



King County Council

CLERK OF THE COUNCIL

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Common File Abbreviations:

ATTACH or ATT = Attachment
AMEND or AMD = Amendment
STRIKINGAMEND or AMDS = Striking Amendment
TITLEAMEND or AMDT = Title Amendment
SR = Staff Report (Overview)
RPT = Report

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Details

Reports

File #:	2026-0256	Version:	1
Type:	Ordinance	Status:	Introduced for Immediate Action
File created:	9/8/2026	In control:	Metropolitan King County Council
On agenda:		Final action:	
Enactment date:		Enactment #:	
Title:	AN ORDINANCE to temporarily suspend the operations of Drainage District 5 & 5A in accordance with state law so as to authorize the executive to execute on behalf of the Drainage District agreements necessary for the repair, maintenance, and operation of Drainage District 5 & 5A infrastructure located within the boundaries of Drainage District 5 in council district nine; and declaring an emergency.		
Sponsors:	Reagan Dunn		
Indexes:	Drainage		

History (0)

Text

Drafter

Clerk 09/08/2026

Title

AN ORDINANCE to temporarily suspend the operations of Drainage District 5 & 5A in accordance with state law so as to authorize the executive to execute on behalf of the Drainage District agreements necessary for the repair, maintenance, and operation of Drainage District 5 & 5A infrastructure located within the

boundaries of Drainage District 5 in council district nine; and declaring an emergency.

Body

STATEMENT OF FACTS:

1. Drainage District 5 ("District") was formed in 1916. However, over the past century, territory within the District that used to be located in unincorporated King County has been absorbed by the city of Enumclaw. Prior to 2026, of the approximate 1,300 acres that made up the District's service area, over sixty percent were located in Enumclaw.
2. Enumclaw maintains and operates a stormwater utility within its incorporated city limits.
3. At least since 2024, the then District's three member board ("board") began exploring how to reconfigure the District to carve out the properties located in Enumclaw from those in unincorporated King County.
4. The three board members all resided within the city limits.
5. By way of a May 1, 2025, notice, the board notified all parcel owners within the District of the board's proposed action to adjust the District's boundaries so that its service area with the city limits and a limited strip of adjacent unincorporated properties ("withdrawn area"), together with District capital facilities located within the withdrawn area, would be transferred to Enumclaw. The notice invited the public to give comment at a public hearing held on June 9, 2025. The District received no comments against the proposed action.
6. On May 27, 2025, the Enumclaw City Council passed Resolution No. 1843, expressing Enumclaw's support of the board's proposed action to withdraw the identified territory and Enumclaw's agreement to incorporate the District's capital facilities into its system and serve the properties in the withdrawn area then currently served by the District.
7. In January 2026, the board submitted its proposed withdrawal proposition to the Boundary Review Board ("BRB"). No one invoked the BRB's jurisdiction. By a March 10, 2026, letter the BRB notified interested parties that the BRB received no request for a public hearing and therefore by operation of law, the BRB approved the proposed withdrawal. Final approval was contingent only on the District filing with the King County Clerk a resolution "accomplishing this proposed action," together with a copy of the BRB's March 10, 2026, letter.

8. On May 11, 2026, the board adopted Resolution 2026-01 that withdrew the withdrawn area from the District's territory.

9. With this final act, the three board members were no longer qualified to serve on the board, as they no longer resided in the District. Therefore, since May 11, 2026, the District has had no board.

10. On September 1, 2026, the roads division of the county's department of local services ("roads division") reached out the King County council district 9 office to alert the office that repair work on a county-owned culvert at SE 432nd Street at locator #27609 would impact property owned by the District, and District approval to conduct the work on its property was necessary. The work would remediate the area undermined by last year's floods and the work has to be accomplished before the closing of the fish window, which is September 30, 2026.

11. According to roads division the work will take about four to five days and would consist of shoring up the culvert by placing ecoblocks buttressing the district's drain channel.

12. According to the roads division, without the repair, in heavy rains, should there be a flood in that area, an adjacent property's driveway access will be undermined and stored feed could be damaged.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. In accordance with RCW 85.38.220, the King County council held a public hearing to on the proposed action to suspend the operations of Drainage District 5 & 5A.

B. After hearing from the public and deliberating the matter, the council finds that it is in the public interest to temporarily suspend the operations of Drainage District 5 & 5A, specifically in order that the work at the culvert located at SE 432nd Street at locator #27609 may authorized and completed by September 30, 2026.

C. It is the intent of the council that once the motions appointing two persons to Drainage District 5 & 5A board are passed, the council will reactivate the District in accordance with RCW 85.38.220.

SECTION 2. During the pendency of the suspension of Drainage District 5 & 5A operations, the county accepts responsibility for the operation and maintenance of the District's improvements.

SECTION 3. The executive is authorized to execute necessary agreements or easements on behalf of the Drainage District 5 & 5A to facilitate the repair to the culvert at SE 432nd Street at locator #27609 as detailed in the September 1, 2026 email from Lisa Cox to district staff of council district 9's office.

SECTION 4. The county council finds as a fact and declares that an emergency exists and that this ordinance is necessary for the immediate preservation of public peace, health or safety or for the support of county government and its existing public institutions.

SECTION 5. After enactment, the clerk of the council shall provide a copy of this ordinance to the county treasurer.