg Garden. With the passage of the bond issue and Dr. Kruckeberg's willingness to sell the property, an agreement between the City and the Foundation for ongoing maintenance and operation appeared to be a natural partnership. The City has been working with the Foundation for several months to develop a service agreement that will allow the Foundation to manage and maintain the site after it is purchased from Dr. Kruckeberg. (A staff report and copy of the Service Agreement between the City and Foundation are being presented to the City Council as a separate agenda item.)

To date all operation and management of the botanic garden and MsK Nursery has been overseen by Dr. Kruckeberg. This unique property has different maintenance and operational needs than other park sites, so as a condition of the Purchase and Sales Agreement, Dr. Kruckeberg will be allowed to continue living in the residence and providing support and guidance to the City and KBGF on garden operational and management issues. The City agrees to lease the residence and cottage back to Dr. Kruckeberg for fair market value. For each hour that Dr. Kruckeberg or Roland Adeniyi (Dr. Kruckeberg's sublessee of the on-site cottage) work in the garden, with the Foundation, or City, twenty-five (\$25.00) dollars will be deducted from the monthly rent total. This will be recorded by Dr. Kruckeberg on a daily basis and submitted to the Parks Director each month for review. An adjustment will be made to the following month's rent based on hours worked the previous month. When Dr. Kruckeberg is no longer able, or interested in living on the property, this lease will terminate and use of the residential structures will be controlled by a Garden Master Plan.

#### **FINANCIAL IMPACT:**

In May 2006 Shoreline citizens passed a bond issue that identified several park sites for improvement and the acquisition of three properties including the Kruckeberg Garden site. \$950,000 was identified for the acquisition of the 4-acre Kruckeberg property with the balance to be used for capital improvements. The purchase price of the site is \$895,000 plus an additional \$8,700 in closing costs and appraisals.

In addition to the bond issue funds, \$150,000 has been appropriated by the State in the current budget for acquisition, and \$300,000 in King County Conservation Futures Trust funding will be available in 2008 to assist with acquisition. The State and King County CFT funds can only be used for acquisition, so this will leave a balance of approximately \$495,000 that can be used for the development of a master site plan and needed capital improvements. \$75,000 has been included in the 2008 – 2013 CIP for Kruckeberg Garden master site planning in 2008. We anticipate the master site planning process beginning in the spring.

#### **RECOMMENDATION**

Staff recommends that the City Council approve the acquisition of the 4-acre property of Dr. Art Kruckeberg to preserve the Kruckeberg Botanic Garden for citizens of Shoreline to enjoy as an educational and environmental learning experience, and authorize the City Manager to execute a purchase agreement subject to a lease back of residential structures to Dr. Kruckeberg.

Approved By:

City Manager

 City Attorney 