

**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Update on Proposed North Highline Annexation and Discussion on Draft Resolution No. 292		Meeting Date: April 13, 2009
Department: City Manager	Attachments: Annexation Timeline Draft Resolution 292	Fund Source: N/A Activity Cost: N/A Amount Budgeted: N/A Unencumbered Budget Authority: N/A
Contact: Mike Martin, City Manager		
Telephone: (206) 248-5508		
Adopted Work Plan Priority: Yes X No	Work Plan Item Description: North Highline Annexation	
<p>PURPOSE/REQUIRED ACTION: The purpose of this agenda item is to provide an update for City Council and the community on the City's proposed North Highline Annexation. Another purpose is to present a draft Resolution for Council discussion to establish August 18, 2009 as the annexation election date. No action is required at the April 13th meeting.</p> <p>BACKGROUND (Include prior Council action & discussion): On February 2, 2009, Council approved Resolution 288 authorizing submittal of a Notice of Intent to Annex with the King County Boundary Review Board (BRB), and calling for an annexation election in the area proposed for annexation. The Notice of Intent was submitted on February 3, 2009. The BRB held its public hearing on the Notice of Intent on March 30, 2009 and indicated preliminary approval, subject to final action on April 16, 2009.</p> <p>Assuming the BRB approves our request on April 16th, Council will need to act in a timely manner to establish the annexation election date of August 18, 2009. The next steps in the annexation process are shown on Attachment 1.</p> <p>Attachment 2 is a draft Resolution for Council review and discussion that will formally request King County to add the North Highline Annexation to the August 18th primary election. While discussion can occur at your April 13th meeting, the resolution cannot be adopted until after the BRB's decision, scheduled for April 16th. Council action on the Resolution will be requested at your April 27th meeting.</p> <p>We would also like to begin discussion regarding planning and zoning in the annexation area—particularly in the current R-48 zone.</p> <p>OPTIONS (Including fiscal impacts): N/A</p>		
Administrative Recommendation: Receive update and discuss draft Resolution 292.		
Committee Recommendation: N/A		
Advisory Board Recommendation: N/A		
Suggested Motion: None required.		
Submitted by: Mike Martin		
Administration _____		City Manager _____
Today's Date: April 8, 2009		File Code: R:\CC\Agenda Bill 2009\041309cm-1 North Highline Annexation Update.doc

NORTH HIGHLINE ANNEXATION—NEXT STEPS

April 8, 2009

DATE	ITEM
April 16, 2009	<ul style="list-style-type: none">• Boundary Review Board decision on Notice of Intent to Annex. Beginning of 30-day appeal period.• Burien annexation open house (6:30-8:00 pm), Hilltop Elementary
April 27, 2009	Burien City Council decision on Resolution to request election date
April 29, 2009	Deadline for filing Resolution with County Clerk
May 16, 2009	End of 30-day appeal period for BRB decision
May 19, 2009	Burien annexation open house (6:30-8:00 pm), Salmon Creek Elementary
May 26, 2009	State of Washington deadline for placing items on August 18 primary election ballot. King County Council adoption of Ordinance establishing August 18 election date
June 16, 2009	Burien annexation open house (6:30-8:00 pm), Southern Heights Elementary
August 18, 2009	Primary election

CITY OF BURIEN, WASHINGTON

RESOLUTION NO. 292

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, REQUESTING THE KING COUNTY DIRECTOR OF ELECTIONS HOLD A SPECIAL ELECTION IN CONJUNCTION WITH THE PRIMARY ELECTION ON AUGUST 18, 2009 FOR THE PURPOSE OF PLACING ON THE BALLOT A PROPOSITION CONCERNING THE ANNEXATION OF CERTAIN PROPERTY KNOWN AS THE NORTH HIGHLINE SOUTH ANNEXATION AREA.

WHEREAS, the City Council of the City of Burien, Washington, has determined that it would be in the best interest and general welfare of the City of Burien and the North Highline Potential Annexation Area to annex certain property lying in an area north of existing City of Burien corporate boundary, referenced as the North Highline South Annexation Area; and

WHEREAS, the Growth Management Act and the King County Countywide Planning Policies encourage transition of unincorporated urban and urbanizing areas within Potential Annexation Areas from county governance to city governance; and

WHEREAS, the North Highline South Annexation Area is within the City of Burien's Potential Annexation Area adopted pursuant to Burien City Council Ordinance No. 455; and

WHEREAS, on February 2, 2009, the City Council of the City of Burien adopted Resolution No. 288 which directed the City Clerk to file with the King County Boundary Review Board a notice of intent to annex the North Highline South Annexation Area, and

WHEREAS, the Boundary Review Board held a public hearing on the proposed annexation on March 30, 2009, and

WHEREAS, the Boundary Review Board approved the annexation on April **, 2009 with a modified legal description of the North Highline South Annexation Area boundaries, which boundaries are legally described in Exhibit "A" attached hereto and incorporated by the reference as though fully set forth herein, and

WHEREAS, the City has determined to call for a special election to be held in conjunction with the primary election on August 18, 2009 and to submit the question of annexation as a ballot question as authorized by RCW 35A.14.085,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. The City Council hereby requests the King County Director of Elections to find an emergency and hold a special election in conjunction with the primary election on August 18, 2009 and to submit to the qualified electors of the North Highline South Annexation Area a proposition authorizing the North Highline South Annexation Area to be annexed to the City.

Section 2. The ballot title shall read as follows:

NORTH HIGHLINE SOUTH ANNEXATION AREA

The Burien City Council passed Resolution No. 288 which would authorize annexation of that area of unincorporated King County known as the North Highline South Annexation Area which annexation was approved by the Boundary Review Board with a modification to the boundaries as legally described in Resolution No. 292. Shall that area of unincorporated King County known as the North Highline South Annexation Area as legally described in City of Burien Resolution No. 292 be annexed to the City of Burien?

- For annexation.
- Against annexation.

Section 3. A certified copy of this resolution shall be transmitted by the City Clerk to the King County Department of Records and Elections upon passage.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, AT A REGULAR MEETING THEREOF THIS ____ DAY OF _____, 2009.

CITY OF BURIEN

Joan McGilton, Mayor

ATTEST/AUTHENTICATED:

Monica Lusk, City Clerk

Approved as to form:

Christopher D. Bacha, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Resolution No. 292

Exh.

DRAFT

EXHIBIT A

(Legal Description of North Highline South Annexation Area as modified by the Boundary Review Board in its written decision approving annexation)

BOUNDARIES OF THE PROPOSED NORTH HIGHLINE ANNEXATION AREA

The legal description of the boundaries of the proposed North Highline Annexation Area, located in Section 12, Township 23 North, Range 3 East, W.M. and in Sections 4, 5, 7, 8 and 9, Township 23 North, Range 4 East, W.M. and, all in King County, Washington, more particularly described as follows:

Beginning at the northeast corner of existing City of Burien as established by King County Ordinance 10236, said corner also being the intersection of the west margin of Des Moines Memorial Drive South (Des Moines Way South) with the north margin of South 128th Street said point being also on the city limits of SeaTac as established by King County Ordinance 8820 and situated in the Southwest quarter of Section 9, Township 23 North, Range 4 East, W.M., King County, Washington;

Thence easterly along said north margin of South 128th Street and said city limits of SeaTac to the east margin of Military Road South and an angle point in said north margin of South 128th Street and the city limits of Tukwila as established by City of Tukwila Ordinance 1574;

Thence continuing along said north margin of South 128th Street and said city limits of Tukwila to the intersection with the south line of Section 9, Township 23 North, Range 4 East, W.M.;

Thence east along the south line of said Section 9 to the intersection with a line lying 250 feet (measured perpendicular to) westerly of and parallel with the centerline of Pacific Highway South;

Thence northerly along said parallel line to the south line of the north 34 feet of the North half of the South half of the South half of the Southeast quarter of the Southeast quarter of said Section 9;

Thence continuing northerly along said parallel line which lies 250 feet westerly of and parallel with the centerline of Pacific Highway South a distance of 5 feet more or less to a point located opposite Highway Engineers Station PT 527 + 88.4 on said centerline;

Thence continuing northerly along said line, North $12^{\circ}21'28''$ West a distance of 200.30 feet to the south line of the north half of the north half of the south half of the southeast quarter of the southeast quarter of said Section 9;

Thence along said south line, South $88^{\circ}56'52''$ West to a point which lies 564.93 feet westerly of the west margin of Pacific Highway South when measured along said line;

Thence North $00^{\circ}05'43''$ East to a point on the north line of the south half of the north half of the

southeast quarter of the southeast quarter, said point being 453.07 feet westerly from the west margin of Pacific Highway South when measured along said line;

Thence westerly along said north line to a point which lies 609.72 feet east of the west line of the Southeast quarter of the Southeast quarter of said Section 9, said point also being the southwest corner of Lot "A" of City of Tukwila Boundary Line Adjustment No. L98-0033 recorded under Recorder's Number 9810059013, records of King County, Washington;

Thence northerly along the west line of said Lot "A" to a point on the north line of the southeast quarter of the southeast quarter of said Section 9 which is located 614.26 feet east of the northwest corner thereof, said point also being an angle point on the westerly line of said Lot "A";

Thence easterly along said north line to a point located 300 feet westerly of the west margin of Pacific Highway South when measured along said north line, said point also being an angle point in the westerly line of said Lot "A";

Thence northwesterly along the westerly line of Lots "A", "B", "C", and "D" of said City of Tukwila Boundary Line Adjustment to a point on the north line of the northeast quarter of the southeast quarter of Section 9 which is located 100 feet east of the northwest corner thereof, said point also being the northwest corner of said Lot "D";

Thence easterly along said north line to the westerly limited access line of PSH No. 1 (SR-99);

Thence generally northerly along said westerly limited access line to its intersection with the north margin of South 116th Way (South 116th Place);

Thence northwesterly along said north margin of South 116th Way to the new westerly right-of-way line and limited access line for Primary State Highway No. 1 (S.R. 99) as approved 7-23-57 and shown on Sheets 1 & 2 of 7;

Thence northerly along said new westerly right-of-way line to the intersection with the south margin of South 108th Street;

Thence departing from said city limits of Tukwila westerly along said south margin of South 108th Street to the intersection with the east line of the Southwest quarter of the Southwest quarter of Section 4, Township 23 North, Range 4 East, W.M.;

Thence north 30 feet along said east line to the southeast corner of the Northwest quarter of the Southwest quarter of said Section 4;

Thence west 30 feet along the south line of the Northwest quarter of the Southwest quarter of said Section 4 to the west margin of 20th Avenue South;

Thence northerly along said west margin of 20th Avenue South to the north line of the south 136

feet of the Northwest quarter of the Southwest quarter of said Section 4;

Thence westerly along the north line of the south 136 feet of the Northwest quarter of the Southwest quarter of said Section 4 to the intersection with the west line of said Section 4;

Thence southerly along the west line of said Section 4 to the north margin of South 112th Street;

Thence westerly along said north margin of South 112th Street to intersection with the north line of said Section 8;

Thence westerly along said north line to the intersection with the east margin of State Route 509;

Thence southerly along said east margin of State Route 509 to the north margin of South 116th Street;

Thence westerly along said north margin of South 116th Street and Southwest 116th Street to the west margin of 10th Avenue Southwest;

Thence northerly along said west margin of 10th Avenue Southwest to the north margin of Southwest 114th Street;

Thence westerly along said north margin of Southwest 114th Street to the east margin of 15th Avenue Southwest;

Thence northerly along said east margin of 15th Avenue Southwest to the south margin of Southwest 112th Street.

Thence westerly along said south margin of Southwest 112th Street to the east margin of Seola Beach Drive Southwest;

Thence southerly along said east margin of Seola Beach Drive Southwest to the intersection with the north line of Government Lot 3, Section 12, Township 23 North, Range 3 East, W.M. said point being the northwest corner of the existing City of Burien;

Thence easterly along said north line and the boundary of said existing City of Burien as established by King County Ordinance 10236 to the west margin of 30th Avenue Southwest;

Thence north 30 feet to the north margin of Southwest 116th Street;

Thence easterly along the north margin of Southwest 116th Street to the intersection with the east margin of 12th Avenue Southwest;

Thence southerly along said east margin of 12th Avenue Southwest to the east margin of Ambaum Boulevard Southwest;

Thence southerly along said east margin of Ambaum Boulevard Southwest to the intersection with the north margin of Southwest 128th Street;

Thence easterly along said north margin of Southwest 128th Street and South 128th Street, also being the Burien City Limits as established by King County Ordinance 10236, to the intersection with the west margin of Des Moines Memorial Drive South (Des Moines Way South) and the Point of Beginning.

DRAFT