

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Jeffrey M. Monsen	Jm	10/3/94		10/11/94	PSSW/Council
Division Head:					
Dept. Head:					
Prosecutor:	Row	10/3/94			
Purchasing/Budget:					
Executive:	h3	10/3/94			

SUBJECT:

Resolution on procedure for formation of Road Improvement Districts

ATTACHMENTS:

Amended Resolution

SUMMARY STATEMENT:

Please complete sections of box as appropriate & explain the item below.

Related County contract #: N/A	Should Clerk schedule a hearing? NO / <u>X</u> / YES /_/ Requested date:
Amount budgeted for this item/project:	Is it (or will it be) within budget? YES /_/ NO /_/ (Please explain below)
Budget line item number(s):	

Resolution amended to provide staff with direction on process to follow when considering formation of RID's. This version of the amended resolution has been modified from the version tabled by Council on 7/12/94 (94-336) in order to address questions raised regarding consistency with State law.

ORIGINATOR'S RECOMMENDED ACTION:

Pass resolution

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

10/11/94: Council approved the resolution. 7-0.

SPONSORED BY: Consent

PROPOSED BY: Transportation Svcs.

INTRODUCTION DATE: 10/11/94

1

RESOLUTION NO. 94-051

2

3

4

5

ESTABLISHING A PROCEDURE FOR
CREATING RESOLUTIONS OF INTENT FOR THE
FORMATION OF ROAD IMPROVEMENT DISTRICTS

6

7

8

9

WHEREAS, the County Council is desirous of providing guidance to staff, consistent with 36.88 RCW, for creating the Resolution of Intent to form Road Improvement Districts. The procedure for creating and implementing the Road Improvement District itself shall be in accordance with State Law.

10

11

12

NOW, THEREFORE, BE IT RESOLVED by the Whatcom County Council the following policies shall apply to Road Improvement Districts:

13

14

15

16

17

18

19

1. A petition will be drawn up by Transportation Services including a map which indicates the territorial extent of the proposed district and improvements with signatures gathered from owners of a majority of the lineal frontage upon the improvements to be made and of the area within the limits of the assessment district to be created therefor. The petition should designate one person as the proponent's representative. Petitions will be in effect for a period of one year unless the proponent requests an extension from the Council Office.

20

21

22

23

24

2. The petition shall be submitted to the Council Office and introduced on the Council's agenda. Each petition shall be accompanied by a one-time application fee as set forth in the Unified Fee Schedule. The petition shall also be accompanied by a Preliminary Feasibility Report, prepared by the Transportation Services, and shall include at least the following:

25

26

27

28

29

A. Map of preliminary district boundaries identifying all impacted properties.

B. Verification of the signatures contained on the petition.

C. Percentage of parcels represented on the petition (majority desired).

D. Percentage of land area represented on the petition (majority required).

E. Percentage of lineal frontage represented on the petition (majority required).

- 1 F. Preliminary estimate of project under consideration.
- 2 G. Current assessed value of properties within preliminary boundaries.
- 3 H. Current assessed value to project cost ratio (400% desired), and a discussion
4 relative to future property value presuming project completion (increase of
5 200% of project cost desired).
- 6 I. List of potentially affected departments or entities should the proposed R.I.D.
7 be formed.
- 8 3. Following review of the Preliminary Feasibility Report, the County Council may reject
9 the proposed district, request additional preliminary information, or direct
10 Transportation Services to complete a Feasibility Study. The Feasibility Study shall
11 include at least the following:
- 12 A. Comments from the County's Bond Counsel of their review of the Preliminary
13 Feasibility Report and findings as to statutory and financing restrictions.
- 14 B. Comments from the County Executive, Auditor, Treasurer, and any other
15 affected department following their review of the Preliminary Feasibility
16 Report.
- 17 C. Comments from other affected entities identified in the Preliminary Feasibility
18 Report or otherwise by the County Council.
- 19 D. A draft SEPA checklist and comments from the County SEPA official of his
20 review of this document.
- 21 E. An appraisal report to confirm district allowed under State law.
- 22 F. Potential assessment methods and typical proposed assessment amounts.
- 23 G. Sufficient engineering effort to verify the scope of work and project estimate,
24 including the recommended property owner share of proposed improvements.
- 25 H. A summary of the results of an informational meeting held for all property
26 owners within the proposed R.I.D. boundaries.
- 27 I. Draft "Resolution of Intent" to form the R.I.D.
- 28 J. Summary of the remaining work required to complete a recommended
29 Preliminary Assessment Roll and completion of the proposed improvements.

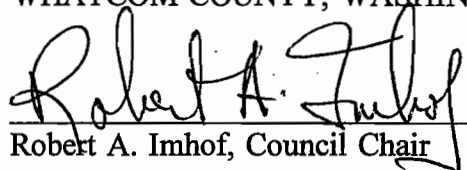
- 1 4. Following review of the Feasibility Study, the County Council may reject the proposed
2 district, request additional study information, or adopt the "Resolution of Intent".
- 3 5. The "Resolution of Intent" shall contain all information and elements required by State
4 Law in order to schedule and hold a public hearing and to mail and receive ballots
5 pertaining to the formation of the R.I.D. It shall also provide direction to
6 Transportation Services to complete all necessary engineering and administrative work
7 necessary to prepare and file with the County Council prior to the public hearing and
8 mailing of ballots a recommended Preliminary Assessment Roll.
- 9 6. The County shall determine whether the costs of preparing the Feasibility Report
10 and/or the recommended Preliminary Assessment Roll shall be assumed by the County
11 or whether to contract with the property owners proposing the R.I.D. With
12 concurrence with the County Council, Transportation Services may contract with the
13 property owners to provide for payment by the owners of the cost of the preparation of
14 the Feasibility Study, the recommended Preliminary Assessment Roll, or other
15 expenditures. The contract may provide for reimbursement to the owner of such costs
16 from the proceeds of bonds issued by the district after formation of the district, from
17 assessments paid to the district, or by a credit against future assessments against the
18 affected properties.
- 19 7. BE IT FURTHER RESOLVED that Resolution 90-53 is hereby repealed and replaced
20 by the content of this resolution.

21 APPROVED this 11th day of October, 1994.

22
23 ATTEST:

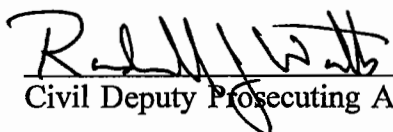
WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

24 
25 _____
Ramona Reeves, Council Clerk



Robert A. Imhof, Council Chair

26 APPROVED AS TO FORM:

27 
28 _____
Civil Deputy Prosecuting Attorney