



## Legislation Details (With Text)

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

**File created:** 3/25/2013      **In control:** Budget and Fiscal Management Committee

**On agenda:** 6/24/2013      **Final action:** 6/24/2013

**Enactment date:** 6/27/2013      **Enactment #:** 17609

**Title:** AN ORDINANCE approving the sale to the city of Shoreline of the surplus North Maintenance Roads Service facility located in district 1.

**Sponsors:** Rod Dembowski

**Indexes:** Roads, Shoreline, City of

**Code sections:**

**Attachments:** 1. Ordinance 17609.pdf, 2. 2013-0155 final revised Transmittal Letter- Brugger's Sale.doc, 3. 2013-0155 revised Bruggers bog FN.xls, 4. A. Real Estate Puchase and Sale Agreement - Brugger's Bog Roads Maintenance Site, 5. 04-16-13 Staff Report with attachments, 6. 2013-0155 hearing notice DRAFT..doc, 7. 2013-0155 News release.doc, 8. 06-04-13 Staff Report, 9. 2013-0155 sale-Shoreline re surplus North Maintenance Roads Service facility hearing notice.doc, 10. A. Real Estate Purchase and Sale Agreement - Brugger's Bog Roads Maintenance Site, 11. B. Joint Use Agreement, 12. 17609 Striking Amendment S1.pdf, 13. 2013-0155 Affidavit of Pub - Seattle Times.pdf

Date	Ver.	Action By	Action	Result
6/24/2013	1	Metropolitan King County Council	Hearing Held	
6/24/2013	1	Metropolitan King County Council	Passed as Amended	Pass
6/4/2013	1	Budget and Fiscal Management Committee	Recommended Do Pass	Pass
4/16/2013	1	Budget and Fiscal Management Committee	Deferred	
3/25/2013	1	Metropolitan King County Council	Introduced and Referred	

Clerk 06/25/2013

AN ORDINANCE approving the sale to the city of Shoreline of the surplus

North Maintenance Roads Service facility located in district 1.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

**SECTION 1. Findings:**

A. The road services division is the custodian of the North Maintenance Roads Services facility, commonly known as the Brugger's Bog facility, located at 19547 25th Avenue Northeast, Shoreline.

B. The road services division has determined that Brugger's Bog is surplus to its needs and the needs of

the public.

C. The King County executive has negotiated a purchase and sale agreement for the sale of the surplus Brugger's Bog facility to the city of Shoreline

D. In accordance with K.C.C. 4.56.070, the facilities management division has circulated surplus notices to King County agencies and none expressed interest. The facilities management division declared the property surplus on September 7, 2011.

E. Brugger's Bog was purchased with funds from the King County road fund. The road fund is a separate fund established under chapter 36.82 RCW. According to RCW 43.09.210, when property is sold or transferred that was purchased with funds from the roads fund, the county must receive "full value" in return so that the road fund may be fully reimbursed. The affordable housing requirement is a King County Code provision, while the necessity of the road fund receiving full value from a sale of the Bruggers Bog under RCW 43.09.210 is a state law requirement. Given the higher value of the property the county will receive if sold for an industrial use, which is \$2,896,622, versus a use of the property that would allow affordable housing, which is \$2,300,322, it is important under state law to sell the property for the higher industrial value. As a result, although the road services division's Bruggers Bog property may be suitable for affordable housing, it is not appropriate in this instance to sell it at the lower value that would be associated with affordable housing.

F. The proposed sale to the city of Shoreline is consistent with K.C.C. 4.56.100 and 4.56.140 providing for a direct negotiated sale to a government agency. K.C.C. 4.56.080 provides that council approval is required for the sale of county-owned property valued in excess of ten thousand dollars.

G. The executive's transmittal letter dated March 19, 2013, indicated that additional benefits from selling the property to the city of Shoreline would include continued county use of fueling facilities of the site and continued operation of the vector waste decant facility by the city.

H. In accordance with the King County council's budget and fiscal management committee's request, the executive and the city of Shoreline developed a joint use agreement formalizing the agreement between the

county and city to allow for continued county use of fueling facilities on the site and continued vector waste decant facility operations.

SECTION 2. The King County council, having determined that the sale of the subject property is in the best interest of the public, hereby authorizes the executive to execute the sale in substantially similar form as provided in Attachment A to this ordinance and to execute any other documents necessary to convey and deliver the property to the buyer. This authorization is contingent upon the prior execution by both parties of the Joint Use Agreement for Fueling Services and Vector Decanting between the city of Shoreline and King County as provided in Attachment B to this ordinance. All actions up to now taken by county officials, agent and employees consistent with the terms and purposes of the sale agreement are hereby ratified, confirmed and approved.

SECTION 3. If any one or more of the covenants or agreements provided in this ordinance to be performed on the part of the county is declared by any court of competent jurisdiction to be contrary to law, then such a covenant or covenants, agreement or agreements, are null and void and shall be deemed separable from the remaining covenants and agreements of this ordinance and in no way affect the validity of the other provisions of this ordinance or of the sale.

10 days not more than 25 prior

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Public hearing: 6/24/13