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Title: A MOTION approving the memorandum of understanding and attachments developed and agreed upon by King County, the cities of Burien and Seattle and King County Fire Districts 2 and 11 regarding the potential annexation of portions of the North Highline Potential Annexation Area to the cities of Seattle and Burien.

Sponsors: Dow Constantine

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Attachments: 1. 12942.pdf, 2. 2009-00107 Staff Report.doc, 3. 2009-0107 Att 2 .pdf, 4. 2009-0107 Transmittal Letter.DOC, 5. A. Memorandum of Understanding - North Highline Annexation, 6. B. Annexation Areas - November 2008 Map, 7. C. Annexation Tax Credit, 8. D. Transition Framework, 9. North Highline Mediation MOU Agreed Upon Map_Areas Y & X.PDF

Date	Ver.	Action By	Action	Result
3/16/2009	1	Metropolitan King County Council	Passed	Pass
3/10/2009	1	Physical Environment Committee	Deferred	
2/9/2009	1	Metropolitan King County Council	Introduced and Referred	

Clerk 02/05/2009

A MOTION approving the memorandum of understanding and attachments developed and agreed upon by King County, the cities of Burien and Seattle and King County Fire Districts 2 and 11 regarding the potential annexation of portions of the North Highline Potential Annexation Area to the cities of Seattle and Burien.

WHEREAS, on September 27, 2004, the metropolitan King County council passed Motion 12018 setting forth the vision and goals for an initiative to help sustain vital government services to the citizens of King County by promoting the annexation or incorporation of remaining urban unincorporated areas of King County, and

WHEREAS, the mission and vision statement for the annexation initiative as adopted under Motion 12018 is to ensure annexation or incorporation of all remaining unincorporated areas of the county within the 2012 timeline established in the countywide planning policies; and moreover, to secure the annexation or incorporation of significant urban areas on an accelerated basis wherever possible, and

WHEREAS, Motion 12018 also established three goals for the annexation initiative, including:

1. Preserve the quality of local services to urban communities by transferring governance responsibility for these areas to cities, which have more revenue options available for funding urban local services than does the county;
2. Preserve the quality of county regional and rural local services by providing financial relief to these budgets dependent on general county tax revenues; and
3. Ensure the smooth transition of services from the county to the cities for citizens as well as county employees and departments, and

WHEREAS, accomplishing the vision and goals for the annexation initiative continue to be pursued by King County, by working to accelerate the pace of annexation and incorporation and planning for the transition services affected by annexation or incorporation, and

WHEREAS, King County has continued to partner with the cities of Seattle and Burien and community organizations to conduct annexation open houses, and initiate mediated talks to advance the annexation of the North Highline Potential Annexation Area, and

WHEREAS, the cities of Seattle and Burien have designated the North Highline unincorporated area as their Potential Annexation Area ("PAA") in their respective comprehensive plans and Growth Management Planning Council amended the Interim Potential Annexation Area Map within the Countywide Planning Policies to denote the overlapping designation by Burien and Seattle, and

WHEREAS, in accordance to LU-31 and LU-32 of the Countywide Planning Policies, on December 4, 2008, the jurisdictions of King County, Seattle, Burien and Fire Districts 2 and 11 came to agreement on a

memorandum of understanding ("MOU") regarding specific boundaries for annexation proposals by Burien and Seattle along with general terms and principals regarding the provision of fire and life safety services in the North Highline area and surrounding communities, and

WHEREAS, the MOU establishes the framework for how the cities of Burien and Seattle, King County and Fire Districts 2 and 11 will work together to ensure a timely transition of the unincorporated North Highline area to city status, and

WHEREAS, the aim of the MOU is to remove the obstacles that stop both Burien and Seattle from advancing annexation proposals to the voters of North Highline, and

WHEREAS, the county council affirms that annexation of the North Highline community, by the election method, is the preferred option, and

WHEREAS, the MOU details a schedule of coordinated, phased annexation proposals by the cities of Burien and Seattle for consideration by the voters of North Highline to determine the future governance solution for their community, and

WHEREAS, it is anticipated this MOU will lead to the annexation of North Highline by 2012, which is the most costly of King County's ten urban unincorporated PAAs, and

WHEREAS, to facilitate an agreement on a process and timeline for coordinated phased annexation proposals by the cities of Burien and Seattle, the signatories to the MOU agreed to the following mutual objectives:

1. Fire and life safety services protected: In the event of annexation, Burien, Seattle, King County and the fire districts all agree to work collaboratively to maintain the level of fire and life safety services to North Highline communities and neighborhoods of North Burien, Arbor Heights and urban unincorporated areas of South Park, which begins with the adoption of the Fire and Safety Transition Framework document, which is Attachment D to this motion;

2. Adjusted Boundaries: A minor boundary adjustment was agreed upon that alleviates many of the

stated concerns with Burien's previously proposed annexation boundary. This small adjustment maintains Fire District 11's headquarters outside of the area to be proposed for annexation by the city of Burien, allowing both the northern portion and southern portion of the entire PAA to maintain a fire station within its boundary;

3. Phasing of elections: Agreement was reached on a coordinated phasing of annexation election proposals for consideration by North Highline residents. The signatories to the MOU recognizes that there is broad diversity of opinions and preferences in the North Highline communities regarding annexation to Seattle and Burien, and acknowledge both cities represent reasonable governance alternatives. The MOU supports Burien's proposal for an annexation election for the southern portion of North Highline and Seattle's proposal for an annexation election for the northern portion of North Highline; and

4. Sales tax credit to fund annexation legislation in Olympia: Agreement that King County, Seattle, Burien and Fire Districts 2 and 11 will support legislation in Olympia during the 2009 state legislative session that will provide access to the same level of state funding if either city is able to move forward with annexation of White Center and the northern portion of Boulevard Park. Both cities acknowledge that the cost of serving the northern area proposed for annexation, which is Area Y of the attached North Highline Annexation Area Map, Attachment B to this motion, is greater than the cost of serving the southern area proposed for annexation to Burien, which is Area X of the attached North Highline Annexation Area Map, Attachment B to this motion. The MOU states that all parties will work collaboratively to amend the state sales tax credit to fund annexation law so that both Burien and Seattle would have access to up to \$5 million to serve the residents of North Highline if either annexes Area Y of the attached North Highline Annexation Area Map, Attachment B to this motion, and

WHEREAS, the cities of Burien and Seattle reiterate the need for King County to continue to act as a catalyst and leader for annexation activities in the urban unincorporated areas, and

WHEREAS, approval of the objectives and action set forth in the MOU will promote an environment supportive of annexation and expresses a continued commitment from King County to the annexation of North

Highline, and

WHEREAS, internal county transition planning in response to the loss of urban unincorporated areas remains critical to achieving the cost savings associated with reduction in service area, and

NOW, THEREFORE, BE IT MOVED by the Council of King County:

The memorandum of understanding and associated exhibits included as Attachments A through D to this motion is hereby adopted as the policy of King County to support annexation of the North Highline PAA specifically and to promote the regional service vision set forth in the state's Growth Management Act.