

Ordinance No. 6897

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, ANNEXING TO THE CITY OF OLYMPIA APPROXIMATELY 205 ACRES LYING CONTIGUOUS TO THE CITY OF OLYMPIA AND WITHIN THE OLYMPIA URBAN GROWTH AREA, REFERRED TO AS THE "BOULEVARD/I-5 ANNEXATION," SITUATED IN THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 24, THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 18 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, THE SOUTH HALF OF SECTION 18, THE NORTH HALF OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, THURSTON COUNTY, WASHINGTON.

WHEREAS, during 2009, the Washington State Legislature passed ESSB 5808, amending RCW 35A.14, allowing code cities to annex territory served by one or more fire districts; and

WHEREAS, RCW 35A.14.480 authorizes code cities to accomplish the annexation by ordinance after entering into an interlocal agreement with the affected fire district(s) and County; and

WHEREAS, on May 18, 2010, the City of Olympia did, according to the requirements under RCW 35A.14.480, notify Lacey Fire District Three and Thurston County of its desire to enter into an interlocal agreement; and

WHEREAS, on February 18, 2014, the Thurston County Board of Commissioners approved the interlocal agreement; and

WHEREAS, on February 20, 2014, Lacey Fire District Three approved the interlocal agreement; and

WHEREAS, on March 4, 2014, the Olympia City Council approved the interlocal agreement; and

WHEREAS, the proposed annexation is situated in a "County island" that is entirely surrounded by the City of Olympia; and

WHEREAS, both emergency police and fire protection services are already currently provided by the City of Olympia through mutual aid agreements with Lacey Fire District Three and Thurston County; and

WHEREAS, Goal UGM2 of the City of Olympia/Thurston County Joint Plan supports annexation of unincorporated islands within City limits; and

WHEREAS, the City of Olympia hosted public informational meetings on December 18, 2013, and March 10, 2014, to inform all residents and property owners of the area of this proposal and to provide information regarding the annexation; and

WHEREAS, on March 18, 2014, the Olympia City Council determined that the annexation of the hereinafter described property to the City of Olympia would be in the public interest and for the public welfare and in the best interest of the City of Olympia and the citizens thereof;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:

Section 1. Annexation. The property described and depicted in Exhibit A attached hereto and incorporated herein as if fully set forth, is hereby annexed to the City of Olympia.

Section 2. Existing Indebtedness. It is hereby further declared that upon annexation, the property described in Section 1 above shall be subject to existing indebtedness of the City of Olympia.

Section 3. Solid Waste Collection. Pursuant to RCW 35A.14.900, on the effective date of this Ordinance any franchise or permit theretofore granted to any person, firm or corporation by the State of Washington, or by the governing body of such annexed territory, authorizing or otherwise permitting the operation or any public utility, including but not limited to, public water, transportation, garbage disposal, or other similar public service business or facility within the limits of the annexed territory is cancelled. The holder of any such franchise permit canceled pursuant to this section and RCW 35A.14.900 is hereby granted a franchise to continue such business within the annexed territory for a term of not less than seven (7) years from the date of this Ordinance. The City shall not extend similar or competing services to the annexed territory except upon a proper showing of the inability or refusal of such person, firm or corporation to adequately service said annexed territory at a reasonable price. This section may be superseded by subsequent mutual agreement of the City of Olympia and a franchise holder.

Section 4. Effective Date. This Ordinance shall be in effect at the end of the day (midnight) June 20, 2014.

Section 5. Development Applications. Between the adoption and the effective date of this Ordinance, if requested by Thurston County, the City of Olympia will assume responsibility for reviewing development applications in the County island and would thus be entitled to the applicable permit review fees.

Section 6. Severability. The provisions of this Ordinance are declared separate and severable. If any provision of this Ordinance or its application to any person or circumstances is held invalid, the remainder of this Ordinance or application of the provision to other persons or circumstances shall be unaffected.

Section 7. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

STEPHEN H. BUXBAUM, MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED: