



**STATE OF WASHINGTON**  
**County of Jefferson**

In the Matter of }  
Repealing and Replacing }  
Ordinance No. 04-0815-01 and }  
Ordinance No. 07-0825-03 and }  
Finalizing the Assessment System }  
For the Port Ludlow Drainage District }      **ORDINANCE NO.** 08-0829-08

*WHEREAS* the Port Ludlow Drainage District was established by the voters of the proposed drainage district in the year 2000; and

*WHEREAS* the assessment system for the District was established by adoption of Ordinance No. 04-0815-01 in August of 2001; and

*WHEREAS* the assessment system for the District was amended by adoption of Ordinance No. 07-0825-03 in August of 2003; and

*WHEREAS* RCW 85.38 requires the Board of County Commissioners to finalize the assessment system at least once every four years; and

*WHEREAS* the Commissioners of the Port Ludlow Drainage District submitted a letter to the Board of County Commissioners dated July 18, 2008 requesting the County Commissioners to review and not amend the assessment system for the Drainage District that was established by Ordinance 07-0825-03; and

*WHEREAS* RCW 85.38 requires the Board of County Commissioners to hold a public hearing prior to finalizing the assessment system; and

*WHEREAS* RCW 85.38 specifies that notice of the public hearing shall be made by publishing two notices in the newspaper of record and by mailing a notice to all Drainage District property owners; and

*WHEREAS* the notice of the public hearing was properly advertised and the Drainage District property owners were individually notified by mail; and

*WHEREAS* a public hearing was held before the Board of County Commissioners on August 29, 2008;

*NOW, THEREFORE, BE IT ORDAINED*

**SECTION 1. PURPOSE AND SCOPE**

The purpose of this Ordinance is to establish an Assessment System to be used by the Port Ludlow Drainage District to set District assessments.

**SECTION 2. AUTHORITY**

This Ordinance is adopted under the authority conferred on Jefferson County by Chapter 85.38 Revised Code of Washington.

**SECTION 3. ASSESSMENT SYSTEM**

The Assessment System shall be as specified in Appendix 1. Assessment System Calculation Method of this Ordinance.

**SECTION 4. ORDINANCE REVIEW**

The Assessment System shall be reviewed by the Board of County Commissioners at least once every four years as provided for in Chapter 85.38 Revised Code of Washington.

**SECTION 5. REPEALER**

This Ordinance repeals and replaces Ordinance No. 04-0815-01 and Ordinance No. 07-0825-03.

**SECTION 6. SEVERABILITY**

If any section, subsection, sentence, clause, phrase, or figure of this ordinance or its application to any person or circumstances is held invalid, the remainder of the ordinance or the application to other persons or circumstances shall not be affected.

**EFFECTIVE DATE**

This ordinance shall become effective twenty-one (21) days after adoption by the Board of County Commissioners.

APPROVED AND ADOPTED this 29th day of August, 2008.



ATTEST: RSON

*Julie Matthes, Deputy*  
Loma Delaney, CMC  
Clerk of the Board

**JEFFERSON COUNTY  
BOARD OF COMMISSIONERS**

*Phil Johnson*  
\_\_\_\_\_  
Phil Johnson, Chair

*John Austin*  
\_\_\_\_\_  
John Austin, Member

*David Sullivan*  
\_\_\_\_\_  
David Sullivan, Member

APPROVED AS TO FORM:

*David Alvarez* 8/5/2008  
\_\_\_\_\_  
David Alvarez  
Deputy Prosecuting Attorney

**Port Ludlow Drainage District Assessment System Ordinance**  
**Appendix 1: Assessment System Calculation Method**

As provided for in Chapter 85.38 Revised Code of Washington, the Port Ludlow Drainage District Assessment System is designed to generate \$1,000 in revenue for the District. The Assessment System determines the amount that each parcel within the District will be assessed per \$1,000 of District revenue. The District Commissioners will determine the total annual District assessment and the total amount assessed on each individual parcel through the adoption of the annual District budget. If, as an example, the District budget were set at \$70,000, the actual assessment on any parcel would be the amount assigned in the Assessment System multiplied by 70.

The Assessment System is based on a combination of two assessments. The first is an assessment on the parcel's acreage as a proportion of the total acreage within the District. The second is an assessment on the parcel's impervious surface area as a proportion of the total impervious surface area within the District. 35% of the assessment is based on land area and 65% of the assessment is based on impervious surface area.

35% of the assessment, or \$350.00 of the \$1,000, is assigned to the area within the District. The area portion of the assessment system consists of five Zones (Zone 0, Zone 1, Zone 2, Zone 3, and Zone 4). Zone 0 is areas permanently held in reserve or greenbelt areas that cannot be developed. Zone 1 is areas that can be developed, except for Zones 2, 3, and 4. It comprises the majority of the District. Zone 2 is five-acre residential lots in Port Ludlow No. 6 that completely drain into the District. Zone 3 is five-acre residential lots in Port Ludlow No. 6 that partially drain into the District. Zone 4 is five-acre residential lots in Port Ludlow No. 6 that completely drain out of the District. Zone 0 parcels will pay 5 percent of the area assessment. Zone 1 parcels will pay 100 percent of the area assessment. Zone 2 parcels will pay 15 percent of the area assessment. Zone 3 parcels will pay 10 percent of the area assessment. Zone 4 parcels will pay 5 percent of the area assessment.

There are 121.9 acres in Zone 0, 430.7 acres in Zone 1, 37.5 acres in Zone 2, 19.9 acres in Zone 3, and 10.2 acres in Zone 4. The area portion of a \$1,000 hypothetical assessment is:

	Percentage of Area Assessment	2008 Rate per \$,1000 Assessment
Zone 0	5%	= \$0.039333 per acre
Zone 1	100%	= \$0.786654 per acre
Zone 2	15%	= \$0.117998 per acre
Zone 3	10%	= \$0.078665 per acre
Zone 4	5%	= \$0.039333 per acre

65% of the assessment, or \$650.00 of the \$1,000, is assigned to impervious surface area. There are approximately 75 acres of impervious surface in the District. Based on a random sample of residences, a single family residence is assumed to have 3,000 square feet of impervious surface. 3,000 square feet of impervious surface is an Equivalent Residential Unit (ERU) of impervious surface. A multi-family residence is assigned 0.75 ERUs. Based upon a total of 1,087.2 ERUs within the District, the impervious surface portion of a \$1,000 hypothetical assessment is:

$$\text{Improvement assessment} = \$0.597871 \text{ per ERU}$$

The rates shown in this Appendix have been rounded. The District's assessment database uses the actual data entered into the database, not the rounded rates shown in this example.

**Parcel Assessment Formula per \$1,000 of District Revenue**

A parcel's assessment per \$1,000 of District revenue is based on the parcel's area and the area of impervious surface measured in Equivalent Residential Units.

$$\text{Parcel Assessment} = (\text{area rate} \times \text{parcel area}) + (\text{ERU rate} \times \text{ERUs on the parcel})$$

## **Port Ludlow Drainage District Assessment System County Engineer's Review**

### **Port Ludlow Drainage District Background**

The Port Ludlow Drainage District was formed by a vote of property owners in north Port Ludlow in 2000. In July 2001, the Port Ludlow Drainage District Commissioners submitted an assessment system to Jefferson County for review and approval. The Board of County Commissioners held a public hearing on the assessment system in July 2001 and adopted the initial assessment system in August 2001 under Jefferson County Ordinance No. 04-0815-01.

In July 2003, the District Commissioners requested revisions to the assessment system based on information in the Drainage District's Comprehensive Stormwater Management Plan and from public input. The Board held a public hearing and adopted a revised assessment system in August 2003 under Jefferson County Ordinance No. 07-0825-03.

In their letter to the Board dated July 18, 2008 the Drainage District Commissioners requested that the County review the existing assessment system and approve an ordinance adopting it. The assessment system is shown in Appendix 1. Assessment System Calculation Method of the attached draft Ordinance.

### **Assessment System Requirements**

RCW 85.38 sets forth the requirements for establishing and reviewing the Drainage District's assessment system and the County's responsibilities for this process. The County's role is limited to establishing and periodically reviewing the assessment system.

RCW 85.38.160 requires the County Engineer to review the proposed assessment system. The Board is required to hold a public hearing and approve an ordinance adopting the assessment system. The assessment system needs to be reviewed every four years. The Board is required to approve the assessment system on or before September 1.

RCW 85.38.160 requires the assessment system to be designed to generate \$1,000 of revenue for the Drainage District by distributing a portion of the \$1,000 to the parcels in the District. The actual assessment for each parcel is determined by the District through its budget process. The County does not have authority to review and approve District budgets.

On or before December 1 the Drainage District Commissioners must adopt a budget for the succeeding year and levy assessments sufficient to fund the budget. The District sends a copy of the budget to the County Commissioners and the County Treasurer. The assessments are due at the same time as property taxes.

The County may charge the Drainage District for its costs incurred in reviewing and approving the assessment system. The County Treasurer may also impose a fee for collecting the assessments, not exceeding one percent of the assessments.

**County Engineer's Recommendation**

The Public Works Department has reviewed the Port Ludlow Drainage District assessment system as shown in the attached Appendix 1. Assessment System Calculation Method and determined that it meets the requirements of RCW 85.38. The Department recommends that the Board of Commissioners approve the attached ordinance adopting the District's assessment system.

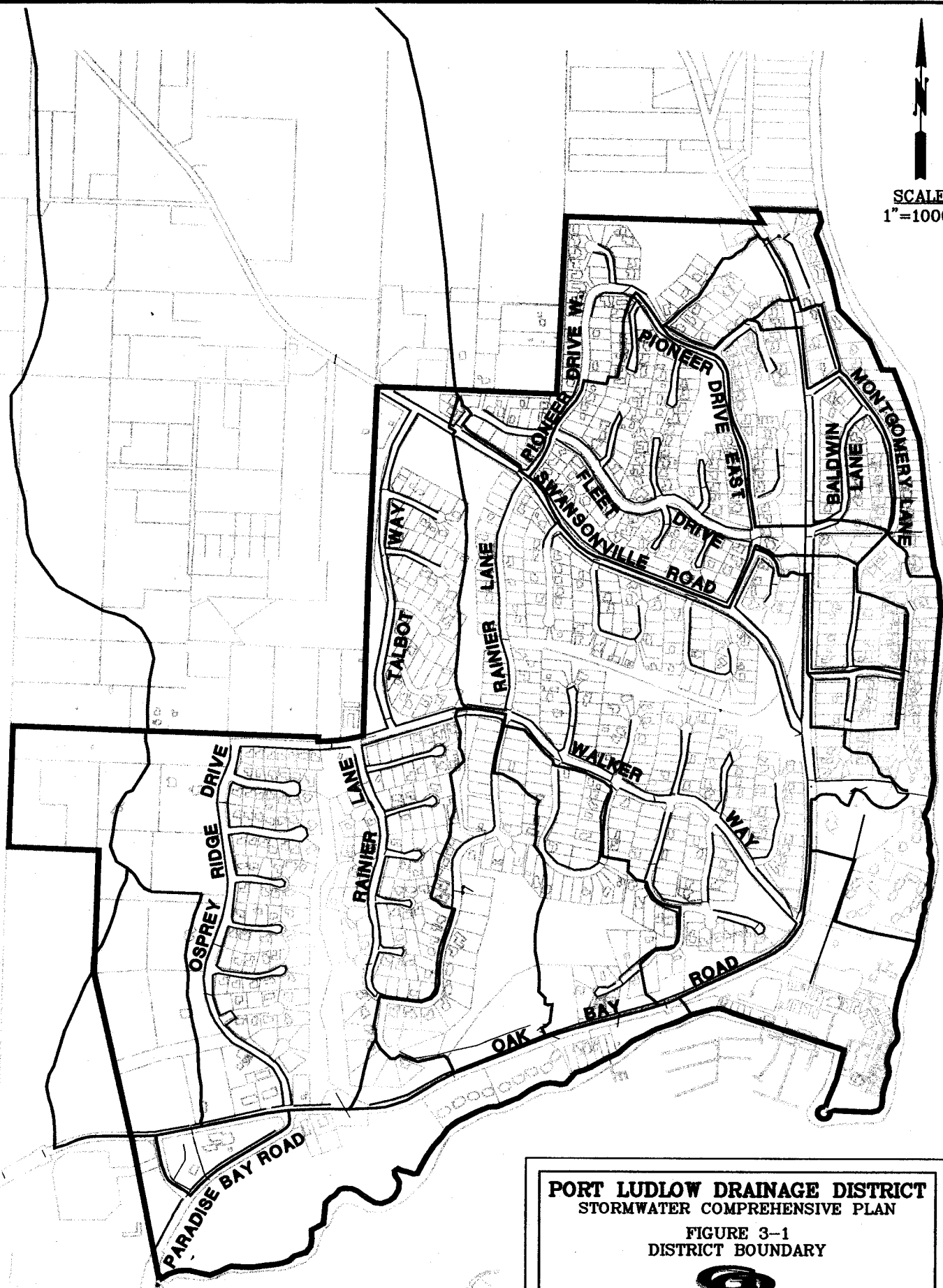


Monte Reinders, PE  
County Engineer

8-1-08

Date


SCALE  
1" = 1000'



**LEGEND**  
— District Boundary  
— Drainage Basin

**PORT LUDLOW DRAINAGE DISTRICT**  
STORMWATER COMPREHENSIVE PLAN


FIGURE 3-1  
DISTRICT BOUNDARY



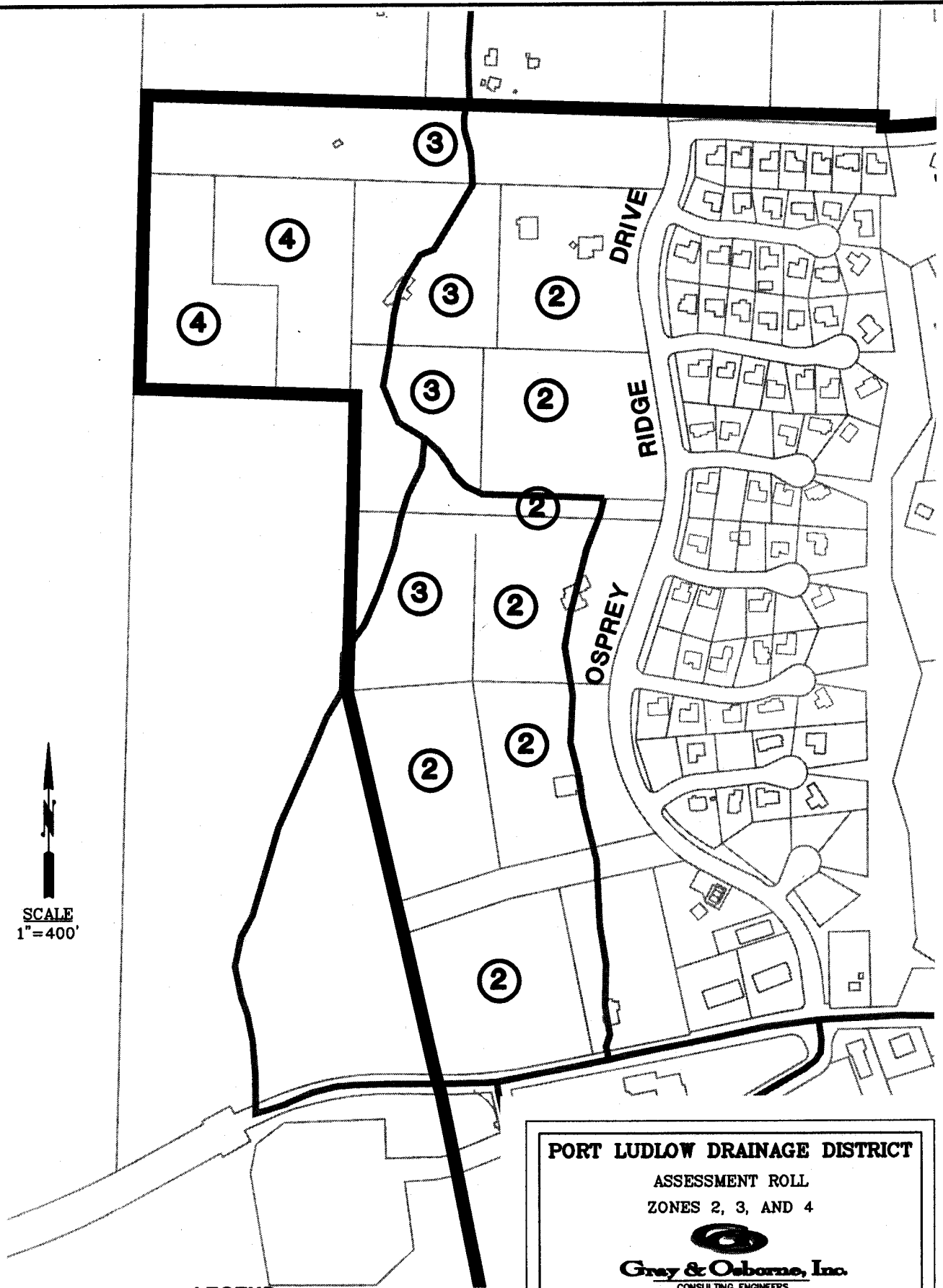
**Gray & Osborne, Inc.**  
CONSULTING ENGINEERS

SCALE  
1" = 400'

**LEGEND**  
— District Boundary  
— Drainage Basin  
③ Zone

**PORT LUDLOW DRAINAGE DISTRICT**  
ASSESSMENT ROLL  
ZONES 2, 3, AND 4  
  
**Gray & Osborne, Inc.**  
CONSULTING ENGINEERS

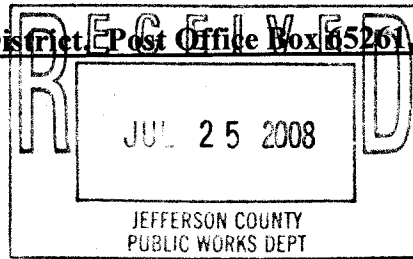
M:\PORTLUDLOW\03411.07\Zones.DWG



# PLDD

Port Ludlow Drainage District, Post Office Box 65261, Port Ludlow, 98365 WA

July 18, 2008



# RECEIVED

JUL 24 2008

Commissioners  
Jefferson County Board of Commissioners  
P.O. Box 1220  
Port Townsend, WA 98368414

**JEFFERSON COUNTY  
COMMISSIONERS**

**SUBJECT: PLDD ASSESSMENT METHOD REVIEW  
PORT LUDLOW DRAINAGE DISTRICT, JEFFERSON COUNTY,  
WASHINGTON**

Dear Honorable Commissioners:

The Port Ludlow Drainage District was formed in the year 2000 to address drainage and surface water issues within the corporate boundaries. The Port Ludlow Drainage District is a public agency duly formed under RCW 85.38 and provides improvements to existing drainage systems within the corporate boundaries, operations and maintenance of drainage facilities within dedicated easements, and environmental expertise for surface water and drainage issues within the District.

The District has prepared and enclosed a draft engineer's report for your review of the assessment method per Revised Code of Washington (RCW) 85.38.160 (4). A portion of the RCW is provided below:

(4) The system or systems of assessment of each special district shall be reviewed by the county engineer and finalized by the county legislative authority at least once every four years. A system or systems of assessment shall be finalized on or before the first of September in the year that it is finalized. ... Assessments shall be collected in special districts pursuant to the district's previous system of assessment until the system or systems of assessment under this chapter is finalized under this section.

The last time to District's assessment was reviewed by the County was in 2003 with the new assessment method implemented in January 2004. The assessment review by the County is to meet the requirements of the RCW. At this time we are not requesting any change to the assessment method that is currently in place.

We are enclosing a draft report to the County engineer to review and/or revise to meet the requirements of the RCW. The proposed action is time sensitive. Approval of an ordinance establishing a system of assessment by August 29, 2008, will allow the ordinance to be effective prior to September 1, 2008, and would thus assure the District is able to receive the necessary assessment revenues during 2009.

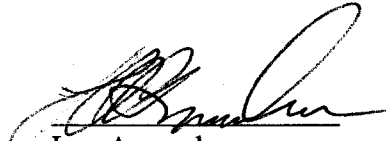


M.  
July 17, 2008  
Page 2

If you have any questions or need additional information, please contact us.

Very truly yours,

PORT LUDLOW DRAINAGE DISTRICT.



Lee Amundson



James L. Laker



Walter Cairns

BB/

Enclosures

Cc: Barry Baker, Gray & Osborne

~~CONTRACT~~ REVIEW FORM

08-157

CONTRACT WITH: Port Ludlow Drainage District Assessment System Ordinance  
(Contractor/Consultant)

CONTRACT FOR: NA TERM: NA

<b>COUNTY DEPARTMENT:</b>	<u>Public Works</u>
<b>For More Information Contact:</b>	<u>Jim Pearson</u>
Contact Phone #:	<u>(360) 385-9162</u>
<b>RETURN TO:</b> <u>Jim</u>	<b>RETURN BY:</b> <u>ASAP</u>
(Person in Department)	(Date)

AMOUNT: NA

Revenue: \_\_\_\_\_

Expenditure: \_\_\_\_\_

Matching Funds Required: \_\_\_\_\_

Sources(s) of Matching Funds: \_\_\_\_\_

- PROCESS:
- Exempt from Bid Process
  - Consultant Selection Process
  - Cooperative Purchase
  - Competitive Sealed Bid
  - Small Works Roster
  - Vendor List Bid
  - RFP or RFQ
  - Other

~~Step 1: **REVIEW BY RISK MANAGEMENT** NA/J~~

~~Review by: \_\_\_\_\_~~

~~Date Reviewed: \_\_\_\_\_~~

APPROVED FORM

Returned for revision (See Comments)

~~Comments \_\_\_\_\_~~

Step 2: **REVIEW BY PROSECUTING ATTORNEY**

Review by: ALVAREZ David Alvarez

Date Reviewed: 8/5/2008

APPROVED AS TO FORM

Returned for revision (See Comments)

Comments \_\_\_\_\_

**Step 3:** (If required) DEPARTMENT MAKES REVISIONS & RESUBMITS TO RISK MANAGEMENT AND PROSECUTING ATTORNEY

**Step 4:** CONTRACTOR/CONSULTANT SIGNS APPROPRIATE NUMBER OF ORIGINALS

**Step 5:** SUBMIT TO BOCC FOR APPROVAL  
Submit originals and 9 copies of Contract, Review Form, and Agenda Bill to BOCC Office. Place "Sign Here" markers on all places the BOCC needs to sign. MUST be in BOCC Office by 5 p.m. TUESDAY for the following Monday's agenda.

(This form to stay with contract throughout the contract review process.)

Jefferson County  
Board of Commissioners  
Agenda Request

**To:** Board of Commissioners  
Dennis Richards, Interim County Administrator

**From:** Frank Gifford, Public Works Director *FG*

**Agenda Date:** August 25, 2008

**Subject:** Public hearing to review Port Ludlow Drainage District  
Assessment System Ordinance

---

**Statement of Issue:**

The Port Ludlow Drainage District was established under the authority of RCW 85.38. The District currently levies an assessment to fund District activities that was authorized under Jefferson County Ordinances 04-0815-01 and 07-0825-03. RCW 85.38 requires the Board to hold a public hearing to review the District assessment system every four years. The Board must take action on the assessment system on or before September 1.

The Board has scheduled a public hearing for August 29 at 10 AM. A public hearing notice was published in the newspaper of record on two consecutive weeks. Notice was also provided by mailing a letter to property owners in the District.

The Drainage District Commissioners in a letter to the Board dated July 18, 2008 requested that the Board make no revisions to the existing assessment system.

The County Engineer has reviewed the District's assessment system and determined that it is consistent with RCW 85.38.

The Department has prepared a draft ordinance adopting the assessment system. The ordinance includes Appendix 1. Assessment System Calculation Method that explains how the assessments on individual parcels are calculated.

Attached are copies of the draft ordinance and Appendix 1, the County Engineer's review, the Drainage District Commissioners' letter, and maps depicting the overall District and the location of Zones 2, 3, and 4.

**Analysis/Strategic Goals/Pro's & Con's:**

Adopting an assessment system for the Drainage District will enable the District to provide drainage and stormwater management facilities in Port Ludlow which will assist the County to achieve Strategic Plan Goal 1. Improve basic community infrastructure (roads, water, sewer, power, and telecommunications) to serve the needs of the community.

**Fiscal Impact/Cost Benefit Analysis:**

The Drainage District's assessments fund the District's activities. The County does not fund the District. Adopting an assessment system for the Drainage District will not have a negative fiscal impact on the County.

**Recommendation:**

The Department proposes to review the Drainage District's assessment system and draft ordinance with the Board prior to the public hearing.

The Board must approve a District assessment system ordinance on or before September 1.

**Reviewed By:**

\_\_\_\_\_  
Dennis Richards, Interim County Administrator

\_\_\_\_\_  
Date