



Legislation Text

File #: 2016-0235, **Version:** 1

Clerk 04/28/2016

AN ORDINANCE creating lake management district No. 2 in the Lake Geneva watershed; and declaring an emergency.

STATEMENT OF FACTS:

1. Ordinance 18102 adopted a resolution of intention to form lake management district No. 2 in the Lake Geneva watershed and set a public hearing on the formation of the proposed district.
2. Ordinance 18228 adopted a resolution submitting the question of creating lake management district No. 2 to the owners of land within the proposed district, and adopted a lake management plan.
3. The lake management plan calls for the county to administer the lake management district, with the County to be reimbursed from the proposed assessments.
4. In accordance with state law, ballots were mailed out on March 1, 2016, and ballots received by 5:00 p.m. on March 31, 2016, were counted. 5. The county received a total of 4,565 ballots with 3,895 votes in favor of formation, and 670 votes opposed to formation; those votes in favor of formation exceed eight-five percent.
6. RCW 36.61.100 requires that when a simple majority vote in favor of creating the lake management district, the council adopt an ordinance creating the district.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings: This ordinance must be enacted as an emergency ordinance in order to allow the district to immediately begin operations so as to begin a work program and obtain funding for its work

program for 2016.

SECTION 2. Lake management district No. 2 is hereby created. The boundaries of the district include all lakeside parcels to Lake Geneva, as set forth in Attachment A to this ordinance. The duration of the district shall be 2016 through 2026. The activities to be financed by the district shall be those described in the lake management plan adopted by Ordinance 18228.

SECTION 3. Special assessments of \$14,500 shall be collected annually to finance the district activities for ten years, with the total amount to be collected during the life of the district being \$145,000. The special assessments charged are based on the land use of the property, the impact of that land use on the lake and the benefit of the proposed district to that property. The special assessments are: single-family residential property \$145 per year; vacant parcels \$45 per year; King County-owned park parcels \$1,785 per year; and the Washington state-owned boat launch parcel \$4,345 per year. The proposed special assessment roll with the information required by RCW 36.61.120 is Attachment B to this ordinance.

SECTION 4. A. In accordance with RCW 36.61.120, a public hearing shall be held to hear objections to the special assessment roll:

Date: May 26, 2016

Time: 1:30 p.m.

Place: Federal Way Senior Center, 401 South 352nd Street, Auburn, WA

B. Objections to a proposed special assessment roll must be made in writing, shall clearly state the grounds for objections, and shall be filed with the hearing examiner prior to the public hearing. Objections to special assessments that are not made as provided in RCW 36.61.140 shall be deemed waived.

C. Subsequent to the public hearing, the hearing examiner or council may correct, revise, raise, lower, change, or modify the special assessment roll or any part thereof, or set the proposed special assessment roll aside and order a new proposed special assessment roll to be prepared. If a proposed special assessment roll is amended to raise any special assessment appearing thereon or to include omitted property, a new public hearing

shall be held. The new public hearing shall be limited to considering the increased special assessments or omitted property.

SECTION 5. A. As authorized under RCW 36.61.130, the metropolitan King County council hereby delegates the responsibility for holding the public hearing required under section 4 of this ordinance to the King County hearing examiner, as an officer of the council, to act as a board of equalization and make recommendations on the special assessment roll to the council.

B. The clerk of the council or the hearing examiner shall issue the public hearing notices required by RCW 36.61.140.

C. The recommendation from the hearing examiner shall include a process by which an appeal may be made in writing to the council by a person protesting the special assessment recommended by the hearing examiner.

SECTION 6. Lake management district No. 2 shall be administered by the county through its water and land resources division of the department of natural resources and parks.

SECTION 7. A. The lake management district No. 2 advisory committee is hereby established.

B. The advisory committee shall provide advice to the county on the administration of the district, including the work program and budget.

C. The committee shall be comprised of five members, which are:

1. Three property owners in the district, one of which must be a representative for the Lake Geneva Property Owners Association;

2. A representative from the King County parks and recreation division; and

3. A representative from the Washington state Department of Fish and Wildlife.

D.1. The representatives from King County and Washington state shall be of their choosing.

2.a. The three members that are appointed under subsection C.1 shall be nominated by the executive, subject to confirmation, by motion, by the King County council.

b. The initial appointment for the three property members appointed under C.1. shall be staggered. One member shall be appointed to an initial term of one year; the second member shall be appointed to an initial term of two years; and the member, who is the representative for the Lake Geneva Property Owners Association, shall be appointed to an initial term of three years terms. Subsequent appointments shall be for three years.

SECTION 8. The clerk of the council shall publish notice of this ordinance in accordance with RCW 36.61.100, and provide filing with the county treasurer as required by RCW 36.61.220.

SECTION 9. The county council finds as a fact and declares that an emergency exists and that this ordinance is necessary for the immediate preservation of public peace, health or safety or for the support of county government and its existing public institutions.