

**WASHINGTON STATE BOUNDARY REVIEW BOARD
FOR KING COUNTY**

REGULAR MEETING MINUTES

February 12, 2009

Bellevue, Washington

I CALL TO ORDER

Claudia Hirschey, Chair, convened the meeting at 7:00 P.M.

II ROLL CALL

The following members were present:

Evangeline Anderson	Charles Booth
Sylvia Bushnell	Robert Cook
A.J. Culver	Robert George
Lynn Guttman	John Holman
Roger Loschen	Michael Marchand

III MINUTES

A. REGULAR MEETING

Chair Hirschey presented the minutes of the Regular Meeting of January 8, 2009 for review and action by the Board members.

Action: Charles Booth moved and Robert George seconded the motion to adopt the minutes for the Regular Meeting of January 8, 2009. The Board members voted nine in favor of approval of this record. Roberta Lewandowski and Michael Marchand abstained as they were absent from the meeting.

B. SPECIAL MEETING/PUBLIC HEARING – ORGANIZATION RULES OF PRACTICE & PROCEDURE

Chair Hirschey presented the minutes of the Special Meeting/Public Hearing of January 8, 2009 for review and action by the Board members.

Action: Robert Cook moved and A.J. Culver seconded the motion to adopt the minutes for the Special Meeting/Public Hearing of January 8, 2009. The Board members voted nine in favor of approval of this record. Roberta Lewandowski and Michael Marchand abstained as they were absent from the meeting.

IV. CITY OF BURIEN – NORTH HIGHLINE AREA (FILE NO. 2290) – SCHEDULING PUBLIC HEARING

Lenora Blauman reported that the City of Burien has submitted a Notice of Intention for annexation of the North Highline Area (1650 acres).

The City has invoked jurisdiction for this Notice of Intention in order to ensure that the citizens of the area have an opportunity to participate in an independent review process before the Board. Mrs. Blauman proposed public hearing dates for March 30 and either March 31 or April 1 (in the event that a second hearing date is required).

V. ADMINISTRATION

A. CHAIR'S REPORT

General Business: Claudia Hirschey reported that the Board staff is currently working on several projects including: (1) coordinating programs with King County Executive/Council

Work Program; (2) coordinating activities with the State Association for Legislature 2009; (3) pre-development review for future Notices of Intention; (4) administration of the Year 2009 Budget Proposal; and (5) planning of Orientation Program for 2009.

Board Membership: Claudia Hirschey reported that appointments to the Board have been completed for 2009 – 2013. More specifically, reappointment has been accomplished for AJ Culver (Cities of King County); Evangeline Anderson (Office of the Governor); and Michael Marchand (Office of the Governor). The reappointment of Lynn Guttman (King County Executive) is completed.

One new appointment (Sylvia Bushnell) from the King County Executive is in process as well. Chair Hirschey introduced Sylvia Bushnell and welcomed her to the Board. Ms. Bushnell lives in the West Hill Area. She is retired but occasionally serves as a trainer with the King County Department of Records and Elections.

The Fire District has nominated Robert Cook to a new term of office and the Utility Districts have nominated Robert George to a new term of office. The Boundary Review Board has confirmed these appointments.

Chair Hirschey expressed appreciation to Roberta Lewandowski for her service to the Board. Board members will be presenting Ms. Lewandowski with a plaque commemorating her contributions to the agency.

File No. 2258: Fairwood Municipal Initiative: City of Fairwood Incorporation Petition: Michael Marchand reported that Henderson and Young, the consultant team preparing the fiscal feasibility study for the proposed City of Fairwood has issued a Draft Fiscal Feasibility Study.

The consultant team had a meeting with the community (February 9) which was attended by 205 persons. Reginald Holmes represented the Board at that community meeting. He reported that the discussion at that meeting covered a wide range of topics. Of particular interest to citizens were: (1) economic indicators; (2) land use; and (3) levels of service.

Citizens were also very interested in learning about: (1) methods for establishing the structure and function of a new city; and (2) benefits/costs of annexation to Renton. Community members were advised that these matters that are beyond the scope of the Fiscal Feasibility Study.

Based upon discussion at that community meeting, the consultants will prepare a revised draft of the Fiscal Feasibility Study to be presented to a second community meeting on March 19, 2009.

The consultant team also continues meeting with the Fairwood Municipal Incorporation Team (FMI) and the Board's Fairwood Incorporation Study Review team (FIRSC) to address subjects of interest and to communicate information concerning the content of the Fiscal Feasibility Study.

FIRSC members requested a meeting to consider the most recent draft of the Feasibility Study prior to the FMI meeting of March 13 and the community information meeting of March 19. Lenora Blauman will arrange a FIRSC meeting for Thursday, February 19, 2009.

Public hearings for the proposed incorporation of Fairwood are planned for Spring 2009.

Orientation 2009: Chair Hirschey reported that Board members have suggested the following topics for orientation sessions: Municipal Services Research Center; Impacts of Economic Situation on Land Use; Master Builders (Seattle); Annual Growth Report; Association of Washington Cities; 2009 at the Legislature.

Lenora Blauman will establish specific orientation programs and schedules based upon interests voiced by Board members.

Washington State Association of Boundary Review Boards:

Legislature 2009: Michael Marchand and Claudia Hirschey reported that the State Association and the King County Executive/County Council have developed a package of proposed legislation for 2009.

Association representatives and King County representatives are continuing to meet with Mike Shaw and Karen Freeman (King County) to support a strategy for sustaining bills through the hearing and adoption process at Legislature 2009.

Michael Shaw has been successful in finding sponsors to propose a bill in the House (HB 1457) and a bill in the Senate (SB 5420) to permit restoration of the Board's authority to expand annexations. That bill, if successful, would limit the Board to expansion of annexations by 100% subject to achievement of criteria established under statutory mandate (e.g., RCW 36.93 – Board Enabling Act and RCW 36.70A – Growth Management Act).

In addition, Association members visited Olympia on February 2 and February 3 to meet with key legislators to support HB 1457/SB 5420.

HB 1457 received a hearing at the House Local Government Committee on February 2. Legislators appeared favorable. However, representatives of the Fire District and the Spokane Planning Commission spoke to the need to work with the Association to set additional limits on the BRB authority to expand annexation areas. Association representatives and Mike Shaw endeavored to amend the bill in a manner that would preserve the authority of the Board while addressing the interests of the greater community.

The House Local Government Committee, however, on February 12, HB 1457, passed forward the originally presented bill to the House Rules Committee. Efforts are underway to get a hearing on this bill before the Senate Government Operations Committee.

Association members also spoke with legislators to address the King County Legislative Agenda, including:

- ❖ A proposal to extend SSB 6686 beyond 2010 and to expand its benefits to the City of Seattle.
- ❖ A proposal to halt the practice of annexing the highest revenue generating areas of unincorporated areas without concomitant annexation of lower revenue generating areas.
- ❖ A proposal to facilitate short-term transfer of urban areas to cities.

Two bills (HB 1497 and SB 5588) under consideration by the Legislature propose to limit, suspend, or eliminate boundary review boards in the State of Washington. Association members also are working with Mike Shaw and legislators to remove the boundary review boards from inclusion in two bills (HB 1497 and SB 5588) which are intended to eliminate numerous boards and commissions in order to reduce the economic burden on the State.

In addition, the Office of the Governor has issued an Executive Order various boards and commissions are to be retained, immediately eliminated, or phased out over time. The Governor proposes to retain the boundary review boards.

SB 5808/HB 1467 propose to enable cities and special purpose districts to annex land by interlocal agreements. The Association is working with the Legislature to support this bill with the caveat that such actions must be filed with the appropriate boundary review board.

Annual Spring Workshop/Fall Conference: Lenora Blauman reported that Susan Winchell, Spokane County, is planning the Association's Spring Workshop (Ellensburg) and Fall Conference (Spokane). She is requesting a preliminary reporting of interest in order to make

certain that sufficient support exists for these events as numerous boards have severe financial constraints. Our Board is funded to send interested members to both events.

Ms. Blauman requested that Board members notify her of interest in attending these events.

B. Committee Reports

Budget Committee: AJ Culver and Lenora Blauman reported that the Boundary Review Board has received preliminary instructions for submitting a Budget Proposal for 2010. The final proposal will be due to the County on June 1, 2009.

C. Executive Secretary's Report

City of Redmond - NE Rose Hill: The City of Redmond is reportedly is working with citizens to undertake a new Notice of Intention for annexation of this area.

City of Sammamish: The City of Sammamish has advised that one annexation (i.e., Aldarra) is being finalized with the intention to submit a Notice of Intention to the Board early in 2009.

City of Kirkland: The City of Kirkland has advised that one annexation is being finalized with the intention to submit a Notice of Intention to the Board in Spring 2009.

City of Renton: The City of Renton has advised that two annexations ("Choose Fairwood"; Red Mill) are under consideration for submittal of Notices of Intention to the Board in late 2009. Final decision making on the submittal of these annexations must await the completion of the Board's review – and an election – for a new City of Fairwood because these areas include lands currently proposed for incorporation into Fairwood.

D. CORRESPONDENCE

General correspondence was presented by Chair Hirschey. Ms. Hirschey invited comment related to this correspondence.

No comments were offered by members.

VII. NEW BUSINESS

A. NEW FILES

File No. 2290 – City of Burien - North Highline Annexation Area

The City of Burien proposes the annexation of approximately 1650 acres, known as the North Highline Area. As prescribed by RCW 35.14, the North Highline Area Annexation is proposed based upon a Resolution by the Burien City Council (dated February 2009) approving a plan to incorporate this territory.

The North Highline Area includes residential properties, commercial properties, essential public facilities, and various open spaces. Annexation is being proposed by the City of Burien at this time in order to facilitate the provision of coordinated governance and services to the properties proposed for annexation.

The City of Burien is working actively with King County and other affected government jurisdictions with the goal of attaining Memoranda of Understanding (MOU) to establish governance and service policies and plans for the North Highline Area. More specifically:

- ❖ An MOU has been signed by the City of Burien and by Fire District No. 2 and No. 11.
- ❖ The City of Tukwila has elected to withdraw from consideration of annexation of the North Highline Area.
- ❖ King County Council is conducting hearings for the proposed MOU.
- ❖ The Seattle City Council declined (by a vote of 8 to 1) to sign the proposed MOU; the lack of fiscal resources to govern and serve the area was reported as the primary reason for the failure to support the Memorandum.

Board members raised no substantive comments or questions with respect to the proposed Notice of Intention.

B. PENDING FILES

Bellevue	Bothell (6 files)	Burien
Covington Water District	Federal Way (2 files)	Issaquah (2 files)
Kirkland	North Bend	Redmond
Renton (4 files)	Sammamish (2 files)	

VIII. ADJOURNMENT

Action: Roger Loschen moved and Lynn Guttmann seconded a motion to adjourn the Boundary Review Board Regular Meeting. The Board voted unanimously in favor of the motion. The meeting was adjourned at 8:40 P.M.