



# Snohomish County Council

## Legislation Details (With Text)

**File #:** 2022-0556      **Version:** 1

**Type:** Motion      **Status:** Approved

**File created:** 5/19/2022      **In control:** Administrative Session

**On agenda:** 5/31/2022      **Final action:** 5/31/2022

**Title:** Motion 22-231, approving a proposed annexation to the Lake Stevens Sewer District BRB File 03-2022 - Fagerlie Sewer Annexation

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Motion 22-231, 2. Staff Report, 3. Map-Zoom-In, 4. Map-Zoom-Out, 5. Motion Assignment Slip, 6. Approved Lake Stevens Sewer District Resolution (updated 10/12/22)

Date	Ver.	Action By	Action	Result
5/31/2022	1	Administrative Session	Approved	Pass

### Executive/Council Action Form (ECAF)

**ITEM TITLE:**

Motion 22-231, approving a proposed annexation to the Lake Stevens Sewer District BRB File 03-2022 - Fagerlie Sewer Annexation

**DEPARTMENT:** Planning and Development Services

**ORIGINATOR:** Michael Saponaro

**EXECUTIVE RECOMMENDATION:** Approve - Ken Klein

**PURPOSE:** For the County Council to review the proposed motion to approve and not invoke BRB jurisdiction for the proposed Lake Stevens Sewer District Fagerlie annexation.

**BACKGROUND:** The proposed Fagerlie annexation is a petition method annexation for 13.03 acres to be annexed into the Lake Stevens Sewer District (District) sewer service boundary. The general location of the proposed annexation area is 12014 20<sup>th</sup> St SE, Lake Stevens. This has an abbreviated review schedule of 30-days per RCW 57.02.040(2). The 30-day review period for County Council to act on the proposed District's annexation expires June 6, 2022. On April 21, 2022, the BRB received the Notice of Intention (NOI) for the Fagerlie Annexation and deemed it legally sufficient with an effective filing date of May 6, 2022 (File No. 03-2022). The BRB, consistent with its annexation review procedures outlined in Chapter 2.77 SCC, distributed the NOI to Planning and Development Services (PDS) and PDS distributed it to County departments for comments, which have been incorporated into the staff report dated May 16, 2022. The County Council's authority for reviewing sewer district annexations is set forth in RCW 57.02.040, RCW 36.93.100, and SCC 2.77.040. Pursuant to SCC 2.77.040, the County Executive is required to review the annexation and make a recommendation to the County Council. The options for the County Council are to either: Approve the District's annexation, and not invoke the jurisdiction of the BRB, or Not approve the annexation and invoke the

jurisdiction of the BRB. If the County Council approves the annexation, BRB jurisdiction could be invoked by another party with standing during the 45-day BRB review period, which ends June 21, 2022. The County Council findings and decision to approve or not approve the annexation will be transmitted to the BRB. The PDS staff report dated May 16 contains the review per Chapter 2.77 SCC. As stated in the PDS staff report dated May 16, PDS concludes that the Fagerlie Annexation proposal by the Lake Stevens Sewer District is consistent with the applicable statutory provisions governing special district annexations. This conclusion has been reached by comprehensively reviewing the proposed annexation against the requirements of RCW 57.02.040 for water and sewer annexations, the applicable BRB factors and objectives, County codes, and other applicable statutes per SCC 2.77.040. The recommendation to the County Council from PDS is to not invoke the jurisdiction of the BRB and approve the Fagerlie Annexation by the Lake Stevens Sewer District.

**FISCAL IMPLICATIONS:**

EXPEND: FUND, AGY, ORG, ACTY, OBJ, AU	CURRENT YR	2ND YR	1ST 6 YRS
<b>TOTAL</b>			

REVENUE: FUND, AGY, ORG, REV, SOURCE	CURRENT YR	2ND YR	1ST 6 YRS
<b>TOTAL</b>			

**DEPARTMENT FISCAL IMPACT NOTES:** Click or tap here to enter text.

**CONTRACT INFORMATION:**

ORIGINAL                      CONTRACT#    AMOUNT  
 AMENDMENT                      CONTRACT#    AMOUNT

**Contract Period**

ORIGINAL                      START    END  
 AMENDMENT                      START    END

**OTHER DEPARTMENTAL REVIEW/COMMENTS:** Reviewed/approved by Finance