

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF ISLAND COUNTY, WASHINGTON

AMENDMENT TO LEASING
PROVISIONS OF THE ISLAND
COUNTY COMPREHENSIVE
PROCEDURES FOR SALE OR LEASE
OF SURPLUS COUNTY PROPERTY

ORDINANCE NO. C- *11* -09

WHEREAS, on April 11, 1994, the Board of County Commissioners adopted Ordinance No. C-11-94, codified as Chapter 2.31 ICC, establishing comprehensive procedures for the sale or lease of surplus county-owned property;

WHEREAS, leases of county-owned real property are generally required to be made with the highest bidder after a public auction process;

WHEREAS, the only exception to the lease-to-the-highest-bidder after a public auction requirement is when the property is designated to be utilized for a specific service to the county and the lease is with the service provider;

WHEREAS, the lease-to-the-highest-bidder after a public auction requirement precludes the county from leasing property to other government agencies in need of leased space unless the government agency wishes to enter into a public auction and is the highest bidder;

WHEREAS, it is advisable to allow leases to governmental agencies to be made on a private negotiation basis rather than only through a public auction process; NOW, THEREFORE,

IT IS HEREBY ORDAINED that ICC 2.31.160 and 2.31.170 are amended as set forth on attached Exhibit "A." Lined through material is deleted and underlined material is added.

REVIEWED this 22 day of JUNE, 2009 and set for public hearing on the 6 day of JULY, 2009 at 10:30 a.m.



ATTEST:

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON


John Dean, Chairman

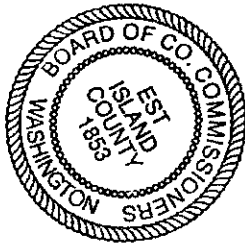

Helen Price Johnson, Member


Elaine Marlow
Clerk of the Board


Angie Homola, Member

ADOPTED this 6 day of JULY, 2009 following public hearing.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON



John Dean
John Dean, Chairman

EXCUSED
Helen Price Johnson, Member

Angie Homola
Angie Homola, Member

ATTEST:

Elaine Marlow
Elaine Marlow
Clerk of the Board

APPROVED AS TO FORM:

David L. Jamieson, Jr.
David L. Jamieson, Jr.
Deputy Prosecuting Attorney and
Island County Code Reviser



Exhibit "A"

2.31.160 Authority to Enter into Private Negotiations for Lease of County Property

The Board may enter into private negotiations for the lease of real property as follows:

A. In the event that the County owns real property that has been designated to be utilized for a specific service to the County, the Board may enter into private negotiations with the service provider(s) for lease of the property; and

B. When leasing to another government agency.

2.31.170 Terms for Privately Negotiated Leases

A. In the case of a privately negotiated lease the term of the lease shall be the same as the length of the contract with the service provider, except, that in no case shall a lease be for a term exceeding five (5) years. In the event that a contract with a service provider is cancelled prior to the expiration of their contract the subject lease will also be cancelled.

B. In the case of a privately negotiated lease with another government agency the term of the lease shall not exceed ten (10) years.

