



## Legislation Text

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Clerk 04/01/2013

AN ORDINANCE authorizing the executive to execute an intergovernmental agreement with the city of Maple Valley related to the Maple Ridge Highlands annexation area.

### STATEMENT OF FACTS:

1. Over an approximately ten-year period beginning in the late 1990s, Polygon Northwest Company ("Polygon") proposed and implemented four divisions of the Maple Ridge Highlands residential developments, which vested in King County. The developments included a number of drainage facilities that must be transferred via interlocal agreement from King County to the city of Maple Valley, whose residents the facilities now serve.
2. The development was implemented under King County's 4 to 1 program, which allowed for development in rural-designated areas under the condition that for every one developed acre the property owner would dedicate four nearby acres to public open space use. The designation of the developed area would then change from rural to urban and be eligible for annexation by a city.
3. In 1997, the city of Maple Valley ("the city"), adjacent to Maple Ridge Highlands, incorporated and King County and the city executed an interlocal agreement to transfer the county-owned drainage properties and facilities within the city limits to the city.
4. In 2001, construction on the Maple Ridge Highlands developments began. In accordance with applicable county regulations and standards, as part of the developments a total of ten tracts

were deeded to the county for drainage purposes and eight drainage facilities were constructed. Due to a provision of King County Code governing the implementation of developments under the 4 to 1 program, five of the drainage tracts and drainage facilities were situated in the dedicated open space portion of the development, outside the urban growth area.

5. In November 2008, King County and Polygon entered into an agreement ("the 2008 agreement") to address the fact that a subcontractor had not installed required premolded joint material between the curbs and sidewalks in the Maple Ridge Highlands development. Under the agreement, Polygon deposited \$87,776 with the King County department of transportation to act as a reserve to cover the cost of future additional inspections and repairs that may be necessitated by the subcontractor error. King County and the city have agreed that the city of Maple Valley should succeed King County as a party to the 2008 agreement and that the funds provided through the agreement should be transferred to the city. If and when future inspections and/or repairs are required, Maple Valley will conduct them, using the reserve funds to pay the costs.

6. On July 26, 2009, the city annexed the Maple Ridge Highlands area.

7. As of mid-2012, the Maple Ridge Highlands developments, including the drainage facilities, have been completed, and the city and King County agree that the city should assume ownership and maintenance responsibility for all of the drainage facilities/properties serving the developments, including those outside the city limits, as it is efficient and equitable that the city operate and maintain the drainage infrastructure for its citizens.

8. King County and Maple Valley have prepared, and Maple Valley has approved, an intergovernmental agreement transferring ownership of and responsibility for the Maple Ridge Highlands drainage facilities and properties to Maple Valley and transferring responsibilities under the 2008 agreement from King County to the city of Maple Valley.

9. In accordance with RCW 35A.14.005, the five drainage tracts and drainage facilities located outside the urban growth area that are to be owned by the city cannot be annexed to the city.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The King County executive is hereby authorized to execute an intergovernmental agreement, substantially in the form of Attachment A to this ordinance, with the city of Maple Valley relating to the Maple Ridge Highlands annexation area.