



SEATTLE CITY COUNCIL

Legislative Summary

Res 31899

Record No.: Res 31899

Type: Resolution (Res)

Status: Adopted

Version: 1

Ord. no:

In Control: City Clerk

File Created: 07/30/2019

Final Action: 09/20/2019

Title: A RESOLUTION granting conceptual approval to construct, maintain, and operate a below-grade private thermal energy exchange system under and across John Street, east of Boren Avenue North and west of Fairview Avenue North; as proposed by Onni DEU (John Street) LLC.

Notes:

Date
Filed with City Clerk: 9/20/2019

Mayor's Signature: 9/20/2019

Sponsors: O'Brien

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

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	08/06/2019	Mayor's leg transmitted to Council	City Clerk			
1	City Clerk	08/06/2019	sent for review	Council President's Office			
	Action Text: The Resolution (Res) was sent for review. to the Council President's Office						
1	Council President's Office	08/08/2019	sent for review	Sustainability and Transportation Committee			
	Action Text: The Resolution (Res) was sent for review. to the Sustainability and Transportation Committee						
1	City Council	08/12/2019	referred	Sustainability and Transportation Committee			

Legislative Summary Continued (Res 31899)

1	Sustainability and Transportation Committee	09/06/2019	adopt	Pass
	Action Text: The Committee recommends that City Council adopt the Resolution (Res).			
			In Favor: 2	Chair O'Brien, Member Sawant
			Opposed: 0	
1	City Council	09/16/2019	adopted	Pass
	Action Text: The Resolution (Res) was adopted by the following vote, and the President signed the Resolution:			
			In Favor: 8	Councilmember Bagshaw, Councilmember González , Council President Harrell, Councilmember Herbold, Councilmember Juarez, Councilmember Mosqueda, Councilmember O'Brien, Councilmember Pacheco
			Opposed: 0	
			Absent(NV): 1	Councilmember Sawant
1	City Clerk	09/18/2019	submitted for Mayor's signature	Mayor
1	Mayor	09/20/2019	Signed	
	Action Text: The Resolution (Res) was Signed.			
1	Mayor	09/20/2019	returned	City Clerk
	Action Text: The Resolution (Res) was returned. to the City Clerk			
1	City Clerk	09/20/2019	attested by City Clerk	
	Action Text: The Resolution (Res) was attested by City Clerk.			

CITY OF SEATTLE

RESOLUTION

31899

A RESOLUTION granting conceptual approval to construct, maintain, and operate a below-grade private thermal energy exchange system under and across John Street, east of Boren Avenue North and west of Fairview Avenue North; as proposed by Onni DEU (John Street) LLC.

WHEREAS, Onni DEU (John Street) LLC applied for permission to construct a below-grade private thermal energy exchange system between the buildings located at 1120 Denny Way and 1120 John Street in the South Lake Union neighborhood ("Thermal Energy Exchange System"); and

WHEREAS, the purpose of the Thermal Energy Exchange System is to capture waste heat and distribute between the buildings located at 1120 Denny Way and 1120 John Street, reducing energy usage and carbon emissions that would otherwise be discharged to the atmosphere; and

WHEREAS, in making a recommendation, the Director of the Seattle Department of Transportation considered the plans and application materials submitted by Onni DEU (John Street) LLC to construct the Thermal Energy Exchange System 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 below-grade private thermal energy exchange system that would run under and across John Street, east of Boren Avenue North and west of Fairview Avenue North (Thermal Energy Exchange System) as proposed by Onni DEU (John Street) LLC is in accordance with and in the public interest.

1 Section 2. As conditions for obtaining permission to construct the Thermal Energy
2 Exchange System, Onni DEU (John Street) LLC shall:

3 A. Provide engineering and utility plans for additional review and permitting by the
4 Seattle Department of Transportation (SDOT), which the Director of Transportation (Director)
5 will circulate to other City departments and any public and private utilities affected by the
6 installation of the Thermal Energy Exchange System;

7 B. Provide a surety bond, covenant agreement, and public liability insurance naming the
8 City as an additional insured or self-insurance, as approved by the City's Risk Manager;

9 C. Pay all City permit fees;

10 D. Obtain all necessary permits;

11 E. Maintain and inspect the Thermal Energy Exchange System; and

12 F. Remove the Thermal Energy Exchange System and restore the right-of-way to in as
13 good condition for public use as existed prior to construction of the Thermal Energy Exchange
14 System and in at least as good condition in all respects as the abutting portions of the public
15 place as required by SDOT right-of-way restoration standards upon expiration of the term
16 permit, or at the direction of the Director or City Council in accordance with the provisions of
17 the term permit ordinance.

18 Section 3. After this resolution is adopted, SDOT will present to the Council a draft term
19 permit ordinance identifying the conditions under which permission may be granted for the use
20 of the right-of-way for the Thermal Energy Exchange System. Permission to use the right-of-way
21 is subject to the Council's decision to approve, deny, or modify the draft term permit ordinance
22 presented by the Director.

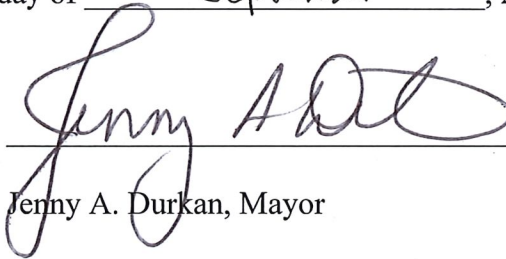
Section 4. As recommended by the Director and the Mayor, conceptual approval for construction of the Thermal Energy Exchange System under and across John Street, west of Boren Avenue North and east of Fairview Avenue North is granted.

Adopted by the City Council the 16th day of September, 2019, and signed by me in open session in authentication of its adoption this 16th day of September, 2019.



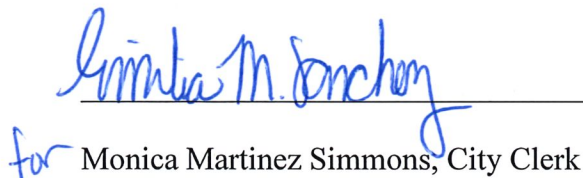
President _____ of the City Council

The Mayor concurred the 20th day of September, 2019.



Jenny A. Durkan, Mayor

Filed by me this 20th day of September, 2019.


for Monica Martinez Simmons, City Clerk

(Seal)



STATE OF WASHINGTON -- KING COUNTY

--SS.

378567

No. 31899,31903,31907

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.

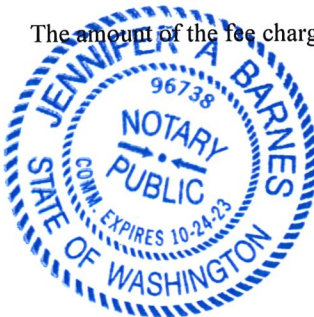
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:TITLE ONLY RESOLUTIONS

was published on

10/14/19

The amount of the fee charged for the foregoing publication is the sum of \$69.00.



A handwritten signature in blue ink, likely of the subscriber, written over a horizontal line.

Subscribed and sworn to before me on

10/14/2019

A handwritten signature in blue ink, likely of the notary public, written over a horizontal line.

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle

Title Only Ordinances

The full text of the following legislation, passed by the City Council on September 16, 2019, 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 31899

A RESOLUTION granting conceptual approval to construct, maintain, and operate a below-grade private thermal energy exchange system under and across John Street, east of Boren Avenue North and west of Fairview Avenue North; as proposed by Onni DEU (John Street) LLC.

Resolution 31903

A RESOLUTION relating to procurement and the Arctic National Wildlife Refuge; affirming The City of Seattle's commitment to avoid procuring goods and services from corporations that purchase leases or develop oil fields in the Arctic Refuge Coastal Plain.

Resolution 31907

A RESOLUTION in support of the youth-led September 20, 2019 Global Climate Strike; urging Seattle Public Schools to support its students' right to assemble and participate in the Global Climate Strike; and affirming that City employees may request unpaid leave for a day of conscience on September 20, 2019.

Date of publication in the Seattle Daily Journal of Commerce, October 14, 2019.

10/14(378567)