



Legislation Text

File #: CB 119079, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the City of Seattle’s Maple Leaf radio-transmitter facility; authorizing the Director of Finance and Administrative Services to execute a license agreement with King County for its use of the radio-transmitter site at Maple Leaf reservoir for the new regional Puget Sound emergency radio network; and declaring a portion of property licensed for King County’s use in the same location to be surplus to the City’s utility needs.

WHEREAS, Seattle Information Technology operates a radio-transmitter facility at 8526 - 8600 Roosevelt Way NE, adjacent to Seattle Public Utilities’ Maple Leaf Reservoir (hereinafter, the “Maple Leaf Transmitter”);

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

WHEREAS, PSERN is being implemented through the Puget Sound Emergency Radio Network Implementation Period Interlocal Cooperation Agreement, by and amongst King County, The City of Seattle (“City”), and other King County cities (“PSERN Agreement”);

WHEREAS, as authorized by Ordinance 124687, The City of Seattle is a signatory to the PSERN Agreement;

WHEREAS, as provided for in the PSERN Agreement, King County is acting as the lead agency for the financing, procurement, contracting and implementation of PSERN, and after the completion of the build-out of PSERN, the parties to the PSERN Agreement intend to establish a jointly governed entity to own and manage PSERN;

WHEREAS, under the PSERN Agreement, the City agreed to make available for PSERN use City-owned sites, including the Maple Leaf Transmitter site, deemed by the County’s contractor to be both necessary and suitable for the installation and operation of PSERN equipment;

WHEREAS, PSERN’s contractor, Motorola Solutions, Inc., has identified the Maple Leaf Transmitter as both a necessary and suitable location for the installation and operation of PSERN equipment;

WHEREAS, pursuant to Seattle Municipal Code subsection 3.39.010.C.4, the Department of Finance and Administrative Services (FAS), acting on behalf of the Seattle Information Technology Department, negotiated with King County a license agreement that will govern PSERN’s use of the Maple Leaf Transmitter facilities and adjacent property (“License Agreement”);

WHEREAS, a portion of the Maple Leaf Transmitter facility is located on real property under the jurisdiction of Seattle Public Utilities (SPU); and

WHEREAS, FAS has obtained SPU’s approval to license the portion of the real property that is under SPU’s jurisdiction to King County on the terms and conditions of the License Agreement; and

WHEREAS, City Council authorization of the Agreement is required because the nature and duration of the License Agreement exceeds FAS’s authority; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Director of Finance and Administrative Services (“Director”) is authorized to execute, for and on behalf of The City of Seattle, a license agreement with King County (“County”) substantially in the form of the Facility License Agreement attached to this ordinance as Attachment 1 (“Agreement”), which provides for the County’s use of the City-owned real property and improvements located at the Maple Leaf Reservoir for the new regional Puget Sound Emergency Radio Network (PSERN).

Section 2. A portion of the Maple Leaf Reservoir property licensed for the County’s use under the Agreement is located on real property under the jurisdiction of Seattle Public Utilities. After a public hearing, and as provided under RCW 35.94.040, that portion of utility property licensed for the County’s use under the

Agreement is no longer required for providing public utility service and is declared surplus to the City's needs.

Section 3. The Director is further authorized to make minor additions, modifications, and amendments to the Agreement as necessary or advisable to finalize the Agreement with the County, provided that the Director shall first obtain approval from Seattle Public Utilities (SPU) regarding any changes which impact the portion of the property under the jurisdiction of SPU, and provided further that the license fee is not reduced and the City's liabilities are not increased.

Section 4. 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 _____, 2017, and signed by me in open session in authentication of its passage this _____ day of _____, 2017.

President _____ of the City Council

Approved by me this _____ day of _____, 2017.

Tim Burgess, Mayor

Filed by me this _____ day of _____, 2017.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:
Attachment 1 - Facility License Agreement