



Legislation Details (With Text)

File #: CB 119599 **Version:** 1 **Name:** CB 119599
Type: Ordinance (Ord) **Status:** Passed
In control: City Clerk

On agenda: 8/12/2019

Final Action: 8/19/2019 **Ord. No.** Ord 125892

Title: AN ORDINANCE relating to The City of Seattle’s continued use of Cascade Public Media’s Capitol Hill transmission site and tower; authorizing the Director of Finance and Administrative Services to execute a 15-year lease with Cascade Public Media governing the City’s continued use of the transmission site and tower for radio equipment and associated antennae; amending Ordinance 125724, which adopted the 2019 Budget; changing appropriations to various departments and budget control levels, and from various funds in the Budget; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

Sponsors: Bruce Harrell

Indexes:

Attachments: 1. Att A - Lease Agreement - Cascade Public Media Transmission Site & Tower, 2. Summary and Fiscal Note, 3. Summary Att 1 – Location of Capitol Hill Transmission Site and Tower, 4. Presentation, 5. Signed Ordinance 125892, 6. Affidavit of Publication

Date	Ver.	Action By	Action	Result
8/19/2019	1	City Clerk	attested by City Clerk	
8/19/2019	1	Mayor	returned	
8/19/2019	1	Mayor	Signed	
8/13/2019	1	City Clerk	submitted for Mayor's signature	
8/12/2019	1	City Council	passed	Pass
8/6/2019	1	Governance, Equity, and Technology Committee	pass	Pass
8/5/2019	1	City Council	referred	
7/26/2019	1	Council President's Office	sent for review	
7/23/2019	1	City Clerk	sent for review	
7/23/2019	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to The City of Seattle’s continued use of Cascade Public Media’s Capitol Hill transmission site and tower; authorizing the Director of Finance and Administrative Services to execute a 15-year lease with Cascade Public Media governing the City’s continued use of the transmission site and tower for radio equipment and associated antennae; amending Ordinance 125724, which adopted the 2019 Budget; changing appropriations to various departments and budget control levels, and from various funds in the Budget; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City

Council.

WHEREAS, for several decades, The City of Seattle (“City”) has used Cascade Public Media’s (a public corporation formerly known as KCTS Television) Capitol Hill transmission site and 410-foot tall tower (both located at 1729 East Madison Street) for its operation of radios and antennae; and

WHEREAS, since 1992 the City’s use of the transmission site and tower has been governed by a letter agreement by and between the City and KCTS Television; and

WHEREAS, in 2015, voters approved a ballot measure authorizing the funding of a new, upgraded regional public safety emergency radio network, commonly referred to as the Puget Sound Emergency Radio Network (PSERN); and

WHEREAS, the combination of PSERN’s impact on the City’s utilization of the transmission site and tower and the parties’ interest in following best practices prompted the parties to negotiate a long-term lease that reflects the existing operational reality and current market conditions;

WHEREAS, pursuant to Seattle Municipal Code (SMC) subsection 3.39.010.C.4, the Department of Finance and Administrative Services (FAS), acting on behalf of the Seattle Information Technology Department (Seattle IT), negotiated with Cascade Public Media for a lease that will govern Seattle IT’s continued use of part of the transmission site and tower (“Lease”), Cascade Public Media as landlord and the City as tenant; and

WHEREAS, pursuant to SMC subsection 3.127.020.A, City Council authorization of the Lease is required as the Lease’s 15-year term exceeds the five-year limit on the term for a lease executable by FAS absent City Council authorization; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Director of Finance and Administrative Services (“Director”) or the Director’s designee is authorized to execute, for and on behalf of The City of Seattle (“City”), a lease with Cascade Public Media (a public benefit corporation formerly known as KCTS Television) substantially in the form of the LEASE AGREEMENT/Cascade Public Media Transmission Site & Tower attached to this ordinance as Attachment 1

(“Lease”), which provides for the City’s use of Cascade Public Media’s Capitol Hill transmission site and tower.

Section 2. The Director or the Director’s designee is further authorized to make minor additions and modifications to the Lease as necessary or advisable to finalize the lease with Cascade Public Media, provided that such additions and modifications do not increase either the City’s liabilities under the Lease, nor its rent payable.

Section 3. In order to pay for necessary costs and expenses incurred or to be incurred in 2019, but for which insufficient appropriations were made due to causes that could not be reasonably have been foreseen at the time of the making of the 2019 budget, appropriations in

the 2019 Budget are increased for the following funds:

Item	Department	Fund	Budget Summary Level/BCL Code	Amount
3.1	Finance and Administrative Services	Finance and Administrative Services Fund (50300)	Facilities Services (BO-FA-FACILITY)	\$90,000
3.2	Seattle Information Technology Department	Information Technology Fund (50410)	Engineering and Operations (BO-IT-D3000)	\$90,000
Total				\$180,000

Section 4. Any act consistent with the authority of this ordinance taken after its passage and prior to its effective date is ratified and confirmed.

Section 5. 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 for by Seattle Municipal Code Section 1.04.020.

Passed by a 3/4 vote of all the members of the City Council the _____ day of _____, 2019, and signed by me in open session in authentication of its passage this _____ day of _____, 2019.

President _____ of the City Council

Approved by me this _____ day of _____, 2019.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2019.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:
Attachment A - Lease Agreement/Cascade Public Media Transmission Site & Tower