CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6722

AN ORDINANCE authorizing the assumption of King
County Water District No. 1; execution of an assumption
and dissolution agreement with King County Water
District No. 1; providing for severability; and establishing
an effective date.

WHEREAS, the service area of King County Water District No. 1
(hereinafter "District"), includes 210 residents of the Town of Yarrow Point; and

WHEREAS, pursuant to an Interlocal Agreement for the "Purchase of
Water Supply, System Improvements, and Maintenance and Operations" (dated
1/29/2004), the City has operated and maintained the District's water system
and has been supplying the District's service area residents with water since
2005; and

WHEREAS, the primary purpose and intent of the aforementioned
Interlocal Agreement was to facilitate the eventual assumption of the District's
water facilities and service area by the City and the dissolution of the District;
and

WHEREAS, an assumption of the water district is consistent with the
City's Water System Plan given the district system is located within the City's
water service area, the district's system facilities meet the City's performance
criteria and engineering standards, and the assumption is permitted by State
law; and

WHEREAS, RCW 35.13A.111 expressly authorizes the City to assume
the District pursuant to the terms and conditions that are mutually acceptable to
the two municipal corporations; and

WHEREAS, the City and District have negotiated an assumption and
dissolution agreement consistent with chapter 35.13A RCW, addressing the
rights, powers, duties and obligations of the City and the District with regard to
the use and ownership of District property and other matters relating to the
assumption of the District by the City and the continued provision of water to
service area residents; and

WHEREAS, the District adopted Resolution No. 2023-01, approving the
aforementioned assumption and dissolution agreement; and

WHEREAS, the District has made all system upgrades and paid all
fees/charges required by the City; and

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WHEREAS, the City has examined and is comfortable with the current condition of the District's water system, assets, and liabilities.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Effective May 9, 2023 at 12:00 p.m., the City assumes the entirety of the service area of King County Water District No. 1 lying within the corporate boundaries of the Town of Yarrow Point as provided in the Assumption and Dissolution Agreement between the City of Bellevue and King County Water District No. 1.

Section 2. In the event the Washington State Boundary Review Board (BRB) invokes jurisdiction to review the assumption, then the effective date and time in Section 1 shall be the date the BRB subsequently approves the assumption of the District by the City.

Section 3. The City Manager, or his designee, is authorized to execute the Assumption and Dissolution Agreement negotiated between the City of Bellevue and King County Water District No. 1, a copy of which agreement has been given Clerk's Receiving No.   80737   .

Section 4.   The City Manager, or his designee, is authorized to take all actions necessary to carry out the terms and conditions of the Assumption and Dissolution Agreement, including the filing of a joint petition in King County Superior Court to formally dissolve the District.

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Section 5.   If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this Ordinance.

Section 6. This Ordinance shall take effect and be in force ninety (90) days after its passage and legal publication.

Passed by the City Council this 6th day of February, 2023 and signed in authentication of its passage this 6th day of February, 2023.

(SEAL)

Lynne Robinson, Mayor

Approved as to form:
Kathryn L. Gerla, City Attorney

Brian Wendt, Assistant City Attorney

Attest:

Charmaine Arredondo, City Clerk

Published 2/9/23

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