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Title: AN ORDINANCE authorizing the sale of approximately one million to one million five hundred thousand cubic yards of surplus sand and gravel by negotiated direct sale, due to unique circumstances, to Vashon Sand and Gravel, Inc., located on a twenty-six-acre portion of Maury Island regional park, in council district 8.

Sponsors: Dow Constantine

Indexes: Agreement, Natural Resources, Department of, Parks and Recreation, Surplus Property, Vashon

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Attachments: 1. Ordinance 14371.pdf, 2. 2002-0197 Revised Staff Report.doc, 3. 2002-0197 Staff Report.doc, 4. 2002-0197 transmittal letter.doc, 5. Letter attachments.pdf

| Date | Ver. | Action By | Action | Result |
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| 5/28/2002 | 2 | Metropolitan King County Council | Hearing Held | |
| 5/28/2002 | 2 | Metropolitan King County Council | Passed | Pass |
| 5/16/2002 | 2 | Natural Resources, Parks and Open Space Committee | Recommended Do Pass Substitute | Pass |
| 5/6/2002 | 1 | Metropolitan King County Council | | |

Clerk 04/24/2002

AN ORDINANCE authorizing the sale of approximately one million to one million five hundred thousand cubic yards of surplus sand and gravel by negotiated direct sale, due to unique circumstances, to Vashon Sand and Gravel, Inc., located on a twenty-six-acre portion of Maury Island regional park, in council district 8.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings of fact.

A. King County department of natural resources and parks, parks and recreation division, owns a park site known as the Maury Island regional park.

B. A twenty-six-acre portion of the park is currently being mined for sand and gravel under the terms of the original purchase and sale agreement between King County and the former owner.

C. The parks and recreation division proposes to sell approximately one million to one million five hundred thousand cubic yards of sand and gravel on the twenty-six-acre portion, by negotiated direct sale, to the operator of the current mining operation, when the existing operating agreement expires.

D. The original purchase and sale agreement included provisions for the continuation of the term estate to mine local gravel for an additional ten years. The current mining agreement expires on September 1, 2004.

E. Vashon Sand and Gravel, Inc., the current operator, would like to enter into an agreement with the county to continue sand and gravel extraction on this site.

F. Ordinance 11467, adopting the master plan for the park, recognizes that the county will dedicate the twenty-six acres to park purposes, no later than September 1, 2020, or such earlier time as the county determines it is either no longer practicable or appropriate to be used for gravel mining.

G. Vashon Sand and Gravel, Inc., owns the adjacent property, providing access and a staging area for the current mining operations on the park site including structures and infrastructure necessary for the mining operation and sale of the materials.

H. Vashon Sand and Gravel, Inc., holds two state permits for mining of the twenty-six-acre county site and for mining of its adjacent site.

I. Continued operation of the mining activities on these sites will provide continuity of operation, a local source of gravel to island residents, and coordinated site reclamation.

J. The sales price of the sand and gravel will be established as part of the negotiation of a new sales agreement with Vashon Sand and Gravel, Inc., based on fair market value.

K. Due to the estimated value of the sand and gravel, the material must be surplused and sold in the same manner as real property.

L. The parks and recreation division has declared approximately one million to one million five

hundred thousand cubic yards of sand and gravel surplus to its needs solely for the purpose of selling it for extraction and removal.

M. Notices were sent to county departments regarding the county's plan to surplus and sell the sand and gravel. No county department expressed a need for the material.

N. Under K.C.C. 4.56.100, all sales of real and personal property shall be made to the highest responsible bidder at public auction or by sealed bid except when the county council, by ordinance, has determined that unique circumstances make a negotiated direct sale in the best interests of the public.

O. For the reasons set forth in this section, the sale of this material to Vashon Sand and Gravel, Inc., is deemed to be in the best interest of the citizens of King County.

SECTION 2. The King County executive is hereby authorized to execute the necessary documents to sell approximately one million to one million five hundred thousand cubic yards of sand and gravel by negotiated direct sale, due to unique circumstances, to Vashon Sand and Gravel, Inc., on the following described twenty-six-acre portion of Maury Island regional park property located in council district 8:

The east half of the east half of the northeast quarter of the southeast quarter of Section 21, Township 22 North, Range 3 East, W.M., in King County, Washington.

The west half of the west half and the west 200 feet of the east half of the west half, all in the northwest quarter of the southwest quarter of Section 22, Township 22 North, Range 3 East, W.M., in King County, Washington.

SECTION 3. Revenue from the negotiated direct sale under section 2 of this ordinance shall be deposited in one or more appropriate parks first tier funds listed in K.C.C. 4.08.015 and shall be used to provide revenue to the park system for capital improvements, maintenance and stewardship.

none