

**City of Oak Harbor
City Council Agenda Bill**

Bill No. 6.a
Date: December 15, 2015
Subject: Resolution 15-42: Change in
Property Disposition for the
Clean Water Facility

FROM: Steve Powers, Development Services Director

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:

- Scott Dudley, Mayor
- Doug Merriman, City Administrator/Finance Director
- Nikki Esparza, City Attorney, as to form

RECOMMENDED ACTION

Adopt Resolution No. 15-42

BACKGROUND / SUMMARY INFORMATION

This agenda bill presents a resolution required under Oak Harbor Municipal Code (OHMC) Chapter 1.30, Sale or Exchange of Real Property, providing City Council authorization for the change in disposition of a 1.66 acre portion of City property for the siting of the clean water facility.

Under OHMC Chapter 1.30, no real property of the City shall be sold, released, leased, demised, traded, exchanged or otherwise disposed of unless the same is authorized by the City Council. OHMC 1.30.010(2) allows for disposition of park property when the City Council determines that some portion of the developed park property is required to accomplish a necessary public purpose including, but not limited to, water, sewer or roadway improvements.

The majority of this property currently contains the wastewater treatment facility and is proposed to be encompassed within the footprint of the new clean water facility. The property use is, and will continue to be, sewer-related but it is technically considered general fund property. A transfer to the sewer fund will establish consistency with the physical use of the property. The requirement for the separation of funds was nonexistent at the time of the original wastewater plant construction (1954).

Exhibit 1 identifies that portion of City property subject to the disposition. Resolution No. 15-42 (Attachment 2) authorizes the change from the General Fund to the Sewer Fund.

A SEPA analysis of the proposed change in property disposition is required by OHMC 1.30.010(4). The required analysis was completed; no environmental impacts were identified as a result of the change in fund ownership.

An appraisal of the subject property is currently underway and the general fund will be compensated by

the sewer fund upon determination of fair market value.

Upon City Council approval of Resolution No. 15-42, the boundary line adjustment, necessary to establish a single parcel for the facility footprint, will be reviewed and processed administratively through the Development Services Department.

LEGAL AUTHORITY

FISCAL IMPACT

PREVIOUS COUNCIL / BOARD / CITIZEN INPUT

ATTACHMENTS

1. [Exhibit 1](#)
2. [Resolution No. 1542](#)



Subject Property

RESOLUTION NO. 15-42
CITY OF OAK HARBOR

**A RESOLUTION AUTHORIZING THE CHANGE IN DISPOSITION OF A 1.66 ACRE
PORTION OF CITY PROPERTY FOR THE SITING OF THE CLEAN WATER
FACILITY**

WHEREAS, under Oak Harbor Municipal Code (OHMC) Chapter 1.30, no real property of the city shall be sold, released, leased, demised, traded, exchanged or otherwise disposed of unless the same is authorized by the City Council after public hearing; and,

WHEREAS, pursuant to OHMC 1.30.01(1) the City Council held a legally noticed public hearing on December 15, 2015 to receive public comment on the transfer of disposition of a 1.66 acre portion of City property; and,

WHEREAS, the subject 1.66 acre city property is the location for the existing wastewater treatment facility and is included in the proposed location of the new clean water facility; and,

WHEREAS, the subject property is identified as Parcel A on Exhibit 1; and,

WHEREAS, no citizen approval at an election is required when the City Council determines that some portion of the developed park property is required to accomplish a necessary public purpose including, but not limited to, water, sewer or roadway improvements; and,

WHEREAS, the requirement for the separation of funds was nonexistent at the time of the original wastewater plant construction; and,

WHEREAS, the existing and proposed property uses are sewer-related, however, the current disposition of the property is within the general fund; and,

WHEREAS, a transfer of disposition from the general fund to the sewer fund will establish consistency with the physical development of the property; and,

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Oak Harbor that the 1.66 acre parcel identified on Exhibit 1 is hereby transferred from the general fund into the sewer fund.

PASSED by the City Council and approved by its Mayor this 15th day of December, 2015.

CITY OF OAK HARBOR

SCOTT DUDLEY, MAYOR

Attest:

Approved as to form:

Anna Thompson, City Clerk

Nikki Esparza, City Attorney