

Ordinance No. 122883

Council Bill No. 116402

AN ORDINANCE authorizing Seattle Public Utilities to acquire by purchase or condemnation of land and all improvements thereon property situated at 1318 North 128th Street, Seattle for water, drainage and other utility or general municipal purposes.

CF No. \_\_\_\_\_

Date Introduced: <u>11.27.08</u>		
Date 1st Referred:	T Environment, Emergency Mgmt & Utilities (EEMU)	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage: <u>12-15-08</u>	Full Council Vote: <u>9-0</u>	
Date Presented to Mayor: <u>12-16-08</u>	Date Approved: <u>12-19-08</u>	
Date Returned to City Clerk: <u>12.22.08</u>	Date Published: <u>3</u>	T.O. <input checked="" type="checkbox"/> F.T. <input type="checkbox"/>
Date Vetoed by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

# The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: \_\_\_\_\_

*Richard Conlin*

Councilmember

## Committee Action:

12/9/08 3-0 passed unanimously Conlin, McIver, Burgess

12-15-08 Passed 9-0

This file is complete and ready for presentation to Full Council.

Committee: RC 12/19/08  
(initial/date)

*Law Department*

Law Dept. Review

OMP Review

City Clerk Review

Electronic Copy Loaded

Indexed

ORDINANCE 122883

AN ORDINANCE authorizing Seattle Public Utilities to acquire by purchase or condemnation of land and all improvements thereon property situated at 1318 North 128th Street, Seattle for water, drainage and other utility or general municipal purposes.

WHEREAS, Seattle Public Utilities (SPU) has since 2001 leased the location for its North Operations Center at 1318 North 128th Street, Seattle; and

WHEREAS, SPU's lease expires in April of 2009; and

WHEREAS, SPU has evaluated its requirements for water system, drainage, maintenance and repair facilities and other utility needs north of the Lake Washington Ship Canal; and

WHEREAS, SPU has determined the current location of its North Operations Center is suitable for long-term use to provide service to its customers north of the Lake Washington Ship Canal and it is in the public interest to acquire the property for that purpose; and

WHEREAS, RCW 8.12.030 and 35.67.020 authorize the City to purchase or condemn property for utility or general municipal purposes; and

WHEREAS, the City has provided adequate notice to the relevant property owners that the City may take final action to authorize condemnation of the subject property as required by RCW 8.12 and 8.25; NOW, THEREFORE,

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

Section 1. The public convenience and necessity require the property legally described in Attachment 1, situated in the City of Seattle, County of King, State of Washington, together with all rights and privileges pertaining thereto be acquired, condemned, appropriated and taken for the public use, for water system, stormwater, drainage, and other utility or general municipal purposes.

Section 2. The Director of Seattle Public Utilities or his designee is authorized, on behalf of the City of Seattle, to negotiate for and acquire the property and all rights and privileges pertaining thereto in fee simple at fair market value, and to execute, and accept and record deeds



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2           or other necessary documents for the acquisition of the property or to take any other  
3 reasonably necessary actions to effectuate this section.

4           Section 3. The City Attorney is authorized to commence and prosecute proceedings in  
5 the manner provided by law to condemn, take, damage, and appropriate in fee simple the  
6 property and all rights and privileges pertaining thereto, provided said property and rights and  
7 privileges pertaining thereto are to be appropriated and taken only after just compensation has  
8 been made or paid for the owners thereof in the manner provided by law, to stipulate for the  
9 purpose of minimizing damages and to take any such related actions deemed necessary.  
10

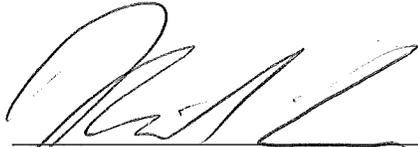
11           Section 4. The property acquired under authority of this ordinance will be placed under  
12 the jurisdiction of Seattle Public Utilities.  
13

14           Section 5. This ordinance shall take effect and be in force thirty (30) days from and after  
15 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days  
16 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.  
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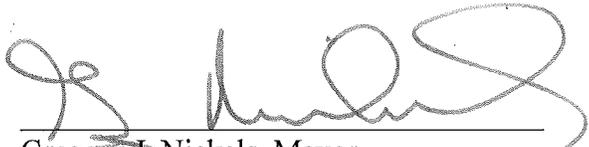


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Passed by the City Council the 15<sup>th</sup> day of December, 2008, and  
signed by me in open session in authentication of its passage this  
15<sup>th</sup> day of December, 2008.

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

Approved by me this 19<sup>th</sup> day of December, 2008.

  
\_\_\_\_\_  
Gregory J. Nickels, Mayor

Filed by me this 22<sup>nd</sup> day of December, 2008.

  
\_\_\_\_\_  
City Clerk

(Seal)

Attachment 1 - Legal description of 1318 North 128 Street, Seattle



**Attachment 1**

The east 250 feet of the west 945 feet of that portion of the Southwest Quarter of the Southeast Quarter of Section 19, Township 26 North, Range 4 East, Willamette Meridian, lying north of North 128th Street.

Except the north 35 feet thereof condemned in King County Superior Court Cause No. 612752 for North 130th Street as provided by Ordinance No. 92471 of the City of Seattle.

Commonly known as King County Assessors Parcel Number 192604-9292, with a street address of 1318 N. 128th Street, Seattle, King County, Washington 98133.



**FISCAL NOTE FOR CAPITAL PROJECTS ONLY**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>DOF Analyst/Phone:</b>
Seattle Public Utilities	Judith Cross/386-1814	John McCoy/615-0768

**Legislation Title:**

AN ORDINANCE authorizing Seattle Public Utilities to acquire by purchase or condemnation of land and all improvements thereon property situated at 1318 North 128th Street, Seattle for water, drainage and other utility or general municipal purposes.

**Summary and background of the Legislation:**

Since 2001, SPU's North Operations Center has operated from leased space near Haller Lake and must remain at its current location to provide continued cost-effective operations and customer services in the north end of Seattle (See Exhibit A). This facility is SPU's back-up Operations Response Center and houses the Supervisory Control and Data Acquisition (SCADA) system for SPU drainage, wastewater and water operations. In mid-2007, the utility contacted the property owner about signing a new lease for the property. However, on April 11, 2008 the landlord notified the utility he had signed a purchase-and-sale agreement with a third party, which would have necessitated SPU to vacate the site when its lease expires at the end of March 2009. Due to the amount of time needed to secure permits and conduct relocation activities, it could take SPU two years or more to find a comparable location (if one exists) to be made operable. In lieu of allowing the sale to continue, SPU informed the owner it would be purchasing the property and potentially using eminent domain to do so. Before the initial decision to lease the site seven years ago, SPU determined the travel time and fuel cost savings (from not dispatching all crews and crew chiefs from the OCC) alone justified the lease cost of \$260k/year. Since that time, the utility has made approximately \$400,000 of cosmetic improvements to the property to address community concerns about its appearance as well as substantial investments in wiring the facility to act as SPU's backup Emergency Operations Center and backup Operations Response Center. With recent increases in fuel costs, wage rates for crews, and traffic congestion (which will increase further as the Alaskan Way Viaduct and other transportation projects move forward) the cost savings will increase significantly relative to other alternatives (See Exhibit B). Therefore, for both financial and customer service reasons, acquisition of this property for continued, uninterrupted utility services is required.



<b>Project Name:</b>	<b>Project I.D.</b>	<b>Project Location:</b>	<b>Start Date:</b>	<b>End Date</b>
Operational Facility – Construction - WF	C4106-WF	Various locations within city limits	1 <sup>st</sup> Quarter 2004	Ongoing
Operational Facility – Construction - DWF	C4106-DWF	Various locations within city limits	1 <sup>st</sup> Quarter 2004	Ongoing

*Please check any of the following that apply:*

**X** **This legislation has financial implications.** *(Please complete all relevant sections that follow.)*

**Appropriations:** *This table should detail existing appropriations and reflect appropriations that are a direct result of this legislation. In the event that the projects associated with this ordinance had, or will have, appropriations in other legislation, please provide details in the Notes section below. If this legislation does not directly change an appropriation, but results in budget authority being moved within a Budget Control Level, or to another Budget Control Level (up to 10%), please explain in the Notes section below.*

<b>Fund Name and Number</b>	<b>Department</b>	<b>Budget Control Level*</b>	<b>2008 Appropriation</b>	<b>2009 Anticipated Appropriation</b>
43000 Water Fund	SPU	C410B	\$1,101,926	\$8,469,311
44010 Drainage & Wastewater Fund	SPU	C410B	\$867,488	\$1,108,515
<b>TOTAL</b>				<b>\$9,577,826</b>

*\*See budget book to obtain the appropriate Budget Control Level for your department.*

**Notes:**

Appropriations for the property acquisition have been included in the 2009 Proposed Capital Improvement Program Budget for the Water and Drainage & Wastewater Funds, as the costs will be shared by the two funds. The appropriation is being requested as part of the Operational Facility – Construction program (C4106) for which the property purchase is only one part of the activities carried out under that program.



**Spending Plan and Future Appropriations for Capital Projects:** Please list the timing of anticipated appropriation authority requests and expected spending plan. In addition, please identify your cost estimate methodology including inflation assumptions, the projected costs of meeting applicable LEED standards, and the percent for art and design as appropriate.

Spending Plan and Budget	2008	2009	2010	2011	2012	2013	Total
Spending Plan	\$1.495M						
Current Year Appropriation	\$1.969M						
Future Appropriations		\$9.57M	\$1.34M	\$1.42M	\$5.21M	\$5.15M	\$22.705M

**Notes:** Figures shown in the table above for years 2009-2013 are the 2009 Proposed CIP amounts for both the Water and Drainage & Wastewater Fund Operational Facility – Construction program (C4106).

**Funding source:** Identify funding sources including revenue generated from the project and the expected level of funding from each source.

Funding Source (Fund Name and Number, if applicable)	2008	2009	2010	2011	2012	2013	Total
Water Fund – 43000		\$8,469,311					
Drainage & Wastewater Fund – 44010		\$1,108,515					
<b>TOTAL</b>		<b>\$9,577,826</b>					

**Notes:** Figures shown in the table above are the 2009 Proposed CIP amounts for the Water and Drainage & Wastewater Fund Operational Facility – Construction program (C4106).

**Bond Financing Required:** If the project or program requires financing, please list type of financing, amount, interest rate, term and annual debt service or payment amount. Please include issuance costs of 3% in listed amount.

Type	Amount	Assumed Interest Rate	Term	Timing	Expected Annual Debt Service/Payment
<b>TOTAL</b>					

**Notes:** The property acquisition costs, like other projects within the DWF and WF CIPs, will be financed with a mixture of cash and long-term debt.



**Uses and Sources for Operation and Maintenance Costs for the Project:** Estimate cost of one-time startup, operating and maintaining the project over a six year period and identify each fund source available. Estimate the annual savings of implementing the LEED Silver standard. Identify key assumptions such as staffing required, assumed utility usage and rates and other potential drivers of the facility's cost.

O&M	2008	2009	2010	2011	2012	2013	Total
<b>Uses</b>							
Start Up							
On-going							
<b>Sources (itemize)</b>							

**Notes:** Ongoing operational costs needed at this property are being reviewed as part of the North Operation Complex Plan. This plan is in the early phases and will provide increased direction in the next year. Further details can be provided at that time. In general, the types of ongoing maintenance costs include roof repair or partial replacement, building maintenance such as painting and repairs and repaving work. These needs will be assessed and prioritized as part of the overall facilities operation plan at SPU.

**Periodic Major Maintenance costs for the project:** Estimate capital cost of performing periodic maintenance over life of facility. Please identify major work items, frequency.

Major Maintenance Item	Frequency	Cost	Likely Funding Source
<b>TOTAL</b>			

**Funding sources for replacement of project:** Identify possible and/or recommended method of financing the project replacement costs.

**Total Regular Positions Created, Modified, Or Abrogated Through This Legislation,**  
**Including FTE Impact:** This table should only reflect the actual number of positions created by this legislation. In the event that positions have been, or will be, created as a result of previous or future legislation or budget actions, please provide details in the Notes section below the table.



Position Title and Department*	Position # for Existing Positions	Fund Name & #	PT/FT	2008 Positions	2008 FTE	2009 Positions **	2009 FTE **
<b>TOTAL</b>							

\* List each position separately

\*\* 2009 positions and FTE are total 2009 position changes resulting from this legislation, not incremental changes. Therefore, under 2009, please be sure to include any continuing positions from 2008.

- **Do positions sunset in the future?** (If yes, identify sunset date):

- **What is the financial cost of not implementing the legislation:**

If this legislation is not passed, SPU would incur both operational and capital costs for a new facility, moving expenses for the North Operations Center and materials inventory and lost productivity costs for the disruption to north end water operations functions and materials inventory.

- **What are the possible alternatives to the legislation that could achieve the same or similar objectives**

SPU considered expanding the existing Operations Control Center facility in the south end of Seattle to accommodate its north end field crews and inventory functions. However, this alternative would have serious negative impacts on the utility's ability to deliver timely emergency service and routine operations, maintenance and construction by removing water operations crews from north Seattle. Additionally, given SPU's need to perform these functions on an uninterrupted basis, there is not sufficient time to lease or purchase another site or combine operations with another City facility in the north end of Seattle by April of 2009.

- **Is the legislation subject to public hearing requirements:**

Public meeting requirements triggered due to potential use of eminent domain by the City would be met in the course of Council consideration of this legislation.

- **Other Issues** (including long-term implications of the legislation):

**Please list attachments to the fiscal note below:**

Exhibit A



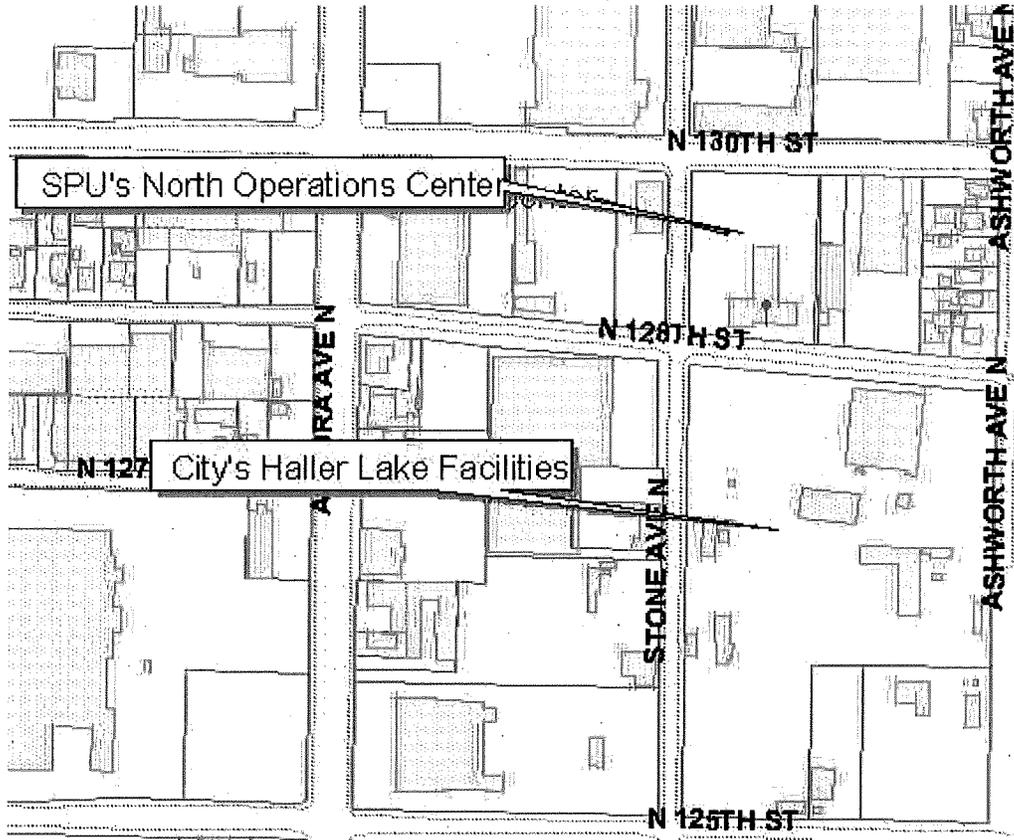


Exhibit A to SPU NOC Property ORD FISC



**SPU North Operations Center Alternatives**  
**Cost Savings Analysis**

Assumptions

NOC Property Value	\$ 5,500,000.00
SPU Real Discount Rate	3%
Property Owner Real Discount Rate	5%
Property Appreciation Rate	0%
Lease Period/Property Holding Period	30
Mileage Savings/Year	\$ 79,200.00
Time Savings/Year	\$ 394,240.00
Total Fuel & Labor Savings	\$ 473,440.00
Annual Lease Cost	\$357,782.89

**Option 1 (Buy NOC)**

Lease Cost Savings (PV)	\$7,012,702.61
Appreciation of Property	\$ -
Property Purchase Costs	(\$5,500,000.00)
Net Benefits	\$1,512,702.61

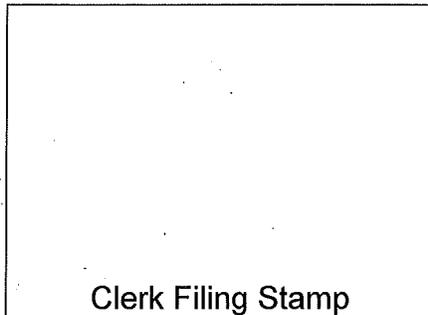
**Option 2 (Move Back to OCC)**

Lease Cost Savings (PV)	\$7,012,702.61
One Time Move/Transition Costs	(\$750,000.00)
Increased Fuel/Labor Costs (PV)	(\$9,279,632.95)
Net Benefits	(\$3,016,930.34)

**Option 3 (Buy Another Property in North end)**

Lease Costs Savings (PV)	\$7,012,702.61
Appreciation of Property	\$ -
One Time Move/Transition Costs	(\$1,500,000.00)
Property Purchase Costs	(\$5,500,000.00)
Net Benefits	\$12,702.61





**CERTIFICATE OF MAILING AND PUBLICATION OF NOTICE FOR  
Council Bill 116402**

I, Teri Hallauer, Senior Real Property Agent, hereby certify as follows:

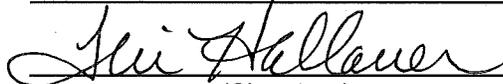
(Check all that apply below.)

- 1. On the 17th day of November, 2008, I mailed via US Postal Service Certified Mail  
a  
 notice of condemnation or  
 other Letter,  
a true and correct representative copy of which is attached and designated as Attachment A, to those persons whose names as the addressees.
- 2. For condemnation legislation: The notice designated in Attachment A constitutes adequate notice to property owners, pursuant to RCW 8.12 and 8.25, that the City may take final action to authorize condemnation of the subject property.
- 3. The notice designated in Attachment B was published in the Seattle Times on 11/24/08 and 12/01/08 and the Daily Journal of Commerce on 11/24/08 and 12/01/08.
- 4. This Certificate of Mailing and Publication and complete Attachments A and B are hereby filed with the City Clerk of the City of Seattle.

Dated this 15th day of November, 2008.

The City of Seattle, Washington

Teri Hallauer

  
(Signature)

Senior Real Property Agent

Seattle Public Utilities

206-684-5971



# City of Seattle

Gregory J. Nickels, Mayor

## Seattle Public Utilities

Chuck Clarke, Director

*Attachment A*

November 17, 2008

T & L Enterprises  
5442 45th Avenue West  
Seattle, WA 98199-1044

Gentlemen:

Intent to Acquire Ownership of 1318 North 128 Street, Seattle  
(King County Parcel No. 1926049292)

Seattle Public Utilities intends to acquire ownership of the above property located in Seattle, WA using its power of eminent domain (condemnation) for public use. The proposed ordinance authorizing this acquisition will be presented to the Seattle City Council as follows:

Tuesday 12/09/2008    2:00 pm    Environmental, Emergency Management  
and Utilities Committee (EEMU)

Monday 12/15/2008    2:00 pm    City Council (adoption)

Both sessions are open to the public and held in Council Chambers in Seattle City Hall, 600 Fourth Avenue, Seattle on the second floor. Public comments are received by the EEMU Committee at the start of the meeting and are generally limited to a total of 10 minutes of comments for each agenda item. If you have questions about the committee meeting format, the agenda for the meeting, or the public comment section, please contact Phyllis Shulman, EEMU Committee staff, at 206-684-8805, or visit the EEMU Committee's website at <http://www.seattle.gov/council/agendasc/environment.pdf>

The Council's chambers and offices are physically accessible and print and communications access are provided on request. Call 206-684-8888 (TDD 206-233-0025) for further information on accessibility.

LEGAL DESCRIPTION FOR 1318 NORTH 128 STREET

Situated in the State of Washington, and described as follows:

The east 250 feet of the west 945 feet of that portion of the southwest quarter of the southeast quarter of Section 19, Township 26 North, Range 4 East, W.M., in King County, Washington, lying north of North 128th Street; EXCEPT the north 35 feet thereof condemned in King County Superior Court Cause Number 612752 for North 130th Street as provided by Ordinance Number 92471 of the City of Seattle.

T & L Enterprises  
November 17, 2008  
Page 2

As you know, Seattle Public Utilities has been leasing this property for over seven years using it as its North Operations Center for the water utility. Seattle Public Utilities has determined that it is in our ratepayers' interests to acquire ownership of the site in order to continue uninterrupted services to our northend water customers.

If you have any questions about the acquisition process, please contact me at either 206-684-5877, or [audrey.hansen@seattle.gov](mailto:audrey.hansen@seattle.gov)

Sincerely yours,



Audrey C. Hansen, Manager  
SPU Real Property, Claims and Facilities Services

Enclosure



REPRESENTING THE **Seattle Post-Intelligencer**  
PO Box 70, Seattle, WA 98111

SEATTLE PUBLIC UTILITIES  
~~ATTN: HENRY FRIEDMAN~~  
PO BOX 34018  
SEATTLE, WA 98124

Re: Advertiser Account #21256303  
Ad #: 775159100

## Affidavit of Publication

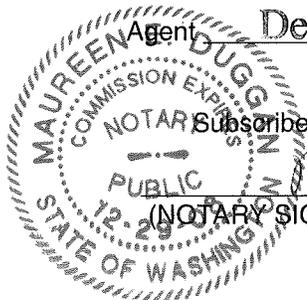
3977987 / 1

STATE OF WASHINGTON  
Counties of King and Snohomish

The undersigned, on oath states that he/she is an authorized representative of The Seattle Times Company, publisher of The Seattle Times and representing the Seattle Post-Intelligencer, separate newspapers of general circulation published daily in King and Snohomish Counties, State of Washington. The Seattle Times and the Seattle Post-Intelligencer have been approved as legal newspapers by orders of the Superior Court of King and Snohomish Counties.

The notice, in the exact form annexed, was published in the regular and entire issue of said paper or papers and distributed to its subscribers during all of the said period.

Newspaper	Publication Date
The Seattle Times	11/24/08, 12/01/08



Agent Debbie Collantes Signature *D Collantes*

Subscribed and sworn to before me on December 2, 2008  
(DATE)

*Maureen Duggan*  
(NOTARY SIGNATURE) Notary Public in and for the State of Washington, residing at Seattle

**STATE OF WASHINGTON – KING COUNTY**

--SS.

231443

No. OWNERSHIP

SPU:ACCOUNTS PAYABLE

**Affidavit of Publication**

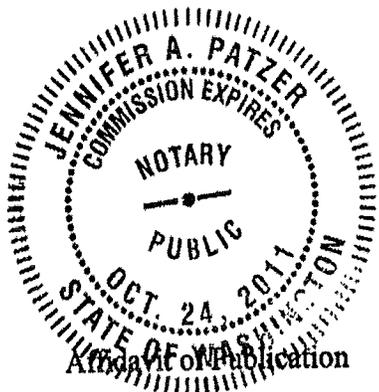
The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published 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 12<sup>th</sup> 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

CT:INTENT TO ACQUIRE

was published on

11/24/08 12/01/08



*[Handwritten signature]*

Subscribed and sworn to before me on

12/09/2008

*[Handwritten signature]*

Notary public for the State of Washington,  
residing in Seattle



DAILY JOURNAL OF COMMERCE

ADVERTISING PROOF

Date: 12/04/2008  
Adnum: 231443  
Custid: 6508

Customer: SPU:ACCOUNTS PAYABLE  
Ad Title: Intent to Acquire Ownership  
Lines: 26

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## City of Seattle

### Intent to Acquire Ownership

Intent to Acquire Ownership of 1318  
North 128 Street, Seattle WA

(King County Parcel No. 1926049292)

Seattle Public Utilities intends to acquire ownership of the above property located in Seattle, WA using its power of eminent domain (condemnation) for public use. The proposed ordinance authorizing this acquisition will be presented to the Seattle City Council as follows:

Tuesday 12/09/2008 2:00 pm  
Environmental, Emergency Management  
and Utilities Committee

Monday 12/15/ 2008 2:00 pm City Council  
(adoption)

Both session are open to the public and held in Seattle City Council Chambers in City Hall, 600 Fourth Avenue, Seattle, 2nd floor

For further information, contact Audrey Hansen, 206-684-5877

Dates of publication in the Seattle Daily Journal of Commerce, November 24, December 1, 2008.

12/1(231443)



# City of Seattle

Gregory J. Nickels, Mayor

## Office of the Mayor

November 10, 2008

Honorable Richard Conlin  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

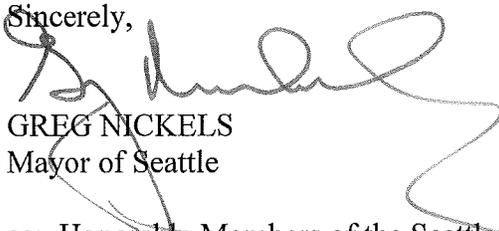
Dear Council President Conlin:

I am transmitting the attached proposed Council Bill that would authorize the acquisition, by purchase or eminent domain, of the property that currently houses Seattle Public Utilities' (SPU's) North Operations Center near Haller Lake.

Since mid-2001, SPU has leased the property located at 1318 North 128<sup>th</sup> Street to conduct its water maintenance and repair operations in the north part of Seattle. Earlier this year, the utility was notified that the owner intended to sell the property to a third party. In order to provide continued uninterrupted utility service and retain its emergency facility in the north end, SPU determined it would be in the utility's and public's best interests to acquire the property. As a result, SPU staff are in the process of appraising the subject property with the intent of acquiring it based on fair market value at its highest and best use. Should this approach and related negotiations fail, SPU stands ready to acquire the property through eminent domain.

Approving this legislation will allow SPU to continue to provide uninterrupted utility services to its customers in the north end of Seattle. Thank you for your consideration of this legislation. Should you have questions, please contact Audrey Hansen, SPU Real Property Manager, at 684-5877.

Sincerely,



GREG NICKELS  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 7<sup>th</sup> Floor, P.O. Box 94749, Seattle, WA 98124-4749

Tel: (206) 684-4000, TDD: (206) 615-0476 Fax: (206) 684-5360, Email: [mayors.office@seattle.gov](mailto:mayors.office@seattle.gov)

An equal employment opportunity, affirmative action employer. Accommodations for people with disabilities provided upon request.



STATE OF WASHINGTON – KING COUNTY

--SS.

233166  
CITY OF SEATTLE, CLERKS OFFICE

No. TITLE ONLY

**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 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

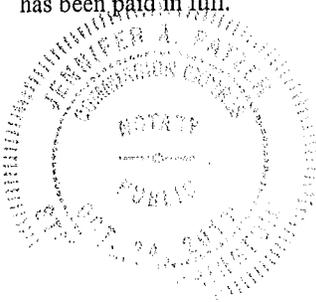
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:122881,83-122894

was published on

01/07/09

The amount of the fee charged for the foregoing publication is the sum of \$ 183.95, which amount has been paid in full.



*[Handwritten signature]*

Subscribed and sworn to before me on

01/07/09

Notary public for the State of Washington,  
residing in Seattle

Affidavit of Publication

# State of Washington, King County

## City of Seattle

### TITLE-ONLY PUBLICATION

The full text of the following ordinances, passed by the City Council on December 15, 2008, and published here by title only, will be mailed, at no cost, on request for two months after this publication. For further information, contact the Seattle City Clerk at 684-8944.

#### ORDINANCE NO. 122894

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

#### ORDINANCE NO. 122893

AN ORDINANCE relating to City employment; authorizing the execution of a Memorandum of Understanding by and between the City of Seattle, the Seattle Department of Transportation, and the International Brotherhood of Electrical Workers, Local 77 effective January 23, 2009 through January 22, 2013; and providing payment therefor.

#### ORDINANCE NO. 122892

AN ORDINANCE relating to City employment; authorizing the execution of a Memorandum of Understanding by and between the City of Seattle, the City Light Department, and the International Brotherhood of Electrical Workers, Local 77 effective January 23, 2009 through January 22, 2013; and providing payment therefor.

#### ORDINANCE NO. 122891

AN ORDINANCE relating to City employment; authorizing the Mayor to sign, and/or execute a collective bargaining agreement by and between the City of Seattle and the International Brotherhood of Teamsters, Local 117 Evidence Warehouse; and Community Service Officers units to be effective through December 31, 2010; and providing payment therefor.

#### ORDINANCE NO. 122889

AN ORDINANCE authorizing the purchase, for park, open space and recreation purposes, of real property commonly known as Webster Park, a portion of the former Webster Elementary School, located at 3017 Webster Street, from Seattle School District NW 67th Street, from Seattle School District No. 1, and authorizing acceptance of the deed, No. 1, and authorizing acceptance of the 2008-2013 Capital Improvement Program, and authorizing the loan of funds from the City's Consolidated (Residual) Cash Pool, or its participating funds, to the Cumulative Reserve Subfund-Unrestricted Subaccount, all by a three-fourths vote of the City Council.

#### ORDINANCE NO. 122890

AN ORDINANCE authorizing the purchase, for park, open space, and recreation purposes, of real property commonly known as a portion of the former Crown Hill Elementary School, located at 9089 Holman Road Northwest, from Seattle School District No. 1, authorizing acceptance of the deed, authorizing the creation of an Opportunity Fund Project consistent with the requirements of Ordinance 120024, making appropriations, amending the 2008-2013 Capital Improvement Program, and authorizing the loan of funds from the City's Consolidated (Residual) Cash Pool, or its participating funds, to the 2000 Parks Levy Fund, all by a three-fourths vote of the City Council.

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#### ORDINANCE NO. 122885

AN ORDINANCE relating to lobbying activities by City of Seattle officials and employees; repealing Ordinance 120960.

#### ORDINANCE NO. 122888

AN ORDINANCE relating to City employment, to be known as the 2009 Pay Zone Ordinance; adjusting the pay zone structures for the City's discretionary pay programs for the year 2009.

#### ORDINANCE NO. 122887

AN ORDINANCE relating to City employment; commonly referred to as the Fourth Quarter 2008 Employment Ordinance; establishing new titles and/or salaries; designating positions as exempt from Civil Service status; all by a 2/3 vote of the City Council.

#### ORDINANCE NO. 122886

AN ORDINANCE relating to security from terrorism; authorizing the City to partner with the State of Washington and King County to receive financial assistance from the Department of Homeland Security (DHS), Office for State and Local Government Coordination and Preparedness under the Urban Areas Security Initiative Grant for Federal Fiscal Year 2008 (UASI 08), authorizing an application for allocation of funds under that agreement; increasing appropriations to the Police Department, Fire Department and Department of Information Technology in the 2009 Budget.

#### ORDINANCE NO. 122884

AN ORDINANCE adopting the 2007 City of Seattle Disaster Debris Management Plan and designating Seattle Public Utilities as the lead City department for debris management during the recovery phase following a large natural or human-caused disaster.

#### ORDINANCE NO. 122883

AN ORDINANCE authorizing Seattle Public Utilities to acquire by purchase or condemnation of land and all improvements thereon property situated at 1318 North 128th Street, Seattle for water, drainage and other utility or general municipal purposes.

#### ORDINANCE NO. 122881

AN ORDINANCE relating to the Neighborhood Parks, Green Spaces, Trails, and Zoo Levy; authorizing the acquisition of real property commonly known as 2100 Westlake Avenue; authorizing acceptance of the deed for open space, park, and recreation purposes; increasing appropriations to the Department of Parks and Recreation in the 2008 Budget; all by a three-fourths vote of the City Council.

Publication ordered by JUDITH PIPPIN, City Clerk

Date of publication in the Seattle Daily Journal of Commerce, January 7, 2009.

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