

**CITY OF SAMMAMISH  
WASHINGTON  
ORDINANCE NO. 02016-414**

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**AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON,  
RENEWING AND CONTINUING THE BEAVER LAKE MANAGEMENT  
DISTRICT #1**

WHEREAS, Beaver Lake Management District #1 is created for the purpose of generating revenue to provide on-going water quality monitoring, community education and a quarterly newsletter, in addition to other projects.

WHEREAS, the City of Sammamish conducted a public hearing on April 5, 2016, for the purpose of accepting testimony in support of and in opposition to the creation of the Beaver Lake Management District #1; and

WHEREAS, on April 5, 2016, the City Council passed Resolution R2016-682, submitting the question of renewing and continuing of Beaver Lake Management District #1 to the owners of property within the proposed lake management district, including owners of publicly owned land; and

WHEREAS, under RCW 36.61.090, a simple majority of the votes cast shall determine whether the proposed lake management district shall be approved or rejected; and

WHEREAS, the ballots were tabulated on June 21, 2016, and the proposal to create a lake management district has been approved by 77% of the votes received, which is a simple majority of the votes cast; and

WHEREAS, the ballots cast are available for public inspection at Sammamish City, 801 228<sup>th</sup> Avenue NE, Sammamish; and,

WHEREAS, the City desires to renew and continue Beaver Lake Management District #1 and proceed with establishing special assessments and performing lake improvement activities;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH,  
WASHINGTON, DOES ORDAIN AS FOLLOWS:**

Section 1. Findings of Fact. The preceding "WHEREAS" clauses constitute findings of fact and are incorporated by reference as if fully set forth herein.

Section 2. Creation of District. Beaver Lake Management District #1 is hereby created. The boundaries of Beaver Lake Management District #1 are represented in Exhibit A, incorporated by this reference as if fully set forth herein. The duration of the district shall be for

ten (10) years, from calendar year 2017 through 2026. Special assessments totaling \$643,260 shall be collected over the life of the district to finance district activities. By way of illustration and not limitation, the special assessments will generally be imposed as follows:

- A. The proposed zones, for purposes of imposing special assessments, are generally set forth as follows:
1. **Zone 1** is the Beaver Lake water front properties, which have the largest frontage and use. Properties in Zone 1 will have an annual assessment amount of \$306 and the largest percentage of total assessments to be imposed within the District.
  2. **Zone 2** is comprised of all properties with non-lake frontage within the district boundaries, whose property values are strongly linked to the aesthetics of the lake. Properties in Zone 2 will have an annual assessment amount of \$31, and total assessments imposed within this zone comprise the second-largest percentage of total assessments to be imposed within the District.

Section 3. Publication. Within ten (10) days of adoption of this Ordinance, the City of Sammamish shall publish in a newspaper of general circulation in Beaver Lake Management District #1 a notice indicating that this Ordinance has been adopted.

Section 4. Creation of District – Limitations on Appeals. Pursuant to RCW 36.61.110, no lawsuit may be maintained challenging the jurisdiction or authority of the City of Sammamish's legislative authority to proceed with lake improvement and maintenance activities and creating the lake management district, or in any way challenging the validity of the actions or decisions or any proceedings relating to the actions or decision unless the lawsuit is served and filed no later than forty (40) days after publication of a notice that the ordinance has been adopted ordering the lake improvement and maintenance activities and creating the lake management district. Written notice of the appeal shall be filed with the City Council and clerk of the Superior Court in King County.

Section 5. Special Assessment Roll to be Prepared. Upon passage of this Ordinance, the City of Sammamish shall cause to be prepared a proposed special assessment roll in accordance with RCW Chapter 36.61.

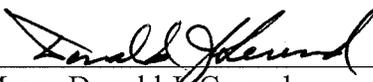
Section 6. Public Hearing. The City Council of the City of Sammamish shall hold a public hearing or hearings to consider the objections to the special assessment roll for the district, shall act as a board of equalization, and may correct, revise, raise, lower, change, or modify the special assessment roll or any part thereof, or set the proposed special assessment roll aside and order a new proposed special assessment roll to be prepared. The City Council shall confirm and approve a special assessment roll by adoption of a resolution. Notice of the proposed special assessment, the procedure for filing written objections thereto, and notice of the public hearing shall be mailed to the taxpayers of record of all property within the district by the City pursuant to RCW 36.61.140.

Section 7. Severability. If any section, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 8. Effective Date. This Ordinance shall be published in the official newspaper of the City. The ordinance shall take effect and be in full force five (5) days after publication.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON  
THE 6<sup>th</sup> DAY OF SEPTEMBER 2016.**

CITY OF SAMMAMISH

  
\_\_\_\_\_  
Mayor Donald V. Gerend

ATTEST/AUTHENTICATED:

  
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Melonie Anderson, City Clerk

Approved as to form:

  
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Michael R. Kenyon, City Attorney

Filed with the City Clerk:	August 26, 2016
First Reading:	September 6, 2016
Passed by the City Council:	September 6, 2016
Date of Publication:	September 9, 2016
Effective Date:	September 14, 2016

