## REVISED STAFF REPORT

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| **Agenda Item:** |  | **Name:** | Sam Porter |
| **Proposed No**.: | 2019-0220 | **Date:** | June 24, 2019 |

**COMMITTEE ACTION**

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| ***Proposed Substitute Motion 2019-0220.2 would appoint Mark Van Wieringen to position #3 on the board of commissioners of King County Drainage District No. 5, passed out of committee on June 24, 2019, with a “Do Pass” recommendation. The Motion was amended in committee with Amendment 1 and Title Amendment T1 to state the name of the appointee for Drainage District No. 5.*** |

**SUBJECT**

Proposed Motion 2019-0220 would appoint Mark Van Wieringen to position #3 on the board of commissioners of King County Drainage District No. 5.

**SUMMARY**

Proposed Motions 2019-0220 would appoint Mark Van Wieringen to serve on the Board of Commissioners for King County Drainage District No. 5 until the next general election for special districts is held on February 4, 2020 in accordance with the election provisions of chapter 85.38 RCW.

King County Drainage District No. 5 serves property in South King County and is generally bounded by SR 169/Porter Street, SE 432nd Street, 268th Avenue SE, SE 424th Street, 276th Place SE, SE 424th Street, 284th Avenue SE, SE 432nd Street, SE 440th Street, 22ith Avenue SE, SE 456th Street, Bondgard Avenue E, 268th Avenue SE, and Battersby Avenue in Enumclaw.

**BACKGROUND**

Provisions for drainage districts first appeared in Washington State law in 1895. State law allows drainage districts to be established by five or more landowners in any portion of a county requiring drainage.[[1]](#footnote-1) These districts are governed by a three member board of commissioners responsible for drainage district activities.[[2]](#footnote-2) Drainage district activities consist of drainage control, storm water control and surface water control which includes the acquisition and maintenance of drains, ditches, canals, nonsanitary sewers, pumps and other works and appliances, machinery and equipment. Drainage districts may impose special assessments on real property within the district that uses or will use the special district's facilities or benefits from the district's operations and facilities.[[3]](#footnote-3)

Drainage districts are independent governments with oversight conducted by the Washington State Auditor. In the event of vacancies the county legislative authority is authorized to appoint replacements to serve until "a person is elected, at the next special district general election occurring sixty or more days after the vacancy has occurred, to serve the remainder of the unexpired term."[[4]](#footnote-4)

King County Drainage District No. 5 has three vacancies on its Board of Commissioners. Commissioners must be "qualified voters of the special district."[[5]](#footnote-5)

**ANALYSIS**

All commissioner positions in King County Drainage District No. 5 are vacant therefore the County Council is authorized to appoint replacements to serve until the next special district general election on February 4, 2020. At which time the newly elected commissioners will each serve staggered terms; one of two years, one of four years, and one full term of six years.

Mr. Mark Van Wieringen has agreed to fill one of the three vacant positions on the board of commissioners of King County Drainage District No. 5. Mr. Van Wieringen candidates are registered voters and property owners within the district boundaries, thus meeting the necessary qualifications for appointment.

**AMENDMENT**

Amendment 1 to and Title Amendment 1 to Proposed Motion 2019-0220 states Mark Van Wieringen as being appointee for positon number 3.

1. RCW 85.06.010 [↑](#footnote-ref-1)
2. RCW 85.06.080 [↑](#footnote-ref-2)
3. RCW 85.38.150 [↑](#footnote-ref-3)
4. RCW 85.38.070(5) [↑](#footnote-ref-4)
5. RCW 85.38.010(3) [↑](#footnote-ref-5)