



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**February 2, 2016**

**Ordinance 18227**

**Proposed No. 2015-0393.3**

**Sponsors Dunn and Gossett**

1 AN ORDINANCE relating to the duties of the facilities  
2 management division of the department of executive  
3 services, in coordination with the department of natural  
4 resources and parks, to administer real property and real  
5 property interests obtained by the county in the course of  
6 providing services to the King County Flood Control Zone  
7 District; and amending Ordinance 12045, Section 4, as  
8 amended, and K.C.C. 4.56.060.

9 STATEMENT OF FACTS:

- 10 1. Beginning on January 1, 2008, the department of natural resources and  
11 parks ("the department") has functioned as the primary service provider to  
12 the King County Flood Control Zone District ("the district") under an  
13 interlocal agreement between King County and the district, as authorized  
14 by chapter 39.34 RCW. Among its duties as service provider, the  
15 department implements the district's annual work program.
- 16 2. A substantial portion of the district's annual work program involves  
17 capital flood management or protection projects, which are implemented  
18 by the water and land resources division of the department. The  
19 department's implementation of projects includes planning and design,

20 obtaining of permits, acquisition of necessary real property and real  
21 property interests, construction, and post-construction operation,  
22 maintenance, reporting and monitoring.

23 3. Under section 9 of the interlocal agreement between the county and the  
24 district, the county has acquired on behalf of the district real property or real  
25 property interests, with title to the real property and real property interests taken  
26 in the name of the county for later transfer to the district, as required by RCW  
27 86.15.080.

28 4. When the district desires to transfer real property and real property  
29 interests from the county to the district or a third party in accordance with  
30 RCW 86.15.210, it is the intent of the district, by resolution, to provide  
31 direction to the county either to convey these properties or interests to  
32 itself or third parties or to sell the properties or interests, with the proceeds  
33 of the sale to be remitted to the district.

34 5. Under such circumstances, it is more efficient and expeditious for the  
35 facilities management division of the department of executive services to  
36 convey or sell the real property or real property interests held in the  
37 county's name but on behalf of the district without following the processes  
38 mandated by K.C.C. chapter 4.56 for the sale or conveyance of real  
39 property or real property interests acquired by the county on behalf of the  
40 district and held in the name of the county.

41 6. Tracking the real property and real property interests acquired on  
42 behalf of the district is an important component to expeditiously

43 conveying real property or real property interests to the district or a third  
44 party or selling them on behalf of the district.

45 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

46 SECTION 1. Ordinance 12045, Section 4, as amended, and K.C.C. 4.56.060 are  
47 each hereby amended to read as follows:

48 A. Except as otherwise provided in this chapter, the facilities management  
49 division, acting under the supervision of the county administrative officer, shall be the  
50 sole organization responsible for the administrative processes of acquiring, disposing,  
51 inventorying, leasing and managing real property, the legal title of which rest in the name  
52 of the county, or which the county manages in a trust capacity.

53 B. Open space, trail, park, agriculture and other natural resource real properties  
54 shall be acquired by the department of natural resources and parks, unless the executive  
55 directs the facilities management division to make such acquisitions.

56 C. Real property and interests in real property necessary for the metropolitan  
57 public transportation and metropolitan water pollution abatement functions shall be  
58 acquired and managed by the departments of transportation and natural resources and  
59 parks, respectively, as set forth in this chapter, unless the executive directs the facilities  
60 management division to make such acquisitions and/or manage such properties.

61 D. County departments shall be responsible for maintaining all real property for  
62 which they are the custodian.

63 E.1. As part of the services the county provides to the King County Flood  
64 Control Zone District under an interlocal agreement, the county, acting through the  
65 facilities management division in coordination with the department of natural resources

66 and parks, is authorized to sell or otherwise convey real property and real property  
67 interests held in the name of the county that were acquired on behalf of the district,  
68 without being subject to the other requirements of this chapter, but only if:

69       a. the district, by resolution, directs the county to convey to the district or  
70 named third parties those real properties or real property interests acquired by the county  
71 for the district and held in the county's name. Within the time stated in the resolution, or  
72 within sixty days of the county's receipt of a copy of the resolution, if a time is not stated  
73 in the resolution, the division should execute the conveyance document, in a form  
74 approved by the district, and transmit it to the district unless the resolution directs the  
75 conveyance document be transmitted to named third parties; or

76       b.(1) the district, by resolution, directs the county to sell those real properties or  
77 real property interests acquired by the county for the district and held in the county's  
78 name, with the proceeds of the sales remitted to the district. Unless otherwise directed by  
79 the district by resolution, all sales shall be made to the highest responsible bidder at  
80 public auction or by sealed bid. Within the time stated in the resolution, or within sixty  
81 days of the county's receipt of a copy of the resolution, if a time is not stated in the  
82 resolution, the division should initiate the process to sell real properties or real property  
83 interests; and

84       (2) not more than thirty days after bids are received, the county shall provide  
85 the district with notice of all bids received and the county's determination of the highest  
86 responsible bidder. Before closing on any sale, the county shall obtain written  
87 confirmation from the district's executive director that the district concurs in the county's  
88 determination of the highest responsible bidder.

89           2. The county shall provide monthly progress reports on all district-authorized  
90 conveyances or sales, including but not limited to in the case of a conveyance, the  
91 expected date of executing the conveyance documents or, in the case of a sale, the closing  
92 date. In each monthly report, if the expected date of the executing conveyance  
93 documents is delayed or the expected closing date of a sale is delayed, the county shall  
94 report to the district the reasons for the delay and the new expected date to convey or sell.

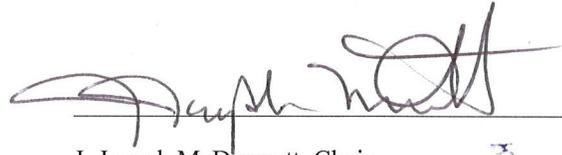
95           3. No later than March 31 of each year, the county shall provide to the executive  
96 director of the King County Flood Control Zone District an inventory of all real property

97 and real property interests acquired by the county on behalf of the district and held in the  
98 name of the county.  
99

Ordinance 18227 was introduced on 11/2/2015 and passed as amended by the Metropolitan King County Council on 2/1/2016, by the following vote:

Yes: 8 - Mr. Gossett, Ms. Lambert, Mr. Dunn, Mr. McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles and Ms. Balducci  
No: 0  
Excused: 1 - Mr. von Reichbauer

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON



J. Joseph McDermott, Chair

ATTEST:



Anne Noris, Clerk of the Council

RECEIVED  
2016 FEB 10 PM 1:33  
CLERK  
KING COUNTY COUNCIL

APPROVED this 10 day of FEBRUARY, 2016.



Dow Constantine, County Executive

Attachments: None