

Ordinance No. 118924

Council Bill No. 112073

AN ORDINANCE relating to the City Light Department; accepting deeds to lands in Skagit County, Washington, to be set aside as wildlife preserves pursuant to the terms of the Settlement Agreement Concerning Wildlife entered into by the City in connection with the relicensing of the Skagit River Hydroelectric Project.

OK

CF No. _____

Date Introduced: MAR - 2 1998	
Date 1st Referred: MAR - 2 1998	To: (committee) UTILITIES & ENVIRONMENTAL MANAGEMENT COMMITTEE
Date Re - Referred:	To: (committee)
Date Re - Referred:	To: (committee)
Date of Final Passage: 3-9-98	Full Council Vote: 6-0
Date Presented to Mayor: 3-9-98	Date Approved: MAR 16 1998
Date Returned to City Clerk: MAR 18 1998	Date Published: 3 pp. T.O. <input checked="" type="checkbox"/> F.T. <input type="checkbox"/>
Date Vetoes by Mayor:	Date Veto Published:
Date Passed Over Veto:	Veto Sustained:

The City of Seattle ~~Legislative Department~~
Council Bill/Ordinance sponsored by:

Committee A

3-5-98 UEMC do pass

3-9-98 Passed 6-0 (Exec)

Pod

This file is complete and ready for presentation to Full C

Law Dept. Review

OMP
Review

City Clerk
Review

Mc
The City of Seattle ~~Legislative Department~~

Council Bill/Ordinance sponsored by: PAGELEK
Councilmember

Committee Action:

3-5-98 UAMC do pass 3-0

3-9-98 Passed 6-0 (Excused: Donaldson, Melverson,
Pogodowski)

This file is complete and ready for presentation to Full Council. Committee: _____
(Initial/date)

Law Dept. Review

OMP
Review

City Clerk
Review

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NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE
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ORDINANCE

118924

AN ORDINANCE relating to the City Light Department; accepting deeds to lands in Skagit County, Washington, to be set aside as wildlife preserves pursuant to the terms of the Settlement Agreement Concerning Wildlife entered into by the City in connection with the relicensing of the Skagit River Hydroelectric Project.

WHEREAS, in connection with the relicensing of the Skagit River Hydroelectric Project by the Federal Energy Regulatory Commission and pursuant to Resolution 28349, City Light entered into the Settlement Agreement Concerning Wildlife, incorporating by reference the Wildlife Habitat Protection and Management Plan, (collectively, "Wildlife Agreement"), dated April 1991, with the Washington Department of Wildlife (now, Washington Department of Fish and Wildlife); U.S. Department of the Interior, National Park Service, U.S. Fish and Wildlife Service and Bureau of Indian Affairs; U.S. Department of Agriculture, U.S. Forest Service; Upper Skagit Tribe; Sauk-Suiattle Tribe; Swinomish Indian Tribal Community; and the North Cascades Conservation Council (collectively, the "Intervenors"); and

WHEREAS, the Wildlife Agreement outlines a land acquisition program that sets forth principles and procedures for selecting land to be acquired, an initial list of specific properties to be acquired and an initial list of substitute properties, and also creates a "land acquisition group" made up of representatives of the City and the Intervenors that has responsibility for land selection decisions; and

WHEREAS, the land acquisition group has selected parcels of land in Skagit County, Washington and directed the purchase thereof; and

WHEREAS, pursuant to Ordinance 118226 and the Wildlife Agreement, City Light has completed the purchase of four parcels of land, totaling approximately 310 acres, consistent with the budget and selection criteria established in the Wildlife Agreement; and

WHEREAS, the above-described real property transactions require acceptance of deeds by City ordinance; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the Statutory Warranty Deed executed by Gale Gilbertson and Kathy Gilbertson, husband and wife, on September 9, 1997 as Grantors, recorded under Skagit County

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SEH:seh
February 12, 1998
WLAccept.doc
(Ver. 1)

1 Recording Number 9710060097, conveying approximately 5 acres in the Skagit River basin, is
2 hereby accepted and the real property conveyed therein is placed under the jurisdiction of the City
3 Light Department.

4
5 Section 2. That the Statutory Warranty Deed executed by Leona Emma Bolle, who
6 acquired title as Leona Barta, as to an undivided 1/5 interest; Josephine Barta, as to an undivided
7 1/5 interest; Franklin Barta, as to an undivided 1/5 interest; Arnetta T. Barta, Personal
8 Representative for the estate of Howard J. Barta, deceased under County Cause No. #97-4-01397-
9 3, King County, as to an undivided 1/5 interest; Linda Augustine, as to an undivided 1/20 interest;
10 Michael Augustine, as to an undivided 1/20 interest; Susan Augustine Helm, as to an undivided
11 1/20 interest; and Thomas Augustine, as to an undivided 1/20 interest, on September 29, 1997, as
12 Grantors, recorded under Skagit County Recording Number 9710220003, conveying
13 approximately 120 acres located in the Skagit River basin, is hereby accepted and the real property
14 conveyed therein is placed under the jurisdiction of the City Light Department.

15 Section 3. That the Statutory Warranty Deed executed by James B. Carstens and Frances J.
16 Carstens, husband and wife, on November 10, 1997, as Grantors, recorded under Skagit County
17 Recording Number 9711100126, conveying approximately 150 acres located in the Skagit basin, is
18 hereby accepted and the real property conveyed therein is placed under the jurisdiction of the City
19 Light Department.

20
21 Section 4. That the Statutory Warranty Deed executed by Albert P. Klein and Jean Klein,
22 his wife and only wife since date of acquiring title; Clifford R. Mulberg, as his separate estate;
23 Duane M. Penning, as his separate estate; Richard E. Ferrell and Ruth D. Ferrell, his wife and only
24 wife since date of acquiring title; and Donald S. Gerard and M. Arlene Gerard, his wife and only
25 wife since date of acquiring title, dba Bestland Associates, as Grantors, recorded under Skagit
26 County Recording Number 9712300028, conveying approximately 35 acres located in the Skagit
27

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1 River basin, is hereby accepted and the real property conveyed therein is placed under the
2 jurisdiction of the City Light Department.

3
4 Section 5. Any act pursuant to the authority and prior to the effective date of this ordinance
5 is hereby ratified and confirmed.

6 Section 6. This ordinance shall take effect and be in force thirty (30) days from and after its
7 approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after
8 presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

9
10 Passed by the City Council the 9th day of March, 1998 and signed by me in
11 open session in authentication of its passage this 9th day of March, 1998

12
13
14
15 Approved by me this 16th day of

16 March, 1998

Jon Drago
Pro Temp President Donaldson of the City Council
Drago

17
18
19 Paul Schell
Mayor Paul Schell

20
21 Filed by me this 18 day of March, 1998

22
23
24 Gert Dargatzis
Acting City Clerk

25
26
27 (Seal)



City of Seattle

Paul Schell, Mayor

Seattle City Light

Gary Zarker, Superintendent

February 17, 1998

The Honorable Sue Donaldson, President
Seattle City Council
600 Fourth Avenue
11th Floor, Municipal Building
Seattle, WA 98104-1873

Via: Anne Fiske-Zuniga, Budget Director

Dear Councilmember Donaldson:

Acceptance Ordinance for Wildlife Properties

Enclosed for your approval is an Ordinance accepting deeds to lands in Skagit County purchased pursuant to the terms of the Settlement Agreement Concerning Wildlife entered into by the City in connection with the relicensing of the Skagit Project.

The Wildlife Agreement outlined a land acquisition program that sets forth the principles and procedures for selecting land to be acquired, a list of properties to be acquired, and also created a "land acquisition group" made up of representatives of the City and the Intervenor. The acquired properties were selected by the land acquisition group and are to be placed under the jurisdiction of the City Light Department.

Among the properties included in the proposed ordinance is a parcel that has been sought after for many years by natural resource agencies, tribes, and conservation groups in the Skagit River basin. It consists of lowland, riparian habitat with back channels that serve as prime salmon spawning habitat and also supports numerous species of birds and a diversity of terrestrial wildlife. We are very pleased with this purchase.

To date we have purchased 6,329 acres of habitat. We are currently identifying additional parcels of interest. City Light will continue to keep the City Council fully informed on all purchases made pursuant to the Skagit land acquisition program.

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700 Fifth Avenue, Suite 3100, Seattle, WA 98104-5031

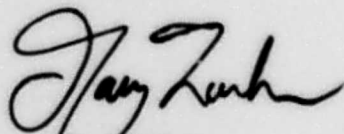
Tel: (206) 625-3000, TTY/TDD: (206) 684-3225, Fax: (206) 625-3709

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The Honorable Sue Donaldson, President
February 17, 1998
Page 2

For additional information, please contact Michele Lynn of the Environment and Safety Division at 386-4578 or Steve Hagen of the Real Estate Services unit at 684-3327.

Sincerely,



Gary Zarker
Superintendent

SEH:seh

Enclosure

cc: w/enclosure
Mayor Paul Schell
Kwan Wong, SOP

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City of Seattle

Executive Department - Office of Management and Planning

February 19, 1998

The Honorable Mark Sidran
City Attorney
City of Seattle

Dear Mr. Sidran:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING
DEPARTMENT: Seattle City Light

SUBJECT: AN ORDINANCE relating to the City Light Department; accepting deeds to lands in Skagit County, Washington, to be set aside as wildlife preserves pursuant to the terms of the Settlement Agreement Concerning Wildlife entered into by the City in connection with the relicensing of the Skagit River Hydroelectric Project.

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation to your office for review and drafting.

After reviewing this request and any necessary redrafting of the enclosed legislation, return the legislation to OMP. Any specific questions regarding the legislation can be directed to Kwan Wong at 684-8083.

Sincerely,

Paul Schell
Mayor

by

Anne Eiske-Zuniga
Budget Director

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Enclosure

Seattle Municipal Building, 600 Fourth Avenue, Seattle, WA 98104-1826
Tel: (206) 684-8080, TDD (206) 684-8118, FAX: (206) 233-0085

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98-037

RECEIVED
FEB 19 1998

TIME AND DATE STAMP

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY
THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

Margaret Pageler

_____	_____
_____	_____
_____	_____
_____	_____

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE

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STATE OF WASHINGTON - KING COUNTY

91097
City of Seattle, City Clerk

-SS.

No. ORD TITLES O

City of Seattle

TITLE-ONLY PUBLICATION

The full text of the following ordinance, passed by the City Council on March 4, 1998, and published here by title only, will be mailed, at no cost, upon request for two months after this publication. For further information, contact the Seattle City Clerk at 624.7344.

ORDINANCE NO. 118921

AN ORDINANCE relating to the Police Department; authorizing the execution of Contract Number EM997124 with the State of Washington, Military Department, Division of Emergency Management, for financial assistance to facilitate the ongoing development of the City's disaster readiness and response efforts; accepting the money when received; and ratifying and confirming prior acts.

ORDINANCE NO. 118924

AN ORDINANCE relating to the City Light Department; accepting deeds to lands in Skagit County, Washington, to be set aside as wildlife preserves pursuant to the terms of the Settlement Agreement concerning Wildlife entered into by the City in connection with the relicensing of the Skagit River Hydroelectric Project.

ORDINANCE NO. 118925

AN ORDINANCE relating to the City Light Department, authorizing the Department to enter into agreements with other governmental agencies or private businesses to rent space in the City Light Department underground facilities used solely for communications equipment.

ORDINANCE NO. 118926

AN ORDINANCE relating to the City Light Department, RELEASING AN EASEMENT for an electric distribution line over a tract of land in that part of Section 14, Township 23 North, Range 4 East, W. M., known as the Stephen Foster Donation Claim No. 38, King County, Washington, (P. M. #230414-2-008).

ORDINANCE NO. 118927

AN ORDINANCE relating to the development of a light rail line and authorizing the execution of an interlocal agreement with the Central Puget Sound Regional Transit Authority.

Publication ordered by JUDITH PIP-
PIN, City Clerk.
Date of official publication in Daily Journal of Commerce, Seattle, March 23, 1998.
91097

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CTOT: 118921, 924-927

was published on

03/23/98

The amount of the fee charged for the foregoing publication is the sum of \$, which amount has been paid in full.

Subscribed and sworn to before me on

03/23/98

Notary Public for the State of Washington,
residing in Seattle

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Affidavit of Publication