



Legislation Text

File #: 2023-0249, **Version:** 2

AN ORDINANCE authorizing the King County executive to enter into an agreement with the Puget Sound Emergency Radio Network Operator to transfer county-owned assets located in King County.

STATEMENT OF FACTS:

1. In 2015 King County voters approved a property tax levy for emergency public safety radio network replacement and the Puget Sound Emergency Radio Network ("PSERN") project was created to upgrade and expand the system.
2. The county previously entered into two interlocal cooperation agreements ("ILAs") regarding the PSERN project, respectively authorized by Ordinances 18075 and 19165. The ILA authorized by Ordinance 18075 designated King County as the lead agency to plan, procure, finance, implement, and begin limited operation of the PSERN project. The ILA authorized by Ordinance 19165 established a new separate governmental agency under RCW 39.34.030(3)(b), organized as a nonprofit corporation under chapter 24.06 RCW, to assume the ownership and control of the PSERN project following full system acceptance. That separate governmental agency is known as the PSERN Operator.
3. The PSERN project will be completed in 2023 and consistent with the ILA authorized by ordinance 19165, King County desires to transfer operation of the new system to the PSERN Operator, and the PSERN Operator desires to accept the same.
4. Consistent with K.C.C. 4.56.140 and chapter 39.33 RCW regarding intergovernmental property transfers , the county and the PSERN Operator have successfully negotiated an

agreement to transfer all of the county's interest in the assets and liabilities that comprise the Puget Sound Emergency Radio Network system, and the following related agreements and instruments implement the transfer, attached thereto as exhibits: A-1, form of assignment of PSERN agreements; A-2, list of PSERN agreements; B-1, form of assignment of PSERN leases; B-2, list of PSERN leases not requiring landlord consent to assign; B-3, list of PSERN leases requiring landlord consent to assign; C-1, list of county leases not covered by transfer agreement; C-2, list of nontransferable USFS leases and other nontransferable real property licenses and permits; D-1, form of bill of sale for site-specific physical assets; D-2, non-exhaustive list of site-specific physical assets; E-1, form of assignment of site-specific third-party subleases, license, permits, and other agreements; E-2, non-exhaustive list of site-specific third-party subleases, licenses, and other agreement; F, list of PSERN funds to be transferred; G, list of radio system documents; H-1, bill of sale for PSERN equipment; and H-2, non-exhaustive list of PSERN equipment.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The executive is authorized to execute a transfer agreement for the Puget Sound Emergency Radio Network with the Puget Sound Emergency Radio Network operator, substantially in the form of Attachment A to this ordinance.