

Ordinance No. 121943

Council Bill No. 115391

AN ORDINANCE relating to the Fire Department; authorizing the execution of an agreement with the Central Puget Sound Regional Transit Authority ("Sound Transit") for financial assistance to purchase tunnel rescue equipment; accepting the money when received; increasing appropriations to the Fire Department; and ratifying and confirming prior acts; all by a three-fourths vote of the City Council.

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: [Signature] Councilmember

Committee Action:

pass 3-0 NL, PS, DD, [initials] 9/20/05 LA

9-26-05 Passed 9-0

CF No. _____

Date Introduced:	SEP 19 2005	
Date 1st Referred:	SEP 19 2005	To: (committee) Public Safety, Civil Rights & Arts
Date Re - Referred:		To: (committee)
Date Re - Referred:		To: (committee)
Date of Final Passage:	9-26-05	Full Council Vote: 9-0
Date Presented to Mayor:	9-27-05	Date Approved: 10/3/05
Date Returned to City Clerk:	10/3/05	Date Published: 3 pp [initials] T.O. <input checked="" type="checkbox"/> F.T. <input type="checkbox"/>
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 Department

Law Dept. Review

OMP Review

City Clerk Review [initials]

Electronic Copy Loaded [initials]

Indexed

ORDINANCE 121943

AN ORDINANCE relating to the Fire Department; authorizing the execution of an agreement with the Central Puget Sound Regional Transit Authority ("Sound Transit") for financial assistance to purchase tunnel rescue equipment; accepting the money when received; increasing appropriations to the Fire Department; and ratifying and confirming prior acts; all by a three-fourths vote of the City Council.

WHEREAS, the Fire Department sought and was subsequently awarded grant funds in 2005 from Sound Transit in the amount of \$250,000 to provide for tunnel rescue equipment; and

WHEREAS, Sound Transit and the City have amended an existing Construction Service Agreement, authorized by Ordinance 121312, to increase the awarded amount by \$400,000; and

WHEREAS, a balance of \$385,030 of previously awarded funds from Sound Transit originally appropriated by Ordinance 121333 lapsed in 2004 before completion of the project; and

WHEREAS, without such grant funds critical equipment and services could not be adequately provided within the Fire Department's operating budget;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. As requested by the Chief of the Seattle Fire Department and recommended by the Mayor, the Seattle Fire Chief or his designee is authorized to execute for and on behalf of The City of Seattle an agreement with Sound Transit for financial assistance in the amount of Two Hundred Fifty Thousand Dollars (\$250,000) for tunnel rescue equipment. This money, when received, shall be



1 deposited into the General Subfund of the General Fund as partial reimbursement
2 for the appropriation made in Section 4 of this ordinance.

3 Section 2. Previously awarded Sound Transit funds in the amount of Three
4 Hundred Eighty-five Thousand and Thirty Dollars (\$385,030), for which the
5 appropriation lapsed at the end of 2004, shall be deposited when received into the
6 General Subfund of the General Fund as partial reimbursement for the
7 appropriation made in Section 4 of this ordinance.
8

9 Section 3. Funds resulting from a funding increase of Four Hundred
10 Thousand Dollars (\$400,000) to the agreement authorized by Ordinance 121312
11 shall be deposited when received into the General Subfund of the General Fund as
12 partial reimbursement for the appropriation made in Section 4 of this ordinance.
13

14 Section 4. In order to pay for necessary costs and expenses incurred or to be
15 incurred in 2005, but for which insufficient appropriations were made, the
16 appropriation for the following in the 2005 Budget is increased from the fund
17 shown, as follows:
18

Fund	Department	BCL	Amount
General Subfund 00100	Fire	F3000	\$1,035,030

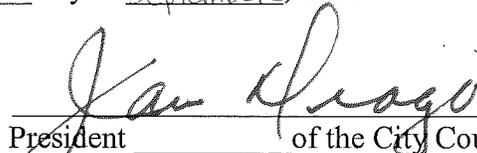
19
20
21 Unspent funds so appropriated shall carry forward to subsequent fiscal years until
22 they are exhausted or abandoned by ordinance.
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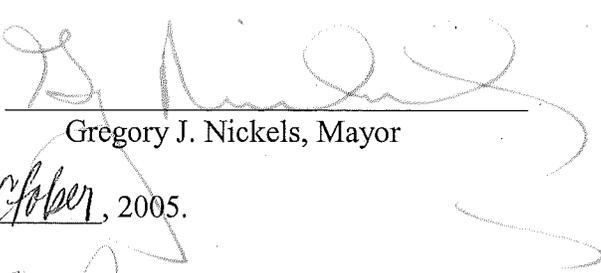
1 Section 5. Any act consistent with the authority but prior to the effective
2 date of this ordinance is hereby ratified and confirmed.

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

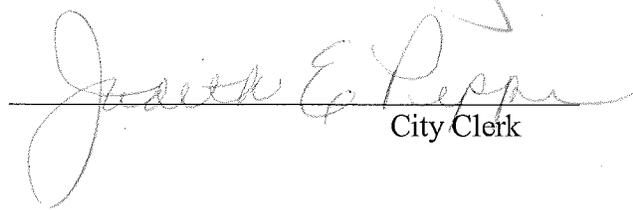
8 Passed by a three-fourths vote of all members of the City Council the
9 26th day of September, 2005, and signed by me in open session in
10 authentication of its passage this 26th day of September, 2005.
11

12 
13 President _____ of the City Council

14 Approved by me this 3rd day of October, 2005.

15
16 
17 _____
18 Gregory J. Nickels, Mayor

19 Filed by me this 3rd day of October, 2005.

20
21 
22 _____
23 City Clerk

24 (Seal)



City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

August 30, 2005

Honorable Jan Drago
President
Seattle City Council
City Hall, 2nd Floor

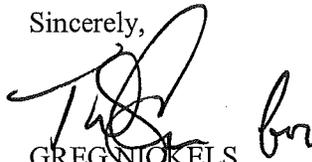
Dear Council President Drago:

I am pleased to transmit the attached proposed Council Bill that accepts a \$250,000 grant from The Central Puget Sound Regional Transit Authority ("Sound Transit") for tunnel rescue equipment for the Fire Department. The funds will purchase a Mobile Ventilation Unit (MVU) that will be mounted on a truck, which will allow deployment at either end of tunnels currently used as well as those built in the future, including the North Link of the light rail system. Sound Transit has also amended an earlier agreement with the City and increased funding by \$400,000 for a rescue vehicle. The remainder of the proposed appropriation is for funds that lapsed at the end of 2004 before the project was completed.

In 2003, Sound Transit and the City of Seattle executed the "Construction Service Agreement" which provided funds to support work by the Seattle Fire Department in regard to the light rail system. That agreement provides funds for firefighters, confined space rescue training and equipment. With these resources, the Fire Department was able to provide timely review of construction plans for compliance with life safety provisions in the Fire Code as well as enhanced tunnel rescue capacity during the construction phase.

The reimbursable funds provided by this legislation will enhance safety for both tunnel construction workers during development and for the general public when the facility is put into service. Thank you for your consideration of this legislation. Should you have questions, please contact Deputy Chief Gary English at 386-1453.

Sincerely,


GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

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

Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, Email: mayors.office@seattle.gov

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FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Fire	Deputy Chief Gary English 386-1453	Karl Stickel 684-8085

Legislation Title:

AN ORDINANCE relating to the Fire Department; authorizing the execution of an agreement with the Central Puget Sound Regional Transit Authority ("Sound Transit") for financial assistance to purchase tunnel rescue equipment; accepting the money when received; increasing appropriations to the Fire Department; and ratifying and confirming prior acts; all by a three-fourths vote of the City Council

• **Summary of the Legislation:**

The Seattle Fire Department provides both rescue and Fire Code compliance assistance to Sound Transit for the development of a light rail system in Seattle. This legislation relates to financial support from Sound Transit for those services. Specifically, the legislation will appropriate additional funds totaling \$1,035,030. This amount consists of three items: a new grant for up to \$250,000 for a mobile ventilation unit used in conjunction with tunnel rescue, an amendment to the current agreement by adding \$400,000 for a rescue truck, and, finally, appropriation of \$385,030 of previously awarded funds that lapsed in 2004 before completion of the project. The total appropriated funds will augment the Seattle Fire Department's operating budget for staffing and equipment costs associated with this Sound Transits capital project.

• **Background:** *(Include brief description of the purpose and context of legislation and include record of previous legislation and funding history, if applicable):*

Subsequent to execution of the "Sound Transit/City of Seattle Construction Services Agreement" authorized by Ordinance 121312, funding was appropriated for the Fire Department to begin work on this five year project in the last quarter of 2003. Appropriations to continue the Fire Department's work were made in both 2004 and 2005 by ordinances 121333 and 121660, respectively, adopting the City budget for those years. Collectively, this funding supports a scope of work that includes project management, construction assistance and tunnel rescue.

Project management includes coordination with other City Departments, Sound Transit, construction contractors, other regulatory organizations and impact management for SFD operations.



Construction assistance involves plan review and inspection associated with development of light rail infra-structure. This includes compliance with fire code regulations and NFPA standards related to life safety regulations. Construction management began in 2004 as did planning for tunnel rescue that was subsequently implemented in 2005 and will continue through completion of the project at which point tunnel rescue equipment will remain with the Fire Department.

The proposed legislation will provide funds to increase the 2005 operating budget for the Fire Department which currently includes a \$1,086,900 reimbursable appropriation for costs associated with Sound Transit's light rail project. That appropriation was included in the Department's 2005 Adopted operating budget.

- 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.)

Appropriations: This table should reflect appropriations that are a direct result of this legislation. In the event that the project/ programs associated with this ordinance have appropriations that were, or will be, received because of previous or future legislation or budget actions, please provide details in the Notes section below.

Fund Name and Number	Department	Budget Control Level*	2005 Appropriation	2006 Anticipated Appropriation
General Subfund (00100)	Fire	F3000	1,035,030	942,560
TOTAL			1,035,030	942,560

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

Notes: 1. The 2006 appropriation is based upon budget estimates developed within the Sound Transit Agreement.



Anticipated Revenue/Reimbursement: Resulting From This Legislation: This table should reflect revenues/reimbursements that are a direct result of this legislation. In the event that the issues/projects associated with this ordinance/resolution have revenues or reimbursements that were, or will be, received because of previous or future legislation or budget actions, please provide details in the Notes section below the table.

Fund Name and Number	Department	Revenue Source	2005 Revenue	2006 Revenue
General Subfund (00100)	Fire	Sound Transit	1,035,030	942,560
TOTAL			1,035,030	942,560

Notes:

Total Regular Positions Created 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*	Fund Name	Fund Number	Part-Time/ Full Time	2005 Positions	2005 FTE	2006 Positions**	2006 FTE**
TOTAL							

* List each position separately

** 2006 positions and FTE are total 2006 position changes resulting from this legislation, not incremental changes. Therefore, under 2006, please be sure to include any continuing positions from 2005

Notes: Ordinance #120973, adopting the 2003 Budget for the City of Seattle, includes 7.5 FTEs supported by Sound Transit funding.

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

Yes. June 30, 2008. (Note: If the Sound Transit North Link project is approved, a similar MOA will be established which will likely extend these positions into future budget years.)



Spending/Cash Flow: This table should be completed only in those cases where part or all of the funds authorized by this legislation will be spent in a different year than when they were appropriated (e.g., as in the case of certain grants and capital projects). Details surrounding spending that will occur in future years should be provided in the Notes section below the table.

Fund Name and Number	Department	Budget Control Level*	2005 Expenditures	2006 Anticipated Expenditures
TOTAL				

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

Notes:

- **What is the financial cost of not implementing the legislation?** (Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs if the legislation is not implemented.)

There would be substantial impacts on construction review and inspection that are provided through the Fire Marshal's Office and on training and equipment for confined space rescue provided by Special Operations Teams. The City would have to use local resources without Sound Transit funding.

- **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** (Include any potential alternatives to the proposed legislation, such as reducing fee-supported activities, identifying outside funding sources for fee-supported activities, etc.)

If the Sound Transit project continues, and the City does not receive reimbursement from Sound Transit, the City will need to consider other funding sources to mitigate the work needed to ensure public safety. Public safety both during construction and during subsequent use by riders would be diminished without construction plan review and field inspection from the Fire Department. Tunnel rescue capacity would be lower without funding, as well.

- **Is the legislation subject to public hearing requirements:** (If yes, what public hearings have been held to date, and/or what plans are in place to hold a public hearing(s) in the future.)

No.



Harry Laban
August 22, 2005
Fire Department/Sound Transit
Version # 2

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

The life cycle replacement costs for the rescue truck and the mobile ventilation unit may present sustainability issues. However, the life cycle of this rescue equipment is substantial and not a foreseeable need.

Please list attachments to the fiscal note below:

Attachment 1: Grant Funding Agreement: \$250,000

Attachment 2: Sound Transit/City of Seattle Task Order: \$400,000



GREAT NORTHERN TUNNEL
GRANT FUNDING AGREEMENT

This **GREAT NORTHERN TUNNEL GRANT FUNDING AGREEMENT** ("Agreement") dated this _____ day of _____, 2005, is between the Central Puget Sound Regional Transit Authority, a Washington regional transit authority ("Sound Transit") and the City of Seattle, a Washington municipal corporation and first-class city (the "City"), collectively the "Parties".

RECITALS:

- A. Sound Transit currently provides one round trip per day of commuter rail service between Everett and Seattle and intends to operate four round trips by 2008.
- B. All freight and passenger trains heading north out of Seattle must pass through the BNSF Railway Company's Great Northern Tunnel ("Tunnel").
- C. BNSF Railway Company ("BNSF") currently runs on average 60 to 70 trips per day through the Tunnel.
- D. Amtrak currently runs six passenger trains per day through the Tunnel.
- E. Sound Transit is the recipient of a FY 04 UASI Homeland Security grant (administered through the Washington Military Department / Office of Domestic Preparedness) ("Grant").
- F. The purpose of the Grant is to enhance the capacity to prevent terrorist attacks, involving chemical, biological, radiological, nuclear, and explosive weapons and to meet the unique needs of mass transit systems within high urban threat areas.
- G. The City and Sound Transit believe that the safety of train passengers, Sound Transit employees and contractors, railroad employees and contractors, and firefighters would be greatly enhanced if the City were to possess a mobile ventilation unit ("MVU") fan system and related transport equipment (collectively "Equipment") to use during an emergency in the Tunnel.
- H. Sound Transit wishes to apply a portion of the Grant, towards the City's purchase of this equipment.

The parties therefore agree as follows:

ARTICLE 1 - CITY RESPONSIBILITIES RELATING TO GRANT

- 1.1 **Procurement.** The City shall procure the Equipment described in **Schedule 1.1A** in compliance with federal, state and City public contracting laws and regulations. The City represents that it will enter into a contract for the procurement of the Equipment immediately upon execution of this Agreement. A copy of the procurement contract will be appended to this document once signed by the city and the vendor and will be attached as **Schedule 1.1B**.



- 1.2 **Compliance with Terms of the Grant Agreement.** The City shall comply with the terms of Sound Transit's grant agreement with the Washington State Military Department ("Grant Agreement"). This Grant Agreement, identified by the Washington State Military Department as Contract Number E05-132, is attached as **Schedule 1.2**. In accordance with section 14 of the Grant Agreement's General Terms and Conditions, the Terms of the Grant Agreement are incorporated into this Agreement by this reference. The City shall comply with relevant terms as if it were the Contractor. The City understands that it is critical that it follow the procedures outlined in the Grant Agreement in order for this procurement to be eligible for Grant reimbursement. The City will indemnify Sound Transit for any costs or damages resulting from its breach of any of the terms of the Grant Agreement, except for termination of Grant performance period in the Grant Agreement's Statement of Work and as provided in section 1.3 of this Agreement.
- 1.3 **Deadline.** This City shall take possession of the Equipment by November 30, 2005. The City understands that in accordance with termination of Grant performance period provided in Grant Agreement's Statement of Work, the Equipment must be received by November 30, 2005 for it to be eligible for Grant reimbursement, unless Sound Transit is granted an extension by the Washington State Military Department. The City will use its best efforts to ensure that this deadline is met and to support any necessary extensions to that deadline.

ARTICLE 2 – REIMBURSEMENT OF CITY COSTS.

- 2.1 **Reimbursement.** Sound Transit will reimburse the City for the purchase price of the Equipment, associated shipping and any sales, excise or use tax associated with that purchase (the "Cost"), in an amount not to exceed \$250,000.00 within 30 days of a properly documented invoice.
- 2.2 **Invoicing Documentation.** The City may invoice Sound Transit as Costs are incurred. All invoices should be in accordance with the terms of the Grant Agreement and shall include supporting documentation including the Equipment vendor's invoice and Equipment packing slip. The City must submit its final invoice no later than December 5, 2005. Invoices should be sent to Sound Transit (attn: Account Payable) and reference this Agreement's RTA/GA number as well as the Grant Agreement Number E05-132. The City must send a concurrent copy of any invoice and supporting documentation to Monica Overby in Sound Transit's Grants Division.
- 2.3 **Contesting charges.** Sound Transit may contest any invoice within 30 days of receipt of any invoice. The City will investigate Sound Transit's contest and will make appropriate amendments to the invoice, if necessary. However, Sound Transit's failure to contest an invoice under this section does not waive its rights or the Washington Military Department's rights under the Grant Agreement.



ARTICLE 3 - EQUIPMENT OWNERSHIP AND USE.

- 3.1 **Ownership.** The City will hold title to the Equipment and is responsible for all obligations for such Equipment under the Grant Agreement.
- 3.2 **Equipment Maintenance.** The City is responsible for the cost of all Equipment repair and maintenance for the useful life of the Equipment.
- 3.3 **Equipment Use and Location.** The purpose of the Equipment is to provide additional safety improvements to the Tunnel. The City must locate the Equipment in as close proximity to the Tunnel as possible to provide first priority and first response capabilities for the Equipment in the event of a Tunnel emergency. However, the City may use the Equipment for emergencies unrelated to the Tunnel to the extent such use does not violate the terms of the Grant Agreement or restricts the City's ability to use the Equipment for the Tunnel as provided in this section.

ARTICLE 4 - AUTHORITY

- 4.1 **City's Authority.** The City warrants that it has full statutory right, power and authority to enter into this Agreement and perform in accordance with its terms and provisions; that the Parties signing this Agreement on behalf of the City have the authority to bind the City and to enter into this transaction; and that the City has taken all requisite actions and steps to legally authorize the execution, delivery, and performance of this Agreement.
- 4.2 **Sound Transit's Authority.** Sound Transit warrants that it has full statutory right, power and authority to enter into this Agreement and perform in accordance with its terms and provisions; that the Parties signing this Agreement on behalf of Sound Transit have the authority to bind Sound Transit and to enter into this transaction; and that Sound Transit has taken all requisite actions and steps to legally authorize the execution, delivery, and performance of this Agreement.



ARTICLE 5 - Time of the Essence.

In all matters under this Agreement, the Parties agree that time is of the essence.

The parties are signing this Agreement on the date stated in the introductory clause.

CENTRAL PUGET SOUND REGIONAL
TRANSIT AUTHORITY

CITY OF SEATTLE

Joan M. Earl
Chief Executive Officer

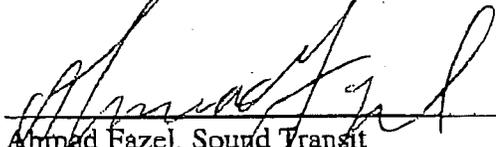
Gregory Dean
Seattle Fire Chief

Approved as to form:

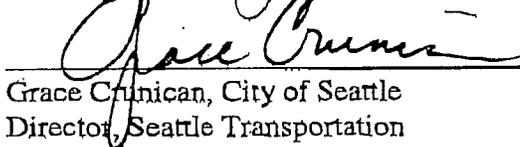
Sound Transit Legal Counsel

Budget :	
Budget Summary:	
Overall Task Order Budget	\$400,000
Approved Changes	\$325,000 (Change Authorizations 009 and 010)
Previous Authorizations	\$0.00
This Authorization	\$725,000 (Not to Exceed)
Task Order Budget Remaining	\$0.00
Cashflow Projection:	
Sound Transit will make payment to the City within 30 days after presentation of a correct invoice, along with verification that the tunnel rescue apparatus is fully functional and physically present in the City ready for service. Authorization for this expenditure is effective immediately upon signature by the parties below. Disbursement of funds is anticipated to be September 2005 or whenever the tunnel rescue apparatus is available for service in the City.	
Scope Exclusions:	
Excludes operation and maintenance of the Tunnel Rescue Vehicle. O&M costs for tunnel rescue training exercises or in the event of an actual Beacon Hill Tunnel rescue are covered by SFD-P2.	
Related Task Orders:	
SFD-P1 Construction Assistance	
SFD-P2 Tunnel Rescue Services for Beacon Hill Tunnel Contract C710	

The Parties Hereto have executed this Task Order as of the day and year first above written.


 Ahmed Fazel, Sound Transit
 Link Light Rail Director

3/29/05
 Date


 Grace Crunican, City of Seattle
 Director, Seattle Transportation

3/16/05
 Date

Sound Transit/City of Seattle Task Order

This Task Order is issued in accordance with the terms and conditions of the Sound Transit/City of Seattle Construction Services Agreement and will be administered in accordance with the Project Management Manual

City Department:	Seattle Fire Department	Task Order No.	SFD-P3
Task Order Title:	Tunnel Rescue Vehicle for Beacon Hill Tunnel Rescue (C710)		
Period of Performance:	2/24/05 to 12/31/06	Amount:	NTE \$725,000
Limits of Work:	Beacon Hill Tunnel	Effective Date:	February 24, 2005
WBS Code:	3051.820	Activity ID#	

Designated Representatives

Sound Transit:	Hamid Qaasim	Phone:	206-398-5129
City of Seattle:	John Nelsen	Phone:	206-386-1064
ST Legal Staff Assigned:	Jane North	Phone:	206-689-4917
COS Legal Staff Assigned:	Bill McGillin	Phone:	206-684-8252

Description:

This task order authorizes the Seattle Fire Department (SFD) to procure a tunnel rescue vehicle in support of the Beacon Hill Tunnel construction contract C710. Procurement of this Tunnel Rescue Vehicle is part of Sound Transit's funding for Tunnel Rescue Services through the Construction Services Agreement, which includes provisions for the cost of equipment, training, staffing and vehicles to support the Seattle Fire Department's (SFD) commitment to provide 24 hour/7 days per week emergency tunnel rescue services during construction of the Beacon Hill Tunnel portion of the Link Initial Segment.

Tunnel rescue services are anticipated to be needed during 2005 and 2006. At the end of 2006 the need for tunnel rescue will be reevaluated to determine if the nature of the work requires continuation.

As a condition of furnishing the Fire Department Rescue Vehicle, SFD agrees that the tunnel rescue equipment and Rescue Vehicle will be available for use on other current and future Sound Transit projects as long as those construction activities occur within the anticipated 15 year useful life of the Rescue Vehicle.

Scope/Procurement Requirements:

This task order covers the procurement (capital cost only, including taxes and shipping) of a new Tunnel Rescue Vehicle not to exceed \$725,000 including all taxes, setup, dealer prep, delivery, etc. In conjunction with SFD-P2 this task order completes the Sound Transit conditions necessary for the Seattle Fire Department (SFD) to implement tunnel rescue services as they deem appropriate. This task order provides funding for the necessary apparatus to transport personnel and equipment to the Sound Transit site(s). SFD will expeditiously initiate procurement of the tunnel rescue apparatus for it to be available during TBM operations which are expected to commence in September 2005. SFD will use currently available apparatus to transport equipment and personnel until such time as the rescue apparatus is available. To ensure compliance with terms of the Sound Transit grants, this procurement requires that the Sound Transit Task Manager review and approve of the procurement specifications, purchase price, and invoice for payment to the vehicle manufacturer.

Schedule:

The Tunnel Rescue Vehicle will be ordered in the spring of 2005 for delivery in September of 2005.



Att 2 to FISC Note

**Sound Transit/City of Seattle
Construction Services Agreement
Task Order Concurrence**

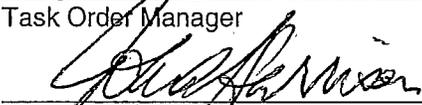
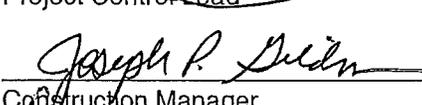
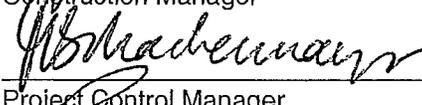
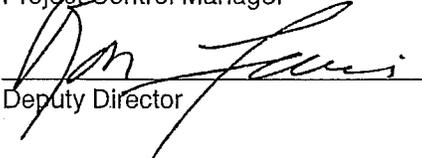
The undersigned hereby concur that the scope, schedule and budget of the following Task Order are consistent with the intent, requirements, schedule, and budget parameters of the Construction Services Agreement (CSA):

Task Order No.: **SFD-P3**

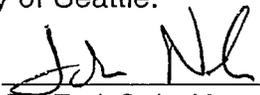
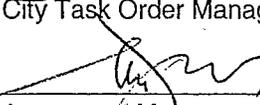
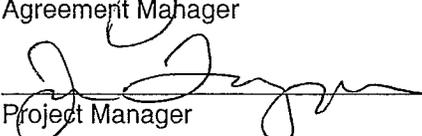
Task Order Title: Tunnel Rescue Vehicle

Task Order Effective Date: February 24, 2005

Sound Transit:

 _____ Task Order Manager	<u>03.04.05</u> Date
 _____ Agreement Manager	<u>3/7/05</u> Date
 _____ Project Control Lead	<u>3/7/05</u> Date
 _____ Construction Manager	<u>3/7/05</u> Date
 _____ Project Control Manager	<u>3/7/05</u> Date
 _____ Deputy Director	<u>3/8/05</u> Date

City of Seattle:

 _____ City Task Order Manager	<u>3-10-05</u> Date
 _____ Agreement Manager	<u>3/14/05</u> Date
 _____ Project Manager	<u>3/14/05</u> Date
<u>(LAWYER FOR CHIEF NELSEN, ABOVE)</u> _____ Department Executive	_____ Date



STATE OF WASHINGTON - KING COUNTY

--SS.

190647
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 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

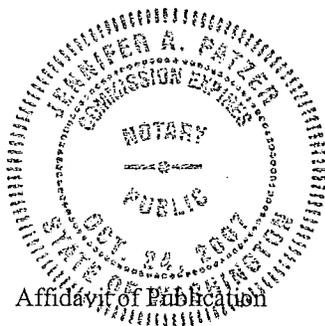
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:121933-937,943-949

was published on

10/06/05

The amount of the fee charged for the foregoing publication is the sum of \$ 159.00, which amount has been paid in full.



[Handwritten signature]

Subscribed and sworn to before me on

10/06/05

[Handwritten signature]

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

TITLE-ONLY PUBLICATION

The full text of the following ordinances, passed by the City Council on September 26, 2005, and published here by title only, will be mailed upon request, or can be accessed electronically at <http://clerk.ci.seattle.wa.us>. For further information, contact the Seattle City Clerk at 684-8344.

ORDINANCE NO. 121949

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

ORDINANCE NO. 121948

AN ORDINANCE declaring an emergency and authorizing an opportunity for eligible City of Seattle employees to convert up to a total of 40 hours of accumulated and unused vacation to cash to benefit the relief efforts on behalf of victims of Hurricane Katrina, by a three-fourths vote of the City Council.

ORDINANCE NO. 121947

AN ORDINANCE relating to the Acquisition and Development Opportunity Fund category of the Neighborhood Parks, Green Spaces, Trails, and Zoo Levy; accepting the recommendations of the Parks and Green Spaces Levy Oversight Committee; authorizing the Superintendent of Parks and Recreation to proceed with certain of those capital programs; amending the 2005-2010 Capital Improvement Program; amending the Capital Facilities Element of the City's Comprehensive Plan; and amending the 2005 Adopted Budget of the Department of Parks and Recreation by making appropriations from the 2000 Parks Levy Fund; all by a three-fourths vote of the City Council.

ORDINANCE NO. 121946

AN ORDINANCE relating to the transfer of City real property; authorizing the transfer of 1321 26th Avenue South to Habitat for Humanity of Seattle/South King County or its designee; authorizing the Director of the Office of Housing to execute, deliver, and administer the contract for transfer of land, deed and related documents; and ratifying and confirming prior acts.

ORDINANCE NO. 121945

AN ORDINANCE relating to the federal Justice Assistance Grant (JAG) program; authorizing the execution of agreements under which the City will receive financial assistance from the US Department of Justice (DOJ); Bureau of Justice Assistance (BJA); authorizing an application for allocation of funds under those agreements; accepting the money when received; and increasing appropriations to the Police Department, Human Services Department and the Department of Information Technology in the 2005 Budget; all by a three-fourths vote of the City Council.

ORDINANCE NO. 121943

AN ORDINANCE relating to the Fire Department; authorizing the execution of an agreement with the Central Puget Sound Regional Transit Authority ("Sound Transit") for financial assistance to purchase tunnel rescue equipment; accepting the money when received; increasing appropriations to the Fire Department; and ratifying and confirming prior acts; all by a three-fourths vote of the City Council.

ORDINANCE NO. 121937

AN ORDINANCE relating to the Community Development Block Grant Float Loan Program; authorizing a short-term loan of up to SEVEN MILLION TWO HUNDRED TWENTY THOUSAND AND NO/100 DOLLARS (\$7,220,000) in Block Grant funds to Pike Place Market Preservation and Development Authority, a Washington public corporation, to finance redevelopment costs of 1416-1440 Western Avenue in the Pike Place Market; authorizing amendments to the 2005-2008 Consolidated Plan and 2005 Table of Proposed Projects to reflect such loan; appropriating funds for the loan and for possible new advances after early repayments, and ratifying and confirming prior acts.

ORDINANCE NO. 121936

AN ORDINANCE authorizing the Superintendent of Parks and Recreation to accept a Quit Claim Deed from the United States of America conveying property at Discovery Park, known as Area 500, to the City of Seattle and placing such property under the jurisdiction of the Department of Parks and Recreation.

ORDINANCE NO. 121935

AN ORDINANCE authorizing the Fleets and Facilities Department to execute a lease agreement with 350, L.L.C. and Central Promoter LLC, on behalf of the Office for Civil Rights.

ORDINANCE NO. 121934

AN ORDINANCE authorizing the Fleets and Facilities Department to execute a lease agreement with 350, L.L.C. and Central Promoter LLC, on behalf of the Human Services Department.

ORDINANCE NO. 121933

AN ORDINANCE amending Ordinance 121292 to correct the legal description of certain surplus city property located at the intersection of SW Roxbury St. and 10th Ave. SW, identified as PMA No. 79.

Publication ordered by JUDITH PIPPIN,
City Clerk

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