



King County

Metropolitan King County Council Transportation, Economy and Environment Committee

STAFF REPORT

Agenda Item:	27	Name:	Erin Auzins
Proposed No.:	2016-B0013	Date:	January 19, 2016

Proposed Ordinance 2016-0030 has been introduced, but not yet referred to the Transportation, Economy and Environment Committee. The briefing materials in this staff report refer to the Proposed Ordinance, and it is included as an attachment.

SUBJECT

A briefing regarding the formation of the Lake Geneva Lake Management District.

SUMMARY

In September 2015, the Council adopted Ordinance 18102, which adopted a Resolution of Intention to form a Lake Management District (LMD) in the Lake Geneva Watershed. Following the adoption of Ordinance 18102, the Hearing Examiner held a public hearing to consider whether the Council should set an election to consider formation of the Lake Geneva Lake Management District. The Hearing Examiner issued his recommendation in December 2015, which recommends the Council hold an election to consider formation of the LMD, and adopt the Lake Management Plan prepared by the property owners.

Proposed Ordinance 2016-0030 is scheduled to be referred to committee at the January 19, 2016 full Council meeting. Due to the subject matter, it is expected that the Proposed Ordinance would be referred to the Transportation, Economy and Environment Committee. This briefing has been scheduled prior to referral, in order to expeditiously review the matter and maintain the proposed schedule for an election to consider formation of the district. The Proposed Ordinance may be relieved from committee at the February 1, 2016, meeting of the full Council.

BACKGROUND

Lake Geneva

Lake Geneva is a nearly 30-acre lake within a 179-acre watershed. The entire watershed lies within urban unincorporated King County, within Council District 7 between the cities of Federal Way and Auburn. Most of the lakeshore is single-family residential development, and a significant portion of the northeast shore of the lake is

the County-owned Lake Geneva Park. Additionally, the Washington State Department of Fish and Wildlife owns a public boat launch along the southwest shore of the lake.

The lake has several state-listed aquatic noxious weeds, high water episodes due to lake outlet maintenance issues, and has recently experienced a decline in water clarity due to increased phosphorus input and algae growth. To address these issues, the Lake Geneva Property Owners' Association received a grant from the King County Flood District's Flood Reduction Fund to create a Lake Management Plan, with the goal of forming an LMD.

The stated goals of the Lake Geneva Management Plan and LMD include:

- Create a funding mechanism to fund management actions on Lake Geneva
- Collect predetermined fees from the Lake Management District for a set amount of time
- Develop a Lake Management Plan

Lake Management Districts

Lake Management Districts are authorized under RCW 36.61 as a mechanism to fund lake improvements and maintenance activities. There are several steps to forming an LMD. The Council completed the first step in the creation of an LMD by adopting a Resolution of Intention.¹ Following adoption of that Resolution, the Hearing Examiner held a public hearing to take comment from the public and impacted County and state agencies. The Hearing Examiner's recommendation states the Council should adopt the Lake Management Plan and submit the question of formation to the property owners.

RCW 36.61.070 sets the requirements for the information required to be included in the Ordinance that sets the election, which include:

Requirement in RCW	Proposed Ordinance 2016-0030
Finding that it is in the public interest to create the LMD and the financing of the improvement and maintenance activities is feasible	Section 1 contains such a finding, and is based on the Hearing Examiner's recommendation.
A plan describing the proposed improvement and maintenance activities which avoid adverse impacts on fish and wildlife and provide for appropriate measures to protect and enhance fish and wildlife	Section 3 of the Ordinance adopts the Lake Management Plan. The proposed improvements include: <ul style="list-style-type: none"> • Managing of waterfowl, such as Canada geese; • Surveying invasive aquatic plants; • Controlling or eliminating invasive aquatic plant species (purple loosestrife, yellowflag iris, cattails, fragrant water lily and root mats and

¹ Ordinance 18102

Requirement in RCW	Proposed Ordinance 2016-0030
	<p>pondweeds);</p> <ul style="list-style-type: none"> • Distributing education materials to residents about events and best management practices; • Preparing and distributing an annual newsletter; • Holding biannual public meetings with property owners; and • Managing the district by King County, including costs for the specific reporting specified in this section, as well as administrative costs. <p>These proposed activities avoid adverse impacts to fish and wildlife and are based on best management practices to protect and enhance fish and wildlife.</p>
The number of years the lake or beach management district will exist	Section 4 of the ordinance states the LMD would be in place for 10 years.
The amount to be raised by special assessments or rates and charges	Section 5 of the ordinance states that a total of \$14,500 would be collected annually to finance district activities. Over the 10 year life of the LMD, the total amount collected would be \$145,000.
If special assessments are to be imposed, whether the special assessments shall be imposed annually for the duration of the LMD or only once with the possibility of installments being imposed and lake or beach management bonds being issued, or both, and, if both types of special assessments are proposed to be imposed, the improvement or maintenance activities proposed to be financed by each type of special assessment	Section 5 of the ordinances states that the special assessments would be collected annually. No one-time assessments are proposed.
If rates and charges are to be imposed, a description of the proposed rates and charges and the possibility of revenue bonds being issued that are payable from the rates and charges	N/A. Rates and charges are not proposed.

Requirement in RCW	Proposed Ordinance 2016-0030
The estimated special assessment or rate and charge proposed to be imposed on each parcel included in the proposed lake or beach management district	<p>Section 5 of the ordinances states that the estimated special assessments per property are:</p> <p>Single-Family Residence: \$145 per year Vacant Property: \$45 per year King County Park Parcels: \$1,785 per year WDFW Boat Launch: \$4,345</p>

Next Steps

After the Transportation, Economy and Environment Committee meeting on January 19, 2016, there will be a full Council meeting in the afternoon. Proposed Ordinance 2016-0030 will likely be referred to the Committee at that meeting.

The Proposed Ordinance sets an election date to consider formation of the LMD. Ballots would be mailed out on March 1, 2016, and would be required to be mailed back by March 31, 2016. To maintain this schedule, Council would need to act on the Proposed Ordinance at the February 1, 2016, full Council meeting. The next Transportation, Economy and Environment Committee meeting is February 2, 2016.

If the Proposed Ordinance isn't adopted on February 1, the election date would need to be delayed to a later date. To keep on schedule, Council may be asked to relieve the Transportation, Economy and Environment Committee at the February 1 meeting.

If Proposed Ordinance 2016-0030 is adopted, then following the election, if the LMD formation is approved with a majority vote,² the Council will then have one additional Ordinance to review. This third Ordinance would call for a public hearing by the Hearing Examiner to hear objections to the special assessment roll; and following that hearing, the Ordinance would create the LMD and adopt the special assessment roll.

ATTACHMENTS

1. Proposed Ordinance 2016-0030 with attachments

Note that only the cover of Attachment B is included with the packet.

The entire Attachment is available here:

<http://mkkclegisearch.kingcounty.gov/LegislationDetail.aspx?ID=2543214&GUID=73311ACF-412B-4419-8AB3-E546F42E7D67&Options=ID|Text|&Search=2016-0030>

² Votes are based on the dollar amount of special assessment per parcel. One dollar of assessment equals one vote.