



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

September 1, 2015

Ordinance 18096

Proposed No. 2015-0328.1

Sponsors McDermott and Gossett

1 AN ORDINANCE making an appropriation of \$400,000 to
2 the DPER abatement subfund, to provide for the abatement
3 of an illegal materials processing operation in the Skyway
4 area; amending the 2015/2016 Biennial Budget Ordinance,
5 Ordinance 17941, Section 84, as amended; and declaring an
6 emergency.

7 STATEMENT OF FACTS

- 8 1. A materials processing business in the Skyway area has been operating
9 in violation the county's land use and health codes, by stockpiling and
10 processing concrete material imported to its property without permits.
- 11 2. The continued stockpiling and processing jeopardizes the environment
12 and public health.
- 13 3. The business is in receivership, and the court has ruled it is to cease
14 importing material, including concrete, but that order will not go into
15 effect until a plan to process the existing stockpiled concrete material is
16 approved by the court.
- 17 4. The land use designation on this property is residential.

18 5. The property is currently being marketed; but the importing of material,
19 including concrete, will continue until the concrete stockpile is abated by
20 processing it into fill.

21 6. In order to satisfy the court's condition, and as a cost of the
22 administration of the receivership estate, the department of permitting and
23 environmental review has proposed that the county fund a partial
24 abatement of the stockpiled concrete in exchange for the receiver ending
25 its import of all material and repayment of this administrative cost out of
26 the sale proceeds of the property.

27 7. The receiver and the department have further agreed to request that the
28 court rule the costs of the partial abatement be considered as an
29 administrative cost of the receivership estate and order the abatement
30 expenses be paid to the county from any future sale proceeds.

31 8. The receiver and the department have agreed to a draft management
32 plan to implement the parties' agreement, to present to the court. The draft
33 plan sets forth conditions of business operations, schedule for completion
34 of materials processing, and milestones for disbursement of county funds
35 for the abatement work.

36 9. Processing the remaining concrete material on the site is expected to
37 require four months and cost \$400,000 in labor and equipment.

38 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

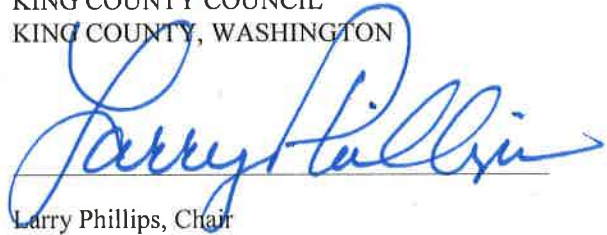
39 SECTION 1. Findings: An emergency appropriation is required to meet court
40 timelines and provide sufficient funding to abate the property.

58 health or safety or for the support of county government and its existing public
59 institutions.
60

Ordinance 18096 was introduced on 8/24/2015 and passed by the Metropolitan King County Council on 8/31/2015, by the following vote:

Yes: 8 - Mr. Phillips, Mr. von Reichbauer, Mr. Gossett, Ms. Hague,
Ms. Lambert, Mr. McDermott, Mr. Dembowski and Mr. Upthegrove
No: 0
Excused: 1 - Mr. Dunn

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



Larry Phillips, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 10 day of SEPTEMBER, 2015.



Dow Constantine, County Executive

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KING COUNTY COUNCIL

Attachments: None