

Resolution No. 31502

A RESOLUTION of the City Council of the City of Seattle, Washington, calling for the annexation, by election, of contiguous unincorporated territory to the City of Seattle consisting of portions of the NW Quarter of Section 4 and the NE Quarter of Section 5, Township 23 North, Range 4 E, W.M., and the SW and the NW Quarters of Section 33, Township 24 North, Range 4 E, W.M. and the NE and the SE Quarters of Section 32, Township 24 N, Range 4E, W.M., King County, Washington, referenced as the Duwamish Annexation Area.

Related Legislation File: _____

Date Introduced and Referred: <u>2.3.14</u>	To: (committee): <u>Education and Governance</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <u>2/10/14</u>	Date Presented to Mayor: <u>2/10/14</u>
Date Signed by Mayor: <u>2.12.14</u>	Date Returned to City Clerk: <u>2.12.14</u>
Published by Title Only <input checked="" type="checkbox"/>	Date Returned Without Concurrence:
Published in Full Text _____	

The City of Seattle – Legislative Department

Resolution sponsored by: Boyer

Committee Action:

Date	Recommendation	Vote
<u>2/5/2014</u>	<u>Pass as Adopted.</u>	<u>3-0-0</u>

This file is complete and ready for presentation to Full Council. _____

Full Council Action:

Date	Decision	Vote
<u>Feb. 10, 2014</u>	<u>Adopted</u>	<u>8-0 (excused: Rasmussen)</u>

RESOLUTION 31502

1
2 A RESOLUTION of the City Council of the City of Seattle, Washington, calling for the
3 annexation, by election, of contiguous unincorporated territory to the City of Seattle
4 consisting of portions of the NW Quarter of Section 4 and the NE Quarter of Section 5,
5 Township 23 North, Range 4 E, W.M., and the SW and the NW Quarters of Section 33,
6 Township 24 North, Range 4 E, W.M. and the NE and the SE Quarters of Section 32,
7 Township 24 N, Range 4E, W.M., King County, Washington, referenced as the
8 Duwamish Annexation Area.

9 WHEREAS, the City Council of the City of Seattle, Washington, has determined that it would be
10 in the best interests and general welfare of the City of Seattle to annex certain property
11 lying in an area east and south of the existing City of Seattle corporate boundary,
12 described herein and referred to as the Duwamish Annexation Area and shown on Exhibit
13 'A' attached hereto and incorporated by reference as if fully set forth; and

14 WHEREAS, the state Growth Management Act and the King County Countywide Planning
15 Policies encourage transition of unincorporated urban areas within Potential Annexation
16 Areas from county governance to city governance; and

17 WHEREAS, the Duwamish Annexation Area comprises areas previously referred to as the South
18 Park Sliver on the River and the Duwamish Industrial Triangle; and

19 WHEREAS, the Duwamish Annexation Area is in the City of Seattle's Potential Annexation
20 Area adopted under Ordinances 118389 and 123854; and

21 WHEREAS, the City of Tukwila has also claimed the Duwamish Industrial Triangle portion of
22 the Duwamish Annexation Area as its Potential Annexation Area; and

23 WHEREAS, in 2011 the City of Seattle initiated negotiations and met the requirements to
24 address the overlapping Potential Annexation Area under the King County Countywide
25 Planning Policies, and Seattle and Tukwila also participated in mediated discussions
26 convened by King County in 2013; and

27 WHEREAS, the City Council and Mayor intend to continue discussions with King County
28 regarding the City's potential future annexation by election of the North Highline
Potential Annexation Area, known as Area Y; and

WHEREAS, it is the City Council's intent to call for an election for the annexation of the
Duwamish Annexation Area; NOW, THEREFORE,



1 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE**
2 **MAYOR CONCURRING, THAT:**

3 **Section 1.** The above findings are true and correct in all respects and are incorporated as
4 though fully set forth herein.

5 **Section 2.** The best interests and general welfare of the City of Seattle would be served
6 by the annexation of contiguous territory lying in an area east and south of the existing corporate
7 boundaries of the City of Seattle, commonly referred to as the South Park Sliver on the River and
8 the Duwamish Industrial Triangle, and described as follows:

9 Those portions of NW Quarter of Section 4 and the NE Quarter of Section 5, Township
10 23 North, Range 4 E, W.M., and the SW and the NW Quarters of Section 33, Township 24 North
11 Range 4 E, W.M. and the NE and the SE Quarters of Section 32, Township 24 N, Range 4E,
12 W.M.; described as follows:

13 Beginning at the intersection of the thread of the Duwamish Waterway with the extension
14 of the North line of Tract 55 of Moore's Five Acre Tracts as recorded in Volume 9 of plats, page
15 28, records of King County, Washington;

16 Thence Northerly along the thread of the Duwamish Waterway to the South line of the
17 SW Quarter of Section 33, Township 24 N, Range 4E, W.M.;

18 Thence continuing Northerly along the thread of said Duwamish Waterway to the South
19 line of the NW Quarter of Section 33, Township 24 N, Range 4E, W.M.;

20 Thence continuing Northerly and Northwesterly along the thread of said Duwamish
21 Waterway to the East line of the NE Quarter of Section 32, Township 24 N, Range 4E, W.M.;

22 Thence continuing Northwesterly along the thread of said Duwamish Waterway to the
23 East line of the plat of River Park as recorded in Volume 7 of plats, Page 41, Records of King
24 County, Washington, said line also being the East line of the limits of the City of Seattle in 2014;

25 Thence Southerly along said East lines to the South line of said River Park;



1 Thence Easterly along the South line of Block 8 of the East South Park Addition as
2 recorded in Volume 14 of plats, page 13, Records of King County, Washington, and along the
3 line of the limits of the City of Seattle in 2014, to the West line of said East South Park Addition
4 and the line of the limits of the City of Seattle in 2014;

5 Thence Southerly along the West line of said East South Park Addition and the line of the
6 limits of the City of Seattle in 2014 to the center line of Dallas Avenue South and the limits of
7 the City of Seattle in 2014;

8 Thence Southeasterly along the centerline of Dallas Avenue South and the limits of the
9 City of Seattle in 2014 to the West line of the NW Quarter of Section 33, Township 24 N, Range
10 4 E, W.M., at this point the centerline of Dallas Avenue South becomes the Northerly right of
11 way margin of Dallas Avenue South and the Northerly line of said South Park Heights and the
12 limits of the City of Seattle in 2014;

13 Thence continuing Southeasterly and Southerly along the Northerly and Easterly right of
14 Way margin of Dallas Avenue South and the limits of the City of Seattle in 2014 to the
15 intersection with the South right of way margin of South Donovan Street;

16 Thence continuing Southeasterly and Southerly along the Easterly right of way margin of
17 vacated Dallas Avenue South per City of Seattle vacation ordinance 37112 and the limits of the
18 City of Seattle in 2014 to the Easterly extension of the South line of McNatt's First Addition to
19 South Park Heights as recorded in Volume 9 of plats, page 9, records of King County,
20 Washington, said South line also being the limits of the City of Seattle in 2014;

21 Thence Westerly along said South line and along said limits of the City of Seattle to the
22 East right of way margin of 12th Avenue South;

23 Thence Southerly along the extension of said East margin of 12th Avenue South and
24 continuing along the limits of the City of Seattle in 2014 to the South right of way margin of
25 South Cambridge Street extended Easterly;



1 Thence Westerly along the extension of said South margin of South Cambridge Street
2 extended and along the limits of the City of Seattle in 2014 also being the South line of Excelsior
3 Acre Tracts No. 2 as recorded in Volume 9 of plats, page 48, records of King County,
4 Washington, to the intersection with the Westerly right of way margin of State Route 99;

5 Thence leaving the limits of the City of Seattle in 2014, Southeasterly along said
6 Westerly right of way margin of State Route 99, to the intersection with the East line of the
7 Westerly 178.51 feet of Tract 8 of said Moore's Five Acre Tracts;

8 Thence Southerly along said East line to the North right of way margin of South 96th
9 Street;

10 Thence Easterly along said North margin of South 96th Street to the intersection with the
11 Westerly right of way margin of State Route 99;

12 Thence Southeasterly along said Westerly margin of State Route 99 to the intersection
13 with the North line of said Tract 55 of Moore's Five Acre Tracts;

14 Thence Easterly along said North line of said Tract 55 and the Easterly extension of said
15 North line to the intersection with the thread of said Duwamish Waterway and the point of the
16 beginning.

17 The foregoing annexation area is shown on Exhibit "A" attached hereto.

18 **Section 3.** As nearly as can be determined the number of registered voters in the
19 aforesaid territory is one hundred and three.

20 **Section 4.** The City Council hereby calls for an election to be held under RCW Chapter
21 35.13 to submit to the voters of the aforesaid territory the proposal for annexation.

22 **Section 5.** The cost of said annexation election shall be paid by the City of Seattle,
23 Washington.

24 **Section 6.** The City Clerk shall file a certified copy of this Resolution with the King
25 County Council and with the Washington State Boundary Review Board for King County.



Duwamish Annexation Area



PIS CITY CLERK

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Legislative	Meg Moorehead 684-8929	

Legislation Title:

A RESOLUTION of the City Council of the City of Seattle, Washington, calling for the annexation, by election, of contiguous unincorporated territory to the City of Seattle consisting of portions of the NW Quarter of Section 4 and the NE Quarter of Section 5, Township 23 North, Range 4 E, W.M., and the SW and the NW Quarters of Section 33, Township 24 North, Range 4 E, W.M. and the NE and the SE Quarters of Section 32, Township 24 N, Range 4E, W.M., King County, Washington, referenced as the Duwamish Annexation Area.

Summary of the Legislation:

The resolution initiates an election for registered voters in the Duwamish Annexation Area to accept or reject annexation into the City of Seattle. The Duwamish Annexation Area comprises areas previously referred to as the South Park Sliver on the River and the Duwamish Industrial Triangle.

Background:

The Duwamish Annexation Area is in Seattle's Potential Annexation Area (PAA) adopted under Ordinances 118389 and 123854. The state Growth Management Act and the King County Countywide Planning Policies encourage transition of unincorporated urban areas within PAAs from county governance to city governance. This resolution implements that policy intent by initiating an annexation by election of the Duwamish Annexation Area to the City of Seattle.

Please check one of the following:

This legislation does not have any financial implications.

This legislation has financial implications.

Appropriations:

Fund Name and Number	Department	Budget Control Level*	2013 Appropriation	2014 Appropriation
TOTAL				

*See budget book to obtain the appropriate Budget Control Level for your department.

Appropriations Notes:



Although a 2014 election may be technically possible under the Boundary Review Board (BRB) review schedule, under the BRB timeframe the first election opportunity may occur in 2015. Given the long lead time, City costs for the election have no yet been requested from King County.

If the area is ultimately annexed, an April 2012 City Budget Office (CBO) report said that the incremental cost of serving the annexed area would be negligible for most departments and annual revenues from this area will be adequate to fund General Fund yearly operating costs.

However, the area has environmental liabilities (with potential costs up to \$75 million) that arose while the area was part of unincorporated King County. Fire district service transition to the City and allocation of a proportional share of \$160,000/year of district pension liabilities will need to be addressed by affected jurisdictions. This fiscal note assumes that Seattle, King County and other jurisdictions will reach agreement on a fair distribution of responsibilities and costs on intergovernmental issues.

Substantial utility and other capital improvements may ultimately be needed in the annexed area, particularly if septic systems are replaced by City sewer services (at an estimated cost of \$50 million). City decisions about the size and timing of capital investments can be made in future budgets when the needs of this area would be balanced with the needs of other neighborhoods, which could result in extended schedules for infrastructure upgrades in the annexed area.

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Department	Revenue Source	2013 Revenue	2014 Revenue
TOTAL				

Revenue/Reimbursement Notes:

This legislation does not directly affect revenue. If the City ultimately annexes this area, annual General Subfund revenues from the area are estimated at about \$1.2 million.

Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact:

Position Title and Department	Position # for Existing Positions	Fund Name & #	PT/FT	2013 Positions	2013 FTE	2014 Positions*	2014 FTE*
TOTAL							

* 2013 positions and FTE are total 2013 position changes resulting from this legislation, not incremental changes. Therefore, under 2013, please be sure to include any continuing positions from 2012.

Position Notes:

No positions are created, modified or abrogated by this legislation.

Do positions sunset in the future?

NA

Spending/Cash Flow:

Fund Name & #	Department	Budget Control Level*	2013 Expenditures	2014 Anticipated Expenditures
TOTAL				

* See budget book to obtain the appropriate Budget Control Level for your department.

Spending/Cash Flow Notes:

Although a 2014 election may be technically possible under the Boundary Review Board (BRB) review schedule, under the BRB timeframe the first election opportunity may occur in 2015. Given the long lead time, City costs for the election have not yet been requested from King County. If the area is ultimately annexed, the date when spending begins for new services in the area will depend on the annexation date selected by the City.

Other Implications:

a) Does the legislation have indirect financial implications, or long-term implications?

Substantial utility and other capital improvements may ultimately be needed, particularly if septic systems in the area are replaced by City sewer services (estimated cost of \$50 million). City decisions about the size and timing of capital investments can be made in future budgets when the needs of this area can be balanced with the needs of other areas, which could result in extended schedules for infrastructure upgrades.

b) What is the financial cost of not implementing the legislation?

If this legislation is not implemented, no City dollars will be spent on an election or services in the proposed annexation area.

c) Does this legislation affect any departments besides the originating department?

The Office of Intergovernmental Relations would continue to work with the Legislative Department to resolve annexation-related service issues among various jurisdictions surrounding the Duwamish Annexation Area. If annexation occurs, all City departments may have service responsibilities in the newly annexed area.

d) What are the possible alternatives to the legislation that could achieve the same or similar objectives?

Seattle and King County could use the interlocal agreement (ILA) method of annexation, which likely would require months of negotiation to resolve service issues. An ILA also does not give voters a say in annexation.

e) Is a public hearing required for this legislation?

No

f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No

g) Does this legislation affect a piece of property?

Annexation would affect many properties. A map is attached to the resolution.

h) Other Issues:

CITY OF SEATTLE
RESOLUTION 31502

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WHEREAS, the City Council of the City of Seattle, Washington, has determined that it would be in the best interests and general welfare of the City of Seattle to annex certain property lying in an area east and south of the existing City of Seattle corporate boundary, described herein and referred to as the Duwamish Annexation Area and shown on Exhibit 'A' attached hereto and incorporated by reference as if fully set forth; and

WHEREAS, the state Growth Management Act and the King County Countywide Planning Policies encourage transition of unincorporated urban areas within Potential Annexation Areas from county governance to city governance; and

WHEREAS, the Duwamish Annexation Area comprises areas previously referred to as the South Park Sliver on the River and the Duwamish Industrial Triangle; and

WHEREAS, the Duwamish Annexation Area is in the City of Seattle's Potential Annexation Area adopted under Ordinances 118389 and 123854; and

WHEREAS, the City of Tukwila has also claimed the Duwamish Industrial Triangle portion of the Duwamish Annexation Area as its Potential Annexation Area; and

WHEREAS, in 2011 the City of Seattle initiated negotiations and met the requirements to address the overlapping Potential Annexation Area under King County Countywide Planning Policy DP-25, and Seattle and Tukwila also participated in mediated discussions convened by King County in 2013; and

WHEREAS, the City Council and Mayor intend to continue discussions with King County regarding the City's potential future annexation by election of the North Highline Potential Annexation Area, known as Area Y; and

WHEREAS, it is the City Council's intent to call for an election for the annexation of the Duwamish Annexation Area; NOW, THEREFORE,

THIS VERSION IS NOT ADOPTED



1 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE**
2 **MAYOR CONCURRING, THAT:**

3 **Section 1.** The above findings are true and correct in all respects and are incorporated as
4 though fully set forth herein.

5 **Section 2.** The best interests and general welfare of the City of Seattle would be served
6 by the annexation of contiguous territory lying in an area east and south of the existing corporate
7 boundaries of the City of Seattle, commonly referred to as the South Park Sliver on the River and
8 the Duwamish Industrial Triangle, and described as follows:

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11 Range 4 E, W.M. and the NE and the SE Quarters of Section 32, Township 24 N, Range 4E,
12 W.M.; described as follows:

13 Beginning at the intersection of the thread of the Duwamish Waterway with the extension
14 of the North line of Tract 55 OF Moore's Five Acre Tracts as recorded in Volume 9 of plats,
15 page 28, records of King County, Washington;

16 Thence Northerly along the thread of the Duwamish Waterway to the South line of the
17 SW Quarter of Section 33, Township 24 N, Range 4E, W.M.;

18 Thence continuing Northerly along the thread of said Duwamish Waterway to the South
19 line of the NW Quarter of Section 33, Township 24 N, Range 4E, W.M.;

20 Thence continuing Northerly and Northwesterly along the thread of said Duwamish
21 Waterway to the East line of the NE Quarter of Section 32, Township 24 N, Range 4E, W.M.;

22 Thence continuing Northwesterly along the thread of said Duwamish Waterway to the
23 East line of the plat of River Park as recorded in Volume 7 of plats, Page 41, Records of King
24 County, Washington, said line also being the East line of the limits of the City of Seattle in 2014;

25 Thence Southerly along said East lines to the South line of said River Park;



1 Thence Easterly along the South line of Block 8 of the East South Park Addition as
2 recorded in Volume 14 of plats, page 13, Records of King County, Washington, and along the
3 line of the limits of the City of Seattle in 2014, to the West line of said East South Park Addition
4 and the line of the limits of the City of Seattle in 2014;

5 Thence Southerly along the West line of said East South Park Addition and the line of the
6 limits of the City of Seattle in 2014 to the center line of Dallas Avenue South and the limits of
7 the City of Seattle in 2014;

8 Thence Southeasterly along the centerline of Dallas Avenue South and the limits of the
9 City of Seattle in 2014 to the West line of the NW Quarter of Section 33, Township 24 N, Range
10 4 E, W.M., also being the West line of the plat of South Park Heights as recorded in Volume 8 of
11 plats, page 52, records of King County, Washington, at this point the centerline of Dallas Avenue
12 South becomes the Northerly right of way margin of Dallas Avenue South and the Northerly line
13 of said South Park Heights and the limits of the City of Seattle in 2014;

14 Thence continuing Southeasterly and Southerly along the Northerly and Easterly right of
15 Way margin of Dallas Avenue South and the limits of the City of Seattle in 2014 to the
16 intersection with the South right of way margin of South Donovan Street;

17 Thence continuing Southeasterly and Southerly along the Easterly right of way margin of
18 vacated Dallas Avenue South per City of Seattle vacation ordinance 37112 and the limits of the
19 City of Seattle in 2014 to the Easterly extension of the South line of McNatt's First Addition to
20 South Park Heights as recorded in Volume 9 of plats, page 9, records of King County,
21 Washington, said South line also being the limits of the City of Seattle in 2014;

22 Thence Westerly along said South line and along said limits of the City of Seattle to the
23 East right of way margin of 12th Avenue South;

1 Thence Southerly along the extension of said East margin of 12th Avenue South and
2 continuing along the limits of the City of Seattle in 2014 to the South right of way margin of
3 South Cambridge Street extended Easterly;

4 Thence Westerly along the extension of said South margin of South Cambridge Street
5 extended and along the limits of the City of Seattle in 2014 also being the South line of Excelsior
6 Acre Tracts NO. 2 as recorded in Volume 9 of plats, page 48, records of King County,
7 Washington, to the intersection with the Westerly right of way margin of State Route 99;

8 Thence leaving the limits of the City of Seattle in 2014, Southeasterly along said
9 Westerly right of way margin of State Route 99, to the intersection with the East line of the
10 Westerly 178.51 feet of Tract 8 of Moore's Five Acre Tracts;

11 Thence Southerly along said East line to the North right of way margin of South 96th
12 Street;

13 Thence Easterly along said North margin of South 96th Street to the intersection with the
14 Westerly right of way margin of State Route 99;

15 Thence Southeasterly along said Westerly margin of State Route 99 to the intersection
16 with the North line of said Tract 55 of Moore's Five Acre Tracts;

17 Thence Easterly along said North line of said Tract 55 and the Easterly extension of said
18 North line to the intersection with the thread of said Duwamish Waterway and the point of the
19 beginning.

20 The foregoing annexation area is shown on Exhibit "A" attached hereto.

21 **Section 3.** As nearly as can be determined the number of registered voters in the
22 aforesaid territory is one hundred and three.

23 **Section 4.** The City Council hereby calls for an election to be held under RCW Chapter
24 35.13 to submit to the voters of the aforesaid territory the proposal for annexation.



1 **Section 5.** The cost of said annexation election shall be paid by the City of Seattle,
2 Washington.

3 **Section 6.** The City Clerk shall file a certified copy of this Resolution with the King
4 County Council and with the Washington State Boundary Review Board for King County.

5 **Section 7.** The City Clerk shall also file with the Washington State Boundary Review
6 Board for King County a Notice of Intention hereof as required by RCW Chapter 36.93.

7
8 Adopted by the City Council the ____ day of _____, 2014, and
9 signed by me in open session in authentication of its adoption this ____ day
10 of _____, 2014.

11 _____
12 President _____ of the City Council

13
14 THE MAYOR CONCURRING:

15
16 _____
17 Edward B. Murray, Mayor

18
19 Filed by me this ____ day of _____, 2014.

20
21 _____
22 Monica Martinez Simmons, City Clerk

23
24 (Seal)

25 Exhibit A: Map of the Duwamish Annexation Area
26
27

FILED
CITY OF SEATTLE

2014 APR -3 PM 4:05

CITY CLERK

STATE OF WASHINGTON -- KING COUNTY

--ss.

308622

No.

CITY OF SEATTLE, CLERKS OFFICE

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:31502 TITLE ONLY

was published on

03/12/14

The amount of the fee charged for the foregoing publication is the sum of \$44.85 which amount has been paid in full.

Subscribed and sworn to before me on

03/12/2014

Notary public for the State of Washington,
residing in Seattle



Affidavit of Publication

State of Washington, King County

