

August 17, 1998
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Introduced By: Maggi Fimia

Proposed No.: 98-518

ORDINANCE NO. **13259**

AN ORDINANCE establishing the date for an election on the question of annexation of the city of Kenmore to King County Fire Protection District No. 16.

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 Kenmore Resolution 98-014 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. 16.

2. The county council notes that city of Kenmore Resolution 98-014 finds that it is in the public interest for the city to be annexed to Fire Protection District No. 16.

3. The Commissioners of King County Fire Protection District No. 16 by Resolution 98-07 have concurred with the Kenmore city council's proposal to be annexed to the fire district in accordance with RCW 52.04.061

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. A special election shall be held on the 3rd day of November, 1998, within the city of Kenmore and within King County Fire Protection District No. 16. The

**RECORDS & ELECTIONS
DIVISION**

RECEIVED BY: *[Signature]*

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ballot proposition shall be in substantially the following form in accordance with RCW
57.04.071:

"Shall the city of Kenmore be annexed to and be
part of King County Fire Protection District No.16?

YES[]

NO.....[]"

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

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

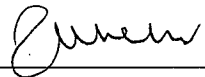
INTRODUCED AND READ for the first time this 24th day of August, 1998.

PASSED by a vote of 12 to 0 this 31st day of AUGUST, 1998

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


VICE Chair

ATTEST:


Clerk of the Council

APPROVED this 11 day of September 1998.


King County Executive

Attachments: - A. City of Kenmore Resolution 98-014;
B. King County Fire Protection District No. 16 Resolution No. 98-07.

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WDT/srf
07/15/98

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RESOLUTION NO. 98-014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, AUTHORIZING A TEMPORARY ANNEXATION OF THE CITY OF KENMORE TO KING COUNTY FIRE PROTECTION DISTRICT NO. 16, UNTIL DECEMBER 31, 1999, AS PROVIDED IN RCW 52.04.161, AND CALLING FOR AN ELECTION TO PERMIT VOTERS TO DETERMINE WHETHER THE CITY SHALL BE ANNEXED TO AND BECOME A PART OF KING COUNTY FIRE PROTECTION DISTRICT NO. 16 PURSUANT TO RCW 52.04.071.

WHEREAS, the City of Kenmore will incorporate on August 31, 1998; and

WHEREAS, portions of the City of Kenmore are located in King County Fire Protection District No. 16; and

WHEREAS, RCW 52.04.161 provides that a newly incorporated city is automatically annexed to a fire protection district within whose borders the City lies unless the City adopts a resolution precluding annexation; and

WHEREAS, RCW 52.04.161 provides that the automatic annexation by the City to the Fire Protection District shall continue through the remainder of the year of the City's official date of incorporation; and

WHEREAS, RCW 52.04.161 provides that the automatic annexation by the City to the Fire Protection District may be extended through the year following incorporation if approved by resolution of the Fire Protection District and the City; and

WHEREAS, RCW 52.04.161 further states that a ballot proposition may be submitted to the voters to decide whether the City shall remain annexed to Fire Protection District No. 16; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON,
HEREBY RESOLVES AS FOLLOWS:

Section 1. Automatic Annexation. The City Council ratifies and extends the automatic temporary annexation of the City to King County Fire Protection District No. 16 pursuant to RCW 52.04.161 commencing on the date of incorporation and terminating on December 31, 1999, unless otherwise further extended.

Section 2. Finding. The City Council finds that it is in the public interest for the City of Kenmore to be annexed to King County Fire Protection District No. 16.

Section 3. Declaration of Intent. It is the intent of the City of Kenmore to be annexed to and be a part of King County Fire Protection District No. 16.

Section 4. Request for Concurrence. Pursuant to RCW 52.04.161 the City requests that the Board of Commissioners of King County Fire Protection District No. 16 concur by resolution in the annexation of the City to the District through December 31, 1999.

Section 5. Transmittal to County Council and Request for Special Election. Pursuant to RCW 52.04.071, if the Board of Commissioners of King County Fire Protection District No. 16 concurs by resolution with the City's intent to be annexed to and become a part of the District, then the City Clerk is authorized and directed to notify and send a certified copy of this Resolution and the District's resolution to the King County Council. The City requests that the County shall by resolution call for a special election to be held in the City and Fire

Protection District No. 16 on September 15, 1998, or at the next date provided in RCW 29.13.010, but not less than forty-five days from the declaration of the finding. The special election shall be held for the purpose of submitting to the qualified voters of the City and the District the proposition of whether the City should be annexed to and become a part of the District. The City further requests that King County shall give notice of the election as provided in RCW 29.27.080. The proposition to be submitted at the special election shall be in the form of a ballot title as follows.

PROPOSITION


ANNEXATION OF THE CITY OF KENMORE TO KING COUNTY FIRE PROTECTION DISTRICT NO. 16

Shall the City of Kenmore be annexed to and be a part of King County Fire Protection District No. 16.

Yes _____
No _____

RESOLVED this 20th day of July, 1998.

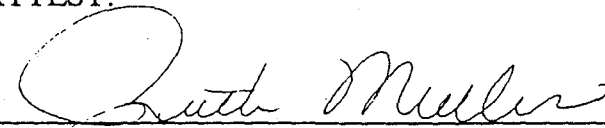
APPROVED by the Mayor this 20th day of July, 1998.



JACK V. CRAWFORD, MAYOR

FILED this 20th day of July, 1998.

ATTEST:



RUTH MULLER, INTERIM CITY CLERK

APPROVED AS TO FORM:

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BY: Wayne Jensen
INTERIM CITY ATTORNEY

RESOLUTION NO. 98-014

I, Ruth Muller, Interim City Clerk for the City of Kenmore, do hereby certify that the above is a true and correct copy of Resolution 98-014 as adopted by the Kenmore City Council at a regularly scheduled meeting on July 20, 1998.

Ruth Muller
Ruth Muller, Interim City Clerk

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KING COUNTY FIRE PROTECTION DISTRICT NO. 16
18030-73RD N.E.
KENMORE, WA 98011



BUSINESS (425) 486-2784

FAX (425) 483-6588

EMERGENCY 9-1-1

RESOLUTION NO. 98-07

**CONCURRING WITH THE CITY OF KENMORE RESOLUTION
CALLING FOR AN ELECTION TO PERMIT VOTERS TO DETERMINE WHETHER
THE CITY OF KENMORE SHALL BE ANNEXED TO AND BECOME A PART OF
KING COUNTY FIRE PROTECTION DISTRICT 16**

AND

**CONCURRING WITH THE EXTENSION OF THE AUTOMATIC ANNEXATION OF
THE CITY OF KENMORE INTO KING COUNTY FIRE PROTECTION DISTRICT 16
UNTIL DECEMBER 31,1999**

WHEREAS, the City of Kenmore (the "City") will incorporate officially on August 31, 1998, and portions of the newly-incorporated City are located within the geographic boundaries of King County Fire Protection District No. 16 ("District 16"); and

WHEREAS, RCW 52.04.161 provides automatic temporary annexation by the City to District 16, effective immediately on the City's official date of incorporation, that the City shall remain annexed for the remainder of the calendar year, and may remain annexed throughout the following calendar year if the town or city council so provides by resolution; and

WHEREAS, The City of Kenmore has by Resolution chosen to continue the automatic temporary annexation provided for in RCW 52.04.161 until December 31, 1999; and

WHEREAS, RCW 52.04.161 provides that the City will be automatically withdrawn from District 16 on January 1, 2000, unless a ballot proposition is adopted by the voters pursuant to RCW 52.04.071 providing for the permanent annexation of the City to District 16; and

WHEREAS, RCW 52.04.071 provides the method and requirements for an election for the annexation of a city into a fire district; and

WHEREAS, RCW 35.02.130 provides that, at this time, the City may authorize the submittal of a ballot proposition to the voters concerning annexation of the City by District 16; and

WHEREAS, the City has declared its intent to annex into District 16 and has passed a Resolution authorizing the submittal of a ballot proposition to the voters of the City and of District 16 concerning annexation of the City into District 16; and

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WHEREAS, the Board of Commissioners of District 16 considers it to be in the best interests of the District and the public to have the City of Kenmore be a part of District 16; **NOW THEREFORE**,

BE IT RESOLVED, that the Board of Commissioners of King County Fire Protection District No. 16 ratifies continuation of the automatic temporary annexation of the City to King County Fire Protection District No. 16 until December 31, 1999 pursuant to RCW 52.04.161; and **IT IS FURTHER**

RESOLVED, that the Board of Commissioners of King County Fire Protection District No. 16 hereby concurs with the City Council of the City of Kenmore in its intent to join District 16 by annexation; and **IT IS FURTHER**.

RESOLVED, that copies of this Resolution be sent to the King County Auditor and Treasurer and to the City Council for the newly incorporated City of Kenmore for their records; and **IT IS FURTHER**

RESOLVED, that King County Fire Protection District 16 by this Resolution requests that officials of King County call for a special election to be held, pursuant to RCW 52.04.071, on September 15, 1998, or at the next date provided in RCW 29.13.010, but not less than forty-five days from the date of passage of this Resolution, for the purpose of submitting to the voters of the City and the District a ballot proposition in substantially the following form:

PROPOSITION NO. 1

**ANNEXATION OF THE CITY OF KENMORE
TO KING COUNTY FIRE PROTECTION DISTRICT NO. 16**

Shall the City of Kenmore be annexed to and be a part of King County Fire Protection District No. 16?

Yes _____
No _____

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Adopted at the regular meeting of the Board of Commissioners for King County Fire Protection District No. 16 on this 21st day of July, 1998.

Carolyn Armanini

CAROLYN ARMANINI, COMMISSIONER

George M. Currin

GEORGE M. CURRIN, COMMISSIONER

Don Ellis

DON ELLIS, COMMISSIONER

Steven J. Gimurtu

STEVEN J. GIMURTU, COMMISSIONER

Peter V. Vaglio

PETER V. VAGLIO, COMMISSIONER

ATTEST:

William W. Williams

SECRETARY / LEGAL COUNSEL
WILLIAM W. WILLIAMS

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CERTIFICATION

The undersigned, WILLIAM L. WILLIAMS, Secretary of the Board of Fire Commissioners of King County Fire Protection District No. 16, King County, Washington, DOES HEREBY CERTIFY that the foregoing is a true and complete copy of Resolution No. 98-07 of said Board of Fire Commissioners, duly adopted at a regular meeting thereof held on the 21st day of July, 1998.



WILLIAM L. WILLIAMS, Secretary
Board of Commissioners
King County Fire Protection District No. 16

