

**CITY OF SEATTLE**  
**ORDINANCE** 126531  
**COUNCIL BILL** 120260

AN ORDINANCE relating to the City Light Department; authorizing the Department to accept as sole owner of fiber cable and associated facilities previously shared with the University of Washington; and ratifying and confirming certain prior acts.

WHEREAS, Ordinance 117981 established a model agreement for fiber sharing agreements and authorized the execution of fiber sharing agreements; and

WHEREAS, the City Light Department (“City Light”) entered into an agreement with the University of Washington to share 144-strand of shared fiber cable installed in 1998 and 1999 starting from the intersection of NE 145<sup>th</sup> St. and 37<sup>th</sup> Avenue NE, Seattle to the intersection of 228<sup>th</sup> St. SE and 29<sup>th</sup> Dr. SE, Bothell; and

WHEREAS, this section of shared fiber cable consists of the fiber and associated physical plant, such as sleeve conduit, handholds, and splice boxes mux; and

WHEREAS, the University of Washington no longer has a need for this section of shared fiber cable and wishes to abandon its ownership interest in the jointly owned fiber and associated physical plant; and

WHEREAS, on May 24, 2021, the University of Washington executed a Memorandum of Agreement abandoning its ownership interest in the shared fiber cable and associated physical plant; and

WHEREAS, City Light continues to use this fiber cable; and

WHEREAS, accepting the full ownership interest in fiber cable and associated physical plant previously owned by University of Washington will facilitate maintenance and protect the City’s infrastructure; NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

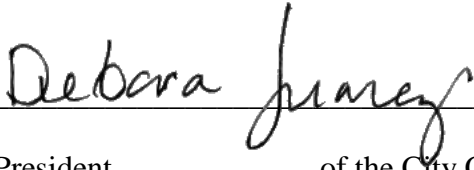
Section 1. The City Light Department (“City Light”) is authorized to accept as sole owner of fiber cable and associated physical plant previously shared with the University of Washington starting from the intersection of NE 145<sup>th</sup> St. and 37<sup>th</sup> Avenue NE, Seattle to the intersection of 228<sup>th</sup> St. SE and 29<sup>th</sup> Dr. SE, Bothell pursuant to the Memorandum of Understanding attached to this ordinance as Attachment 1.

Section 2. City Light will be responsible for the maintenance of the fiber and associated physical plant.


Section 3. Any act consistent with the authority of this ordinance taken prior to its effective date is ratified and confirmed.

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 1st day of February, 2022,  
and signed by me in open session in authentication of its passage this 1st day of  
February, 2022.

  
\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

☒ Approved / ☐ returned unsigned / ☐ vetoed this 3rd day of February, 2022.

  
\_\_\_\_\_  
Bruce A. Harrell, Mayor

Filed by me this 3rd day of February, 2022.

  
\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)

Attachment:  
Attachment 1 – Memorandum of Agreement

# **THE UNIVERSITY OF WASHINGTON – THE CITY OF SEATTLE**

## **MEMORANDUM OF AGREEMENT**

---

### **FOR ABANDONMENT OF SHARED FIBER-CABLE TO TEMPORARY CAMPUS AT SW 228<sup>TH</sup> STREET IN BOTHELL**

THIS MEMORANDUM OF AGREEMENT (“Agreement”) is made by and between The University of Washington (“UW”) and The City of Seattle, by and through its City Light Department (“Seattle”), both Washington corporations, individually, as a party (“Party”) or, jointly, as parties (“Parties”) to this agreement.

#### **RECITALS:**

A 144-strand of shared fiber cable was installed in 1998-1999 and co-owned by UW (96 strands) and Seattle (48 strands). The section of shared fiber cable applicable to this Agreement starts from the intersection of “NE 145th St. & 37th Ave NE, Seattle” to the intersection of “228th St. SE & 29th Dr. SE, Bothell” as shown in Exhibit A. This section of shared fiber cable consists of the fiber and associated physical plant, such as sleeve, conduit, handholds, and splice boxes mux. This section of shared fiber cable was found to be degraded and in need of replacement in the near future. UW has decided to abandon all interests in this section of shared fiber cable in lieu of replacement since UW no longer has a need for this section of shared fiber cable.

This memorandum of agreement is to reflect UW’s decision to abandon all interests in the existing shared fiber cable and physical plant to Seattle, and Seattle’s intent on replacing the degraded cable at its expense.

#### **AGREEMENT:**

##### **1. SHARED FIBER CABLE REPLACEMENT**

UW acknowledges that it received notice from Seattle of Seattle’s intention to replace the above described shared fiber cable with new fiber cable and that replacement has been completed.

##### **2. FIBER OWNERSHIP**

UW acknowledges that from the date of this agreement, it will have no ownership interest in the existing shared fiber cable, nor will it have any interest in the newly replaced fiber cable, physical plant, conduits, and handholes. As such, UW will not have any obligation to share in the cost of replacement and maintenance of the same.

UNIVERSITY OF WASHINGTON

UW-IT

Brad J Greer

Brad J Greer (May 24, 2021 13:12 PDT)

Signature

Brad Greer

05/24/2021

Print or Type Name

Date

CTO and AVP for Infrastructure

Title

THE CITY OF SEATTLE

CITY LIGHT DEPARTMENT

Claire B Lloyd

Signature

Claire Lloyd

05/24/2021

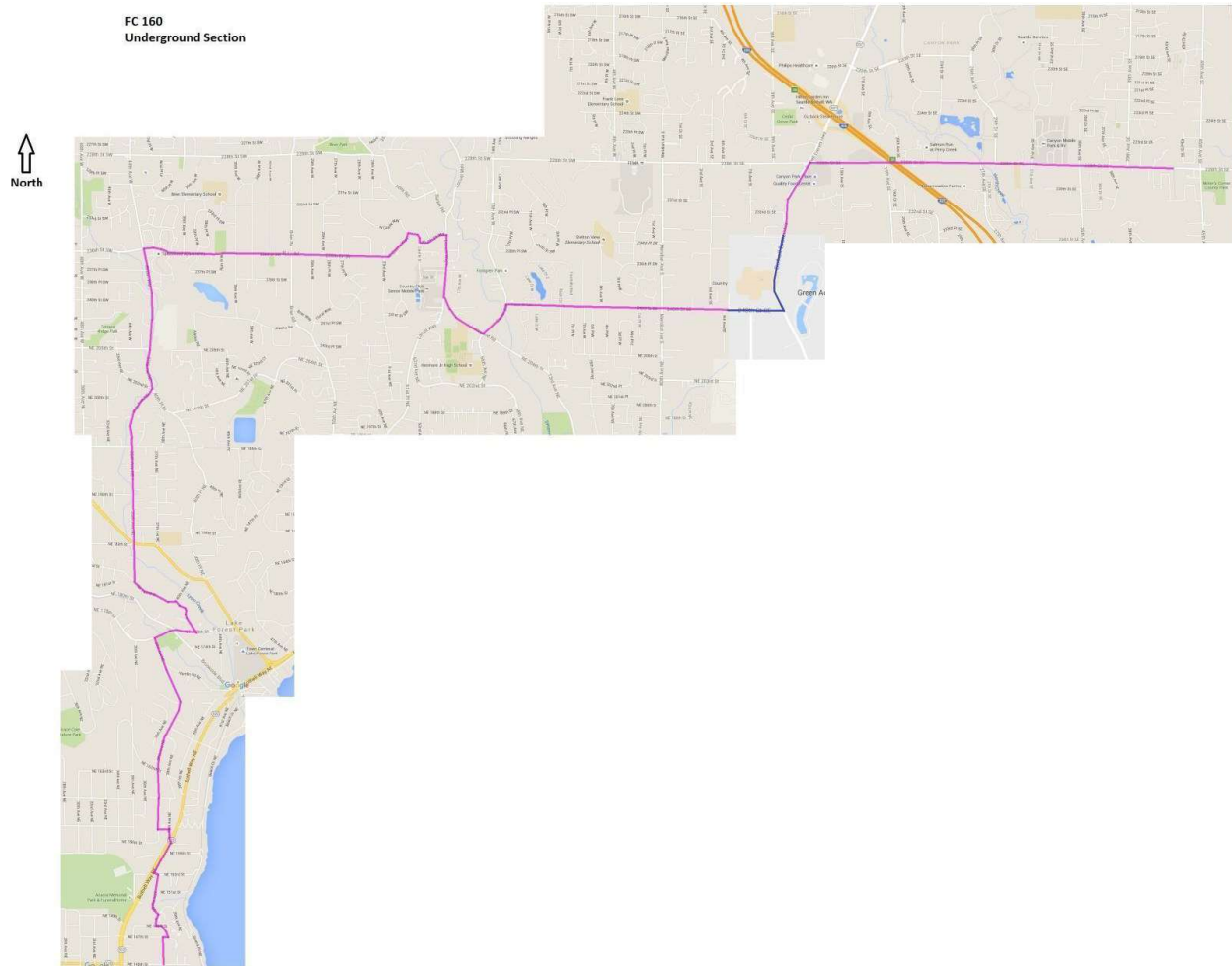
Print or Type Name

Date

ETO Substation & Comm Engineering Sr Manager

Title

## EXHIBIT A FIBER CABLE MAP











# UW-SCL MOA on Shared Fiber Cable 160

Final Audit Report

2021-05-24

Created:	2021-05-24
By:	Hien Trinh (hien.trinh@seattle.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAX0RUur5CFwIqhrBpT79Xqn66I4phFrKW

## "UW-SCL MOA on Shared Fiber Cable 160" History

-  Document created by Hien Trinh (hien.trinh@seattle.gov)  
2021-05-24 - 6:49:21 PM GMT- IP address: 156.74.249.244
-  Document emailed to Brad J Greer (brad@uw.edu) for signature  
2021-05-24 - 6:52:32 PM GMT
-  Email viewed by Brad J Greer (brad@uw.edu)  
2021-05-24 - 6:53:46 PM GMT- IP address: 66.249.84.83
-  Document e-signed by Brad J Greer (brad@uw.edu)  
Signature Date: 2021-05-24 - 8:12:52 PM GMT - Time Source: server- IP address: 24.16.180.98
-  Document emailed to Claire Llyod (Claire.Lloyd@seattle.gov) for signature  
2021-05-24 - 8:12:55 PM GMT
-  Email viewed by Claire Llyod (Claire.Lloyd@seattle.gov)  
2021-05-24 - 10:22:08 PM GMT- IP address: 131.191.30.88
-  Document e-signed by Claire Llyod (Claire.Lloyd@seattle.gov)  
Signature Date: 2021-05-24 - 10:22:44 PM GMT - Time Source: server- IP address: 131.191.30.88
-  Agreement completed.  
2021-05-24 - 10:22:44 PM GMT