



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

March 7, 2005

Motion 12084

Proposed No. 2005-0043.1

Sponsors Edmonds

1 A MOTION relating to the appointment of a commissioner
2 to fill an unexpired term on the King County Drainage
3 District No. 1.
4
5

6 WHEREAS, King County Drainage District No. 1 is responsible to undertake
7 drainage control, storm water control and surface water control activities, including
8 acquisition and maintenance of drains, ditches, canals, nonsanitary sewers, pumps and
9 other works and appliances, machinery and equipment, and

10 WHEREAS, the jurisdiction of Drainage District No. 1 is bounded by Willis
11 Street in the city of Kent; the Green river; 88th Ave. S., and SW 16th Street in the city of
12 Renton, and

13 WHEREAS, Drainage District No. 1 is governed by a three-member board of
14 commissioners, each of whom must be a "qualified voter of the special district" as
15 provided by RCW 85.38.010(3), and

16 WHEREAS, RCW 85.38.070 provides that, "Whenever a vacancy occurs in the
17 governing body of a special district, the legislative authority of the county within which

18 the special district . . . is located, shall appoint a district voter to serve until a person is
19 elected, at the next special district general election . . . to serve the remainder of the
20 unexpired term," and

21 WHEREAS, a vacancy has occurred on the board of commissioners, and Mr.
22 Brian Pounder, has been recommended to fill the unexpired term until the next general
23 election for the district, and

24 WHEREAS, Mr. Pounder appears to meet the qualifications to serve as a member
25 of the board of commissioners of King County Drainage District No. 1;

26 NOW, THEREFORE, BE IT MOVED by the Council of King County:

27 Mr. Brian Pounder is hereby appointed to serve the unexpired term on the

Motion 12084

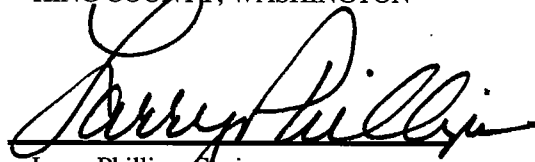
28 governing body of the King County Drainage District No. 1 until a person is elected at
29 the next appropriate special district general election.

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Motion 12084 was introduced on 1/31/2005 and passed by the Metropolitan King County Council on 3/7/2005, by the following vote:

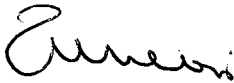
Yes: 12 - Mr. Phillips, Ms. Edmonds, Mr. von Reichbauer, Ms. Lambert, Mr. Pelz, Mr. Dunn, Mr. Ferguson, Mr. Hammond, Mr. Gossett, Ms. Hague, Mr. Irons and Mr. Constantine
No: 0
Excused: 1 - Ms. Patterson

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



Larry Phillips, Chair

ATTEST:



Anne Noris, Clerk of the Council

Attachments A. November 1, 2004 Statement of Interest from Brian Pounder, B. December 6, 2004 Background Summary Letter related to District Board

12084

ATTACHMENT A



**Regency
Group, Inc.**
Commercial Real Estate

2005-043

RECEIVED
CURRAN MENDOZA P.S.

NOV 08 2004
AM 7,8,9,10,11,12,1,2,3,4,5,6 PM

November 1, 2004

John M. Casey
Curran Mendoza
555 West Smith St.
Kent, WA 98035

Re: Drainage District #1, King County

Dear Mr. Casey:

Thank you and commissioners, Morgan Llewellyn and Pete Curran for considering me as an in term replacement commissioner for Position #3 King County Drainage District #1.

With this letter, I wish to accept this appointed position.

I am a registered voter in King County and am a managing member of an LLC, which owns and operates a property located within the District boundaries, Paradise Gas & Wash, LLC located at 23803 West Valley Hwy, Kent Washington.

Attached please find the following information.

1. A property profile giving detailed information on Paradise Gas & Wash, LLC property.
2. A copy of the LLC's Certificate of Formation and Operating Agreement.
3. An election on behalf of Paradise Gas & Wash, LLC nominating myself as the representative of the LLC for all matters concerning King County Drainage District #1.

Please advise me as to any further information that the District may require to perfect my appointment.

Respectfully,


Brian S. Pounder

12084

ATTACHMENT B

2005-043



Curran Mendoza P.S.
555 West Smith Street • Post Office Box 140
Kent, Washington 98035-0140
Telephone (253) 852-2345
Facsimile (253) 852-2030 • (253) 859-8037
www.curranmendoza.com

December 6, 2004

Mike Reed
Metropolitan King County Council
King County Courthouse
516 Third Avenue, Rm. 1200
Seattle, WA 98104-3272

Re: Drainage District No. 1 of King County
Board of Commissioners Vacancy

Dear Mr. Reed:

Following your telephone message to me of the other day, I am enclosing an application from Brian Pounder for appointment to fill Position No. 3 on the board of commissioners of Drainage District No. 1 of King County, which was held by Teresa Tonelli until her passing on February 24, 2004. I will restate below certain information that you asked for earlier this year regarding the Drainage District.

The general purpose and responsibilities of the Drainage District are to engage in drainage control, storm water control, and surface water control activities, including acquisition and maintenance of drains, ditches, canals, non-sanitary sewers, pumps, and other works and appliances, machinery, and equipment. The District encompasses property in South King County, generally within the following boundaries:

South boundary: Willis Street in City of Kent
West boundary: The Green River
East boundary: 88th Avenue South
North boundary: SW 16th Street in City of Renton

Regular meetings of the District's Board of Commissioners are held at 8:00 a.m. on the last Thursday of each month at the District office, which is located at 19414 84th Avenue S., Kent, Washington.

The current Commissioners are:

Morgan Llewellyn, Chairperson
P.O. Box 902
Kent, WA 98035-0902
(253) 852-1898

Charles P. Curran, Secretary-Treasurer
P.O. Box 1273
Kent, WA 98035-1273
(253) 852-6732

Theresa M. Ahern
John M. Casey
Gregory F. Cromwell
Mark W. Davis

Christopher J. Dodd
Greg W. Haffner
David T. Hokit
Chad Horner
Brie A. McCarthy



Frederick Mendoza
Laurie K. Miller
Jane C. Rhodes
Shana E. Thompson
Diana M. Zottman

Of Counsel:
Charles P. Curran
Melvin L. Kleweno, Jr.

Mike Reed
December 6, 2004
Page 2

With regard to the vacant Commissioner position, RCW 85.38.070 provides that:

(5) Whenever a vacancy occurs in the governing body of a special district, the legislative authority of the county within which the special district, or the largest portion of the special district, is located, shall appoint a district voter to serve until a person is elected, at the next special district general election occurring sixty or more days after the vacancy has occurred, to serve the remainder of the unexpired term. The person so elected shall take office immediately when qualified as defined in RCW 29.01.135.

"Special district general elections" are held on the first Tuesday after the first Monday in February of each even numbered year. RCW 85.38.010. Therefore, the next general election for the District will be in February 2006.

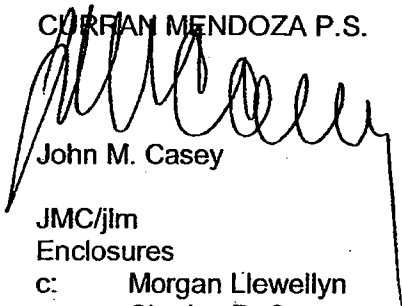
A commissioner must be a qualified voter of the District. RCW 85.38.010(3). A "qualified voter of the special district" means a person who is either a natural person or is a "corporation or partnership that has owned land located in the special district for a period of not less than 60 days before the election...". RCW 85.38.010(3).

In this case, Mr. Pounder is a member of Paradise Gas & Wash, LLC, which owns property located at 23803 W. Valley Highway, Kent, Washington, within the District boundaries. By my review, Paradise Gas & Wash qualifies as a "qualified voter of the special district."

Please contact me about the process by which the council would use to review this application and appoint an interim commissioner. If you have any further questions, please feel free to contact me. If you have questions about Mr. Pounder's application, you may contact him directly at (425) 454-4000.

Very truly yours,

CURRAN MENDOZA P.S.



John M. Casey

JMC/jim

Enclosures

c: Morgan Llewellyn
Charles P. Curran
Brian S. Pounder