

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6188

AN ORDINANCE amending the Bellevue City Code Chapter 4.30 Real Property Acquisition and Leasing to increase consistency throughout the Bellevue City Code and promote efficient operations; and establishing an effective date.

WHEREAS, the City's property acquisition and leasing practices are subject to state law, the Bellevue City Code, and City policies; and

WHEREAS, Revised Code of Washington, Chapter 35.21.500, provides for codification of city ordinances;

WHEREAS, Bellevue City Code Chapter 4.30 Real Property Acquisition and Leasing (Chapter 4.30) has not been significantly updated since the 1990s; and

WHEREAS, the proposed changes to Chapter 4.30 will increase consistency throughout the Bellevue City Code; and

WHEREAS, the proposed changes to Chapter 4.30 and will promote efficient operations in the acquisition and leasing of real property; and

WHEREAS, the proposed changes to Chapter 4.30 are consistent with state law; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 4.30 Real Property Acquisition and Leasing of the Bellevue City Code is hereby amended as set forth in full as follows:

4.30 Real Property Acquisition and Leasing

Sections

4.30.010 Real property – Manager's acquisition authority.

4.30.020 Real property – Manager's Leasing authority.

4.30.010 Real property – Manager's acquisition authority.

A. The city manager or his designee is authorized, in the following instances, to accept by gift or acquire dedications, easements, rights-of-way, fee estates or other interests in real property for use by or on behalf of the city or any department of the city:

1. Minor Acquisitions. Any such acquisition where the purchase price is less than \$25,000;

2. Approved Projects. Any such acquisition which is part of an approved and funded project included in the city's capital improvement plan or a local improvement district ordered by the council; provided, that the cost of the property is less than \$90,000 and does not exceed by more than 10 percent the fair market value of the property as determined by the city's appraiser or review appraiser.

B. All other real property acquisitions not authorized in advance will be submitted to the council for approval. (Ord. 5012 § 1, 1997; Ord. 4002 § 2, 1989.)

4.30.020 Real property – Manager's Leasing authority.

A. The city manager or his designee is authorized to execute leases of real property on behalf of the city where the term of the lease does not exceed two years and the consideration does not exceed \$90,000 per year.

B. A lease that exceeds the limits stated in subsection A of this section, or one where city property is leased for less than fair market rent, will be submitted to the council for approval. (Ord. 4315 § 1, 1991.)

4.28.250 Application of State Law. The city shall abide by all state and federal laws applicable to this chapter and shall have all powers relating to this chapter available under state and federal law even if not specifically enumerated herein. Where provisions of the Revised Code of Washington (RCW) are adopted or incorporated by reference in this chapter, the adoption or incorporation shall be deemed to refer to the provision as it now exists or as it may be hereafter amended.

Section 2. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

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Section 3. This ordinance shall take effect and be in force thirty (30) days after passage and legal publication.

Passed by the City Council this 3rd day of November, 2014 and signed in authentication of its passage this 3rd day of November, 2014.

(SEAL)



Claudia Balducci, Mayor

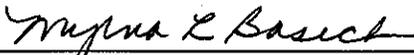
Approved as to form:

Lori M. Riordan, City Attorney



Darcie Durr, Assistant City Attorney

Attest:



Myrna L. Basich, City Clerk

Published November 6, 2014,