RESOLUTION NO. 18-1903

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILTON, WASHINGTON, STATING THE COUNCIL'S INTENT TO ANNEX TO MILTON THE UNINCORPORATED KING COUNTY TERRITORY KNOWN AS HILL CREEK; DESCRIBING THE BOUNDARIES OF THE AREA TO BE ANNEXED; STATING THE NUMBER OF VOTERS RESIDING THEREIN, AS NEARLY AS MAY BE; SETTING A PUBLIC HEARING DATE ON THE PROPOSED ASSUMPTION OF BONDED INDEBTEDNESS AND ADOPTION OF PROPOSED ZONING REGULATIONS

WHEREAS, the Washington State Growth Management Act ("the Act"), codified as RCW 36.70A, requires counties planning under the Act to designate urban growth areas, "within which urban growth shall be encouraged and outside of which can occur only if it is not urban in nature"; and

WHEREAS, the Act at RCW 36.70A.110(4) states that within such urban growth areas, "In general, cities are the units of local government most appropriate to provide urban governmental services"; and

WHEREAS, the Act at RCW 36.70A.110(7) states, "An urban growth area designated in accordance with this section may include within its boundaries urban service areas or potential annexation areas designated for specific cities or towns within the county"; and

WHEREAS, Pierce County and King County have collaborated with their municipalities to designate potential annexation areas for specific cities and towns within the respective counties; and

WHEREAS, within King County such designated potential annexation areas are termed Municipal Urban Growth Areas (MUGAs) and are formally adopted in the King County Countywide Planning Policies (CPPs); and

WHEREAS, within King County such designated potential annexation areas are termed Potential Annexation Areas (PAAs) and are formally adopted in the King County CPPs; and

WHEREAS, a portion of the City of Milton is in Pierce County, and a portion is in King County; and

WHEREAS, adjacent to the Milton city limits within King County exists unincorporated territory which has been designated in the King County CPPs as the Milton MUGA; and

WHEREAS, adjacent to the Milton city limits within King County exists unincorporated territory which has been designated in the King County CPPs as the Milton PAA; and

WHEREAS, the Milton MUGA and PAA are depicted for illustration purposes on Exhibit A attached hereto; and

WHEREAS, citizens from the Milton MUGA within King County and the Milton PAA within King County have on numerous occasions approached the City Council and city staff seeking to annex to Milton in order to receive municipal services provided by the City; and

WHEREAS, the City Council in its March 5, 2018 Regular Meeting, authorized a comprehensive and deliberate process to explore the potential annexation of portions of all of the Milton MUGA and the Milton PAA, which has resulted in the estimated effects and financial impacts of annexation statement presented to the Council at its April 16, 2018 Regular Meeting; and

WHEREAS, the City Council on March 5, 2018 and April 16, 2018, reviewed the data presented, and determined that the interests of the citizens of the City of Milton, the Milton MUGA and the Milton PAA would be served by annexation; and

WHEREAS, Hill Creek is surrounded by the City of Milton on 82.3 percent of its boundaries; and

WHEREAS, RCW 35A.14.295, 35A.14.297, and 35A.14.299 establish a process by which legislative bodies of code cities such as Milton may by Resolution and subsequent Ordinance annex unincorporated territory containing less than 175 acres of residential property and having at least 80 percent of the boundaries of such territory contiguous to the code city; and

WHEREAS, the City Council has determined that the above-described process is the most appropriate mechanism under state law to annex the smaller part of the MUGA, which part is also known as Hill Creek;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MILTON, WASHINGTON, RESOLVES AS FOLLOWS:

Section 1. The Milton City Council hereby states its intent to annex the unincorporated King County territory known as Hill Creek via the process established in RCW 35A.14.295, 34A.14.297, and 35A.14.299. To qualify for annexation under this method, an area must comprise residential property owners, contain less than 175 acres and be contiguous to the annexing code city on at least 80 percent of its boundaries. Hill Creek comprises residential property owners, contains 40 acres and is contiguous to the City of Milton on 82.3 percent of its boundaries.

Section 2. The boundaries of the proposed Hill Creek annexation are depicted and described in Exhibit B and Exhibit C to this Resolution, respectively, which exhibits are attached hereto and incorporated by this reference as if set forth in full.

Section 3. Approximately 221 voters reside within the proposed Hill Creek Annexation area, according to the King County Elections Office.

Section 4. The Milton City Council hereby schedules a Public Hearing concerning the proposed Hill Creek Annexation for the City Council Meeting on May 7, 2018, starting at 7 pm. or later, in the Milton City Council Chambers, located at 1000 Laurel Street, Milton, Washington. The meeting date accommodates the amount of time anticipated to be needed for review and approval by the King County Boundary Review Board. Notice of the hearing will be given by publication in the Tacoma News Tribune of this Resolution at least once a week for two weeks prior to the date of the hearing.

Section 5. At the May 7, 2018 Public Hearing, residents or property owners of the area included in this Resolution for annexation shall be afforded an opportunity to be heard. Following the hearing, the City Council may adopt an Ordinance approving the proposed Hill Creek Annexation, but the effective date of the Ordinance shall be not less than 45 days after the passage thereof. Notice of the effective date of the annexation, together with the description of the property to be annexed, will be published in the Tacoma News Tribune at least once each week for two weeks subsequent to passage of the Ordinance. Such annexation Ordinance shall be subject to Referendum for 45 days after the passage of the annexation Ordinance, if no timely and sufficient referendum petition has been filed, Hill Creek shall become a part of the City of Milton upon the date set in the annexation Ordinance. The City Council intends to include in the Ordinance provisions for assumption of indebtedness and for adoption of a proposed zoning regulation.

RESOLVED this 16th day of April, 2018.

APPROVED:

SHANNA STYRON SHERRELL, MAYOR

ATTEST/AUTHENTICATED:

ELLIE HOOMAN, CITY CLERK

EXHIBIT A – SITE MAP

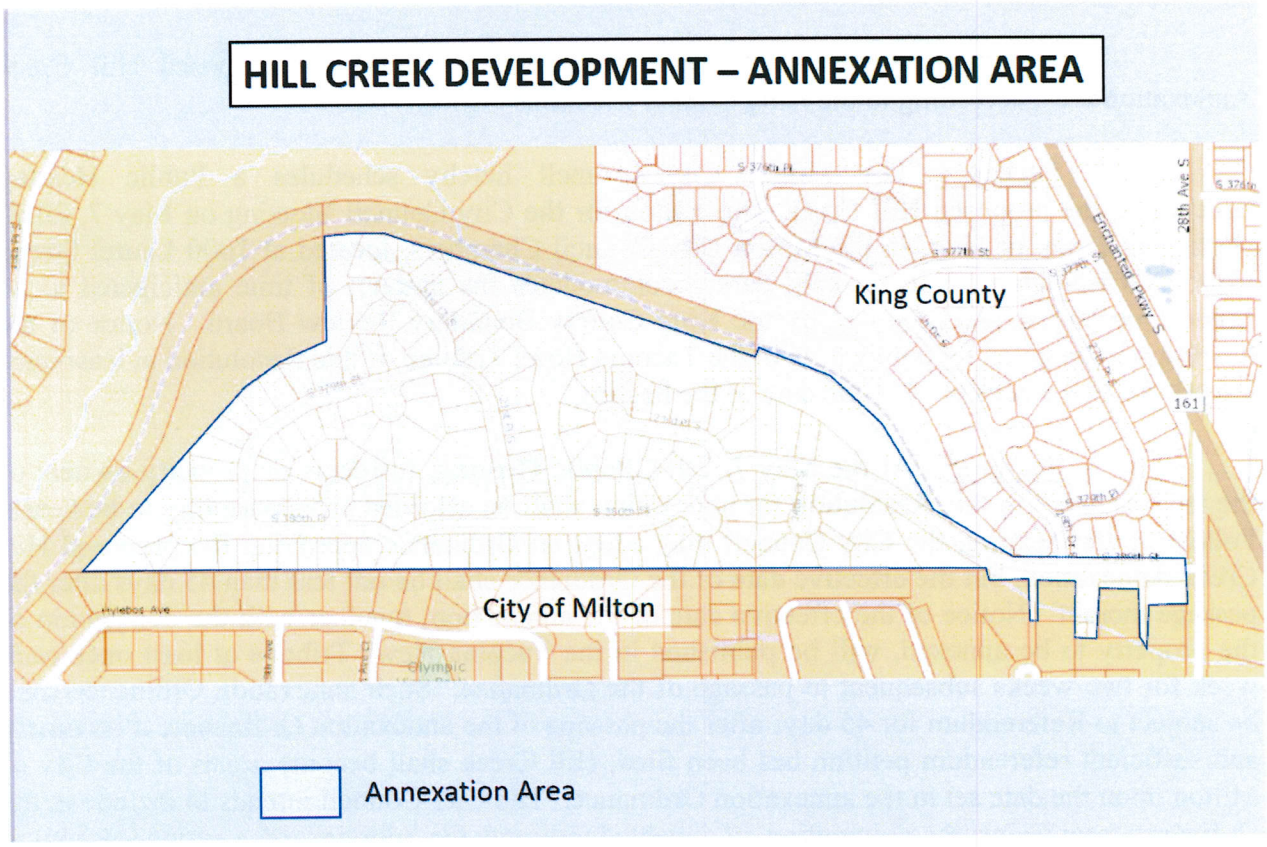

EXHIBIT B – LEGAL DESCRIPTION

Hill Creek Annexation

Legal Description

All of Regency Woods Division Number 4 according to the Plat thereof recorded in Volume 156, Pages 32 through 37, Records of King County, Washington, together with;

All of Hill Creek Division Number 2 according to the Plat thereof recorded in Volume 167 of Plats, Pages 29 through 31, in King County, Washington, and;

Lot 15, Block 24 of Curtis' Addition to East Tacoma as recorded in Volume 4, at Page 45 in Section 33, T21N, R4E, WM, in King County Washington, together with;

A Portion of Block 24 of Curtis' Addition to East Tacoma as recorded in Volume 4, at Page 45 in Section 33, T21N, R4E, WM, in King County Washington, more described as King County Parcel Number 241874001655, together with;

A portion of Tract A of the Plat of Sterling Crest as recorded in Volume 176 of Plats, Pages 25 through 28, records of King County, Washington, together with;

All roads and tracts included in the above-described areas.