

The Washington State Boundary Review Board For King County

REGULAR MEETING

7:00 P.M.

June 13, 2024

***Bellevue Fire Department Station 9 a/k/a Newcastle Fire Station
12412 Newcastle Way, Bellevue, WA 98006***

Hybrid Option: Zoom Meeting ID: 869 0339 3324, Passcode: 446243

NOTE TO THE PUBLIC:

This meeting is open to the public pursuant to the Open Public Meetings Act (OPMA).

I. CALL TO ORDER – 7:00 PM

Bob Cook, Chair

II. ROLL CALL

Mary Lynne Evans	Paul MacCready
Chandler Felt	Hank Margeson
Marlin Gabbert	Teresa Platin
Jay Hamlin	Cheryl Scheuerman
Ken Hearing	Stephen Toy

III. PUBLIC COMMENT

IV. MINUTES:

Regular Meeting of May 9, 2024

V. ADMINISTRATION

- A. Chair’s Report***
- B. Executive Secretary’s Report***

VI. DISCUSSION AND POTENTIAL APPROVAL OF STANDARD OPERATING PROCEDURE DRAFTS

- A. Waivers Per RCW 36.93.110 (Approval)***

VII. 2024 PLANNING – MEETINGS & COMMITTEE WORK

- A. Board Membership & Terms***

AGENDA

June 13, 2024

Page Two

VIII. BRB TOOLS & RESOURCES

IX. NEW BUSINESS:

- A. Masterlist
- B. Upcoming Actions/Other Updates

X. ADJOURNMENT

COMMITTEE MEMBERSHIP LIST

STEERING COMMITTEE*
CHAIR: Steve Toy
Mary Lynne Evans
Paul MacCready
Hank Margeson

NOMINATING COMMITTEE*
CHAIR: Hank Margeson
Jay Hamlin
Ken Hearing
Paul MacCready

PERSONNEL COMMITTEE*
CHAIR: Ken Hearing
Jay Hamlin
Teresa Platin
Chandler Felt

LEGISLATIVE COMMITTEE*
CHAIR: Mary Lynne Evans
Marlin Gabbert
Chandler Felt
Cheryl Scheuerman

BUDGET COMMITTEE*
CHAIR: Jay Hamlin
Marlin Gabbert
Cheryl Scheuerman
Teresa Platin

*Bob Cook, as Board Chair, is an ex officio member on all committees

**WASHINGTON STATE BOUNDARY REVIEW BOARD
FOR KING COUNTY**

REGULAR MEETING

May 9, 2024

I. CALL TO ORDER

Chair Bob Cook convened the meeting at 7:02 P.M.

II. ROLL CALL

The following members were present:

Robert Cook	Hank Margeson
Mary Lynne Evans	Paul MacCready
Chandler Felt	Teresa Platin
Marlin Gabbert	Cheryl Scheuerman
Jay Hamlin	Stephen Toy
Ken Hearing	

Other attendees: Robert C. Kaufman, Board Counsel, Shelby Miklethun, Angelica Velasquez

III. PUBLIC COMMENT

There were no public comments.

IV. MINUTES

REGULAR MEETING – APRIL 11, 2024

Chair Cook presented the minutes of the Regular Meeting of April 11, 2024, for review and action by the members.

Action: Hank Margeson moved and Ken Hearing seconded the motion to adopt the draft minutes for the Regular Meeting of April 11, 2024.

Board members voted nine in favor of approving this record of the Regular Meeting.

V. ADMINISTRATION

A. CHAIR'S REPORT

Chair Cook reported that he continues work with Ms. Miklethun regarding preparing for the Board's meetings.

B. EXECUTIVE SECRETARY'S REPORT

Ms. Miklethun reported that Quarter 1 vouchers had been processed for payment to members. She then stated that the Board's July Regular Meeting will be cancelled. Next, she relayed that the [2024 WSABRB Annual Conference](#) will be held on October 24, 2024, and that it will be virtual. Finally, Ms. Miklethun shared the 2025 BRB Proposed Proforma Budget from the King County Office of Performance, Strategy & Budget and stated that she was pleased with the proposal as it includes a small increase from the current budget.

VI. DISCUSSION AND VOTE REGARDING STANDARD OPERATING PROCEDURES DRAFTS

The members and Ms. Miklethun discussed the newest version of the Meeting Standard Operating Procedures and Meeting Checklist draft that included edits requested by members at the April 11, 2024 Regular Meeting.

Action: Hank Margeson moved and Chandler Felt seconded the motion to approve the Meeting Standard Operating Procedures and Meeting Checklist.

Board members voted nine in favor to approve the Meeting Standard Operating Procedures and Meeting Checklist.

The members and Ms. Miklethun then discussed the draft RCW 36.93.100 Waiver Procedures and Waiver of Review Form and the waiver process overall. Specifically, members discussed the requirement of a deemed complete filing of a full Notice of Intention (NOI) before a such a waiver could be granted by the Board Chair. Additionally, members discussed the need for clarification that members should have access to the NOI before the Board Chair signs the waiver. Next, members identified a typo for correction. Finally, the members and Ms. Miklethun discussed a typical file summary prepared by Ms. Miklethun for a typical NOI vs. a truncated version that she proposed to prepare for files wherein the Board Chair chooses to issue a waiver per RCW 36.93.100.

VII. CHAIR COOK SIGNED A [WAIVER](#) PER RCW 36.93.110 FOR [FILE NO. 2419](#) COVINGTON WATER DISTRICT SCHNEIDER WATER ANNEXATION

VIII. WATCH AND DISCUSS WSABRB PRESENTATION VIDEO FROM THE WA STATE SENATE LOCAL GOVERNMENT, LAND USE & TRIBAL AFFAIRS COMMITTEE WORK SESSION ON MAY 8, 2024, IN BELLINGHAM, WA

Chandler Felt provided a report regarding the work session, and then members watched the [video](#) of [WSABRB presentation](#). Members then discussed the same and commented that it would be good training material for members. Chandler Felt and Ms. Miklethun thanked Mary Lynne Evans for her effort in preparing for the work session.

IX. NEW BUSINESS:

There was no new business before the Board.

X. ADJOURNMENT

Chair Cook adjourned the Regular Meeting at approximately 8:31 P.M.

Washington State Boundary Review Board for King County

RCW 36.93.110 Waiver Standard Operating Procedures

I. Policy Framework:

a. RCW 36.93.110

Where an area proposed for annexation is less than ten acres and less than two million dollars in assessed valuation, the chair of the review board may by written statement declare that review by the board is not necessary for the protection of the interest of the various parties, in which case the board shall not review such annexation.

b. Organization and Rules of Practice and Procedure Section (ORPP) IV.B.1

Filing Date

Upon determination that the Notice of Intention is legally sufficient, that all necessary fees have been paid, and that all required review processes have been duly completed, the Executive Secretary shall assign a filing date to be effective as of the time the Notice of Intention is deemed legally sufficient.

II. Procedures

a. After the Executive Secretary has assigned a filing date for a legally sufficient Notice of Intention (NOI) pursuant to ORPP IV.B.1, they will notate whether the proposed annexation area is less than ten acres and less than ~~nt~~ two million dollars in assessed valuation.

b. If the proposed annexation area is less than ten acres and less than two million dollars in assessed valuation, the Executive Secretary shall electronically send the NOI to the Board Chair.

c. Should the Board Chair wish to issue a waiver for the file pursuant to RCW 36.93.110, the Board Chair shall direct the Executive Secretary to prepare an RCW 36.93.110 Waiver Form (Waiver Form) for the file as well as note the Board Chair's signing of the waiver on the Agenda for the next Regular Meeting or Special Meeting of the Board. The Board Chair shall provide this direction to the Executive Secretary no later than seven days before a Regular Meeting or 48 hours before a Special Meeting.

i. The Executive Secretary shall then prepare an RCW 36.93.110 Waiver Form and add an item to the Agenda for the next Regular Meeting or Special Meeting during which the Board Chair will sign the waiver form. The agenda item shall include a link to the NOI on the Board's website.

d. Within three business days post Waiver Form signing, the Executive Secretary shall issue a Closure Letter to the initiating agency informing it of the issuance of the Waiver and post it on the Board's website.

e. Within three business days post Waiver Form signing, the Executive Secretary shall notify affected government agencies of the issuance of the waiver and closure of the Board's file.

Washington State Boundary Review Board for King County

WAIVER OF REVIEW BY BOARD FORM

IN RE:	INITIATING AGENCY NAME	FILE NO. XXXX
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The proposed annexation area for this matter is DESCRIBE PROPOSED ANNEXATION AREA AND VALUATION HERE. ATTACH DOCUMENTATION (see Exhibit A.) The proposed annexation area is less than ten acres and the assessed valuation of the proposed annexation area is less than two million dollars in assessed valuation.

Therefore, pursuant to RCW 36.93.110, I, XXXXXXXXXXXX, Chair of the Washington State Boundary Review Board for King County (WSBRBKC), do hereby declare that review by the WSBRBKC of the proposed annexation WSBRBKC File No. XXXX – XXXXXXXXXXXXXXXXXXXX is not necessary for the protection of the interest of the various parties. Accordingly, WSBRBKC waives review of this proposal.

Signed this XX day of XXXXX, 20XX, in XXXXXXXX, WA.

XXXXXXXX, Chair

XXXXXXXX, Executive Secretary

KC BRB - Meeting Planning – August to January

August

- Carl Schroeder, AWC
- Deputy Ross, KSCO
 - Conflict De-escalation Training

Budget Committee Meeting

September

- Shelby's Performance Appraisal

Requires Personnel Committee Work

October

- Cancel?
- WSABRB Conference 10/24/24

November

- Steering Committee Report

Requires Steering Committee Work

December

- End of Year Celebration

January

- Chair Transition
- Chair Elect Vote
- Committee Assignments
- Potential Vote(s) Re New Member(s)
 - Only If Necessary

Requires Nominating Committee Work

WASHINGTON STATE BOUNDARY BOARD FOR KING COUNTY

MEMBERSHIP PROFILE

EFFECTIVE DATE: MAY 2023

Member	Council District.	Affiliation	Date First Appointed	Term Expires	Term #	Appointing Authority
Cheryl Scheuerman	5	Retired Water and Sewer District Manager	11/10/22	02/28/25	1	Special Purpose Districts
Teresa Platin	9	Retired Professional Engineer	1/27/23	01/31/25	1	King County Executive
Mary Lynne Evans	1	Retired Community Planner; Educator; Management Consultant	02/01/10	01/31/25	4	King County Executive
Chandler Felt	1	Retired King County Demographer	02/01/19	01/31/27	2	Cities of King County
Marlin Gabbert	1	Architect and Planner	03/01/17	02/28/25	2	Special Purpose Districts
Jay Hamlin	6	Retired Software Consultant	06/14/15	01/31/27	3	Cities of King County
Ken Hearing	3	Former Mayor of City of North Bend	05/15/23	01/31/27	1	Cities of King County
Paul MacCready	1	Retired Geographer and Principal Planner, Snohomish County	08/24/11	01/31/25	4	King County Executive
Dayle (Hank) Margeson	3	Former Redmond City Councilmember, President - Northwest Baseball Umpires Association	2/1/2021	01/31/25	1	Cities of King County
Robert Cook	N/A	Past President of the King County Fire Commissioners Association	01/13/22	02/28/25	1	Special Purpose Districts
Stephen Toy	1	Principal Demographer – Snohomish County	02/29/12	01/31/27	3	King County Executive

Name - Staff	Div.	Mail Stop	Direct Line	E-Mail
Shelby Miklethun, Executive Secretary Angélica Velásquez, Administrator	Washington State Boundary Review Board for King County	YES-BR 205 YES-BR 205	206-263-9772 206-477-0633	shelby.miklethun@kingcounty.gov angelica.velasquez@kingcounty.gov

File	Date Rec	Filed	Exp/45	Entity	Entity Type	Action	Annexation Method	Name	Board Action	Date Closed	Final/Ord	Parcel Nos.	No. of Parcels	Total Acres
2419	4/10/2024	4/17/2024	6/2/2024	WD: COVINGTON	WATER DISTRICT	ANN	PETITION	SCHNEIDER WTR	APV/WAIVER 05/09/2024	5/9/2024		2022069098	1	0.49
2418	2/22/2024	2/24/2024	4/8/2024	C: REDMOND	CITY	ANN	PETITION	NE 97TH STREET	APV/45/03/14/2024	4/9/2024	ORD. 3165	0325059160, 0325059155, 0325059155, 0325059134, 0325059039, 0325059045, 0325059052, 0325059108, 0325059053, 0325059087, 0325059082, 0325059093, 0325059257	13	13.5
2417	10/27/2023	10/27/2023	12/11/2023	SOOS CREEK W & S	WATER AND SEWER DISTRICT	ANN	PETITION	LAKEPOINTE SWR	APV/45/11/09/2023	12/12/2023	ORD. 19737, RES. 3845-5	2922069162, 1922069041, 3022069001, 2022069152, 2022069012	5	79.9
2416	10/5/2023	10/10/2023	11/27/2023	C: AUBURN	CITY	ANN	RESOLUTION - RCW 35.10.271(2)	THE BRIDGES	APV/45/11/09/2023	11/28/2023	ORD. 6928	https://app.box.com/s/2o0ywx1mv6cpzhcylv/e24ss00mw6umf	443	156
2415	3/31/2023	3/31/2023	5/15/2023	C: PACIFIC	CITY	SAC	INTERLOCAL AGREEMENT	GREEN VALLEY FARMS SAC	APV/45/04/13/2023	5/19/2023	RES. 2023-876	3621049016, 3621049077	2	20.5
2414	2/28/2023	2/28/2023	4/17/2023	WD: COVINGTON	WATER DISTRICT	ANN	PETITION	HUB WTR	APV/45/03/09/2023	4/25/2023	ORD. 19622, RES 4618	4127000805, 4127000860, 4127000861	3	46.05
2413	10/17/2022	10/26/2022	12/12/2022	C: ENUMCLAW	CITY	ANN	PETITION	GRACE POINT	APV/45/11/10/2022	12/20/2022	ORD. 2749	7792000015, 7792000020	2	1.23
2412	9/26/2022	9/28/2022	11/14/2022	SAMM PLATEAU W & S	WATER AND SEWER DISTRICT	ANN	PETITION	SILER RIDGE WTR	APV/45/11/10/2022	11/18/2022	ORD. 19554	1225069051, 1225069050, 135069091, 1225069049, 1225069013, 135069005	6	120
2411	8/9/2022	8/15/2022	9/29/2022	SAMM PLATEAU W & S	WATER AND SEWER DISTRICT	ANN	PETITION	NE 1ST & JUNIPER SWR ANNE	APV/45/09/22/2022	9/29/2022	ORD. 19519	8843500209, 8843500208, 8843500205, 8843500150, 8843500121, 8843500120, 8843500124, 8843500136, 8843500138, 8843500145	10	12
2410	8/9/2022	8/15/2022	9/29/2022	SAMM PLATEAU W & S	WATER AND SEWER DISTRICT	ANN	PETITION	M-BROOKE FARM WTR ANN	APV/45/09/22/2022	9/29/2022	ORD. 19518	2425069002, 2525069003	2	80
2409	7/29/2022	8/2/2022	9/16/2022	FD: KCFD # 43	FIRE DISTRICT	ANN	PETITION	VANDER WOUDE ANNEX	APV/45/08/11/2022	9/16/2022	ORD. 19520	0822079034	1	1.36
2408	6/30/2022	7/5/2022	8/19/2022	SAMM PLATEAU W & S	WATER AND SEWER DISTRICT	SWR DE	WITHDRAWAL RESOLUTION - RCW 57.28	ISSAQUAH HIGHLANDS	APV/45/08/11/2022	8/19/2022	RES. 5139	NOT PROVIDED IN A LISTABLE FORMAT	NOT PROVIDED IN A LISTABLE FORMAT	27
2407	6/30/2022	7/5/2022	8/19/2022	SAMM PLATEAU W & S	WATER AND SEWER DISTRICT	WTR DE	WITHDRAWAL RESOLUTION - RCW 57.28	ISS H'LANDS & URBAN VILLA	APV/45/08/11/2022	8/19/2022	RES. 5138	NOT PROVIDED IN A LISTABLE FORMAT	NOT PROVIDED IN A LISTABLE FORMAT	247
2406	5/2/2022	5/3/2022	6/17/2022	WD: COVINGTON	WATER DISTRICT	ANN	PETITION	STATION BY VINTAGE	APV/45/05/12/2022	6/17/2022	ORD. 19468	3622059057	1	2.33
2405	1/7/2021	1/11/2021	2/25/2021	FD:NORTHSHORE F.D.	FIRE DISTRICT	MERGER	ELECTION METHOD MERGER - RCW 52.06	NORTHSHORE-WOODINVILLE	APV/45/02/11/2021	2/25/2021	REJECTED BY VOTERS	NOT PROVIDED IN A LISTABLE FORMAT	NOT PROVIDED IN A LISTABLE FORMAT	28,880
2404	10/1/2020	10/8/2020	11/22/2020	C: RENTON	CITY	ANN	PETITION	GRAVES ANNEX.	APV/45/11/12/2020	11/23/2020	ORD. 6011	3664500338, 3664500006, 3664500009, 3664500008, 3664500330, 3664500007, 3664500320, 1457500044, 1457500045, 1457500046, 1457500043, 1457500047, 1457500050, 1457500051, 1457500054, 1457500049, 1457500048, 1457500055, 1457500053	19	21.4
2403		9/21/2020	11/5/2020	WD: COVINGTON	WATER DISTRICT	ANN	PETITION	JACKSON DEAN ANNEX.	APV/45/10/08/2020	11/5/2020	ORD. 19190	2022069011	1	6.47
2402	6/3/2020	6/4/2020	7/19/2020	C: ENUMCLAW	CITY	ANN	PETITION	MT. RAINIER CHRISTIAN CTR.	APV/45/05/14/2020	7/20/2020	ORD. 2691	2220069097, 2220069170	2	6.87
2401	4/1/2020	4/15/2020	5/30/2020	C: FEDERAL WAY	CITY	ANN	PETITION	S. 320th STREET ANNEX.	APV/45/05/14/2020	5/18/2020	ORD. 20-892	0921049028, 0921049139, 0921049206, 0921049187, 0921049140, 0921049160, 0921049206	7	21
2400	2/6/2020	2/6/2020	3/22/2020	C: ENUMCLAW	CITY	ANN	PETITION	MT. RAINIER CHRISTIAN CTR	APV/45/02/13/2020	WITHDRAWN	WD-SEE FILE NO. 2402	2220069097, 2220069170	2	8.7

Washington State Boundary Review Board for King County

Member Voucher

Name: _____

BOARD ELECT OFFICIAL FEE - \$50.00

Date	Meeting

PRIVATE AUTO MILEAGE

[GSA Federal Personal Vehicle Mileage Rates](#)

Date	Start Address	Return Address	Mileage

TRAVEL SUBSISTANCE IN STATE – RECIEPTS REQUIRED

[GSA Federal Per Diem Rates](#)

Date	Item	Cost

OTHER – DETAIL THE EXPENSE

Date	Item	Cost



BOUNDARY REVIEW BOARDS: ROLE & SCOPE

Chandler Felt, Legislative Committee Chair,
Washington State Association of Boundary
Review Boards

Shelby Miklethun, Staff to the Washington State
Association of Boundary Review Boards

Washington State Senate
Local Government, Land Use and Tribal
Affairs Committee

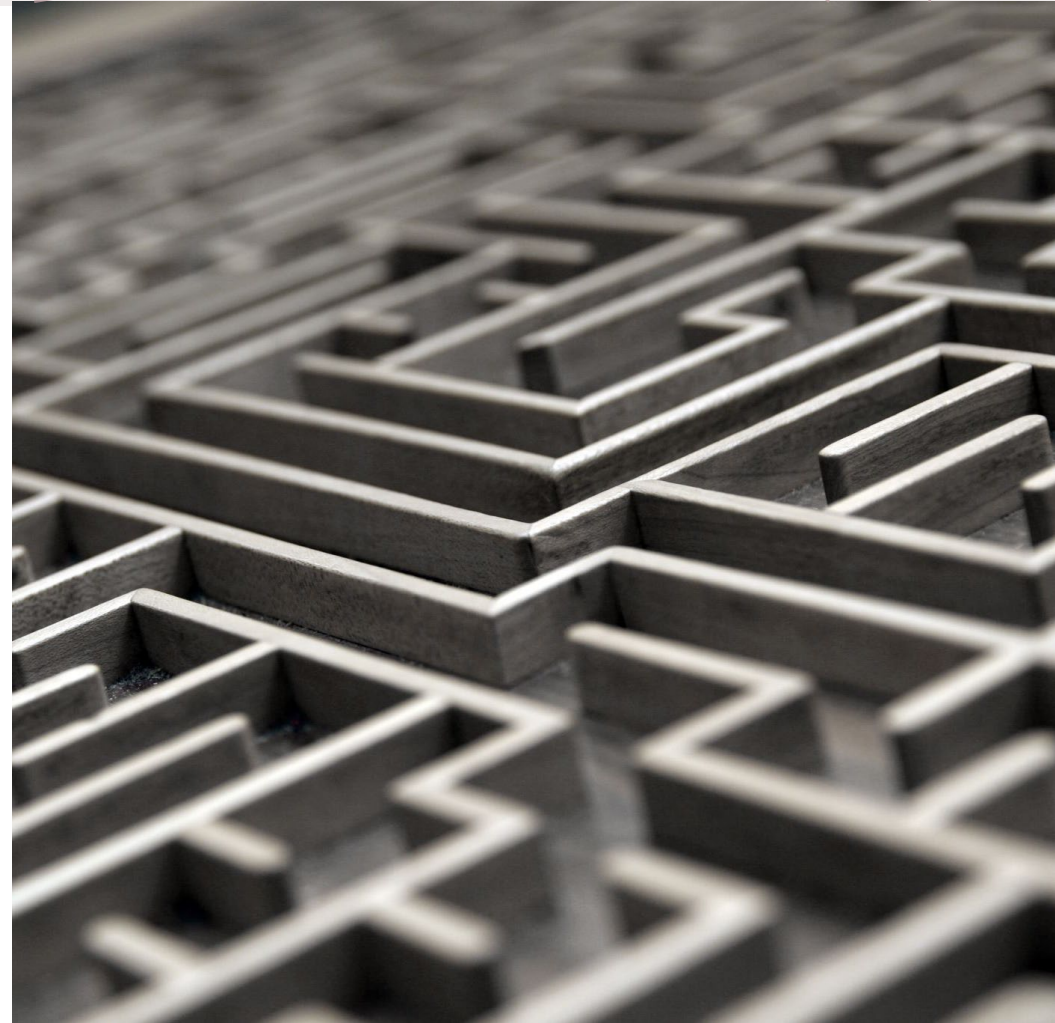
May 8, 2024

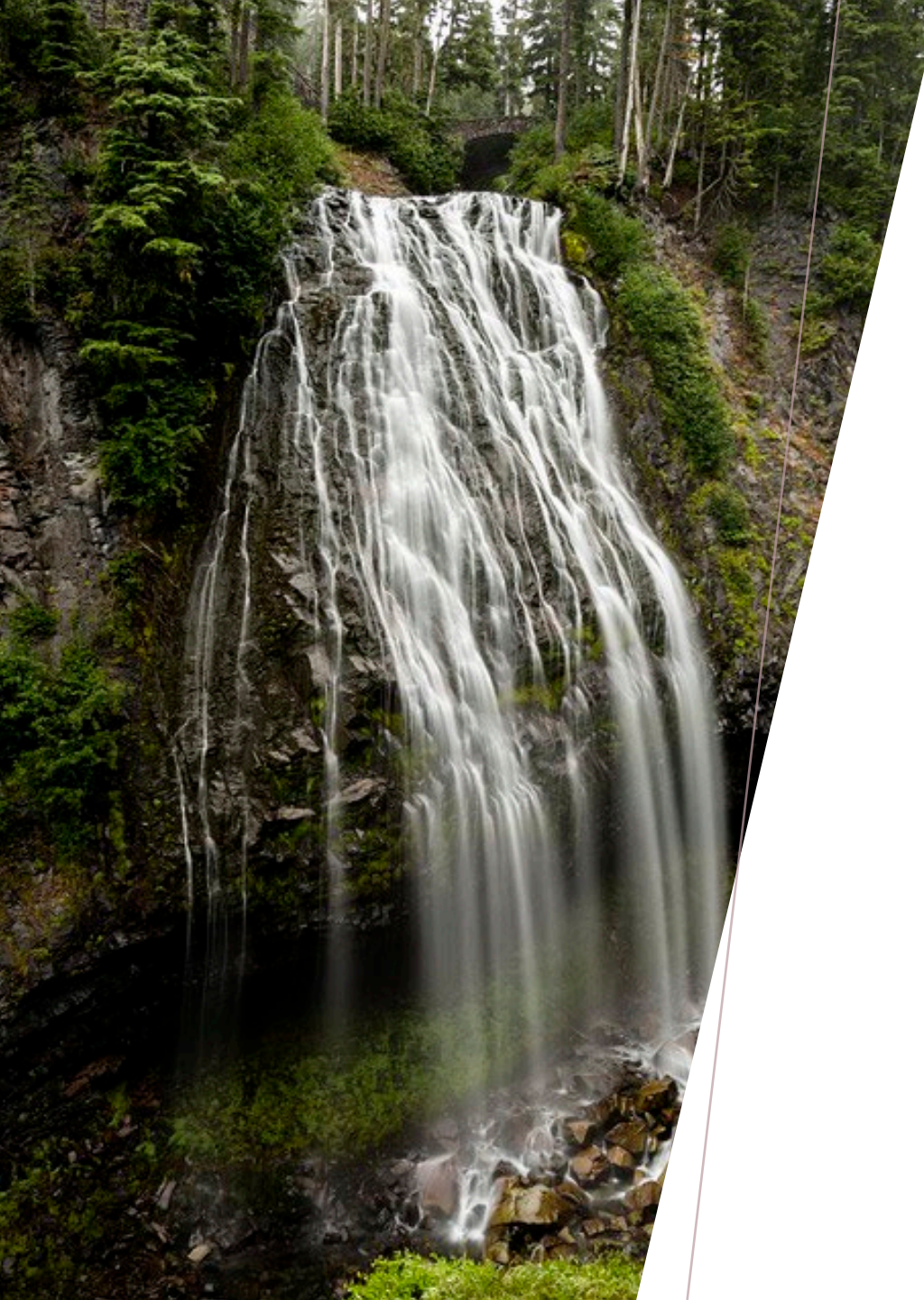
Bellingham, Washington



WHAT ARE BOUNDARY REVIEW BOARDS?

- Set up by RCW 36.93 in 1967
- Annexations and related boundary changes
- Address and adjudicate municipal/district boundary disputes
- Neutral forum for all parties to be heard





WHAT IS OUR ROLE?

- Provide advice and information for jurisdictions and communities
- Receive boundary change proposals
- Public notice of proposed changes
- Decide sufficiency of information

*IF PROPOSED
BOUNDARY
CHANGE IS
CHALLENGED*



Provide a neutral forum for public meeting



Quasi-judicial, open and transparent adjudication of boundary disputes



Allow appeal to Superior Court



WHO'S ON BOUNDARY REVIEW BOARDS?

- Community members appointed by:
 - Local governments
 - The Governor
 - Special purpose districts



*COUNTIES
WITH
BOUNDARY
REVIEW
BOARDS*

FORMATION OF BRBs

- Initially, the Legislature created BRBs in WA's largest counties
- Other counties may create a BRB by either:
 - Majority vote of county legislative authority; **OR**
 - A petition of 5% of voters who voted in last county general election followed by a majority vote in an election
- Chelan is the newest BRB

*WHAT
LAWS DO
WE
FOLLOW?*



RCW 36.93

Including
Factors &
Objectives



Growth Management Act, State
Environmental Policy Act, and
Open Public Meetings Act



County and city land use plans
and regulations

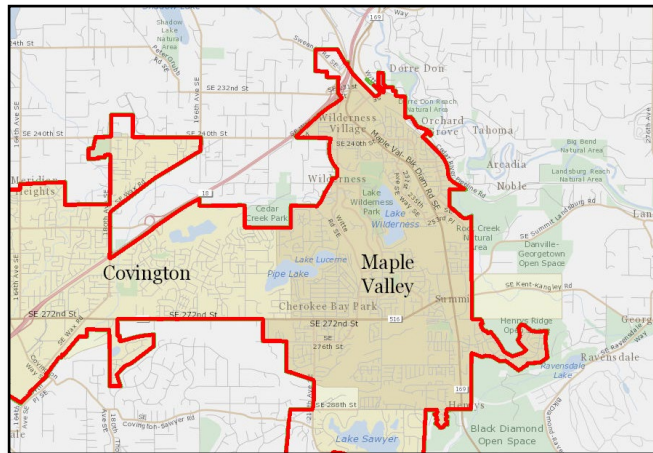
WHICH GOVERNMENTS DO WE WORK WITH?

- Counties
- Cities
- Certain special purpose districts
 - Especially water, sewer and fire districts

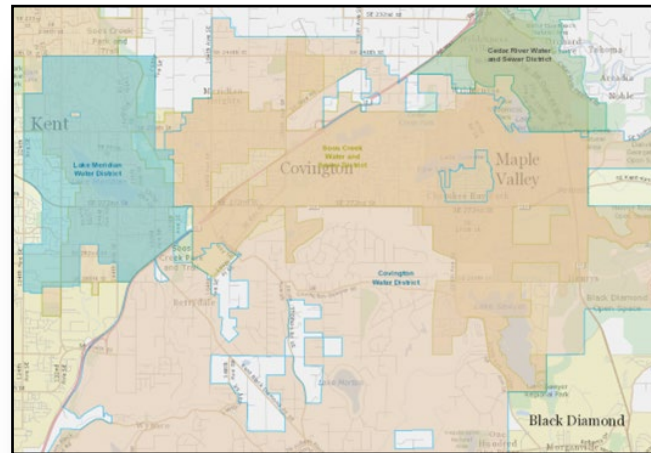


JURISDICTIONS WE LIVE WITHIN

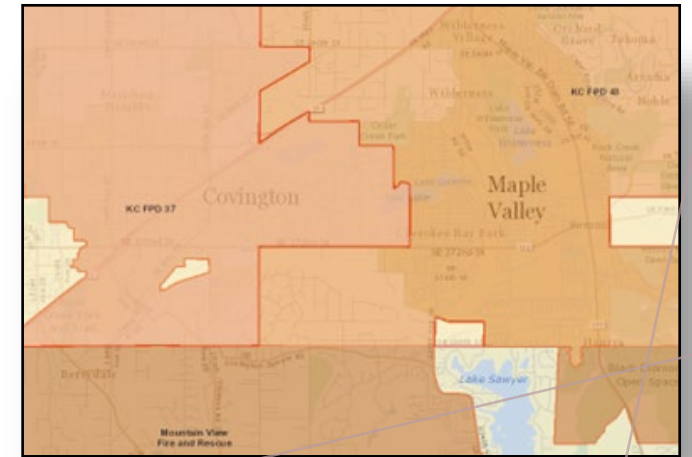
Cities and Urban Growth Boundary



Water & Sewer



Fire



- 39 counties (*15 BRB counties*)
- Over 280 cities (*157 in the BRB counties*)
- Hundreds of special purpose districts

BOUNDARY LINES

We cover jurisdictional boundary lines

We do not cover

- Land ownership lines and disputes
- Planning lines

A row of wooden figures, with one orange figure standing out among several white ones. The figures are simple, rounded shapes with a spherical head and a tapered body. They are arranged in a line on a light-colored surface. The background is a light blue gradient.

ESSENTIAL TO RESOLVING DISPUTES

- Boundary lines determine
 - Efficient service provision
 - Locations for government responsibility
 - Tax disbursements to jurisdictions
 - Who can vote for officials in particular geographic areas



WHAT BOUNDARY REVIEW BOARDS DO

- Receive proposals (Notice of Intention)
 - Provide technical advice and official public notice
- Determine sufficiency of the proposal
 - If no challenge arises, the action can move forward
- Dissemination of information to affected parties
- Hold public hearings
 - BRBs have additional roles regarding municipal incorporations
- Issue decisions



SOME METHODS OF ANNEXATION

- Petition
- Election
- Resolution
- Interlocal agreement

WHAT IF THE PROPOSAL IS CHALLENGED?

1

An affected entity can “invoke jurisdiction” of the Boundary Review Board

2

The Board gathers evidence and holds a public hearing

3

The Board evaluates the case and issues their decision

WHAT DECISIONS CAN THE BOARD MAKE?

- Approve proposed action with no changes
- Modify proposed action
- Deny proposed action

FOLLOWING THE BOARD'S DECISION

- Initiating agency can adopt the Board's decision or take no action

OR

- Initiating agency can appeal decision to the county's Superior Court

IMPORTANT TO REMEMBER



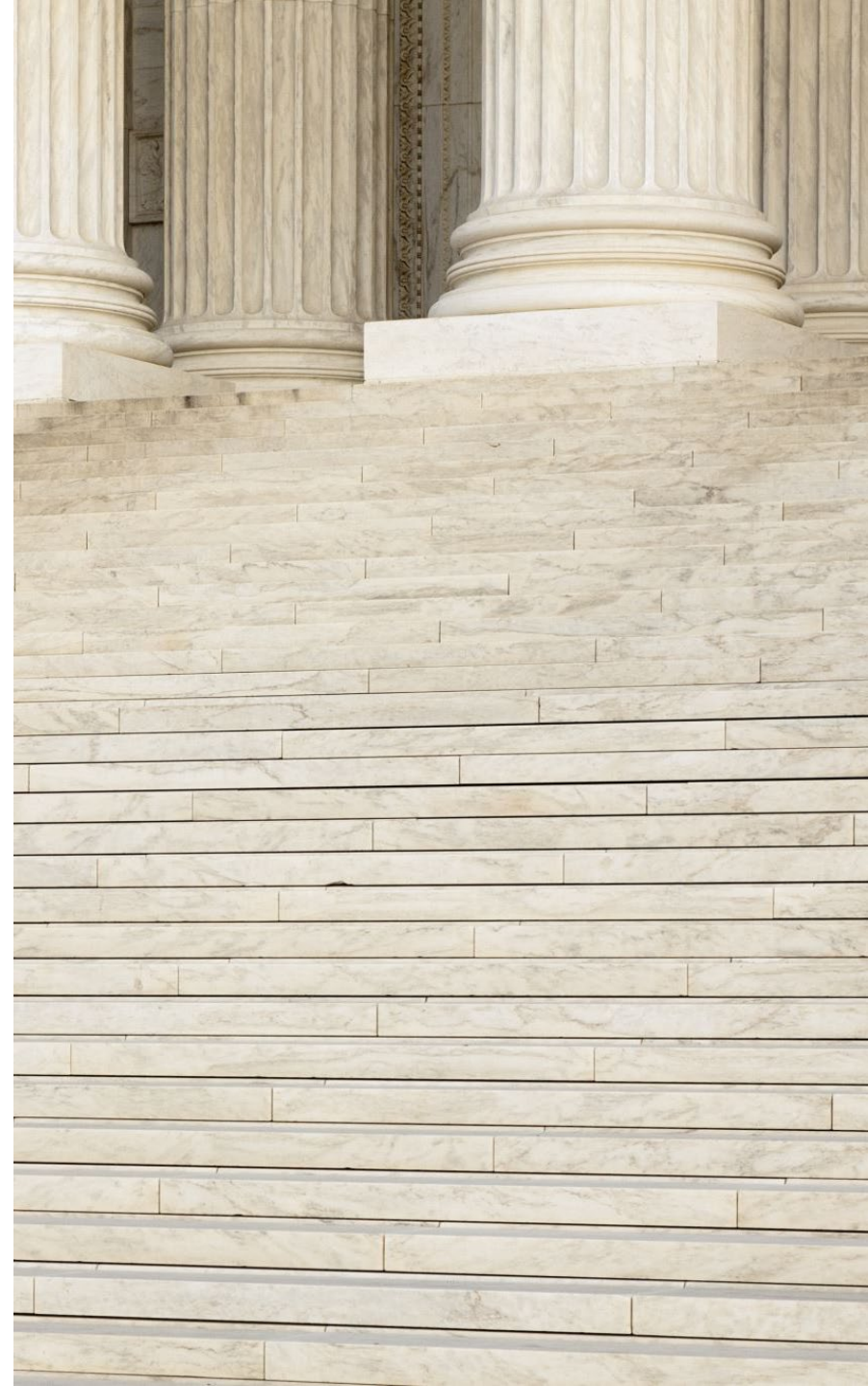
Boundary Review Boards help implement existing laws and policies



Boundary Review Board do not make policy or law

IN SUMMARY

- Boundary lines and associated annexations and disputes can be a complex subject
- BRBs provide a vital role
- Court decisions and new legislation affect Board decisions



*THANK YOU FOR
YOUR TIME*

www.wsabrb.org

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Bellevue, WA 98009-0474

