Legislation Details (With Text)

File #:	CB 118575 **Version:** 1	**Name:**	CB 118575
Type:	Ordinance (Ord)	**Status:**	Passed
		In control:	City Clerk
On agenda:	12/7/2015		
Final Action:	12/17/2015	**Ord. No.**	Ord 124953
Title:	AN ORDINANCE relating to Seattle Public Utilities; accepting an easement situated adjacent to Seward Park granted to The City of Seattle for construction and abandoning-in-place of horizontal construction tiebacks; placing the easement under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.		
Sponsors:	Sally Bagshaw		
Indexes:			
Attachments:	1. Att 1 - Easement Granted by Kenny K.pdf, 2. Summary and Fiscal Note, 3. Summary Ex A - Location of Tieback Easement, 4. Seward Park Tieback Easement Presentation (11/19/15), 5. Seward Park Tie Back Easement Presentation (12/3/15), 6. Signed Ord 124953		

Date	Ver.	Action By	Action	Result
12/17/2015	1	City Clerk	attested by City Clerk	
12/17/2015	1	Mayor	returned	
12/17/2015	1	Mayor	Signed	
12/11/2015	1	City Clerk	submitted for Mayor's signature	
12/7/2015	1	City Council	passed	Pass
12/3/2015	1	Seattle Public Utilities and Neighborhoods Committee	pass	Pass
11/23/2015	1	City Council	referred	
11/12/2015	1	Council President's Office	sent for review	
11/10/2015	1	City Clerk	sent for review	
11/10/2015	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to Seattle Public Utilities; accepting an easement situated adjacent to Seward Park granted to The City of Seattle for construction and abandoning-in-place of horizontal construction tiebacks; placing the easement under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.

WHEREAS, The City of Seattle, operating through Seattle Public Utilities (SPU), owns and operates a combined sewer system that overflows to Lake Washington during heavy rain events; and

WHEREAS, the combined sewer system overflows (CSOs) are governed by the State of Washington under the terms of a National Pollutant Discharge Elimination System (NPDES) permit; and

WHEREAS, based on the volume of overflows and their impact on water quality in Lake Washington, Basin 44, which includes Seward Park and upland residential neighborhoods, has been identified in the NPDES permit and related Consent Decree between The City of Seattle, the Environmental Protection Agency (EPA) and State of Washington as a priority for CSO reduction, including regulatory milestones for completion of a capital improvement project; and

WHEREAS, as authorized by Ordinance 124491, SPU received a partial transfer of jurisdiction for a portion of Seward Park from the Department of Parks and Recreation for the construction of an underground CSO storage tank; and

WHEREAS, the construction of the CSO storage tank is benefitted by the use of horizontal construction tiebacks extending into private property; and

WHEREAS, Kenny K. Ho, the adjacent neighbor, granted a tieback easement; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City of Seattle (City) hereby accepts the easement granted to the City by Kenny K. Ho for the construction and abandoning-in-place of horizontal construction tiebacks as legally described and depicted in Attachment 1.

Section 2. The real property rights conveyed by this easement shall be placed under the jurisdiction of Seattle Public Utilities.

Section 3. Any act consistent with the authority of this ordinance taken prior to the 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 ____ day of _____, 2015, and signed by me in open session in authentication of its passage this

_____ day of _____, 2015.

_____

President _____of the City Council

Approved by me this ____ day of _____, 2015.

_____

Edward B. Murray, Mayor

Filed by me this ____ day of _____, 2015.

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Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1 - Easement Granted by Kenny K. Ho