ORDINANCE NO. 2633

AN ORDINANCE of the City of Kent, Washington relating to the fire service; authorizing negotiations for leasehold acquisition; authorizing the Mayor to execute a lease; declaring an emergency therefore; waiving conditional use requirements of the Kent City Code and Public Works and other bid requirements required by law; all as related to the temporary location of Kent Fire Station No. 76.

WHEREAS, on December 17, 1985, the City Council of the City of Kent, Washington authorized a call for bids in order to enter into an agreement with a qualified owner/developer who would construct a fire station for the use of the Kent Fire Department, which would be leased to the City of Kent, with option to purchase; and

WHEREAS, bid specification were prepared; and

WHEREAS, bids were opened on January 15, 1986, and on January 21, 1986, the low responsive bidder was declared, by the City Council, to be Corporate Property Investors; and

WHEREAS, a lease/purchase agreement was drafted and reviewed by the City staff as to legality and form; and

WHEREAS, on April 7, 1986, the City Council enacted Ordinance No. 2621 entitled:

AN ORDINANCE of the City Council of the City of Kent, Washington relating to a lease/purchase agreement with Corporate Property Investors.

and

WHEREAS, the Planning Department had scheduled conditional use permit hearings before the Hearing Examiner; and

WHEREAS, environmental review had been conducted and county, state and federal regulatory agencies had been contacted; and
WHEREAS, shortly before the conditional use hearings, it was determined that the location for Station 76 was within the area designated as the superfund site for the Western Processing cleanup; and

WHEREAS, such a determination had not previously been made known to the Planning Department; and

WHEREAS, it is unfeasible to proceed with the lease/purchase agreement with Corporate Property Investors, and the construction and occupation of Station 76 as contemplated therein; and

WHEREAS, the City has a critical need to provide for fire suppression and fire code enforcement activities within the growing industrial area of the City of Kent; and

WHEREAS, the City of Kent has an automatic aid agreement with the City of Tukwila; and

WHEREAS, the current existing Station 76 does not provide suitable space for existing equipment; and

WHEREAS, it is necessary to provide for facility acquisition prior to the winter of 1986; and

WHEREAS, the City Council hereby declares an emergency for purposes of locating a temporary facility for Kent Fire Station No. 76; NOW THEREFORE

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The City Council finds and hereby adopts those recitals, set forth above, as the findings of the City of Kent.

Section 2. An emergency is declared for purposes of siting and leasing of necessary facilities for the temporary location of Fire Station 76. Conditional use permit requirements of the Kent City Code, and bid and lease requirements of law, are hereby waived in light of this emergency.
Section 3. The Fire Department is authorized to negotiate for lease space for the temporary location of Station No. 76. The Mayor is hereby authorized to execute the necessary lease agreements on behalf of the City of Kent for purposes of location of Fire Station 76. The form of such lease agreement shall be reviewed and approved by the City Attorney prior to execution.

Section 4. The Fire Department shall consult with the Public Works and the Planning Departments, in addition to the Building Division, to assure that the leased premises, and the Fire Department's occupation thereof, meets all applicable codes.

Section 5. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

Section 6. Effective Date. This ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as provided by law.

DAN KELLEHER, MAYOR

ATTEST:

BRENDA JACOBER, DEPUTY CITY CLERK

APPROVED AS TO FORM:

P. STEPHEN DIJULIO, CITY ATTORNEY

PASSED the 19 day of May, 1986.
APPROVED the 20 day of May, 1986.
PUBLISHED the 23 day of May, 1986.

I hereby certify that this is a true copy of Ordinance No. 2633, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

BRENDA JACOBER, DEPUTY CITY CLERK

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