

**WHATCOM COUNTY COUNCIL AGENDA BILL**

**NO. 2006- 300**

<b>CLEARANCES</b>	<b>Initial</b>	<b>Date</b>	<b>Date Received in Council Office</b>	<b>Agenda Date</b>	<b>Assigned to:</b>
Originator:	BMR	06-29-06	<b>RECEIVED</b>  <b>JUL 03 2006</b>  <b>WHATCOM COUNTY COUNCIL</b>	07-11-06	Introduction
Division Head:	BMR	06-29-06		08-08-06	Public Hearing
Dept. Head:	JMM	6/30/06			
Prosecutor:	DK	06/29/06			
Purchasing/Budget:	MDC	6/29/06			
Executive: <i>Dewey</i>					

**TITLE OF DOCUMENT:** Memorandum  
 Ordinance authorizing an assessment to provide revenue for the Samish Watershed Subzone

**ATTACHMENTS:** Memorandum & Ordinance

<i>SEPA review required?</i> ( ) Yes ( <input checked="" type="checkbox"/> ) NO	<i>Should Clerk schedule a hearing ?</i> ( <input checked="" type="checkbox"/> ) Yes ( ) NO
<i>SEPA review completed?</i> ( ) Yes ( ) NO	<i>Requested Date: August 8, 2006</i> See Resolution

**SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:** *(If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)*

Ordinance authorizing an assessment of the Samish Watershed Subzone to provide revenue for maintenance, operation and replacement of the dam structure at the month of Lake Samish.

<b>COMMITTEE ACTION:</b>	<b>COUNCIL ACTION:</b> 7/11/06: Introduced 8/8/06: Council Adopted 7-0 Ord. 2006-034
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<b>Related County Contract #:</b>	<b>Related File Numbers:</b> AB2006- 294	<b>Ordinance or Resolution Number:</b> Ord. 2006-034
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**Please Note:** Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: [www.co.whatcom.wa.us/council](http://www.co.whatcom.wa.us/council).

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**SPONSORED BY:** Consent

**PROPOSED BY:** PUBLIC WORKS

**INTRODUCTION DATE:** July 11, 2006

**ORDINANCE NO.** 2006-034

**AN ORDINANCE AUTHORIZING AN ASSESSMENT TO PROVIDE REVENUE FOR THE SAMISH WATERSHED SUBZONE**

WHEREAS, RCW 86.15.160 (2) authorizes an assessment upon property, including state property, specially benefited by flood control improvements or storm water control improvements; and,

WHEREAS, in accordance with RCW 86.15.025 on June 20<sup>th</sup>, 2006, a geographic portion of the Whatcom County Flood Control Zone District was established as the Samish Watershed Subzone; and,

WHEREAS, the Samish Lake Management District No. 1 Advisory Committee has recommended an assessment is needed to maintain and operate the Friday Creek dam and remove debris from the Lake Samish outlet channel; and,

WHEREAS, \$17,254 in annual revenue is needed to maintain and operate the Friday Creek dam and remove debris from the Lake Samish outlet channel; and,

WHEREAS, the operation of a dam structure is needed to augment stream flows in Friday Creek and mitigate for water withdrawals by domestic units in the Lake Samish Watershed; and,

WHEREAS, debris contributed from lake front parcels must be removed from the Lake Samish outlet channel to maintain stream flows in Friday Creek; and,

WHEREAS, an assessment for water withdrawals will be calculated based on 400 gallons of water use per day for each domestic unit and lake front footage; and,

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2 WHEREAS estimated assessment proposed to be imposed on each parcel  
3 in the Samish Subzone is \$14.94 per domestic unit; and,  
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5 WHEREAS, estimated assessment proposed to be imposed on each lake  
6 front parcel in the Samish Watershed subzone is \$0.23 per lake frontage foot, with  
7 a minimum lake frontage assessment of \$2.30; and,  
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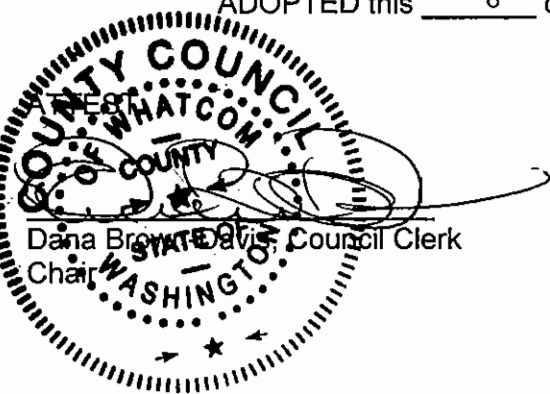
9 WHEREAS, the assessment roll should be updated annually to reflect  
10 appropriate changes in assessments for development upon unimproved parcels  
11 within the subzone; and,  
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13 WHEREAS, in accordance with RCW 86.09.490 and RCW 86.09.493 the  
14 assessment upon real property shall be a lien against the property assessed and  
15 said assessments shall become due and payable at the time or times general  
16 taxes accrue payable; and,  
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18 WHEREAS, RCW 86.15.162 provides statutory authority on delinquent  
19 assessments for sale of parcel under RCW 86.09.496 and RCW 86.09.499. If the  
20 district reconveys the land, however, interest shall accrue at the rate provided in  
21 RCW 86.09.505; and,  
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23 NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that  
24 an annual assessment of \$0.23 per lake frontage foot, with a minimum lake  
25 frontage assessment of \$2.30 and \$14.94 per domestic unit, is hereby levied for  
26 the Samish Watershed Subzone, provided that revenue from said charges shall be  
27 administered in accordance with the provisions of RCW 86.15 and in compliance  
28 with RCW 86.09.  
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31 ADOPTED this 8 day of August, 2006.  
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38 Dana Brown-Davis, Council Clerk  
39 Chair

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WHATCOM COUNTY COUNCIL,  
WHATCOM COUNTY, WASHINGTON

*L. Caskey-Schreiber*  
Laurie Caskey-Schreiber, Council

*Pete Kremen*  
Pete Kremen, County Executive

Date: 8-9-06

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APPROVED AS TO FORM:

Date: June 29, 2006

Daniel L. Gibson

Daniel L. Gibson, Senior Civil Deputy  
Prosecuting Attorney