

1 Approved: _____
2 Effective: _____

3
4 SNOHOMISH COUNTY COUNCIL
5 SNOHOMISH COUNTY, WASHINGTON

6
7 ORDINANCE NO. 21-042

8
9 APPROVING AND AUTHORIZING THE COUNTY EXECUTIVE
10 TO SIGN AMENDMENT NO. 1 TO THE INTERLOCAL AGREEMENT
11 BETWEEN SNOHOMISH COUNTY, THE CITY OF LAKE STEVENS,
12 AND THE LAKE STEVENS SEWER DISTRICT FOR THE
13 SOUTHEAST INTERLOCAL ANNEXATION
14

15 WHEREAS, the City of Lake Stevens (“the City”) and Snohomish County (“the
16 County”) recognize that the Growth Management Act (GMA), chapter 36.70A RCW,
17 encourages cities with urban services to annex unincorporated urban areas within a
18 county; and

19
20 WHEREAS, the City and the County have entered into a master interlocal
21 agreement titled *Interlocal Agreement Between the City of Lake Stevens and*
22 *Snohomish County Concerning Annexation and Urban Development Within the Lake*
23 *Stevens Urban Growth Area*, effective October 26, 2005, and recorded under Auditor’s
24 File #200511100706 (“Master Annexation ILA”), that addresses certain actions related
25 to annexation; and

26
27 WHEREAS, RCW 35A.14.296 authorizes the annexation of unincorporated
28 territory through adoption of an interlocal agreement between a county and a code city;
29 and

30
31 WHEREAS, the City initiated the annexation process for the area known as the
32 “Southeast Interlocal Annexation” by adopting Resolution 2020-17 and commencing
33 negotiations for an interlocal agreement with the County; and

34
35 WHEREAS, the Lake Stevens Sewer District (“the District”) provided written
36 notice of its interest in being a party to the interlocal agreement under RCW
37 35A.14.296(2); and

38
39 WHEREAS, the City, County, and District negotiated the terms of an interlocal
40 agreement titled *Interlocal Agreement Between the City of Lake Stevens, Snohomish*
41 *County, and the Lake Stevens Sewer District Concerning the Southeast Interlocal*
42 *Annexation and the Orderly Transition of Services Pursuant to RCW 35A.14.296* (the
43 “ILA”) to implement the annexation, and coordinate planning and the transition of
44 services within the annexation area; and

1 WHEREAS, the ILA recognizes the continued applicability, force and effect of the
2 Master Annexation ILA, effective October 26, 2005, and addenda thereto except for those
3 provisions specifically amended by the ILA; and
4

5 WHEREAS, the ILA applies only to the Southeast Interlocal Annexation by the
6 City and future annexations within the Lake Stevens Urban Growth Area will continue to
7 be governed by the Master Annexation ILA; and
8

9 WHEREAS, the ILA describes the boundaries and effective date of the Southeast
10 Interlocal Annexation; and
11

12 WHEREAS, the ILA recognizes that the District plans to expand its service
13 boundaries by separate action under chapter 57.24 RCW; and
14

15 WHEREAS, the ILA is authorized by and is consistent with the requirements of
16 the Interlocal Cooperation Act, chapter 39.34 RCW; and
17

18 WHEREAS, the ILA is consistent with the GMA comprehensive plans of both the
19 City and County; and
20

21 WHEREAS, the Snohomish County Council held a joint public hearing with the
22 City Council and District Board on March 9, 2021, to consider Ordinance 21-005,
23 approving the ILA and authorizing the Snohomish County Executive to sign the ILA on
24 behalf of the County; and
25

26 WHEREAS, on March 23, 2021, the City Council approved Ordinance 1112,
27 which authorized the City Mayor to enter into the ILA with Snohomish County and the
28 District; and
29

30 WHEREAS, on March 25, 2021, the District's Board convened and approved
31 Resolution 996 authorizing the District's President to enter into the ILA with Snohomish
32 County and the City; and
33

34 WHEREAS, on March 31, 2021, the Snohomish County Council held a public
35 hearing and approved Ordinance 21-005, authorizing the Snohomish County Executive
36 to sign, on behalf of the County, the ILA as amended by Amendment Sheet 2 which
37 revises the annexation effective date to July 16, 2021, and includes a provision to
38 ensure that the minimum net density of four dwelling units per acre will be maintained;
39 and
40

41 WHEREAS, following adoption of Ordinance 21-005 and signature of the ILA by
42 the Snohomish County Executive, the District and City signed the ILA as revised by
43 County Ordinance 21-005; and
44

1 WHEREAS, to file a Notice of Intention with the Snohomish County Boundary
2 Review Board (BRB) for the SE Interlocal Annexation, the annexation effective date of
3 July 16, 2021, as contained in the ILA needs to be revised to a later date to
4 accommodate the BRB review period, and Exhibit B of the ILA needs to be revised to
5 correct notations in the legal description and to include a surveyor's map; and
6

7 WHEREAS, this Ordinance 21-_____ includes an amendment to revise the ILA to
8 change the annexation effective date from July 16, 2021, to fifteen days after the action
9 is deemed approved by the BRB, to update the legal description, and to include a
10 surveyor's map; and
11

12 WHEREAS, with this Ordinance 21-____, the Snohomish County Council
13 authorizes the Snohomish County Executive to enter into Amendment No. 1 to the ILA
14 with the City and District, which is attached as Exhibit A to this ordinance.
15

16
17 NOW, THEREFORE, BE IT ORDAINED:
18

19 Section 1. The Snohomish County Council hereby adopts the foregoing recitals
20 as findings of fact and conclusions as if set forth in full herein.
21

22 Section 2. The Snohomish County Council authorizes the Snohomish County
23 Executive to sign *Amendment No. 1 to the Interlocal Agreement Between the City of*
24 *Lake Stevens, Snohomish County, and the Lake Stevens Sewer District Concerning the*
25 *Southeast Interlocal Annexation and the Orderly Transition of Services Pursuant to*
26 *RCW 35A.14.296*, a copy of which is attached to this ordinance as Exhibit A.
27
28

29 PASSED this ____ day of _____, 2021.
30
31

32 SNOHOMISH COUNTY COUNCIL
33 Snohomish County, Washington
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39 _____
40 Council Chairperson
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42 ATTEST:

ORDINANCE NO. 21-042
APPROVING AND AUTHORIZING THE COUNTY EXECUTIVE
TO SIGN AMENDMENT NO. 1 TO THE INTERLOCAL AGREEMENT
BETWEEN SNOHOMISH COUNTY, THE CITY OF LAKE STEVENS,
AND THE LAKE STEVENS SEWER DISTRICT FOR THE
SOUTHEAST INTERLOCAL ANNEXATION - 3

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Clerk of the Council

() APPROVED

() EMERGENCY

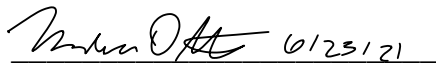
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DATE: _____

County Executive

ATTEST: _____

Approved as to form only:

 0123121

Deputy Prosecuting Attorney

Exhibit A
Amendment No. 1

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