



Legislation Text

File #: CB 119166, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to Seattle Public Utilities; authorizing the General Manager/Chief Executive Officer of Seattle Public Utilities to enter into a Memorandum of Lease and Ground Lease Agreement with King County for a radio tower and appurtenances in the Tolt Watershed.

WHEREAS, The City of Seattle, by and through its Seattle Information Technology Department, entered into an interlocal agreement with King County and the cities of Auburn, Bellevue, Federal Way, Issaquah, Kent, Kirkland, Mercer Island, Redmond, Renton, and Tukwila (the “Parties”) to implement a new 800 MHz emergency radio communication system, as authorized by Seattle Ordinances 124685 and 124687; and

WHEREAS, the Parties have been working collaboratively and have determined it is in the public interest to procure and implement a new emergency radio communication system, referred to as the “Puget Sound Emergency Radio Network System” or “PSERN System”; and

WHEREAS, the Parties entered into an agreement titled the Puget Sound Emergency Radio Network Implementation Period Interlocal Cooperation Agreement (“Implementation Period ILA”) that designates King County to act as the lead agency for planning, procurement, financing, and implementation of the PSERN System; and

WHEREAS, King County, as the lead agency of the PSERN System, is authorized to enter into long-term leases for itself, and its contractors, successors, and assigns, to develop the sites, structures, and facilities necessary for the implementation of the PSERN System; and

WHEREAS, an appropriate site for a PSERN System radio tower has been identified within the City’s Tolt

Watershed; and

WHEREAS, the City, by and through its Seattle Public Utilities Department, is amenable to this site being used for the PSERN System and therefore is amenable to a long-term lease agreement to locate a radio tower within the Tolt Watershed; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The General Manager/Chief Executive Officer (“General Manager”) of the Seattle Public Utilities Department (SPU), or the General Manager’s designee, is authorized to execute for and on behalf of the City a memorandum of lease and a 25-year lease agreement with King County to locate a radio tower in the Tolt Watershed, in the form of a Memorandum of Lease, which is attached to this ordinance as Attachment 1, and a Ground Lease Agreement, which is attached to this ordinance as Attachment 2. The General Manager is authorized to make such minor deletions and revisions to the Memorandum of Lease and Ground Lease Agreement as the General Manager deems to be in the best interest of Seattle Public Utilities, consistent with the purposes of this ordinance.

Section 2. The General Manager is authorized to extend the term of this Ground Lease Agreement for up to three successive individual terms of five years each on the terms and conditions described in the Ground Lease Agreement.

Section 3. 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 _____, 2018, and signed by me in open session in authentication of its passage this ____ day of _____, 2018.

President _____ of the City Council

Approved by me this _____ day of _____, 2018.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2018.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1 - Memorandum of Lease

Attachment 2 - Ground Lease Agreement