



Legislation Text

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Clerk 03/24/2011

AN ORDINANCE authorizing the executive to enter into an interlocal agreement with the city of Kirkland and King County fire protection district No. 41 to allow the annexation of the area known as Wild Glen to the city of Kirkland; and declaring an emergency.

SECTION 1. Findings:

A. In 2009, the citizens of the city of Kirkland ("the city") voted to annex the Juanita/Finn Hill/Kingsgate ("JFK") territory. The city subsequently adopted an ordinance setting June 1, 2011, as the effective date of annexation.

B. The Wild Glen condominium complex area ("Wild Glen"), adjacent to the JFK territory and described in Attachment A to this ordinance, was inadvertently left out of the JFK annexation process by the city.

C. The JFK territory and Wild Glen are currently serviced by King County fire protection district No. 41 ("the district").

D. It is necessary to declare an emergency so that all steps required under RCW 35A.14.480 can be followed to allow annexation of Wild Glen to the city immediately after the JFK annexation to the city on June 1, 2011. If the annexation of Wild Glen were not to occur immediately following the JFK annexation, Wild Glen would be the only territory remaining in the district. Because none of the current district board members live in the Wild Glen condominium complex, the district would be without a board of commissioners. To avoid the governance vacuum that this would create, the annexation of Wild Glen must occur immediately after the

JFK annexation becomes effective.

E. RCW 35A.14.480 authorizes a city, district and county to enter into an interlocal agreement to effect annexation to a city of unincorporated areas within a fire district.

F. On October 26, 2010, the city gave notice to the district and county of its interest in annexing Wild Glen in accordance with RCW 35A.14.480. The county and district each agreed, by letters dated November 12, 2010, and December 2, 2010, respectively, to engage in negotiations for the annexation of Wild Glen by interlocal agreement.

G. The city, the district, and the county have concluded those negotiations, resulting in an interlocal agreement, which is Attachment A to this ordinance.

H. The interlocal agreement provides that the JFK annexation will immediately precede the Wild Glen annexation. Thus, Wild Glen will be adjacent to the city before its annexation becomes effective. Wild Glen will not annex to the city unless the JFK territory first annexes to the city.

I. The city of Kirkland has expressed the concern that because RCW 35A.14.480 requires that the annexation ordinance must be adopted by the city forty-five days before the effective date of annexation, it cannot proceed on its Wild Glen annexation ordinance until the King County executive and the city's representative execute the interlocal agreement, establishing agreement to enumerated goals of the annexation. That agreement is Attachment A to this ordinance. To satisfy the city's concerns and to ensure that the interlocal agreement can be effective on April, |10|B|, 2001, when the city intends to adopt its Wild Glen annexation ordinance, this ordinance, authorizing the executive to sign the interlocal, must be effective sooner than ten days after its enactment.. This will allow for the annexation of Wild Glen by the city to become effective on June 1, 2011, immediately after the annexation of the JFK territory.

SECTION 2. The King County executive is hereby authorized to enter into an interlocal agreement, in substantially the same form as Attachment A to this ordinance, with the city and the district to allow annexation of the area known as Wild Glen to the city.

SECTION 3. 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.