



Legislation Details (With Text)

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Enactment date: 11/16/2017 **Enactment #:** 18603

Title: AN ORDINANCE related to the sale of real property belonging to the county; amending Ordinance 12076, Section 50, as amended, and K.C.C. 4.44.010 and adding a new section to K.C.C. chapter 4.44 and amending Ordinance 12076, Section 50, as amended, and K.C.C. 4.44.010, Ordinance 2622, Section 3, and K.C.C. 4.56.020 and Ordinance 12045, Section 7, as amended, and K.C.C. 4.56.080.

Sponsors: Dave Upthegrove

Indexes: Property

Code sections: 4.44 - ., 4.44.010 -, 4.56.020 - ., 4.56.080 - .

Attachments: 1. Ordinance 18603.pdf, 2. 2017-0285 legislative review form.pdf, 3. 2017-0285 transmittal letter.doc, 4. 2017-0285 King County Fiscal Note - Property Leases and Sales.xlsx, 5. 2017-0285_SR_Tax_Title_Code_Change final.docx, 6. 2017-0285_SR_Tax_Title_Code_Change.docx, 7. ATT2_2017-0285_AMD_Notification_Threshold.docx, 8. ATT5_FMD_Property_Descriptions.docx, 9. 2017-0285_SR_Tax_Title_Code_Change.docx, 10. 2017-0285 amendment.pdf

Date	Ver.	Action By	Action	Result
11/6/2017	1	Metropolitan King County Council	Hearing Held	
11/6/2017	1	Metropolitan King County Council	Passed as Amended	Pass
10/24/2017	1	Government Accountability and Oversight Committee	Passed Out of Committee Without a Recommendation	Pass
9/26/2017	1	Government Accountability and Oversight Committee	Deferred	
9/12/2017	1	Government Accountability and Oversight Committee	Deferred	
7/24/2017	1	Metropolitan King County Council	Introduced and Referred	

AN ORDINANCE related to the sale of real property belonging to the county; amending Ordinance 12076, Section 50, as amended, and K.C.C. 4.44.010 and adding a new section to K.C.C. chapter 4.44 and amending Ordinance 12076, Section 50, as amended, and K.C.C. 4.44.010, Ordinance 2622, Section 3, and K.C.C. 4.56.020 and Ordinance 12045, Section 7, as amended, and K.C.C. 4.56.080.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 12076, Section 50, as amended, and K.C.C. 4.44.010 are each hereby amended to read as follows:

The council has determined that it is in the best interest of the county to return to the tax rolls as soon as possible tracts of land acquired by the county for lack of other bidders at a tax foreclosure sale that are held in trust for the taxing districts. Those tracts of land are "tax title lands" under chapter 36.35 RCW, and for the purposes of this chapter shall be referred to as "tax title property." In furtherance of this determination, the council authorizes the facilities management division of the department of executive services ((is authorized)) to conduct sales of all county tax title property in accordance with this chapter and chapter 36.35 RCW, and approves all such sales.

NEW SECTION. SECTION 2. There is hereby added to K.C.C. chapter 4.44 a new section to read as follows:

A. Before selling tax title property, the facilities management division shall fix the unit or units in which the property will be sold, the minimum price for each of the units, and whether the sale will be for cash or whether a contract will be offered. The facilities management division may not, without the approval of the council by ordinance, reserve from a sale coal, oil, gas, gravel, minerals, ores, fossils, timber or other resources on or in a tax title property, and the right to mine for and remove the same.

B. Except in cases where the sale is to be by direct negotiation as provided in subsection C. of this section, the facilities management division must publish once a week for at least three consecutive weeks a notice of the sale of the property in a newspaper of general circulation in the county. The notice must describe the property to be sold, the unit or units, the reservations, if any, and the minimum price, together with the time and place and terms of sale, in the same manner as foreclosure sales as provided in RCW 84.64.080. The facilities management division may sell tax title property through public auction sale by electronic media in the same manner as authorized for a county treasurer under RCW 36.16.145.

C. The facilities management division may dispose of tax title property by private negotiation, without

a call for bids, for not less than the principal amount of the unpaid taxes in any of the following cases:

1. When the sale is to any governmental agency and for public purposes;
2. When the facilities management division determines that it is not practical to build on the property due to the physical characteristics of the property or legal restrictions on construction activities on the property;
3. When the property has an assessed value of less than five hundred dollars and the property is sold to an adjoining landowner; or
4. When no acceptable bids were received at the attempted public auction of the property, if the sale is made within twelve months from the date of the attempted auction.

D. Approval of the council by ordinance is required before the facilities management division may sell tax title property for more than five hundred thousand dollars. After 2017, the monetary amount in this subsection shall be adjusted annually on January 1 based on the U.S. Department of Labor, Bureau of Labor Statistics Consumer January through December Price Index for All Urban Consumers for the Seattle-Tacoma-Bremerton Statistical Metropolitan Area for the preceding year.

SECTION 3. Ordinance 2622, Section 3, and K.C.C. 4.56.020 are each hereby amended to read as follows:

A. Whenever it is for the best interests of King County (~~((, taxing districts))~~) and the people thereof that any part or parcel of property, whether real, personal or mixed, belonging to the county, (~~((including tax title land,))~~) should be sold, the county shall sell and convey (~~((such))~~) the property under the limitations and restrictions and in the manner provided in this chapter.

B. In making (~~((such))~~) the sales, the county may sell any timber, mineral or other resources on any land owned by the county separate and apart from the land in the same manner and upon the same terms and conditions as provided in this chapter for the sale of real property. However, any such timber, mineral or other resources not exceeding twenty-five hundred dollars in value may be sold as personal property, in the manner provided by this chapter.

SECTION 4. Ordinance 12045, Section 7, as amended, and K.C.C. 4.56.080 are each hereby amended to read as follows:

A. The approval of the council by ordinance is required before the executive disposing of county-titled real property through sale, the sale being recommended as a result of real property having been declared as surplus in compliance with the provisions of this chapter; though property with an apparent value of less than ~~((ten thousand dollars))~~ one hundred thousand dollars shall be excluded from this section. After 2017, the monetary amount in this subsection shall be adjusted annually on January 1 based on the U.S. Department of Labor, Bureau of Labor Statistics Consumer January through December Price Index for All Urban Consumers for the Seattle-Tacoma-Bremerton Statistical Metropolitan Area for the preceding year.

B. ~~((If any property, property rights or rights in property are acquired by the department of natural resources and parks in accordance with Ordinance 14699, Section 2, 4 or 7, and are later determined to be surplus to the department of natural resources and parks's needs, the council shall take action on a proposed ordinance authorizing the disposal of this property within sixty days of transmittal by the executive.))~~ Before selling county-titled real property, as a result of having been declared as surplus in compliance with this chapter, with an apparent value of less than one hundred thousand dollars, the facilities management division shall be responsible for providing an email notification to the council describing the physical address, council district and apparent value of the surplus county-titled real property. The frequency of the email notification shall be determined by the facilities management division and may include multiple surplus county-titled real properties. The email and a hard copy of the email shall be sent to the clerk of the council, who shall retain the hard copy and provide an electronic copy to all councilmembers and the lead staff for the budget and fiscal management committee, or its successor.