

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Consideration of Resolution No. 277 Supporting Ballot Proposition No. 1 "Proposed Annexation to Ronald Wastewater District"
DEPARTMENT:	Public Works
PRESENTED BY:	Mark Relph, Public Works Director

PROBLEM/ISSUE STATEMENT:

Currently, the Ronald Wastewater District (District) provides wastewater services to most of the residences and businesses within the City of Shoreline. However, a large segment of the District's service area has not been formally annexed and the ratepayers within that area do not have a vote in elections for the Board of Commissioners nor can they run for the office of Commissioner of the District. On August 19, 2008, ratepayers within the proposed annexation area will have the opportunity to approve annexation. If approved, the ratepayers will have the same rights as all other ratepayers within the District, including voting rights.

BACKGROUND

In 2001, the District acquired sewer facilities from Seattle Public Utilities. The annexation area proposed in Proposition No. 1 is co-terminus with the service area acquired from Seattle. The proposed annexation area encompasses approximately 4.2 square miles of the City and includes approximately 19,200 residents, 10 schools, and 300 businesses. The borders of the annexation area are roughly NE 195th Street to the north, Aurora Avenue N to the west, NE 145th Street to the south, and 30th Avenue NE to the east.

Under state law adopted in 2007, if a proposed annexation area for acquired sewer facilities is located within a city, the district must enter into an agreement with that city for district to seek annexation of the proposed territory. The City of Shoreline and the District agreed in an Interlocal Operating Agreement executed in 2002 that the District would exercise its legislative authority to seek annexation of those areas not within the District's corporate boundaries, which includes the area acquired from Seattle.

PUBLIC MEETING FORMAT

The King County Council held a public hearing on the annexation on May 19, 2008 and approved a special election on August 19, 2008 for the annexation proposition. State law prohibits local government and elected officials and employees from using any public resources to directly or indirectly promote any ballot proposition. However, this law allows an exception for action taken at an open public meeting by members of an elected legislative body such as the Council to express a collective decision to support or oppose a ballot proposition so long as "(a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the

legislative body, members of the board, council, or commission of the special purpose district, or members of the public are afforded an approximately equal opportunity for the expression of an opposing view." RCW 42.17.130. Although the City agreed to the District's annexation in our 2002 interlocal agreement, since the annexation is now a ballot title, the procedures for a fair forum should be used prior to Council statement of support for the proposition. The agenda announcing proposed Resolution No. 277 complies with this statute.

RECOMMENDATION

Staff recommends that Council adopt Resolution No. 277 supporting the District's annexation of the area within the annexation boundary.

Approved By: City Manager  City Attorney ____

Attachment:

Resolution No. 277

2 Maps of Annexation Area

Ronald Wastewater District Resolution 07-27

RESOLUTION NO. 277

**A RESOLUTION OF THE CITY OF SHORELINE,
WASHINGTON, IN SUPPORT OF THE RONALD WASTEWATER
DISTRICT'S ANNEXATION AREA PLAN**

WHEREAS, Ronald Wastewater District acquired sewer facilities from the City of Seattle on October 1, 2001; and

WHEREAS, RCW 57.24.230 provides, "If a district acquires either water facilities or sewer facilities, or both from a city, and the district and the city within which the facilities are located enter into an agreement stating that the district will seek annexation of territory within that city, the district commissioners may initiate a process for the annexation of such territory."; and

WHEREAS, the District and the City of Shoreline agreed in an Interlocal Operating Agreement dated October 22, 2002 that "the District shall exercise its legislative authority to seek annexation of those areas which it serves which are not yet within its corporate boundaries"; and

WHEREAS, the boundaries of the "Ronald Annexation Area," set forth on the attached map (Attachment "A"), were submitted to the King County Council for a public hearing as required by law and the County Council approved the annexation proposal on May 19, 2008 for a special election to be held on August 19, 2008; and

WHEREAS, the City Council believes that it is in the best interests of the District, the residents, and the property owners within the "Ronald Annexation Area" to be annexed into the District; and

WHEREAS, the City Council believes that the District's annexation will afford residents and property owners in the annexation area the right to vote in elections for the Board of Commissioners and to run for the office of Commissioner of the District.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF
THE CITY OF SHORELINE, WASHINGTON AS FOLLOWS:**

Section 1. The Mayor and City Council of the City of Shoreline hereby express their support for and encourages approval of the Ronald Wastewater District's Annexation plan, which will be presented to the voters on August 19, 2008.

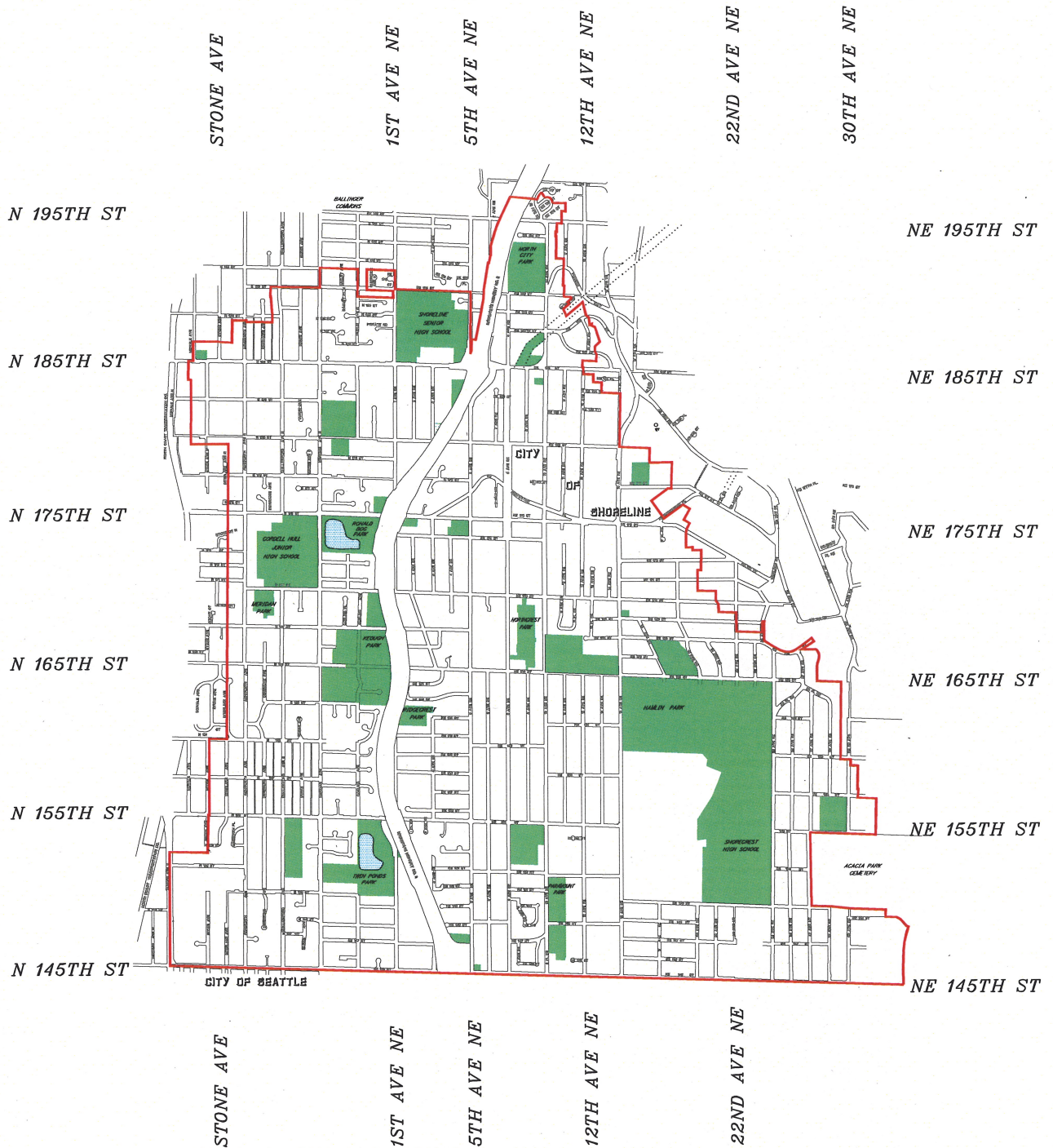
ADOPTED BY THE CITY COUNCIL ON JUNE 9, 2008.

Mayor Cindy Ryu

ATTEST:

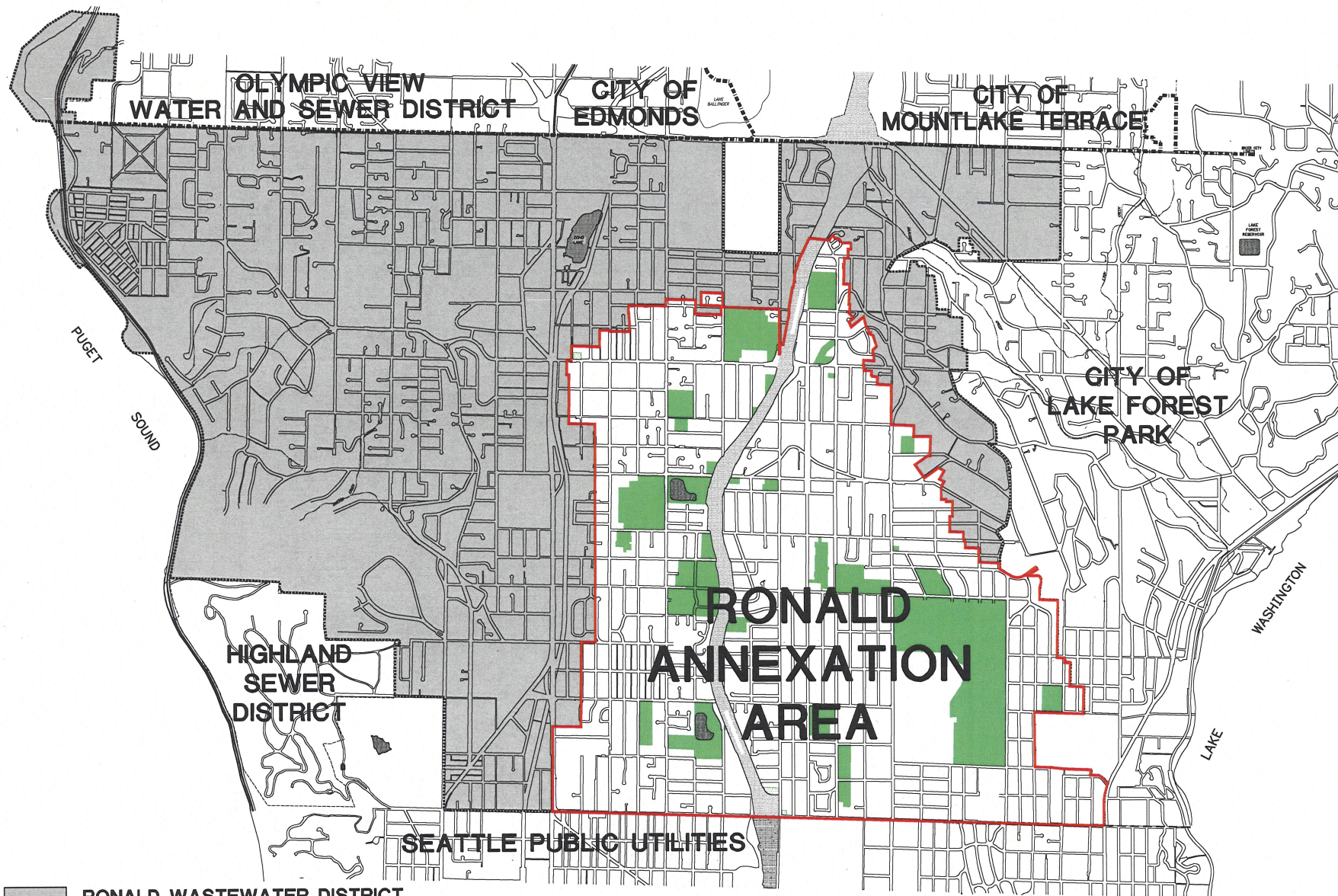
Scott Passey
City Clerk

RONALD ANNEXATION AREA GIVING EVERYONE THE RIGHT TO VOTE



 PARKS, SCHOOLS
AND OPEN SPACES





- RONALD WASTEWATER DISTRICT
- PARKS, SCHOOLS AND OPEN SPACES

RONALD WASTEWATER DISTRICT
A Special Purpose District Governed by RCW Title 57

Resolution 07-27

**A Resolution of the Board of Commissioners of Ronald Wastewater District
Initiating the Process for Annexation by Calling for the Question of Annexation to
be Submitted to the Voters of the "Ronald Annexation Area."**

WHEREAS, Ronald Wastewater District acquired sewer facilities from the City of Seattle on 1 October 2001 ; and

WHEREAS, the District and the City of Shoreline agreed in an Interlocal Operating Agreement dated 22nd October 2002 that "the District shall exercise its legislative authority to seek annexation of those areas which it serves which are not yet within its corporate boundaries"; and

WHEREAS, the District and the City of Shoreline agreed in an Interlocal Operating Agreement dated 22nd October 2002 that "the City shall promote, cooperate with, and use its best efforts to assist the District in the annexation process"; and

WHEREAS, the Washington State Legislature did during its 2007 regular session adopt Substitute Senate Bill 5231 which adds sections 57.24.230, 57.24.240, 57.24.250, and 57.24.260 to Title 57.24 RCW; and

WHEREAS, section 57.24.230 provides, "If a district acquires either water facilities or sewer facilities, or both from a city, and the district and the city within which the facilities are located enter into an agreement stating that the district will seek annexation of territory within that city, the district commissioners may initiate a process for the annexation of such territory."; and

WHEREAS, the "Ronald Annexation Area" is an area which meets the statutory criteria set forth in sections 57.24.230, 57.24.240, 57.24.250, and 57.24.260 of RCW 57.24; and

WHEREAS, the boundaries of the "Ronald Annexation Area" are set forth on the attached map (Exhibit "A") and the attached legal description (Exhibit "B"); and

WHEREAS, the District believes that it is in the best interests of the District, the residents, and the property owners with the "Ronald Annexation Area" to be annexed into the District; and

WHEREAS, the Commissioners of the District believe that annexing into the District will afford such residents and property owners the right to vote in elections for the Board of Commissioners and to run for the office of Commissioner of the District. Now, therefore,

BE IT RESOLVED, that the Board of Commissioners, King County, Washington is initiating the process of annexation and calling for the question of annexation to be submitted to the voters of the "Ronald Annexation Area" pursuant to RCW Title 57.24.230, 57.24.240, 57.24.250, and 57.24.260.

BE IF FURTHER RESOLVED, that the "Ronald Annexation Area" is set forth in Exhibit "A" and legally described in Exhibit "B".

ADOPTED by the Board of Commissioners of Ronald Wastewater District on September 25, 2007.

ATTEST

President/Commissioner

Secretary/Commissioner

Vice-President/Commissioner

I, the undersigned Secretary of the Board of Commissioners of Ronald Wastewater District, a municipal corporation of King County, Washington, CERTIFY that the preceding document is a true and correct copy of **Resolution 07-27** of the Board, duly adopted on Tuesday, September 25, 2007, at its regular meeting.

Secretary/Commissioner