## REVISED STAFF REPORT

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| **Agenda Item:** | 19 | **Name:** | Erin Auzins |
| **Proposed No**.: | 2015-0475 | **Date:** | December 1, 2015 |

**COMMITTEE ACTION**

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| ***Proposed Substitute Ordinance 2015-475.2, which would adopt an updated legal description for the Harkleroad Annexation into Fire District 27, passed out of committee on December 1, 2015, with a “Do Pass” recommendation. The ordinance was amended in committee to include language required by state law for Council approval, and attach the correct legal description to the ordinance.*** |

**SUBJECT**

Proposed Ordinance 2015-0475 would revise the legal description for a previously approved annexation of a 0.29 acre parcel into King County Fire District 27.

**SUMMARY**

Council adopted Ordinance 18042 in May 2015, which approved the annexation of approximately 0.29 acres of land into fire district 27. After the Council approved the annexation, the Department of Assessments determined that the legal description was incorrect. The Fire District filed a new Notice of Intention with the Boundary Review Board in October 2015, with a revised legal description.

Amendment 1 would attach the correct legal description to the Ordinance.

**BACKGROUND**

Fire District 27 provides fire suppression and emergency services to the Fall City area, within Council District 3. Sometime in 2009, the Fire District determined that a single-family residential parcel owned by the Harkleroad’s was located outside of the District boundaries and informed the Harkleroad’s that if there was a service call, the District would respond to the emergency, but that they as the property owners could be billed for services.

When the Harkleroad's insurance company determined that their property was outside of the District's boundaries, the company increased their insurance premiums substantially. This led to the Harkleroad's petitioning to annex into the Fire District.

Council previously approved the annexation as part of Ordinance 18042. Council adopted a revised legal description for the annexation with Ordinance 18065. After these ordinance were adopted, the Department of Assessments determined that the revised legal description was incorrect. Because the annexation process was already complete, the District had to file a new Notice of Intention with the Boundary Review Board, which they did in October 2015.

**ANALYSIS**

For the annexation to be in effect, the legal description for the annexation area must be correct.

**AMENDMENTS**

Amendment 1 would attach the correct legal description to the ordinance, and add sections to the ordinance that are required by the state statute[[1]](#footnote-1) regarding suitability of the district to serve the property, assumption of district indebtedness, and lack of approval or disapproval of other requirements for service.

1. Chapter 52.04 RCW regulates annexations by Fire Protection Districts. [↑](#footnote-ref-1)