

CITY COUNCIL AGENDA TOPIC

Resolution authorizing the City Manager, or her designee, to execute a boundary line agreement between the City of Bellevue and the City of Kirkland, pursuant to RCW 35.13.310, to adjust the common boundary line between Bellevue and Kirkland within the public right-of-way at the intersection of NE 38th Place and 108th Avenue NE. The executed agreement shall be substantially in the same form as the agreement in the Council Library.

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City Manager's Office

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City Attorney's Office

EXECUTIVE SUMMARY**ACTION**

This resolution authorizes the City Manager to enter into an agreement to alter the existing boundary line between Bellevue and Kirkland so the common boundary is not located in the middle of the intersection located at NE 38th Place and 108th Avenue NE.

Upon execution of the agreement, the common boundary will run edge-to-edge of NE 38th Place, just before the cross walk, ensuring the cities' respective boundaries are logical, practical, and avoid complications related to maintaining critical transportation infrastructure servicing the intersection. The agreement would result in Bellevue annexing 1,770 sq. ft. of right-of-way.

RECOMMENDATION

Move to adopt Resolution No. 10536

BACKGROUND/ANALYSIS

This memorandum pertains to the last of three (3) proposed boundary line adjustments before the City Council, which are identified as follows:

No.	PARCEL	Property Owner	Receiving Jurisdiction	Legal Authority
1.	South Kirkland Park and Ride	King County	Kirkland	RCW 35.13.340
2.	Cross Kirkland Corridor	Kirkland	Kirkland	RCW 35.13.340
3.	Intersection: NE 38 th Pl. and 108 th Ave. NE	Kirkland	Bellevue	RCW 35.13.310

At the intersection of NE 38th Place and 108th Avenue NE, as depicted below, the common boundary line between the cities of Bellevue and Kirkland presently proceeds into the middle of 108th Ave NE:



This situation can create inefficiencies, from having to coordinate with a second jurisdiction, if/when Bellevue must make repairs at the intersection and service certain transportation infrastructure that control traffic signals and presently located inside the Kirkland city limits.

The proposed agreement would allow Bellevue to annex a small triangle of the right-of-way, 1,770 sq. ft. Such a boundary line adjustment would better align common boundary with natural and existing survey angles, bringing the entirety of 108th Ave. NE inside the Bellevue city limits. Moreover, it will allow Bellevue to make more efficient repairs to 108th Avenue NE and the traffic controls at the intersection, if and when needed.

Unlike the boundary line adjustments related to the South Kirkland Park and Ride and the Cross Kirkland Corridor, the proposed adjustment does not require a petition. Instead, in accordance with RCW 35.13.310(2), all that is required is for the legislative bodies to approve an agreement creating a new boundary on either edge of the right-of-way, limiting the area to be annexed only to that area needed to eliminate any inefficient situation. The attached agreement meets all requirements of the statute (Exhibit A).

As the proposed adjustment involves only a small portion of right-of-way, it will not result in the loss of any population or tax revenue. Moreover, any decision by the Bellevue City Council is exempt from the state Environmental Protection Agency (SEPA) and does not require subsequent approval by the King County Boundary Review Board (BRB).

The City of Kirkland previously approved the proposed agreement and the related boundary line adjustment on July 15, 2025, pursuant to Resolution No. 5691. However, the boundary line adjustment will not be final until the City of Bellevue approves the same agreement; and both cities coordinate the filing of an annexation certificate with State's Office of Financial Management.

POLICY & FISCAL IMPACTS

Policy Impact

RCW 35.13.310 provides a method to adjust the boundary lines between two cities where the two cities share a common boundary within the right of way of a public street, road, or highway.

The City's Comprehensive Plan – Transportation element also include policies supporting the proposed boundary line adjustment, including but not limited to:

- TR 44: Cooperate with other jurisdictions to resolve mutual land use and transportation concerns.

Fiscal Impact

There is no fiscal impact associated the proposed boundary line adjustment. The parcel(s) to be annexed are tax exempt and there is no loss of revenue.

OPTIONS

1. Adopt the Resolution authorizing the City Manager, or her designee, to execute a boundary line agreement between the City of Bellevue and the City of Kirkland, pursuant to RCW 35.13.310, to adjust the common boundary line between Bellevue and Kirkland within the public right-of-way at the intersection of NE 38th Place and 108th Avenue NE. The executed agreement shall be substantially in the same form as the agreement in the Council Library.
2. Do not adopt the Resolution and provide alternative direction to staff.

ATTACHMENTS

- A. Boundary Line Agreement
Proposed Resolution No. 10536

AVAILABLE IN COUNCIL LIBRARY