

August 21, 1997
nbf danx/dbe
clerk 9/12/97

Introduced By: Brian Derdowski

Proposed No.: 97-568

ORDINANCE **12873**

AN ORDINANCE establishing the date for an election on the question of annexation of the cities of North Bend and Snoqualmie to King County Fire Protection District No. 38 if the voters of Fire Protection District No. 38 vote in favor of lifting the district's levy lid; repealing Ordinances No. 12839 and 12840, and declaring an emergency.

FINDINGS OF FACT:

1. State law (RCW 52.04.061 and 52.04.071) provides that the county legislative authority shall, at the city's request, call a special election to be held in the city and the fire district to determine whether the city shall be annexed to a fire protection district. City of North Bend Resolution No. 720 satisfies the provisions of RCW 52.04.061 and 52.04.071 requesting the calling of an election by the county council to be held by the qualified voters therein to determine whether the city be annexed to Fire Protection District No. 38. City of Snoqualmie Resolution No. 468 satisfies the provisions of RCW 52.04.061 and 52.04.071 requesting the calling of an election by the county council to be held by the qualified voters therein to determine whether the city be annexed to Fire Protection District No. 38.

2. The county council notes that city of North Bend Resolution No. 720 finds that it is in the public interest for the city to be annexed to Fire Protection District No. 38. The city of North Bend Resolution No. 720 states that the city only desires to be annexed to Fire Protection District No. 38 if the district voters approve a levy lid lift.

3. The county council notes that city of Snoqualmie Resolution No. 468 finds that it is in the public interest for the city to be annexed to Fire Protection District No. 38. City of Snoqualmie Resolution No. 468 states that the city only desires to be annexed to Fire Protection District No. 38 if the district voters approve a levy lid lift.

4. The commissioners of Fire Protection District No. 38 passed Resolution No. 140, amending Resolution No. 137 and stating that the annexation of

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the cities of North Bend and Snoqualmie to the fire district is contingent upon the passage of the district's proposition to lift its levy lid.

5. Because Fire Protection District No. 38 amended its resolution, the council desires to repeal Ordinance 12839 and Ordinance 12840.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. A special election shall be held on the 4th day of November, 1997, within the city of North Bend, the city of Snoqualmie and within King County Fire Protection District No. 38. The ballot proposition for the city of North Bend shall be in substantially the following form in accordance with RCW 52.04.071:

Shall the city of North Bend, Washington be annexed to and be part of King County Fire Protection District No. 38, to be effective only if the ballot proposition to increase the regular property tax levy in King County Fire Protection District No. 38 to \$1.50 per \$1,000 of assessed valuation is approved by the voters thereof at the November 4, 1997 election?

YES..... []

NO..... []”

The ballot proposition for the city of Snoqualmie shall be in substantially the following form in accordance with RCW 52.04.071:

“Shall the city of Snoqualmie, Washington be annexed to and be part of King County Fire Protection District No. 38, to be effective only if the ballot proposition to increase the regular property tax levy in King County Fire Protection District No. 38 to \$1.50 per \$1,000 of assessed valuation is approved by the voters thereof at the November 4, 1997 election?

YES..... []

NO..... []”

SECTION 2. Notice of election shall be published as required by law.

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SECTION 3. REPEALER. Ordinances 12839 and 12840 are each hereby repealed.

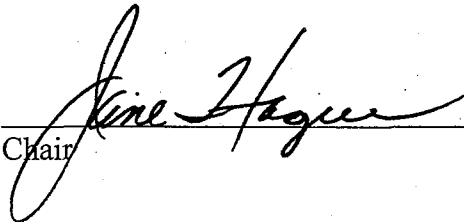
SECTION 4. The county council finds as a fact and declares that an emergency exists and that this ordinance is necessary for the immediate preservation of public peace, health or safety or for the support of county government and its existing public institutions.

SECTION 5. In accordance with RCW 29.13.010, the council deems that an emergency exists in order to call a special election.

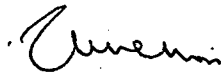
INTRODUCED AND READ for the first time this 15th day of September 1997.

PASSED by a vote of 13 to 0 this 15th day of September, 1997.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Chair

ATTEST:



Clerk of the Council

APPROVED this _____ day of _____, 19____.

King County Executive

Attachments: North Bend Resolution No. 720; Snoqualmie Resolution 468; King County Fire Protection District No. 38 Resolutions Nos. 137 and 140.

12873

CITY OF NORTH BEND
WASHINGTON

RESOLUTION NO. 720

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AM 10:54

A RESOLUTION OF THE CITY OF NORTH BEND,
WASHINGTON, CALLING FOR A SPECIAL ELECTION,
AND AN ADVISORY ELECTION TO BE HELD ON
SEPTEMBER 16, 1997, REGARDING, IF THE CITY
SHALL ANNEX INTO FIRE PROTECTION DISTRICT
NUMBER 38, AND IF SO, WHO SHALL PROVIDE FIRE
PROTECTION SERVICES.

WHEREAS, the City Council has expressed its intent to hold a special election on whether the City shall annex into King County Fire Protection District No. 38 on September 16, 1997, to take effect only if District #38 raises its levy lid to \$1.50 per \$1,000 assessed valuation on the same date; and

WHEREAS, the City Council desires an advisory election that, in the event of both the annexation and levy lid increase pass, polls its voters on the question of whether District 38 shall form its own fire department or whether District 38 shall continue to contract with the current service provider; and

WHEREAS, the City Council finds it to be in the public interest to hold an advisory ballot on the question of who shall provide protection services to the City;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND,
WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Call for a Special Advisory Election. The City Council hereby authorizes submittal and calls for a special election on September 16, 1997, regarding whether or not the City shall annex to Fire Protection District No. 38, to be effective only if the ballot proposition to increase the regular property tax levy in King county Fire Protection District No. 38 to \$1.50 per \$1,000 of assessed valuation is approved by the voters thereof at the election on September 16, 1997.

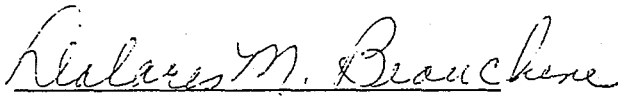
Section 2. Call for an Advisory Election. The City Council hereby calls for an advisory election on the question of who shall provide fire protection services. If both the measures in Section 1, of this resolution pass, Fire District No. 38 may either contract with the current service provider, or form an independent Upper Valley fire department. The voters in the City should indicate their preference between the two options.


Section 3. Duties of the City Clerk. The City Clerk is requested to deliver certified copies of this resolution to the Clerk of the Metropolitan King County Council, the King County Auditor, the King County Treasurer, and the Manager of the King county Records and Elections Division, requesting that a special election and advisory election be held on the September 16, 1997, Primary Election ballot.

PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A SPECIAL CITY COUNCIL MEETING THEREOF THIS 22nd DAY OF July, 1997.

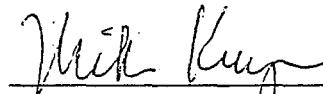
ATTEST/AUTHENTICATED:

CITY OF NORTH BEND


Dolores M. Beauchene, City Clerk


Joan M. Simpson, Mayor

APPROVED AS TO FORM:


Michael R. Kenyon, City Attorney

19973

I HEREBY CERTIFY THAT THIS IS A TRUE & CORRECT COPY.
PASSED BY THE CITY COUNCIL OF THE CITY OF SNOQUALMIE, WASHINGTON
APPROVED BY THE MAYOR OF THE CITY OF SNOQUALMIE AS HEREIN INDICATED.

[Signature]
CITY CLERK

RESOLUTION NO. 468

A RESOLUTION OF THE CITY OF SNOQUALMIE, WASHINGTON, ALLING FOR AN ELECTION TO BE HELD ON THE ISSUE OF WHETHER THE CITY OF SNOQUALMIE SHOULD BE ANNEXED TO KING COUNTY FIRE PROTECTION DISTRICT NO. 38

WHEREAS, the City of Snoqualmie by Ordinance No. 790, passed May 27, 1997, gave notice of its intention to annex to and become part of King County Fire District No. 38, and

WHEREAS, King County Fire District No. 38 has by Resolution No. 135 passed July 2, 1997, concurred in and supported te annexation to the Fire District by the City, and

WHEREAS, RCW 52.04.071 requires an election on the annexation of the City into the Fire Protection District to be conducted by the County Auditor in accordance with the general election laws of the state, and

WHEREAS, in order to provide for the public health, safety and welfare with an adequate fire service at the expiration of the City's existing contract with Fire Protection District No. 10, the issue of the annexation of the City to the Fire Protection District must be settled at the earliest possible date, now, therefore, be it

RESOLVED as follows:

Section 1. The City Council hereby declares that an emergency exists and the auditor of King County, as ex-officio Supervisor of Elections, and the Metropolitan King County Council are hereby requested to find that an emergency exists, to call an election to be held November 4, 1997, and to submit the proposition described in Section 2 to the qualified voters of the City at the election.

I HEREBY CERTIFY THAT THIS IS A TRUE & CORRECT COPY.
PASSED BY THE CITY COUNCIL OF THE CITY OF SNOQUALMIE, WASHINGTON
APPROVED BY THE MAYOR OF THE CITY OF SNOQUALMIE AS HEREIN INDICATED.

Jill C. Long
CITY CLERK

12873

Section 2. The proposition to be submitted at the election shall be in the form of a

ballot title substantially as follows:

PROPOSITION

Approving Annexation of City of Snoqualmie to King
County Fire Protection District No. 38

Shall the City of Snoqualmie be annexed to and be a part of
King County Fire Protection District No. 38, to be effective
only if the ballot proposition to increase the regular
property tax levy in King County Fire Protection District
No. 38 to \$1.50 per \$1,000 of assessed valuation is
approved by the voters thereof at the election of November
4, 1997?

YES _____

NO _____

PASSED by the City Council of the City of Snoqualmie, Washington, this

11th day of August, 1997.

Jeanne Hansen
Jeanne Hansen, Mayor

Attest:

Jill C. Long
Jill C. Long, City Clerk

Ballot Title Certified this 13 day of August 1997

by: Patricia B. Anderson
City Attorney

12873

KING COUNTY FIRE PROTECTION DISTRICT NO. 38
RESOLUTION NO. 137

RESOLUTION OF KING COUNTY FIRE PROTECTION DISTRICT
NO. 38 CALLING FOR AN ELECTION TO BE HELD ON THE
ISSUE OF WHETHER THE CITIES OF NORTH BEND AND SNOQUALMIE
SHOULD BE ANNEXED TO THE FIRE PROTECTION DISTRICT AND
WHETHER THE DISTRICT SHOULD INCREASE ITS REGULAR REAL
PROPERTY TAX LEVY.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF KING COUNTY FIRE PROTECTION DISTRICT NO. 38, PROVIDING FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE DISTRICT AT A SPECIAL ELECTION TO BE HELD WITHIN THE DISTRICT ON NOVEMBER 4, 1997, IN CONJUNCTION WITH THE STATE GENERAL ELECTION TO BE HELD ON THE SAME DATE, OF A PROPOSITION AUTHORIZING A LEVY OF A PROPERTY TAX NOT TO EXCEED \$1.50 PER \$1,000.00 OF TRUE AND ASSESSED VALUATION SUBJECT TO OTHERWISE APPLICABLE STATUTORY LIMITATIONS APPROVING THE ANNEXATIONS OF NORTH BEND AND SNOQUALMIE INTO THE DISTRICT.

Background: WHEREAS, it is the judgment of the Board of Commissioners of the District that it is essential and necessary for the protection of the health and life of the residents of the District that the fire and emergency medical services be provided by the District. Such services will necessitate the expenditure of revenues for maintenance, operations, equipment and personnel in excess of those which can be provided by the District's regular tax revenue levied at the current rate per \$1,000.00 of assessed valuation of taxable property within the District. The District will be qualified to levy the fifty cent levy authorized under RCW 52.16.160 since it will employ a full time, full paid employee on or before January 1, 1998;

WHEREAS, The Cities of North Bend and Snoqualmie have previously declared their intention to annex into King County Fire Protection District No. 38 and King County Fire Protection District No. 38 has previously adopted a resolution approving the annexation of the Cities into the Fire Protection District;

Resolution: NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of King County Fire Protection District No. 38, King County, Washington as follows:

Section 1. In order to provide fire protection, prevention and emergency medical services in the District, it is necessary for the District to operate and maintain emergency fire and medical service vehicles and to operate and maintain station facilities to be staffed by properly trained personnel equipped with proper fire fighting and emergency medical equipment.

Section 2. In order to provide the revenue adequate to pay the costs of providing adequate life protection services and facilities as described in Section 1 and to maintain reserve funds sufficient to assure the continuation of the services, the District shall, in accordance with RCW 84.55.050, remove the limitation on regular property taxes imposed by RCW 84.55.010 and levy beginning in 1997 and collect

beginning in 1998 pursuant to RCW 52.16.130, RCW 52.16.140 and RCW 52.16.160, a general tax on taxable property within the District at a rate of \$1.50 per \$1,000.00 of assessed valuation subject to otherwise applicable statutory limits.

Section 3. There shall be submitted to the qualified electors of the District for their ratification or rejection, at a special election on November 4, 1997, in conjunction with the state general election to be held on the same date, the question of whether or not the regular property tax levy of the District should be increased to \$1.50 per \$1,000.00 of true and assessed valuation, subject to otherwise applicable statutory limitations and whether the Cities of North Bend and Snoqualmie should be annexed into the District. The Board of Commissioners hereby declares that an emergency exists and the auditor of King County, as ex-officio Supervisor of Elections, is hereby requested to find that an emergency exists, to call a special election, and to submit the following proposition at the election, in the form of a ballot title substantially as follows:

PROPOSITION

King County Fire Protection District No. 38
Approving Annexation of Cities and Authorizing Property Tax Levy.

"Shall the Cities of North Bend and Snoqualmie be annexed to and be a part of King County Fire Protection District No. 38 and Shall King County Fire Protection District No. 38 be authorized to increase its regular property tax levy to \$1.50 per \$1,000.00 of assessed valuation?

(This shall not be construed to authorize an excess levy and shall be subject to otherwise applicable statutory limits)

YES _____

NO _____

Adoption: ADOPTED by the Board of Commissioners of King County Fire Protection District No. 38, King County, Washington, at a regular open public meeting of the Board on the 6th day of August, 1997, the following commissioners being present and voting:

Emmett C. ...

Commissioner
...

Commissioner
Gay J. Stevens

Commissioner

Marle Jo Hill

Secretary

KING COUNTY FIRE PROTECTION DISTRICT NO. 38
RESOLUTION NO. 140

COUNCIL
RESOLUTION OF KING COUNTY FIRE PROTECTION DISTRICT
NO. 38 CALLING FOR AN ELECTION TO BE HELD ON THE
ISSUE OF WHETHER THE CITIES OF NORTH BEND AND SNOQUALMIE
SHOULD BE ANNEXED TO THE FIRE PROTECTION DISTRICT.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF KING COUNTY FIRE PROTECTION DISTRICT NO. 38, PROVIDING FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE DISTRICT AT A SPECIAL ELECTION TO BE HELD WITHIN THE DISTRICT ON NOVEMBER 4, 1997, IN CONJUNCTION WITH THE STATE GENERAL ELECTION TO BE HELD ON THE SAME DATE, OF A PROPOSITION APPROVING THE ANNEXATIONS OF NORTH BEND AND SNOQUALMIE INTO THE DISTRICT.

Background: WHEREAS, The Cities of North Bend and Snoqualmie have previously declared their intention to annex into King County Fire Protection District No. 38 to be effective only if the ballot proposition to increase the regular property tax levy in King County Fire Protection District No. 38 to \$1.50 per \$1000 of assessed valuation is approved by the voters thereof at the election of November 4, 1997 and King County Fire Protection District No. 38 has previously adopted a resolution approving the annexation of the Cities into the Fire Protection District;

Resolution: NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of King County Fire Protection District No. 38, King County, Washington as follows:

There shall be submitted to the qualified electors of the District for their ratification or rejection, at a special election on November 4, 1997, in conjunction with the state general election to be held on the same date, the question of whether the Cities of North Bend and Snoqualmie should be annexed into the District to be effective only if the ballot proposition to increase the regular property tax levy in King County Fire Protection District No. 38 to \$1.50 per \$1000 of assessed valuation is approved by the voters thereof at the election of November 4, 1997. The Board of Commissioners hereby declares that an emergency exists and the Metropolitan King County Council and the auditor of King County, as ex-officio Supervisor of Elections, are hereby requested to find that an emergency exists, to call a special election, and to submit the following proposition at the election, in the form of a ballot title substantially as follows:

RECEIVED
NOV 11 1997
KING COUNTY
COUNCIL

12873

PROPOSITION


King County Fire Protection District No. 38
Approving Annexation of Cities.

"Shall the Cities of North Bend and Snoqualmie be annexed to and be a part of King County Fire Protection District No. 38, to be effective only if the ballot proposition to increase the regular property tax levy in King County Fire Protection District No. 38 to \$1.50 per \$1000 of assessed valuation is approved by the voters thereof at the election of November 4, 1997?


YES _____

NO _____

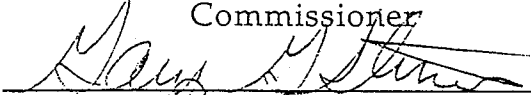
Adoption: ADOPTED by the Board of Commissioners of King County Fire Protection District No. 38, King County, Washington, at a regular open public meeting of the Board on the 11 day of September, 1997, the following commissioners being present and voting:



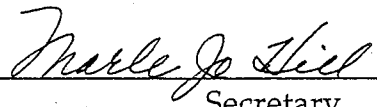
Commissioner



Commissioner



Commissioner



Secretary