



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

September 13, 2004

Ordinance 15003

Proposed No. 2004-0395.2

Sponsors Phillips

1 AN ORDINANCE authorizing the county executive to
2 extend the interlocal agreement with the city of
3 Sammamish relating to the processing of building permits
4 and land use applications by King County's department of
5 development and environmental services; and process the
6 shoreline substantial development permit required to
7 construct the portion of the East Lake Sammamish Interim
8 Trail located within Sammamish city limits.

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STATEMENT OF FACTS:

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- 12 1. The city of Sammamish incorporated on August 31, 1999.
 - 13 2. All local government authority and jurisdiction with respect to the
14 annexation area transfers from the county to the city upon the date of
15 annexation.
 - 16 3. The county and city signed an interlocal agreement in August 1999
17 allowing county staff to process various annexation area building permits

18 and land use applications on behalf of the city to assist in an orderly
19 transfer of authority and jurisdiction.

20 4. The county and city intend, through this amendment of the interlocal
21 agreement, to achieve a smooth transition from county to city of
22 application review in the annexation area by continuing, in part, the
23 county's review of building and land use permit applications on behalf of
24 the city and by establishing procedures for transferring land use decision
25 making and permit application information regarding such applications to
26 the city.

27 5. It is the parties' intent by virtue of the interlocal agreement that any and
28 all discretionary decisions shall be made by the city.

29 6. An agreement relating to the provision of these duties is authorized by
30 the Interlocal Cooperation Act, chapter 39.34 RCW.

31 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

32 SECTION 1. The county executive is hereby authorized to amend the interlocal
33 agreement, substantially in the form attached, with the city of Sammamish for the county
34 to process building and land use permit applications and the shoreline substantial

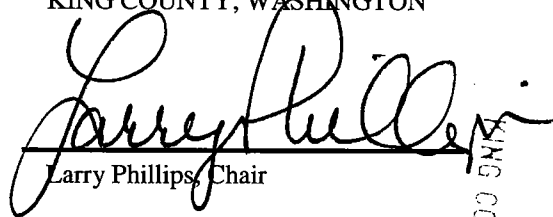
Ordinance 15003

35 development permit required to construct the portion of the East Lake Sammamish
36 Interim Trail located within Sammamish city limits.
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Ordinance 15003 was introduced on 8/30/2004 and passed by the Metropolitan King County Council on 9/13/2004, by the following vote:

Yes: 13 - Mr. Phillips, Ms. Edmonds, Mr. von Reichbauer, Ms. Lambert, Mr. Pelz, Mr. McKenna, Mr. Ferguson, Mr. Hammond, Mr. Gossett, Ms. Hague, Mr. Irons, Ms. Patterson and Mr. Constantine
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Larry Phillips, Chair


ATTEST:



Anne Noris, Clerk of the Council

RECEIVED
2004 SEP 24 PM 4:02
KING COUNTY COUNCIL
CLERK

APPROVED this 24 day of September, 2004.



Ron Sims, County Executive

Attachments

A. Amendment to Interlocal Agreement between King County and the City of Sammamish Relating to Processing of Building and Land Use Applications

AMENDMENT TO
INTERLOCAL AGREEMENT BETWEEN KING COUNTY
AND THE CITY OF SAMMAMISH RELATING TO PROCESSING
OF BUILDING AND LAND USE APPLICATIONS

THIS AGREEMENT to amend the August 25, 1999 Interlocal Agreement between King County and the City of Sammamish Relating to Processing of Building and Land Use Applications is made and entered into by and between King County, a home rule charter County of the State of Washington (hereinafter referred to as the "County") and the City of Sammamish, a municipal corporation of the State of Washington (hereinafter referred to as the "City").

WHEREAS, the County and City have determined that the Interlocal Agreement Relating to Processing of Building and Land Use Applications dated August 25, 1999, attached hereto as Exhibit A, should be amended in accordance with the Interlocal Cooperation Act, RCW 39.34 in order to foster an efficient and orderly process for the review of building and land use applications within the City's incorporated limits;

NOW, THEREFORE, in consideration of the terms and provisions herein, it is agreed as follows:

A. Paragraph 10 of the August 25, 1999 Interlocal Agreement between King County and the City of Sammamish Relating to Processing of Building and Land Use Applications (the "Interlocal Agreement") is hereby amended as follows:

10. Duration. This Agreement shall become effective upon incorporation and shall continue until December 31, 2008, unless otherwise terminated or extended. Either party may terminate this Agreement upon providing at least sixty (60) days written notice to the other party. The Agreement may be extended as provided in Section 12.

B. Paragraph 12 of the August 25, 1999 Interlocal Agreement between King County and the City of Sammamish Relating to Processing of Building and Land Use Applications (the “Interlocal Agreement”) is hereby amended as follows:

12. Extension. Pursuant to a mutual agreement between the parties, this Agreement may be extended to December 31, 2010 or to a date prior thereto. In order to extend the otherwise applicable termination date of this Agreement, the City shall make a written request to the County not less than sixty (60) days prior to the termination. If the parties have not agreed to the extension in writing by the termination date, the agreement shall terminate.

C. The August 25, 1999 Interlocal Agreement between King County and the City of Sammamish Relating to Processing of Building and Land Use Applications (the “Interlocal Agreement”) is further amended to add the following new section:

Notwithstanding any provisions in this Interlocal Agreement to the contrary, on behalf of the City, King County’s Department of Development and Environmental Services (“DDES”) shall complete review and issue a recommended decision with respect to the pending King County Facilities Management Division application for a shoreline substantial development permit (File No. L99SH007). Review of this application shall be in accordance with County shoreline regulations to which this application is vested. The King County Hearing Examiner shall thereafter conduct a hearing and render a report and final decision on behalf of the City with respect to DDES’ recommended permit decision. DDES shall provide staff and resources to substantiate its recommended shoreline decision in proceedings before the Hearing Examiner and to provide any required notices associated with the

hearing. DDES shall perform any post-decision inspections and issue any associated inspection approvals associated with the King County Facilities Management Division's shoreline permit application. The County shall provide copies of any recommended and final decisions under this section to the City. Nothing in this section is intended to preclude or limit the City's ability to comment on or participate in any actions or proceedings undertaken pursuant to this provision. In the event that an appeal of the Hearing Examiner's decision is filed, the County and City shall retain responsibility for representing their respective interests. Either party may terminate this section of the Interlocal Agreement upon providing forty-five days advance written notice to the other party.

D. Except to the extent expressly modified by the foregoing amendments, the existing terms and conditions of the Interlocal Agreement shall remain.

IN WITNESS WHEREOF, the parties have caused this Amended Agreement to be executed.

KING COUNTY

King County Executive

Dated

Approved as to Form:

By: _____
Senior Deputy Prosecuting Attorney

CITY OF SAMMAMISH

Sammamish City Manager

Dated

Approved as to Form:

City Attorney