



Legislation Details (With Text)

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On agenda: **Final action:** 9/5/2006

Enactment date: 9/11/2006 **Enactment #:** 15580

Title: AN ORDINANCE establishing November 7, 2006, as the date of an election on the questions of creating a public utility district on Vashon-Maury Islands; establishing and defining the boundary lines of the proposed public utility district; determining the number of commissioners of the proposed public utility district and the manner of their election; requesting the preparation and distribution of a voters' pamphlet for the special election; and appointing a committee to write the voters' pamphlet statement for the November 7, 2006, election.

Sponsors: Dow Constantine, Jane Hague

Indexes: PUD, Vashon

Code sections:

Attachments: 1. 15580.pdf, 2. 2006-0383 Staff Report Vashon PUD Final1.doc

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------------------|-------------------------|--------|
| 9/5/2006 | 1 | Metropolitan King County Council | Hearing Held | |
| 9/5/2006 | 1 | Metropolitan King County Council | Passed as Amended | Pass |
| 8/21/2006 | 1 | Metropolitan King County Council | Introduced and Referred | |

AN ORDINANCE establishing November 7, 2006, as the date of an election on the questions of creating a public utility district on Vashon-Maury Islands; establishing and defining the boundary lines of the proposed public utility district; determining the number of commissioners of the proposed public utility district and the manner of their election; requesting the preparation and distribution of a voters' pamphlet for the special election; and appointing a committee to write the voters' pamphlet statement for the November 7, 2006, election.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. On June 5, 2006, a petition for the formation of a new public utility district in King County encompassing all of the territory of Vashon-Maury Islands was filed with the King County director of the records, elections and licensing services division. The King County director of the records, elections and licensing services division has examined the signatures on the petition, compared them with the voter registration records of the King County records, election and licensing services division, and certified their sufficiency in accordance with RCW 54.08.010.

B. The King County council fixed a date for a hearing on the petition and published the petition, without the signatures, stating the time of the hearing in the Vashon Island Beachcomber on August 16, 2006, in accordance with RCW 54.08.010.

C. The council held a public hearing on the petition in compliance with RCW 54.08.010.

D. It appears that there is a technical omission in the form of the signed petitions filed with the King County director of the records, elections and licensing services division as the signed petitions do not contain a description of the commissioner districts as required by RCW 54.12.010.

E. In light of the technical omission in the form of the signed petitions and in recognition of the demonstrated interest in the formation of a public utility district by registered voters on Vashon-Maury Islands, the King County council elects to use its legislative authority in accordance with RCW 54.08.010 to submit the proposition of creating a public utility district to the voters of the proposed district.

SECTION 2. The proposed public utility district shall be known as the "Public Utility District No. 1 of King County, Washington (Vashon-Maury Islands)" (the "district").

SECTION 3. The boundary lines of Public Utility District No. 1 of King County, Washington (Vashon-Maury Islands) shall be as follows:

The territory to be included in the public utility district is bounded from the point on Vashon Heights at the Northeast corner of Government Lot 1, Section 6, Township 25 North, Range 3 East W.M., by the meander line of the low water marks of Puget Sound, starting East, thence

South around adjoining Maury Island, thence South around the Southern tip of Vashon Island, thence North to the original point of beginning, following the meander line of low water mark of Puget Sound at all times, and including all docks, wharves, and residences attached to said islands, which may protrude beyond the low water meander line.

SECTION 4. The boundary lines of the commissioner districts of Public Utility District No. 1 of King County, Washington (Vashon-Maury Islands) shall be as follows:

A. District One shall encompass the northern portion of Vashon Island including precincts Baker, Biloxi, Carpenter, Chautauqua, Colvos, Cove, Dolphin, Dilworth, Lisabeula and Vashon.

B. District Two shall encompass the southern portion of Vashon Island and includes precincts Burton, Cross, Sealth, Shawnee, Quartermaster and Tahlequah.

C. District Three shall encompass all of Maury Island and includes precincts Dockton, Maury and Portage.

SECTION 5. The King County director of the records, elections and licensing services division is hereby directed to submit to the registered voters within the boundaries the proposition set forth in section 3 of this ordinance at the general election to be held on November 7, 2006. The clerk of the council is hereby authorized and directed to transmit the proposition to the director of the records, elections and licensing services division not less than forty-five days prior to such election date in substantially the following form, with such additions, deletions or modifications in the ballot title as may be required for the proposition listed below by the King County prosecutor:

PROPOSITION NO. ____: FORMATION OF THE PUBLIC UTILITY DISTRICT NO. 1 OF KING COUNTY, WASHINGTON (VASHON-MAURY ISLANDS). The King County council adopted Ordinance ____ concerning a proposal for the formation of a public utility district. If approved, this proposition would create Public Utility District No. 1 of King County, Washington (Vashon-Maury Islands) as more fully described in Ordinance _____. The District would have the powers provided in Title 54 RCW and would be

initially governed by a three member board of commissioners to be elected by qualified voters residing in the commissioner districts as described in Ordinance _____. Should the District be formed:

- Public Utility District No. 1 of King County, Washington (Vashon-
Maury Islands) YES
- Public Utility District No. 1 of King County, Washington (Vashon-
Maury Islands) NO

Certification of such proposition to the King County director of the records, elections and licensing services division, in accordance with law, prior to the date of such election, and any other acts consistent with the authority, and prior to the effective date, of this ordinance, is hereby ratified.

SECTION 6. A. The powers of the district shall be exercised through a commission consisting of three members (the "board"), each elected as described in this section. The King County director of the records, elections and licensing services division is hereby directed to include ballot measures at the general election on November 7, 2006, that shall elect three public utility commissioners of the district, and to set, announce and hold a special filing period for those positions. In accordance with RCW 54.12.010, one public utility commissioner shall be elected from each of the three public utility district commissioner districts as set forth in Section 3 to this ordinance.

B.1. In accordance with RCW 54.08.060, the terms of the initial commissioners shall be staggered as follows:

- a. the person who is elected receiving the greatest number of votes shall be elected to a six-year term of office;
- b. the person who is elected receiving the next greatest number of votes shall be elected to a four-year term of office; and
- c. the other person who is elected shall be elected to a two-year term of office.

2. Thereafter, commissioners shall serve six year terms. Commissioners shall assume office immediately after the election; provided, however, that the length of each term of office shall be calculated

from the first day in January after the election.

SECTION 7. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

SECTION 8. The King County director of the records, elections and licensing services division is hereby requested to prepare and distribute a local voters' pamphlet, pursuant to K.C.C. 1.10.010, for the election referenced in this ordinance, the cost of the pamphlet to be included as part of the cost of the general election.

SECTION 9. Pursuant to RCW 29A.32.280, the following individuals are appointed to serve on the voters' pamphlet committees, each committee to write a statement for or against the creation of proposed Public Utility District No. 1 of King County, Washington (Vashon-Maury Islands):

FOR

1. Rita Schenck
2. Cliff Goodman
- 3.

AGAINST

1. Laura Wishik
2. Tom Bangasser
- 3.