RESOLUTION NO. 1278 (2012)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOTHELL, WASHINGTON, ESTABLISHING THE DATE ON WHICH A MEASURE CONCERNING THE PROPOSED ANNEXATION OF UNINCORPORATED SNOHOMISH COUNTY TERRITORY KNOWN AS NORTH, EAST AND WEST OF BOTHELL ANNEXATION (NEWBA) WILL APPEAR ON THE BALLOT; STATING THE AUTHORITY UNDER WHICH THE MEASURE IS PLACED ON THE BALLOT; AND INCLUDING THE POTENTIAL BALLOT TITLE TO APPEAR BEFORE THE VOTERS

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, 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 February 21, 2012, has included planning and zoning; public outreach; fiscal analysis; and negotiation of transition of services from current providers to the City; and,

WHEREAS, the Snohomish County Boundary Review Board after reviewing the record, receiving testimony and deliberating, unanimously approved the proposed NEWBA for election, and on July 13, 2011, issued its written approval; and,

WHEREAS, the City of Bothell held a special election in conjunction with the general election on November 8, 2011, for the purpose of submitting to qualified electors of that unincorporated Snohomish County territory known as the proposed North, East and West of Bothell Annexation, abbreviated as NEWBA, a ballot proposition to provide for annexation of the NEWBA and adoption of Bothell zoning as provided in Ordinance 2053; and,

WHEREAS, the November 8 election for annexation failed by 408 votes out of a total of 7,126 votes cast; and,

WHEREAS, citizen interest within the annexation areas remains strong, as demonstrated in part by a request from NEWBA citizens that the Council allow voters another chance to vote on the proposed annexation; and,

WHEREAS, having heard and studied the issues raised by those who did not initially support annexation, the City is confident in its abilities to positively respond to these issues; and,

WHEREAS, the City of Bothell can provide higher quality services at a lower property tax rate due to its efficient governmental operations and the ability retain the use of available tax dollars locally rather than having them spread across a larger geographic area in Snohomish County; and,

WHEREAS, the following indisputable facts are provided in support for the proposed annexation:
Fact 1

Lower property taxes - Property taxes would be lower in the City of Bothell for every property in the NEWBA (see chart below). This is primarily because the Bothell municipal tax ($1.78 per $1,000 assessed valuation in 2012) would replace the fire district tax and road district taxes, which total more than the municipal tax (between $3.21 and $3.93 combined, depending on which fire district tax applies, in 2012).

Note: A total tax comparison including all tax recipients, (e.g., state schools, school district, hospital district, library district, park district, etc.) is included as Exhibit C.
Fact 2

Lower average overall taxes - Bothell collects utility taxes, which the County does not yet have the authority to do, but for the average household in the NEWBA, the combination of property and utility taxes under Bothell’s jurisdiction would still be lower than the property tax under Snohomish County’s jurisdiction.

Fact 3

Diversity of revenue - Bothell is better equipped to weather economic downturns and provide consistently high levels of service than are special purpose districts because the City receives revenue from several sources rather than just one.

Fact 4

Revenue from NEWBA would remain in Bothell - Under Snohomish County jurisdiction, property taxes and other revenues currently collected from the NEWBA may be spent anywhere in the County, from Arlington to Woodway: revenues from annexations to Bothell stay in Bothell to provide services to residents and businesses in the annexation area and in other neighborhoods of the City.

Fact 5

Outstanding fiscal stewardship - Bothell is recognized statewide and nationally for its responsibility, integrity and innovation in managing its fiscal resources for the maximum benefit of its people.

Fact 6

Highest quality emergency medical service (EMS) - The City has committed to staffing Station 22, on Damson Road, with firefighter/paramedics. This action will bolster the existing fire fighter and paramedic services provided by the acclaimed King County Medic One system, with its first-in-the-nation cardiac arrest survival rate of 49.6 percent, as compared to the national average of around 15 percent (survival rates for the fire districts that currently serve the NEWBA are not published).

Fact 7

Fire station 22 will stay open - The one existing fire station in the NEWBA, Fire Station 22 on Damson Road, will remain open and operate 24/7. The City is committed to keeping Fire Station 22 open for at least 5
years, as compared to Snohomish County Fire District 1's previous plans to close the station.

Fact 8

Responsive, community-based police service - Annexation would bring to the NEWBA law enforcement services from Bothell's highly regarded police department. With a much smaller area to patrol than the County Sheriff is responsible for, Bothell police get to know the City's neighborhoods and provide timely and appropriate responses to citizen's needs.

WHEREAS, the City remains committed to its obligation under the State Growth Management Act to offer Bothell's full complement of urban services to areas identified in the Snohomish County and King County countywide planning policies as being most appropriately served by the City of Bothell;

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

Section 1. The Bothell City Council hereby calls for a special election to be held on April 17, 2012 for the purpose of submitting to qualified electors of that unincorporated Snohomish County territory known as the proposed North, East and West of Bothell Annexation, abbreviated as NEWBA, a ballot proposition to provide for annexation of the NEWBA and adoption of Bothell zoning as provided in Ordinance 2053.

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

Section 3. The authority under which the City proposes the NEWBA annexation election is provided by RCW 35A.14.010, Authority for annexation, and specifically by RCW 35A.14.015, Election method - Resolution for election - Contents of Resolution, et sec, as exercised in City of Bothell Resolution 1265 (2011).

Section 4. The ballot title for the proposed NEWBA, in accordance with RCW 29.27.066, shall read as follows:
City of Bothell
Proposition No. 1
Proposed North, East and West of Bothell Annexation (NEWBA)

Shall the area of unincorporated Snohomish County known as the proposed North, East and West of Bothell Annexation be annexed to the City of Bothell and subject to Bothell zoning as provided in Ordinance 2053?

☐ Yes
☐ No

Section 5. A certified copy of this resolution shall be filed with the Snohomish County Council and the Snohomish County Auditor.

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 21st of February, 2012.

APPROVED:

[Signature]
MARK LAMB
MAYOR

ATTEST/AUTHENTICATED:

[Signature]
JOANNE TRUDEL
CITY CLERK

FILED WITH THE CITY CLERK: February 21, 2012
PASSED BY THE CITY COUNCIL: February 21, 2012
RESOLUTION NO.: 1278 (2012)
Exhibit B
Legal description for proposed North, East and West of Bothell
Annexation (NEWBA)

(As approved by Snohomish County)

THOSE PORTEONS OF SECTIONS 33, 28, 21, 20, 16, 17, 19, 18, TOWNSHIP 27 NORTH,
RANGE 5 EAST W.M. AND PORTEONS OF SECTIONS 13, 14, 23, 24, 25, 26, 35 AND 36,
TOWNSHIP 27 NORTH, RANGE 4 EAST W.M. IN SNOHOMISH COUNTY, WASHINGTON,
DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH MARGIN OF 240TH STREET
SOUTHEAST AND THE EAST MARGIN OF 45TH AVENUE SOUTHEAST, THENCE NORTH
ALONG THE EAST MARGIN OF 45TH AVENUE SOUTHEAST AND ITS NORTHERLY
PROJECTION TO THE NORTH MARGIN OF 212TH STREET SOUTHEAST; THENCE WEST
ALONG THE NORTH MARGIN OF 212TH STREET SOUTHEAST TO THE WEST LINE OF THE
SOUTHEAST QUARTER OF SAID SECTION 21; THENCE NORTH ALONG SAID WEST LINE
TO THE NORTH MARGIN OF MALTBY ROAD (S.R. 524); THENCE NORTHEASTERLY
ALONG THE NORTH MARGIN OF MALTBY ROAD TO THE WEST LINE OF THE EAST
QUARTER OF THE WEST HALF OF SAID SECTION 21; THENCE NORTH ALONG SAID
WEST LINE TO THE NORTH LINE OF SAID SECTION 21; THENCE WEST ALONG SAID
NORTH LINE TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE
SOUTHWEST QUARTER OF SAID SECTION 16; THENCE NORTH ALONG THE EAST LINE
OF SAID SUBDIVISION TO THE NORTH MARGIN OF 196TH STREET SOUTHEAST; THENCE
WEST ALONG SAID NORTH MARGIN AND ITS WESTERLY PROJECTION TO THE WEST
MARGIN OF 35TH AVENUE SOUTHEAST; THENCE SOUTH ALONG SAID MARGIN TO THE
NORTH LINE OF SAID SECTION 20; THENCE WEST ALONG THE NORTH LINE OF
SECTION 20 TO THE EAST MARGIN OF 196TH STREET SOUTHEAST (GRANNIS ROAD);
THENCE NORTHEASTERLY AT RIGHT ANGLES TO SAID EAST MARGIN TO A POINT ON
THE NORTHEASTERLY MARGIN OF SAID RIGHT OF WAY; THENCE WEST ALONG THE
NORTH RIGHT OF WAY MARGIN OF 196TH STREET SOUTHEAST TO ITS INTERSECTION
WITH THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER
OF SAID SECTION 18; THENCE SOUTH ALONG SAID EAST LINE TO THE SOUTH LINE
THEREOF; THENCE WEST ALONG THE SOUTH LINE OF SAID SUBDIVISION TO THE
SOUTHWEST CORNER THEREOF; THENCE NORTH ALONG THE WEST LINE OF SAID
SUBDIVISION AND THE EAST LINE OF LOT 11, BLOCK 11 OF THE PLAT OF ALDERWOOD
MANOR NO. 5 RECORDED UNDER AUDITOR FILE NUMBER 247322 TO THE NORTHEAST
CORNER OF LOT 11; THENCE WEST ALONG THE NORTH LINE OF LOTS 11, 12, 13 AND
14 TO THE NORTHEAST CORNER OF SAID LOT 14; THENCE SOUTH ALONG THE WEST
LINE OF SAID LOT 14 AND THE EAST LINE OF TRACT 997 OF THE PLAT OF SUMMIT
RIDGE RECORDED UNDER AUDITOR FILE NUMBER 200702145236 TO THE
SOUTHEASTERLY LINE OF SAID TRACT 997; THENCE SOUTHWESTERLY ALONG SAID
LINE TO THE SOUTH LINE OF SAID PLAT; THENCE WEST ALONG SAID SOUTH LINE TO
THE EAST MARGIN OF WINESAP ROAD; THENCE NORTHERLY AND WESTERLY ALONG
THE EAST MARGIN AND NORTH OF WINESAP ROAD AND 192ND STREET SOUTHEAST TO
THE INTERSECTION WITH THE NORTH MARGIN OF FILBERT ROAD (S.R. 524); THENCE
WEST ALONG SAID NORTH MARGIN TO ITS INTERSECTION WITH THE NORTHERLY
PROJECTION OF THE WEST RIGHT OF WAY MARGIN OF LOCUST WAY; THENCE SOUTH
ALONG THE WEST MARGIN OF LOCUST WAY TO THE NE CORNER OF LOT 9, BLOCK 11
OF THE PLAT OF ALDERWOOD MANOR NO. 6, RECORDED UNDER AEN 262695; THENCE
WEST ALONG THE NORTH LINE OF SAID LOT TO THE NW CORNER THEREOF; THENCE
DRIVE SOUTHEAST; THENCE NORTH ALONG SAID WEST MARGIN TO AN INTERSECTION WITH THE WESTERLY PROJECTION OF THE NORTH MARGIN OF WEST RICHMOND ROAD; THENCE EASTERLY ALONG SAID PROJECTION AND NORTH MARGIN TO THE NORTH LINE OF SAID SECTION 25; THENCE EAST ALONG SAID NORTH LINE TO THE WEST RIGHT OF WAY MARGIN OF S.R. 405; THENCE NORTHWESTERLY ALONG SAID WEST MARGIN TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 24; THENCE EAST ALONG THE NORTH LINE OF SAID SUBDIVISION TO THE EAST LINE OF SAID SECTION; THENCE NORTH ALONG THE EAST LINE OF SAID SECTION TO THE NORTH RIGHT OF WAY MARGIN OF 208TH STREET SOUTHEAST; THENCE EAST ALONG SAID RIGHT OF WAY MARGIN TO AN INTERSECTION WITH THE WEST RIGHT OF WAY MARGIN OF ROYAL ANNE ROAD; THENCE NORTH ALONG SAID MARGIN TO AN INTERSECTION WITH THE NORTH MARGIN OF S.R. 524; THENCE EAST ALONG SAID NORTH MARGIN TO THE WEST LINE OF SAID SECTION 21; THENCE SOUTH ALONG SAID WEST LINE TO THE NORTH RIGHT OF WAY MARGIN OF 212TH STREET SOUTHEAST; THENCE EAST ALONG SAID RIGHT OF WAY MARGIN TO AN INTERSECTION WITH THE NORTHERLY PROJECTED EAST RIGHT OF WAY MARGIN OF 35TH AVENUE SOUTHEAST; THENCE SOUTH ALONG SAID EAST MARGIN TO THE WEST LINE OF SAID SECTION 28; THENCE SOUTH ALONG SAID WEST LINE TO THE NORTH RIGHT OF WAY MARGIN OF 228TH STREET SOUTHEAST; THENCE EAST ALONG SAID NORTH RIGHT OF WAY MARGIN TO AN INTERSECTION WITH THE NORTHERLY PROJECTED EAST RIGHT OF WAY MARGIN OF 35TH AVENUE SOUTHEAST; THENCE SOUTH ALONG SAID MARGIN TO THE NORTH LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 33; THENCE EAST ALONG SAID NORTH LINE TO THE NORTH-SOUTH CENTERLINE OF SAID SECTION 33; THENCE SOUTH ALONG SAID CENTERLINE TO THE NORTH RIGHT OF WAY MARGIN OF 240TH STREET SOUTHEAST; THENCE EAST ALONG SAID RIGHT OF WAY MARGIN 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 BRIER, KENMORE AND BOTHELL WHERE NOTED. REFERENCES TO THE INCORPORATION OF BRIER, KENMORE AND 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 OF THOSE CITIES.
Exhibit C

Tax Comparison

Unincorporated Snohomish County and the City of Bothell

The following tables are provided as examples only. To calculate the tax effects of annexation in a specific area of the NEWBA (North, East and West of Bothell Annexation) or in the King County potential annexation areas, please locate the tax tables provided at www.ImagineBothell.com or call 425.486.8152.

<table>
<thead>
<tr>
<th>Property Tax Comparison</th>
<th>Snohomish County</th>
<th>City of Bothell</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rate per $1,000 of Assessed Valuation</td>
<td></td>
</tr>
<tr>
<td>State – Schools</td>
<td>$2.38</td>
<td>$2.38</td>
</tr>
<tr>
<td>School District*</td>
<td>4.75</td>
<td>4.75</td>
</tr>
<tr>
<td>Northshore Park &amp; Recreation**</td>
<td>0.02</td>
<td>0.02</td>
</tr>
<tr>
<td>Snohomish County</td>
<td>0.98</td>
<td>0.98</td>
</tr>
<tr>
<td>Hospital District***</td>
<td>0.11</td>
<td>Hospital District***</td>
</tr>
<tr>
<td>Road District</td>
<td>1.72</td>
<td>Regular Levy</td>
</tr>
<tr>
<td>Fire District****</td>
<td>1.90</td>
<td>Fire District****</td>
</tr>
<tr>
<td>Sno-Isle Library</td>
<td>0.50</td>
<td>King County Library</td>
</tr>
<tr>
<td></td>
<td></td>
<td>EMS Levy</td>
</tr>
<tr>
<td><strong>Total Levy</strong></td>
<td><strong>$12.36</strong></td>
<td><strong>Total Levy</strong></td>
</tr>
<tr>
<td>Property Tax on $300,000 home</td>
<td><strong>$3,708.00</strong></td>
<td>Property Tax on $300,000 home</td>
</tr>
<tr>
<td>Difference City to County</td>
<td>(504.00)</td>
<td>Levy Rate Difference</td>
</tr>
</tbody>
</table>

* School District rate shown is for Northshore School District. Edmonds School District rate is $4.70. School District boundaries would not change with annexation so residents will pay the same rate after annexation as they do today.

** Areas that do not currently pay taxes for Northshore Park and Recreation will not pay after annexation.

*** Areas that do not currently pay taxes to the Hospital District will not pay after annexation.

**** Fire District rate shown as an average of the three fire districts in the area. Residents of fire districts with bonded debt (Fire Districts 1 and 7) will continue to pay their share of that debt. For tax comparisons for annexation areas in each of the fire districts, please visit www.ImagineBothell.com.