
Local Government & Housing Committee

HB 2181

Brief Description: Establishing boundary review board considerations for certain assumptions of water-sewer districts by cities.

Sponsors: Representatives Miloscia, Mulliken and Dunshee.

Brief Summary of Bill

- Establishes additional criteria for Boundary Review Board review of a city assumption of less than all of a water-sewer district.
- Requires the Boundary Review Board to hire a consultant to provide a report based on the additional criteria, to be paid for by the city proposing the assumption.

Hearing Date: 1/24/02

Staff: Scott MacColl (786-7106).

Background:

Boundary Review Boards (BRB's) are required to be established in counties with at least 210,000 population. Counties not meeting this criteria may create a BRB through a resolution of the county legislative authority, or by a petition signed by registered voters equal to at least 5% of the votes cast in the last general election.

BRB's review any action pertaining to changing the boundaries of a city, town, or special district, including consolidation or dissolution of districts; the assumption of a special district by a city or town; the establishment or change in boundaries of a water-sewer district; and the extension of water or sewer service outside the existing boundaries by a city, town or special district. The BRB may then approve, disapprove, or modify any proposed change. Decisions in counties planning under the Growth Management Act must be consistent with the goals and objectives of the act.

Decisions of BRB's attempt to achieve the preservation of natural neighborhoods and communities; the use of physical boundaries; the creation and preservation of logical service

areas; prevention of abnormally irregular boundaries; in heavily urban areas, discouragement of multiple small incorporation and encouragement of incorporations of over 10,000 populations; dissolution of inactive special purpose districts; adjustment of impractical boundaries; incorporations or annexations of urban areas; and protection of designated agricultural and rural land.

In reaching decisions, BRB's must consider factors such as: a) population and growth patterns, density, land use and comprehensive planning, agreements between corporations, assessed valuation, and natural topography; b) municipal services; and c) the effect of the proposal on adjacent areas, on mutual social and economic interests, and on local government structure of the county.

A City may assume control of a water-sewer district by resolution if all the area of the district is within the corporate boundaries of the city. If more than 60% of a the area or more than 60% of the assessed valuation of a district is located within a city, the city may assume all of the district not located within another city. If the portion of a district located within a city is less than sixty percent of the area of the district and less than sixty percent of the assessed valuation of the real property within the district, the city may assume only that portion that lies within the district.

Cities assuming part of a district that contains any facilities serving areas outside the city must make sufficient capacity available for the economic life of the facility at a reasonable price. The same holds true for facilities outside the city that are designed to serve areas inside the city. District voters, upon action by a city to assume a portion of the district, may elect to require the city to assume the entire district and contract for service from the city.

Summary of Bill:

Additional criteria are established for Boundary Review Board (BRB's) review of assumptions of less than all of a water-sewer district. BRB's are required to hire a consultant, paid for by the city proposing the assumption, to prepare a report on the factors, identifications and determinations based on the additional criteria established in the act. In preparing the report, the consultant must consider any reports prepared by the city or the district regarding the proposal.

The additional criteria BRB's are required to determine are:

- the effect of such proposals on the city and district system for: rates and charges, operation and maintenance, staffing levels, condition, age, and type of system facilities, water supply rights and contracts and sewer service contracts, and financing of capital improvements; and
- the economic useful life, sufficient available capacity, and reasonable rates for facilities designed to serve areas outside the new proposed districts; and the assets and liabilities between the city and the district.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.