

RESOLUTION NO. 1266 (2011)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOTHELL, WASHINGTON, STATING THE COUNCIL'S INTENT TO ANNEX TO BOTHELL UNINCORPORATED SNOHOMISH COUNTY TERRITORY KNOWN AS BLOOMBERG HILL ISLAND; DESCRIBING THE BOUNDARIES OF THE AREA TO BE ANNEXED; STATING THE NUMBER OF VOTERS RESIDING THEREIN, AS NEARLY AS MAY BE; SETTING A DATE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION; AND PROVIDING FOR ASSUMPTION OF BONDED INDEBTEDNESS AND ADOPTION OF PROPOSED ZONING REGULATIONS

WHEREAS, the Washington State Growth Management Act ("the Act"), codified as RCW 36.70A, requires counties planning under the Act to designate urban growth areas "within which urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature"; and

WHEREAS, the Act at RCW 36.70A.110(4) states that within such urban growth areas, "In general, cities are the units of local government most appropriate to provide urban governmental services"; and

WHEREAS, the Act at RCW 36.70A.110(7) states, "An urban growth area designated in accordance with this section may include within its boundaries urban service areas or potential annexation areas designated for specific cities or towns within the county"; and

WHEREAS, Snohomish County and King County have collaborated with their municipalities to designate potential annexation areas for specific cities and towns within the respective counties; and

WHEREAS, within Snohomish County such designated potential annexation areas are termed Municipal Urban Growth Areas (MUGAs) and are formally adopted in the Snohomish County Countywide Planning Policies (CPPs); and

WHEREAS, within King County such designated potential annexation areas are termed Potential Annexation Areas (PAAs) and are formally adopted in the King County CPPs; and

WHEREAS, a portion of the City of Bothell is in Snohomish County, and a portion is in King County; and

WHEREAS, adjacent to the Bothell city limits within Snohomish County exists unincorporated territory which has been designated in the Snohomish County CPPs as the Bothell MUGA; and

WHEREAS, adjacent to the Bothell city limits within King County exists unincorporated territory which has been designated in the King County CPPs as the Bothell PAA; and

WHEREAS, the Bothell MUGA and PAA are depicted for illustration purposes on Exhibit A attached hereto; and

WHEREAS, citizens from the Bothell MUGA within Snohomish County and the Bothell PAA within King County have on numerous occasions approached the City Council and city staff seeking to annex to Bothell in order to receive municipal services provided by the City; and

WHEREAS, the City Council in January and February, 2010, authorized a comprehensive and deliberate process to explore the potential annexation of portions or all of the Bothell MUGA and the Bothell PAA, which process through March 15, 2011 has included planning and zoning; public outreach; fiscal analysis; and negotiation of transition of services from current providers to the City; and

WHEREAS, the City Council on March 15 and April 5, 2011, reviewed the outcomes to date of the above-described activities, and determined that the interests of the citizens of the City of Bothell, the Bothell MUGA and the Bothell PAA would be served by annexation; and

WHEREAS, the Bothell MUGA consists of two non-contiguous parts - a larger part, comprising 3,608 acres (5.6 square miles), and a smaller part, comprising 11.9 acres (.02 square mile); and

WHEREAS, the smaller part is located in the southeastern corner of the MUGA and is surrounded by the City of Bothell on 81.4 percent of its boundaries; and

WHEREAS, RCW 35A.14.295, .297 and .299 establish a process by which legislative bodies of code cities such as Bothell may by resolution and subsequent ordinance annex unincorporated territory containing less than 100 acres of residential property and having at least 80 percent of the boundaries of such territory contiguous to the code city; and

WHEREAS, the City Council has determined that the above-described process is the most appropriate mechanism under state law to annex the smaller part of the MUGA, which part is also known as Bloomberg Hill Island;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BOTHELL, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. The Bothell City Council hereby states its intent to annex the unincorporated Snohomish County territory known as Bloomberg Hill Island via the process established in RCW 35A.14.295, .297 and .299. In order to qualify for annexation under this method, an area must comprise residential property owners, contain less than 100 acres and be contiguous to the annexing code city on at least 80 percent of its boundaries. The Bloomberg Hill Island comprises residential property owners, contains 11.9 acres and is contiguous to the City of Bothell on 81.4 percent of its boundaries.

Section 2. The boundaries of the proposed Bloomberg Hill Island Annexation are depicted and described in Exhibit B and Exhibit C to this resolution, respectively, which exhibits are attached hereto and incorporated by this reference as if set forth in full.

Section 3. Approximately two voters reside within the proposed Bloomberg Hill Island Annexation, according to the Snohomish County Auditor.

Section 4. The Bothell City Council hereby schedules a public hearing concerning the proposed Bloomberg Hill Island Annexation for the City Council meeting of October 4, 2011, starting at 6 p.m. or later, in the Bothell Municipal Court / Council Chambers, located at 10116

NE 183rd Street, Bothell, WA. The meeting date accommodates the amount of time anticipated to be needed for review and approval by the Snohomish County Boundary Review Board. Notice of the hearing will be given by publication in The Seattle Times of this resolution at least once a week for two weeks prior to the date of the hearing.

Section 5. At the October 4 hearing, residents or property owners of the area included in this resolution for annexation shall be afforded an opportunity to be heard. Following the hearing, the City Council may adopt an ordinance approving the proposed Bloomberg Hill Island Annexation, but the effective date of the ordinance shall be not less than 45 days after the passage thereof. Notice of the effective date of the annexation, together with a description of the property to be annexed, will be published in the Seattle Times at least once each week for two weeks subsequent to passage of the ordinance. Such annexation ordinance shall be subject to referendum for 45 days after the passage thereof. After the expiration of the 45th day from but excluding the date of passage of the annexation ordinance, if no timely and sufficient referendum petition has been filed, the Bloomberg Hill Island Annexation shall become a part of the City of Bothell upon the date set in the annexation ordinance. The City Council intends to include in the ordinance provisions for assumption of indebtedness and for adoption of a proposed zoning regulation.

Section 6. The City Clerk is authorized to make necessary corrections to this resolution including, but not limited to, the correction of scrivener's/clerical errors, references, resolution numbering, section/subsection numbers and any references thereto.

PASSED this 5th day of April, 2011.

APPROVED:



JOSHUA FREED
DEPUTY MAYOR

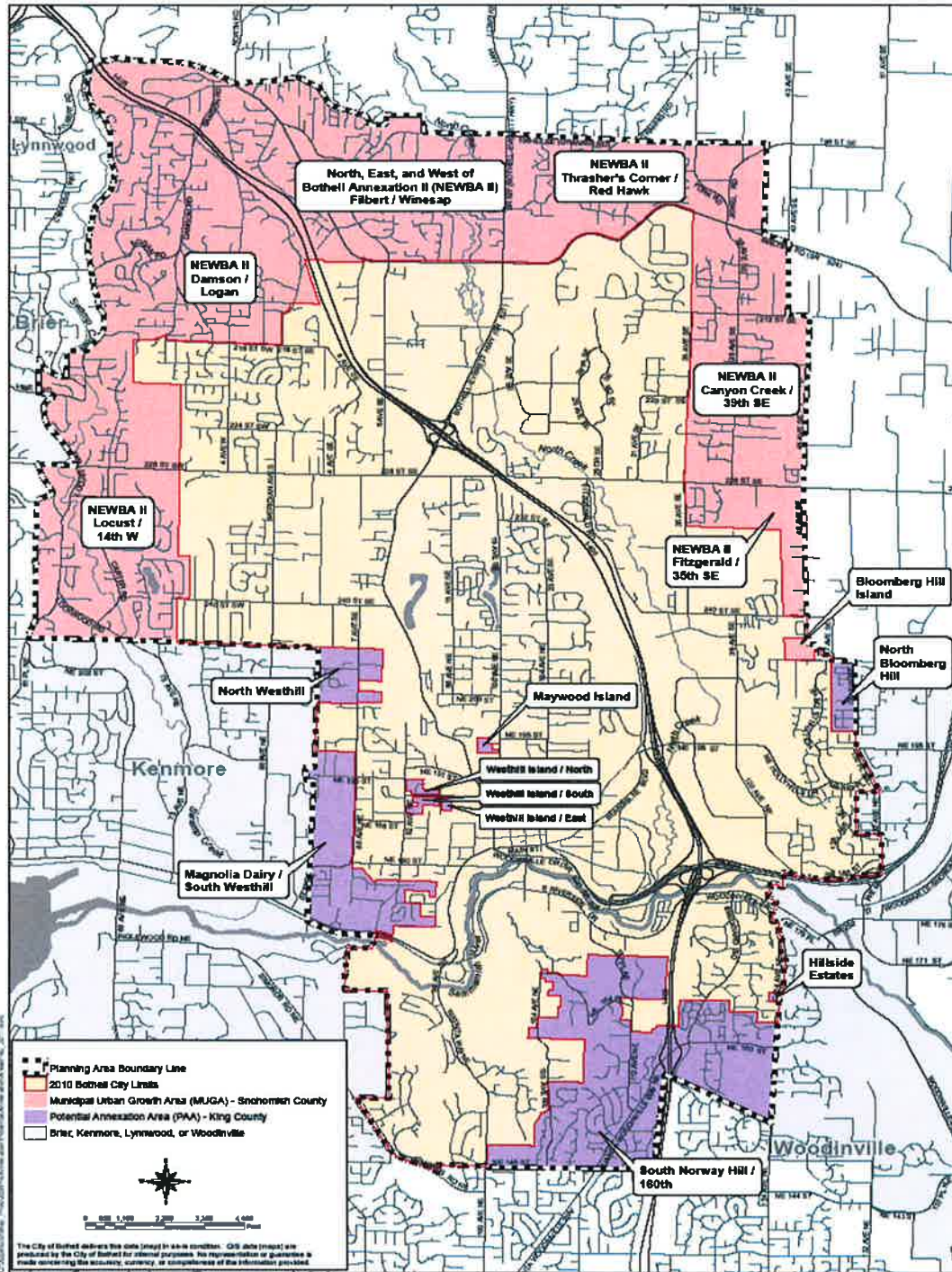
ATTEST/AUTHENTICATED:



JOANNE TRUDEL
CITY CLERK

FILED WITH THE CITY CLERK: March 29, 2011
PASSED BY THE CITY COUNCIL: April 5, 2011
RESOLUTION NO.: 1266 (2011)

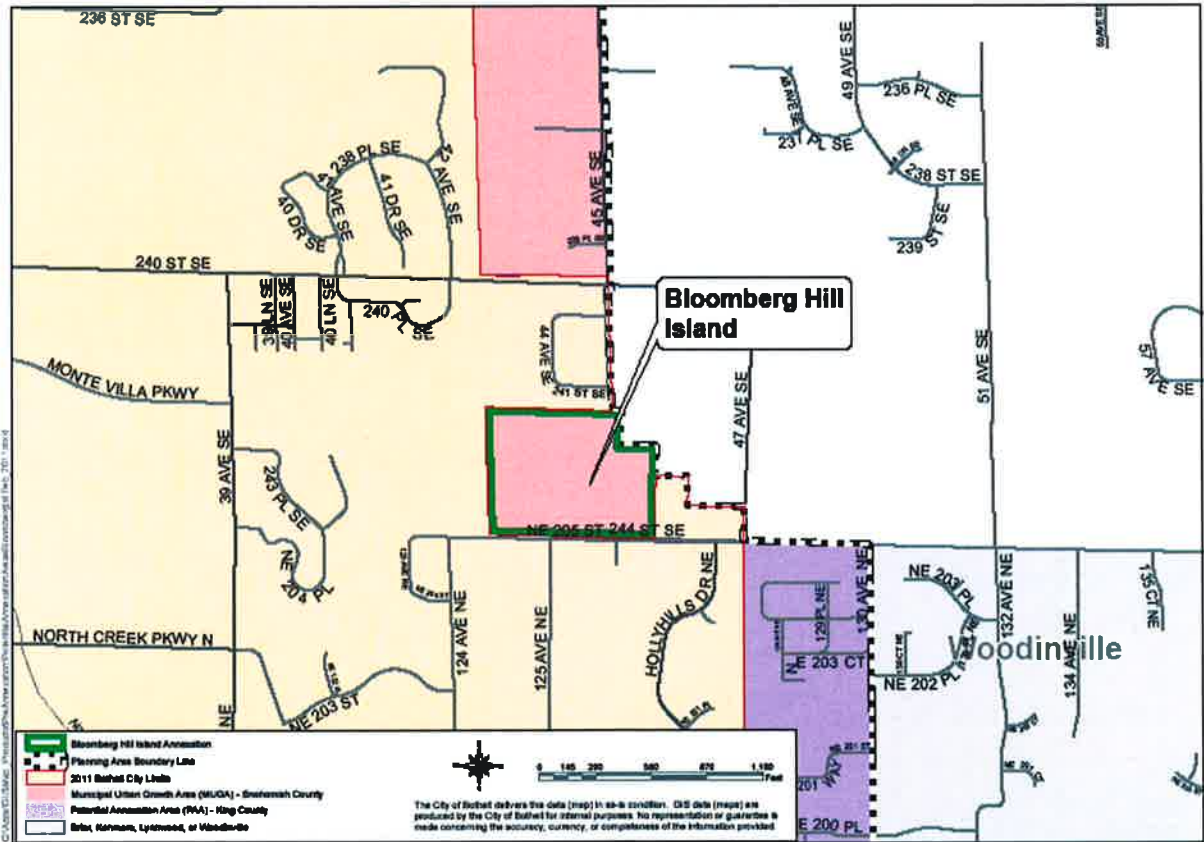
Exhibit A Map of City of Bothell, Bothell MUGA and Bothell PAA



Potential Annexations to Bothell



Exhibit B Map of proposed Bloomberg Hill Island Annexation



Bloomberg Hill Island Annexation



Exhibit C
Legal description for proposed Bloomberg Hill Island Annexation

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 27 NORTH, RANGE 5 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 33; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID SOUTHEAST QUARTER AND ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF BOTHELL TO THE NORTHWEST CORNER OF LOT 1 OF SNOHOMISH COUNTY SHORT PLAT NO. 572(12-79) RECORDED UNDER AUDITOR'S FILE NUMBER 8111230138; THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID LOT 1 AND ALONG SAID CITY OF BOTHELL CORPORATE LIMITS TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID LOT 1 TO THE NORTHWEST CORNER OF PARCEL 1 OF SNOHOMISH COUNTY SHORT PLAT NO. 289(11-75) RECORDED UNDER AUDITOR'S FILE NUMBER 7604270268; THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID PARCEL 1 TO THE NORTHEAST CORNER OF SAID PARCEL 1; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID PARCEL 1 TO THE SOUTHERLY LINE OF THE SOUTHEAST QUARTER OF SECTION 33; THENCE WESTERLY ALONG SAID SOUTHERLY LINE AND ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF BOTHELL TO THE POINT OF BEGINNING;

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

NOTE: IT IS THE INTENT OF THIS LEGAL DESCRIPTION TO FOLLOW THE EXISTING CORPORATE CITY LIMITS OF BOTHELL WHERE NOTED. REFERENCES TO THE EXISTING CITY LIMITS OF BOTHELL ARE MEANT TO CONVEY THAT ALTHOUGH PRESENT RIGHT OF WAY BOUNDARIES MAY BE DIFFERENT, THE RIGHT OF WAY BOUNDARIES AT THE TIME OF THE ORIGINAL INCORPORATION OR ANNEXATIONS ARE INTENDED TO BE FOLLOWED SO THAT NO GAP OR OVERLAP EXISTS BETWEEN THIS ANNEXATION AND THE EXISTING CITY LIMITS.

