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ORDINANCE NO. 3257

AN ORDINANCE relating to the management and disposition of real and personal property of King County; amending Ordinance 2622, Section 11, and K.C.C. 4.56.100, adding a new subsection; Ordinance 2622, Section 17 and K.C.C. 4.56.160, adding a new subsection; Ordinance 2622, Section 19, and K.C.C. 4.56.180.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 2622, Section 11, and K.C.C. 4.56.100 are hereby amended, by adding a new sub-section, as follows:

Sales of Property - Public Auction. All sales of real and personal property shall be made to the highest responsible bidder at public auction except when:

- (a) county property is sold to a governmental agency;
- (b) the county executive has determined an emergency to exist;
- (c) county real property is traded for real property of similar value, or when county personal property is traded for personal property of similar value;
- (d) county personal property is traded in on the purchase of another article;
- (e) property has been obtained by the county

through the proceeds of grants or other special purpose funding from the federal or state government, wherein a specific public purpose(s) is set forth as a condition of use for such property, said purpose(s) to be limited to the provision of social and health services or social and health service facilities as defined in Washington Statute R.C.W. Chapter 43.83 D, and it is deemed to be in the best interest of the county, in each instance, upon recommendation by the county executive and approval by the county council, that in order to fulfill said condition of use, the county may sell or otherwise convey the property in some other manner consistent with the condition of use; Provided, that in the event such property is conveyed pursuant to the provisions of this subsection, the conveyee(s) shall be limited to private, non-profit corporations duly organized according to the laws of the State of Washington, which non-profit corporations are exempt from taxation under 26 USC Section 501 (c) as amended, and which non-profit

1 corporations are organized for the purpose of operating social and health
2 service facilities as defined by Washington Statute R.C.W. Chapter 43.83 D.

3 SECTION 2. Ordinance 2622, Section 17, and K.C.C. 4.56.160 are hereby
4 amended, by adding a new subsection, as follows:

5 Manner of Awarding Lease.

6 (a) Except as hereinafter described, fair market rental value,
7 as defined in Section 4.56.010, shall be the basis for all leases of King
8 County Real Property. All leases will be awarded upon the best terms and
9 conditions available to King County.

10 (b) Except as hereinafter provided in Subsection (d), when King
11 County authorizes a new lease, or the modification, extension, or renewal
12 of a lease once executed and delivered, the Real Property Division shall
13 make an appraisal of the fair market rental value of such property, and
14 such fair market rental value will serve as the basis for the new lease,
15 modification, extension or renewal. After said review, the Real Property
16 Division shall determine whether the lease, modification, extension or
17 renewal of an existing lease is to be awarded by competitive bidding or by
18 negotiation with interested parties without bidding. King County shall give
19 notice of its intention to execute a lease by publishing a notice in a legal
20 newspaper at least once a week for the term of two weeks. The notice so
21 published shall adequately describe the property to be leased, and shall
22 contain a notice that a copy of the lease is available for public inspection
23 at the Division of Real Property. Such notice requirement shall not apply to
24 leases, modifications, extensions or renewals awarded through competitive
25 bidding, or pursuant to the provisions of subsection (d), every new lease,
26 or extension, modification or renewal of a lease once executed and delivered,
27 shall be signed, or cause to be signed, by the county executive, in accord-
28 ance with Section 320.20 of the King County Home Rule Charter, following
29 analysis and recommendations of the manager of the Real Property Division
30 and the proprietary county department. After awarding of the new lease,
31 modification, extension, or renewal, a copy of the instrument, as executed
32 and delivered, shall be available for public inspection at the Division of
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1 Real Property.

2 (d) If property will be obtained by the county
 3 through the proceeds of grants or other special purpose funding from either
 4 or both the federal and state government, wherein a specific public purpose(s)
 5 is set forth as a condition of use for such property, the purpose(s) to be
 6 limited to the provision of social and health services or social and health
 7 services facilities as defined in Washington Statute R.C.W. Chapter 43.83 D
 8 and upon recommendation by the county executive and approval by the county
 9 council, the Real Property Division may obtain and lease the property
 10 pursuant to such terms and conditions as are consistent with said purpose;
 11 Provided, that in the event such property is leased pursuant to the pro-
 12 visions of this subsection, the lessee(s) shall be limited to private, non-
 13 profit corporations duly organized according to the laws of the State of
 14 Washington which non-profit corporations are exempt from taxation under
 15 26 USC Section 501 (b) as amended and which non-profit corporations are
 16 organized for the purpose of operating social and health services facilities
 17 as defined by Washington Statute R.C.W. 43.83 D.

18 SECTION 3. Ordinance 2622, Section 19, and K.C.C. 4.56.180 are hereby
 19 amended to read as follows:

20 Lease Terms.

21 (a) King County may lease real property for a term of years and
 22 upon such terms and conditions as may be deemed in the best interests of the
 23 public and the county. No lease shall be for a longer term in any one
 24 instance than ten years; provided that when King County determines it to be
 25 in the best interest, real property necessary to the support or expansion
 26 of an adjacent facility may be leased to the lessee of the adjacent facility
 27 for a term to expire simultaneously with the term of the lease of the
 28 adjacent facility, but not to exceed thirty-five years, or to the owner of
 29 an adjacent facility for a term not to exceed thirty-five years; provided
 30 further, that when King County determines it to be in the best public
 31 interest, where the property to be leased is improved or is to be improved,
 32 and the value of the improvement is or will be at least equal to the value
 33 of the property to be leased, the county may lease such property for a term

1 property for a term not to exceed thirty-five years; provided further, that
 2 where the property to be leased is to be used for major airport, industrial,
 3 or commercial purposes, requiring extensive improvements, the county may
 4 lease such property for a term equal to the estimated useful life of the
 5 improvements, but not to exceed fifty years; provided further, that leases
 6 entered into pursuant to the provisions of Section 4.56.160 (d) may extend
 7 for the period of years necessary to amortize the special purpose funds,
 8 not to exceed twenty-five years.

9 (d) Except as provided in Section 2 (d) of this ordinance, the
 10 rent of all leases of county real property shall be based upon fair market
 11 rental value, as defined in KCC 4.56.010.

12 INTRODUCED AND READ for the first time this 16th day of May,
 13 1977.

14 PASSED this 20th day of June, 1977.

15 KING COUNTY COUNCIL
 16 KING COUNTY, WASHINGTON

17 Mike Lury
 18 Chairman

19 ATTEST:

20 Dorothy W. Quinn
 21 Deputy Clerk of the Council

22 APPROVED this 27th day of June, 1977.

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 24
 25 John D. Spillman
 26 King County Executive

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