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Title: AN ORDINANCE authorizing the execution of a new lease to support the operation of the department of executive services; repealing Ordinance 18622, Section 1; and declaring an emergency.

Sponsors: Dave Upthegrove, Jeanne Kohl-Welles

Indexes: Lease

Code sections:

Attachments: 1. Ordinance 18641.pdf, 2. A. Lease Agreement

Date	Ver.	Action By	Action	Result
12/11/2017	1	Metropolitan King County Council	Hearing Held	
12/11/2017	1	Metropolitan King County Council	Passed	Pass

Clerk 12/11/2017

AN ORDINANCE authorizing the execution of a new lease to support the operation of the department of executive services; repealing Ordinance 18622, Section 1; and declaring an emergency.

STATEMENT OF FACTS:

1. For the lease from LBA RV-Company II, LP, located at 7272 West Marginal Way South, Seattle, within council district eight, the facilities management division determined that there was not an appropriate county-owned option and successfully negotiated to lease space.
2. Due to a low vacancy rate in the city of Seattle leased space options were limited and minimal and the property at 7272 West Marginal Way South, was determined to be the only space available meeting the department of executive services's specific criteria.
3. To ensure the county is able to secure the use of the property and allow for the relocation of the records center warehouse, this ordinance is necessary to authorize the execution of a lease

agreement, substantially in the form of Attachment A to this ordinance.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings: Without a lease with LBA RV-Company II, LP for the property located at 7272 West Marginal Way, the records center operations must remain at its current location for at least the near future. Because of timing constraints, this will threaten the potential of the county selling the records center property to Seattle Housing Authority to develop critically needed affordable housing.

SECTION 2. Ordinance 18622, Section 1, is hereby repealed.

SECTION 3. The executive is authorized to execute a lease for the property located at 7272 West Marginal Way South, Seattle with LBA RV-Company II, LP substantially in the form of Attachment A to this ordinance on the condition the proposed lease be amended to include an additional lease provision for a right of participation that shall state, "if at any time the Landlord desires to sell the Property in a stand-alone, single property sale, and not as part of a portfolio sale with any other land, buildings or improvements, and not as part of a recapitalization of either the debt or equity relative to the Property, Landlord agrees to use commercially reasonable efforts to keep Tenant reasonably apprised of its intention to sell the Property and of the material deadlines for bids and offers. Tenant shall be permitted to bid at any time with the other bidders within the time frame allotted by Landlord to all bidders; provided, however, that Landlord shall have no obligation to select Tenant's offer regardless of whether or not Tenant's offer exceeds or is below any other offers." Following execution of the lease, the executive is authorized to take all actions necessary to implement the terms of the lease and take all actions necessary to implement the terms of the lease.

SECTION 4. The county council finds as a fact and declares that an emergency exists and that this ordinance and execution of the attached agreement is necessary for the immediate preservation of public peace, health or safety or for the support of county government and its existing public institutions.