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Title: AN ORDINANCE authorizing the King County executive to lease two hundred eighty park and ride stalls from Northgate Mall Partnership; and declaring an emergency.

Sponsors: Bob Ferguson

Indexes: Executive, Lease, Northgate, Park and Ride

Code sections:

Attachments: 1. 15473.pdf, 2. 2005-0129 Staff Report 03-15-06.doc, 3. 2006-0129 Attachment 9 to 3-15-06 staff report.pdf, 4. 2006-0129 Exhibits to Attachment A.doc, 5. 2006-0129 northgate fiscal note 3 8.xls, 6. 2006-0129 Northgate Sup Financial Plan transmittal.xls, 7. 2006-0129 Revised Staff Report 3-22-06.doc, 8. 2006-0129 Revised Staff Report 5-17-06.doc, 9. 2006-0129 Staff Report 5-17-06.doc, 10. 2006-0129 Staff Report 3-22-06.doc, 11. 2006-0129 transmittal letter.doc, 12. A. Lease Agreement, 13. A. Lease Agreement Revised 3-27-06, 14. A. Lease Agreement Revised 3-27-06

Date	Ver.	Action By	Action	Result
5/22/2006	3	Metropolitan King County Council	Hearing Held	
5/22/2006	3	Metropolitan King County Council	Passed as Amended	Pass
5/17/2006	2	Capital Budget Committee	Amended	Pass
5/17/2006	3	Capital Budget Committee	Recommended Do Pass Substitute	Pass
4/3/2006	2	Metropolitan King County Council	Re-referred	
3/27/2006	2	Metropolitan King County Council	Deferred	
3/22/2006	1	Capital Budget Committee		
3/22/2006	2	Capital Budget Committee		
3/15/2006	1	Capital Budget Committee		
3/13/2006	1	Metropolitan King County Council	Introduced and Referred	

Clerk 05/23/2006

AN ORDINANCE authorizing the King County executive to lease two hundred eighty park and ride stalls from Northgate Mall Partnership; and declaring an emergency.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. King County's growth management policies promote the creation of housing in urban areas to minimize sprawl and encourage urban development, walking and other benefits of downtown development.

B. Consolidation of the park and ride spaces adjacent to the Northgate Transit Center provides important benefits to Metro's customers and provides better service and reliability.

C. King County will gain significant sales tax and property tax revenues through the redevelopment of parcels adjacent to the Northgate Transit Center.

D. Northgate Mall Partnership, the current owner of the Northgate Mall, is planning an expansion of the mall and is developing a structured parking garage as part of the retail expansion.

E. The development will include construction of a parking garage.

F. Shared parking stalls reduce the area devoted to automobiles and promote more pedestrian friendly urban environments. The Northgate Mall Partnership parking garage will provide parking for park and ride users, and visitors to the Northgate Mall thus reduce the land area dedicated to surface parking.

G. The plan to replace existing park and ride facilities that are presently provided at the Northgate park and ride lot located at 11203 5th Avenue NE, Seattle, Washington, and to convey that lot to the city of Seattle requires the execution of leases for replacement garage parking space with two project developers as well as a purchase and sale agreement with the city of Seattle, together with an appropriation necessary to fund the leases. The project developers have existing deadlines for the execution of leases with the county and for the conveyance of property between them that are necessary to support their project financing that will expire during the first week in June 2006. Delay of execution of these agreements past those deadlines would create a significant risk of cancellation of the projects or substantial project delays and cost increases to the county. Unless this ordinance is enacted as an emergency ordinance, it will not be possible to accomplish the timely execution of the leases and purchase and sale agreement, all of which are necessary to allow the plan to proceed.

SECTION 2. The King County executive is hereby authorized on behalf of the county to execute a

lease agreement with Northgate Mall Partnership for the lease of two hundred eighty parking stalls in substantially the same form as Attachment A to this ordinance, provided that the lease shall not be executed until the effective date of Ordinance 15474 (Proposed Ordinance 2006-0130).

SECTION 3. The appropriate county officials, agents and employees are hereby authorized to take all actions necessary to implement the lease and all actions up to now taken by county officials, agents and employees consistent with the terms and purposes of the purchase and sale agreement are hereby ratified, confirmed and approved.

SECTION 4. 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 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 shall in no way affect the validity of the other provisions of this ordinance or the lease agreement.

SECTION 5. The council finds as a fact and declares that an emergency exists and that this ordinance is necessary for the immediate preservation of public peace, health or safety or for the support of county government and its existing public institutions.