

CHAPTER 302.

[H. B. 68.]

CITIES—OFF-STREET PARKING.

AN ACT authorizing cities of the first, second, and third classes to acquire, operate, and maintain off-street parking facilities.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Cities of the first, of less than eight hundred thousand, second, and third classes are authorized to provide off-street parking space and facilities for motor vehicles, and the use of real property for such purpose is declared to be a public use.

Off-street
parking,
public
purpose.

SEC. 2. In order to provide for off-street parking space and/or facilities, such cities are authorized, in addition to their powers for financing public improvements, to finance their acquisition through the issuance and sale of revenue bonds. Any bonds issued by such cities pursuant to this section shall be issued in the manner and within the limitations prescribed by the Constitution and the laws of this state. In addition local improvement districts may be created and their financing procedures used for this purpose in accordance with the provisions of Title 35. In addition, local improvement districts may be created for this purpose in accordance with the procedure for establishing local improvement districts under Title 35, as hereafter amended. Such cities may finance the initial economic and physical surveys and plans for off-street parking, and the maintenance and management of such off-street parking spaces and facilities within their general budget.

Revenue
bonds, im-
provement
districts,
authorized.

SEC. 3. Such cities are authorized to obtain by lease, purchase, donation and/or gift, or by eminent domain in the manner provided by law for the exer-

Property
obtained,
disposed of,
by ordinance.

cise of this power by cities, such real property for off-street parking as the legislative bodies thereof determine to be necessary by ordinance. Such property may be sold, transferred, exchanged, leased, or otherwise disposed of by the city, when its legislative body has determined by ordinance such property is no longer necessary for off-street parking purposes.

Operating
method, by
ordinance—
Limitation,
bids for pri-
vate operation

SEC. 4. Such cities are authorized to establish the method of operation of off-street parking space and/or facilities by ordinance, which may include leasing or municipal operation: *Provided, however,* That no city with a population of more than one hundred thousand shall operate any such off-street parking space and/or facilities until after it has called for sealed bids from responsible, experienced, private operators of such facilities for the operation thereof. The call for bids shall specify the terms and conditions under which the facility will be leased for private operation and shall specify a minimum rental upon which such a lease will be made by the city. The minimum rental may be on a weekly or monthly flat fee basis or may be based upon a weekly or monthly percentage of gross income, but it shall in any event be sufficient to cover all of the city's costs in acquiring and/or constructing or improving the facility to be leased, including interest charges, debt retirement, and payment in lieu of the taxes lost by removal of the property from the tax rolls. The call for bids shall specify the time and place at which the bids will be received and the time when the same will be opened, and such call shall be advertised once a week for two successive weeks before the time fixed for the filing of bids in a newspaper of general circulation in the city. The competitive bid requirements of this section shall not apply in any case where such a city shall grant a long-term negotiated lease of any

such facility to a private operator on the condition that the tenant-operator shall construct a substantial portion of the facility or the improvements thereto, which construction and/or improvements shall become the property of the city on expiration of the lease. If no bid is received for the operation of such an off-street parking facility, or if none of the bids received meet the minimum rental specified, the legislative body of the city may reject all bids, in the latter case, and in both situations may readvertise the facility for lease or may operate the facility itself. If the city elects to operate the parking facility itself, it shall at least once in every three years again readvertise for bids in the same manner as provided above.

SEC. 5. In the establishment of off-street parking space and/or facilities, cities shall proceed with the development of the plan therefor by making such economic and physical surveys as are necessary, shall prepare comprehensive plans therefor, and shall hold a public hearing thereon prior to the adoption of any ordinances relating to the leasing or acquisition of property and providing for the financing thereof for this purpose.

Surveys
prior to
ordinance.

SEC. 6. The lease referred to in section 4 shall specify a schedule of maximum parking fees which the operator may charge. This maximum parking fee schedule may be modified from time to time by agreement of the city and the operator.

Fee schedule
in lease—
Modification
of.

SEC. 7. Such cities and/or their lessees shall pay to the county treasurer and to the state treasurer moneys in lieu of real property taxes equal to the amounts which would be paid upon real property condemned pursuant to this act were it in private ownership.

Moneys in
lieu of taxes
paid.

SEC. 8. If any provision of this act, or its application to any person or circumstance is held invalid,

Severability.

the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

Act controls.

SEC. 9. Insofar as the provisions of this act are inconsistent with the provisions of any other law, the provisions of this act shall be controlling.

Passed the House February 19, 1959.

Passed the Senate March 8, 1959.

Approved by the Governor March 24, 1959.

CHAPTER 303.

[H. B. 53.]

IRRIGATION DISTRICTS—CONDEMNATION OF LANDS.

AN ACT relating to condemnation of land in irrigation districts and adding two new sections to chapter 87.01 RCW.

Be it enacted by the Legislature of the State of Washington:

New section.

SECTION 1. There is added to chapter 87.01 RCW a new section to read as follows:

Department to pay assessment to irrigation district—Computation

Whenever lands situated in an irrigation district are acquired by the state department of highways, and such lands, at the time of their acquisition by the state department of highways, were irrigable and were being served or were capable of being served by facilities of the district to the same extent and in the same manner as lands of like character held under private ownership were served, the state department of highways, as part of the cost and expense of the acquisition of rights-of-way and with funds available for such acquisition and at the time of such acquisition, shall make a lump sum payment to the irrigation district in an amount:

(1) Sufficient to pay the pro rata share of the district's bonded indebtedness, if any, and the pro