



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

July 11, 2006

Ordinance 15546

Proposed No. 2006-0278.2

Sponsors Patterson

1 AN ORDINANCE relating to providing retired passenger
2 vans for exclusive use by nonprofit organizations or local
3 governments; and amending Ordinance 12045, Section 10,
4 as amended, and K.C.C. 4.56.100.

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BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

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SECTION 1. Findings: The council finds that the provision of retired passenger
9 vans for exclusive use by nonprofit organizations or local governments that are able to
10 address the mobility needs of low-income, elderly or young people or people with
11 disabilities supports the county's public transportation function by:

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A. Reducing single-occupancy vehicle trips, pollution and traffic congestion;

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B. Supplementing the services provided by the county's paratransit system; and

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C. Increasing the mobility for the transit-dependent for whom regular transit

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might not always be a convenient option.

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SECTION 2. Ordinance 12045, Section 10, as amended, and K.C.C. 4.56.100 are
17 each hereby amended to read as follows:

18 A. All sales of real and personal property shall be made to the highest responsible
19 bidder at public auction or by sealed bid except when:

20 1. County property is sold to a governmental agency;

21 2. The county executive has determined an emergency to exist; or the county
22 council, by ordinance, has determined that unique circumstances make a negotiated direct
23 sale in the best interests of the public;

24 3. County real property is traded for real property of similar value, or when
25 county personal property is traded for personal property of similar value;

26 4. The facilities management division has determined that the county will
27 receive a greater return on real property when it is listed and sold through a residential or
28 commercial real estate listing service;

29 5. County personal property is traded in on the purchase of another article;

30 6. Property has been obtained by the county through the proceeds of grants or
31 other special purpose funding from the federal or state government, wherein a specific
32 public purpose or purposes are set forth as a condition of use for the property, that
33 purpose or purposes to be limited to the provision of social and health services or social
34 and health service facilities as defined in chapter 43.83D RCW, and it is deemed to be in
35 the best interest of the county, in each instance, upon recommendation by the county
36 executive and approval by the county council, that in order to fulfill the condition of use,
37 the county may sell or otherwise convey the property in some other manner consistent
38 with the condition of use; provided, that in the event such property is conveyed pursuant
39 to the provisions of this subdivision, the conveyee or conveyees shall be limited to
40 private, nonprofit corporations duly organized according to the laws of the state of

41 Washington, which nonprofit corporations are exempt from taxation under 26 U.S.C. Sec.
42 501(c) as amended, and which nonprofit corporations are organized for the purpose of
43 operating social and health service facilities as defined by chapter 43.83D RCW;

44 7. The county property is sold for on-site development of affordable housing
45 which provides a public benefit, provided that the developer has been selected through a
46 request for proposals;

47 8. It is deemed to be in the public interest to restrict the use of the project for
48 provision of social or health services or such other public purposes as the county deems
49 appropriate;

50 9. The facilities management division for real property and the fleet
51 administration division for personal property, in consultation with the county executive
52 and the county council, may, in the best interests of the county, donate or negotiate the
53 sale of either county surplus personal property or real property, or both, with bona fide
54 nonprofit organizations wherein the nonprofit organizations provide services to the poor
55 and infirm or with other governmental agencies with whom reciprocal agreements exist.
56 Such transactions will be exempt from the requirements of fair market value, appraisal,
57 and public notice. The facilities management division or fleet administration division, as
58 applicable, also may, in the best interest of the county, procure services to support King
59 County in lieu of payment with nonprofit organizations who provide services which will
60 benefit the public. Such transactions are based upon the recommendation of the facilities
61 management division or fleet administration division, as applicable, and the department
62 having custodianship of the property. The facilities management division or fleet
63 administration division, as applicable, shall maintain a file of appropriate correspondence

64 or such information which leads to a recommendation by the division to the county
65 executive and the county council to undertake such transactions, and such information
66 shall be available for public inspection at the facilities management division or fleet
67 administration division, as applicable. The facilities management division or fleet
68 administration division, as applicable, may also seek reimbursement from the benefiting
69 organization for the administrative costs of processing the surplus property; ((or))

70 10. The county property is a retired passenger van being made available in
71 accordance with subsection D. of this section; or

72 11. The county property is located in a historic preservation district within the
73 Urban Growth Area and is sold to a nonprofit corporation or governmental entity for one-
74 site mixed use development consistent with historic preservation requirements, which
75 includes affordable housing and which may also include market rate housing, retail or
76 other uses, and which is selected after a competitive request for proposal process.

77 B. The county may, if it deems such action to be for the best public interest,
78 reject any and all bids, either written or oral, and withdraw the property from sale. The
79 county may then renegotiate the sale of withdrawn property, providing the negotiated
80 price is higher than the highest rejected bid.

81 C. Whenever the procedures of a grant agency having an interest in real or
82 personal property requires disposition in a manner different from the procedures set forth
83 in this chapter, the property shall be disposed of in accordance with the procedures
84 required by this chapter unless the grant agency specifically requires otherwise.

85 D. Each year, the transit division shall make available retired passenger vans for
86 exclusive use by nonprofit organizations or local governments that are able to address the

87 mobility needs of low-income, elderly or young people or people with disabilities. Each
88 agency selected to receive a van must enter into an agreement with King County that
89 provides that the agency will accept the van "as is" without guarantee or warranty
90 expressed or implied and shall transfer title as prescribed by law before use. The council
91 shall allocate the vans by motion to nonprofit organizations or local governments based
92 upon the following criteria:

93 1. Demonstrated capacity to support ongoing van operation, including assured
94 funding for licensing, insuring, fueling and maintaining the van;

95 2. Ability to provide qualified and trained drivers;

96 3. Specific plans for use of the van to transport low-income, elderly or young
97 people or people with disabilities, and assurance that the use shall be available to those
98 persons without regard to affiliation with any particular organization;

99 4. Geographic distribution of the van allocations in order to address the mobility
100 needs of low-income, elderly or young people or people with disabilities countywide; and

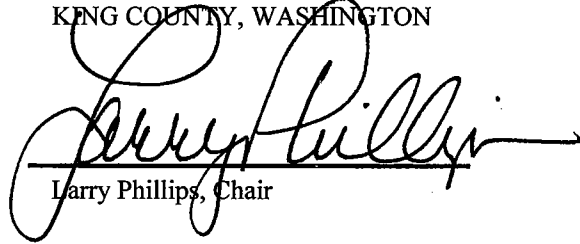
101 5. Ability to support county's public transportation function by reducing single
102 occupancy vehicle trips, pollution and traffic congestion; supplementing services

103 provided by the county's paratransit system and increasing the mobility for the transit-
104 dependent for whom regular transit might not always be a convenient option.
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Ordinance 15546 was introduced on 6/12/2006 and passed by the Metropolitan King
County Council on 7/10/2006, by the following vote:

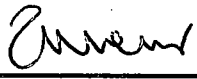
Yes: 9 - Mr. Phillips, Mr. von Reichbauer, Ms. Lambert, Mr. Dunn, Mr.
Ferguson, Mr. Gossett, Ms. Hague, Ms. Patterson and Mr. Constantine
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



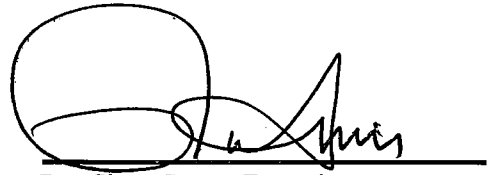
Larry Phillips, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 20 day of July, 2006.



Ron Sims, County Executive

Attachments None

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CLERK
KING COUNTY COUNCIL