

*THE WASHINGTON STATE BOUNDARY REVIEW BOARD
FOR KING COUNTY*

SPECIAL MEETING/PUBLIC HEARING

7:00 PM

Tuesday, October 20, 2009

*DDES Hearing Room
1000 Oakesdale Avenue SW
Renton, WA*

A G E N D A

I. WITNESS SIGN IN - 6:30 PM

It is from this list that witnesses are called to testify.

II. CALL TO ORDER - 7:00 PM

Claudia Hirschey, Chair

III. ROLL CALL

Robert Cook, Vice-Chair

Van Anderson

Charles Booth

Sylvia Bushnell

A.J. Culver

Robert George

Lynn Guttman

John Holman

Roger Loschen

Michael Marchand

IV. FILE NO. 2304 - CITY OF TUKWILA - TUKWILA SOUTH ANNEXATION

6:30 PM Introduction of Exhibits

7:00 PM Introductory Comments on Hearing Procedures and Swearing in of Witnesses

7:15 PM Proponent: Presentation by City of Tukwila (20 minutes)

- 7:35 PM Presentation by King County (20 minutes)
- 7:55 PM Government Jurisdictions (10 minutes)
- 8:05 PM General Testimony: Groups are limited to ten minutes and individuals have three minutes to speak
- Rebuttal: City of Tukwila (10 minutes)

V. *FILE NO. 2304 - City of Tukwila - Tukwila South Annexation, Board deliberation and direction to the Staff on Resolution and Hearing Decision*

VI. *ADJOURNMENT*

BACKGROUND STATEMENT

The Boundary Review Board

The Boundary Review Board was created in 1967 by the legislature in part to "...provide a method of guiding and controlling the growth of municipalities..." (RCW 36.93.010). There are seventeen such boards in the State of Washington.

The Board is a quasi-judicial, administrative body empowered to make decisions on such issues as incorporations, annexations, mergers, disincorporations, etc., by cities, towns, and sewer, water and fire districts. It can approve, deny, or modify a proposal. Board decisions are final unless appealed to the King County Superior Court. With an appeal the Court reviews the file, exhibits, transcript and the board decision, rather than conducting a new hearing.

Board members are residents of the County and serve for four-year terms. They are not allowed to hold other local government offices or jobs. Their compensation is \$50.00 per day for work on Board business. Members may not properly discuss proposals under their consideration outside of the public hearing (ex parte communications).

Appearance of Fairness Doctrine

In general, decision-makers such as Board members must not only be fair in their actions (i.e., have no conflicts of interest), but must also, to the ordinary citizen, appear to be free of any position or influence which would impair their ability to decide a case fairly. However, the State Supreme Court has held that if a person is of the opinion that a decision-maker is so impaired, that opinion must be stated at the first available opportunity.

SUMMARY OF HEARING PROCEDURES

Sign-in to Speak

A roster will be found on the speaker's podium. Those who wish to testify must sign in before witnesses are sworn. All speakers will be called from this list. If you sign in once, it is not necessary to do so at any continuation of the hearing.

Exhibits

Please submit exhibits to staff for marking before the Call to Order. The Board must retain all exhibits until a decision is filed and the appeal period ends (ten days).

Speakers

Please state your name and address for the benefit of the Court Reporter prior to testifying. When referring to an exhibit, please state the exhibit letter.

Time Limits

If necessary, the Chair may employ a time limit of 3 minutes for individuals and 10 minutes for organized groups.

Testimony

The Boundary Review Board Act requires the consideration of certain factors (see RCW 36.93.170) and specifies objectives the Board must seek to accomplish (see RCW 36.93.180). Testimony and evidence related to these factors and objectives will be the most effective.

Cross-Examination

Witnesses generally may not question other witnesses or the Board. The Chair may allow cross-examination of expert witnesses under limited circumstances as described in the Board's Rules of Practice and Procedures.

Rebuttal

The rebuttal shall be limited to 10 minutes. Rebuttal must be prefaced by a citation of the disputed testimony. Rebuttal may not include closing statements, a summary, or any additional information, unless such information is in answer to questions and issues raised in previous testimony.

VICINITY MAP

AGENDA, October 20, 2009, Cont.
Page Four



