

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

**REGULAR MEETING MINUTES**

**March 15, 2007**

**Renton, Washington**

**I CALL TO ORDER**

Chair Michael Marchand convened the meeting at 7:00 P.M. .

**II ROLL CALL**

Evangeline Anderson	Robert Cook
A. J. Culver	Robert George
Lynn Guttman	Claudia Hirschey
Roberta Lewandowski	Roger Loschen

**III MINUTES**

**A. REGULAR MEETING:**

Chair Marchand presented the minutes of the Regular Meeting of February 8, 2007 for review and action by the Board members.

*Action: Roberta Lewandowski moved and Lynn Guttman seconded the motion to adopt the minutes of the Regular Meeting of February 8, 2007. The Board members voted unanimously in favor of approval of this record.*

**B. SPECIAL MEETING:**

Chair Marchand presented the minutes of the Special Meeting of February 8, 2007 for review and action by the Board members.

*Action: Robert George moved and Robert Cook seconded the motion to adopt the minutes of the Special Meeting of February 8, 2007. The Board members voted unanimously in favor of approval of this record.*

**IV CITY OF AUBURN – LEA HILL ANNEXATION (FILE NO. 2249)**

Chair Marchand invited the Board to suspend the Regular Meeting to enter into a Special Meeting to consider the proposed City of Auburn Lea Hill Area annexation (File No. 2249).

*Action: Roger Loschen moved and A. J. Culver seconded the motion to suspend the Regular Meeting at 7:10 P.M. in order to enter into a Special Meeting to consider the proposed City of Auburn Lea Hill Area Annexation (File No. 2249). The Board members voted unanimously in favor of this motion.*

*Note: Please see separate document entitled Special Meeting Public Hearing – City of Auburn Lea Hill Annexation (File No. 2249).*

*Action: Roger Loschen moved and Robert Cook seconded the motion to return to the Regular Meeting at 8:05 P.M. The Board members voted unanimously in favor of this motion.*

## V. ADMINISTRATION

### A. CHAIR'S REPORT

#### General Business:

Chair Marchand and Lenora Blauman reported that the Board is currently working on several projects including: (1) an orientation program for the Boundary Review Board; (2) coordinating programs with King County Executive/Council Work Program; (3) coordinating activities with the State Association to establish Work Program at Legislature 2007; (4) pre-development review for future Notices of Intention; (5) planning for the State Association Annual Conference of 2007; (6) Year 2007 Budget monitoring; and (7) review of the Supreme Court decision in the matter of the City of Redmond NE Rose Hill II Annexation. Committee members and staff will report on these activities.

Report from the State Legislature: Chair Marchand and Lenora Blauman reported on the proposed bills – generated by legislators and/or by AWC or WSAC -- that would be of interest to boundary review boards:

**HB 1238/SB 5231:** This bill was intended to address the streamlining of annexation processes for special purpose districts. The bill reportedly does not affect boundary review board authorities or responsibilities. The bill was heard by the House Local Government Committee. The Senate Government Operations Committee scheduled – but did not conduct -- a hearing for this bill. The bill is now reportedly dead.

**SHB 1622/No Senate Companion Bill:** This bill is intended to address the authorities of the boundary review boards to expand annexations under the aegis of RCW 36.93. The bill was heard by the House Local Government Committee on February 6, 2007. It was passed to House Rules with an amendment to limit expansions to an increase no greater than 100% of the originally proposed area. The bill was held in House Rules.

The House Rules Committee stopped the bill based upon a request by fire officials who reported a perception that the legislation would expand the authorities of the boundary review boards to the detriment of fire districts. Discussions with fire officials undertaken by the Association, by King County Board member Robert Cook, by Mike Shaw, and by other officials have resulted in an improved mutual understanding of various issues.

While the opposition to the bill continues, the fire officials have expressed interest in learning more about the role of the boundary review boards and in working with our Association to better describe their interests. A better mutual understanding may lead to greater success in addressing the issues of both groups in presenting bills to the Legislature.

For the present, the Association team, under the able guidance of Michael Shaw, and with support from various government officials, will continue to explore opportunities to move the bill forward for hearing by the Senate and the full Legislature.

**HB 1864:** This bill was intended to Specify Requirements for a City or Town to Assume Jurisdiction Over a Water-Sewer District. The bill also addressed levies. This bill is no longer viable.

**HB 2005/SB 5594:** This bill was intended to provide for streamlining petition methods of annexation. This legislation would not affect the role or authorities of boundary review boards. This bill is no longer viable.

**HB 2006:** This bill was intended to permit annexations by interlocal agreement between a city and a county. The bill proposed to eliminate the jurisdiction of the Boundary Review Board. HB 2006 was heard by the Local Government Committee on February 15. The

Association prepared a Position Paper to communicate concerns about the proposed elimination of the central public review process. Paul Perz represented the Association to testify with respect to this bill. Michael Shaw was also available to assist in this matter.

**HB 2227:** This bill was intended to supplant HB 1622. The bill would have limited the authority of the Boundary Review Boards to expand annexations by no more than ten per cent of the size of the originally proposed annexation. This bill never received a hearing.

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Detailed information concerning bills can be found on the State of Washington web site.

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Additionally, Michael Marchand and Lenora Blauman met with Senator Tracy Eide (Federal Way), on February 20 at her request to discuss pending legislation relating to annexations. Chair Marchand reported that Ms. Eide reported a concern that the boundary review board system of annexation was not effective. Her concern was based upon the fact that several pieces of legislation are presented each year which address annexations. Senator Eide requested – and was provided with – information comprehensively describing the authorities and responsibilities of the boundary review boards. She also requested – and was provided with – a brief summary and position paper on each bill which addressed annexations. Michael Shaw and staff are working with Senator Eide to ensure that she recognizes the reasons for various entities' proposals for new legislation.

## **B. Committee Reports**

Steering Committee: Claudia Hirschey, Chair, reported that the Steering Committee is continuing to review options for proposed revisions to the Boundary Review Board Rules to address standards for board members wishing to participate in community meetings concerning files that have been reviewed and closed by the Boundary Review Board.

## **C. Executive Secretary's Report**

Annual Orientation Program: Mrs. Blauman will be inviting officials from various agencies to provide basic background information to our Boundary Review Board. On April 12, the Board will hear a presentation by Karen Gorowski of the Suburban Cities Association. Ms. Gorowski will speak about the interests of the cities of King County. Paul Reitenbach (King County DDES) will provide a presentation concerning the County Comprehensive Plan.

In May 2007, Elissa Benson will speak about the King County Annexation Initiative. Chandler Felt, County Demographer, will provide copies of the Annual Growth Report. He will be available in mid-year 2007 to speak about this document.

Appointment of Boundary Review Board Members: Mrs. Blauman is continuing to work with the King County Executive to select a representative to serve on the Board effective April 2007.

Public Hearing Schedule: Mrs. Blauman reported that the following public hearing schedule has been confirmed:

- *City of Auburn - West Hill:* Public hearings will take place on March 20, and, if necessary, extend to March 21. Packets will be sent to Board members. Exhibit maps and data will also be available at the hearing. Staff will work with Board members to determine whether to schedule a tour of the site.

### King County Annexation Initiative Status Report:

*City of Renton – Benson Hill:* Blauman reported that the citizen petitions for annexation of the Benson Hill Area are under consideration by the Renton City Council. A Notice of Intention is expected in the near future.

*North Highline:* Blauman reported that both the Seattle City Council and the Burien City Council have approved the designation of the North Highline Area as a Potential Annexation Area under the respective city comprehensive plans.

The City of Seattle and the City of Burien will each need to present their proposals to the King County Growth Management Planning Commission and to the State of Washington. The two cities would need to come to an agreement as to the designation of particular specific areas to Seattle and Burien respectively, as lands may not be simultaneously assigned to the Potential Annexation Area of more than one jurisdiction.

No information is provided as to projected date for review of these designations.

When the final assignment of North Highline to Burien and/or Seattle is accomplished, then the appropriate jurisdiction may propose a Notice of Intention to the Boundary Review Board.

Burien has reported an interest in beginning annexation in 2007. The City of Seattle would also envision beginning annexation in the near future. Each city is in need of supplemental funding to accommodate and serve the North Highline Area.

#### **D. CORRESPONDENCE**

A Statement of Interpretation of the Supreme Court opinion in the matter of the City of Redmond NE Rose Hill Annexation was provided by Robert Kaufman. This document, which was provided to describe the authorities and responsibilities of the Board as determined by the Court, is intended to assist the Board in achieving compliance with this opinion of the Court. No questions or issues were raised with respect to the substance of the general correspondence.

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General correspondence was reviewed briefly. No questions or issues were raised with respect to the substance of the general correspondence.

### **VI NEW BUSINESS**

#### **A. NEW FILES**

File No. 2252 – City of Renton – Aster Park The City of Renton proposes the annexation of approximately 19.85 acres, known as the Aster Park Annexation. This annexation was proposed under the 60% petition method, pursuant to RCW 35A.14. Renton City Council adopted the petition for annexation in November of 2006.

Renton includes the Annexation Area in its Comprehensive Plan. City representatives report that the jurisdiction has the necessary resources to govern and serve the Aster Park Area.

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Board members requested no substantive new information with respect to File No. 2246.

#### **B. PUBLIC HEARING ADMINISTRATION**

Boundary Review Board members undertook a discussion concerning the organization of public hearings. Members offered opinions on the effectiveness and efficiency of various methods of scheduling, organizing, and administering public hearings.

There was general consensus that a public hearing must be conducted in the local community and that the meeting must remain open until all interested parties have had an opportunity to present testimony. Similarly the public hearing record must remain open in order for the Board to obtain all written materials required for deliberation and decision-making for a file. Board members may obtain additional information in advance of a public hearing by requesting that specific data from the Executive Secretary. Alternatively, Board members may request additional materials in the course of the public hearing.

Board members offered various preferences for management of deliberations and decision-making processes. Some members believe that it is necessary or desirable to conduct deliberations/decision-making in a meeting conducted in the local community in order to serve the citizens of the area. Other members reported that, once the public hearing portion of the meeting is completed, conducting deliberations/decision-making at a Regular Meeting – which is open to the public – meets the intent of the statutory mandate.

Board members were in agreement that there should be sufficient time between the public hearing and the deliberations/decision-making process to enable the Board members to review and consider the entire record for a file. In straightforward Notices of Intention, deliberations/decision-making could potentially be undertaken immediately following a hearing. In other more complex matters, the hearing and deliberations/decision-making process would benefit from a separation of several days.

Board members agreed that decisions on hearing schedules will need to be made on a case-by-case basis. Those schedules will, however, need to be established at the time that the public hearing is set in order to meet statutory requirements for publication of legal notices for a file.

**C. PENDING FILES**

Auburn	Bellevue	Bothell (10 files)
Covington Water District	Federal Way (2 files)	Issaquah
North Bend	Kirkland	Redmond
Renton (11 files)	Ronald Sewer District	Sammamish
Soos Creek District	SW Suburban Sewer District	Tukwila
Woodinville		

**VII. ADJOURNMENT**

*Action: Roger Loschen moved and Bob George 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 9:15 P.M.*