

1 APPROVED:
2 EFFECTIVE:

3
4 SNOHOMISH COUNTY COUNCIL
5 SNOHOMISH COUNTY, WASHINGTON

6
7 ORDINANCE NO. 24-115

8
9 DISSOLVING DIKING DISTRICT NO. 3 PURSUANT TO CHAPTER 36.96 RCW

10
11 WHEREAS, Snohomish County Diking District No. 3 (hereinafter District), is a
12 special purpose district governed by the laws of the state of Washington and subject to
13 dissolution in accordance with Chapter 36.96 RCW et seq.; and

14
15 WHEREAS, the District is completely contained with the City of Marysville
16 (hereinafter City); and

17
18 WHEREAS, the Snohomish County Council held a public hearing on
19 _____ to consider evidence and testimony relating to the proposed
20 dissolution of the District;

21
22 NOW, THEREFORE, BE IT ORDAINED:

23
24 Section 1. The County Council adopts the following findings in support of this
25 ordinance:

- 26 A. The foregoing recitals are adopted as findings as if set forth in full herein.
27 B. The District has no active commissioners and has not held commissioner
28 elections within the preceding consecutive seven-year period.
29 C. The District has not carried out any of the special purposes or functions for
30 which it was formed within the preceding consecutive five-year period.
31 D. The District has not imposed assessments on properties within the District
32 since 2013.
33 E. The Qwuloolt Estuary Restoration Project, completed in 2015, has flooded
34 and restored estuary habitat for over half of the land area once protected from
35 flooding by the District.
36 F. The City of Marysville and the Tulalip Tribes entered into a Multi-Transaction
37 Governing Agreement that includes a Recreational Trail and Vegetation
38 Maintenance Easement Agreement governing maintenance of the western
39 levee. As a result of the agreement, the City is now responsible for remaining
40 levee maintenance functions for which the district was formed.

1 Section 2. The County Council makes the following conclusions:

2 A. The District is inactive pursuant to RCW 36.96.010.

3 B. It is in the public interest to dissolve the district based on the findings set forth
4 in Section 1 above.

5 Section 3. The County Council bases its findings and conclusions on the entire
6 record including all testimony and exhibits. Any finding which should be deemed a
7 conclusion, and any conclusion which should be deemed a finding, is hereby adopted
8 as such.

9
10 Section 5. Diking District No. 3 is hereby dissolved pursuant to RCW
11 36.96.040.

12
13 Section 6. All remaining assets of Diking District No. 3, including money,
14 funds, improvements, or property, real or personal, shall become assets of Snohomish
15 County concurrent with the effective date of this ordinance in accordance with RCW
16 36.96.040. On or after the effective date of this ordinance Diking District No. 3 shall be
17 referred to as “dissolved District.”

18
19 Section 7. Any remaining moneys or funds of the dissolved District shall be
20 applied by the Snohomish County Department of Conservation and Natural Resources,
21 Surface Water Management division, to those obligations of the dissolved District as set
22 forth in RCW 36.96.070, including all operating expenses incurred by the County in the
23 operation and maintenance of any facilities or improvements of the District subsequent
24 to the date of dissolution of the District. To the extent there are moneys or funds of the
25 dissolved District remaining after satisfaction of the foregoing obligations, the
26 Snohomish County Department of Conservation and Natural Resources, Surface Water
27 Management division, shall transfer all such remaining funds of the dissolved District to
28 the City of Marysville concurrent with the transfer of those facilities and improvements of
29 the dissolved District.

30
31 Section 8. To the extent necessary for purpose of the transfer of those assets
32 of Diking District No. 3 to the County as provided for in Section 6 above, and for
33 purposes of any subsequent transfer or disposition of those assets from the County to
34 the City of Marysville as provide for in Section 7 above, Carl Jorgensen as Snohomish
35 County Property Officer, is hereby authorized and directed to execute all documents
36 and deeds of conveyance on behalf of said dissolved District and the County for said
37 purpose.

1 PASSED this ___ day of _____, 2024.

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SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Chair

ATTEST:

Clerk of the Council

- () APPROVED
- () EMERGENCY
- () VETOED

DATE

County Executive

ATTEST:

Approved as to form only:



Deputy Prosecuting Attorney