

SENATE BILL REPORT

SB 5047

As of January 19, 2009

Title: An act relating to the sale, lease, or conveyance of municipal property in commercial areas to private parties for free public parking facilities in cities with populations over three hundred thousand.

Brief Description: Repealing provisions addressing the sale, lease, or conveyance of municipal property in commercial areas to private parties for free public parking facilities in cities with populations over three hundred thousand.

Sponsors: Senators McDermott, Murray, Kline and Oemig.

Brief History:

Committee Activity: Government Operations & Elections: 1/19/09.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Staff: Aaron Gutierrez (786-7448)

Background: Under RCW Chapter 35.87, any city with a population over 300,000 (municipality) may sell, lease, or convey any real property, located in an area zoned for retail business, to any private corporation for the development and maintenance of free public parking facilities. A municipality may not charge an amount that is in excess of the fair market value of such property. Upon the sale, lease, or conveyance, the municipality retains a lawful interest in the property such that if the property is no longer used as a free public parking facility, then the property will revert back to the municipality.

Prior to the sale, lease, or conveyance, a municipality must publish notice of its intention to dispose of the property along with its description. The notice must be conspicuously placed on the property and published in the respective county's newspaper for 15 days prior to the disposition. The notice must offer a first right of purchase or lease to any private corporation established to develop and maintain free public parking facilities. The private corporation must agree to dedicate such property for free public parking. A dedication is a donation of land or creation of an easement for public use. The notice requirements and condition of dedication does not apply to property sold, leased, or conveyed to the federal government or its agencies; the state or any agency, county, city or town; or other political subdivision of this state.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill: Provisions governing the conveyance of land by cities with a population over 300,000 to private parties for free public parking facilities are repealed. Municipalities do not need to offer a first right of refusal to private corporations to be used or developed for free parking facilities.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: If the city wanted to sell Key Tower, it would first have to offer it for sale as free public parking. This bill does not preclude the city from selling property for use as free public parking, but no one has ever tried to purchase property for use as free public parking.

Persons Testifying: PRO: David Foster, City of Seattle.