

August 21, 1997
nbfdanx/dbe
clerk 8/25/97

Introduced By: Brian Derdowski

Proposed No.: 97-522

12839

ORDINANCE NO. 12839

1
2 AN ORDINANCE establishing the date for an
3 election on the question of annexation of the
4 city of North Bend to King County Fire
5 Protection District No. 38 and declaring an
6 emergency.

7 FINDINGS OF FACT:

8 1. State law (RCW 52.04.061 and 52.04.071)
9 provides that the county legislative authority shall,
10 at the city's request, call a special election to be
11 held in the city and the fire district to determine
12 whether the city shall be annexed to a fire
13 protection district. City of North Bend Ordinance
14 No. 720 satisfies the provisions of RCW 52.04.061 and
15 52.04.071 requesting the calling of an election by
16 the county council to be held by the qualified voters
17 therein to determine whether the city be annexed to
18 Fire Protection District No. 38.

19
20 2. The county council notes that city of North
21 Bend Ordinance No. 720 finds that it is in the public
22 interest for the city to be annexed to Fire
23 Protection District No. 38.

24
25 3. The Commissioners of King County Fire
26 Protection District No. 38 by Resolution 137 have
27 concurred with the North Bend city council's proposal
28 to be annexed to the fire district in accordance with
29 RCW 52.04.061
30

31 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

32
33 SECTION 1. A special election shall be held on the 4th day of
34 November, 1997, within the city of North Bend and within King
35 County Fire Protection District No. 38. The ballot proposition

1 shall be in substantially the following form in accordance with
2 RCW 57.04.071:

3 "Shall the city of North Bend, Washington be annexed
4 to and be part of King County Fire Protection District
5 No.38?

6 YES[]

7 NO.....[]"

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

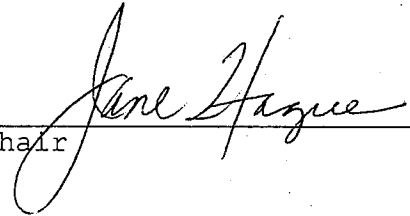
10 SECTION 3. The county council finds as a fact and declares
11 that an emergency exists and that this ordinance is necessary for
12 the immediate preservation of public peace, health or safety or
13 for the support of county government and its existing public
14 institutions.

1 SECTION 4. In accordance with RCW 29.13.010, the council
2 deems that an emergency exists in order to call a special
3 election.

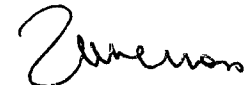
4 INTRODUCED AND READ for the first time this 25th day of
5 August, 1997.

6 PASSED by a vote of 11 to 0 this 25th day of
7 August, 1997.

8 KING COUNTY COUNCIL
9 KING COUNTY, WASHINGTON

10 
11 Chair

12 ATTEST:

13 
14 Clerk of the Council

15 APPROVED this 5 day of September, 1997.

16 
17 King County Executive

18 Attachments: North Bend Ordinance No. 720; King County Fire
19 Protection District No. 38 Commissioner Resolution No. 137.

20

12839

CITY OF NORTH BEND
WASHINGTON

RESOLUTION NO. 720

**A RESOLUTION OF THE CITY OF NORTH BEND,
WASHINGTON, CALLING FOR A SPECIAL ELECTION,
AND AN ADVISORY ELECTION TO BE HELD ON
NOVEMBER 4, 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 November 4, 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 these ballot measures;

**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 calls for a special election on November 4, 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 November 4, 1997.

12839

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 November 4, 1997, Primary Election ballot.

PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A SPECIAL CITY COUNCIL MEETING THEREOF THIS 19th DAY OF August, 1997.

ATTEST/AUTHENTICATED:

CITY OF NORTH BEND

Paula D. York, Acting Clerk
Dolores M. Beauchene, City Clerk
Dolores M. Beauchene

Joan M. Simpson
Joan M. Simpson, Mayor


APPROVED AS TO FORM:

Michael R. Kenyon, City Attorney

1 2839

CERTIFICATION

I, the undersigned Secretary of the Board of Commissioners of King County Fire Protection District 38, King County, Washington certify that the attached Resolution is a true and correct copy of Resolution 137 of said Board, duly adopted on the 6th day of August 1997 at a Regular Meeting of the Board of Commissioners.


Secretary Marle Jo Hill

12839

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:




Commissioner



Commissioner



Commissioner



Secretary