



## Legislation Text

---

**File #:** 2009-0417, **Version:** 2

---

Clerk 07/27/2009

AN ORDINANCE establishing November 3, 2009, as the date of a special election on the question of annexation to the city of Kirkland of an unincorporated area known as the Finn Hill, Kingsgate and North Juanita annexation area; the proposition shall be placed on the November 3, 2009, ballot by the King County elections director only if there is no appeal filed from the July 9, 2009, decision of the boundary review board approving this annexation; and declaring an emergency.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

**SECTION 1. Findings:**

A. The city of Kirkland, Washington, by Resolution No. R-4763, has determined that it is in the public interest and general welfare to provide for the annexation of an area known as the Finn Hill, Kingsgate and North Juanita annexation area, in accordance with chapter 35A.14 RCW.

B. City of Kirkland Resolution No. R-4763 satisfies the provisions of chapter 35A.14 RCW for qualification for annexation.

C. The city of Kirkland, by Resolution No. R-4751 initiated the annexation of the Finn Hill, Kingsgate and North Juanita annexation area.

D. The King County boundary review board received a request for review under chapter 36.93 RCW, and on July 9, 2009, the review board, in file 2293, deemed the proposed city of Kirkland Finn Hill, Kingsgate and North Juanita annexation file approved.

E. Pursuant to chapters 29A.04 and 35A.14 RCW, the metropolitan King County council deems an emergency exists for the purpose of calling a special election to be held on the question of this annexation on November 3, 2009.

SECTION 2. A special election shall be held on the 3rd day of November 2009 in accordance with chapter 35A.14 RCW within the territory of the proposed annexation, for the purpose of submitting the question of annexation of the Finn Hill, Kingsgate and North Juanita annexation area.

SECTION 3. The number of registered voters within the subject area is estimated at 19,730 as nearly as may be determined from available records.

SECTION 4. Pursuant to RCW 29A.04.321 and 35A.14.050, it is hereby deemed that an emergency exists for purposes of calling a special election. The King County elections director is hereby requested to assume jurisdiction to call and conduct a special election and submit to the registered voters within the subject area of the proposition as set forth in section 4 of this ordinance. The clerk of the council is hereby authorized and directed to transmit the proposition to the elections director in substantially the following form, with such additions, deletions or modifications in the ballot title as may be required for the propositions listed below by the King County prosecutor:

PROPOSITION 1:

Shall the area of unincorporated King County known as the Finn Hill, Kingsgate and North Juanita Annexation Area, described in Resolution R-4751, be annexed to the city of Kirkland and subject to zoning as provided in Ordinance 4196, and shall all property within the area annexed be assessed and taxed at the same rate and on the same basis as property within the city of Kirkland to pay for the outstanding indebtedness of the city?

- For annexation, adoption of zoning regulations and assumption of indebtedness.
- Against annexation, adoption of zoning regulations and assumption of indebtedness.

SECTION 5. The elections director is hereby authorized and requested to prepare and distribute a local voters' pamphlet, pursuant to K.C.C. 1.10.010, for the special election called for in this ordinance, the cost of the pamphlet to be included as part of the cost of the special election.

SECTION 6. The boundaries of the territory proposed for annexation are hereby described in city of Kirkland Resolution No. R-4763 as contained in Attachment A to this ordinance.

SECTION 7. RCW 29A.32.280 provides that for each measure from a jurisdiction that is included in a local voters' pamphlet, the legislative authority of that jurisdiction shall formally appoint a committee to prepare arguments advocating voter approval of the measure and a committee to prepare arguments advocating voter rejection of the measure.

SECTION 8. In accordance with RCW 29A.32.280, the following individuals are appointed to serve on the voters' pamphlet committees, each committee to write a statement for or against the proposed annexation ballot measure:

FOR

1. Toby Nixon
2. Ken Davidson
3. Jackie Pendergrass

AGAINST

1. Scott Brady
2. Robert Style
3. Katherine Winder

SECTION 9. Contingency. The proposition shall be placed on the November 3, 2009 ballot by the King County elections director only if there is no appeal filed by August 10, 2009 from the July 9, 2009, decision of the boundary review board approving this annexation.

SECTION 10. The council finds as a fact and declares that an emergency exists

and that this ordinance is necessary for the immediate preservation of public peace, health or safety or for the support of county government and its existing public institutions.