



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**Ordinance 19330**

**Proposed No.** 2021-0257.1

**Sponsors** Zahilay and Kohl-Welles

1 AN ORDINANCE related to surplus county real property;  
2 and amending Ordinance 12045, Section 5, as amended,  
3 and K.C.C. 4.56.070 and Ordinance 12045, Section 14, as  
4 amended, and K.C.C. 4.56.150.

5 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

6 SECTION 1. Ordinance 12045, Section 5, as amended, and K.C.C. 4.56.070 are  
7 hereby amended to read as follows:

8 A. The facilities management division shall, no later than the end of the first  
9 quarter of the calendar year, maintain and update a current inventory of all county titled  
10 real property with detailed information as to current departmental custodianship,  
11 vacancies, uses and as to the characteristics that determine its economic value and  
12 potential uses. However, all county roads shall be excluded from this section. The  
13 facilities management division shall also maintain and update a list of departmental  
14 custodians that have not submitted the report required in subsection B. of this section.

15 B. No later than April 1 of each calendar year, each department shall submit a  
16 report to the facilities management division on the status of all real property for which the  
17 department is the custodian and include in the report whether or not the property is being  
18 used by the department or leased to another municipality or other party or whether or not  
19 the real property is vacant or unused. The report shall also include any change in use or  
20 status since the previous year's report.

Ordinance 19330

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21 C. County departments shall be required to report no later than April 1 of every  
22 year to justify departmental retention of all real property for which the department is the  
23 custodian to the facilities management division.

24 1. If in the judgment of the facilities management division a county department  
25 cannot justify the retention of real property for which it is the custodian or if a department  
26 determines that real property is surplus to its needs, the facilities management division  
27 shall determine whether any other county department has a need for the property that is  
28 related to the provision of essential government services, including, but not limited to,  
29 services for the public health, public safety or services related to transportation, water  
30 quality, surface water or other utilities. If the property is not needed for the provision of  
31 essential government services, the facilities management division shall, except if the  
32 property is sold under K.C.C. 4.56.100.A.12., then determine if the parcel is suitable for  
33 affordable housing. If it is deemed suitable for affordable housing the county shall first  
34 attempt to make it available or use it for affordable housing in accordance with K.C.C.  
35 4.56.085 or 4.56.100. "Suitable for affordable housing" for the purpose of this section  
36 means the parcel is located within the Urban Growth Area, zoned residential and the  
37 housing development is compatible with the neighborhood. If the property is not deemed  
38 suitable for the purposes described in this subsection C.1., then it shall be determined  
39 whether any other department has a need for the parcel.

40 2. If another department can demonstrate a need for the real property,  
41 custodianship of the real property shall be transferred to that department without any  
42 financial transaction between present and future custodial organizations, except as  
43 required by RCW 43.09.210, as amended, or under grants.

Ordinance 19330

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44           3. If another department cannot demonstrate a need for the real property, the  
45 real property shall be declared surplus to the future foreseeable needs of the county and  
46 may be disposed of as set forth in this chapter.

47           4. If the real property is vacant or unused for two consecutive years or longer,  
48 the facilities management division shall conduct the analysis in subsection C.1. through  
49 3. of this section.

50           D. The facilities management division shall create and maintain a publicly  
51 accessible database of all county real property that has been declared surplus. The  
52 database shall include, but not be limited to, the address, dimensions and zoning  
53 restrictions for each parcel of county real property that has been declared surplus, except  
54 that tax title properties shall not be included in the database.

55           E. The facilities management division shall review and make recommendations  
56 to the executive for uses other than the sale of surplus real property before a decision by  
57 the executive to dispose of such properties through sale. Other possible uses that shall be  
58 considered by the division in accordance with this chapter are:

- 59           1. Exchanges for other privately or publicly owned lands that meet the county's  
60 land needs;
- 61           2. Lease with necessary restrictive covenants;
- 62           3. Use by other governmental agencies;
- 63           4. Retention by the county if the parcel is classified as floodplain or slide hazard  
64 property;
- 65           5. Use by nonprofit organizations for public purposes;
- 66           6. Long-term lease or sale for on-site development of affordable housing; and

Ordinance 19330

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67 7. A sale under K.C.C. 4.56.100.A.12.

68 ~~((E.))~~ F. The facilities management division in consultation with the department  
69 of community and human services shall, no later than July 1 of each year, submit a report  
70 to the council identifying surplus county real property suitable for the development of  
71 affordable housing. "Affordable housing" for the purpose of this chapter means  
72 residential housing that is rented or owned by a person:

73 1. Who is from a special needs population and whose monthly housing costs,  
74 including utilities other than telephone, do not exceed thirty percent of the household's  
75 monthly income; or

76 2. Who qualifies as a very low-income, low-income or moderate-income  
77 household as those terms are defined in RCW 43.63A.510.

78 ~~((F.))~~ G. A park or recreational facility located in a potential annexation area may  
79 be transferred to the city designated to annex the area in which the park or recreational  
80 facility is located without being subject to this section, but any such a transfer must  
81 require that the park or recreational facility shall be used in perpetuity for park or  
82 recreation purposes unless other equivalent lands or facilities within the county or the city  
83 are received in exchange therefore and the replacement lands or facilities are used in  
84 perpetuity for park or recreation purposes.

85 ~~((G.))~~ H. The facilities management division shall review and make  
86 recommendations to the county executive regarding the surplus of any property, property  
87 rights and rights in property that are acquired by the department of natural resources and  
88 parks in accordance with Ordinance 14699, Section 2, Ordinance 14699, Section 4, or  
89 K.C.C. 4.56.080, no more than thirty days after receiving a written notice from the

Ordinance 19330

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90 department of natural resources and parks that the property is surplus to the needs of  
91 siting or constructing the Brightwater wastewater treatment plant. Upon approval by the  
92 council of an ordinance authorizing the disposal of property acquired in accordance with  
93 Ordinance 14699, Section 2, Ordinance 14699, Section 4, or K.C.C. 4.56.080, the  
94 facilities management division shall consult with the department of natural resources and  
95 parks to determine the timing for disposal of this property.

96 SECTION 2. Ordinance 12045, Section 14, as amended, and K.C.C. 4.56.150 are  
97 hereby amended to read as follows:

98 A. If it appears that it is in the best interests of the county, the county may lease  
99 any county real property and its appurtenances for a year or a term of years under the  
100 limitations and restrictions and in the manner provided in this chapter.

101 B. The county may lease county real property and its appurtenances in  
102 accordance with subsection A of this section whether the property was acquired by tax  
103 deed under foreclosure proceedings for nonpayment of taxes or the property is held or  
104 acquired in any other manner.

105 C. Any lease executed under this section creates a vested interest and a contract  
106 binding upon the county and the lessee.

107 D. The county may enter into rental agreements for a term less than one year,  
108 including month-to-month rental agreements, on terms and conditions that are in the best  
109 interest of the county. All rental agreements for a term less than one year are subject to  
110 approval by the executive based on recommendations of the facilities management  
111 division. Rental agreements for a term less than one year are exempt from the appraisal,  
112 and notice requirements pertaining to leases for a year or more. The facilities

Ordinance 19330

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113 management division shall maintain a file of appropriate correspondence or other  
114 information that leads to a recommendation by the facilities management division to the  
115 county executive to enter into such an agreement. The information shall be available for  
116 public inspection at the facilities management division for one year after termination of  
117 the tenancies.

118 E.1. The county may enter into agreements for the use of county property with  
119 bona fide nonprofit organizations or with another governmental agency if the property is  
120 to be used in any one or more of the following ways:

121 a. for a medical training and research facility connected with a county hospital;

122 or

123 b. by the nonprofit organization or governmental agency for affordable  
124 housing;

125 c. by the nonprofit organization or government agency to make improvements  
126 to the county property; or

127 d. by the nonprofit organization or government agency to provide services that  
128 will benefit the public.

129 2. The agreements are exempt from the requirements of fair market value,  
130 appraisal and notice. The agreements are subject to the approval of the executive, based  
131 upon recommendation of the facilities management division and the department having  
132 custodianship of the property subject to the agreement. The facilities management  
133 division shall maintain a file of appropriate correspondence or other information that  
134 leads to a recommendation by the division to the county executive to enter into such an  
135 agreement. The information shall be available for public inspection at the facilities

Ordinance 19330

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136 management division for one year after termination of the tenancies.

137 3. If a county department leases real property for which the department is the  
138 custodian to the facilities management division but has neither made use of nor has  
139 occupied a portion of the property for at least two years, the department must work in  
140 conjunction with the facilities management division and other county agencies or  
141 departments to determine whether that portion of property can be leased to a bona fide  
142 nonprofit organization that provides services that will benefit the public.

143 F. For rental or lease agreements for parks and recreation facilities and for rental,  
144 lease or use agreements for the Brightwater Environmental Education and Community  
145 Center as defined in K.C.C. chapter 28.84, the natural resources and parks department  
146 shall have the authorities and responsibilities specified in subsections D. and E. of this  
147 section for the facilities management division. County council approval is not required  
148 for rental or lease agreements for parks and recreational facilities with an original term of  
149 five years or less. For the purposes of this subsection, "original term" includes extensions  
150 that could be effective without county approval. Revenue derived from rentals and leases  
151 of parks and recreation facilities shall be applied solely to parks and recreation purposes.  
152 Revenue derived from the use and rentals of the Brightwater Environmental Education

Ordinance 19330

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153 and Community Center shall be applied and used for the exclusive benefit of the  
154 wastewater system.

Ordinance 19330 was introduced on 7/13/2021 and passed by the Metropolitan King County Council on 9/7/2021, by the following vote:

Yes: 9 - Ms. Balducci, Mr. Dembowski, Mr. Dunn, Ms. Kohl-Welles, Ms. Lambert, Mr. McDermott, Mr. Upthegrove, Mr. von Reichbauer and Mr. Zahilay

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

DocuSigned by:

*Claudia Balducci*

7E1C273CE9994B6...

Claudia Balducci, Chair

ATTEST:

DocuSigned by:

*Melani Pedroza*

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Melani Pedroza, Clerk of the Council

APPROVED this \_\_\_\_ day of 9/21/2021, \_\_\_\_.

DocuSigned by:

*Dow Constantine*

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Dow Constantine, County Executive

**Attachments:** None



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Subject: Please DocuSign: Ordinance 19330.docx	
Source Envelope:	
Document Pages: 8	Signatures: 3
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelope Stamping: Enabled	Cherie Camp
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**Signer Events**

Claudia Balducci  
 claudia.balducci@kingcounty.gov  
 King County General (ITD)  
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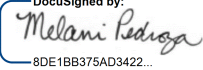
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Envelope Summary Events	Status	Timestamps
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Certified Delivered	Security Checked	9/21/2021 5:08:20 PM
Signing Complete	Security Checked	9/21/2021 5:08:34 PM
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Payment Events	Status	Timestamps
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**Required hardware and software**

Operating Systems:	Windows® 2000, Windows® XP, Windows Vista®; Mac OS® X
Browsers:	Final release versions of Internet Explorer® 6.0 or above (Windows only); Mozilla Firefox 2.0 or above (Windows and Mac); Safari™ 3.0 or above (Mac only)
PDF Reader:	Acrobat® or similar software may be required to view and print PDF files
Screen Resolution:	800 x 600 minimum

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