

Ordinance No. 123619

Council Bill No. 117180

AN ORDINANCE relating to the Department of Information Technology; authorizing the Director of the Department of Information Technology to accept and record a deed for the transfer of real property and improvements located at 1125 North 98th Street in Seattle, Washington, and identified as Tax Parcel Number 924790-0045-02 in fulfillment of a contract between the City of Seattle and Seattle Community Access Network (SCAN); and ratifying and confirming certain prior acts.

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Bruce A. Hamilton
Councilmember

Committee Action:

6/1/11 Passed BH, RC

June 6, 2011 Full Council PASSED 7-0 (excused: Bagshaw, Licata)

CF No. _____

Date Introduced:	<u>5.23.11</u>	
Date 1st Referred:	To: (committee)	
Date Re - Referred:	To: (committee) <u>Energy, Technology, + Civil Rights</u>	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote:	
<u>June 6, 2011</u>	<u>7-0</u>	
Date Presented to Mayor:	Date Approved:	
<u>June 7, 2011</u>	<u>6.8.11</u>	
Date Returned to City Clerk:	Date Published:	T.O. <input checked="" type="checkbox"/> F.T. <input type="checkbox"/>
<u>6.9.11</u>		
Date Vetoed by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

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

Law Dept. Review OMP Review City Clerk Review Electronic Copy Loaded Indexed

ORDINANCE 123619

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AN ORDINANCE relating to the Department of Information Technology; authorizing the Director of the Department of Information Technology to accept and record a deed for the transfer of real property and improvements located at 1125 North 98th Street in Seattle, Washington, and identified as Tax Parcel Number 924790-0045-02 in fulfillment of a contract between the City of Seattle and Seattle Community Access Network (SCAN); and ratifying and confirming certain prior acts.

WHEREAS, Comcast of Washington I, Inc. and Comcast of Washington IV, Inc. (collectively "Comcast") are authorized to provide Cable Services in the City of Seattle ("City") in accordance with a Cable Franchise Agreement ("Franchise") approved under Ordinance 122089; and

WHEREAS, Section 6.4 (B) of the Franchise provides that Comcast shall make a capital contribution to the City of \$750,000 and that Comcast could satisfy this obligation by transferring Public Access Facility ("Facility") located at 1125 North 98th Street in Seattle, Washington, to the City's Designated Public Access Manager; and

WHEREAS, on the effective date of the Franchise, Seattle Community Access Network ("SCAN") was the City's Designated Access Manager for Public Access Television and on November 9, 2006, Comcast, in fulfillment of the Franchise obligation and at the direction of the City, transferred ownership of the Facility to SCAN; and

WHEREAS, on June 1, 2006, the City and SCAN amended their existing contract ("Agreement"), extending the period for SCAN to provide Public Access services to December 31, 2010; and

WHEREAS, Section 17.4 of the Agreement, which expired on December 31, 2010, requires SCAN to transfer to the City all property and equipment acquired with City funds upon expiration of the Agreement; and

WHEREAS, in fulfillment of its contract obligations, SCAN delivered to the City a quit claim deed dated December 16, 2010 (Attachment A), transferring ownership of the Facility to the City; and

WHEREAS, the quit claim deed was recorded with King County on December 28, 2010; NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:



1 Section 1. The Director of the Department of Information Technology is authorized to
2 accept and record on behalf of the City of Seattle the quit claim deed, a copy of which is
3 attached to this ordinance as Attachment A, conveying the Public Access Facility located at
4 1125 North 98th Street in Seattle, legally described as:

5
6 Lots 9, 10, 11 and 12, Block 1, Wenzel Additional to the City of Seattle, according to
7 the Plat thereof recorded in Volume 19 of Plats, page(s) 31, in King County,
8 Washington.
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11 Section 2. The real property described in Section 1 is placed under the jurisdiction of
12 the Department of Information Technology.

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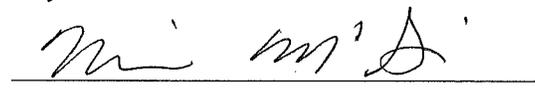


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2 Section 4. This ordinance shall take effect and be in force 30 days from and after its
3 approval by the Mayor, but if not approved and returned by the Mayor within ten days after
4 presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

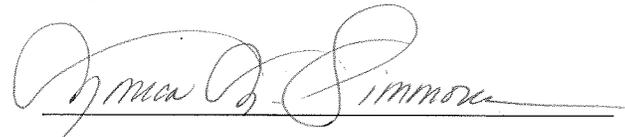
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6 Passed by the City Council the 6th day of June, 2011, and
7 signed by me in open session in authentication of its passage this
8 6th day of June, 2011.

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11 
12 President _____ of the City Council

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14 Approved by me this 8th day of June, 2011.

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16 
17 Michael McGinn, Mayor

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19 Filed by me this 9th day of June, 2011.

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21 
22 Monica Martinez Simmons, City Clerk

23 (Seal)

24
25 Attachment A: SCAN Quit Claim Deed



When recorded return to:
Seattle City Attorney's Office
Attention: William G. McGillin
600 - 4th Avenue, 4th Floor, P.O. Box 94769
Seattle, WA 98124-4769

Grantor: Seattle Community Access Network ("SCAN"), a Washington not-for-profit corporation
Grantee: City of Seattle, a municipality
Abbreviated Legal: LOTS 9, 10, 11 AND 12, BLOCK 1, WENZEL ADDITIONAL TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 19 OF PLATS, PAGE(S) 31, IN KING COUNTY, WASHINGTON.

QUIT CLAIM DEED

THE GRANTOR Seattle Community Access Network ("SCAN"), a Washington not-for-profit corporation; in fulfillment of contractual obligations, hereby conveys and quit claims to GRANTEE City of Seattle, a municipality the following described real estate, situated in the County of King State of Washington, together with all after acquired title of the Grantor therein:

Legal Description: LOTS 9, 10, 11 AND 12, BLOCK 1, WENZEL ADDITIONAL TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 19 OF PLATS, PAGE(S) 31, IN KING COUNTY, WASHINGTON.

QUIT CLAIM DEED
Seattle Community Access Network
Page 1 of 2

Attachment A to SCAN Property Transfer ORD

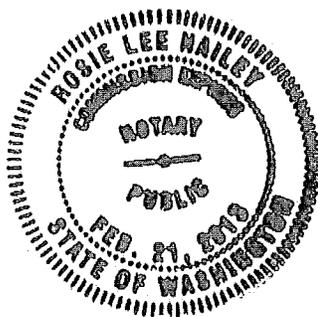


Tax Parcel Number: 924790-0045-02
Seattle Community Access Network (SCAN)

By SGA
Its: PRESIDENT, BOARD OF DIRECTORS
Title

On this day personally appeared before me Stanley G. Emert, who identified himself/herself to be the President, Board of Directors Insert Title of Seattle Community Access Network (SCAN) duly authorized to execute this instrument and who executed the within and foregoing instrument, and acknowledged that he/she signed the same as his/her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 16th day of December, 2010.



Rosie Lee Mailey
Notary name printed or typed:
Notary Public in and for the State of
Residing at Seattle
My appointment expires: 2/21/2013



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Department of Information Technology	D'Anne Mount 3-8736	Jennifer Devore 5-1328

Legislation Title:

AN ORDINANCE relating to the Department of Information Technology; authorizing the Director of the Department of Information Technology to accept and record a deed for the transfer of real property and improvements located at 1125 North 98th Street in Seattle, Washington, and identified as Tax Parcel Number 924790-0045-02 in fulfillment of a contract between the City of Seattle and Seattle Community Access Network (SCAN); and ratifying and confirming certain prior acts.

Summary of the Legislation: This Ordinance authorizes the Director of the Department of Information Technology (DOIT) to accept a transfer of property from SCAN, in accordance with their contract with the City of Seattle, which ended on December 31, 2010.

Background: As part of its franchise agreement with the City of Seattle, Comcast turned over the deed to its production building located at 98th and Aurora Avenue to SCAN, the designated public access television provider at the time. SCAN's contract with the City required it to turn over ownership of the facility to the City at the end of the contract period. SCAN returned the facility to the City by a quit claim deed in December 2010 and this Ordinance authorizes the Director of DoIT to accept and record the deed.

Please check one of the following:

This legislation does not have any financial implications.
(Stop here and delete the remainder of this document prior to saving and printing.)

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

The deed transfer creates an asset for the City of which the current value has yet to been determined, but it was approximately \$750,000 (as determined by Comcast and the City) when deeded to SCAN in 2006. The long term plan is for DoIT to sell the building and deposit the proceeds in the Cable Fund. The real estate market will ultimately dictate the value of the building, which may be less than \$750,000 in our current economy. Any use of this property, or any proceeds derived from this facility, will be used in accord with the provisions in City Ordinance 122089, Section 6.4(B), and Council Resolution 30379.

What is the financial cost of not implementing the legislation?

If we do not receive ownership, we will not be able to either use the property for City purposes



or sell it.

Does this legislation affect any departments besides the originating department?

Yes, FAS. They manage the affected operating fund; the staff person is Victoria Galinato.

What are the possible alternatives to the legislation that could achieve the same or similar objectives? None

Is the legislation subject to public hearing requirements?

No





City of Seattle
Office of the Mayor

April 5, 2011

Honorable Richard Conlin
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill that authorizes the Director of the Department of Information Technology to accept a deed for transfer of real property and improvements located at 1125 North 98th Street in Seattle, Washington, in fulfillment of a contract between the City of Seattle and Seattle Community Access Network (SCAN).

The Department of Information Technology (DoIT) negotiates and manages the City's cable franchise agreements. As part of its franchise agreement with the City of Seattle, Comcast turned over the deed to its production building located at 98th and Aurora Avenue to SCAN, which was the designated public access television provider at the time. SCAN's contract with the City required it to turn over ownership of the facility to the City when the contract ended, which was December 31, 2010. This Ordinance authorizes the Director of DoIT to accept the quit claim deed from SCAN. At this point, we are not planning on retaining the building long-term, but final disposition will not be decided until after the new public access provider has been selected.

Thank you for your consideration of this legislation. Should you have questions, please contact Bill Schrier, Chief Technology Officer, at 684-0633.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council



STATE OF WASHINGTON – KING COUNTY

--SS.

272861
CITY OF SEATTLE, CLERKS OFFICE

No.

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

CT:123617,619-620 TITLE

was published on

06/23/11

The amount of the fee charged for the foregoing publication is the sum of \$ 61.43, which amount has been paid in full.



Affidavit of Publication

Subscribed and sworn to before me on

06/23/11

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on June 6, 2011, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>. Contact: Office of the City Clerk at (206) 684-8344.

ORDINANCE NO. 123617

AN ORDINANCE relating to the City Light Department; declaring the former Sunnysdale Substation (PMA 609) located at 15002 8th Avenue South in Burien, Washington, to be surplus to The City of Seattle's needs; authorizing its sale to the Port of Seattle; authorizing the Superintendent of the City Light Department to execute a Purchase and Sale Agreement and other documents in connection therewith; and ratifying and confirming certain prior acts.

ORDINANCE NO. 123619

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ORDINANCE NO. 123620

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

Publication ordered by the City Clerk
Date of publication in the Seattle Daily
Journal of Commerce, June 23, 2011.

6/23(272861)