



Legislation Text

File #: 2013-0316, **Version:** 2

Clerk 02/06/2014

AN ORDINANCE approving a lease for public health clinic facilities to provide continuing public health services in council district nine and conditionally approving a lease for public health clinic facilities to provide continuing public health services in council district two.

STATEMENT OF FACTS:

1. King County provides essential public health services and facilities to the citizens of King County in cooperation with partnering health care providers throughout King County.
2. The King County executive is authorized to lease real property as provided by K.C.C. 4.56.186, and consistent with K.C.C. 4.04.040, the council must approve by ordinance of any lease with a term exceeding two years.
3. The King County executive has negotiated with the city of Seattle the leasing of space to operate public health clinic facilities, located at 4400 37th Avenue South, Seattle, within council district two, and referred to as Lease 1185.
4. In order for the lease with the city of Seattle to extend beyond the calendar year, it must comport with the requirements of K.C.C. 4.04.040.5.b. One of the ways to satisfy the requirements of that section is for the lease to contain cancellation clause in substantially the same form as of K.C.C. 4.04.040.5.b.(2). The text of Addendum A incorporated into the lease with the city of Seattle is an attempt to comply with this code section; however, it does not preserve the county's right to unilaterally terminate the lease at the end of an appropriation. By

changing one word, an "or" to an "and," in Addendum A to the lease, this right will be preserved.

5. The King County executive has negotiated with the Enumclaw school district the leasing of space to operate public health clinic facilities, located at 1640 Fell Street, Enumclaw, within council district nine, and referred to as Lease 1692.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The King County council, having determined that proposed lease agreement with the city of Seattle is in the best interest of the public and subject to appropriation in the long term lease capital budget, hereby approves Lease 1185 as provided in Attachment A to this ordinance, contingent upon the execution of a lease amendment in substantially the same form as Attachment C to this ordinance. Upon execution of the amendment, 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.

SECTION 2. The King County council, having determined that the lease agreement with the Enumclaw school district is in the best interest of the public and subject to appropriation in the long-term lease capital budget, hereby approves Lease 1692 as provided in Attachment B to this ordinance, and authorizes the executive to take all actions necessary to implement this agreement. All actions up to now taken by county officials, agent and employees consistent with the terms and purposes of the lease is hereby ratified, confirmed and approved.

SECTION 3. If any provision of this ordinance is declared by any court of competent jurisdiction to be contrary to law, then such provision is null and void and shall be deemed separable from the remaining provisions of this ordinance and in no way affect the validity of the other provisions of this ordinance or of any of the two leases.