

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6858

AN ORDINANCE to amend BCC 4.32.070 to allow the City to dispose of surplus personal property originally acquired for public utility purposes without a resolution or hearing, provided the surplus property to be disposed has an estimated value of fifty thousand dollars or less; to provide for severability; and to establish an effective date.

WHEREAS, in 2014, the City Council adopted Ordinance 6189, which established certain criteria for the sale or disposition of real and personal property originally acquired for public utility purposes consistent with the Revised Code of Washington (RCW) 35.94.040;

WHEREAS, the criteria for the sale or disposition of real and personal property originally acquired for public utility purposes is codified at BCC 4.32.070 and requires, regardless of the property's value, (1) a resolution declaring such property to be surplus to the city's needs and no longer required for public utility service; and (2) a second resolution, after a public hearing, authorizing the sale or disposition of such property;

WHEREAS, in 2020, the Washington State Legislature amended RCW 35.94.040 to remove the resolution and hearing requirements for the sale or disposition of certain surplus personal property acquired for public utility purposes when the property to be disposed has an estimated value of fifty thousand dollars or less;

WHEREAS, there is limited space available to the Utilities Department to store surplus and unused personal property and equipment, which space is nearly at capacity;

WHEREAS, by removing the resolution and hearing obligations, consistent with state law, the Utilities Department will realize increased efficiencies when disposing and selling personal property with a value less than \$50,000, and the Department will relax the burden on the limited space being used to surplus and unused equipment inventories;

WHEREAS, the Utilities Department will remain subject to a robust system of checks and balances when disposing of surplus property under BCC 4.32.010, BCC 4.32.020, BCC 4.32.030, and BCC 4.32.070; and

WHEREAS, the City Council finds it is in the public interest if the City and its Utilities Department has increased flexibility to sell or dispose of property originally acquired for public utility purposes, surplus to the city's needs, valued at less than \$50,000, and no longer required to provide continued utility service consistent with current state law; now, therefore,

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

Section 1. BCC 4.32.070 is hereby retitled to read as follows:

4.32.070 Sale or disposition of real property of any value, or personal property
in excess of \$50,000, originally acquired for public utility purposes.

Section 2. BCC 4.32.070 is hereby amended to read as follows:

Whenever the city shall determine, by council resolution, that any real property originally acquired for public utility purposes, or personal property with an estimated value greater than fifty thousand dollars and originally acquired for public utility purposes, is surplus to the city's needs and is not required for providing continued public utility service, then the council by resolution and after a public hearing may cause such property to be sold, leased, or conveyed. Such resolution shall state the fair market value and other terms and conditions for such disposition as the council deems to be in the best public interest.

Section 3. Should any provision of this ordinance or its application to any person or circumstance be held invalid, the remainder of the ordinance or the application or the provision to other person or circumstance shall not be affected.

Section 4. This ordinance shall take effect and be in force thirty (30) days after its passage and legal publication.

Passed by the City Council this _____ day of _____, 2025 and signed in authentication of its passage this _____ day of _____, 2025.

(SEAL)

Lynne Robinson, Mayor

Approved as to form:
Trisna Tanus, City Attorney

Brian Wendt, Assistant City Attorney

Attest:

Charmaine Arredondo, City Clerk

Published _____