

**SNOHOMISH COUNTY COUNCIL  
SNOHOMISH COUNTY, WASHINGTON**

**ORDINANCE NO. 01 - 087**

**AN ORDINANCE OF THE COUNTY COUNCIL OF SNOHOMISH COUNTY MAKING CERTAIN FINDINGS WITH RESPECT TO A PROPOSED PARK AND RECREATION SERVICE AREA KNOWN AS THE LAKE STEVENS PARK AND RECREATION SERVICE AREA; PROVIDING FOR THE FORM OF BALLOT PROPOSITIONS AND OTHER DETAILS CONCERNING THE SUBMISSION TO THE QUALIFIED VOTERS OF THE PROPOSED SERVICE AREA AT AN ELECTION TO BE HELD ON MARCH 12, 2002, OF A PROPOSITION FOR THE FORMATION OF THE SERVICE AREA AND A PROPOSITION TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS IN AN AMOUNT NOT TO EXCEED \$8,400,000 TO FINANCE CAPITAL IMPROVEMENT WITHIN THE LAKE STEVENS PARK AND RECREATION SERVICE AREA.**

**WHEREAS**, citizens residing in and around the City of Lake Stevens have requested that they have the opportunity, through the electoral process, to vote to establish a proposed Lake Stevens Park and Recreation Service Area in the area circumscribed by the Lake Stevens School District boundaries; and

**WHEREAS**, the aforementioned citizens would also request the opportunity to vote on a bond issue payable from property taxes levied within the park and recreation service area to fund various park and recreation capital projects; and

**WHEREAS**, RCW 36.68.400 et seq. provides a process by which a park and recreation service area may be established and facilities financed; and

**WHEREAS**, the City of Lake Stevens, which is wholly contained within the boundaries of the proposed park and recreation service area, has adopted Resolution No. 2000-5 which resolution is attached hereto as Attachment A, supporting inclusion of the area comprising the City of Lake Stevens in the park and recreation service area; and

**WHEREAS**, Snohomish County and the City of Lake Stevens have negotiated an Interlocal Agreement (the "Interlocal Agreement"), regarding the governance of the proposed park and recreation service area; and

**WHEREAS**, Snohomish County, pursuant to Ordinance No. 01-066, requested a feasibility study of the proposed project, in accordance with RCW 36.68.440, which was filed with the clerk of the council on October 8, 2001;

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**WHEREAS**, the feasibility study found that the proposed service area would be consistent with applicable comprehensive land use plans and that acquisition costs would be \$700,000, construction costs are estimated to be \$11,000,000, and startup costs are estimated to be \$405,000; and

**WHEREAS**, the initial costs would be financed partly by contributions by Snohomish County and the City of Lake Stevens, and mostly by a bond issuance of \$8,400,000 to be repaid by a levy of an annual excess property tax levy within the service area at the estimated rate of no more than \$0.56 per \$1,000 of assessed valuation; and

**WHEREAS**, a public hearing, which complied with notice requirements of RCW 36.68.440 was held on October 24, 2001; and

**WHEREAS**, the Constitution and the laws of the State of Washington provide that the question of whether or not the service area should be created and if such service area is created, whether or not such bonds may be issued and sold for such purposes must be submitted to the qualified electors of the proposed service area for ratification or rejection;

**NOW, THEREFORE, BE IT ORDAINED:**

**Section 1. Findings.** The County Council of Snohomish County (the "Council") hereby accepts the Lake Stevens park and recreation service area feasibility study as filed with the clerk of the council on October 8, 2001 and incorporated herein by reference (the "Feasibility Study") and the recommendations therein. The Council makes the following findings:

(1). The objective for the proposed Lake Stevens Park and Recreation Service Area is to provide an opportunity for the citizens of the service area to assist in the financing of park and recreational capital improvements within the service area through their potential approval of general obligation bonds.

(2). The objectives for the proposed Lake Stevens Park and Recreation Service Area are consistent with and fit within the general framework of the Comprehensive Park and Recreation Plan for Snohomish County and substantially meets general policies of the Snohomish County Department of Parks and Recreation.

(3). The objective for the proposed Lake Stevens Park and Recreation Service Area is determined to be both financially and programmatically feasible.

(4). The boundaries for the proposed service area are legally described in Attachment B hereto, incorporated herein by reference.

(5). The estimated initial costs of proposed acquisition and capital improvements within the service area are described in Attachment C hereto, incorporated herein by reference.

(6). The official name of the proposed service area shall be the Lake Stevens Park and Recreation Service Area.

Based upon the above findings, the Council finds and declares that the best interests of the residents in the proposed service area require the formation of the service area to carry out the program of acquisitions, construction and maintenance of the capital improvements as described in the Feasibility Study.

**Section 2. Approval of Interlocal.** The Council hereby approves the Interlocal Agreement set forth in Attachment D, regarding the governance of the proposed park and recreation service area in accordance with RCW 36.68.400 and upon approval of Proposition Number 1, authorizes the County Executive to execute such agreement on behalf of the County.

**Section 3. Election Authorization.** Pursuant to RCW 36.68.470, at the general election to be held on March 12, 2002, propositions in substantially the following form shall be submitted to the voters residing within the boundaries of the proposed Lake Stevens Park and Recreation Service Area:

**PROPOSITION NUMBER 1**

**FORMATION OF THE LAKE STEVENS PARK AND RECREATION SERVICE AREA**

Shall the Lake Stevens Park and Recreation Service Area be established for the area described in Ordinance No. 01 - 087, adopted by the Snohomish County Council on the \_\_\_\_ day of \_\_\_\_\_, 2001, to provide an opportunity for the citizens of the service area to assist in the financing of park and recreational capital facilities within the service area?

Yes \_\_\_\_\_

No \_\_\_\_\_

**PROPOSITION NUMBER 2**

**GENERAL OBLIGATION BONDS**

Snohomish County passed Ordinance No. 01-087 proposing, upon formation of the Lake Stevens Park and Recreation Service Area, construction of recreational facilities, a community center, and skateboard park, and acquisition of the Lake Stevens Community Center, issuance of \$8,400,000 of general obligation bonds maturing within a maximum term of 20 years, and levy of property taxes annually in excess of regular property tax levies to repay such bonds. Should this proposition be:

Approved? \_\_\_\_\_ ?  
Rejected? \_\_\_\_\_ ?

**Section 4. Auditor’s Duties.** It is hereby found and declared that an emergency exists requiring the County to submit to the qualified electors of the proposed Service Area the propositions of whether or not the Service Area should be formed, and if formed, whether or not the Service Area shall issue bonds for the projects listed in Attachment B hereto, at a special election to be held therein on March 12, 2002. The Snohomish County Auditor, as ex officio supervisor of elections in Snohomish County is hereby requested to call and conduct said election within said proposed service area and to submit to the qualified electors therein the propositions thereafter set forth. Notice of the proposed propositions shall be published in a newspaper of general circulation in the County at least twice prior to the election date and shall place the proposed propositions on the ballot of the March 12, 2002 general election.

**Section 5. Severability.** In the event that any one or more of the provisions of this Ordinance shall for any reason be held to be invalid, such invalidity shall not affect any other provision of this Ordinance or the taxes levied pursuant to it, but this ordinance and the tax levy shall be construed and enforced as if such invalid provisions had not been contained herein; any provision which shall, for any reason, be held by reason of its extent to be invalid shall be deemed to be in effect to the extent provided by law.

**Section 6. Effective Date.** This ordinance shall become effective ten days following its passage and enactment as provided in the County Charter.

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2001

ATTEST:

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

\_\_\_\_\_  
Clerk of the Council

\_\_\_\_\_  
Chairperson

- ( ) APPROVED
- ( ) EMERGENCY
- ( ) VETOED

ATTEST:

DATE: \_\_\_\_\_

\_\_\_\_\_  
Approved as to form only:

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Special Deputy Prosecuting Attorney

PUBLISH \_\_\_\_\_

AND \_\_\_\_\_

**ATTACHMENT A**

[Resolution No. 2000-5 of the City of Lake Stevens]

## **ATTACHMENT B**

[boundaries of proposed service area]

## ATTACHMENT C

Project Descriptions	Project Costs	County Parks Contribution	Bond Financing
<p><b>Lake Stevens Community Park:</b> Development of a 40 acre County owned site to accommodate 4 soccer/football fields, 3 baseball fields, 2 half court basketball courts, batting cage, interpretive walks, viewing areas, restroom/concession building, storage building and parking.</p>	\$ 7,000,000	\$ 3,300,000	\$3,700,000
<p><b>Machias Quarry Community Park:</b> Development of a 12 acre County owned site to accommodate 3 multi-purpose fields including 1 baseball field, 1 championship soccer field and 1 soccer/football field, jogging trail, fitness course, restroom concession building, storage building and parking.</p>	\$ 3,000,000	\$ 0	\$3,000,000
<p><b>Lake Stevens Community Center:</b> Purchase of the privately owned Lake Stevens Community Center.</p>	\$ 700,000	\$ 0	\$ 700,000
<p><b>Lake Stevens Skateboard Park:</b> Construction of a state-of-the-art skateboard park at the Lake Stevens Community Center.</p>	\$ 250,000	\$ 0	\$ 250,000
<p><b>Cavalero Hill Community Facility:</b> Construction of a community-based facility to accommodate indoor recreational and community service programs.</p>	\$ 750,000	\$ 0	\$ 750,000
<b>TOTALS</b>	<b>\$11,700,000</b>	<b>\$ 3,300,000</b>	<b>\$8,400,000</b>

<b>Project</b>	<b>Cost</b>	<b>Responsibility</b>
Lake Stevens Community Park	\$189,000	Snohomish County. This cost will be reduced significantly by volunteer maintenance and operation through a proposed agreement with the Lake Stevens Jr. Athletic Association
Machias Quarry Community Park	\$ 81,000	Snohomish County. This cost will be reduced significantly by volunteer maintenance and operation through a proposed agreement with the Lake Stevens Jr. Athletic Association
Lake Stevens Community Center	\$ 54,000	City of Lake Stevens
Lake Stevens Skateboard Park	\$ 27,000	City of Lake Stevens
Cavalero Hill Community Facility	\$ 54,000	Snohomish County
<b>TOTALS:</b>	<b>\$405,000</b>	

## **ATTACHMENT D**

[Interlocal Agreement]

CERTIFICATE

I, the undersigned, Clerk of the County Council of Snohomish County (the "County"), DO HEREBY CERTIFY:

1. That the attached Ordinance No. \_\_\_\_\_ (the "Ordinance") is a true and correct copy of an ordinance of the County as passed at an open public meeting of the County Council held on the \_\_\_ day of August, 2001, and duly recorded in my office;

2. That said meeting was duly convened and held in all respects in accordance with law; and to the extent required by law, due and proper notice of such meeting was given; that a quorum was present throughout the meeting and a legally sufficient number of members of the County Council voted in the proper manner for the passage of the Ordinance; that all other requirements and proceedings incident to the proper passage of the Ordinance have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this Certificate;

3. That the Ordinance has not been amended, superseded or repealed since its passage, and remains in full and force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the County this \_\_\_\_ day of August, 2001.

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Clerk of the County Council