

City Clerk's Office

130 E. Sunset Way | P.O. Box 1307 Issaquah, WA 98027 425-837-3000 issaquahwa.gov

NOA 18-15 **NOTICE OF ACTION** ISSAQUAH CITY COUNCIL

TO:

Janet Prichard Municipal Manager Republic Services 1600 127th Ave. NE

Bellevue, Washington 98005

Washington Utilities & Transportation Commission 1300 S. Evergreen Park Dr. SW

Olympia, WA 98504-7250

DATE:

July 19, 2018

RE:

Intent to Contract for Solid Waste Collection in Recent Annexation Areas

AGENDA BILL NO .:

7527

DATE OF ACTION:

July 16, 2018

ACTION TAKEN:

The City Council approved Resolution No. 2018-11:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ISSAQUAH, WASHINGTON, INDICATING THE INTENT TO CONTRACT FOR SOLID WASTE COLLECTION SERVICES IN ANNEXATION AREAS INDICATED HEREIN, AND PROVIDING NOTIFICATION TO THE WASHINGTON UTILITIES AND

TRANSPORTATION COMMISSION (WUTC) AND REPUBLIC SERVICES.

MOTION CARRIED, 7-0.

EFFECTIVE DATE:

Retroactive to Bellevue Utility Parcel Annexation (Oct. 21, 2017) and King

County Island Annexation (Nov. 16, 2017).

ATTACHMENTS:

Resolution No. 2018-11

Tisha Gieser, Deputy City Clerk

cc:

Micah Bonkowski, OS

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RESOLUTION NO. 2018-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ISSAQUAH, WASHINGTON, INDICATING THE INTENT TO CONTRACT FOR SOLID WASTE COLLECTION SERVICES IN ANNEXATION AREAS INDICATED HEREIN, AND PROVIDING NOTIFICATION TO THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION (WUTC) AND REPUBLIC SERVICES.

WHEREAS, the City Council has adopted Ordinance Nos. 2803 and 2804, annexing property commonly known as the King County Island, and the Bellevue Utility Parcel Island; and

WHEREAS, RCW 35A.14.900 requires that the City Council formally indicate its intention to contract for solid waste collection services in the annexed areas through ordinance or resolution; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF ISSAQUAH, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Cancellation of WUTC Certificate and Granting of Franchise. Pursuant to RCW 35A.14.900, the WUTC Certificate of Republic Services for the annexed areas was canceled as of the effective date of each annexation. The City of Issaquah agrees to forthwith grant a franchise to Republic Services to continue to operate in the annexed area for a period of seven years from the effective date of this Resolution or for the remaining term of Republic Services' WUTC Permit G000012, whichever is shorter. The terms of the franchise shall be the same as those set forth in the cancelled WUTC Permit G00012 unless otherwise agreed to by the parties.

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Section 2. Effective Date. This resolution shall become effective upon passage but shall apply retroactively to the annexed areas as of the effective date of annexation. In the case of the Bellevue Utility annexation, the annexation was effective October 21, 2017. In the case of the King County Island Annexation, the annexation was effective November 16, 2017.

Section 3. Notification. Pursuant to RCW 35A.14.900, the City Clerk or her designee is hereby authorized and directed to file a copy of this resolution together with copies of the above indicated ordinances and annexation certificates with the Washington Utilities and Transportation Commission and Republic Services.

PASSED by the City Council this 16th day of July, 2018.

TOLA MARIS, COUNCIL PRESIDENT

APPROVED by the Mayor this 16th day of July, 2018.

MARY LOU PAULY, MAYOF

ATTEST:

CHRISTINE L. EGGERS, CITY CLERK

APPROVED AS TO FORM:

JAMES E. HANEY, CITY ATTORNEY

RESOLUTION NO: 2018-11 AGENDA BILL NO: AB 7527

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ORDINANCE NO. 2804

AN ORDINANCE OF THE CITY OF ISSAQUAH, WASHINGTON, ESTABLISHING PRE-ANNEXATION ZONING FOR CERTAIN PROPERTY KNOWN AS THE BELLEVUE UTILITY PARCEL ISLAND; ANNEXING SAID PROPERTY; REQUIRING ASSUMPTION OF EXISTING INDEBTEDNESS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Issaquah has determined to annex certain property located adjacent to the current city limits and commonly known as the Bellevue Utility Parcel Island, which is shown on a map and a legal description on Exhibit A; and

WHEREAS, on June 5, 2017, the City Council passed Resolution 2017-07 setting dates for public hearings on the pre-annexation zoning; and

WHEREAS, pursuant to RCW 35A.14.340, the City Council held two public hearings not less than thirty (30) days apart on the proposed pre-annexation zoning designations for the property; and

WHEREAS, after taking public testimony during the two public hearings, the City Council has determined to adopt pre-annexation zoning designations as established by this ordinance, and

WHEREAS, on August 21, 2017, the King County Boundary Review Board approved the proposed annexation,

WHEREAS, pursuant to RCW 35A.14.295, after due public notice, the Council conducted a public hearing on the annexation and has determined to annex the property subject to assumption of existing indebtedness, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF ISSAQUAH, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Pre-Annexation Zoning Established. Pursuant to RCW 35A.14.340, the pre-annexation zoning designation as depicted on the Bellevue Utility Parcel Island Zoning Map attached hereto as Exhibit B, which is incorporated herein by this reference as if set forth in full, is hereby established as the pre-annexation zoning designation for the Bellevue Utility Parcel Island, to be effective upon annexation to the City of Issaquah.

Section 2. <u>Duties of Planning Department</u>. The Planning Department shall make the necessary amendments to the official zoning map of the City to carry out the provisions of this ordinance.

Section 3. Annexation. The real property commonly known as the Bellevue Utility Parcel Island, as shown on the area map and legally described in "Exhibit A", attached hereto and incorporated in full by this reference, should be and is hereby annexed and made a part of the City of Issaquah.

Section 4. Bonded Indebtedness. All property within the area annexed shall be assessed and taxed at the same rate and on the same basis as the property within the City is assessed and taxed to pay for all outstanding indebtedness of the City.

Section 5. <u>Duties of City Clerk</u>. As required under RCW 35A.14.340, the City Clerk shall file a certified copy of this ordinance, including exhibits, with the King County Auditor.

Section 6. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction,

such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 7. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full forty five passage force five (5) days after publication.

Passed by the City Council of the City of Issaquah, the 5th day of September, 2017.

Approved by the Mayor of the City of Issaquah, the 5th day of September, 2017.

ATTEST/AUTHENTICATED:

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

PUBLISHED: Sept. 15, 2017

EFFECTIVE DATE: Sept. 20, 2017

ORDINANCE NO.: 2804 / AB 7422

Exhibit A: Legal Description & Map Exhibit B: Pre-Annexation Zoning Map

EXHIBIT A

CORE DESIGN, INC. BELLEVUE WA 98007

Core Project No: 17081

May 24, 2017

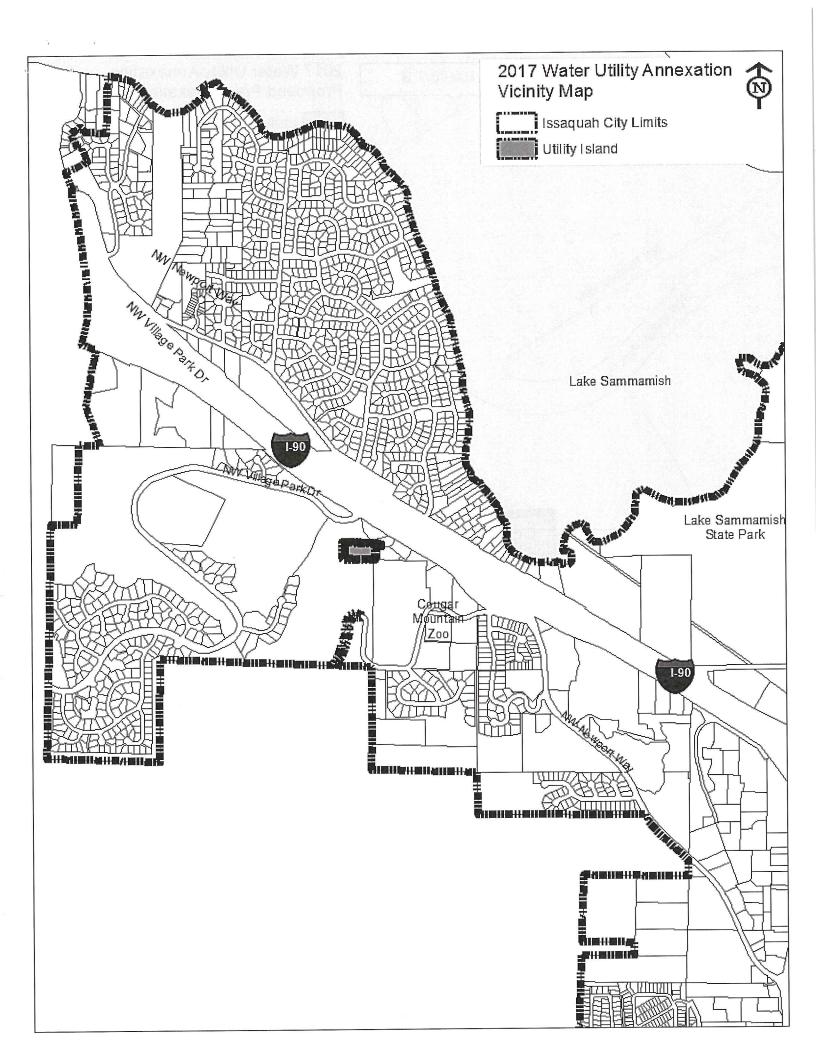
Legal Description - Bellevue Utility Parcel

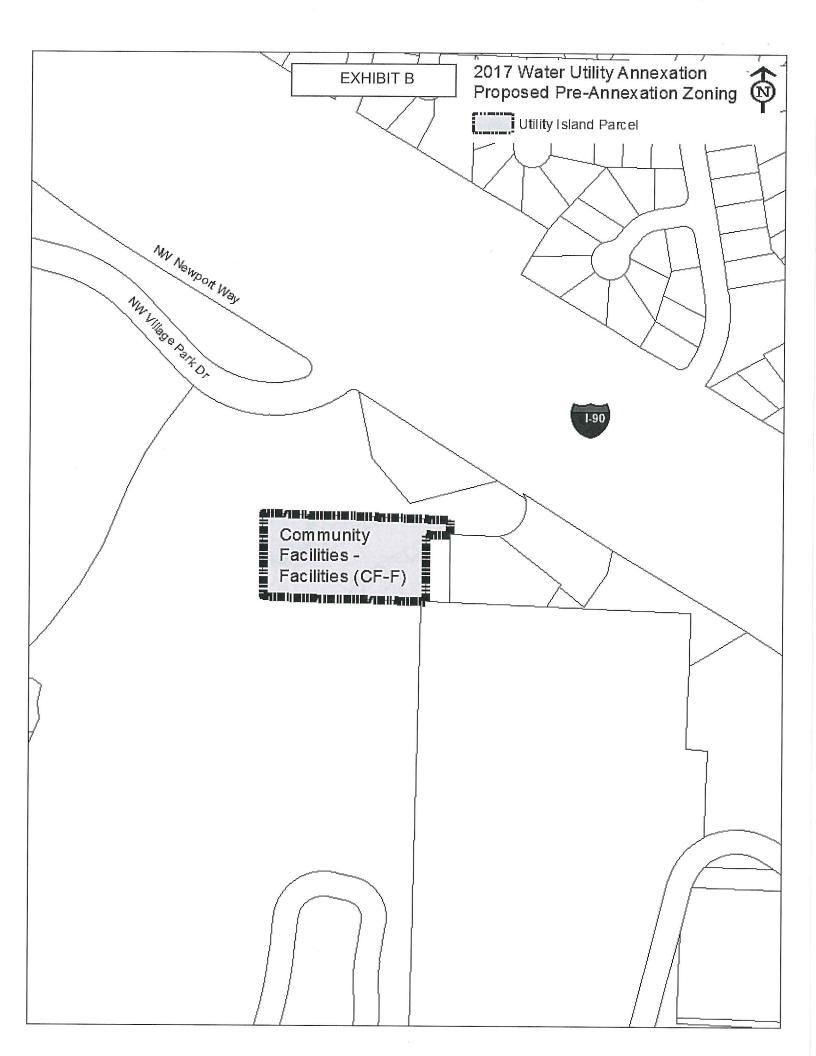
The South 200 feet of the East 356 feet of the Northwest Quarter of the Northeast Quarter and the South 200 feet of the West 99 feet of Government Lot 1, all in Section 19, Township 24 North, Range 6 East, Willamette Meridian, King County, Washington,

Except the east 60 feet of the south 165 feet thereof.

Contains 81,457± Square Feet (1.87± Acres)







STATE OF WASHINGTON, COUNTY OF KING AFFIDAVIT OF PÚBLICATION

PUBLIC NOTICE

Linda Mills, being first duly sworn on oath that she is the Legal Advertising Representative of the

Issaquah/Sammamish Reporter

date of publication hereinafter referred to, published in the English language continuously as a weekly newspaper in King County, Washington. The Issaquah/Sammamish Reporter has been approved as a Legal Newspaper by order of the Superior Court of the State of Washington for King circulation and is now and has been for more than six months prior to the a weekly newspaper, which newspaper is a legal newspaper of general County.

The notice in the exact form annexed was published in regular issues of the Issaquah/Sammamish Reporter (and not in supplement form) which was regularly distributed to its subscribers during the below stated period. The annexed notice, a:

Public Notice

was published on June 30, 2017.

The full amount of the fee charged for said foregoing publication is the sum of \$99.66.

Linda Mills

Legal Advertising Representative, Issaquah/Sammamish Reporter Subscribed and sworn to me this 30th day of June, 2017.

Gale Gwin, Notary Public for the State of Washington, Residing in Covington. Washington Covington, Washington

POTENTIAL ANNEXATION CITY OF ISSAQUAH PRE-ANNEXATION PUBLIC HEARING OF BELLEVUE ZONING FOR NOTICE OF

UTILITY ISLAND

SE Newport Way (AB 7442; Resolution No. 2017-07). The parcel is owned by the City of Bellevue and is the site of the map showing the location of the The Issaquah City Council is property and the proposed zoning wa.gov/bellevueisland or may be considering a proposal to annex imits known as the Bellevue is available online at issaquah obtained from the City contact an approximately 1.87-acre unincorporated area within the City located at 1922 Lake Sammamish reservoir. Utility Island listed below.

A public hearing will be held at the Regular Council meeting of July 17, 2017 to obtain input on the proposed pre-annexation zonannexation. This is the first of two required public hearings. The second public hearing will occur on Sept. 5, 2017 after which Council action may be taken. The Council meetings being associated with the potential

gin at 7 PM, and will be held in the Council Chambers located at 135 E. Sunset Way.

The proposed pre-annexation zoning is Community Facilities -Facilities (CF-F) to be consistent with other City-owned facilities. Definitions of the zoning districts can be found in Issaquah Municiproposed City zoning would only apply if, and when, annexation to pal Code Chapter 18.06. ssaquah occurs.

Anyone interested may appear at the public hearings and be heard for or against, or provide compre-annexation zoning. ments regarding

Heinonen at trishh@issaquahwa. Policy Planning Manager For more information, gov or (425) 837-3095

Published in the Issaquah Sammamish Reporter on June 30,

NO LON HOSE GALS. The state of the s

STATE OF WASHINGTON, COUNTY OF KING AFFIDAVIT OF PUBLICATION

PUBLIC NOTICE

Linda Mills, being first duly sworn on oath that she is the Legal Advertising Representative of the

Issaquah/Sammamish Reporter

a weekly newspaper, which newspaper is a legal newspaper of general circulation and is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a weekly newspaper in King County, Washington. The Issaquah/Sammamish Reporter has been approved as a Legal Newspaper by order of the Superior Court of the State of Washington for King County.

The notice in the exact form annexed was published in regular issues of the Issaquah/Sammamish Reporter (and not in supplement form) which was regularly distributed to its subscribers during the below stated period. The annexed notice, a:

Public Notice

was published on August 18, 2017 and August 25, 2017.

The full amount of the fee charged for said foregoing publication is the sum of \$167.48.

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Linda Mills

Legal Advertising Representative, Issaquah/Sammamish Reporter Subscribed and Front to me this 25th day of August, 2017.

Gale Gwin, Notary Public for the State of Washington, Residing in Covington, Washington

CITY OF ISSAQUAH
NOTICE OF
PUBLIC HEARING
ANNEXATION AND
ZONING OF BELLEYUE
UTILITY ISLAND

Resolution No. 2017-07). The parcel is owned by the City of Bellevue and is the site of the The Issaquah City Council is the Regular Council meeting of Sept. 5, 2017 to obtain input on considering a proposal to annex an approximately 1.87-acre unincorporated area within the City imits known as the Bellevue Utility Island located at 19221 SE Newport Way (AB 7442; map showing the location of the property and the proposed zoning wa.gov/bellevueisland or may be A public hearing will be held at Council action may be taken. The Council meetings begin at 7 PM, and will be held in the is available online at issaquahobtained from the City contact the potential annexation and pro-Following the public hearing, Council Chambers located at 135 reservoir. pre-annexation Lake Sammamish E. Sunset Way.

The proposed pre-annexation zoning is Community Facilities - Facilities (CF-F) to be consistent with other City-owned facilities. Definitions of the zoning districts can be found in Issaquah Municiproposed City zoning would only apply if, and when, annexation to Issaquah occurs.

Anyone interested may appear at the public hearing and be heard for or against, or provide comments regarding the potential annexation and proposed preamexation zoning.

anticoation zounts.

For more information, contact
Policy Planning Manager Trish
Heinonen at trishl@issaquahwa.

gov or (425) 837-3095.

Published in Issaqual Sammamish Reporter on August 18, 2017 and August 25, 2017. #1943125.



STATE OF WASHINGTON, COUNTY OF KING } AFFIDAVIT OF PÚBLICATION

PUBLIC NOTICE

Linda Mills, being first duly sworn on oath that she is the Legal Advertising Representative of the

Issaquah/Sammamish Reporter

continuously as a weekly newspaper in King County, Washington. The circulation and is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language Issaquah/Sammamish Reporter has been approved as a Legal Newspaper by order of the Superior Court of the State of Washington for King a weekly newspaper, which newspaper is a legal newspaper of general County.

The notice in the exact form annexed was published in regular issues of the Issaquah/Sammamish Reporter (and not in supplement form) which was regularly distributed to its subscribers during the below stated period.

The annexed notice, a:

Public Notice

was published on September 15, 2017 and September 22, 2017.

The full amount of the fee charged for said foregoing publication is the sum of \$162.06.

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Mala

inda Mills

egal Advertising Representative, Issaquah/Sammamish Reporter Subscribed and sworn to me this 22nd day of September, 2017. Gale Gwin, Notary Public for the State of Washington, Residing in Covington, Washington

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NOTICE OF ORDINANCE PASSED BY

ISSAQUAH CITY COUNCIL

Following is a summary, by ti-Issaquah City Council on Sept. 6, 2017, to be published on Sept. 15 and Sept. 22. The ordinance the City limits known as the Bellevue Utility Island located at acre unincorporated area within tle, of an ordinance passed by the annexed an approximately 1.87-19221 SE Newbort Way.

INGTON, ESTABLISHING PRE-ANNEXATION ZONING FOR CERTAIN PROPERTY KNOWN AS THE BELLEVUE PARCEL ISLAND; VG SAID PROPER-QUIRING ASSUMP-ORDINANCE NO. 2804
AN ORDINANCE OF THE
CITY OF ISSAQUAH, WASHINGTON, ESTABLISHING EFFECTIVE EXISTING AND REQUIRING DEBTEDNESS; LISHING AN ANNEXING Q. UTILITY NOI

in the City is assessed and taxed to pay for all outstanding indebt-edness of the, including bonded The ordinance established Issaquah zoning for the entire annexation area as Community Facilities - Facilities (CF-F) and requires all property within the annexation area to be assessed and taxed at the same rate and on the same basis as other property indebtedness.

nance is 45 days after passage on Oct. 21, 2017. This ordinance is subject to referendum pursuant to The effective date of the ordi-RCW 35A.14.297.

Complete text of the ordinances is posted at City Hall, 130 E. Sunset and on the City's website, request a copy of the ordinance, for a fee, or to file a referendum petition, contact the City Clerk's issaquahwa.gov/ordinances. Office (425-837-3000).

ish Reporter on September 15, 22, 2017. #1962975. Published in Issaquah Sammam-

DISTRIBUTION SCHEDULE City of Issaguah

FINAL STEP

Original Filed in Ordinance No. 2804 Clerk's Records Room AB 7442 DATE: Establishing pre-annexation zoning for certain property known as the Bellevue Utility Subject: Parcel Island; annexing said property; requiring assumption of existing indebtedness; and establishing an effective date. 9/6/2017 Date passed by City Council Signed by Mayor Signed by City Clerk Posted in lobby* 9/11/17 Legal notice submitted to the press 9/15 & 9/22/2017 Date(s) published (normally by title only) 10/21/2017 Date effective Codification correction (yes/no) Affidavit received Electronic copies of executed document distributed as follows: Website Posting (iCompass):_ Code Publishing Website: 9/14 MRSC (per RCW 35A.39.010) email notification: 4/15 Originating Department (Name, Dept.): Keith Niven & Trish Heinonen, DSD راوی بد م Auditor, Assesser; State Office of Financial Management; City of Bellevue Notice of Action: Final Website Posting (with cod. correction/affidavit/dist.): Hard copies of executed document distributed as follows: Other: ___ Certified Copies: Total photocopies needed: 45

^{*} If ordinance includes exhibits -label the last page of the ordinance, stating exhibits are on file with the City Clerk.

ORDINANCE NO. 2803

CITY OF ISSAQUAH, OF THE AN **ORDINANCE** PRE-ANNEXATION **ESTABLISHING** WASHINGTON. ZONING FOR CERTAIN PROPERTY KNOWN AS THE KING **ANNEXING** SAID PROPERTY; COUNTY ISLAND; REQUIRING ASSUMPTION OF EXISTING INDEBTEDNESS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Issaquah has determined to annex certain property located adjacent to the current city limits and commonly known as the King County Island, which is shown on a map and a legal description on Exhibit A; and

WHEREAS, on June 5, 2017, the City Council passed Resolution 2017-06 setting dates for public hearings on the pre-annexation zoning; and

WHEREAS, pursuant to RCW 35A.14.330 and .340, the City Council held two public hearings not less than thirty (30) days apart on the proposed pre-annexation zoning designations for the property; and

WHEREAS, after taking public testimony during the two public hearings, the City Council has determined to adopt pre-annexation zoning designations as established by this ordinance, and

WHEREAS, on August 21, 2017, the King County Boundary Review Board approved the proposed annexation,

WHEREAS, pursuant to RCW 35A.14.295, after due public notice, the Council conducted a public hearing on the annexation and has determined to annex the property subject to assumption of existing indebtedness, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF ISSAQUAH, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings. In support of the pre-annexation zoning established by Section 2 of this Ordinance, the Issaquah City Council finds that the zoning established on Exhibit B is consistent with Land Use Goal N of the City of Issaquah Comprehensive Plan: "Annex the City's Potential Annexation Areas to ensure compatibility with City development regulations and to provide for public services, public facilities, and concurrent transportation facilities at the City's level of service. Recognize that some PAAs provide other community expansion solutions other than development potential." The pre-annexation zoning established by Section 2 provides an appropriate mix of uses, services, and facilities to meet this land use goal and provides for an appropriate mix of development and other community expansion solutions.

Section 2. Pre-Annexation Zoning Established. Pursuant to RCW 35A.14.330 and .340, the pre-annexation zoning designation as depicted on the King County Island Zoning Map attached hereto as Exhibit B, which is incorporated herein by this reference as if set forth in full, is hereby established as the pre-annexation zoning designation for the King County Island, to be effective upon annexation to the City of Issaquah.

Section 3. <u>Duties of Planning Department</u>. The Planning Department shall make the necessary amendments to the official zoning map of the City to carry out the provisions of this ordinance.

Section 3. Annexation. The real property commonly known as the King County Island, as shown on the area map and legally described in "Exhibit A", attached hereto and

incorporated in full by this reference, should be and is hereby annexed and made a part of the City of Issaquah.

Section 4. <u>Bonded Indebtedness</u>. All property within the area annexed shall be assessed and taxed at the same rate and on the same basis as the property within the City is assessed and taxed to pay for all outstanding indebtedness of the City.

Section 5. <u>Duties of City Clerk</u>. As required under RCW 35A.14.340, the City Clerk shall file a certified copy of this ordinance, including exhibits, with the King County Auditor.

Section 6. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 7. Effective Date. Pursuant to RCW 35A.14.297 and RCW 35A.14.299, this ordinance shall take effect and the property described herein shall be annexed to and made a part of the City of Issaquah forty-five days after passage of this ordinance unless a timely and sufficient referendum petition is filed as provided in said statute. In addition to publishing a summary of this Ordinance, the City Clerk is hereby authorized and directed to publish at least once each week for two weeks subsequent to passage of this ordinance, a notice of the proposed effective date of the annexation, together with a description of the property to be annexed, in one newspaper of general circulation within the City and in one newspaper of general circulation within the area to be annexed. The notice shall include a statement of the adopted zoning and the requirement for taxation and the assumption of indebtedness. If no timely and sufficient

referendum petition is filed, this Ordinance shall go into effect on the forty-fifth day following passage as provided by law.

Passed by the City Council of the City of Issaquah, the 2nd day of Oct., 2017.

Approved by the Mayor of the City of Issaquah the, 2nd day of Oct., 2017.

FRED BUTLER, MAYOR

ATTEST/AUTHENTICATED:

CHRISTINE L. EGGERS, CITY CLERK

APPROVED AS TO FORM:

JAMESE, HANEY, CITY ATTORNEY

PUBLISHED: Oct. 13 and 20, 2017 EFFECTIVE DATE: Nov. 16, 2017 ORDINANCE NO.: 2803/AB 7433

CORE DESIGN, INC. BELLEVUE WA 98007

Core Project No: 17081

May 24, 2017

Exhibit 2

Legal Description - King County Island

That portion of the Northeast Quarter of the Southwest Quarter in Section 27, Township 24 North, Range 6 East, Willamette Meridian, King County, Washington lying westerly, north and northeasterly of the north right-of-way margin of Primary State Hightway No. 2, Issaquah: 212th Avenue to S.E. to East Corp. Limits;

Except the West 329.71 feet of said Northeast Quarter of the Southwest Quarter of said Section 27, Township 24 North, Range 6 East, W.M.;

Together with that portion of Lots 1 and 4, Block 10, McCloskey's Addition to Issaquah, according to the plat thereof, recorded in Volume 21, Page 34, records of King County, Washington, lying northeasterly of the northearly right-of-way margin of Primary State Hightway No. 2, Issaquah: 212th Avenue to S.E. to East Corp. Limits;

Together with that portion of the Lots 1, 2 and 3, Plat of Issaquah Park, according to the plat thereof, recorded in Volume 9 of plats, page 45, records of King County, Washington, lying north and west of the northerly right-of-way margin of Primary State Hightway No. 2, Issaquah: 212th Avenue to S.E. to East Corp. Limits.

Contains 1,213,146± Square Feet (27.85± Acres)



