



SEATTLE CITY COUNCIL

Legislative Summary

Res 31767

Record No.: Res 31767

Type: Resolution (Res)

Status: Adopted

Version: 1

Ord. no:

In Control: City Clerk

File Created: 07/27/2017

Final Action: 09/21/2017

Title: A RESOLUTION granting conceptual approval to City Investors XXV LLC to construct, install, and maintain two sets of private communication conduits under and across 8th Avenue North, south of Harrison Street and north of Thomas Street.

Notes:

Date
Filed with City Clerk: 9/21/2017

Mayor's Signature:

Sponsors: O'Brien

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Mayor's Letter on Returning Resolution Unsigned

Drafter: amy.gray@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	08/22/2017	Mayor's leg transmitted to Council	City Clerk			
1	City Clerk	08/22/2017	sent for review	Council President's Office			
1	Council President's Office	08/29/2017	sent for review	Sustainability and Transportation Committee			
Action Text: The Resolution (Res) was sent for review. to the Sustainability and Transportation Committee							
Notes:							
1	Full Council	09/05/2017	referred	Sustainability and Transportation Committee			
1	Sustainability and Transportation Committee	09/08/2017	adopt				Pass

Action Text: The Committee recommends that Full Council adopt the Resolution (Res).

Notes:

In Favor: 2 Chair O'Brien, Vice Chair Johnson

Opposed: 0

1 Full Council 09/18/2017 adopted

Pass

Action Text: The Resolution (Res) was adopted by the following vote, and the President signed the Resolution:

In Favor: 7 Councilmember Bagshaw, Councilmember Burgess, Councilmember González , Councilmember Johnson, Councilmember Juarez, Councilmember O'Brien, Councilmember Sawant

Opposed: 0

1 City Clerk 09/21/2017 submitted for Mayor's signature Mayor

1 Mayor 09/21/2017 returned City Clerk

1 Mayor 09/21/2017 returned unsigned

Action Text: The Resolution (Res) was returned unsigned.

Notes:

1 City Clerk 09/21/2017 attested by City Clerk

Action Text: The Resolution (Res) was attested by City Clerk.

Notes:

CITY OF SEATTLE

RESOLUTION 31767

A RESOLUTION granting conceptual approval to City Investors XXV LLC to construct, install, and maintain two sets of private communication conduits under and across 8th Avenue North, south of Harrison Street and north of Thomas Street.

WHEREAS, City Investors XXV LLC has applied for permission to construct, install, and maintain two sets of private communication conduits, under and across 8th Avenue North, south of Harrison Street and north of Thomas Street, as part of the Arbor Blocks projects located at 300 8th Avenue North (Seattle Department of Construction and Inspections Master Use Permit 6355538) and 333 8th Avenue North (Seattle Department of Construction and Inspections Master Use Permit 6535591); and

WHEREAS, in making a recommendation, the Director of the Seattle Department of Transportation considered the submitted plans and application materials for constructing, installing, and maintaining the two sets of private communication conduits and recommends that conceptual approval be granted; NOW, THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE
MAYOR CONCURRING, THAT:**

Section 1. The City Council finds that the City Investors XXV LLC private communication conduits (the Project) are in the public interest.

Section 2. As conditions for obtaining permission to construct, install, and maintain the Project, City Investors XXV LLC shall:

(1) Provide engineering plans for additional review and permitting by the Seattle Department of Transportation (SDOT), which the Director of the SDOT (Director) will circulate

1 to other City departments and any public and private utilities affected by the installation of the
2 proposed Project;

3 (2) Provide (i) a surety bond, (ii) covenant agreement, and (iii) public liability insurance
4 naming the City as an additional insured or self-insurance, as approved by the City's Risk
5 Manager;

6 (3) Pay all City permit fees;

7 (4) Obtain all necessary land use or building permits;

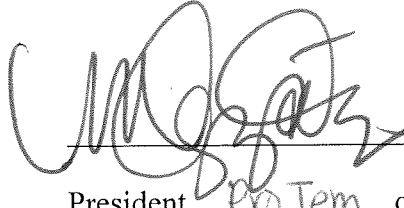
8 (5) Maintain and inspect the Project; and

9 (6) Remove the Project and restore the public right-of-way to its original condition upon
10 expiration of the term permit or at the direction of the Director or City Council in accordance
11 with the provisions of the term permit ordinance.

12 Section 3. After this resolution is adopted, SDOT will present to the City Council a draft
13 term permit ordinance identifying the conditions under which permission may be granted for the
14 use of the right-of-way. Permission to use the right-of-way is subject to the Council's decision to
15 approve, deny, or modify the draft term permit ordinance presented by the Director.

16 Section 4. As recommended by the Director and the Mayor, conceptual approval for
17 construction, installation, and maintenance of the Project is GRANTED.

1 Adopted by the City Council the 18th day of September, 2017,
2 and signed by me in open session in authentication of its adoption this 18th day of
3 September, 2017.

4 
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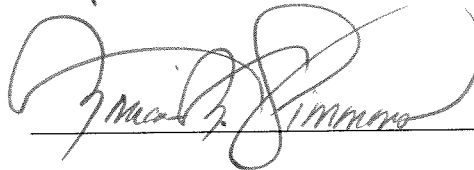
President Pro Tem of the City Council

6 The Mayor concurred the _____ day of _____, 2017.

7 **Returned Unsigned**
by Mayor
8 _____

Mayor, _____

9 Filed by me this 21st day of September, 2017.

10 
11

Monica Martinez Simmons, City Clerk

12 (Seal)



City of Seattle
Mayor Tim Burgess

September 21, 2017

Monica Martinez Simmons
Seattle City Clerk
600 4th Avenue, 3rd Floor
Seattle, WA 98124

Dear Ms. Martinez Simmons,

I support the content of Resolution 31767 and voted for it as a member of the City Council on September 18, 2017. The City Attorney's Office has advised us, to preserve the separation of the branches of City government, not to have a person that voted for the passage of legislation as a Councilmember sign it as Mayor. Therefore, I am returning Resolution 31767.

Sincerely,

Tim Burgess
Mayor of Seattle

STATE OF WASHINGTON -- KING COUNTY

--SS.

354476

No.

CITY OF SEATTLE, CLERKS OFFICE

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.

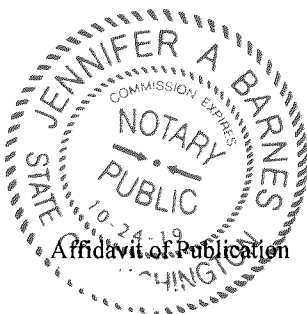
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:RESOLUTION 31767

was published on

10/05/17

The amount of the fee charged for the foregoing publication is the sum of \$32.10 which amount has been paid in full.



Subscribed and sworn to before me on

10/05/2017

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 September 18, 2017, and published below by title only, will be mailed upon request, or can be accessed at <http://seattle.legistar.com>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Resolution 31767

A RESOLUTION granting conceptual approval to City Investors XXV LLC to construct, install, and maintain two sets of private communication conduits under and across 8th Avenue North, south of Harrison Street and north of Thomas Street.

Date of publication in the Seattle Daily Journal of Commerce, October 5, 2017.

10/5(354476)