



## Legislation Details (With Text)

**File #:** 2014-0369      **Version:** 2

**Type:** Ordinance      **Status:** Passed

**File created:** 8/25/2014      **In control:** Budget and Fiscal Management Committee

**On agenda:**      **Final action:** 9/29/2014

**Enactment date:** 10/9/2014      **Enactment #:** 17904

**Title:** AN ORDINANCE approving the assignment, assumption and execution of a lease in the Watermark Building, to support the operations and services of the department of public defense.

**Sponsors:** Joe McDermott

**Indexes:** Lease

**Code sections:**

**Attachments:** 1. Ordinance 17904.pdf, 2. A. Watermark Tower - Assignment and Assumption of Lease with Landlord's Consent, 3. B. Second Amendment to the Lease between King County (as Assignee of Northwest Defenders Association) and MRM Watermark, LLC for Space in the Watermark Tower dated September 4, 2014, 4. B. Second Amendment to the Lease between King County (as Assignee of Northwest Defenders Association) and MRM Watermark, LLC for Space in the Watermark Tower dated September 4, 2014, 5. 2014-0369 Legislative Review Form.pdf, 6. A. Watermark Tower - Assignment and Assumption of Lease with Landlord's Consent, 7. 2014-0369 transmittal letter.doc, 8. 2014-0369 lease property summary.docx, 9. 2014-0369 fiscal note.pdf, 10. Staff Report Proposed Ordinances 2014-0367-8-9-DPD leases.docx, 11. Attachment 6 Striking Amendment S1 to 2014-0369.docx, 12. REVISED Staff Report Proposed Ordinances 2014-0367-8-9-DPD leases.docx, 13. Ordinance 17904.pdf

Date	Ver.	Action By	Action	Result
9/29/2014	2	Metropolitan King County Council	Hearing Held	
9/29/2014	2	Metropolitan King County Council	Passed	Pass
9/16/2014	1	Budget and Fiscal Management Committee	Recommended Do Pass Substitute	Pass
8/25/2014	1	Metropolitan King County Council	Introduced and Referred	

Clerk 09/17/2014

AN ORDINANCE approving the assignment, assumption and execution of a lease in the Watermark Building, to support the operations and services of the department of public defense.

### STATEMENT OF FACTS:

1. On May 20, 2013, the King County council adopted Ordinance 17588 creating a department of public defense within the executive branch.

2. The four independent nonprofit agencies, which had been providing public defense services to the county under contracts, were subsumed as divisions into the newly created department of public defense.
2. One of the nonprofits subsumed into the new department was the Northwest Defenders Association, which had been leasing space in the Watermark Tower, located at 1107 First Avenue, Seattle, Washington, within council district eight, since 2011.
3. The desire of the department of department of public defense is to ultimately consolidate its divisions within county-owned buildings.
4. The facilities management division determined that currently there is not sufficient space in county-owned building to consolidate the newly created department.
5. The facilities management division determined, through consultation with the department, that continued leasing was the most cost-effective option for the county.
6. The facilities management division successfully negotiated with the landlord of the Watermark Tower its consent to the assignment of the Northwest Defenders Association's rights and obligations under the lease in the Watermark Tower to King County and the county's assumption of the same. As part of those negotiations, the facilities management division negotiated an amendment to the terms of the original lease, including, but not limited to, the term of the lease. The new term will allow the county to terminate the lease substantially sooner than under the original lease. This in turn will facilitate the plan to consolidate the the department in county-owned space, estimated to occur in 2016.
7. The facilities management division manager executed the Assignment and Assumption of Lease with Landlord's Consent and Lease Amendment in January 2014.
8. Subsequent to the assumption and amendment to the lease between the landlord and the county, terms related to insurance and nondiscrimination have been proposed to the landlord to

be included in the lease in the form of the Second Amendment to the Lease between King County (as Assignee of Northwest Defenders Association) and MRM Watermark, LLC for Space in the Watermark Tower and attached as Attachment B to this ordinance.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The King County council, having determined that the assignment and assumption of the Northwest Defenders Association's rights and obligation for space leased in the Watermark Tower and the amendment to the assumed lease, are in the best interest of the public and subject to appropriation in the long term lease capital budget, hereby approves, contingent upon the execution of a lease amendment in substantially the same form as Attachment B to this ordinance, the agreements provided in Attachment A to this ordinance. Upon execution of the the Second Amendment to the Lease between King County (as Assignee of Northwest Defenders Association) and MRM Watermark, LLC, the actions taken by county officials, agent and employees consistent with the terms and purposes of the lease will be hereby ratified, confirmed and approved and the council authorizes the executive to take all actions necessary to implement these agreements.