



Legislation Text

File #: 2015-0423, **Version:** 2

AN ORDINANCE authorizing the conveyance of the surplus 191-acre Tall Chief property located at 1313 West Snoqualmie River Road Southeast, Fall City, in council district three.

STATEMENT OF FACTS:

1. The 191-acre Tall Chief property located at 1313 West Snoqualmie River Road Southeast, Fall City, Washington, located within council district three, operated as a golf course from approximately 1950 through 2012 and was purchased by the water and land resources division of the department of natural resources and parks on December 17, 2013.
2. The water and land resources division of the department of natural resources and parks declared the 191-acre Tall Chief property surplus to its needs on March 23, 2015.
3. The facilities management division offered the property to other county agencies on March 25, 2015, and received no interest.
4. The facilities management division declared the property surplus to the current and future foreseeable needs of the county on May 7, 2015.
5. The facilities management division found the property unsuitable for affordable housing development on April 30, 2015.
6. The property was marketed in the following manner: the county issued a request for proposals and entered a negotiated direct sale with the entity that was selected. Information on the selection and evaluation process is included in the property summary on file with the clerk of the King County council.

7. The county received one proposal to purchase the entire property and accepted a purchase price of \$720,000 on September 9, 2015, subject to an agricultural conservation easement in favor of the county.

8. The county received two additional proposals, one from Seattle Tilth and the other from Kou Oh and Fong Cha, neither of which proposed to purchase the entire property.

9. The net proceeds from the sale of the property will be deposited into the conservation futures fund with the intention to apply it to the purchase of additional agricultural properties within Snoqualmie Valley consistent with the memoranda of understanding with Seattle Tilth and Kou Oh.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings: The sale of the Tall Chief property through a negotiated direct sale is authorized under K.C.C. 4.56.100.A.2. because unique circumstances make the sale in the best interests of the public. Unique circumstances are present because the county marketed the property through issuance of a request for proposals and received only one proposal for purchase for the entire property. Further, that proposal was the highest ranked submittal under the evaluation criteria and best served the county's goals for returning the property to farming.

SECTION 2. A. The executive is not authorized to convey the Tall Chief property to the Keller Family Dairy, LLC until the executive and the Keller Family Dairy, LLC execute amendments to the purchase and sale agreement as set forth in this section. Once purchase and sale agreement amendments that fulfill the requirements of this section are executed, the executive is authorized to convey the Tall Chief property to the Keller Family Dairy, LLC, consistent with a purchase and sale agreement, which is Attachment A to this ordinance, as modified by the requirements of this section. The executive may then take all actions necessary to implement the terms of the purchase and sale agreement as amended.

B. An amendment to the purchase and sale agreement shall require as a condition of closing the

execution of the memorandum of agreement substantially in the form of Attachment B to this ordinance, except that prior to executing the memorandum of agreement a provision must be added to it to require that the handling of animals on the Protected Property shall, at a minimum, be conducted in a manner consistent with best management practices as outlined in the current FARM Animal Care Reference Manual of the National Dairy FARM Program. The memorandum of agreement, including the revision required by this subsection, shall become an exhibit and be incorporated into the purchase and sale agreement.

C. An amendment to the purchase and sale agreement shall delete Exhibit B of the purchase and sale agreement, which is Attachment A to this ordinance, and replace it with a revised Exhibit B in substantially the form of Attachment C to this ordinance, except that prior to the executive and the Keller Family Dairy, LLC executing the revised Exhibit B, it shall be further modified to require that sections 6, 7 and 8 be revised to require that all dwelling units allowed under sections 6, 7 and 8 of the conservation easement be located in an area that satisfies the provisions of K.C.C 21A.37.050 or its successor. However, if the land use designation and zoning on the property changes to agriculture, then no clustering for development of dwelling units shall be required.